

To: Scotland Excel Executive Sub Committee

On: 13 May 2016

**Report
by
Director Scotland Excel**

Risk Register Update

1. Introduction

This report provides an update on the risk register that is maintained to assess threats/risks that could impact on the delivery of Scotland Excel's organisational objectives and to identify actions that have been taken to mitigate such risks.

2. Background

In 2015 Scotland Excel carried out a full review of the organisation's risk register to reflect the new 3 year operating plan. As a result of the review, a new risk management approach and plan was created and presented to the Joint Committee in November 2015.

It was agreed that the risk management plan would be reported to the Executive Sub Committee twice a year and the Joint Committee on an annual basis to give elected members both visibility and the opportunity to discuss with officers the actions taken by the organisation to manage the identified risks.

3. Risk Management update

To ensure that the risk register is maintained and continues to be a focus for the organisation, a process for regular review was put in place; the Senior Management Team reviews 3 risks every second team meeting which ensures a full review of the whole risk register each quarter.

Members of the Senior Management Team also ensure that their staff have visibility of the register to highlight any new risks or actions to mitigate risks which emerge.

The risk management process implemented has successfully allowed the organisation to ensure the risk management is a key focus for the wider organisation and the risk management plan is a "living document". Several action items have arisen from the process encompassing areas such as contingency planning and sustainability.

Based on feedback from the Joint Committee in November and the experience of operating the plan for six months, further enhancements have been made to the process including the implementation of residual risk levels and risk movement.

Risk control measures implemented as a result of the planning process have resulted in 8 risks with a reduced risk level and 6 remaining static. Further work is underway through the risk management process to understand the potential for reducing the remaining organisational risks.

The current risk register is attached as an appendix to this report for review by members.

4. Recommendation

Members are invited to provide any feedback on the risk register, the actions identified to manage risks and note the report.



Risk Management Plan

2016

CONTENT

1. Risk management arrangements within the organisation 3

2. Report on corporate risk management objectives 3

3. Summary report on previous year’s risk position 3

4. Current internal and external business context for the organisation 3

5. The risk register going forward from 1/10/2015..... 5

Appendix 1: Risk Register going forward from 1/10/2015..... 8

1. Risk management arrangements within Scotland Excel

- 1.1 During 2014-15, the organisation has implemented a range of standard procedures in keeping with the organisation's risk management strategy. This includes adoption of the risk management process and the standardised risk matrix for analysis and evaluation of risk.
- 1.2 The review of the Risk Register will be carried out by the Senior Management Team and the top 5 risks will be reported quarterly to the appropriate governance committee of Scotland Excel.
- 1.3 The Senior Management Team will review the register on a monthly basis. However managers will bring to the attention of the group a new risk or significant change in an existing risk this will be circulated within the Senior Management Team with immediate effect.

2. Report on corporate risk management objectives

- 2.1. To ensure that risks are identified and effectively managed Scotland Excel will put in place a range of measures and processes. These will include:
 - (1) The Senior Management team owns and regularly reviews the risk register reporting on it to the governance committee of elected members.
 - (2) By carrying out regular review of the register and the process of review ensure that the risk management policy and strategy remain fit for purpose, providing a consistent approach to risk management and increasing its effectiveness.
 - (3) Ensuring that staff are equipped and supported to identify and manage risk in their area.
 - (4) The organisation will ensure that it has effective arrangements in place for managing risks in partnerships.
 - (5) Ensuring that the management of risk contributes to achieving positive outcomes for the organisation including encouraging innovation and identifying new opportunities.

3. Summary report on previous year's risk position

- 3.1. As part of the review of service this is a new risk register that reflects the current and future risks identified for the organisation.

4. Current internal and external business context for the organisation

- 4.1. The Scotland Excel Senior Management Team (SMT) have participated in dedicated sessions, facilitated by Renfrewshire Council's Risk Manager to explore the organisation's current risk landscape and agree the key risks that should feature in the organisation's revised strategic risk register.
- 4.2. As a basis for refreshing the strategic risk register, the SMT considered the organisation's key business priorities and perceived significant challenges to achieving these:
 - Supporting the delivery of better and more effective public services
 - Being sustainable in everything we do.
 - Placing customers at the heart of our business.

- Becoming the partner of choice for delivering shared services.

