

BARNSELEY, DONCASTER AND ROTHERHAM JOINT WASTE BOARD

**Venue: Town Hall, Moorgate
Street, Rotherham S60
2TH**

Date: Monday, 26th February, 2018

Time: 9.15 a.m.

A G E N D A

1. To determine if the following matters are to be considered under the categories suggested in accordance with the Local Government Act 1972.
2. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.
3. Apologies for absence
4. Declarations of Interest
5. Minutes of the previous meeting held on 4th December, 2017 (Pages 1 - 2)
6. Matters Arising
To discuss matters arising from the previous minutes, which are not included elsewhere on the agenda.
7. BDR Joint Waste Project - Manager's Report (Pages 3 - 9)
8. Current Issues
9. Risk Register (Pages 10 - 20)
10. Any Other Business
11. Date, time and venue for the next meeting

: annual meeting on a date to be arranged during June or July, 2018.

: if necessary, a meeting shall be held during September, 2018, on a date to be arranged.

: a meeting on a date to be arranged during December, 2018.

BARNSELY, DONCASTER AND ROTHERHAM JOINT WASTE BOARD
Monday, 4th December, 2017

Present:- Councillor C. McGuinness (Doncaster MBC - in the Chair); Councillors E. Hoddinott (Rotherham MBC) and P. R. Miller (Barnsley MBC) together with Mr. A. Ali, Mrs. L. Baxter and Mrs. R. Fleetwood (Rotherham MBC), Mr. M. Bell (Barnsley MBC) and Mr. L. Garrett (Doncaster MBC).

Apologies for absence were received from Councillor S. Allen (Rotherham MBC), Mr. P. Castle (Barnsley MBC) and Mrs. G. Gillies (Doncaster MBC).

17. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at this meeting.

18. MINUTES OF THE PREVIOUS MEETING HELD ON 13TH OCTOBER, 2017

Consideration was given to the minutes of the previous meeting of the Barnsley, Doncaster and Rotherham Joint Waste Board, held on 13th October, 2017.

Agreed:- That the minutes of the previous meeting of the BDR Joint Waste Board be approved as a correct record for signature by the Chairman.

19. BDR JOINT WASTE PROJECT - MANAGER'S REPORT

The Barnsley, Doncaster and Rotherham Joint Waste Manager submitted a report which highlighted and updated the following issues relating to the Joint Waste Private Finance Initiative (PFI) for the period September-October, 2017:-

- The contractor was on target to achieve the 12.5% recycling performance by the end of the financial year
- Table of recycling tonnes processed April-October 2017
- The issue of moisture loss and its inclusion in the recycling rate would continue to be pursued with DEFRA
- Significant changes had been made to the equipment and the method that was applied to fly treatment. Work was also taking place with the Environment Agency. Renewi was working with one particular resident who was experiencing issues
- Discussions were ongoing with the contractor with regard to the fire protection work which was programmed for July 2018. It was felt that, given the issues that had been experienced, this was too long a timescale
- Issues affecting the transfer station at Grange Lane, Barnsley
- The Community Education Officer was assisting with the RMBC

consultation material and working with Communications on a video around plastic

- The results of the waste compositional analysis were currently being worked through
- The last Steering Group had suggested, and considered by the Workforce Management Board, that the contract of the Legal Locum be extended given the amount of work
- Resources and staffing

Agreed:- That the BDR Manager's report be received and its contents noted.

20. CURRENT ISSUES

There were no current issues to report.

21. RISK REGISTER

The Barnsley, Doncaster and Rotherham Joint Waste Board considered the updated Waste PFI risk status report (risk register) which had been maintained during the various stages of the joint waste project. The report stated that thirteen risks were registered with none to be added or deleted since the last Joint Waste Board meeting held on 13th October, 2017.

Agreed:- That the updated information on the risk status report, as now submitted, be received.

22. HOUSEHOLD WASTE RECYCLING CENTRE CONTRACT

The Barnsley, Doncaster and Rotherham Joint Waste Manager reported that the Joint Waste Team had been working up the Household Waste Recycling Centre Contract. One of the questions that been asked was whether or not it should be governed under the inter-authority agreement.

