No Deal EU- Exit- Summary of Potential Impacts on Midlothian (updated 4 December 2020)

Note- this document takes into account the most recent Reasonable Worst-Case Scenario provided by UK/Scottish Government

Ref	Risk Area	Description	Key Risk Considerations	Potential Impacts on Midlothian	Risk Rating Likelihood (1-5) x Impact (1-5)	Short Term Actions/ Current Control Measures	Medium/ Long Term Mitigation Measures	Concurrent Risk
1	Economy and Growth	Economy & Growth- Risk of the UK economy going into recession due to: •Continuing uncertainty further delays investment •Trade barriers and tariffs with EU and under WTO rules (best guess 2-4%) •port delays- see risk 3 •higher import costs due to the fall in the pound •most goods the UK sells have international supply chains linked to the EU- see risk 3 •lack of business investment due to uncertainty (Brexit has wiped £40bn off Britain's annual economic growth since the 2016 referendum, equating to £800m per week of income locating outside the UK every week. Until a final trade deal is negotiated this will continue) • loss of key personnel and	Business failure-higher unemployment, reduced hours The sectors that appear most vulnerable include agriculture, food and drink, fishing, chemicals, construction, transport, life sciences and other manufacturing sectors. Impacts are likely to be felt quickly. In primary producing sub-sectors, e.g. meat (particularly lamb) and seafood, tariffs (EU average tariffs between 50% and 100% for the former and between 2% and 20% for the latter) threaten the competitiveness of Scottish produce. The viability of some of the trade itself may be endangered, given the requirement to get fresh produce to market quickly to maximise its value. Banks review lending to impacted sectors resulting in increased borrowing costs	It is estimated that exports to the EU directly supports 1101 jobs in Midlothian. Vulnerability of businesses to increased costs may result in business failure-impacts on business support required. On average manufacturing firms are four times more exposed to impacts from a no deal Brexit. Farming is also exposed. Greater unemployment/ fall in disposable income-impacts on employability while increasing deprivation has widespread impacts - know from previous recession Greater demand on public sector and community resources, e.g. foodbanks Less funding for public services from Government/continuation of austerity Impact on fixed term contracts funded through ERDF, the LEADER programme has 2 full time posts however this project is	Short- 4x5=20 Long 4x5=20	Working with CoSLA, Government and agencies to improve understanding of issues and preparatory work required. Scottish Government have launched a 'Prepare for Brexit' website. A £4k UK government grant is available to registered businesses for custom declaration support. Ernst & Young "Sectoral Impact Analysis and Brexit Readiness Assessment" published January 2019 describes the Scottish Business sector's key challenges and preparedness for Brexit. CPP has circulated UK Government guides to business community network partners (Federation of Small Business and chamber of Commerce) Foodbanks have been asked via TSI about any planning they have been doing or assessments of impact , response awaited Welfare rights / Midlothian financial Inclusion Network have been briefed on likely no deal impacts on unemployment and benefit claim rates. Economic Development Locate in Midlothian dedicated webpage signposting to Scottish &		
			Greater need to	However tills project is		UK resources		

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					Likelihood (1-5) x Impact (1-5)		Measures	
		higher costs to recruit, etc Fall in sterling's value Analysis from the Bank of England, the UK Government's Office of Budget Responsibility, Scotland's Chief Economic Advisor, the Institute of Government, the Fraser of Allander Institute and the CBI all suggests that regardless of underlying assumptions a nodeal will have a detrimental impact on short- and long-term GDP, economic growth, investment and productivity, unemployment, exchange rates and house prices. Bank of England worst case stress test of a no-deal showed 8% reduction in GDP, 1 million extra unemployed (i.e 7.5% unemployed) and 16% reduction in house prices. In July 2019 The Office for Budget Responsibility (OBR) forecast that real GDP would fall	support local businesses Fall in disposable income Greater demand on public sectore.g. foodbanks Less funding for public services	due to end March 2021. Business Gateway growth adviser salaries are match funded by the ERDF programme up to end March 2023. Fewer start-ups in the Midlothian economy, owing to uncertainty about the future and difficulty in accessing financial support. Increased demand and more intensive support required of the Business Gateway advisory team. Inability to provide parameters for fixed term staffing contracts will lead to "brain drain" of knowledge, skills, experience and put Council at risk for audit/ regulation/risk financial clawback.		Business Gateway Midlothian virtual forum / regular CTA via LIM & BG social media posts Business Gateway National Prepare for Brexit webinars Business Gateway Midlothian team engaged with SDI Trade team for specialised support for High Growth exporters Lobbying at Scottish Parliament from Tyne Esk LEADER on impact of EU funding to date, making the case for the Shared Prosperity Fund Industrial Communities Alliance continued support/lobbying for the Scottish Shared Prosperity Funds – SG Update Nov 2020 Popp european-structural-f unds-proposed-scotti:		

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		by 2% by December 2020 and be 4% below the March 2019 forecast, and that borrowing would be almost £60bn if the UK leaves without a deal - up from £29.3bn if it does get a deal. IMF estimates that in year 1 and 2 of a no-deal there would be a reduction in UK GDP of 1.4% and 0.8% and in the long term, no-deal could knock 8% off the level of UK GDP compared to remaining in the EU.			impast (10)			
2	Finance and Higher Costs	Inflation and cost of living Risk-including: • increase in costs of goods- Draft Public Sector Food Plan July 2019 estimates 10% increases in local government sector • depreciation in the value of the pound results in higher inflation. • Possible interest rate increases to control inflation will further hurt economic growth. • Finance Risks-Increased cost of borrowing through higher interest rates and the liquidity of	If is a no-deal will have to be a new budget which will trigger a new Scottish budget. UK Government has given a commitment to fund any additional local authority costs stemming from Brexit-Scottish Government have given no such commitment. In 18/19 none of the £33m extra given to the Scottish Government was passed on to local authorities. Of the 19/20 £50m allocation by UK Government to local authorities, only		4x3=12	Working with CoSLA, Government and agencies to improve understanding of issues and preparatory work required. Market projections do not indicate any short to medium term pressure on either overall inflation or interest rate increases, position continues to be monitored Check contracts with key suppliers In liaison with financial advisers to keep a close watch on markets and Council funding requirements. Council's treasury position ensures liquidity is maintained. COSLA negotiating with Scottish government over funding required for	Medium to Long term actions would be picked up through future iterations of the MTFS and Treasury Strategy	

