

## **Birstall Parish Council**

### **Review of risks and the measures currently adopted or recommended – 2020/2021**

#### **Purpose:**

The purpose of this document is to set out the risks that affect or might affect Birstall Parish Council and to describe how such risks are addressed.

The purpose of the discussion is to record our consideration of these risks and recommendations. The need for this discussion is recommended by NALC and the SLCC and is a requirement of an Intermediate External Audit.

#### **Source of information:**

The list of risks is based on the NALC/SLCC guidelines “Governance and Accountability in Local Councils in England and Wales – A Practitioners’ Guide”.

The risk weighting includes columns for ‘likelihood’ (of an event occurring), (1 = Low to 3 = High), the ‘impact’ on the council if such an event occurred (also rated 1 = Low to 3 = High) and the weighted total (a sum of likelihood x impact) which should prioritise our thoughts but has only limited value in some areas.

#### **Action required:**

The Council’s Management & Policy Committee reviewed this document at the meeting held on: 2 March 2020 and recommended it to full Council.

Following discussion and resolution, the completion of the review by the Council will be recorded in the minutes as signed below.

Reviewed and Adopted at a meeting of Birstall Parish Council held on:

9 March 2020

Signed: \_\_\_\_\_ Chair of Birstall Parish Council

	<b>Risk</b> <b>What may go wrong</b>	<b>Like- lihood</b>	<b>Impact</b>	<b>Total</b>	<b>Current Measures</b> <b>What we currently do about it</b>	<b>Potential Measures</b> <b>What else we ought to do</b>
1.	Loss of or damage to physical assets (buildings, furniture, estates equipment, playground equipment, trees, paths on Council property and public seating)	3	2	6	<ul style="list-style-type: none"> <li>1 - Maintain Asset Register</li> <li>2 - Regular maintenance of assets</li> <li>3 - Insurance with reputable companies</li> <li>4 - Review insurance values</li> <li>5 - Ensure that fire equipment, fire and intruder alarms and CCTV are working, regularly maintained and service contracts are in place</li> <li>6 - Internal Audit review of adequacy of insurance cover and controls</li> <li>7 - Tree Policy adopted annually</li> <li>8 - Annual Inspections of assets by Councillors</li> <li>9 - Annual inspection by External professional bodies</li> <li>10 - Monthly inspections of play equipment by the Estates Team</li> <li>11 – Estates patrol &amp; assess all areas after adverse weather conditions</li> </ul>	
2.	Loss of or damage to critical data and documents	1	3	3	<ul style="list-style-type: none"> <li>1 - Data is backed up to the Cloud – Office 365</li> <li>2 - Finance /Facilities/Allotments software data is backed up nightly by IT Consultants AdvantEDGE</li> <li>3 - Critical paper documents are held in a fireproof cabinet</li> <li>4 - Admin files and folders are also on Cloud – Office 365</li> </ul>	
3	Damage to third parties or their property as a consequence of the Council providing a service (public liability)	2	3	6	<ul style="list-style-type: none"> <li>1- Insurance (Public and Employer Liability Policies) with reputable companies</li> <li>2 - Internal Audit review of adequacy of insurance cover and controls</li> <li>3 - Weekly premises inspection</li> <li>4 - Annual gas appliance inspection</li> <li>5 - Annual electrical inspection (portable appliances) by Estates Team</li> <li>6 – Five yearly electrical inspection (structural)</li> <li>7 - Regular inspection and maintenance of assets, including safety equipment, playground equipment, trees and paths on Council owned and managed land.</li> <li>8 - Annual playground inspections by qualified contractors (ROSPA approved).</li> <li>9 - Regular inspections of headstones and similar structures as recommended by (ICCM).</li> <li>10 - Monthly inspections of play equipment by the Estates Team</li> <li>11 - Monthly Emergency Lights tested in all premises by Estates Team</li> <li>12 – Monthly Legionella checks are undertaken by the Estates Team, Quarterly reports are undertaken by an independent contractor</li> <li>13 – Ensure adequate insurance for lone workers using their own vehicles and ensure out of office hours estates workers use the Council vehicle to get from site to site.</li> <li>14 - Defibrillators-checks, repairs &amp; maintenance kept up to date</li> </ul>	

