

BDR Joint Waste Board Risk Status Report March 2016

RMBC have changed the Corporate Risk Register and the JCAD system previously used is no longer supported. A spreadsheet is now maintained and reported on corporately. The open risks from JCAD have been transferred across to the new format and new risks added. The method of scoring the benchmark effects is different from the method used on JCAD (see Risk Assessment Form for the current scoring matrix) .

Old Risk Reference	Risk	Comments and outstanding actions	Date for completion
WPFIT001	Waste Volumes Change – Facility too small or too large NEW RISK DESCRIPTION Changes to Collection services to support budget savings that impact on the PFI Contract	Waste managers and the BDR team to continue liaison to ensure waste projections are accurate and that all streams that can be processed at the facility are sent there. Inter-Authority Agreement is being reviewed.	Monitoring of waste volumes will be on-going. The proposed revisions to the Inter Authority Agreement have been considered across the 3 Councils.
WPFIT007	Legislative Change - BDR have no direct control over Legislative change NEW RISK DESCRIPTION Changes in Government Law/Regulations	Legislative change can impact on costs and operations at the facility so BDR will Monitor the legislation on an ongoing basis and Lobby Central Government on any item which may impact on the Contract Close liaison with waste managers – IAA3 providing more clarity No further movement on the Circular Economy – further information from Europe was published on 2 nd December 2015	Lobbying on Recycling – draft letter December 2015. On-going
WPFIT008	Compliance with contract TWO NEW RISK DESCRIPTIONS Environmental Impact to Local Area from Noise/Odour/Flies/Vermin	Failure of the Contractor to comply with the operational terms of the contract could result in complaints from residents. Measures are in place to monitor the Contractors maintenance of the biofilters to prevent odours. The routes the vehicles take are monitored and the number of vehicles in and out of the facility, are reported as part of the monthly report. Noise mitigation measures have been installed BDR and the Contractor continue to monitor the area and control the activities to minimise night time noise.	On-going

	<p>etc</p> <p>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</p>		
WPFIT009	<p>Major Incident at ITS/AD</p> <p>NEW RISK DESCRIPTION</p> <p>Serious injury/death of a member of staff or public through service operation</p> <p>Closure of facility or inability to provide the service due to a force majeure event</p>	<p>An Emergency plan is in place, Health and Safety meetings with H&S representatives of all three Councils are held quarterly. The actions necessary from a contractual view point should this occur need to be documented in the Contract Manuals.</p>	On-going
WPFIT011	<p>Business Continuity – BDR</p>	<p>Procedures that are in place to monitor the contract need to be fully documented in the Contract Manuals. This is a work in progress as the procedures are being refined. Training material needs to be developed for Members, Senior Officers and the wider team to ensure resilience.</p>	January 2016
WPFIT015	<p>Review of Waste Infrastructure PFI Credits</p> <p>NEW RISK DESCRIPTION</p> <p>Failure of plant equipment results in withdrawal of credits</p>	<p>There is a Risk that if BDR fail to comply with the Terms and Conditions of the Waste Infrastructure letter the credits could be removed or reduced. The BDR Joint Waste Team liaises with the Operational Managers and the WIDP Transactor to ensure compliance with these Terms</p>	On-going
WPFIT016	<p>Insurance Costs Increase</p> <p>NEW RISK DESCRIPTION</p> <p>Obtaining required terms for Insurance is difficult or impossible due to market conditions</p>	<p>Insurance costs for waste management facilities have increased due to the number of fires in the sector. BDR have engaged AON to provide advice and the Contractor has a robust fire strategy in place and is working with insurance companies to confidence to bring down the costs.</p>	On-going

NEW RISK			
	<p>Contractor default needing emergency action and/or leading to contract termination.</p> <p>NEW RISK</p>	<p>A series of performance bond and Parent Company Guarantees exist to provide and/or pay for interim/alternative arrangements to be made. Funders step-in.</p> <p>Robust Contract monitoring procedures.</p>	Ongoing
	<p>Failure to pay the Contractor or deliver waste could result in the Councils being in breach. Failure to correctly apportion the costs could result in one Council paying more than is necessary. NEW RISK</p>	<p>Process for checking Tickets from each Council is in place. 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</p>	Ongoing
	<p>Fraud NEW CORPORATE RISK</p>	<p>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</p>	Ongoing
	<p>Ensure the balance of risk between Contractor and BDR is maintained.</p> <p>NEW RISK</p>	<p>Change protocol in place, consideration needs to be given to level of risk as changes are negotiated.</p>	Ongoing