Agreed:- That the progress on the Household Waste Recycling Centre Contract be reported to this Joint Waste Board

23. DATE, TIME AND VENUE FOR THE NEXT MEETING

Agreed:- That a further meeting of the Barnsley, Doncaster and Rotherham Joint Waste Board take place in March, 2018, date to be determined.

BDR WASTE PFI
BDR MANAGER UPDATE REPORT
NOVEMBER 2017 – JANUARY 2018

1.0 Governance**1.1 Liaison Committee**

1.1.1 Following on from a request at the annual Liaison Committee meeting, a 6-month review has been set up for April 2018.

2.0 Contract Performance**2.1 Recycling and Diversion**

2.1.1 Table 1 contains the information about the number of tonnes processed and the contract performance for 2016/17 from 1 April 2017 to the 31 January 2018. The Contractor currently performing at 15.17% recycling this is above the 12.5% termination trigger but below the 19% target. A recycling deduction is applied at the end of the year for every tonne of waste not recycled below the 19% target.

Table 1 – Year to date tonnes Processed 1 April 2017 to 31 January 2018

	Type	Tonnes 2016/17	Percentage 2016/17	Tonnes 01 April 2017 to 31 Jan 2018	Percentage 01 April 2017 to 31 Jan 2018	Target (contract estimate)
Total Waste delivered	Total Waste to MBT	239,004.88	95.60% of 250,000 capacity	196,301.53	94% of 250,000 pro rata capacity	100%
	Third Party Waste	14,417.80	6.03%	11,179.94	5.70%	
	Contract waste only	224,587.08	93.97%	185,121.59	94.30%	
	Household Waste	201,946.77	84.49%	166,838.78	84.99%	
Landfill	Total	8,407.22	3.50%	8,930.81	4.82%	5%
Recovery	Total	213,310.78	63.62%	178,440.06	96%	n/a
Recycling	Ferrous	2,163.30	1.06%	1,997.58	1.20%	
	Non-ferrous	261.3	0.13%	297.12	0.18%	
	Fines	9,101.75	4.34%	9,438.33	5.66%	
	Glass and Stone	3,223.59	1.56%	3,897.49	2.34%	
	Plastic	6,395.26	3.19%	5,826.70	3.49%	
Recycling other	Metals in bottom ash	2,162.30	1.33%	1,809.08	1.08%	

	AWM recycling	2,623.56	0.91%	284.08	0.17%	
	Fines CLO Uplift			1,767.38	1.05%	
	Total	25,931.06	12.84%	25,317.76	15.17%	19.00%
Moisture Loss	Moisture Loss	62,375.88	30.76%	54,826.76	28.86%	

2.1.2 N.B. above figures are unaudited and subject to change.. Landfill diversion is calculated by total waste diverted from landfill divided by the total waste delivered.

2.1.3 The landfill diversion target for the contract is 95% and to date 4.82% has been landfilled which equates to 95.18% diversion. It should be noted that the average monthly figure for material to landfill from November 2017 to January 2018 is 3.18% or 96.82% diversion from landfill.

2.2 Complaints

2.2.1 Flies

2.2.1.1 No fly complaints were received during November 2017 and January 2018.

2.2.2 Noise

2.2.2.1 There were 4 noise complaints received during December 2017 and January 2018, from a local resident. A review of site operations on the respective dates indicated there were no exceptional activities identified and investigations are ongoing.