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		Money Market Funds (MMF) Cross border EU financial trading will be disrupted Impact on pension scheme returns and valuations Extra UK Government monies to local authorities are not passed on by the Scottish Government budget based on a deal Contracts- currency fluctuation clauses and price escalation clauses linked to the rate of inflation could result in cost increases Impact of higher costs greatest on low income households with household incomes squeezed OBR estimate that higher borrowing and roll-over of term funding scheme loans will leave public sector debt 12% higher than the March 2019 forecast by 2023/24 Overall- likely to be further cuts to local government budgets	£1.6m has been agreed (£50k per authority). If there is a deal then the unlocking of UK Government reserves held for Brexit could boost the economy. Likelihood of more attempts to renegotiate contracts The tendering process for a number of Scotland Excel framework agreements is likely to span the Brexit process. Higher costs and higher wage demands at a time of further reduced funding- More cuts needed to fund this at a time of increasing demand. Concern that lack of a EU negotiated copyright agreement will impact on libraries and public access to £10,000s worth of e-books, digital magazines, software licences, online reference resources, CDs, DVDs and music streaming services. A further increase in demand for assistance via the Scottish Welfare Fund (SWF) is			extra local authority costs of a no deal exit. Audit Scotland have produced Guidance for auditors with examples of the action that audited bodies may have taken to prepare for EU withdrawal. Auditors should use this as a framework to assess what audited bodies have done, to help inform an overall judgement on how well the audited body had prepared for EU withdrawal. Scottish Government made £50k available per local authority for Brexit in July 2019 On 1/8/19 UK Government announced a further £2.1bn to prepare for no deal. Funding will accelerate preparations at the border, support business readiness and ensure the supply of critical medicines. The key elements are £1.1 billion provided to departments and the devolved administrations to prepare critical areas for previous EU exit date of 31 October 2019. Barnett will apply in the usual way to all new funding given to UK government departments in devolved areas.		

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		at a time of increased demand	also likely, and COSLA is engaging with Scottish Government around existing pressures on the SWF budgets and local authority concerns over expectations that the SWF will also support those impacted by Brexit (without additional resource being committed).					
3	Supply Chain Delays/General Procurement	UK/EU Customs controls- Ports expected to operate at 15% capacity, resulting in significant reduction in the flow of goods over a 3-6 month period Supply chains are very complex, (eg where do raw materials come from) Even Government does not have a full overview of vast, competitive and complex supply chains. Public panic results in shortages- eg there is no fuel risk but unless the public know this they may attempt to stockpile. Concerns that while the UK has put derogations in place	Significant delays and impact on lead timestravel delays are likely for a 3-6 month period, Lack of products available, price increases. UK registered hauliers may lose market access to the EU if UK contingency measures prove inadequate Current concern about insufficient warehousing space to deal with stockpiling, particularly given the Black Friday and Christmas period demand Impact on school trips	Increased traffic and congestion at Scottish ports, Cairnryan, Grangemouth, Rosyth, Greenock - resulting in delay to the distribution of goods from these ports to the rest of Scotland. This would have residual consequences for a range of sectors that rely on justin-time delivery of crucial supplies such as animal feed, food ingredients and water treatment. Road salt is identified as being a potential risk to winter service. Education Travel Disruption/ Border delays School Travel on Educational visits (European and abroad and UK destinations that may suffer travel disruptions (e.g. near UK port access points)	4x4=16	Working with CoSLA, Government and agencies to improve understanding of issues and preparatory work required. School trips- procedure in place to ensure that all foreign school trips are notified to Education HQ. Insurance cover confirmed that cover includes unlimited medical expenses, even if pupils are no longer able to rely on the European Health Insurance Card (EHIC) or other reciprocal medical agreements? Fuel and drinking water purification expected to be low risk 6 month derogations agreed by EU to allow UK hauliers and planes to access EU. Procurement to identify key contracts and then enter into discussions with key suppliers to understand their Brexit planning and any potential issues. Business Support have provided spend information to help Services identify key contracts. Business Gateway		

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		to ease border delays, these still need to be reciprocated by the EU- the EU may only do so where this benefits them UK citizens subject to increased immigration checks at EU borders		Construction: Many types of construction materials are imported. The Destination Hillend project requires a high value coaster unit built in Germany. Sports pitch astro surfacing is sourced from countries such as Holland Gerrmany and Belgium. Educational Visits: Delay/ Disruption /cancellation on European and overseas travel Increased costs Access to Medical services (if EH1C agreement discontinued) Border issues due increased immigration checks passport/visa requirements Travel Disruption – Fuel Supply & /Congestion (protests) Travel Disruption School day - Pupils Travel disruption School day - Staff Travel Disruption resulting in school closure (staff and Transport shortage)		team approached procurement to offer support to identified suppliers. Road services have increased their stock of salt from the usual level of 3000 to 4000 tonnes. Education Educational visits Additional planning considerations for establishments and Visit leaders will be issued via EVOLVE to allow visit leaders to include Risk Assessing & contingency at planning stage – and additional if No deal scenario. Information via Education Bulletin (weekly) to update establishments & leaders (LLE) Travel team to Risk Asses re local school travel and provide updates to establishments and Midlothian Council to advise stakeholders of procedures Staff –Establishment Head Teachers consider cover & ration implications due delayed staff travel and attendance and ability to support SLA pupils. Pupils – attendance impact and public transport advice via Travel team & education Bulletin. Generic "no deal" Brexit risk assessments have also been provided by Scotland Excel for all of their category B frameworks. In addition Scotland Excel are continuing to undertake work.		

