

# Pebworth Parish Council

## RISK ASSESSMENT PROCEDURE

| Document Control |          |
|------------------|----------|
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## Definition of Risk Management

Risk is the threat that an event or action will adversely affect an organisation's ability to achieve its objectives and to successfully execute its strategies. Risk management is the process by which risks are identified, evaluated and controlled. It is a key element of the framework of governance together with community focus, structures and processes, standards of conduct and service delivery arrangements.

*Audit Commission – Worth the Risk: Improving Risk Management in Local Government (2001:5)*

This document has been produced to enable the Parish Council to assess the risks that it faces and satisfy itself that it has taken adequate steps to minimise them. The Council is aware that although some risks can never be eliminated fully, it has in place a strategy that provides a structured, systematic and focused approach to managing risk, which:

- Identifies the subject
- Identifies what the risk may be
- Identifies the level of risk
- Evaluates the management and control of the risk and records findings
- Reviews, assesses and revises procedures if required.

| <b>MANAGEMENT</b>          |   |              |   |   |
|----------------------------|---|--------------|---|---|
| <b>Subject</b>             | <b>Risk(s) Identified</b>   | <b>H/M/L</b> | <b>Management/Control of Risk</b>   | <b>Review/Assess/Revise</b>   |
| Business Continuity        | Council not being able to continue its business due to an unexpected or tragic circumstance | L            | All files and recent records (both paper and electronic) are kept at the Clerk's home. The Council has a secure online backup system that backs up files as they are created or changed. In the event of the Clerk being indisposed a temporary Clerk will provide administrative support. An envelope with all passwords is kept with the Chairman and is to be opened, if necessary, in a full council meeting  | Review when necessary. Ensure procedures below are undertaken.            |
| Meeting location           | Adequate Health and Safety  | L            | Meetings are held in the Village Hall/ <b>Meon Vale Community Centre</b> . The keys to the Village Hall are held locally and the Chairman of the Council accesses the keys. In the event of the Chairman being indisposed the Clerk will access the keys. <b>The Meon Vale Community Centre is opened and closed for the Parish Council</b> . All the premises and facilities are considered to be satisfactory from a health and safety, accessibility and comfort aspect for the Clerk, Councillors and any Public who attend. A Health and Safety notice for the premises is provided by the Village Hall. | Existing procedure adequate.<br><br>Annual review of the Risk Assessment. |
| Council Records            | Loss through theft, fire, damage  | L            | Papers, both current and archived will be held at the Clerk's home/Worcestershire Hub   | Damage or theft is unlikely and so provision adequate.                    |
| Council Records electronic | Loss through damage.  | M            | The Parish Council's electronic records are stored on the Clerk's computer. The Council has a secure backup system that backs up files on a live basis.   | Regular review.   |

| <b>FINANCE</b> |   |                              |   |   |
|----------------|---|------------------------------|---|---|
| <b>Subject</b> | <b>Risk(s) Identified</b>   | <b>H/M/L</b>                 | <b>Management/Control of Risk</b>   | <b>Review/Assess/Revise</b>   |
| Precept        | Adequacy of precept   | M                            | Sound budgeting to underlie annual precept. The precept is considered by the Finance and Resources group in November/December prior to making a recommendation to Council in December/January.  | Existing procedure Adequate.  |
| Insurance      | Adequacy<br>Cost<br>Compliance<br>Fidelity<br>Guarantee                             | L<br>L<br>L<br>L             | An annual review is undertaken of all insurance arrangements in place. Employers Liability, Public Liability and Fidelity Guarantee are a statutory requirement   | Existing procedure Adequate.<br>Review provision and compliance annually.                   |
| Banking        | Inadequate checks   | L                            | The Council has Financial Regulations which set out the requirements for banking, cheques and internal audit  | Existing procedures Adequate.<br>Review Financial Regulations as Necessary.                 |
| Cash           | Loss through theft or dishonesty  | L                            | Quarterly reconciliation prepared by RFO and checked by the Council for verification purposes.<br>Three signatories on cheques.<br>Internal and external audit undertaken.<br><br>All payments must be detailed in the Financial Reports presented to the council.<br><br>All Councillors receive invoices via email and once approved at the meeting all invoices are paid via online authorisation which the Clerk initiates with 1 other Councillor authorising before payment is released<br><br>No cash is kept. | Existing procedures Adequate.<br><br>Annual review of Financial Regulations.                |
| Clerk          | Loss of Clerk<br><br>Fraud<br><br>Actions undertaken<br><br>Salary paid incorrectly | M<br><br>L<br><br>L<br><br>L | In the event of the Clerk resigning, the Council employs Deputy Clerk who could cover interim.<br>The requirements of Fidelity Guarantee insurance must be adhered to. Internal procedures in place.<br>Clerk should be provided with relevant training, reference books, access to assistance and legal advice.<br>Salary checked by the council at monthly meetings   | Membership of SLCC maintained. Monitor working Conditions.<br>Existing procedures adequate. |