2.3 Health and Safety

Table 2 - Compliance from April 2017 to January 2018

2017/18	Close Call	Accident less than 3 days	Accident more than 3 days	Non RIDDOR dangerous occurrence	RIDDOR dangerous occurrence	RIDDOR more than 7 day injury	Major RIDDOR	Environmental
April	33	0	0	2	0	0	0	0
May	44	1	0	2	0	0	0	1
June	63	0	0	3	0	0	0	1
July	29	2	0	2	0	0	0	0
Aug	34	0	0	4	0	0	0	0
Sep	20	4	0	6	0	0	0	0
Oct	44	3	0	6	0	0	0	1

Nov	24	2	0	2	0	0	0	0
Dec	20	1	0	1	0	0	0	0
Jan	41	2	0	0	0	0	0	0
YTD Total	352	15	0	28	0	0	0	3

2.3.1 Please note: close calls are not incidents; they are where staff have made an observation of something that has the potential to cause an accident. Reporting close calls allows action to be taken before an accident occurs and is a positive indicator of the efforts being made to improve health and safety.

2.3.2 Fire Protection Improvements

2.3.2.1 In December it was confirmed that 3SE were responsible for the costs of the Fire Improvement Works.

2.3.2.2. Work on the selection of the appropriate Fire Improvement works is ongoing. There have been several clarifications required regarding the scope and phasing of the work. . Once the phasing of the project is fully defined, the Councils will be briefed on the contingency plan for diversion of waste.

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3.0 Grange Lane

3.1 Dilapidation work at Barnsley Transfer station highlighted further work necessary to replace the roof. A separate work package is to be considered for this.

4.0 Communications

4.1 Community Education Liaison Officer Update

4.1.1 The Renewi Corporate Social Responsibility Fund was launched for 2017/18 the closing date for applications of 21 January 2018 has been extended to 16 February 2018.

4.1.2 The CELO continues to compile case studies for the current work being undertaken with landlords across Barnsley, Barnsley and Rotherham.

4.1.3 The CELO is to assist with the publication and implementation of the South Yorkshire Waste Strategy throughout 2018-19.

4.1.4 The CELO has commenced procurement for the spring 2018 compositional analysis sampling.

5.0 Waste Compositional Analysis

5.1 Phase 1 of the 2017/18 Waste Compositional Analysis ran from 18 September to

the 14 October 2017 and the results are being complied, Phase 2 will be undertaken in April 2018.

6.0 Legal

6.1 Insurance

6.1.1 Dispute resolution was triggered on the 14 November 2017 and the adjudicator's conclusion submitted on 21 December 2017 found in the Councils' favour.

6.2. Monthly Update for Legal

6.2.1 The BDR Legal Locum has a monthly conference call with the Legal Officers across the BDR local authorities to update them on all matters, he is dealing with.

7.0 Financial

7.1 Operational Management Budget

Table 3 BDR PFI Budget Summary 2017-2018

Contract Manager detail	Data			
	Sum of Spend to date	Sum of Total Forecast 2017/18	Sum of Budget 2017-18	Sum of Variance 2017/18
Administration	21845	23520	22667	853
Call off Finance	0	0	1120	-1120
Call off Legal	52933	65078	66897	-1819
Call off Technical	0	0	0	0
Contingency Advisor Costs	3200	3200	10000	-6800
External Finance	21800	26300	30000	-3700
External Legal	47002	74811	50000	24811
External Technical	10968	11968	30000	-18032
HWRC Project	0	0	10000	-10000
Management	96780	114965	135861	-20896
Grand Total	254528	319841	356545	-36704

7.1.1 The operational management budget includes costs for the HWRC procurement exercise, the modelling of potential Council collection changes and a review of the Fire Improvement Works at site.

8.0 Resources

8.1 Training

8.1.1 The BDR Project Administrator is on schedule to complete the NVQ Level 4 Business Administration course..

8.2 Staffing

8.2.1 Following the departure of the BDR Compliance Officer, a career-graded post is being drafted and once agreed the post will be advertised.

Recycling Markets

China has put in place limitations on imports of 24 materials including plastic, unsorted paper and crude textile waste. They have also reduced the level of contamination that is considered acceptable for cardboard and other paper grades from 1.5% to 0,5%¹ These measures come into force from the start of March 2018. Contamination could be staples in boxes, plastic tape or stickers so levels as low as 0.5% are barely achievable according to an article in the Chartered Institute of Waste Management Journal

The aim of this is to encourage paper mills to process domestic material and measures to standardise regulation of recycled paper processing operations are also being implemented. ²To ensure the importers of material for recycling are adhering to the requirements Chinese regulators have been cracking down on the imports that do not meet the specification.

