

WHIMPLE PARISH COUNCIL – RISK ASSESSMENT

This risk assessment sits alongside the Risk Management Strategy

| Topic | Risk | H/M/L | Management or risk (mitigating factors) | Review/Assess/Revise |
|---------------------|---|-------|---|---|
| Business Continuity | Risk of Council not being able to continue its business due to an unexpected or tragic circumstance | M | All files and records are kept either electronically or at the Clerks home/in a lockable filing cabinet. The Clerk makes regular back up of files. In the event of the Clerk being indisposed the Chair to contact Devon Association of Local Councils (DALC) or Society of Local Council Clerks (SLCC). Provision of a Council laptop so that records and logins for online banking/HMRC can be accessed. | Existing procedures adequate Review scope for sharing information/passwords Review contingency plans in the event of the Clerk being indisposed. Review if a Council mobile phone is needed (particularly for dual factor authentication). |
| | The Council is unable to access Council records if the Clerk is indisposed as the information is on their personal laptop | M | | |
| | The Council cannot access online banking or HMRC due to two factor authentication and the Clerks personal phone number being listed | M | | |
| Precept | The precept is not adequate to cover the Council's expenditure | L | The Council reviews the Precept requirement annually in November and presented in the December meeting. Reviews the presented budget update information including actual position and projected position to year end and estimated figures for the next financial year. With this information the Council agrees the precept amount to be requested from EDDC. This figure is submitted by the Clerk in writing by the deadline set by EDDC. The Clerk informs the Council when the monies are received. Checked via the internal control checklist completed by the councillor who is finance, internal control and risk management 'champion' and reported to Council | Existing procedures adequate |
| | Precept requirements are not submitted to East Devon District Council (EDDC) | L | | |
| | Incorrect amount of Precept paid by EDDC | L | | |
| Reserves | The Council does not have an adequate level of reserves to cover 6 months operating costs | M | The Council needs to have adequate reserves to deal with an emergency. The Council has a Reserves Policy and reviews its reserves annually following the end of the financial year. | Existing procedure adequate |
| | Lack of reserves to cover any budgetary shortfall | M | | |

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| Financial Records | Inadequate records Financial irregularities | L L | The Council has Financial Regulations that set out requirements and expectations. Financial records are checked via the internal control checklist by the councillor who is finance, internal control and risk management 'champion' and reported to Council The Council has appointed an independent internal auditor to review processes The Parish Clerk is CiLCA qualified | Existing procedures adequate Review Financial Regulations annually Review Internal Control Statement annually Annual Internal Audit completed |
| Bank and banking | Inadequate checks Bank mistakes Loss Charges | L L L L | The Council has Financial Regulations and Internal Control Statement that set out the requirements and controls for banking, cheques and reconciliation of accounts. Two councillors required to sign off any bank payments. Monthly bank reconciliations identify and errors Banking records are checked via the internal control checklist by the councillor who is finance, internal control and risk management 'champion' and reported to Council The Council reviews its banking arrangements at least annually | Existing procedure adequate Review Financial Regulations annually Review Internal Control Statement annually Reviewing banking arrangements and signatories annually (at AGM) Internal Control checklist completed quarterly Download, save and monitor bank statements monthly |
| Cash and cheques | Loss through theft and dishonesty | L | The Council has Financial Regulations and Internal Control Statement that set out the requirements and controls for cash and cheques. The Council does not deal with cash and cheques as all payments are made electronically. The Council's insurance policy has a Fidelity Guarantee. Finance reports are standing items on Council agenda including payments and receipts reports and bank reconciliations. Clerk circulates the cash book and bank statement on a monthly basis and it gets signed at meetings | Existing procedure adequate Review the Financial Regulations annually Review Internal Control Statement annually Internal Control checklist completed quarterly Ensure Fidelity Insurance is adequate. |

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| Purchase of goods or services | Goods or service not supplied but billed Invoice incorrect Bank transfer/cheque payment not correct Unpaid invoices | L L L L | The Council has Financial Regulations that set out the requirements. At each Council meeting, the schedule of payments plus invoices is approved. Payments are processed via online banking by the Clerk and signed off by two councillors before being paid. Banking records are checked via the internal control checklist by the councillor who is finance, internal control and risk management 'champion' and reported to Council | Existing procedure adequate Review the Financial Regulations annually Review Internal Control Statement annually Internal Control checklist completed quarterly |
| Procurement process | The Council doesn't follow procurement legislation or the Financial Regulations when procuring goods or services | M | The Council has Financial Regulations that set out the requirements and procurement limits. Evidence of procurement process and quotes/tenders where appropriate | Existing procedure adequate Review the Financial Regulations annually Review Internal Control Statement annually Internal Control checklist completed quarterly |
| Salaries and associated costs | Salary paid incorrectly Misappropriation or fraud Wrong deductions of NIC or Tax Unpaid Tax or NIC to HMRC | L L L L | Parish Council authorises appointment of Parish Clerk. Parish Clerk has contract of employment NJC salary scales are followed Payroll administered through the HMRC Payroll software All salary payments and amounts due to the HMRC are approved by the Council and recorded in the meeting minutes Salaries paid by BACs with two councillors approving the payment Payroll records are checked via the internal control checklist by the councillor who is finance, internal control and risk management 'champion' and reported to Council | Existing procedure adequate |

