

<b>Risk Code: ST91</b>	<b>SWISCo - Failure to comply with current legislation in the delivery of our services</b>	<b>Accountable Officer :</b> Matt Reeks
<b>Unmitigated Score:</b> Very High (25)	<b>Description:</b> The operations and activities delivered by SWISCo are governed by various legislative and regulatory requirements. These include • Health and Safety at Work Act • Environmental Protection Act • Employers' Responsibilities • Equality Act • Financial Regulations • Waste Collection and Disposal Authority Responsibilities (section 45 EPA) • Highway Authority Responsibilities • Road Traffic Act. The nature of these services and the size of the workforce results in regular review and inspection by the governing agencies. Some inspections in the past have resulted in needed improvements and the council to make further investment into SWISCo's so it can change its working practices. Since the formation of SWISCo in 2020, the company has received a number of improvement notices which it has acted upon, therefore it has never been prosecuted or fined for any breaches against regulations or legislation.	<b>Risk Completion Officer :</b> Matt Reeks
<b>Mitigated Current Score:</b> Very High (25)		<b>Last Review Date :</b> 07/02/2025
<b>Direction of Travel:</b> —		<b>Identification Date:</b> 07/06/2023
<b>Mitigation status:</b>	<b>Mitigation:</b>	
Action ongoing	Audit and Review	
Action ongoing	Board & Shareholder Awareness	
Action needed	Contingency funding for unplanned Council investment.	
Action ongoing	Contingency funding for unplanned SWISCo investments	
Action needed	Devise, Implement and Monitor a project plan to address CAR notice	
Action ongoing	External Networking / horizon scanning	
Action ongoing	Internal and external notification(s)	
Action ongoing	Management Systems (Internal controls)	
Action ongoing	Staff training and awareness	
Action ongoing	Unique requirements	
Action ongoing	Workforce culture	
<b>Latest Note:</b>	This risk is scored high as there are currently outstanding issues with the compliance of the Waste Transfer Station site. However, in recent weeks, the Fire Prevention Plan (FPP) has now been approved by the Environment Agency and the Fire and Rescue Service. Funding is in place to deliver the required FPP improvements to the site, work will commence in April 2025.	

<b>Risk Code: CP106</b>	<b>Cost of service delivery outstrips available resources and budget</b>	<b>Accountable Officer :</b> Matt Reeks
<b>Unmitigated Score:</b> High (16)	<b>Description:</b> There are a number of factors that could impact on SWISCo's ability to carry out its services on behalf of Torbay Council predominantly due to lack of resources available, budget and increasing cost pressures.	<b>Risk Completion Officer :</b> Paul Luscombe
<b>Mitigated Current Score:</b> High (16)		<b>Last Review Date :</b> 05/02/2025
<b>Direction of Travel:</b> —		<b>Identification Date:</b> 13/11/2023
<b>Mitigation status:</b>	<b>Mitigation:</b>	
Action ongoing	Additional Commissioning Fee	
Action ongoing	Governance	
Action ongoing	Internal controls	
Action ongoing	Procurement	
Action ongoing	Staff Retention	
<b>Latest Note:</b>	The new finance manager is now attending SWISCo SMT meetings to review monthly result. Budget setting for 2025/26 is well under way with meetings for each service area.	

<b>Risk Code: CP110</b>	<b>Failure of commissioning agreement to recognise impact of financial pressures beyond SWISCo control</b>	<b>Accountable Officer :</b> Matt Reeks
<b>Unmitigated Score:</b> High (16)	<b>Description:</b> There are certain factors that are beyond SWISCo's control that can cause financial pressures on the business if our agreed commissioning fee with Torbay Council is not modified to take them into account.	<b>Risk Completion Officer :</b> Paul Luscombe
<b>Mitigated Current Score:</b> High (16)		<b>Last Review Date :</b> 05/02/2025
<b>Direction of Travel:</b> —		<b>Identification Date:</b> 21/11/2023
<b>Mitigation status:</b>	<b>Mitigation:</b>	
Action ongoing	Commercial opportunities	
Action ongoing	Commissioning Fee discussions	
Action ongoing	Increased collection of recyclable materials	
Action ongoing	Increased quality of recyclable materials	
Action ongoing	Procurement	
Action ongoing	Regular communication with Board members	
<b>Latest Note:</b>	There is continual monitoring of accounts on a monthly basis to assess the impact on the year end result.	

<b>Risk Code:</b> CP111	<b>Waste management facilities insufficient to meet current demand and anticipated growth.</b>	<b>Accountable Officer :</b> Matt Reeks
<b>Unmitigated Score:</b> Very High (25)	<b>Description:</b> The Household Waste and Recycling Centre and Waste Transfer Station located at Tor Park Road, Paignton is already operating at maximum capacity and there are a number of factors that could further restrict its operational performance. There is no available space for expansion at the depot.	<b>Risk Completion Officer :</b> John Greaves
<b>Mitigated Current Score:</b> Very High (25)		<b>Last Review Date :</b> 05/02/2025
<b>Direction of Travel:</b> —		<b>Identification Date:</b> 21/11/2023
<b>Mitigation status:</b>		
<b>Action ongoing</b>	Communication with Board and elected members	
<b>Action ongoing</b>	Legislative Change	
<b>Action needed</b>	New Site	
<b>Action needed</b>	Separate Household Waste Recycling Centre	
<b>Latest Note:</b> We have received confirmation of Extended Producer Responsibility (EPR) payment for this year. Persistent Organic Pollutants Regulations (POPs) legislation has now come into effect, requiring sofas to be transported separately to MVV for disposal, this has put extra strain on the site as we are required to store the items separately. Simpler Recycling for business came into effect on 1st January 2025, this will require more separation and storage of business waste materials.		