As a consequence of this the paper and cardboard recycling markets in the UK and throughout the globe have faced a dramatic slump. It is anticipated that following the Chinese New Year in February new allocations will be given and the position may improve³.

For the BDR Partnership this has impacted on the income received for cardboard in Barnsley, the Rotherham paper contractor has also raised concerns regarding the situation. Doncaster recognised recycling market volatility causes concerns for contractors and have adopted a risk based approach.

Market volatility can be mitigated by ensuring the recycling streams are not contaminated. This can be achieved by implementing the following:-

- Clear communication to residents to ensure minimal contamination

¹ <https://ciwm-journal.co.uk/uk-faces-paper-pile-chinas-new-rules/>

² <https://www.letsrecycle.com/news/latest-news/china-experts-explain-paper-market-changes/>

³ <https://www.letsrecycle.com/news/latest-news/chinese-controls-impacting-across-the-globe/>

- Training crews on identifying contamination and taking the appropriate action to ensure the load is not contaminated.

Another option under investigation to ensure sustainability of the recycling services in South Yorkshire is the potential need for a material recycling facility in the region,

9.0 Glossary of Terms

Term	Definition
3SE	The name for the partnership between Shanks Group plc and Scottish & Southern Energy plc.
Community Education Liaison Officer (CELO)	Works on behalf of the Barnsley, Doncaster and Rotherham Waste Partnership to deliver educational visits at schools and tours of the BDR PFI Waste Facility around recycling.
Compost Like Output (CLO)	The material produced after anaerobic digestion of the organic fines removed in the MBT process. This material is used on land remediation and restoration projects.
Department for Environment, Food & Rural Affairs (DEFRA)	The UK government department responsible for safeguarding our natural environment, supporting our world-leading food and farming industry, and sustaining a thriving rural economy. Our broad remit means we play a major role in people's day-to-day life, from the food we eat, and the air we breathe, to the water we drink.
Environment Agency (EA)	An executive non-departmental public Body responsible to the Secretary of State for Environment, Food and Rural Affairs for issues affecting the environment.
Household Recycling Waste Centres (HWRC)	Local Authorities provide these sites to residents with an alternative to kerbside collections for the responsible disposal, recycling or re-use of their household waste, particularly for items that are not collected or are costly to collect at the kerbside.

Term	Definition
Incinerator Bottom Ash (IBA)	Is a form of ash produced in incineration facilities
Mechanical Biological Treatment (MBT)	A type of waste processing facility that combines a sorting facility with a form of biological treatment such as composting or anaerobic digestion.
Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)	RIDDOR which puts duties on employers, the self-employed and people in control of work premises (the Responsible Person) to report certain serious workplace accidents, occupational diseases and specified dangerous occurrences (near misses).
Solid Recovered Fuel (SRF)	A fuel produced by shredding and dehydrating solid waste (MSW) with a waste converter technology

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Summary Sheet

Council Report:

Barnsley, Doncaster and Rotherham Joint Waste Board

Title:

BDR Risk Register

Is this a Key Decision and has it been included on the Forward Plan?:

No

Strategic Director Approving Submission of the Report:

BDR Steering Committee

Report Author(s):

Lisbeth Baxter

Ward(s) Affected:

None

Executive Summary:

This document presents the risks associated with the delivery of the BDR PFI Waste Facility contractual obligations now the facility is operational. The risks identified in the risk register are considered by the BDR Steering Committee every eight weeks.

Recommendation:

BDR Joint Waste Board is asked to consider and note the attached updated Risk Register, and

After consideration, advise of any further risks to be added to or deleted from the risk register.

List of Appendices Included:

BDR Risk Register (appendix 1)

Background Papers:

BDR Risk Register Scoring Guide

Consideration by any other Council Committee, Scrutiny or Advisory Panel:

The register has previously been considered by the BDR Steering Committee and the BDR Joint Waste Team.