4	Legal liability arising as a consequence of asset ownership (public liability)	2	2	4	See 3 above	
5	Consequential loss (of income, or the need to provide additional services) following damage, or non-performance by a third party	2	2	4	1- Insurance with reputable companies 2 - Undertake reviews as to suitability of contractors 3 - Copies of third-party Public Liability Insurance 4 - Internal Audit review of adequacy of insurance cover and controls 5 - To provide signage restricting certain activities that could result in causing damage. 6 - IT provision and continuity 7 - Reserves Policy adopted annually to be adhered to and maintained	
6	Loss of cash etc through theft or dishonesty (fidelity)	1	1	1	1 - Office processes involve dual control and/or independent review 2 - Monthly bank reconciliations by the Deputy Clerk 3- Bank reconciliations are checked and signed off by the Clerk and the Chair 4 - Mini audit is carried out on a monthly basis by Councillors 5 - Bank mandate reviewed annually 6 - Insurance with reputable companies 7 - Internal Audit review of adequacy of insurance cover and controls 8 - Receipts are issued for all income. 9 - Two signatures required on all cheque payments and on review of automated payments (e.g. direct debits) 10 - Petty cash is stored in a secure, locked cabinet with limited access of Office staff only. 11 – Youth Café Tuck Shop petty cash. Balance sheets are checked and signed off by two youth workers after each session. All receipts and signed off balance sheets are delivered to the council offices on a weekly basis for checking and filing 12- To include the balance sheets and receipts in with the monthly mini-audit undertaken by Councillors	
7	Proper financial records are not maintained	1	3	3	1 - Proper arrangements exist for the approval of expenditure 2 - Budget monitoring statements are presented at Council meetings 3 - Office processes involve dual control and/or independent review 4 - Monthly bank reconciliations of all accounts 5 - Maintenance of asset registers 6 - Internal Audit standard financial review activity	
8	Failure to maintain proper document control	1	3	3	1 - Financial documents: Internal Audit standard financial review 2 - Other documents: See no. 2	
9	Failure to comply with the Council's own financial regulations or those laid down by statute	1	3	3	1 - Internal Audit standard financial review activity is reported, minuted and accepted at a council meeting at the time of signing the Annual return.	

10	Inadequacy of the precept due to unsound budgeting arrangements	2	3	6	<p>1- Internal Audit standard financial review activity</p> <p>2 – Full Council is involved in the setting of the budgets at two Council meetings and they agree the precept setting in January of each year</p> <p>3 - Budget Comparisons are presented at Council meetings</p> <p>4 – Ensure adequate budgets and reserves are maintained.</p>	
11	Failure to be able to operate in the event of the precept not being received on time	1	3	3	<p>1- to Ensure that the Councils reserve policy is adhered to and an agreed and appropriate reserve is maintained to enable the Council to be able to continue to operate and function in the event of any problems with lateness or non-receipt of the precept.</p> <p>2 - the Council's Reserve Policy is reviewed and adopted annually</p>	
12	Failure to comply with Health and Safety legislation	1	3	3	<p>1- Contractual relationship with Ellis Whittam for appropriate training and support and annual review of all H&amp;S Systems and practices.</p> <p>2 - Membership of local and national bodies such as LRALC, NALC and SLCC</p> <p>3 - Checklists and risk assessments of safety related activities are provided and maintained by the Clerk</p> <p>4 - Staff receive relevant and work appropriate training on H&amp;S</p> <p>5 - All staff are provided with a copy of the Councils Health &amp; Safety at Work booklet on an annual basis, this is reviewed by Ellis Whittam Ltd after completion of their annual review.</p> <p>6 –Monthly checks are carried out and records kept in the office.</p>	
13	Failure to comply with Employment legislation	1	3	3	<p>1 - Contractual relationship with Ellis Whittam HR Ltd for appropriate training and support</p> <p>2 - Membership of local and national bodies such as LRALC, NALC and SLCC</p> <p>3 - Systems have been introduced to monitor Sickness Absence and holidays.</p> <p>4 -All Staff are provided with a copy of the Employee Handbook to ensure that all members of staff are aware of their rights and what is expected of them. This handbook is reviewed by Ellis Whittam Ltd.</p> <p>5 – Grievances that could result in employment tribunals</p>	
14	Failure to comply with HMRC requirements	1	3	3	<p>1 - Payroll work is contracted to professional specialists for PAYE and Pensions.</p> <p>2 - Internal Audit standard financial review activity</p> <p>3 - The Deputy Clerk and the Clerk diarise and submit the information and payments online, all documentation is checked and signed by the Clerk and the Chair. This applies to PAYE and Pension Payments</p>	