4.3. Focus was then given to the organisation's current external business environment: immediate matters of importance as well as those that may be on the horizon. In particular, the SMT considered the following:

- **POLITICAL CONTEXT**
 - The Christie Commission on the Future Delivery of Public Services
 - Changes in the political landscape, such as the breakup of CoSLA and the formation of the new Local Government Partnership
 - Health and social care integration – joint bodies as new legal entities who may procure through other means and not access Scotland Excel contracts
- **ECONOMIC CONTEXT**
 - The increasing focus on public sector procurement as a driver of economic benefits and the relationship between procurement and the local economic agenda
 - Financial pressures and budget cuts in member councils
 - Financial (and other) factors impacting on resilience of suppliers – potential for provider failure/ business continuity risk
- **SOCIAL CONTEXT**
 - The increasing focus on public sector procurement as a driver of social benefits
- **TECHNICAL CONTEXT**
 - Complexities of certain new markets and matching in-house capacity/ capability
 - The third phase of the national Public Procurement Reform Programme – potential to be out of step with what's seen as good practice – detached from key requirements
 - Linked to the above, recommendations in the Review of Scottish Public Sector Procurement in Construction - the need to review, position the organisation to better serve customers (PCA good example)
 - Scotland's Digital Future/ delivery of Public Services strategy and the Local Government Information and Communication Technology (ICT) strategy – access in local communities. – Opportunity. – reputation that we say we can deliver ICT contract but can't deliver.
- **LEGISLATIVE CONTEXT:**
 - The Procurement Reform (Scotland) Bill
 - Changes to EU and UK procurement legislation
 - Consultation on the Community Empowerment (Scotland) Bill – Scotland Excel Contracts may not be fully utilised. Sales and marketing need to respond and there is opportunity for small projects team to be involved.
 - Personalisation and self directed support legislation (individual choice) – risk in terms of the contract and additionally governance, in terms of how Scotland Excel supports member councils
 - Public Bodies (Joint Working) (Scotland) Act 2014
- **ENVIRONMENTAL CONTEXT**
 - The increasing focus on public sector procurement as a driver of environmental benefits

4.4. Further to the above consideration of the current external business environment, the SMT also gave consideration to the current internal business environment: matters of importance identified in relation to internal priorities or challenges, or feedback/ performance:

- Performance against Transforming Scotland Excel priorities

- Data integrity – systems and management information requirements to support future activities, future decisions and the transformation programme
- Financial integrity and stability – funding/ rebates
- Exploring new markets/ developing new contracts with related reputational impact in how these are handled by the organisation
- Feedback from the Scotland Excel customer surveys - managing customer expectations/ demonstrating value and outcomes achieved – to be the provider of choice
- Outputs from the Audit Scotland review of procurement in Local Government– poor forecasting in terms of timelines
- Opportunities for growing the current shared services model to include the delivery of additional contract areas and value add services
- Workforce planning needs – turnover and the availability of skilled and experienced resources
- Trends in relation to complaints, incidents/ near misses, claims and insurance information
- Internal business continuity arrangements in respect of loss of staff, power/ systems, facilities