Council Approval Required:

No

Exempt from the Press and Public:

No.

Title:
BDR Risk Register

1. Recommendations

- **BDR Joint Waste Board is asked to consider and note the attached updated Risk Register, and**
- **After consideration, advise of any further risks to be added to or deleted from the risk register**

2. Background

- 2.1 The BDR Joint Waste Board last considered the risk register at its meeting on 4th December 2017.
- 2.2 There are 3 categories of risk Red, Amber, Green (RAG) representing varying degrees of exposure. Each category contains a range of risk scores and the table below shows how the RAG rating and score are derived.

LIKELIHOOD (A)	Almost Certain 5	5	10	15	20	25
	Probable / Likely 4	4	8	12	16	20
	Possible 3	3	6	9	12	15
	Unlikely 2	2	4	6	8	10
	Very unlikely / Rare 1	1	2	3	4	5
		Insignificant / Negligible 1	Minor 2	Moderate 3	Major 4	Critical/ Catastrophic 5
	IMPACT (B)					

3. Key Issues and Risks

- 3.1 There is one new risk proposed for inclusion on the register. There are fourteen risks on the risk register. The new risk is in relation to recycling markets due to restrictions on tonnage and increased quality requirements introduced in 2018 by China.
- 3.2 There are currently no risks proposed for deletion in the register.
- 3.4 The risk areas under each of these headings are as in appendix 1 with their respective current and target RAG rating:
- 3.5 Previous reports have highlighted to BDR Joint Waste Board that there has been very little movement in current risk scores for risks in the period since the facility became operational.

Current RAG Rating	09/03/17	30/6/17	29/09/17	23/11/17	4/12/17
Red	2	3	3	3	3
Amber	6	6	6	6	6
Green	5	5	4	4	4
Total	13	14	13	13	13

- 3.6 There has been one downward movement in risk 11 since the risk register was considered in December. This is due to improved performance at the plant and projects that are in place to make further improvements.
- 3.9 Risk 7 Insurance risks increase remains one of the highest risks. This is due to the hardening of the market and the requirement by the 3SE insurers for more mitigation equipment.

Target RAG Rating	19/01/17	09/03/17	30/6/17	29/09/17	23/11/17
Red	0	0	0	0	0
Amber	6	6	7	6	6
Green	7	7	7	7	7
Total	13	13	14	13	13

Monitoring

3.10 The BDR Risk Register is reviewed eight weekly by the BDR Steering Committee. Additionally, the BDR Manager reports to the Joint Waste Team and draws attention to issues to allow internal challenge.

4. Options considered and recommended proposal

4.1 Not applicable.

5. Consultation

5.1 The BDR Steering Committee has reviewed and agreed the attached register.

6. Timetable and Accountability for Implementing this Decision

6.1 Not applicable.

7. Financial and Procurement Implications

7.1 The risks contained in the register require ongoing management action. In some cases additional resources may be necessary to implement the relevant actions or mitigate risks. Any additional costs associated with the risks are reported to the BDR Steering Committee for consideration.

8. Legal Implications

8.1 There are no direct legal implications arising from the risk register. Any actions taken by the BDR Manager in response to risks identified will take into account any specific legal implications.

9. Human Resources Implications

9.1 There are no Human Resources implications associated with the proposals.

10. Implications for Children and Young People and Vulnerable Adults

10.1 Not applicable

11. Equalities and Human Rights Implications

11.1 Proposals for addressing individual risks within the register incorporate equalities and human rights considerations where appropriate.

12. Implications for Partners and Other Directorates

12.1 The actions relating to any issues affecting partners are reflected in the risk register and accompanying risk mitigation action plans.

13. Risks and Mitigation

13.1 The BDR Manager will review and update the risk register on a six-weekly basis, to ensure risks are able to be effectively monitored and managed.

