

APPENDIX

Risks and Mitigation Options Analysis

	Reputation	Political	Financial	Legal/EP	HR/Industrial Relations	BIIP / Auditors / Senior Officers
1. Do nothing (implement contingency plan, and engage private contractors)	<ul style="list-style-type: none"> Waste accumulation on streets Increased resident complaints Council unable to deliver a consistent waste service 		<ul style="list-style-type: none"> Significant financial costs not accounted for in budgetary framework 		<ul style="list-style-type: none"> Kerslake – political and industrial relations Unite Union have not agreed to suspend the Industrial action pending talks 	<ul style="list-style-type: none"> Value for Money issue for auditors with S24 Notice implications.
2. Meet Unite demands i.e. make a payment	<ul style="list-style-type: none"> Could lead to additional claims / industrial action 			<ul style="list-style-type: none"> No legitimate reason to make payments to both Unison and Unite Payments to Unite and UNISON to end the industrial action could be Ultra Vires. 	<ul style="list-style-type: none"> Setting a trend when trying to implement future changes across the Council 	
3. Offer Binding Arbitration to Unite and UNISON with a view to ceasing the industrial action				<ul style="list-style-type: none"> Unable to make payment through arbitration due to risks in option 2 	<ul style="list-style-type: none"> Unite have indicated (informally) that they would not attend binding arbitration. Recent meetings with ACAS have not resulted in a cessation of the strike action. 	
4. Legal route; Injunction & ET	<ul style="list-style-type: none"> Setting a precedent for not accepting unlawful Industrial action Resident support BCC seen as making risk assessment and acting on it. 	<ul style="list-style-type: none"> Clear leadership by taking objective view and assessing all of its options 	<ul style="list-style-type: none"> Legal costs of injunction and costs of trial £1.5m against ongoing costs of strike at a likely costs of £350,000 week 	<ul style="list-style-type: none"> Unite stated that they would carry on Industrial action regardless of any injunction 		<ul style="list-style-type: none"> Kerslake – mature relationships between officers and members with clarity of role. Formally and transparently considering advice of statutory officers in reaching cabinet decisions