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| Risk Code: CP05 | Failure to comply with Health & Safety legislation | Accountable Officer: Matt Fairclough-Kay |
| Unmitigated Score: High (20) | Description: Health and Safety is a legislative requirement that is enforced by the Health and Safety Executive (HSE). The HSE intervenes when the organisation is found to be in failing in its management of health and safety (in contravention HSG 65). Routine and periodic inspections of systems are required on ASSURE (the council's health and safety software management system). Likewise, incidents are required to be reported and investigated in accordance with the council's policies and procedures. From the 1st of July 2024, the assets which were previously managed by TEDC have transferred back to the Council and are now under direct control. Some of these assets have given cause for concern due to recent near misses, therefore, the risk scoring will need to raise. | Risk Completion Officer: Dave Walker |
| Mitigated Current Score: High (20) | | Last Review Date: 28/03/2025 |
| Current Direction of Travel:  | | Identification Date: 23/11/2022 |
| Previous Direction of Travel:  | | Previous Date of Change: 06/12/2024 |
| Mitigation status: | Mitigation: | |
| Action ongoing | Adequate Health and Safety resources available | |
| Action ongoing | Auditing of Assets | |
| Action ongoing | Development and maintenance of ASSURE health and safety system | |
| Action ongoing | Policies and procedures in place | |
| Action completed | Review of Asset Management | |
| Action needed | Risk Assessments | |
| Action ongoing | Systems and procedures | |
| Action needed | Up take of Health and Safety training | |
| Latest Note: Policies and procedures continue to be reviewed as part of ongoing 3 yearly cycles and the integration of TEDC. Despite the provision of sufficient training capacity for core Level 2 and Level 3 H&S qualifications, uptake remains poor within a particular Directorate and this is mirrored in staff awareness of related H&S policies and procedure. The Health and Safety "Control of Contractors" policy is due to be circulated for consultation in the next 2 months, and once implemented this will make the required controls and monitoring for contractors clear, improving H&S performance. Engagement across a number of service areas remains poor with outstanding actions and incidents on the Assure system and an absence of required Display Screen Assessments for staff using IT regularly. This challenging culture is also seen within attendance at the Torbay Council H&S working group with some areas attending sporadically, impacting delivery of key H&S messaging. | | |

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| Risk Code: CP06 | Failure for our wholly owned companies to comply with H&S, fire, environmental legislation. | Accountable Officer: Matt Fairclough-Kay |
| Unmitigated Score: High (16) | Description: It is vital that the Council oversees the delivery of health and safety within all our wholly owned companies. | Risk Completion Officer: Dave Walker |
| Mitigated Current Score: High (16) | | Last Review Date: 28/03/2025 |
| Current Direction of Travel: <div><div></div></div> | | Identification Date: 30/03/2023 |
| Previous Direction of Travel: <div><div></div></div> | | Previous Date of Change: 05/03/2025 |
| Mitigation status: | Mitigation: | |
| Action ongoing | Adequate Health and Safety resources available | |
| Action ongoing | Auditing of Assets/Sites | |
| Action ongoing | External Liaison | |
| Action completed | H&S Training | |
| Action ongoing | Health & Safety Management Auditing | |
| Action ongoing | Policies and procures in place | |
| Action ongoing | Reporting of H&S | |
| Latest Note: Internal H&S auditing and support due to be undertaken in April and May 2025 will indicate any outstanding significant areas of concern. The H&S Officer on site is due to complete relevant H&S qualifications in July 2025 which will further mitigate any staffing resource concerns. Significant work has been undertaken in terms of induction and site improvements at Borough Road which will further mitigate H&S concerns over the coming months. Auditing of existing systems and processes in relation to Hand Arm Vibration, Lifting Equipment and Local Exhaust Ventilation is scheduled for 2025. Auditing is required to identify any H&S gaps within Tor Vista Homes in policy, procedures and reporting. This is scheduled for Summer 2025 | | |