15	Failure to comply with Council's Press & Media Policy	3	3	9	<p>1 - Inappropriate use of social media by Councillors and Staff which could lead to damaging the Council's reputation.</p> <p>2 - To annually review the Press &amp; Media Policy and strengthen the areas relating to posting on social media sites by Councillors and Staff and the dangers thereof.</p> <p>3 – The Press &amp; Media Policy has been made available to all Councillors and staff and is published on the Council's website.</p> <p>4 - Councillors are offered training on this matter.</p>	
16	Requirements of VAT regulations are not met	1	3	3	<p>1 - Office processes involve dual control and/or independent review</p> <p>2 - Internal Audit standard financial review activity</p> <p>3 - The Deputy Clerk and the Clerk diarise, and the information is submitted online to HMRC by the Administration Assistant, all documentation is checked and signed by the Clerk and is then submitted for two Councillors to sign.</p> <p>4 – VAT Reclaimed or Paid is shown in the Financial Summary which is presented to Council on a monthly basis</p>	
17	Council activities and contractual arrangements are not within legal powers	1	3	3	<p>1 - Standing orders and financial regulations exist for purchasing and creation of contracts</p> <p>2 - Clerk to review legality of Council decisions – Gpoc</p> <p>3 - Internal Audit review of minutes re: decisions made on expenditure</p> <p>4 - Measures have been put in place where the minute number (where applicable) is placed on the transaction to complete the audit trail prior to two Councillors signing the payment off.</p> <p>5 – Ensure compliance with GPOC before embarking on new projects not budgeted for and that are outside the normal realms of Parish Councils obligations, duties and powers to spend.</p>	
18	Register of member's interests (ROMI) and Register of gifts and hospitality is not in place, complete or up to date.	1	1	1	<p>1 - ROMI is completed after elections and co-options and returned to the Monitoring Officer within 28 days of the councillor signing their Acceptance of Office</p> <p>2 – Reminder requests are received by the Clerk from the Monitoring Officer asking for Councillors to be reminded that it their duty to notify the Monitoring Officer of any changes to their ROMI. The Clerk distributes the reminder from the Monitoring Officer to all Councillors.</p> <p>3 - <u>This is the responsibility of individual Councillors</u>, not the Council as a whole or the Clerk. Failure to register interests could potentially be seen as a criminal offence.</p> <p>4- Reminders are on all Committee and Council agendas.</p>	

19	Late and/or inaccurate reporting of Council business in the minutes	1	1	1	1- DRAFT Minutes sent to review by Chair of the Council/Committee normally within one week 2 - DRAFT Minutes are made available in agenda packs for the next Council/Committee meeting where they will be approved. 3 – Approved minutes are published on the Councils website as soon as possible after the meeting which they are approved at.	
20	Failure to meet timetables when responding to Consultation invitations and Planning Applications	1	1	1	1 - Circulation of consultation papers with an invitation for Councillors to comment and return to the Clerk by the specified deadline  2 - Contents of the Planning Committee agenda is checked against the Borough Council's website. Extra meetings are called to meet Charnwood Borough Councils deadlines, if extensions cannot be granted	
21	Inability or delay in responding to electors wishing to exercise their rights under Freedom of Information legislation	1	2	2	1 – The Council has retained an independent Data Protection Officer 2- The Councils Model Publication Scheme was adopted and is published on the Councils website. This document includes compliance procedure for FOI requests.	
22	Inability or delay in responding to electors wishing to exercise their rights of inspection	1	3	3	1 - This is a legal requirement of the external audit process and strict guidelines are adhered to by the Clerk to ensure that the Council complies.	
23	Performance under partnership agreements is not monitored	1	2	2	1 - Agreements have been entered into with partners to ascertain correct usage of the services. 2 - Tenancy Agreements have been introduced by the Clerk and are agreed and signed annually 3 - These have been diarised and will be reviewed annually	
24	Ensure adequacy of the Council's policies.	1	3	3	1 - all Council Policies are reviewed annually by the Management & Policy Committee who then recommend them to Council 2 – The Parish Council received all Policies and adopt them annually 3 - All Councillors have induction pack/Handbooks which are updated as necessary. 4 – All Council policies and procedures are published on the Councils website.	
25	Business activities are not within legal powers	1	3	3	1 - The Clerk has received the qualification of CiLCA - Section 7 – Power of Competence to enable the Council to work outside the constraints of S.137, however, it is the Clerk's duty to remind Councillors that there are still constraints on spending public money and although this power is available to them, they should consider public interest before exercising the right to use the power.	
26	Restrictions on borrowing are not complied with	0	0	0	Not currently applicable	