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|--|--|---|--|---|
| Payroll  | Breach of employment laws including NI and tax | L | Procedures in place. Members of NALC & WALC who provide updates for review by the Staffing Committee.  | Annual Audit carried out by Internal Auditor.             |
| Election Costs                                     | Risk of election cost                          | M | Risk in an election year. There are no measures which can be adopted to minimise risk of having a contested election. Costs are met from General Reserves.                                 | Existing procedures Adequate.                             |
|  | Risk of election to fill a casual vacancy      | M | Cost of the election would be met from general reserves  | Consideration of increase in budget to allow contingency. |
| VAT  | Re-claiming/ charging                          | L | The Council has financial regulations which set out the requirements. VAT recovered on a regular basis.  | Existing procedures Adequate.                             |
| Annual Governance and Accountability Return (AGAR) | Not submitted within time limits               | L | AGAR is completed and signed by the Council and the Internal Auditor. It is then checked and sent on to the External Auditor within time limit. Clerk prepares a timetable for submission. | Existing procedures adequate.                             |

#### ASSETS

| Subject                             | Risk(s) Identified  | H/M/L | Management/Control of Risk   | Review/Assess/Revise          |
|-------------------------------------|---|-------|--|-------------------------------|
| Street furniture and play equipment | Damaged bins notice boards, bus shelters and benches etc. | L     | An asset register is maintained and updated regularly, ensuring that insurance coverage is adequate for all items. The Clerk conducts an annual review of the assets, which is documented on Parish Online and in the minutes of the March meeting. Additionally, the Lengthsman performs weekly visual inspections of the playing field and the recreation field, and completes a detailed monthly checklist. This checklist is then examined by the Councillors at the Parish Council meetings | Existing procedures adequate. |

#### LIABILITY

| Subject      | Risk(s) Identified               | H/M/L | Management/Control of Risk   | Review/Assess/Revise          |
|--------------|----------------------------------|-------|--|-------------------------------|
| Legal Powers | Illegal activity or payments     | L     | All activity and payments made within the powers of the Parish Council (not ultra vires) and to be resolved and clearly minuted. | Existing procedures Adequate. |
|              | Working Parties taking decisions | L     | Ensure clear terms of reference are in place. Financial Regulations in place.  |                               |

|  |  |     |   |  |
|--|--|-----|---|--|
| Minutes/<br>Agendas/<br>Statutory<br>documents   | Accuracy and<br>legality<br>Non-compliance<br>with statutory<br>requirements | L   | Minutes and agendas are produced in the prescribed method and adhere to legal requirements.<br><br>Minutes are approved and signed at next meeting unless there is a resolution made to defer approval until the following meeting.<br><br>Minutes and agendas are displayed according to legal requirements.<br>Business conducted at Council meetings should be managed by the Chairman according to Standing Orders. | Existing procedures<br>Adequate.<br><br>Undertake adequate<br>training.<br><br>Members to adhere to<br>Code of Conduct and<br>Standing Orders. |
| Public Liability                                 | Risk to third<br>party, property<br>or individuals                           | L   | Insurance is in place. Risk assessment of any individual event undertaken and recorded  | Existing procedures<br>Adequate.   |
| Employer<br>Liability                            | Non-compliance<br>with employment<br>law                                     | L   | Undertake ongoing training to ensure staffing Committee are aware of current legislation. Seek advice from the Council's insurance company where required.<br>Employer's Liability insurance in place.  | Existing procedures<br>Adequate.   |
| Employee<br>Liability                            | Causing injury<br>(damage) to<br>employee<br>property                        | L   | Insurance cover in place.   |  |
| Councillor<br>Liability                          | Causing injury<br>(damage to<br>Councillors)                                 | L   | Insurance cover in place.   |  |
| Legal Liability                                  | Legality of<br>activities  | L   | Clerk to clarify legal position on proposals and to seek advice if necessary.   | Existing procedures<br>Adequate.   |
|  | Proper and timely<br>reporting via<br>Minutes                                | L   | Council always receives and approves minutes at meetings. Where possible minutes are circulated shortly after the meeting.  | Existing procedures<br>adequate.   |
|  | Proper document<br>control   | L   | Retention of document policy in place   | Existing procedures<br>Adequate.   |
|  |  |     |   |  |
| Freedom of<br>Information and<br>Data Protection | Policy Provision   | L-M | The Council has the following documents in place: <ul style="list-style-type: none"> <li>a model publication scheme</li> <li>Privacy Policy</li> <li>Data Protection Policy</li> <li>Document Retentions Policy</li> </ul>  | Monitor and report<br><br>any impacts made<br>under the freedom of<br>information and data<br>protection.<br>Regular policy reviews.           |