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| Risk Code: CP14 | Delivery of SEND | Accountable Officer: Nancy Meehan |
| Unmitigated Score: Very High (25) | Description: The Local Area is required to deliver high quality SEND services in line with SEND Code of Practice 0 – 25 years – January 2015. In November 2021 the Local Area was inspected by Ofsted and CQC on the effectiveness of delivering the SEND duties. The Local Area was found to have significant areas of weakness in the area’s practice and as such required a written statement of action to be created and enacted to improve practice. | Risk Completion Officer: Lisa Chittenden |
| Mitigated Current Score: High (20) | | Last Review Date: 22/04/2025 |
| Current Direction of Travel:  | | Identification Date: 30/03/2023 |
| Previous Direction of Travel:  | | Previous Date of Change: 17/05/2023 |
| Mitigation status: | Mitigation: | |
| Action ongoing | Internal controls | |
| Action ongoing | Networking / best practice | |
| Action ongoing | P1 - Joint Commissioning | |
| Action ongoing | P2 – SEND Strategy | |
| Action ongoing | P3 – Cultural change | |
| Action ongoing | P4 – Joint working | |
| Action ongoing | P5 – Graduated response | |
| Action ongoing | P6 – Becoming an adult | |
| Action ongoing | P7 – Quality assurance and community engagement | |
| Action ongoing | Written Statement of Action for SEND Improvement | |
| Latest Note: The progress of our Written Statement of Action continues to be tracked and governed through our SEND Board and DFE Monitoring Visits. Risks and issues are identified through this process. Current risks are: resilience of all agencies to respond and systems changes need to ensure joint commissioning and financial contributions across agencies. The impact on children and young people although starting to change, is not felt widely enough across the system at this stage. The Graduated Response has been widely communicated however the impact on the Requests for Statutory Assessment (RSA) is not yet being seen in the number of referrals received. A high rate of refusal is still seen at the panel, on average 40%. As per the last update from the DCS we are still seeing our data going in the wrong direction with a huge increase in RSAs which impact on the Education Health and Care Plan projection. We have a high refusal rate and also a number which are going to tribunal, with the tribunal timescales being shortened to a 10 week turn around. Recently an LGA review has determined that our governance of our SEND improvement work should be stripped back to focus on key areas. Our new Self Evaluation Framework and Local Area Improvement Plan will now drive the future improvement work. A SEND LGA Peer review took place take place in November 2024 and feedback from this (due early 2025) will be used to further support the planning for the next SEND inspection. The inspection commenced on the 03/03/25 - we are awaiting the final outcome and as such further updates to this risk and the associated mitigations will be provided in due course - we cannot update further at this time. | | |