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						Monitor, particularly in relation to contract prices, number of tenderers and particularly of timescales. Price escalation clauses are in Scotland Excel's Engineering Consultancy, Buildings Related Engineering Consultancy, Domestic Gas Boiler Maintenance and Outdoor Play and Artificial Surfaces and could be exposed to significant price hikes over their framework terms. Scotland Excel have analysed and commented on key risks and steps in place. Public messaging important Scottish Government are to issue national messages; their website went live on 6 Feb2019 https://www.mygov.scot/eu-exit		
4	Migration of EU workforce back to EU	Workforce Migration Risk; Where EU migrant workers leave to go back to EU and it becomes increasingly difficult to attract new migrant workers- see risk 5	All of Scotland's population growth over the next 25 years is projected to come from immigration. At present, 2,000,000 EU nationals work in the UK including 400,000 in the food and drink supply chain. Of those, 30% are employed in manufacturing and another 60,000 are employed in a seasonal basis in agriculture. The percentage of non- UK nationals employed within the adult social	Midlothian is experiencing significant internal migration and population growth which may mitigate this 621 local business operate in food, drink and hospitality sectors. The majority of these business are classed as small (under 50 employees). They are unlikely to have HR specialists to support migrant workers with right to remain paperwork 390 local businesses are engaged in		Each Directorate is responsible for workforce planning and where relevant will consider and address impact. LA suggested actions - signpost residents to GOV.UK content and encourage them to sign up to email updateshttps://gov.smartwebportal.co.uk/homeoffice/public/webform.asp?id=67&id2=627DF7. Use community leader and local authority toolkit <ntre>https://www.gov.uk/government/publications/eu-settlement-scheme-community-leaders-toolkit>to update EU employees. Take part in telephone focus groups on the local authority tool kit and engagement strategy by emailing EUSettlementscheme@homeoffice.g</ntre>	Supported SG commissioned research with EU migrants to identify key needs and aspirations re future migration policy (Arran workshop). Promote social care as a career of choice, both internally and together with commissioned service providers Libraries to	

Re	f Risk Area	Description	Key Risk Considerations	Potential Impacts on Midlothian	Risk Rating Likelihood (1-5) x Impact (1-5)	Short Term Actions/ Current Control Measures	Medium/ Long Term Mitigation Measures	Concurrent Risk
			care and childcare services in Scotland is 5.6%. Longer term issue of businesses being able to recruit skilled labour. Scottish Government research shows the number of foreign workers in Scotland fell by more than 10% in 2018. There were 198,000 non- UK nationals in employment in 2018-21,000 fewer than in the previous year. About 12,000 of those who left the Scottish labour market were EU nationals. Current right to work checks (eg EU passport and/or national ID card) apply until the end of 2020 no change to the right and status of EU citizens living in the UK until 2021. Irish nationals do not need to apply Figures from the Department for Work and Pensions in March 2019 show the number of overseas workers registering for a national insurance number in Scotland has fallen by 18% since 2015.	professional ,scientific, technical and research sector .Loss of EU research and development funding and of EU staff will have a significant impact on this sector — especially the Science research community at the Bush Approx 173 Council staff are not UK nationals Construction workers Over the last few years, Polish construction workers have gradually migrated home or to other countries due to improving economic conditions or a wish not to remain. This has reduced the reliance here. The majority of European tradespersons who have been here for some time have tended to settle, having gained the appropriate paperwork. However, there is the potential for workers to move south to take up higher paid vacancies — or increased labour costs may lead to increased tender costs. Conversely, there may be more interest in construction jobs due to, the impacts of Covid-19 on the labour market.		si.gov.uk <mailto:eusettlementschem e@homeoffice.gsi.gov.uk=""> Road Services have one EU national and he has been advised on the process for applying for settled status. Looked after children - Guidance was provided on 30th March for looked after Children. Review records to identify those in scope. Education Long term effects possible and should be reviewed by Division once accurate HR data available (e.g. EU nationals Currently employed estimates of returning) Long term impact but national figures do not increase a significant increase as pro-rata data indicates low numbers. Advice and guidance will be required for communities but no immediate pressures - A review required for long term effects of RWCS in 3-6 months period post RWCS (no deal Brexit) After Brexit EU rules will be replaced by other international rules, which Scotland currently follows in cases involving non-EU countries. These rules are similar to the EU rules The Scottish Government 'Stay in Scotland' campaign and toolkit provides a package of support to help EU citizen stay. SG has printed leaflets and posters, Scottish Government are also funding CAS (who don't operate in Midlothian) to provide an advice service for EU citizens who live in Scotland.</mailto:eusettlementschem>	support EU nationals to complete applications for Settled Status Economic Development support includes Locate in Midlothian Job Board and Employability support resources, partnership working with DWP to identify potential candidates to fill the skills gaps (care/hospitality) signpost candidates to free/funded training opportunities and BG support to develop new organisations/ services to fulfil increased demand in care sector.	