14. Accountable Officer(s):

Lisbeth Baxter BDR Manager


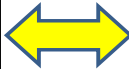

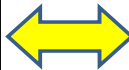



Approvals Obtained from:-

Strategic Director of Finance and Corporate Services: Not applicable

Director of Legal Services: Not applicable

Head of Procurement (if appropriate): Not Applicable

This report is published on the Council's website or can be found at:

Risk Number	Risk	Consequence /effect: - What would actually happen as a result? How much of a problem would it be? To whom and why?	Existing actions/controls - What are you doing to manage this now?	Risk Score with existing measures (See scoring table)		Current Score	Further management actions/controls required - What would you like to do in addition to your controls?	Target Score with further management actions/controls required (See Scoring Table)		Target Score	Risk Owner (Officer responsible for managing risk and controls)	Risk Review Date	Movement
				I	L			I	L				
7	Obtaining required terms for Insurance is difficult due to market conditions - Insurance costs increase	There is a lack of Markets for Insuring waste plants	Robust fire strategy, latest technology for fire suppression . Fire plan signed off by insurers BDR Technical advisors and Independent Certifier. Regular fire drills. Contractor liaison and education of insurance markets. Contractual position on insurance	3	5	15	Consider reviewing the insurance requirements. Enforcement of Contractual positions	2	5	10	BDR MANAGER	14/02/2018	
14	Insurance for the BDR Waste Treatment Plant is not available	The Councils would become the insurer of last resort. The Contractor would have to approach the market every 4 months to attempt to obtain insurance/ Contract would be terminated	Contractor in liaison with Insurerer is progressing upgrade of the Fire Protection systems. Insurance broker is working with Insurance market to build confidence	5	3	15	Robust case against Uninsureability. Ensure Contractor Completes the fire improvement works	5	2	10	BDR MANAGER	14/02/2018	
11	Failure of plant equipment results in withdrawal of credits (Review of WICS)	Reputational damage and adverse publicity emanating from poor performance of state of the art facility. Potential for Local/National interest. Budget impact	Regular contract meetings/Monitoring and review procedures/Contingency facilities in place/Performance deduction , Step in provisions exist. It is likely that the Funders would step in an appoint another Contractor if performance is poor. Alternately the Councils could step in until the Contract could be retenderd	3	3	9	Ensure monitoring staff are sufficiently skilled to manage this situation. Liaison with other PFI Contract Managers, knowledge transfer close liaison with DEFRA. Contractor has improved the refinement and is introducing further measures to ensure plant performance continues to improve	5	1	5	BDR MANAGER	14/02/2018	
10	Environmental Impact to Local Area from Noise/Odour/Flies/Vermin etc (Compliance)	Reputational damage and adverse publicity from pollution emanating from State of the Art Facility. Potential for Local/National interest	Contractual controls and performance measures. Monitoring the contract. Pro-active engagement with the local community . Sharing data Regular monitoring outside the perimeter of the plant	3	4	12	Further plant investment in Acoustic measures. Increased fly spraying during the fly season. Communicate to householders to wrap waste.	3	3	9	BDR MANAGER	14/02/2018	
9	Changes in Government Law/Regulations including the UK exiting the European Union (Legislative Change)	Potential financial implications to cover the cost of required service change	Procedure incorporated in the Contract Conditions. Impact and actions to be jointly agreed with the Contractor to mitigate costs as far as possible. Application of the Change in Law Clauses within the contract	3	4	12	Consider the need for the Change in Law retention fund.	3	4	12	BDR MANAGER	14/02/2018	
8	Changes to Collection services to support budget savings that impact on the PFI Contract - waste volumes change	Potential to impact on the performance of the plant. Potential to impact on the Third Party Revenue Share due to the Councils.Implications on PFI Credits. Implications on Inter Authority Agreement.	Inter Authority Agreement measures. Significant collection change clause in the PFI Contract. Current WIDP/DEFRA position in terms of Credit Allocation position requires BDR to abide by the terms and conditions in the Promissary letter and the Final Business Case.	3	4	12	Dialogue with WIDP/DEFRA and between BDR Councils. Test potential impacts to the contract/Councils against the IAA2. Lobby Government on recycling definitions.	3	3	9	BDR MANAGER	14/02/2018	
13	Closure of facility or inability to provide the service due to a force majeure event (major incident at ITSAD Facility)	Service disruption. Temporary full or partial closure of facilities.	Contractual conditions provide a shared responsibility to agree measures to mitigate the effects and facilitate the continuation of the service. There are contingencies within the contract to divert waste to other waste facilities	4	3	12	Undertake a Communications campaign. Use contingency sites/ other Contracts where possible e.g. Veolia Landfill. Use emergency procurement if absolutely necessary.	3	3	9	BDR MANAGER	14/02/2018	