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| Risk Code: CP15 | Failure to stabilise the budget for the Higher Needs block | Accountable Officer: Nancy Meehan |
| Unmitigated Score: Very High (25) | Description: The Higher Needs Block of the Dedicated Schools Grant continues to be overspent. The forecast year end overspend (2022/23) is £2.716m with a cumulative deficit of £11.715m. The Higher Needs Block provides funding to education provisions through the provision of additional support either through identification at SEN K or through the provision set out in an Education Health and Care Plan. The identification of need and the demands on the budget are currently not aligned to the budget received on annual basis. The deficit position of the budget is currently supported by a National Statutory Override, this mechanism is in place for the next three years and provides a way of the Council accounting for the deficit, however this does not address the deficit budget position. In February 2022 Torbay were invited to take part in the Safety Valve programme. The aim of the programme is to agree a package of reform with the DfE and approved by the Secretary of State to implement a DSG Management Plan of the high needs system that will bring the dedicated schools grant (DSG) deficit under control by reducing the spend on the high needs budget by 26/27. Torbay were notified on 14.3.2023 that the Secretary of State had approved the proposals and as a result will support Torbay financially with the HNB deficit on the basis we can implement robustly the proposals within the DSG Management Plan. Torbay will be subject to 3 times a year monitoring visits as part of the scrutiny. | Risk Completion Officer: Lisa Chittenden |
| Mitigated Current Score: High (20) | | Last Review Date: 22/04/2025 |
| Current Direction of Travel:  | | Identification Date: 30/03/2023 |
| Previous Direction of Travel:  | | Previous Date of Change: 17/05/2023 |
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| Mitigation status: | Mitigation: | |
| Action ongoing | Ceasing and reviewing Education Health and Care Plans | |
| Action ongoing | Control – Contributions from agencies | |
| Action ongoing | Control – Higher Needs Review Group | |
| Action ongoing | Control – IPOP panel | |
| Action ongoing | Control – SEND Board and Continuous Improvement Board | |
| Action ongoing | Early intervention and Prevention | |
| Action ongoing | Implement the DSG Management Plan | |
| Action ongoing | Learn from Best Practice | |
| Action ongoing | Performance data | |
| Action ongoing | Safety Valve | |
| Action ongoing | Workforce Development Programme | |
| Latest Note: The Safety Valve (SV) agreement came into place on 17th March 2023 providing the deficit budget position to be funded, subject to the ongoing delivery of the SV terms and conditions of the agreement. Four submissions of the progress made towards the Safety Valve have been provided to the Education and Skills Funding Agency. The financial position of the Dedicated Schools Grant reported to School Forum in November 2023, demonstrates that the budget is aligned to the outturn position of the Safety Valve, however there are significant pressures and risks as the demand for Education Health and Care Plans is not reducing and the number of plans that are able to be ceased is slowing. We have inputted some mitigations to try to reduce the number of Requests for Statutory Assessment (RSA) such as early Next Steps Meetings prior to RSAs and a robust and rigorous No to Issue standing at approximately 43% of RSAs submitted. However, the rate of which the RSAs are being submitted is currently 50% higher than our target of 15 per month. We have received payment for our August and November 2024 submissions. There is a continued and high risk to not meeting our May 2025 target given the pressures explained above as well as a new risk which has been presented to us recently by the DfE when we have tried to change our special school commissioned numbers to meet our Safety Valve agreement. It seems that DfE policy is that with no agreement on changing commissioned numbers these revert back to the previous year; we are unable to revert back as the school in question is refusing to admit children outside of their designation. Therefore in affect this amounts to a potential additional £250k spend being forced upon us by DfE policy. This has been escalated both to the DfE and through our legal teams. | | |



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| Risk Code: CP17 | Placement sufficiency | Accountable Officer: Nancy Meehan |
| Unmitigated Score: Very High (25) | Description: The Children’s Social Care Market Study, undertaken by the Competition and Markets Authority and published in March 2022 found that there were a lack of available placements of the right kind and in the right places, which inevitably leads to some children not consistently accessing the care and accommodation that meet their needs. In addition, the largest private providers of placements are making materially higher profits, and charging materially higher prices, than would be expected if this market were functioning effectively. Taken together with a regional challenge in the South West which highlights that there was only 85 more local authority approved placement in July 2022 than in 2018 providing less than half of the required places for cared for children and fifteen fewer approved fostering households available through Independent Fostering Agencies. (Source The South West Market Position Statement, 13 July 2022), it constructs a care system landscape under significant stress in trying to respond to the needs of children and young people. Consequently, symptoms of the aforementioned stress are starting to become evident. For example, providers have reported an increase in the use of residential provision for younger children. Further description: The South West Sufficiency Project data collection, shows a marked increase in the number of children aged under 11 placed in residential provision (across the South West, 493 children aged 5-10 years of age were placed in residential provision in 2018/19, 635 in 2019/20 and 647 in 2020/21). Whilst Torbay has not mirrored this trend, the increased use of this provision for younger children, likely driven by the aforementioned fostering sufficiency challenges, has led to insufficient availability of matched residential provision, especially for those children subject to criminal exploitation and contextual safeguarding risks and associated trauma-related needs. This trend and Torbay’s use of residential solutions and the reasons for doing so will continue to be closely monitored. | Risk Completion Officer: Lisa Chittenden |
| Mitigated Current Score: Very High (25) | | Last Review Date: 22/04/2025 |
| Current Direction of Travel:  | | Identification Date: 30/03/2023 |
| Previous Direction of Travel:  | | Previous Date of Change: 05/12/2023 |
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| Mitigation status: | Mitigation: | |
| Action ongoing | DFE funded Regional Fostering Recruitment Hub | |
| Action ongoing | Enhanced placement planning | |
| Action ongoing | Former Foster Carer SGO scoping | |
| Action ongoing | Mockingbird | |
| Action ongoing | Parent and Child Placement | |
| Action completed | Resilience carers | |
| Action ongoing | Training | |
| Latest Note: This has been reviewed in light of the continued issue in relation to national placement sufficiency. Both the Fostering in England 2024 data and recent media attention and the ambition set out in 'keeping children safe and helping families thrive' in relation to the cost of care evidence the significant challenges which are impacting on placements at this time, hence likelihood set at 'almost certain'. There continues to be a risk to the placement budget by virtue of some of these pressures. There is a huge pressure due to the independent market requesting huge increases in the cost for children already in their care which we are limited in influencing. There is a real concern about cost and there are challenges with receiving any health budget - as such this remains as a score of 25. | | |

