

BENENDEN PARISH COUNCIL RISK MANAGEMENT PLAN

“The greatest risk facing a local authority is not being able to deliver the activity or services expected of the Council.”

Risk assessment is a systematic general examination of working conditions, workplace activities and environmental factors that will enable the employer to identify any and all potential risks inherent in the place or practices. Based on a recorded assessment the employer should then take all practical and necessary steps to reduce or eliminate the risks, insofar as is practically possible. Making sure that all employees are made aware of the results of the risk assessment. 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. In conducting this exercise, the following plan was followed:

Identify the areas to be reviewed.

- Identify what the risk may be.
- Evaluate the management and control of the risk and record all findings.
- Review, assess and revise if required.

| FINANCIAL MANAGEMENT | | | | |
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| SUBJECT | RISK IDENTIFIED | H/M/L | MANAGEMENT/CONTROL OF RISK | REVIEW/ASSESSMENT/REVISE |
| Councillors | Losing Councillors or having more than 6 vacancies at any one time | L | When a vacancy arises there is a legal process to follow. This either leads to a bye-election or into a co-option process. An election is out of the Parish Council’s control. The co-option process begins with an advert, acceptance of applications, consideration of applicants and co-option vote at a Council meeting then appointment. If there are more than 6 vacancies at any one time on the Council it becomes inquorate. The legal process of the Borough Council appointing members takes place | Existing procedures are adequate |
| Business Continuity | Risk of Council not being able to continue its business due to an unexpected or tragic circumstance | L | There is a business continuity plan in place | Review plan when necessary |
| Precept | Adequacy of precept Requirements not submitted to TWBC in time Amount not received by BPC | L L L | To determine the precept amount required, the Parish Council regularly receives budget update information and the precept is an agenda item at full Council. At the Precept meeting, the Council receives a budget update report, including actual position and projected position to end the year and indicative figures or costings obtained by the Clerk. With this information the Council maps out the required monies for standing costs and projects for the following year and applies specific figures to budget headings, the total of which is resolved to be the precept amount to be requested from TWBC. This figure is | Existing procedure adequate |

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| | | | submitted by the Clerk in writing to TWBC. Precept should be considered by Council before the deadline - deadline should be ascertained from TWBC asap. The Clerk informs Council when the monies are received (usually April/May and September). | |
| Financial Records | Inadequate records Financial Irregularities | L L | The financial position is reported monthly by the Clerk. The Council has Financial Regulations which set out the requirements. | Existing procedure adequate. Review of Financial Regulations takes place annually |
| Bank and banking | Inadequate checks Bank mistakes Loss of signatories | L L L | The Council has Financial Regulations which set out the requirements for banking, payments and reconciliation of accounts. The bank does make occasional errors in processing payments which are discovered when the Clerk reconciles the bank accounts once a month, these are dealt with immediately by informing the bank and awaiting their correction. Monitor the bank statements monthly. Council would choose replacements but the bank takes time to implement changes, this mostly happens after an AGM/election. | Existing procedures are adequate |
| Cash Loss | Loss through theft or Dishonesty | L | The Council has Financial Regulations which set out the requirements. Cash/cheques received are banked within 7 banking days. There is no petty cash or float. This is audited by the Internal Auditor annually | Existing procedures are adequate |
| Litigation | Potential risk of legal action against the Council | M | Public liability insurance covers general personal injury claims where the Council is found to be at fault, but not spurious or frivolous claims - these cannot be insured against | Insurance is adequate for requirements |
| Reporting and Auditing | Information communication Compliance | L L | A monitoring statement is produced regularly and presented to Council, discussed and approved at the meeting. This statement includes, bank reconciliation, budget update, and a breakdown of receipts and payments balanced against the bank. Council should regularly audit internally to comply with the Fidelity Guarantee The Council has appointed an Internal Auditor to ensure compliance | Existing procedures adequate |
| Direct costs Overhead expenses Debts | Goods not supplied but billed Incorrect invoicing Cheque payable incorrect Unpaid invoices | L L L L | The Council has Financial Regulations which set out the requirements. At each Council meeting the list of invoices awaiting approval is distributed to Councillors, and considered. Two Councillors are nominated to check each invoice against the payment and associated paperwork and initials the invoices. Council approves the list of requests for payment. Unpaid invoices to the Council are pursued ,where possible, payment is obtained in advance. | Existing procedures adequate |
| Grants and support | Power to pay Authorisation of Council to pay | L | All such expenditure goes through the required Council process of approval, minuted and listed accordingly if a payment is made using the S137 power of expenditure. | Existing procedure adequate. Parish Councillors request S137 rules if required |
| Grants | Receipt of Grant | L | The Parish Council does not receive any regular grants. One off grants would come with terms and conditions to be satisfied. | Procedure would need to be formed, if required. |
| Charges Rental payment | Payments of charges, leases, rentals | L | The Parish Council does not lease or rent any land | Existing procedures adequate |
| Best value accountability | Work awarded incorrectly Overspend on services | L | Normal Parish Council practice would be to seek, if possible, more than one quotation for any substantial work required to be undertaken or goods. For major contract services, formal competitive tenders would be sought. If a problem is encountered with a contract the Clerk | Existing procedure adequate. Include when reviewing Financial Regulations |