15	Recycling Markets	Lack of recycling markets impacts on Contractors ability to achieve recycling rate	Reviewing disposal points, ensuring Contractor has contingency in place	3	4	12	Councils may consider taking on more risk as long (as this is properly assessed) to deliver savings. Currently being investigated as part of the Operational Savings review	2	2	4	BDR MANAGER	14/02/2018	NEW
12	Lack of resources due to restructures, and staff resignations failure to have a knowledge management plan (Business Continuity - BDR)	Failure to monitor the contract effectively/make payments resulting in Breach	Contract manual to document the processes and procedures. To be maintained and updated when changes occur. Contract information held on CIPFA site and on a Sharepoint portal. Staff training and development. Knowledge management plan.	3	3	9	Staff retention could be improved if a clear career path existed. CIPFA Asset Management system to hold all relevant documentation.	2	3	6	BDR MANAGER	14/02/2018	↔
6	Serious injury/death of a member of staff or public through service operation (MAJOR INCIDENT AT ITS/AD)	Personal tragedy. Health and Safety Executive intervention. Possible service disruption. Possible corporate liability offence	Contractor has completed and regularly reviews full Risk Assessments. Staff training, H&S Inspections, Contract Monitoring and performance deductions for non compliance. External Audit has been undertaken by Consultants and RMBC Health and Safety Team Regular monitoring of the Contractual requirements in relation to Health and Safety Consistent application of the Payment Mechanism	3	3	9	Regular visits by Health and Safety officers. Quarterly Health and Safety meetings.	3	2	6	BDR MANAGER	14/02/2018	↔
2	Contractor default needing emergency action and/or leading to contract termination.	Service disruption. Temporary full or partial closure of facilities.	A series of performance bond and Parent Company Guarantees exist to provide and/or pay for interm/alternative arrangements to be made. Funders would work with BDR to bring in a new contractor to deliver the service. Contingency arrangements may be implemented in the short term. Robust contract monitoring procedures	4	2	8	Ensure monitoring staff are sufficiently skilled to manage this situation. Liaison with other PFI Contract Managers, knowledge transfer	3	2	6	BDR MANAGER	14/02/2018	↔
1	There is a risk that the contractor will not comply with the terms and conditions and the performance will be less than the Councils are paying for.	Service disruption. Temporary full or partial closure of facilities.	Regular contract meetings/Monitoring and review procedures/Emergency plan/Contingency facilities in place/Performance deduction, Step in provisions exist. It is likely that the Funders would step in an appoint another Contractor if performance is poor. Alternately the Councils could step in until the Contract could be retendered	2	4	8	Ensure succession planning is adequate. Invest in training for the current team Project Management and COTC.	2	3	6	BDR MANAGER	14/02/2018	↔
4	Fraud	Contractor could attempt to charge for more than they are entitled to/Client team could collude with Contractor	Process for checking Tickets from each Council is in place. Financial and Legal Officers form part of team. Information shared across all 3 Councils Direct debit mandate is in place for Barnsley and Doncaster to pay Rotherham. All deductions are accounted for in line with the IAA3. Guaranteed minimum tonnage requirement for the Councils. Regular reports to Steering Group/Joint Waste Board. Systems in place to pay the Contractor Internal and External Audits undertaken	3	2	6	Make an agenda item at meetings	2	2	4	BDR MANAGER	14/02/2018	↔
5	Ensure the balance of risk between Contractor and BDR is maintained.	Councils could take more risk than anticipated	Change protocol in place, consideration needs to be given to level of risk as changes are negotiated.	3	2	6	Councils may consider taking on more risk as long (as this is properly assessed) to deliver savings. Currently being investigated as part of the Operational Savings review	2	2	4	BDR MANAGER	14/02/2018	↔