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| Risk Code: CP46 | Effective Housing delivery | Accountable Officer: Alan Denby, Anthony Payne |
| Unmitigated Score: High (20) | Description: That the Council fails to ensure delivery of an appropriate breadth and scale of housing to meet Torbay’s needs. This means that there will be insufficient housing to meet the requirements of Torbay’s communities for the overall number of properties, their size and affordability. There will also be impacts on the Community & Corporate plan should the risk be borne out. | Risk Completion Officer: David Edmondson |
| Mitigated Current Score: High (20) | | Last Review Date: 11/04/2025 |
| Current Direction of Travel:  | | Identification Date: 21/06/2023 |
| Previous Direction of Travel:  | | Previous Date of Change: 05/07/2024 |
| Mitigation status: | Mitigation: | |
| Action ongoing | Confirmation of the Council’s role in housing delivery. | |
| Action ongoing | Creation of a Housing Delivery Plan | |
| Action ongoing | Deliver Housing Delivery Plan | |
| Action ongoing | Delivery of the Housing strategy action plan | |
| Action ongoing | Delivery of the Town Centre regeneration programme | |
| Action ongoing | Development of relationship with Homes England | |
| Action completed | Development of the Strategic Housing Board | |
| Action completed | Prepare Housing Delivery Plan | |
| Action ongoing | Releasing Council land assets including greenfield allocated sites | |
| Action ongoing | Staff resources | |
| Latest Note: Two new staff members settling in (Housing Delivery Manager & Affordable Housing Manager) enhancing capacity to support delivery of housing across the Bay. Strategic briefing provided to whole of Cabinet on the opportunities and challenges associated with housing delivery and the type and role of affordable housing options to support housing growth enabling re-development of brownfield land in particular and key regeneration sites. Numerous meetings with land owners on Hotels to Homes Project and general redevelopment for housing opportunities. Positive messages about the Council being pro-active. The Local plan sites work continues to identify potential sites to meet housing need numbers. This continues to be extremely challenging in light of the revised significant upward targets set by government. Further work on Housing Delivery Plan actions needed. | | |