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| Grant payable (S137) | There is no power to pay the grant Grant paid without evidence as to how it will be used or how it will benefit the local community S137 expenditure is not calculated correctly and Council overspends | L L 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 a copy of S137 rules if required. Clear audit trail of the S137 amount each year |
| Grants receivable | Council receives a grant and doesn't spend it appropriately or fails to keep an audit trail | L | Parish Council has a grants and donations policy. All applicants must complete the grant funding application, and these are considered by the Council. One off grants (e.g. DCC Locality Budget) would be dealt with within the specifically defined terms and conditions and would be itemised explicitly in the financial information and accounts presented to the Council If grant received is for a specific purpose Council may allocate it as an earmarked reserve | Existing procedure adequate Grants and Donations Policy Grant Application form Budget monitoring reports Financial statements Information re grants recorded in the minutes of Council meetings |
| Employees | Loss of the Parish Clerk through resignation or being indisposed Parish Clerk is inexperienced and fails to meet the requirements of the role | L L L | In the event of the Clerk being indisposed the Chair to contact DALC or SLCC. The Parish Clerk is CiLCA qualified The Parish Clerk is provided with access to relevant training, reference books and legal advice required to undertake the role | Existing procedure adequate |
| Councillors | Councillors are unclear about their role and responsibilities Councillors do not follow legislation or powers and duties Councillors are not adequately trained to enable them to conduct their role effectively | L L L | Parish Clerk provides inhouse training for councillors Councillors are provided with access to relevant training, reference books and legal advice required to undertake their role Councillors follow the list of powers and duties set out | Existing procedure adequate |

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| Councillors interests | Councillors fail to declare pecuniary and/or personal interests Councillors fail to complete the Register of Interest form Councillors have a conflict of interest | M M L | The declaration of interests by councillors at meetings is a standing item on all agendas. Register of Interest forms should be reviewed regularly by councillors and the Clerk notified of any changes Councillors seek advice from the Clerk or Monitoring Officer if they are unsure | Existing procedure adequate |
| Election costs | Financial risk to the council of an election | L/M | The risk is higher in an election year. There are no measures which can be adopted to minimise the risk of having an election as this is a legal requirement and democratic process. Council to ensure that it has enough reserves to cover any costs | Existing procedure adequate |
| Value Added Tax (VAT) | Re-claiming/charging | L | The Council has Financial Regulations that set out requirements regarding VAT The Parish Clerk reclaims VAT for the previous financial year annually in April VAT records and reclaim are checked via the internal control checklist by the councillor who is finance, internal control and risk management 'champion' and reported to Council | Existing procedure adequate Internal Control checklist completed quarterly |
| Annual Governance and Accountability Return (AGAR) | The Council fails to complete the correct paperwork within the correct timescales for the AGAR The information contained within the AGAR is incorrect or false | L L | The AGAR is completed and approved by the Council, documents subject to internal audit prior to being forwarded to the External Auditor within the required time limit. | Existing procedure adequate |
| Internal Audit | The acts unlawfully be not having an internal audit carried out by an appropriate and competent person | L | The Council has an internal audit on an annual basis by a person who is an appropriate and competent person The internal audit report is considered at a Council meeting and published on the Council website. | Existing procedure adequate |

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| Legal powers and duties | The Council acts illegally by undertaking activities that fall outside of its legal powers and duties | L | Any decisions made are considered against the list of legal powers and duties Decisions are resolved at Council meetings and recorded in the minutes. The minutes are published on the Council website | Existing procedure adequate |
| Agendas, minutes, notices and statutory documents | The Council fails to give the correct statutory notice period for the publication of agendas There is a lack of accuracy and/or legality | L L | Minutes and agendas are produced with the prescribed method by the Clerk and adhere to the legal requirements At least 3 days notice is given when agendas are published (taking into account any bank holidays) Agendas are published on the Council website and Parish noticeboards Draft minutes are published on the website and changed to Final once approved at the next Council meeting Business conducted at Council meetings is managed by the Chair | Existing procedure adequate |
| Public Liability | Risk to third party, property or individuals | L | Insurance is in place which includes £10m for public liability | Existing procedure adequate |
| Employer Liability | Non-compliance with employment law and risk to employees | L | Insurance is in place which includes £10m employer liability | Existing procedure adequate |
| Insurance | The Council doesn't have insurance or it is not adequate for its needs. Insurance provision is not regularly market tested and does not provide value for money | L L | Insurance provision is reviewed at least annually. When the Council is due to renew its insurance it is market tested with quotes from three suppliers where possible. | Existing procedure adequate |
| Data Protection | The Council does not meet the requirements of the Data Protection Act | L | The Council is registered with the Information Commissioner. The Council has a Data Protection Policy The Council has a Privacy Statement The Clerk is delegated at the Data Protection Officer | Existing procedure adequate |

