FSS Strategic Risk Register **Oct-21** Internal Controls Checklist

	Directorate	Risk Title	Risk Description Include: Event - Cause – Effect	Controls in Place (To be aligned with Internal controls)	Assurance Three Lines of Defence			Gaps In Assurance	CURRENT Risk Impact & Likelihood			Trend	Proximity	Mitigation Actions Planned & Date of Delivery	TARGET Risk Impact & Likelihood		
					1st Line	2nd Line	3rd Line		Likelihood	Impact	CURRENT Risk Score				Likelihood	Impact	TARGET Risk Score
R001	Strategy, Communications & Programmes - Julie Hesketh-Laird	Constitution, Devolution & UK Frameworks	**Event:** Given the Market Access Principles set out in the Internal Market Act, the UK Parliament may legislate in a way that overrides FSS/SG policy as it might have automatic effect in Scotland. **Cause:** Internal Market Act disincentivises collaboration and due process as outlined in Common Frameworks and UK Ministers may choose to prioritise a trade/industry/deregulatory agenda ahead of a consumer-led one. **Effect:** Scrutiny by devolved parliaments for laws that would take effect in devolved administrations would be reduced; a deregulatory approach to safety and standards is applied in Scotland; legal challenge made for any unilateral measures taken in Scotland even where within SM (spell out SM) competence following FSS advice; levers available to FSS/SMs (Again spell out SM) to deliver strategies reduced; enforcement landscape made more complex; food and feed safety and standards traded off against consumer intrest.	FSS connected into SG Constitution & Europe Prog., providing policy analysis to SG Constitution & UK relations team. * Formal engagements with FSA, Defra, Wales & NI. - FSS fully participating in delivery of common frameworks, - Utilise 4C approach within FWs to drive standards acceptable across UK (see also keeping pace discussions with SG). - Regular strategic engagement with stakeholders to campaign for any Scottish preferences to be considered in UK context. * Board regularly updated at meetings & seminars.	Policy staff are proactively engaging with UK counter parts on new and emerging policy, linking in with NI contacts as appropriate and ensuring that full panoply of SG and FSS policy/consultation tools are used to best effect.	Policy 'critical path'/check lists and protocols to be developed, SE team uses cross cutting contacts to leverage UK wide consideration of issues. SE team to develop an approach to engage at a strategic level to influence UK approach.	Independent assurance supplied Internal Audit To ensure that the first two lines are operating effectively and advise how they could be improved.	Assurance areas identified as absent or requiring improvement which would support and / or alleviate identified risk.	4	50	200	● Static	VDI	Continue to input into SG consideration of internal UK market issues - Ongoing Once frameworks agreed, monitor and review to ensure Scottish interests are delivered.- Ongoing. Monitor emerging policy issues and ensure FSS is engaging with key stakeholders Engagement with BEIS - ongoing Working with policy teams on development of policy process tools	3	25	75
R002	Policy, Science and Operations - Ian McWatt	Local Authority Delivery of Food Law controls	**Event –** Local Authorities fail to deliver food law controls as required by the Food Law Code of Practice. **Cause –** due to inadequate capacity and capability. **Effect –** leading to interventions being missed increasing the opportunity for unsafe food practices and opportunity of food fraud within food businesses.	FSS continue to provide student funding and capability training to Officers engaged in food law activities. SGOR meet with various parts of SG, FSS, LAS and their professional bodies to discuss wider issues of professional resilience with a view to provision of a National workforce plan. FSS is as part of this group providing information and data as relevant in an effeort to ensure that requirements will reflect the demands of food law now and in the future. Through the Covid-19 Local Authority Recovery plan FSS will be able to clearly determine the gaps in capacity and capability within LAs and consider future delivery opportunities	Enforcement Delivery and Audit team work closely in engagement with LAs. Main enegagement is with SFELC and professional bodies representing the food law professions.	The main areas available to assess LA performance are data within the Scottish National Database and information from Local Authority Audits. Covid-19 derived deviations from the Code of Practice have resulted in few interventions being conducted (mainly due to lockdowns resulting in food business closures) and a lack of data coming through the system where there has been difficulty in updating LA management Information Sytems. The LA Audit programme has been suspended not just due to Covid but also as a result of staff vacancies. Both of these has resulted in less information being available to identify issues with delivery.	Independent assurance supplied Internal Audit To ensure that the first two lines are operating effectively and advise how they could be improved.	There is an absence of resource dedicated to performance management, this is being raised with the relevant Deputy CE for greater consideration.	3	50	150	● Static	APP	Maintain LA capacity training Planned workshop events (on-line) with LAs during the recovery planning process to support them during the process Continue to engage with OR team and ensure that the FSS interests are represented Continue to engage with professional bodies to modernise the training and qualification routes for new officers Effectively define requirements for audit, performance monitoring, performance management and support functions required within FSS	3	10	30