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| Risk Code: CP47 | Effective delivery of Economic Growth Strategy | Accountable Officer: Alan Denby, Anthony Payne |
| Unmitigated Score: High (20) | Description: The council has a responsibility to promote economic wellbeing within Torbay, this includes the facilitation and enabling of business survival and growth, employment opportunities for local people and an increase in the level of productivity. The Economic Growth Strategy outlines the councils' strategic plans to achieve these objectives and defines how delivery will help to tackle climate change and protect and enhance the natural environment of Torbay. | Risk Completion Officer: Carl Wyard, Lisa Tuck |
| Mitigated Current Score: High (16) | | Last Review Date: 16/04/2025 |
| Current Direction of Travel: <div><div></div></div> | | Identification Date: 22/06/2023 |
| Previous Direction of Travel: <div><div></div></div> | | Previous Date of Change: 30/12/2023 |
| Mitigation status: | Mitigation: | |
| Action needed | Budget & Prioritisation | |
| Action needed | Delivery plan monitoring/project and programme structure | |
| Action ongoing | Improve innovation and growth ecosystem in Torbay, with partners | |
| Action ongoing | Improve the business strategic voice | |
| Action ongoing | Relationship with DLUHC and Government | |
| Action needed | Secure medium term supply of employment land | |
| Latest Note: The strategy to expand Torbay’s Innovation growth ecosystem, is centred to ensure grow on space is available for high value job business growth and a flow through of the business pipeline created by the EPIC centre and our start up support programmes. A major risk to this, and the funding from the LUF, is the Council’s ability to secure the land for the Torbay Tech Park development. A decision on the preferred site is needed at May’s Capital & Growth Board meeting. The Economic Growth Action Plan reflects the Council’s ambitions to establish Torbay as a Photonics and Hi-Tech Coastal Innovation District with an effective ecosystem that supports growth into Regional, National and Global markets. Work to engage Connected Places Catapult to support development of this work is planned for 2025/2026. Links between education providers and Torbay Hi-Tech businesses continue to provide bespoke training and skills into the sector. To proactively facilitate business and employment growth, publishing and marketing land and vacant units in Torbay is vital, due to the lack of land available with good infrastructure and accessibility. Developers are seeking land in the South West, however good infrastructure is a key consideration for investors. By identifying and securing land on key sites, funding can be sought to close viability gaps for business developments. Lack of business growth and inward investment can be mitigated by extending the list of sites owned by the Council and 'shovel ready' in terms of developing their infrastructure. With the recent establishment of Torbay Chamber of Commerce, Combined County Authority Business Advisory Group, and the Torbay Place Leadership Board there are mechanisms in place where business voice and insights are captured, analysed and discussed. KPIs were reviewed at the start of 2024. The Action Plan is currently being refined for DOM approval. Once approved, the Action Plan KPI dashboard will be updated. | | |

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| Risk Code: CP72 | Inadequate resources to satisfy the obligations of the Flood and Water Management Act Schedule 3 | | Accountable Officer: Alan Denby, David Carter |
| Unmitigated Score: High (20) | Description: The Flood and Water Management Act Schedule 3 initially came into force in 2010 but has not yet been enacted by central government in England due to the significant implications on local authorities. In January 2023, DEFRA and the environment minister announced government’s decision to implement Schedule 3 of the Flood and Water Management Act in England to better control flooding. This will have significant implications for Torbay Council as a unitary authority. The schedule provides a framework for the approval and adoption of sustainable drainage systems (SuDS) to regulate rainfall, decrease the volume of water flowing into sewers and storm overflow discharges. It is expected that upon implementation of Schedule 3 the Lead Local Flood Authority will also become the SuDS Approval Body (SAB). For these developments, the SuDS Approval Body will be responsible for • Providing a pre-application service. • Evaluation and approval of SuDS (likely to be funded via an application fee). • Supervision of onsite construction of SuDS (likely to be funded via an application fee). • Record, adopt and maintain the SuDS for the lifetime of the development. The adoption process is expected to require a legal agreement, like S104 sewer adoptions - it is currently unclear how lifetime maintenance will be funded. Under the current resources, the service will be unable to deliver the requirements. There are a lot of elements of unknowns in terms of impact as we don’t know what enforcement or penalties Government will be putting in place. | Risk Completion Officer: Tim Jones | |
| Mitigated Current Score: High (16) | | Last Review Date: 23/04/2025 | |
| Current Direction of Travel: <div><div></div></div> | | Identification Date: 11/12/2024 | |
| Previous Direction of Travel: <div><div></div></div> | | Previous Date of Change: 03/02/2025 | |
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| Mitigation status: | Mitigation: | | |
| Action ongoing | Identify needed team structure | | |
| Action ongoing | Officer Networking | | |
| Action ongoing | Outsourcing consultancy services | | |
| Action ongoing | Recruitment of technical staff | | |
| Action ongoing | Review of corporate revenue funding strategy for FWMA statutory obligations | | |
| Action ongoing | Staff Training | | |
| Latest Note: Discussions have taken place between the Engineering team and Council Directors to review the impact of Schedule 3 being enacted, and to assess the likely timescales for implementation by government. The Council's Head of Engineering and Head of Project Management have met with the Infrastructure Team from Somerset Council, to share knowledge and ideas and gain an insight into their current and proposed processes. These meetings are expected to continue on a quarterly basis. Quarterly strategic meetings have also been set up between Torbay Council Directors and South West Water, to review issues associated with the Flood and Water Management Act, watercourses and the drainage infrastructure in Torbay. Discussions regarding the provision of a revenue budget to support the Council's statutory obligations and officer time associated with the Flood and Water Management Act 2010, are ongoing. | | | |