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			Issue of any looked- after children who are EU nationals			15 August- 1million out of 3.2million EU nationals living in the UK have applied for settled status. The deadline for applications is currently 30 June 2021 for those resident in Scotland at 31 December 2020.		
5	Skills shortages in key areas	Particular areas at risk include: - Maintenance and cleaning services Tourism/hospitality Social care Food Processing Agricultural sector Construction sector Education ancillary staff Early years staff Public health vets To recruit EU workers will be the same procedure as recruiting workers from elsewhere in the world. Particular issues are the costs involved in applying for a visa, both for those applying and employers (for 5 year visa £3220 per person(ie £13k for a family of 4) and £5199 for business), and the proposed threshold of income precludes lower paid roles Shortage of entry level workers. Fall	Proposed UK government scheme does not currently make provision for low skilled labour immigration. Businesses will require to obtain a Sponsor Licence for EU workers, the application process for which is administratively burdensome and requires a set of prescriptive documents to demonstrate that the business is genuinely trading and that it has a genuine vacancy that cannot be filled by a settled worker. Cost is £199, plus £1000 per annum Sponsor compliance is hugely time consuming. Sectors most affected include hospitality, agriculture, timber harvesting, security industry, contractors on the Energy Efficiency Contractors framework, food and drink, financial services, life sciences	Proposed Tier 2 immigration rules aim to "reduce annual net migration to sustainable levels as set out in the Conservative Party manifesto" and have a required salary of £30,000 (level currently under review). May lead to increasing salaries (eg teachers) to reach this threshold. UK Gov are potentially looking at introducing a seasonal agricultural worker scheme. Uncertainty over transitional arrangements and harder policies for dependants may make it harder to fill key vacancies. Potential workforce planning issues, not just losing staff but increased work- teachers, EH or TS Officers or social care. Potential for decline in compliance standards in food manufacturing / hospitality etc –resulting in an increased risk to human health Providers in care home	3x3=9		Wage inflation and greater difficulty in recruiting to be kept under review Companies recruitment freeze affecting local economy Economic Development & CLL support to identify free/funded training opportunities and support employers to access employability funds such as Kick-start fund, & CJS.	

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		in value of sterling makes the UK an unattractive option for workers who send money home	and creative sectors. May exacerbate existing skills shortages in the construction industry-EU nationals comprise 10% of the construction of buildings sector London construction heavily reliant on EU workers- their departure could result in higher wages drawing workers into London, leaving shortages elsewhere. Likely that the legislative demands of a no-deal will result in delays to the remaining legislative programme of the UK and Scottish Governments	sector may face recruitment difficulties, driving up salaries in an area where there are already shortages. Council would need a Sponsor Licence if recruiting EU nationals, the procedures for which are bureaucratic and burdensome. Road Services already experience difficulty in recruiting skilled road/construction workers. Brexit may exacerbate the situation as Eastern European communities provides a source of potential recruits.				
6	Inward Migration- UK nationals in the EU return		Generally thought low risk Government Planning Assumptions assumes that UK nationals would lose their EU citizenship, removing rights to residency and essential services including non-emergency healthcare, and will become third country nationals. There may be an influx of vulnerable expats who create significant pressure on Council	European Commission has published a proposed regulation that would commit EU member states to continue honouring coordination rules as a temporary measure in the event of a no deal. This is a substantial step forward and means that social security entitlements will be maintained even in the event of no deal. This should also help mitigate the risk of UK nationals returning to the UK - a key motivation for this would've been loss of financial support in the form of	2x2=4	Working with CoSLA, Government and agencies to improve understanding of issues and preparatory work required. Issues could be similar to those facing other refugees e.g Syrian refugees EU will continue to provide emergency life-saving treatment to UK nationals EU will continue to pay the pensions it currently pays to UK nationals living in the UK Housing Services will continue to monitor the situation and respond		

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			RSLs. Government Planning Assumptions for Scotland are, this	benefits and pensions. Potential pressures on housing and primary and social care Expected that there will be a low risk of increased demand from expats seeking homeless/housing services.		accordingly through the provision of appropriate housing options advice.		
7	Devolution/ subsidiarity Risk	Devolution/ subsidiarity Risk- Powers returned are not repatriated to Scotland or the Scottish Government do not delegate them to local authorities. Danger that Governments are so focussed on the political and reputational aspects of Brexit that they decline to share planning with each	The Committee of the Regions has agreed to launch a joint committee with the UK, to continue sub-national dialogue and cooperation. This will involve COSLA	Risk assessment is that there is a high risk of this, given the response made by UK government to the new shared prosperity fund, which demonstrates no subsidiarity. Scot Gov has been centralising control for a number of years using financial controls to reduce local democratic influence, creating regional bodies that cut across CPP boundaries and increasing use of specific ring-fenced funding.	3x2=6		COSLA has identified 64 returning powers of interest to local government. Scot Gov has committed to better sharing of its planning with resilience partners	

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		other or with local authorities						
8	Trade Deal Risks	Trade deal risks- After a no-deal, it will be harder to negotiate any deal with the EU as it is no longer negotiating under Article 50. This may involve ratification by all 27 EU states Many trade deals with non EU countries are negotiated with the EU and a no-deal will also terminate such deals. Ability of UK to negotiate satisfactory trade deals- size matters and unlikely to be able to negotiate anything better than the EU. Capacity of UK Gov to negotiate so many trade deals. Post Brexit economic vulnerability of UK is not a good negotiating position to start from. The weakness of the UK's negotiating position may result	Risks of high tariffs prior to deals, impact on exports and prices, and in the longer term poor trade deals result in impacts on economic growth and lack of investment. The threat of such action by global multinationals has often been enough to discourage governments from taking innovative social measures. For example, minimum pricing of alcohol might have been an obvious target had such rules been in place.		4x5=20		Keep a watch on developments. Shut down of EU markets to Midlothian businesses/ supply chain issues / redundancies. High tariffs may see large businesses in the locality relocate out of the UK resulting in a loss of jobs.	

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		in a trade deal which a) opens up areas of the public sector such as health to competition from US companies; b) lowering of standards, particularly in food and c) the ability of US companies to sue national governments for policy decisions which cause them loss; Unlike the EU, the US's approach to environmental issues and genetically modified foodstuffs is not based on the precautionary principle. A trade deal with the US may well open up the UK to environmental issues and foodstuffs which differ from EU regulatory standards Increasing protectionism from US not a good starting point. Any deal with the USA could be conditional on provisions whereby US companies can sue the UK Gov for			Impact (1-5)			
		actions which impede free trade.						

