

## West Farleigh Parish Council Risk Assessment

### Notes

**“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.

FINANCE AND MANAGEMENT				
Subject	Risk(s) Identified	H / M / L	Management/Control of Risk	Review/Assess/Revise
Business continuity	Risk of Council not being able to continue its business due to an unexpected or tragic circumstance	L	All files and recent records are kept at the Clerk's home. The Clerk makes regular back-ups of files to an external hard drive. In the event of the Clerk being indisposed the Chairman to contact the Kent Association of Local Councils for advice.	Review when necessary.
Precept	Adequacy of precept Requirements not submitted to MBC Amount not received by MBC	L L L	The Council reviews the Precept requirement annually at the January meeting and 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 then agrees the amounts set for the specific budget headings for the following year, the total of which is resolved to be the precept amount to be requested from Maidstone Borough Council. This figure is submitted by the Clerk in writing to MBC. The Clerk informs Council when the monies are received (approx April time).	Existing procedure adequate.
Financial records	Inadequate records Financial irregularities	L L	The Council has Financial Regulations that set out the requirements.	Existing procedure adequate. Review the Financial Regulations when necessary.
Bank and banking	Inadequate checks Bank mistakes Loss Charges	L L L L L	The Council has Financial Regulations that set out the requirements for banking, cheques and reconciliation of accounts. The bank does make occasional errors in processing cheques which are discovered when the Clerk reconciles the bank accounts once a month when the statements arrive, these are dealt with immediately by informing the bank and awaiting their correction. The Clerk reviews the Councils banking arrangements regularly.	Existing procedure adequate. Review the Financial Regulations when necessary and bank signatory list when necessary, especially after an AGM and an election. Monitor the bank statements monthly.

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Cash	Loss through theft or dishonesty	L	The Council has Financial Regulations that set out the requirements. The Council's insurance policy has a Fidelity Guarantee.	Existing procedure adequate. Review the Financial Regulations when necessary. Ensure Fidelity Insurance is adequate and review regularly.
Reporting and auditing	Information communication Compliance	L M	A budget monitoring statement is produced before each Council meeting with the agenda and discussed and approved at the meeting. A full list of payments and receipts and cheques to be signed is provided at the meeting and the financial records including a breakdown of receipts and payments balanced against the bank statement are presented and checked by a Councillor at each meeting. Council should regularly audit internally to comply with the Fidelity Guarantee.	Existing communication procedures adequate. Council annually to appoint a Councillor to check financial records for Fidelity compliance.
Direct costs Overhead expenses Debts	Goods not supplied but billed Incorrect invoicing Cheque payable incorrect Loss of stock	L L L L L	The Council has Financial Regulations that set out the requirements. At each Council meeting the list of invoices awaiting approval is distributed to Councillors and considered. Council approves the list of requests for payment. The Council has minimal stocks, these are checked and monitored by the Clerk.	Existing procedure adequate. Review the Financial Regulations when necessary.
Grants and support - payable	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 a copy of S137 rules if required.
Grants - receivable	Receipts of Grant	L	The Parish Council receives a regular grant from MBC annually paid in two instalments. Receipt is reported to the Council at the next meeting of the Council. Any one-off grants awarded would come with terms and conditions to be satisfied.	Existing procedures adequate.
Charges - Rentals payable	Payments of leases/rentals	L	The Parish Council has a lease for land in Charlton Lane which has a peppercorn rent. (NB. This lease will ended during 2020 and will be removed from the RA document when appropriate)	Existing procedure and payment system is adequate.
Charges - Rentals receivable	Receipt of rental Insurance implication	L M	Negative. The Parish Council does not currently have any lease or rental agreements.	
Best value Accountability	Work awarded incorrectly Overspend on services	L M	As per Financial Regulations 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 would investigate the situation, check the quotation/tender, research the problem and report to Council.	Existing procedure adequate. Review Financial Regulations regularly.

<b>FINANCIAL AND MANAGEMENT</b>				
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Salaries 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 L L L L L	The Parish Council authorises the appointment of all employees at Council meetings. Salary rates are assessed annually, in line with the Contract of Employment, by the Council and applied on 1st April each year. The majority of the Salary is paid by Standing Order with any additional amount paid by cheque each month for a set number of hours and reported to the Council. The Tax, NI and Pension contributions due are reported to the Council. The Tax and NI is worked out using an Inland Revenue computer programme updated annually. All Tax and NI payments are submitted in the Inland Revenue Annual Return. The pension contributions are submitted on the People's Pension website monthly. The Clerk keeps a record of hours worked and has a contract of employment and job description.	Existing appointment and payment system is adequate.
Clerk	Loss of Clerk Fraud Actions undertaken Health & Safety	L L L L	A contingency fund should be established to enable training for the CiLCA qualification, should the Clerk wish to study for this. 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.	Include in financial statement when setting precept. Existing procedure adequate. Purchase reference books where necessary. Membership of the SLCC. Monitor working conditions, safety requirements and insurance regularly.
Councillor allowances	Councillors over-paid Income tax deduction	L	The Chairman has a budgeted annual allowance that is used if necessary for sundry items. Any expenses are claimed by presenting the relevant receipt to the Council for approval. Expenses are monitored to ensure the budget is not exceeded and expenditure reported monthly to the Council. No allowances are allocated to other Parish Councillors.	Existing procedure adequate.
Election costs	Risk of an election cost	L/M	Risk is higher in an election year. When an election is due the Clerk will obtain an estimate of costs from the Borough Council for a full election and an uncontested election. There are no measures that can be adopted to minimise the risk of having a contested election as this is a democratic process and should not be stifled.	Existing procedure adequate.
VAT	Re-claiming/charging	L	The Council has Financial Regulations that set out the requirements.	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 Clerk. Annual Return is completed and signed by the Council, submitted to the internal auditor for completion and signing then checked and sent on to the External Auditor within time limit.	Existing procedures adequate.