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| Risk Code: CP73 | Failure to adequately undertake proactive improvement works to cliffs and coastal defences | Accountable Officer: Alan Denby, David Carter |
| Unmitigated Score: High (16) | Description: Engineered sea defences and natural coastal assets (cliffs) are subject to wind and wave energy, saline environment, freeze/thaw and vegetation growth all which cause deterioration by erosion, undercutting, overloading, washout of fill material, and corrosion of steel elements. The Council struggles to maintain these assets in line with national policy such e.g. Shoreline Management Plan, corporate priorities and relevant legislation due to budget constraints. There is currently no management plan in place and budget is spent on reactive works. Due to climate change, we are seeing significant damage to the South West coastline. Currently the Council is good at identifying potential issues, however, the current processes and provision do not allow for a planned approach to prevent and limit the need for emergency reactive works. | Risk Completion Officer: Tim Jones |
| Mitigated Current Score: High (16) | | Last Review Date: 23/04/2025 |
| Current Direction of Travel: <div><div></div></div> | | Identification Date: 11/12/2024 |
| Previous Direction of Travel: | | Previous Date of Change: |
| Mitigation status: | Mitigation: | |
| Action ongoing | Active management of the Council estate | |
| Action needed | Corporate Asset Management Group | |
| Action completed | Ensure effective data systems and management information is in place | |
| Action needed | Governance Arrangements | |
| Action ongoing | Regular Visual Inspections | |
| Action ongoing | Review Asset Management Strategy | |
| Action ongoing | Review of allocated corporate budget | |
| Action completed | Surveys Completed On Time | |
| Action ongoing | Tech Forge | |
| Latest Note: The annual coastal asset surveys (cliffs and hard defences) for 2024/2025 are now complete and have been uploaded on the Council's Technology Forge system. An initial review meeting has taken place between the Interim Director of Pride in Place, the interim Divisional Director of Maritime and Coastal Services and the Head of Engineering, to review the coastal vulnerabilities relative to the principles of the Shoreline Management Plan. Funding opportunities, to improve coastal defence, are currently being explored through the Council's ongoing attendance at "South West Coastal Group" and "South Devon and Dorset Coastal Advisory Group" meetings, and direct liaison with the Environment Agency. Discussions regarding the creation of a revenue budget for proactive improvements works are ongoing at SLT level. | | |

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| Risk Code: CP75 | Failure to effectively maintain and invest in our Operational Estate | Accountable Officer: Malcolm Coe |
| Unmitigated Score: High (20) | Description: The Council’s property portfolio is wide ranging given the diverse range of services it provides. The operation estate comprises of assets used to deliver front line Council services and the daily operation of the business by Torbay Council. The repair and maintenance of c.268 assets rests with the Council. Condition surveys completed on a rolling programme have identified significant levels of back log maintenance on these assets to the region of £50m. Council’s Asset Management Policy seeks to maintain and manage assets in line with corporate priorities and relevant property and health and safety legislation. The identified risk is a continued lack of investment resulting in these assets becoming further dilapidated and requiring even more investment to bring them back up to a required standard. The risk is therefore two-fold, both financially as significant investment is required and reputationally as the condition of these assets reflects badly on the Council. Failure to maintain these buildings also pose an ongoing health and safety risk to the Council in their current condition. | Risk Completion Officer: Paul Palmer |
| Mitigated Current Score: High (16) | | Last Review Date: 02/04/2025 |
| Current Direction of Travel:  | | Identification Date: 11/12/2024 |
| Previous Direction of Travel:  | | Previous Date of Change: 13/12/2024 |
| Mitigation status: | Mitigation: | |
| Action ongoing | Asset Management Plan | |
| Action ongoing | Capital Repair Fund | |
| Action ongoing | Condition Surveys | |
| Action needed | Enhanced Budget for Repairs & Maintenance | |
| Action completed | Insurance | |
| Latest Note: Annual Condition Surveys are programmed for 25/26, this will provide update information relating to backlog maintenance. The increased budget has now been approved for 25/26 and work to identify a regime of planned maintenance is ongoing with an initial programme of works now instructed on those assets with the highest priority. The Capital Repair Fund will be utilised in this regard and replenished through disposal of identified surplus assets. Given the level of back log maintenance there has to be an element of prioritisation of spend. Meeting held with Director of Finance to discuss the Asset Management Plan & Strategy and its implementation plan. Insurance is in place for the Council's assets and void inspection regime is followed. | | |