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9	Human Rights	Human Rights-will the UK pull out of the European Convention on Human Rights?	ECHR has over the last 20 years increasingly been he means by which fundamental rights, particularly those of minorities are protected	The potential impacts on Midlothian would be as for the UK as a whole. The rights of individuals would be greatly reduced if the UK were to pull out of the ECHR.	2x4=8	EU laws will remain in place in the short and medium term. Further, the First Minister has launched a Human Rights Task Force for Scotland. This Task Force will be looking to re-inforce Human Rights in Scotland.	Keep a watch on developments	
10	Health and Social Care	Particular risks include:- Interdependencies of actions taken by different public sector partners, particularly regarding acute and social care. Workforce gaps, food supplies and medicines issues. Supplies of medicine and medical supplies impacted by reduced flow rate across the Channel		Care Homes remain highest area of concern/priority Education - Medication Supply - shortage/disruption — supply chain interruption. (Drug companies have stockpiled in the UK medicines normally transported here from other EU countries and the NHS has stockpiled other medical supplies)These stockpiles provide an extra six weeks of supply compared to normal levels. In addition, in the event of a 'no deal', medical supplies will be given priority for entry into the UK. Risk effect - Attendance/ Illness /Emergency handling — pupils and staff Named First Aiders not present due disruption.		HSCP working with care homes in relation to their resilience plans for clinical supplies, testing kits, PPE and workforce. UK Government requested pharmaceutical companies to ensure they have a 6 week supply of medicines, organising alternative transport channels away from Dover and possibly, supplementary warehousing space. Current SG assumption is that NHS medicine stockpiles should last 6 weeks and they will buy more regularly- albeit some items have limited shelf life- biggest concern is radionuclides which are used in diagnostics. Blood supplies are sourced in Scotland although some chemicals required to turn it into platelets come from the EU. Education Suitable advice to Schools regarding ensuring school based medication is in suitable supply per individual care plans/parents (Vulnerable pupils and Establishments ensure adequate First Aid Cover. Monitor absences due illness as a result of medical supply chain effects)		

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11	Data Risk	Assumption is that EU will not have made a data protection adequacy agreement with UK before exit and as part of this law enforcement data and security and information sharing systems may be impacted Risk that personal data flows between the EU and UK will cease and information currently in EU (including that stored on EU based cloud providers) will not be returned	Potential disruption in flow of personal data	The potential at risks applications identified are:- -Councillor Case Management system IT Helpdesk application E-Learning software Parental communication application Parents Evening Booking Application	4x2=8	On 12 February 2019, the European Data Protection Board (EDPB) published an information note clarifying the steps that businesses should take to ensure the continued sharing of personal data with UK recipients in the event of a no-deal Brexit. https://edpb.europa.eu/sites/edpb/files/files/file1/edpb-2019-02-12-infonote-nodeal-brexit en.pdf On 11-03-19 the Scottish Government asked the Council to return a questionnaire dealing with any transfers of data between the UK and EU. UK Govt issued guidance on 11-03-19. https://www.gov.uk/government/publications/accessing-data-from-the-european-economic-area-under-no-deal-brexit/accessing-data-from-the-european-economic-area-eea-under-no-deal-brexit. Use of Standard Contract Clauses may help in some circumstances.	It's hoped that the EU will provide the UK with an adequacy agreement that will permit the free flow of data between the UK and EEA.	Low for Brexit but potential for other risks including: Cyber Attack Building Loss (Computer Room Loss) through fire etc. Theft of Servers Contamination of Midlothian House
12	Food Security	Food- the EU accounts for 30% of UK imports and 70% of fruit and veg, particularly in the winter monthsissues include a) delays due to border controls, b) loss of labour,	400,000 EU workers are employed in the food and drink supply chain. Of those, 30% are employed in manufacturing and another 60,000 are employed in a seasonal basis in agriculture. A no deal Brexit would	Food prices have already been going up as a result of Brexit. Question of whether might need to amend school nutrition standards Risk that manufacturers will provide all supply to retail creating a shortage	4x3=12	Scotland Excel have analysed and commented on key risks and steps in place. They meet regularly with Scotlish Government and suppliers to look at stock levels. Brakes have confirmed high levels of confidence in ability to continue supply. They have also done work to identify 10 high risk, 107 medium risk and 411 low risk items. Noting up to 4 day delay as reasonable		EH food intervention & enforcement is currently being restricted as a direct result of the Coronavirus pandemic diverting resources