R003	Policy, Science and Operations - Ian McWatt	Resourcing	**Event:** FSS unable to recruit sufficient veterinary personnel to deliver official Controls or service demand for export health certification. **Cause:** UKG policies on recruitment of EU nationals hampers inflow of veterinary graduates to work in veterinary public health. **Effect:** Inability to delivery meat Official Controls or complete export certification could impact the Scottish meat and fish sectors in their ability to produce and export their products.	FSS continues to engage with veterinary delivery landscape programme, CVO Scotland, SG and Defra. Risk is seens as approaching currently as recent recruitment rounds have attracted Ovs from elsewhere in UK however, Covid is potentially creating an artifical aspect to the movement of staff and close monitoring will be required as lockdown eases.	Assurance areas identified as absent or requiring improvement which would support and / or alleviate identified risk.	Management Controls & internal control measures in place to help mitigate the risk. Responsible for identifying and managing risk as part of their accountability for achieving objectives.	Evidence of controls/compliance in place provided by functions that oversee or specialise in compliance for identified in the risk area. Provides the policies, frameworks, tools, techniques and support to enable risk and compliance to be managed in the first line.	Independent assurance supplied by FSS Board ARC Internal Audit To ensure that the first two lines are operating effectively and advise how they could be improved.	4	25	100	● Static		Regular high level discussions between FSS and SGHR has seen an improvement in on boarding times as per recent Performance Report • SGHR are in the process of rolling out a new IT Automation On Boarding System that has shown early improvement in recruitment timelines • There is no a formal mechanism for escalation between FSS and SGHR to monitor performance in this area which has improved in last quarter	2	25	50
R004	Strategy, Communications & Programmes - Julie Hesketh-Laird	**EMERGING TECHNOLOGY** and e-commerce Ensuring regulation and assurance keeps pace with new products and the expansion of online food markets	**Event:** A disparate and inconsistent approach to management and linkage between digital data sets across the organization and with partners. **Cause:** Failure to articulate, design and thereafter implement an FSS digital strategy. **Effect:** Lack of data sharing internally and with partners which inhibits our ability to fulfil our obligations within the Corporate Plan.														
R005	Strategy, Communications & Programmes - Julie Hesketh-Laird	**MISINFORMATION** Promoting FSS as the expert voice and gaining the trust of consumers over unreliable sources of information on diet and health, recognising the particular challenges associated with social media	**Event:** Development of a new nutrition hub for the FSS website could be delayed. **Cause:** Lack of sufficient resources. **Effect:** Inconsistent consumer messaging on a healthy balanced diet.														
R006	Policy, Science and Operations - Ian McWatt	**COVID 19** potentially new risks to the food chain and diversion of regulatory resources to support the public health response	**Event:** Worldwide Pandemic causing unprecedented sickness, absence and uncertainly across FSS all partner agencies. **Cause:** COVID 19 disease and impact on public health across the world. **Effect:** Potentially new risks to the food chain and diversion of regulatory resources to support the public health response.														
R007	Policy, Science and Operations - Ian McWatt	**PUBLIC SECTOR RESOURCING** increasing pressures on Local Authorities and FSS result in a delivery model which lacks the resilience needed to meet future challenges.	**Event:** Scottish Government budgetary pressures could see a real terms budget cut for FSS in the next financial year. **Cause:** COVID 19 has placed significant strain on public sector resources. **Effect:** Increasing budget pressures on FSS and Local Authorities could result in a delivery model which lacks the resilience needed to meet future challenges/deliver strategic plan.														
R008	Policy, Science and Operations - Ian McWatt	**EU EXIT CONSTITUTIONAL AFFAIRS** trade agreements and future relationships with the EU and UK Govemment.	Event: Given the Market Access Principles set out in the Internal Market Act, the UK Parliament may legislate in a way that overrides FSS/SG policy as it might have automatic effect in Scotland. Cause: Internal Market Act disincentivises collaboration and due process as outlined in Common Frameworks and UK Ministers may choose to prioritise a trade/industry/deregulatory agenda ahead of a consumer-led one. Effect: Scrutiny by devolved parliaments for laws that would take effect in devolved administrations would be reduced; a deregulatory approach to safety and standards is applied in Scotland; legal challenge made for any unilateral measures taken in Scotland even where within SM (spell out SM) competence following FSS advice; levers available to FSS/SMs (Again spell out SM) to deliver strategies reduced; enforcement landscape made more complex; food and feed safety and standards traded off against consumer interest.														