Consequence /effect: - <i>What would actually happen as a result? How much of a problem would it be? To whom and why?</i>	Existing actions/controls - <i>What are you doing to manage this now?</i>	Risk Score with existing measures (See scoring table)		Current Score	Further management actions/controls required - <i>What would you like to do in addition to your controls?</i>	Target Score with further management actions/controls required (See Scoring Table)		Target Score	Risk Owner (Officer responsible for managing risk and controls)	Risk Review Date	Movement
		I	L			I	L				

BDR Risk Register Appendix 2 Risk Register Scoring guide

	IMPACT	SCORE	BENCHMARK EFFECTS
CRITERIA	CRITICAL/ CATASTROPHIC	5	<ul style="list-style-type: none"> • Multiple deaths of employees or those in the Council's care • Inability to function effectively, Council-wide • Will lead to resignation of Chief Operating Officer and/or City Mayor • Corporate Manslaughter charges • Service delivery has to be taken over by Central Government • Front page news story in National Press • Financial loss over £10m
	MAJOR	4	<ul style="list-style-type: none"> • Suspicious death in Council's care • Major disruption to Council's critical services for more than 48hrs (e.g. major ICT failure) • Noticeable impact in achieving strategic objectives • Will lead to resignation of Strategic Director and/ or Executive Member • Adverse coverage in National Press/Front page news locally • Financial loss £5m - £10m
	MODERATE	3	<ul style="list-style-type: none"> • Serious Injury to employees or those in the Council's care • Disruption to one critical Council Service for more than 48hrs • Will lead to resignation of Divisional Director/ Project Director • Adverse coverage in local press • Financial loss £1m - £5m
	MINOR	2	<ul style="list-style-type: none"> • Minor Injury to employees or those in the Council's care • Manageable disruption to internal services • Disciplinary action against employee • Financial loss £100k to £1m
	INSIGNIFICANT/ NEGLIGIBLE	1	<ul style="list-style-type: none"> • Day-to-day operational problems • Financial loss less than £100k

LIKELIHOOD	SCORE	EXPECTED FREQUENCY
ALMOST CERTAIN	5	Reasonable to expect that the event WILL undoubtedly happen/recur, possibly frequently and is probable in the current year.
PROBABLE/LIKELY	4	Event is MORE THAN LIKELY to occur. Will probably happen/recur, but it is not a persisting issue. Will possibly happen in the current year and be likely in the longer term.
POSSIBLE	3	LITTLE LIKELIHOOD of event occurring. Not likely in the current year, but reasonably likely in the medium/long term.
UNLIKELY	2	Event NOT EXPECTED . Do not expect it to happen/recur. Extremely unlikely to happen in the current year, but possible in the longer term.
VERY UNLIKELY/RARE	1	EXCEPTIONAL event. This will probably never happen/recur. A barely feasible event.

LEVEL OF RISK	OVERALL RATING	HOW THE RISK SHOULD BE TACKLED/ MANAGED
High Risk	15-25	IMMEDIATE MANAGEMENT ACTION
Medium Risk	9-12	Plan for CHANGE
Low Risk	1-8	Continue to MANAGE

LIKELIHOOD (A)	Almost Certain 5	5	10	15	20	25
	Probable/Likely 4	4	8	12	16	20
	Possible 3	3	6	9	12	15
	Unlikely 2	2	4	6	8	10
	Very unlikely/ Rare 1	1	2	3	4	5
		<i>Insignificant/ Negligible</i> 1	<i>Minor</i> 2	<i>Moderate</i> 3	<i>Major</i> 4	Critical/ Catastrophic 5
IMPACT (B)						