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		c) even for UK produced food, the complexity of supply chains mean they are often dependent on EU goods, d) Disruption to the food supply chain increases food safety risks. Danger is that vulnerable communities and groups are particularly impacted. Increasing cost-Draft Public Sector Food Plan July 2019 estimates 10% increases in local government sector Government Planning Assumption is there will not be an overall shortage of food but there will be a reduction in choice and certain types of fresh food will be unavailable leading to price increases. A reduction in choice, particularly in perishable products may be more marked the further north the end of the distribution chain	also likely push up the cost of fruit, vegetables, meat and dairy products as fresh products would not be able to be stockpiled like packets or tins. At present, the UK only produces about 25% of the fruit and vegetables consumed and on the whole only produces 60% of what it needs to feed itself, compared with 74% 30 years ago. We import substantially more fresh produce in the winter. Current estimates are that food price rises will be between 5-20% depending on the product.	in public sector. Both DEFRA and the Scottish Government advise this is being looked at, but no real answer was given Risk that suppliers will supply supermarkets rather than Councils Fruit and vegetables may be the biggest issue for Catering Services. If stocks to food banks start to dry up due to lack of donations from supermarkets, bakers and individuals, there may be a temporary need to be assist in filling the gap created. Potential for food fraud to increase e.g., extended shelf life etc without adequate controls/adulteration etc Education Delay/shortages/ supply chains disrupted due identified travel flow rates & effect of stockpiling. Price Rises (Low income groups will be disproportionately affected by any price rises in food & fuel) Potential Areas of effect — School Meals, Breakfast Clubs, Youth Clubs,		worst case scenario. There may be a need to be versatile in the provision of certain menu items, eg changing the choice of fruits to local rather than imported and/or tinned rather than fresh. Catering Services Manager has met with main grocery supplier who have confirmed they are following Govt advice regarding stock levels. A meeting with another major supplier, will take place shortly. Education Catering teams to contact suppliers to confirm supply arrangements in RCWS Schools/establishments plan for delays and potential of panic buying and local stores having less supply/ interrupted supply change of menus (catering management) Monitor Scotland Excel updates re supply. Council to engage stakeholders in information exercise if not nationally addressed (information for parents/schools) Establishments/ Schools to update RA to reflect decisions to include advice to staff and parents as a result of shortages following national guidance. ———————————————————————————————————		

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				Residential care settings Risk effect – Attendance effects on low income & vulnerable parents due price increase of "certain types of Fresh food supply" (RWCS shelf life, certain types of fresh food will be in short supply)		Scotland Excel have produced the following documents 1) Suppliers responses to the supply chain questions asked and 2) Scotland Excel Food Framework Brexit Product Analysis – this document provides details of the top 50 products (20 in the case of the fresh meat framework) supplied through the food frameworks by supplier. Details of where the products are sourced, risk factor and any supplier comments are also provided. Scotland Excel estimate there will be a 10% increase in food costs to local authorities UK Food Security Assessment published by DEFRA concludes that in the event of no access to trade UK agriculture has sufficient calorific content to feed the population, albeit with a restricted diet and a dramatic reduction in livestock production to enable all crop production to be used as human food.		
13	Transport	Transport- increased lead-in times for obtaining required transport and spares, and higher costs	For heavy vehicles, heavy plant and grounds maintenance equipment, most of this equipment is manufactured in Europe and we could see significant price increases post Brexit. There is also a large dependence on where hire companies are on their vehicle inventory lifecycles.	Lead time delays in getting spares for heavy vehicles could impact on services (e.g waste collection). Cost increase for vehicle purchase or hire. Indications given that price of new vehicles may increase between 5 and 20%	3x3=9	Scotland Excel have analysed and commented on key risks and steps in place Travel Team have liaised with suppliers and been advised that manufacturers have increased stocks of essential parts.		

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			In terms of fleet, this in an area that Brexit could have significant impact depending on the outcome of any trade deals that are (or not) agreed. Light and commercial vehicles are at high risk. Potential impact for road salt as Cleveland Potash (who supply the Eastern side of Scotland) extract and ship much of their rock salt from their Spanish salt mines. Irish Salt Mines (who supply the Western side of Scotland) should not be affected as they are based in Carrickfergus in Northern Ireland					
14	Fuel	Currently estimated as low risk, other than from panic buying	Current assumptions are that neither should be an issue albeit fuel may be impacts from panic buying and in SE England due to traffic congestion.		2x1=2	Scottish Government to undertake national publicity to minimise panic buying. https://www.mygov.scot/eu-exit/		
15	Waste Management	Waste – inability or delay in moving waste for disposal in EU and possible price rises. Key issues are general traffic disruption, workforce loss, exchange rate implications, additional gate fees, flow of more waste from England to Scotland and	With or without a deal, all existing consents which authorise the export of hazardous waste, known as 'notified waste', to any EU country will remain valid when the UK leaves the EU. Companies that export waste from the UK will see no change in the processes that govern the export of 'non-	Local Impact may be increased incidences of fly-tipping – including the tipping / abandonment of hazardous materials – particularly in the case of increased charges for disposal. SEPA advice that the current waste transfer notes will not be sufficient for movement of waste between Scotland and Northern Ireland and we	3x3=9	Scotland Excel have analysed and commented on key risks and steps in place. SEPA are mapping Scottish Landfill capacity and establishing contact with smaller waste management operators. Waste Services preparing approach to include completion of Annex VII document for each load of dry mixed recyclate transported from the waste transfer station (approx. 9-10 each week)		

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		increased likelihood of waste crime If commercial operators fail, as local authorities have a duty to uplift waste, they may need to bail out such failures, resulting in higher costs	notified waste' ('green-list' wastes) to the EU. However, in the event of no deal, changes to border controls may impact on some waste exports. Disruptions at container ports are not expected, but there may be some delays at ports which operate 'roll-on, roll-off' systems. The Port of Dover is predicted to be the most affected and steps are being taken to minimise the impact. Waste exports using the Eurotunnel may also experience disruptions. More details can be found at: https://www.gov.uk/government/news/no-deal-eu-exit-government-issues-reminder-to-waste-industry Potential impacts include Stockpiling of waste at source, sites or ports and associated environmental/ regulatory issues. Increased opportunities for organised crime For the Scotland Excel DPS for Recyclable and Residual Waste,	would need to complete an Annex VII document for each load. https://www.sepa.org.uk/media/36569/annex-vii-completion-guide.pdf				

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			the most concerning impact is regarding refuse derived fuel. The landfill ban comes into force fully now in 2025 replacing the January 2021 deadline.					
			Capacity, demand and infrastructure is arguably not at a sufficient level in the UK, at least for the moment.					
			Material has increasingly been sent to energy from waste plants in Europe, such as Norway and the Netherlands, however there is a fear in the industry that post Brexit the costs of sending material there may become uneconomic and not viable.					
			A key issue has emerged (3 April) regarding transport contracts. It would appear that exporters have not renewed contracts and are using the spot market during the current period of uncertainty which will inevitably lead to an increase in price					