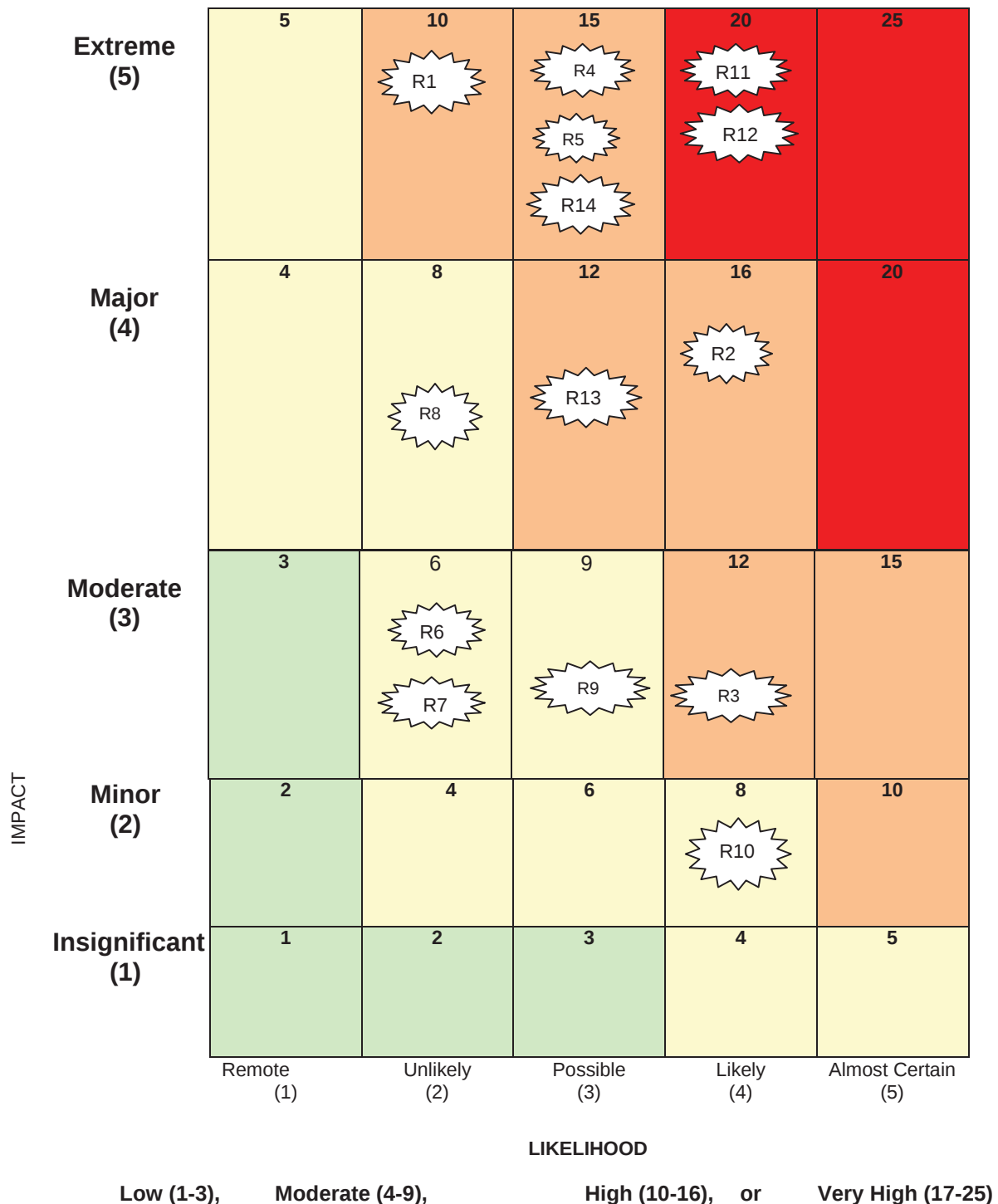
4.5. On the basis of the extensive consideration of the above business context, the organisation has identified and agreed the key strategic risks to be recorded within its risk register going forward from 01/09/2015.

5. The risk register from October 2015

5.1. The risk register is shown in detail in Appendix 1. The risks are categorised under the themes noted below (referred to in more detail earlier in paragraph 4.2), reflecting the strategic aims of the organisation and one additional category to enable capture of significant risks that are inherent in business as usual for the organisation:

- Supporting the delivery of better and more effective public services
- Being sustainable in everything we do.
- Placing customers at the heart of our business.
- Becoming the partner of choice for delivering shared services.

5.2. In summary, the evaluation of Scotland Excel's risks shows the risk profile as:



5.3. The organisation's top five risks (in terms of potential significance) are:

- (1) Long Term Sustainability of Organisation
- (2) Recruitment and Retention of Staff
- (3) Expectations of Stakeholders for Scotland Excel to be a "Thought Leader"
- (4) Supplier or Service Provider Failure
- (5) Business Continuity

- 5.4. The planned risk treatment activity going into this year, which is required to further control of reduce the risks is included within the register in Appendix 1.
- 5.5. Strategic risks will be reported on a 6 monthly basis to the Executive Sub Committee.
- 5.6. As a minimum, the Senior Management Team will review the entire strategic risk register on a quarterly basis.
- 5.7. Individual SMT members will as a matter of course throughout the year, bring to the SMT for collective consideration any local (contract specific or operational) risks that may require escalation to the strategic risk register.

