

KIRKBY MALZEARD, LAVERTON
AND DALLOWGILL PARISH
COUNCIL

GENERAL AND FINANCIAL RISK
ASSESSMENTS REGISTER

NOVEMBER 2023 VERSION

This document has been produced to enable the Council to assess the risks it faces and to indicate the steps that have been taken to minimise them.

RISK ASSESSMENT MATRIX

LIKELIHOOD					
HIGHLY LIKELY (3)	MEDIUM (3)	HIGH (6)	HIGH (9)		
POSSIBLE (2)	LOW (2)	MEDIUM (4)	HIGH (6)		
UNLIKELY (1)	LOW (1)	LOW (2)	MEDIUM (3)	HIGH (6)	
	NEGLIGIBLE (1)	MODERATE (2)	SEVERE (3)	VERY SEVERE (6)	IMPACT

In line with current best practice, risks which are unlikely but would have a very severe impact (e.g. risk to life, criminal charges) are scored as High, to ensure they receive enough attention.

SECTION 1 - GENERAL COUNCIL PROCEDURES

1 DOCUMENTS AND POLICIES

AIM: To ensure that the Council's policies and standard documents are up to date, reflect current legislation and meet best practice guidelines.

RISK RATING: Likelihood: 1 Impact: 3 Risk: 3 **MEDIUM**

MEANS OF MANAGING RISK:

- a) The Council is a member of YLCA and uses their templates and those produced by NALC as a basis for its documents.

- b) The Clerk ensures that relevant policies are drafted and these are put to the Council to be adopted.
- c) The Council responds to issues raised through internal audit.
- d) The Council reviews all policies and documents at each Annual Meeting of the Parish Council.
- e) The Clerk advises the Council as to whether proposed actions are within adopted policies.
- f) The Standing Orders, Financial Regulations, Code of Conduct, Risk Assessment Register, Publication Scheme and relevant GDPR documents are displayed on the Council's website.

2 MEMBERS INTERESTS

AIM: To avoid complaints about decisions made by Councillors which conflict with interests which they have failed to declare, or have incorrectly declared.

RISK RATING: Likelihood: 1 Impact: 3 Risk: 3 **MEDIUM**

MEANS OF MANAGING RISK:

- a) Members complete a Register of Interests and are expected to ensure that this remains up to date. A reminder is issued at the Annual Parish Council meeting.
- b) Registers are displayed on the Council's website via a link to the website of Harrogate Borough Council.
- c) Each meeting contains an agenda item 'Declarations of Interest and Requests for Dispensations' and the Chair asks all members if they have any interests to declare.
- d) If an interest is declared this is recorded in the minutes of the meeting.
- e) A process for dealing with Dispensations exists within the Council's Standing Orders.
- f) Advice on this subject is available from Harrogate Borough Council's Monitoring Officer.

3 MANAGEMENT OF MEETINGS

AIM: To ensure compliance with Standing Orders, Code of Conduct and Financial Regulations, within meetings.

RISK RATING: Likelihood: 1 Impact: 3 Risk: 3 **MEDIUM**

MEANS OF MANAGING RISK:

- a) The Clerk and Councillors receive appropriate training.
- b) Standing Orders, Code of Conduct and Financial Regulations documents exist and are regularly reviewed to ensure all items are managed correctly. All documents are reviewed at Annual Parish Council Meeting.
- c) The Council has access to support and information from YLCA/NALC.
- d) The Council is kept updated of new procedural legislation by the Clerk.
- e) All activity by the Parish Council is approved and minuted at Parish Council meetings.
- f) Powers to take decisions or incur expenditure between meetings of the Council are governed by controls within relevant documents and expenditure has strict limits (£100 or under).

4 MINUTES

AIM: To ensure that Minutes are available for reference in the future.