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16	Legal and Regulatory Compliance	Leaving the EU will result in the UK leaving a number of regulatory regimes (e.g. REACH in the chemicals sector, and Clinical Trial Regulation EU No. 536/2014 in life sciences), and the end of passporting in financial services.	As of 1 January 2021, the Competition and Markets Authority (CMA) will take on responsibility for merger, cartel and competition enforcement cases that were previously reserved to the European Commission; typically, those are the larger and more complex cases. The CMA has committed the necessary resources to ensure that it has the people, skills and infrastructure in place to deal with these investigations and has, for merger cases, already been engaged in the 'prenotification' discussions that precede a formal investigation for the past few months. CMA has published guidance on their function after the end of the transition period.					
17	Environmental Health and Trading Standards	i) Delivery of the Environmental Health Function Insufficient authorised EHOs to serve the potential increase in certification required in the event of a no-	Increased demand for surveillance, checks and inspections to satisfy bodies within and outwith the EU that our products meet relevant standards. Export Health Certificates (EHC) will be required for exports of all animal products	Increased Environmental Health inspection activity. Current UK Government estimates are that a 350% increase in certification will be required (SG suggest 3-fold increase). However how this impacts individual authorities is unknown.	2x4=8	SG have put forward suggestions for assisting LAs with capacity issues using APHA's proposed system of 1 certifying officer supported by 4 certifying support officers (with basic qualifications and online training). Trading Standards Scotland, Food Standards Scotland, SCOTSS (Trading Standards Chief Officers) and SOCOEHS (Environmental		EH food intervention & enforcement activity is (Dec 2020)currently being restricted as a direct result of resources being diverted to the

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		deal (potentially 150,000+) ii) Ongoing process to bring the food law statutory instrument from EU laws to UK laws. This including food labelling regulation. iii) Environmental Enforcement Scotland has measure in place to protect the environment with these measures supported by EU law and standards	and live animals from UK to EU. Certification for high risk (non-animal origin) foods is also likely. [Note meat exports handled by VETS not LAs] fish & shellfish and Alcohol of particular significance to the Scottish Economy as a whole. 150,000 extra certificates p.a. will be required- current resources insufficient without derogations being put in place Certain fish and fish product exports require rapid turnaround after landing to preserve freshness and fulfil customer orders in good time. Exporters of this type of catch may require an out of hours inspection and verification service due to local tides, species of shellfish, EU shipping or land transportation times. Risk of losing key staff Issues in adequately training sufficient support staff	Scottish Govt seeking derogation from EU regulations (to limit the need for certificates) Scottish Govt proposed to UK Govt on 406-19 that DFS Logistics be treated as a certification hub for Scottish Salmon. Small impact on Env Health due to local business profile. (Zero fish) FSS have sent LA's information on products currently exported to EU (as supplied by business) but LAs need to check as suggested under-reporting widespread. Increased requirement for market surveillance to monitor prices and standards. On 13 March 2019 the Chief Veterinary Officer issued guidance that authorised officials will have the flexibility to make a judgement on when a physical inspection of a product is required or when they can rely on existing information on record.		Health Chief Officers) have cooperated to prepare alternative systems to share knowledge of emerging risks such as dangerous imports and potential to establish a black market for goods such as medicines and the opportunity that this poses for internal manufacture of counterfeit medicines and other items. Public messaging, communication and visibility of the service will be required. NFU are linking to support farmers and Chambers of Commerce On 12-03-19 Defra put together a guide that can be shared with exporters to explain the no deal export health requirements for fish and fishery products. The guide provides insight on the export scenarios and clarifies frequently asked questions. As at October 2020 there are 3 established hubs in Scotland for European export only: DFDS (Larkhall) operating 7 days a week. Mesguen (Harthill) J Dot (Bellshill) FSS confirm that the process to bring the food law statutory instrument from EU laws to UK laws. UK Government establishing the Office of Environmental Protection		Coronavirus pandemic In terms of the coronavirus pandemic Food Standards Scotland have issued a deviation from the Statutory Food Law Code of Practice to limit intervention/ inspection to the highest risk levels. National shortage of qualified Environmental Health Officers negatively impacting on ability to recruit.
			There will be no relaxation of compliance with the	Midlothian EH are not in a		(OEP). Environmental law is being corrected. Further information is required.		

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			Food Law Code of Practice Practice Practice as a result of Brexit. Exporters need to obtain an Economic Operator registration and identification number (EORI)	position to offer any "support" to the export Hubs that would result in a reduction of Officer FTE in Midlothian – staff may wish to work on an 'external' basis; this would require governance to protect the LA in the event of error See also comment under Section 5, Skills shortages regarding risks to health through potential decline in standards in food manufacturing Midlothian does not have any fish or shellfish exporters (land locked) and do not currently issue Export Health Certificates. Food Standards Scotland stated LA (EH services) to continue to deliver on the Statutory Code of Practice re inspection & enforcement & that no letter of comfort will be issued to allow routine work to be sacrificed to cope with BREXIT		All statutory enforcement documentation to be updated and Officer authorisations etc require to be refreshed		
18	Safety of Imports	SAFETY OF IMPORTS - issue of the need to ensure that a "no- deal" withdrawal does not increase the risk of unsafe products reaching	Sudden divergence from EU standards and regulations will put extreme pressure on UK businesses and cause uncertainty among consumers.	demands. More work for relevant Services as there will be an increased demand for advice from consumers and businesses. Trading Standards	1x2=2	Signed up to .gov.uk website to receive daily updates / technical notices and guidance in the event of a no deal for legislation enforced by Trading Standards. Signed up to new UK, Product Safety Database to allow for	Provide guidance to business and ensure compliance via market surveillance and routine inspection	TS staffing if long term sick and/or significant increase in workloads.