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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.	All activities and payments Minuted.
Council records - paper	Loss through: theft fire damage	L M L	The Parish Council records are stored at the home of the Clerk. Records include historical correspondence, minute books and copies, documents for ownership of property, records such as personnel, insurance, salaries etc. Recent materials are in a metal filing cabinet (not fire proof) and older more historical records in the attic or at County Archives in Maidstone.	Damage (apart from fire) and theft is unlikely and so provision adequate. Deeds/leases copied and deposited off-site. Historical Minutes stored at County Archives in Maidstone.
Council records - electronic	Loss through: Theft, fire, damage Corruption of computer	L M	The Parish Council's electronic records are stored on a Council computer at the Clerk's home. Back-ups of the files are taken at regular intervals on to external hard drive.	Existing procedure adequate.
Insurance	Adequacy Cost Compliance Fidelity Guarantee	L L L M	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. Ensure compliance measures are in place. Ensure Fidelity checks are in place.	Existing procedure adequate. Review insurance provision annually. Review of compliance.
Data protection	Policy Provision	L	The Council is registered with the Data Protection Agency.	Ensure annual renewal of registration.
Freedom of Information Act	Policy Provision	L M	The Council has a model publication scheme for Local Councils in place. The Council is able to request a fee for any information requested to cover the cost of consumables and the Clerk's time.	Monitor and report any impacts of requests made under the FOI Act.
Meeting location	Adequacy Health & Safety	L M	The Parish Council Meetings are held at The Good Intent restaurant area, which can be accessed from the car park entrance. The premises and the facilities are considered to be adequate for the Clerk, Councillors and Public who attend from Health & Safety and comfort aspects.	Existing location adequate.

<b>ASSETS</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>
Street Furniture, Village Sign, Play Area Equipment and Open Spaces	Loss or Damage Risk/damage to third party(ies)/property	L L	An asset register is kept up to date and insurance is held at the appropriate level for all items. Regular checks are made at the Village Green by a member of the Parish Council. Monthly risk assessment of Play Area equipment undertaken by MBC and annual inspection carried out by registered play inspection company. Regular checks of village green and trees around the Parish by Member of Parish Council and records kept. Further checks to be undertaken by a qualified tree surgeon as and when required.	Existing procedure adequate. Review insurance requirements annually.
Noticeboards	Risk/damage/injury to third parties Road side safety	L L	Parish Council has three notice boards sited around the Parish. All locations have approval by relevant parties and insurance cover and are regularly inspected by a Member of the Parish Council or Clerk and records kept and any repairs/maintenance requirements brought to the attention of the Parish Council. Keys held by a Parish Councillor.	Existing procedure adequate.

<b>LIABILITY</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>
Legal Powers	Illegal activity or payments  Working Parties taking decisions	L L	All activity and payments made within the powers of the Parish Council (not ultra vires) and to be resolved and clearly minuted. Ensure established with clear terms of reference.	Existing procedure adequate.  Monitor on a monthly basis.
Minutes/Agendas/ Notices/Statutory documents	Accuracy and legality Business conduct	L 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 should be managed by the Chair.	Existing procedure adequate. Guidance/training to Chair should be given (if required). Members to adhere to Code of Conduct.
Public Liability	Risk to third party, property or individuals	M	Insurance is in place. Risk assessments regularly carried out to comply with requirements.	Existing procedures adequate. Ensure risk assessments are carried out.
Employer Liability	Non compliance with employment law	L	Undertake adequate training and seek advice from the Kent Association of Local Councils.	Existing procedures adequate.
Legal Liability	Legality of activities Proper and timely reporting via Minutes Proper document control	M L L	Clerk to clarify legal position on proposals and to seek advice if necessary. Council always receives and approves Minutes at monthly meetings. Retention of document policy in place.	Existing procedures adequate.

<b>COUNCILLORS' PROPRIETY</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>
Members interests	Conflict of interest Register of Members interests	M M	Councillors have a duty to declare any interests at the start of the meeting. Register of Members Interest forms to be reviewed regularly by Councillors.	Existing procedure adequate. Members to take responsibility to update their Register.