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| Risk Code: CP82 | Risk of Section 106 money not being deployed against priority areas of need & avoid it being repaid | Accountable Officer: Alan Denby, Anthony Payne, Eve Bates |
| Unmitigated Score: High (16) | Description: The Council currently holds an estimated pot of @ £3 million worth of Section 106 monies of which some have a 10 year or 5 year spend timescale attributed to them. Some of the deadlines have passed which leads to claims for repayment by developers. An improved approach is needed to help co-ordinate the key council officers involved in the processes in a timely manner. A new IT system has been procured and installed. The Finance Team have highlighted concerns regarding unspent Section 106 monies and meeting the timelines for its use. Historically, there have been varying clauses written into the legal agreements which have made tracking spend more convoluted. The Managing Director of SWISCo has highlighted the need for an improved approach, engaging with them earlier when agreeing delivery expectations that impact them as part of the legal agreements. SWISCo need to be able to plan earlier than current arrangements on what money will be received, when and where. | Risk Completion Officer: David Edmondson |
| Mitigated Current Score: High (16) | | Last Review Date: 11/04/2025 |
| Current Direction of Travel: <div><div></div></div> | | Identification Date: 04/03/2025 |
| Previous Direction of Travel: | | Previous Date of Change: |
| Mitigation status: | Mitigation: | |
| Action completed | Appointment of new Infrastructure Programme Officer | |
| Action completed | Co-ordinated Section 106 programme board | |
| Action ongoing | Improvement SWISCo involvement in pre-application discussions | |
| Action completed | Installation of back office IT software Exacom | |
| Action ongoing | Regular monthly meetings with Finance | |
| Action ongoing | Reports to Capital and Growth Board | |
| Action completed | Review of each existing live Section 106 cases | |
| Action completed | Revise legal agreements with more flexible clauses | |
| Action ongoing | Training for all responsible officers | |
| Latest Note: A number of new measures are in place, including the S106 Board, the completion of all the audit of unspent monies and the introduction of a process with new forms for applying for s106 monies, that are in the unspent/unallocated section. Exacom System training for managers continues. Summary reports going to capital & Growth Board. | | |

Report Key

- Risk Code – the unique number assigned to every risk
- Title – summarises the risk
- Accountable Risk Officer - has overall responsibility for the risk
- Risk Completion Officer - is responsible for updating the risk
- Last Review Date – the date the risk was last reviewed (updated) on SPAR.net
- Identification Date – the date the risk was approved by DOM and set up on SPAR.net
- Previous Date of Change - the date the risk score changed from a previous score
- Unmitigated Score – is the risk score before any controls are applied
- Mitigated Current Score – is the current risk score with controls applied

Current Direction of Travel - Indicates the current score movement against the last review score.

- Increased in score from the previous review
- Decreased in score from the previous review
- Score stayed the same

Previous Direction of Travel - Indicates the direction of travel when the risk score last changed.

- Increased from a lower score
- Decreased from a higher score

- Mitigation – the controls in place being used to manage or respond to the risk
- Mitigation Status - states if the controls are working
- Latest Note – details the current position of the risk mitigations, progress and any challenges being faced