Appendix 1:

Risk Register from 01/09/2015

Context	Risk Statement	Owned by	Current Risk Control Measures	Likelihood	Impact	Evaluation	Residual Risk	Movement
REF: Risk 1 Title Context: (1) There is less opportunity to show significant savings from second and third generation contracts (2) As demonstrated with COSLA councils can serve notice and leave the organisation (3) An example of this is some councils not participating in the NCHC.	Membership of Scotland Excel is optional for Councils. The risk is that Councils decide not to renew membership of Scotland Excel. Scotland Excel must be alert to this and the impact of any council leaving membership.	JW	- The Director has undertaken and will continue a programme of meetings with Directors of Finance in Councils to ensure awareness of Scotland Excel and the financial benefits to councils. - Head of Service role created with responsibility for engaging with stakeholders to ensure that requirements are met and relationships are managed effectively. - Engagement with CIPFA to ensure that there is awareness and understanding of Scotland Excel and the benefits of fully engaging are clearly communicated to executives in member councils. - Competitor analysis is providing a clear understanding of our unique selling propositions	3	5	15	10	↑
Action Ref	Linked Actions	Latest Notes			Due Date	Status		
		The control measures of the organisation have reduced the likelihood of this risk.						

Context	Risk Statement	Owned by	Current Risk Control Measures	Likelihood	Impact	Evaluation	Residual Risk	Movement
REF: Risk 2 Title Context: (1) Failure to horizon scan to identify new markets/commodity shifts (2) Failure to deliver on priorities identified by member councils at commercial UGs (3) Failure to explore viability of new markets (4) Need to match in-house capability and capacity to respond to new markets Impact of TTIP – Transatlantic Partnership	Scotland Excel fails to exploit potential new markets and opportunities to expand the contract portfolio securing savings for stakeholders.	HC	Horizon scanning to help to identify market development opportunities earlier and give the organisation longer to plan for capability/capacity - Commercial UG/Steering Group provides platform for prioritising new market development opportunities, (e.g. discussion and agreement on how we strike a balance between their requirements and our capacity/capability) - Workforce planning – anticipate requirements in over the long term and investigate how we can fund recruitment of new staff or up skill existing staff - Secondments from expert partners, as per Zero Waste Scotland for the development of waste contracts. - Contract governance arrangements mitigate some risk on capability, (i.e. opportunity to identify issues before a tender goes to market)	4	5	20	16	↑
Action Ref	Linked Actions	Latest Notes			Due Date	Status		
		The control measures of the organisation have reduced the impact of this risk.						

Context	Risk Statement	Owned by	Current Risk Control Measures	Likelihood	Impact	Evaluation	Residual Risk	Movement
REF: Risk 3 Title:	Scotland Excel fails to develop to meet demands and diversification as the requirement for new shared services develops.	SB	- Ensuing that there is ongoing robust market testing of all new shared service propositions - Ensuring that there is a robust business model in place for all new services (cost to serve, funding / uptake forecasts) - Ensuring that there is proper planning that sufficient and capable resources exist within the organisation. - Scotland Excel will continue to engage effectively and appropriately to ensure that there is a full understanding of the policy drivers and impacts / opportunities for our stakeholders.	4	4	16	12	↑
Action Ref	Linked Actions	Latest Notes		Assigned to	Due Date	Status		
		The control measures of the organisation have reduced the impact of this risk.						

Context	Risk Statement	Owned by	Current Risk Control Measures	Likelihood	Impact	Evaluation	Residual Risk	Movement
REF: Risk 4 Title:	Stakeholders expect that as a CoE Scotland Excel must be aware of and ready for political or other external changes and the impact of these. Failure to do so will compromise the relationship with our stakeholders.	JW	- Horizon scanning in place with appropriate staff reviewing monthly - Strengthening partnerships in the wider stakeholder environment through meetings, conferences and collaborative working - An effective and appropriately resourced public affairs strategy is in place. - Scotland Excel ensures that the organisation is aware of and plan to respond to all changes in its external environment that may affect the organisation and / or the sector.	3	5	15	15	↔
Action Ref	Linked Actions	Latest Notes		Assigned to	Due Date	Status		

Context	Risk Statement	Owned by	Current Risk Control Measures	Likelihood	Impact	Evaluation	Residual Risk	Movement		
REF: Risk 5 Title:	The failure of a service provider could have significant implications for service provision within member council areas.	HC	- Effective risk management is in place at development and management of contracts - Robust processes for monitoring the financial stability of suppliers is carried out prior to award and throughout the life of a contract - Specific measures to meet the management of Social Care contracts and these key areas of risk. - Scotland Excel has a range of measures for monitoring supplier resilience in addition to the external financial monitoring tools used.	3	5	15	15			
Context:										
(1) Financial (and other) factors impacting on resilience of suppliers										
(2) Negative reputational results across the portfolio from potential breach of contract and / or supplier failure										
Action Ref	Linked Actions	Latest Notes		Assigned to	Due Date	Status				