RISK RATING: Likelihood: 1 Impact: 2 Risk: 2 **LOW**

MEANS OF MANAGING RISK:

- a) Minutes are approved by the Council at the following meeting, and then signed by the Chairman of that meeting on each page.
- b) Signed copies are kept in a secure place (Clerk's home).
- c) Electronic copies are stored on the Council's website and backups are made of the Council's data.
- d) Old sets of minutes are archived by North Yorkshire County Council's specialist unit

5 RECORD KEEPING

AIM: To ensure all relevant documents are safely retained for reference in the future.

RISK RATING: Likelihood: 1 Impact: 1 Risk: 1 **LOW**

MEANS OF MANAGING RISK:

- a) Documents are kept in a secure place.
- b) Clerk backs up electronic documents to a back-up memory stick or hard drive.
- c) Documents are shared regularly with Councillors.
- d) Procedural documents are published on the Parish Council website.
- e) The Chair is provided with the login details for the Council's email and website accounts.
- f) The Council makes use of North Yorkshire County Council's archive facility.

6 INFORMATION PUBLICATION

AIM: To ensure that all requirements in respect of the availability of information are met.

RISK RATING: Likelihood: 1 Impact: 1 Risk: 1 **LOW**

MEANS OF MANAGING RISK:

- a) Information, including the annual audit, is published in accordance with statutory guidance.
- b) The Clerk or a delegated Councillor undertakes to post relevant information on the Council's website in a timely manner.
- c) The Clerk or a delegated Councillor publishes appropriate information on the Council's social media sites.
- d) The Clerk is familiar with the process of dealing with requests made under the Freedom of Information Act.

7 DATA PROTECTION

AIM: To prevent non-compliance with Data Protection legislation.

RISK RATING: Likelihood: 1 Impact: 3 Risk: 3 **MEDIUM**

MEANS ON MANAGING RISK:

- a) Clerk and Councillors use 'bcc' facility, or an alternative method which avoids forwarding on private email addresses, when sending e-mails.
- b) Each Councillor has separate email address used for all Council business.
- c) The Council considers sensitive or confidential issues 'in camera' (with public and press excluded).
- d) The Clerk does not publish personal information within the accounts.
- e) The Council follows all General Data Protection Regulation requirements.

8 WEB-SITE

AIM: To avoid loss or disruption to site and to prevent incorrect or inadequate information being available.

RISK RATING: Likelihood: 2 Impact: 2 Risk: 4 **MEDIUM**

MEANS OF MANAGING RISK:

- a) The website is hosted by a professional company (VisioSoft).
- b) Clerk and Chair keep copies of all documents posted on site.
- c) The Clerk and Chair undertake to post relevant information on the Council's website in a timely manner, and are also responsible for ensuring it remains up to date.
- d) In addition to the Clerk and Chair one other Councillor, also has the user-name and password to the website.
- e) The email addresses provided so that the Council can send information updates are only accessible to authorised administrators comprising some Councillors and the Clerk.

9 MEETING LOCATION

AIM: To ensure availability and suitability of venue.

RISK RATING: Likelihood: 1 Impact: 1 Risk: 1 **LOW**

MEANS OF MANAGING RISK:

- a) Parish Council meetings are held mainly in one venue.
- b) Any other venue would be inspected by the Clerk and Chairman in advance.
- c) All premises and facilities are kept in good order and are adequate for the purpose from a Health & Safety and comfort perspective.
- d) Annual timetables for meetings are agreed and published at the Annual Parish Council meeting in May. The schedule is confirmed with the booking secretary of each hall.

10 INSURANCE ARRANGEMENTS

AIM: To ensure adequacy of insurance to fully cover all necessary risks at a satisfactory cost.