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		the UK. US Trade deal- Unlike the EU, the US's approach to environmental issues and genetically modified foodstuffs is not based on the precautionary principle. A trade deal with the US may well open up the UK to foodstuffs which differ from EU regulatory standards, leading to greater border controls and concerns over safety Disruption to veterinary medicines may impact on UK's ability to prevent or control disease outbreaks with a potential impact on animal health and welfare EU countries will still be required to produce all foodstuff etc in accordance with EU law – will we as a nation just accept what is coming in – is there an increased possibility of unscrupulous European traders sending inferior quality but still EU	Potential for panic buying will increase fear of shortages, drive up prices etc, The may mean some essential items will become beyond the means of the most disadvantaged, who will be forced to buy goods of questionable providence, with resultant public health consequences. Local Authorities enforce food labelling. A resurgence of foot and mouth, BSE, Swine Flu/Avian Flu etc, added to the burden of certification as detailed above, would overwhelm Environmental Health or Trading Standards	Scotland, Food Standards Scotland, SCOTSS (Trading Standards Chief Officers) and SOCOEHS (Environmental Health Chief Officers) to prepare alternative systems to share knowledge of emerging risks such as dangerous imports and potential to establish a black market for goods such as medicines and the opportunity that this poses for internal manufacture of counterfeit medicines and other items. Relevant Services may be asked to undertake additional checks of imported foods on sale or passing through to alleviate pressure on other LAs. This will have resource implications and would adversely affect delivery of Midlothian Council's local food law enforcement duties.		reporting and intelligence on unsafe products Maintain awareness of importers to assist in providing advice after 31 October Participating in online workshops being run by CTSi across subject specific areas ie Product Safety, Metrology, Animal Health, Intellectual Property to understand impact EU Exit will have on business and workload for TS		

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		marked.						
19	Resilience and Protests	Protest – Likely to be large demonstrations. Extreme right wing groups may choose to use this to exacerbate racial tension. Danger that overreliance by Government on a centralised policeand resilience led response to Brexit results in and insufficient attention to the medium and longer term impacts. The legal status of the Irish border in a no- deal is unclear, Danger of recurrence of Irish troubles- Greater sectarian tensions in west of Scotland. Lack of an agreement to share intelligence impacts on our ability to deal with terrorism and serious and organised crime Fisheries-potential illegal fishing leads to clashes and stretched enforcement	Currently no intelligence that events will not be lawabiding Most likely to be in main cities. UK Govt proposals to maintain an open Irish border appear unlikely to entirely deal with livestock and food checks required- this will only get worse if a UK-US trade deal provides US access to more genetically modified food	More work for the Council under the Prevent duty. Education: Delays and risk to pupils and staff transport & safety if protests occur.	3x3=9	Safety Advisory Group arrangements to respond to protests. National Multi Agency Co-ordination Centre (MACC) to be fully staffed from 21 October 2019 in puts from Midlothian Council via Resilience Direct will be required again, Internal Council reporting structures in place using a Brexit -Barometer. A Resilience Direct EU-Exit Response Site is hosted on EOSRRP and Police Scotland's Resilience Direct site- Local Resilience Partnerships (LRPs) have met. Any intelligence to be passed to Police. Education Notify establishments of any likely demonstrations and possible effect on access/ travel disruption (* via Midlothian Comms team) Liaise with Police Scotland and provide reports to Mid BREXIT Group – follow advice from National Centre Mainly Peaceful disruptions predicted and outlined in Scot Gov Advice		

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		capacity Increased opportunities for organised crime, particularly in human slavery						
20	Elections	Elections- Capacity Risk associated with delivery of Elections	Possibility of General Election, further EU referendum and possibly a Scottish Independence referendum.	Midlothian Returning Officer will coordinate organisation with Elections team.	2x3=6			
21	Grant/ Replacement to ESF/ERDF	Grant Funding Risk - Lack of clarity around the UK Prosperity Fund- UK spend on regional support is less, as a proportion of GDP than most EU countries, while regional disparities in productivity are higher Danger is that the new model prioritises overall growth at the expense of inclusive growth, favouring the cities and not outlying areas (unlike the current EU schemes) Less grants that can be applied for - e.g. LEADER, for funding for play and sports infrastructure. It is likely that Brexit will reduce the number of funding streams	While the key objective of the new fund is to tackle inequalities between communities by strengthening the foundations of productivity, unresolved issues include how much funding will be made available, how it will be allocated and what it will fund.	EU funding level of support for business, skills & employability, regeneration, tackling poverty, rural projects relatively safe given UK Treasury guarantee. Concerns over continuum funding through ERDF-funds both Business Gateway and LEADER. Midlothian council submission to UK shared prosperity fund submitted last year. UK Government response proposes a centralised UK delivery model with no subsidiarity of control. This remains a significant concern for all Councils and CPPs. A UK wide competitive bidding model will not be likely to benefit Midlothian given its scale	2x3=4			

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		available for members to utilise Scotland Excel's Outdoor Play Equipment and Artificial Surfaces framework.						
22	Education	Access to Educational resource- access to future EU programmes eg Erasmus, Horizon, Interreg, Cross Border International School trips	Post EU withdrawal the UK Government remains committed to Erasmus and Horizon 2020 Additional costs for students/schools may reduce opportunities for students and/or make costs prohibitive	Erasmus plays an important role in Midlothian's 1+2 modern languages programme Reduced curricular experience; fewer opportunities for enhancements to Modern languages curriculum				
		International Students placed in Midlothian Schools	This is an income generator for schools, with plans in place pre-Brexit to increase financial benefit to schools, risk is that fewer students likely	Reduced current and potential income source for schools; less diverse school community				
		Recruitment; we all do have teachers that will come through the freedom of movement route	lack of qualified staff	Reduced curricular offering				