Context	Risk Statement	Owned by	Current Risk Control Measures	Likelihood	Impact	Evaluation	Residual Risk	Movement	
REF: Risk 6 Title:	Scotland Excel fails to engage effectively with stakeholders on collaborative activities and / or does not make information available to support the use of contracts or services.	HC	▪ Promotional materials including guides for buyers and suppliers produced to help ensure informed purchasing decisions. ▪ Quarterly meetings with stakeholders to support training in the use of and development of content in eCatalogues. ▪ Feedback is given at quarterly stakeholder meetings on spend data including identification where possible of "off contract spend". ▪ Use of agreed standard form of framework for goods/services/social care and shared via the intranet to ensure consistency in the methodology. ▪ Appropriate stakeholders identified through the procurement journey and actions from this used to project manage the process.	2	4	8	6		
Context: (1) Lack of awareness of or input to development of frameworks.									
Action Ref	Linked Actions	Latest Notes		Assigned to	Due Date	Status			
		The control measures of the organisation have reduced the impact of this risk.							

Context		Risk Statement	Owned by	Current Risk Control Measures	Likelihood	Impact	Evaluation	Residual Risk	Movement
REF: Risk 7 Title:	Context: (1) Ensure that where possible community benefits can be delivered as part of the contract portfolio. (2) Ethical sourcing of products and supplies in the whole supply chain.	Scotland Excel fails to be an industry leader in how it addresses key aspects of corporate social responsibility with an associated negative impact upon our stakeholders.	HC	- Management and reporting of Community Benefits in place and being further developed with stakeholders input. - Elected members receive updates as part of the governance process on the range of community benefits on frameworks. - Scotland Excel has secure accreditation as a Living Wage Employer and this will be used to raise awareness with suppliers and stakeholders. - Engagement with appropriate bodies such as the British Association of Supported Employment to encourage participation in frameworks. - Ethical sourcing strategies are provided by suppliers as part of the tender process as a control measure. - Marketing actively promote the community benefits in our contracts. - Anti Slavery legislation has been included and reviewed as part of our procurement strategy.	2	4	8	6	
Action Ref		Linked Actions	Latest Notes		Assigned to	Due Date	Status		
			The control measures of the organisation have reduced the impact of this risk.						

Context	Risk Statement	Owned by	Current Risk Control Measures		Likelihood	Impact	Evaluation	Residual Risk	Movement
REF: Risk 8 Title: Context: (1) Website is a first point of contact for many so must be accurate and up to date (2) More proactive use of media to promote good news stories (3) Elected member engagement and providing them with information on success / good news stories to promote the value of the organisation.	Failure to make Scotland Excel the procurement provider of choice for stakeholders through proper awareness has a financial impact for the organisation and for members in terms of best value	SB	- Scotland Excel has engaged PR professionals to raise awareness of the organisation and the benefits from the contracts that are in place. - Promotional materials including guides for buyers and suppliers produced. - Regular updates to all stakeholders via the quarterly newsletter / magazine. - An update of the website has taken place and new content will be added to ensure stakeholders are informed and engage with the organisation - Adopting the use of social media as appropriate to engage effectively with stakeholders is currently being evaluated. - Stakeholder engagement exercise and ranking of these stakeholders has resulted in a strategy effective engagement. - Regular PR updates and opportunities are discussed and reviewed by the SMT as a regular agenda item.		3	4	12	8	↑
Action Ref	Linked Actions	Latest Notes	Current Risk Control Measures		Assigned to	Due Date	Status		
		The control measures of the organisation have reduced the likelihood of this risk.							

Context	Risk Statement	Owned by	Current Risk Control Measures		Likelihood	Impact	Evaluation	Residual Risk	Movement
REF: Risk 9 Title: Context: (1) Website news and information kept completely up to date reflecting any issues (2) Arrangements for dealing with adverse publicity / crisis management (3) More proactive use of media to manage news stories (4) Elected members must be kept informed if issues arise.	Scotland Excel is faced with negative publicity or a media crisis which compromises the organisation's stakeholders	SB	- Procurement teams advise communications colleagues of any issues which have the potential for negative media interest, and plans are put in place to deal with these proactively - Scotland Excel make use of external specialists to supplement in-house resources as required - Executive team have had media training to ensure effective handling of any issues that may arise.		3	4	12	9	↑
Action Ref	Linked Actions	Latest Notes	Current Risk Control Measures		Assigned to	Due Date	Status		
		The control measures of the organisation have reduced the impact of this risk.							