RISK RATING: Likelihood: 1 Impact: 3 Risk: 3 **MEDIUM**

MEANS OF MANAGING RISK:

- a) A review of insurance cover is carried out annually at the Annual Parish Council Meeting to ensure relevant liabilities are insured.
- b) Members are circulated with a copy of the proposed policy and a Schedule of Assets for Insurance Purposes.
- c) The cost of the Council's insurance policy is included in its annual budget.
- d) An Asset Register is maintained, checked during Internal Audit and approved annually by the Council.
- e) Employer's liability, public liability and fidelity guarantee are a statutory requirement.
- f) All volunteers or contractors acting on behalf of the Council complete forms to acknowledge their responsibility to carry out actions in a safe manner in order to comply with insurance requirements.

SECTION 2 - ASSETS

1 PHYSICAL ASSETS INCLUDING LAND AND BUILDINGS, STREET FURNITURE, PLAY AREA EQUIPMENT ETC.

AIM: To avoid loss or damage to assets and to ensure that they are in safe condition.

RISK RATING: Likelihood: 2 Impact: 3 Risk: 6 **HIGH**

MEANS OF MANAGING RISK:

- a) An asset register is maintained and insurance is held at the appropriate level for all items, being reviewed at the Annual Parish Council Meeting.
- b) Regular checks are carried out on land and building assets by the Parish Councillors.
- c) The Play Area is inspected weekly by a Councillor, quarterly by a firm specialising in such inspections and annually by RoSPA.
- d) A separate Risk Assessment has been made for the Play Area.
- e) Reports received from members of the public are acted upon in a timely fashion.
- f) Grass to footpaths, bridleways and the play area is regularly cut to enable safe usage.

2 TREES ON LAND OWNED BY COUNCIL

AIM: To ensure the safety of members of public in the vicinity of trees.

RISK RATING: Likelihood: 1 Impact: 6 Risk: 6 **HIGH**

MEANS OF MANAGING RISK:

- a) A detailed inspection is carried out annually by a company who are experienced in this area of expertise, with basic inspection carried out on a monthly basis by a Councillor.
- b) Records of the inspections are kept by the Clerk. Works arising from the inspections are carried out in a timely fashion

- c) The parish caretakers have an ongoing remit to report any issues they note as they arise.
- d) The Council's budget includes an allowance for works to trees.
- e) The Council has public liability cover.

SECTION 3 - FINANCIAL MATTERS

1 FINANCIAL PLANNING

AIM: To avoid inadequate budgeting leading to failure to obtain precept or having insufficient funds to meet liabilities.

RISK RATING: Likelihood: 1 Impact: 3 Risk: 3 **MEDIUM**

MEANS OF MANAGING RISK:

- a) Financial monitoring of payments and receipts by reference to the Cashbook at each monthly meeting.
- b) Annual budget set in November each year, ensuring sufficient precept to allow the Council to achieve its objectives.
- c) Written precept request submitted to Harrogate Borough Council prior to their advertised deadline, normally in December.
- d) The Council maintains its balances in line with audit recommendations to allow for any unplanned expenditure.
- e) Financial statements, which include a budget comparison are presented for the Council's approval four times a year.

2 FINANCIAL RECORDS

AIM: To prevent incorrect payments being made or income being not obtained or wrongly processed. To ensure that the annual accounts balance.

RISK RATING: Likelihood: 1 Impact: 3 Risk: 3 **MEDIUM**

MEANS OF MANAGING RISK:

- a) The Clerk, as RFO, maintains proper records in the form of a cashbook, checked by Councillors at each monthly meeting in accordance with the Council's Financial Regulations.
- b) The Council's accounts and budgeting are internally each year and also externally audited (unless certified exempt).
- c) Copies of the Council's audited accounts are displayed on its website.
- d) All invoices are checked by the Clerk for accuracy.
- e) Where stage payments are made e.g. for grass cutting or similar a specific record is kept to ensure the correct number of payments are made.
- f) Payments are authorised by the Council at each ordinary meeting and recorded in the minutes of that meeting.
- g) The Council works in accordance with its Financial Regulations and retention of information scheme.

3 BANKING ARRANGEMENTS

AIM: To avoid problems with the payment of invoices, and to ensure that funds are available.