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| Freedom of Information | The Council does not meeting the requirements in respect of Freedom of information | L | The Council has a Freedom of Information Policy and Model publication scheme The Clerk completes any FOI requests that come in | Existing procedure adequate |
| Council records – Paper | Loss of records through inappropriate destruction, loss, theft or damage (e.g. from fire or flooding) Council records are held longer than they need to be and not in accordance with the Data Protection Act | L/M | Papers records are stored at the home of the Parish Clerk and in a lockable filing cabinet at the Parish Hall. Paper records are backed up by scanning and saving them Older records including minutes books are stored in the South West Heritage Centre archives Where appropriate, paperwork with personal information is securely destroyed when appropriate Document retention guidelines are followed. | Existing procedure adequate |
| Council records - electronic | Loss of records through inappropriate destruction, loss, theft or damage (e.g. from fire or flooding) | L/M | Electronic records are stored on the computer at the Clerk's home. Backups of the files are taken at regular intervals and stored on a portable hard drive. Where appropriate, electronic files with personal information is securely destroyed when appropriate Document retention guidelines are followed. | Existing procedure adequate |
| Assets | Assets are lost or damaged There is not an accurate record of the assets held by the Parish Council | M | The Council has an asset register which is reviewed annually An annual review of assets is undertaken for insurance purposes | Existing procedure adequate |
| Asset Maintenance | Assets are not maintained appropriately. Assets become a hazard to members of the public | L L | All assets owned by the Council are regularly reviewed and maintained. All repairs and relevant expenditure for those repairs are authorised in accordance with the procedures of the Council. | Existing procedure adequate |

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| Grounds Maintenance contract | The grounds maintenance contract is not procured correctly. The contractor does not deliver the contract to the standard expected by the Council The contractor does not have appropriate public liability insurance | L L L | The Grounds Maintenance contract was market tested and quotes considered by the Council There is a contract in place between the Council and contractor Regular reviews of the contractors work will take place The contractor has provided their public liability insurance certificate | Existing procedure adequate |
| Allotments | Revenue/loss through poor management/ badly maintained sites | M | Regular inspections Timely maintenance interventions | |
| | Lack of security | M | Regular inspections Feedback from allotment tenants | |
| | Damage/nuisance to adjacent residents | M | Regular inspections Rules shared with tenants | Allotment Policy |
| | Accidents/ Personal injury | M | Risk assessment is reviewed at least annually and public liability insurance | |
| | Vandalism | M | Regular inspections Feedback from allotment tenants and members of the public Clear reporting channel | |
| | The cost of renting the Grove Road Allotments exceeds a reasonable amount to recharge to allotment holders | H | Discussions with Savills (representing Exeter Diocese) Consideration of purchasing the land Consideration of giving the management of the allotments back to Exeter Diocese | |
| Open Spaces | Damage/Vandalism | M | Regular inspections and reports to the Council Clear reporting channel | |

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| | Trees | M | Regular inspections at intervals Commissioning recommended works in a timely manner | |
| | Condition of land | M | Maintenance programme Grounds maintenance programme | |
| Play Area | Damage/ Vandalism/ rubbish | H | Regular visual checks Weekly inspections identifying defects and remedial action required Regular reports to the Council identifying any issues Annual independent inspections to RoSPA standard | |
| | Trees | M | Regular inspections at intervals Commissioning recommended works in a timely manner | |
| | Personal Injury | H | Regular visual checks and weekly inspections Annual independent inspections to RoSPA standard Removal or cordoning off any pieces of equipment requiring repair Adequate insurance coverage | |
| Parish Car Park | Facilities not maintained | M | Use of contractor for keeping the car park in a good state of order | |
| | Damage/ Vandalism/ rubbish | M | Regular inspections and reports to the Council Clear reporting channel | |
| | Personal Injury | M | Clear lined spaced for vehicles Signage installed highlighting dangers Adequate insurance cover | |