Context	Risk Statement	Owned by	Current Risk Control Measures	Likelihood	Impact	Evaluation	Residual Risk	Movement
REF: Risk 10 Title:	Scotland Excel has to meet the obligation to deliver on policy objectives for Joint Committee members. There is a risk to credibility and reputation if this is not met.	HC	▪ Sound supplier management is in place and regular meetings to ensure contractual commitments are met. ▪ End users are clear on options when making purchasing decisions for example "fair-trade" options that are available in contracts. ▪ Procurement teams advise communications colleagues of any CSR or benefits which have the potential for a positive media interest, and plans are put in place to deal with these proactively ▪ Contract governance process ensures that appropriate steps are taken to drive ethical sourcing within framework agreements.	2	4	8	8	
Context:								
(1) Implementation of stakeholder policy in contracts								
(2) Ethical sourcing of products and supplies in the whole supply chain.								
Action Ref	Linked Actions	Latest Notes		Assigned to	Due Date	Status		

Context	Risk Statement	Owned by	Current Risk Control Measures	Likelihood	Impact	Evaluation	Residual Risk	Movement
REF: Risk 11 Title:	There are a range of factors in the organisation's business context that if not addressed effectively could impact on the longer term sustainability of Scotland Excel and the ability to remain the provider of choice in the public procurement sector.	JW	- Financial Sustainability: - Identifying new opportunities to provide additional chargeable services based on customer demand - Developing and implementing transparent budget management procedures - Competition: - Competitor analysis is undertaken and is used to develop and communicate unique selling propositions (USPs) - Opportunity to reprioritise services based on competitive landscape (e.g. avoid duplication and free up resources) - Growth and logistics: - Ensure ongoing robust market testing of all new shared service propositions - Ensure ongoing robust business model is in place for all new services (cost to serve, funding/uptake forecasts)	4	5	20	20	
Context:								
(1) Financial sustainability - Need to attract resources - Council budget cuts - Potential for national organisations / local government withdrawing support								
(2) Competition from other bodies entering the market where Excel has to remain the provider of choice								
(3) Desired growth and consequent logistics/ location challenges for the organisation								
Action Ref	Linked Actions	Latest Notes		Assigned to	Due Date	Status		

Context	Risk Statement	Owned by	Current Risk Control Measures	Likelihood	Impact	Evaluation	Residual Risk	Movement
REF: Risk 12 Title:	Scotland Excel encounters problems in recruiting and retaining staff of suitable skill, quality and experience to meet the agreed contract delivery schedule.	JW	- Organisational development strategy has been created as part of the transformation programme - Opportunity to formalise our new talent development activities into three year rolling strategy - Refresh of employer branding and implementation of social media based recruitment advertising has been used to engage with a wider audience of potential staff.	4	5	20	20	
Context:								
(1) Demand in the market for Procurement staff makes recruiting and retaining staff problematic.								
(2) Lack of flexibility in pay structures due to tie in with Renfrewshire Council makes retaining staff problematic.								
(3) Perception of procurement staff as lacking experience creates lack of confidence amongst our stakeholders.								
Action Ref	Linked Actions	Latest Notes		Assigned to	Due Date	Status		
Context	Risk Statement	Owned by	Current Risk Control Measures	Likelihood	Impact	Evaluation	Residual Risk	Movement
REF: Risk 13 Title:	Legislative changes can impact on the organisation and its stakeholders creating challenges for the organisation to respond to and address.	HC	- Active participation in various groups and boards influencing policy and direction of travel. - Regular attendance for key staff at appropriate training and policy seminars. - Working in partnership with key industry / service / professional groups to manage service development and delivery in line with legislative changes. - Ongoing cross sector working to encourage sharing of best practice and reduction of duplication where possible.	3	4	12	12	
Context:								
(1) Procurement Reform (Scotland) Bill								
(2) Changes to EU and UK procurement legislation								
(3) Consultation on the Community Empowerment (Scotland) Bill								
(4) Personalisation and self directed support legislation (individual choice)								
(5) Horizon scanning for future legislative changes								
Action Ref	Linked Actions	Latest Notes		Assigned to	Due Date	Status		

[illegible]