RISK RATING: Likelihood: 1 Impact: 3 Risk: 3 **MEDIUM**

MEANS OF MANAGING RISK:

- a) Cheques and stubs signed by two of the four Councillors who are authorised signatories.
- b) Review of bank balances at every Ordinary Parish Council meeting.
- c) Electronic banking introduced. Procedures in accordance with Financial Regulations.

4 CONTRACTS FOR WORKS

AIM: To ensure best value is achieved when contracting work by tender or quotation.

RISK RATING: Likelihood: 1 Impact: 2 Risk: 2 **LOW**

MEANS OF MANAGING RISK:

- a) Financial regulations set out the Council's procedures for orders, contracts and procurement depending on the value of the contract.
- b) If an issue is encountered the Clerk would investigate the situation, check the quotation / tender, research the problem and report to Council.

5 VAT RETURNS

AIM: To ensure that all eligible VAT is claimed back.

RISK RATING: Likelihood: 1 Impact: 2 Risk: 2 **LOW**

MEANS OF MANAGING RISK:

- a) VAT claim submitted at least annually with the Clerk to operate a reminder system to ensure VAT repayment is received.

6 LOSS OF FUNDS DUE TO DISHONESTY OR FRAUD

AIM: To ensure the risk of dishonesty or fraud is minimised.

RISK RATING: Likelihood: 1 Impact: 6 Risk: 6 **HIGH**

MEANS OF MANAGING RISK:

- a) The Council has adopted a set of regulations to govern its financial management.
- b) The Council's system of internal controls within the Financial Regulations document sets out procedures for Councillors and Internal Auditor to check the financial position of the Council.
- c) The Council does not operate a petty cash system and no payments or receipts are made in cash.
- d) All income is paid into the bank.
- e) All payments are authorised by at least two Councillors.
- f) Bank balances are reported to the Council at each Ordinary Parish Council meeting.

g) The Council's insurance policy includes a fidelity guarantee.

SECTION 4 – EMPLOYMENT ISSUES

1 LEGAL ISSUES AS EMPLOYER

AIM: To avoid disputes on the terms and conditions of the Clerk's employment. To avoid financial loss resulting from matters for which the Council is liable as an Employer.

RISK RATING: Likelihood: 1 Impact: 3 Risk: 3 **MEDIUM**

MEANS OF MANAGING THE RISK:

- a) The Clerk is employed under the terms of a version of the Model Contract agreed by NALC. NALC and YLCA will offer assistance with employment issues.
- b) The Council has employer's liability cover.
- c) The Clerk completes an Office Risk Assessment to ensure that there are no Health and Safety issues at their place of work (home).

2 DISRUPTION IF CLERK IS UNAVAILABLE

AIM: To ensure that the Council functions adequately if the Clerk is absent either due to sickness, holiday or if employment terminated.

RISK RATING: Likelihood: 1 Impact: 2 Risk: 2 **LOW**

MEANS OF MANAGING RISK:

- a) The Council is a member of YLCA which offers assistance with the production of appropriate documentation for advertising vacancies and appointing a new Clerk.
- b) A Councillor would take minutes and undertake essential duties in the event of an unfilled vacancy or unexpected absence.
- c) Key documents are posted online.

3 SALARY, PAYE AND NIC PAYMENTS

AIM: To ensure that payments are made at the correct amount and on time.

RISK RATING: Likelihood: 1 Impact: 2 Risk: 2 **LOW**

MEANS OF MANAGING RISK:

- a) The Clerk is paid for a fixed number of hours each month via a fixed Standing Order from the Council's bank account.
- b) The Council approves the rate at which the Clerk is to be paid, based upon the National Agreement for Calculation of Clerks Salaries.
- c) The Council uses a RTI Payroll system to make tax submissions to HMRC.
- d) The Internal Auditor conducts a full check of expenses payments at the end of each financial year.

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