**COUNCILLORS PROPRIETY**

| Subject           | Risk(s) Identified  | H/M/L      | Management/Control of Risk  | Review/Assess/Revise  |
|-------------------|---|------------|---|---|
| Members Interests | Conflict of interest<br><br>Register of Members Interests | M<br><br>L | Councillors have a duty to declare any interest at the start of the meeting or when a conflict becomes apparent during a meeting.<br><br>Register of Members Interests form to be reviewed at least on an annual basis. | Existing procedures Adequate.<br><br>Members to take responsibility to update their register. |

## COUNCIL REPUTATION

| Subject              | Risk(s) Identified                  | H/M/L | Management/Control of Risk  | Review/Assess/Revise   |
|----------------------|-------------------------------------|-------|---|--|
| Councillor and staff | Bringing the Council into disrepute | M     | Councillors understand and receive training on the Code of Conduct.<br>A professional approach is undertaken on all Parish Council matters. | Not all Councillors have received training.<br><br>Members to identify any training needs. |

## RELEVANT DOCUMENTATION

|  |  |
|--|--|
| <ul style="list-style-type: none"> <li>• Standing Orders</li> <li>• Financial Regulations</li> <li>• Code of Conduct</li> <li>• Disability Discrimination Act 1995</li> <li>• Disability and Equality Act 2010</li> <li>• Employments Rights Act 1996</li> <li>• Data Protection Act 2018</li> </ul> | <ul style="list-style-type: none"> <li>• • Local Government Act 1972</li> <li>• • Local Government Act 2000</li> <li>• • Audit Commission Act 1998</li> <li>• Local Government &amp; Rating Act 1997</li> <li>Local Government Act 2003</li> <li>Local Audit and Accountability Act 2014</li> <li>Localism Act 2011</li> </ul> |
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### RISK ASSESSMENT PHILOSOPHY

### RISK ASSESSMENT

#### 1. PURPOSE

To provide guidance to the Council to enable them to control risks associated with their activities.

#### 2. SCOPE

This Procedure applies to all notified risks of Pebworth Parish Council.

#### 3. DEFINITIONS

Risk – A risk is the likelihood that the potential for harm or loss posed by a hazard will materialise;

Hazard – A hazard is a condition in the parish, equipment, article, substance, machine, installation or situation that has the potential to cause harm or loss or both;

Control Measures - Precautionary measures that reduce or eliminate the risk;

Competent Person - A person who, by reason of their training, knowledge and experience, is considered capable of adequately assessing the health and safety risks associated with the operation being carried out;

Residual Risk - The risk that remains after all the identified control measures have been put into place.

#### **4. METHOD**

The Parish Council should follow the general principles of prevention

**4.1** If possible, avoid risk altogether;

**4.2** Evaluate the risks which cannot be avoided;

**4.3** Combat risks at source;

**4.4** Take advantage of technological and technical progress for improving working methods and making them safer;

**4.5** Replacing the dangerous by the non-dangerous or the less dangerous;

**4.6** Give appropriate instruction to councillors and contractors.