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| | | | would investigate the situation, check the quotation/tender, research the problem and report to Council. This is covered in the Financial Regulations. | |
| Salary and assoc. costs | Salary paid incorrectly Wrong hours paid Wrong rate paid False employee Wrong deductions of NI or Tax Unpaid Tax & NI contributions to the Inland Revenue | L | The Parish Council authorises the appointment of all employees through a Committee. The Clerks salary is increased annually in line with the SLCC/NALC recommendations. Tax & NI are completed by payroll provider and paid by the Clerk after Council approval. The Clerk has a contract of employment and job description. Salaries are paid in arrears, but if a meeting is cancelled or moved then payments could be late or missed. | Existing appointment system adequate. Existing payment system is adequate. Annual review of Clerk takes place on 1 st April |
| Employees | Loss of key personnel Fraud by staff Actions undertaken by staff | L L L | Reference to the Continuity Plan should be made in case of loss of key personnel. The requirements of the Fidelity Guarantee insurance to be adhered to with regards to Fraud. The Clerk should be provided with relevant training, reference books, access to assistance and legal advice required to undertake the role. The Council has a policy in place. | Existing procedure adequate. Membership of the SLCC. Health & safety policy reviewed annually |
| Health and Safety Policy | Policy Provision | M | | |
| Election Costs | Risk of an Election Cost | L/M | Risk is higher in an election year. When an election is due the Clerk ascertains if there are any costs from the Borough Council for a full election and an uncontested election. There are no measures which can be adopted to minimise the risk of having a contested election as this is a democratic process | Existing procedure adequate |
| VAT | Re-claiming/charging | L | The Parish Council does not charge VAT. It is entitled to reclaim VAT paid on goods and services and reclaims are made during the year. | Existing procedure adequate |
| Annual Return | Submit within time limits | L | Employer's Annual Return is completed and submitted online and to the Inland Revenue within the prescribed time frame by the Parish Council's payroll provider. | Existing procedure adequate |
| Legal Powers | Illegal activity or payments | L | All activity and payments within the powers of the Parish Council to be resolved and minuted at Full Parish Council Meetings, including a reference to the power used. | Existing procedure adequate |
| Minutes/ Agendas/ Notices/ Statutory documents | Accuracy and legality business conduct | L | Minutes and agenda are produced in the prescribed method by the Clerk and adhere to the legal requirements. Minutes are approved and signed at the next Council meeting. Minutes and agenda are displayed according to the legal requirements. Business conducted at Council meetings is managed by the Chair. | Existing procedure adequate |
| Members Interests | Conflict of Interest Register of Members Interest | L M | The declaring of interests by members at a meeting should be an obvious process to remind Councillor of their duty and should remain on the agenda. Register of Members Interest forms should be reviewed regularly by Councillors. | Existing procedure adequate. Members take responsibility to update their Register and to declare any interests, prejudicial or personal, at meetings |
| Insurance | Adequacy Cost Compliance | L L L | An annual review is undertaken (before the time of the policy renewal) of all insurance arrangements in place. Employers and Employee liability insurance is a necessity and must be paid for. | Existing procedure adequate. Review insurance provision annually. |

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| Data protection | Policy Provision | L | The Council is registered with the Data Protection Agency. | Registered with ICO Renewed annually |
| Freedom of Information Act | Policy Provision | L M | The Council has a Model Publication scheme in place. The Clerk is aware that if a substantial request arrives then this may require many hours of additional work. The Council is able to request a fee if the work will take more than 15 hours but the application also has the right to re-submit the request broken down into sections, thus negating the payment of a fee | |
| PHYSICAL EQUIPMENT OR AREAS | | | | |
| SUBJECT | RISK IDENTIFIED | H/M/L | MANAGEMENT/CONTROL OF RISK | REVIEW/ ASSESSMENT/REVISE |
| Assets | Loss or Damage risk/damage of third party(ies)/property | L | An annual review of assets is undertaken for insurance provision, storage and maintenance provisions | Existing procedure adequate |
| Maintenance | Poor performance of assets of amenities Loss of income or performance | L L | All assets owned/managed by the Parish Council are regularly reviewed and maintained. All repairs and relevant expenditure for these repairs and relevant expenditure for these repairs are actioned/authorise in accordance with the correct procedures of the Parish Council. All assets are insured and reviewed annually. | Existing procedures adequate |
| Notice Boards | Risk/damage/injury to third parties Road side safety | L L | The Parish Council has two notice boards sited in the Parish. They are inspected by the Clerk and any repairs/maintenance requirements brought to the attention of the Parish Council. Keys held by the Clerk | |
| Meeting location | Adequacy Health and Safety | L L | The Parish Council holds it meetings in locations across the whole parish. The Council ensures that insurance is provided by the hirer. | Existing locations adequate |
| Council records – paper | Loss through theft, fire, damage | L/M | The Parish Council records are stored in the Parish Office. Records include historical correspondence, minutes books and copies, leases for land or property, records such as personnel, insurance salaries etc. | Damage (apart from fire) and theft is unlikely and so provision adequate. Consideration given to historic records being taken to the County Archive for storage |
| Council records – electronic | Loss through theft, damage, corruption, corruption of computer, hacking | L/M | The Parish Council's electronic records are held remotely on a Cloud facility. Antivirus and firewall software installed. | Current back up on the Cloud facility. |
| PANDEMIC | | | | |
| SUBJECT | RISK IDENTIFIED | H/M/L | MANAGEMENT/CONTROL OF RISK | REVIEW/ ASSESSMENT/REVISE |
| Revenue | Loss of income | L | The Parish Council has no income generating public facilities. Precept – reduced taxbase. | Existing financial procedures adequate |
| Spread of disease | Risk to Parish Councillors, employees, members of the public | L | Government guidance observed. | Existing procedures adequate |

Reviewed November 2023