

# TUR LANGTON PARISH COUNCIL RISK ASSESSMENT

**Draft for meeting 26/2/19**

**“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 Parish Council to identify any and all potential risks inherent in the place or practices. Based on a recorded assessment the Parish Council should then take all practical and necessary steps to reduce or eliminate the risks, insofar as is practically possible. Making sure that all employees, councillors, volunteers, contractors and members of the public (where applicable) 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.

Where the abbreviation “G & A doc” is used it refers to “Governance and Accountability for Local Councils (March 2014)”

## TUR LANGTON PARISH COUNCIL RISK ASSESSMENT

|                    | Risks Identified                                                                                                                                                                                      | H/M/L                      | Management /control of risk                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Review/Assess/Revise                                                                         |
|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| 1:-Physical Assets | 1.1 Loss of or damage to physical assets (buildings, furniture equipment etc.)                                                                                                                        | <b>Risk L<br/>Impact L</b> | <ul style="list-style-type: none"> <li>• Maintain asset register</li> <li>• Annual review of insurance to ensure changes are reflected in level of cover</li> <li>• Copy of insurance sent to internal auditor</li> </ul>                                                                                                                                                                                                                                                                                                                                            | Insurance checked<br>Asset Register to be updated with replacement costs - still outstanding |
|                    | 1.2 Public Seats<br>Notice Board                                                                                                                                                                      | <b>Risk L<br/>Impact L</b> | <ul style="list-style-type: none"> <li>• Simple inspection before each meeting</li> <li>• Information in newsletter and on website about how to report problems</li> <li>• Repairs organised and carried out quickly by contractors covered by the appropriate insurance</li> <li>• Warning signs if damaged</li> <li>• Annual cleaning/ maintenance</li> </ul>                                                                                                                                                                                                      |                                                                                              |
|                    | 1.3 Defibrillator <ul style="list-style-type: none"> <li>• Duty of care – equipment fully maintained and rescue ready</li> <li>• Indemnity / Public Liability</li> <li>• Post Event Trauma</li> </ul> | <b>Risk L<br/>Impact H</b> | <ul style="list-style-type: none"> <li>• Equipment arranged through Community Heartbeat Trust (CHT) through Managed Solution plus Annual Support Agreement. CHT is owner in law and takes control of policies procedures, insurance (public liability / theft /damage). This includes consumables, / annual service / replacement of equipment (quickly if out of service), post event counselling.</li> <li>• Defibrillator Protocol in place and is on display in phone kiosk.</li> <li>• Registered into WebNos System, weekly regular checks reported</li> </ul> | Defibrillator Protocol to be created                                                         |

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|---------------------|-----------------------------------------------------------------|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
|                     |                                                                 |                            | <p>through this system to Ambulance Service. <b>Check to include H &amp; S check of kiosk. Any volunteers have received instruction from a Parish Councillor</b></p> <ul style="list-style-type: none"> <li>User instructed to dial 999, taking instruction from Ambulance Service gives indemnity cover under their cover</li> </ul>                                                                                                                  |                                                                                         |
| <b>2:-Financial</b> | 2.1 Loss of cash etc through theft or dishonesty (fidelity)     | <b>Risk L<br/>Impact H</b> | <ul style="list-style-type: none"> <li>Rigorous procedures in place in accordance with "G &amp; A doc" to check financial activities of the council</li> <li>Reconciled accounts checked by councillor (not Chair) and signed off at each full council meeting</li> <li>Annual review of insurance to ensure appropriate fidelity cover is maintained</li> <li>Accounts and accounting procedures are reviewed by internal auditor annually</li> </ul> |                                                                                         |
|                     | 2.2 Inadequacy of Precept due to unsound budgeting arrangements | <b>Risk L<br/>Impact H</b> | <ul style="list-style-type: none"> <li>Accounts set against budget headings are reviewed at each full council meeting</li> <li>Analysis of the previous year's accounts inform budget setting</li> <li>Council holds enough reserves to mitigate emergency requirements</li> <li>Accounts and accounting</li> </ul>                                                                                                                                    | <b>Council is working towards achieving a reserve equating to 9 month's expenditure</b> |

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|  | <b>Risks Identified</b>                                                                          | <b>H/M/L</b>               | <b>Management /control of risk</b>                                                                                                                                                                                                                                               | <b>Review/Assess/Revise</b> |
|--|--------------------------------------------------------------------------------------------------|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
|  |                                                                                                  |                            | procedures are reviewed by internal auditor annually                                                                                                                                                                                                                             |                             |
|  | 2.3 Requirements of VAT regulations are not met                                                  | <b>Risk L<br/>Impact M</b> | <ul style="list-style-type: none"> <li>• Accounts identify input and output taxes</li> <li>• Accounts are signed after proper consideration at the end of year by the Council</li> <li>• Accounts and accounting procedures are reviewed by internal auditor annually</li> </ul> |                             |
|  | 2.4 Funds granted to community bodies under s137 are not properly used                           | <b>Risk L<br/>Impact L</b> | <ul style="list-style-type: none"> <li>• All grants are scrutinised and checked against S137 requirements. Post grant evaluation</li> <li>• Accounts and accounting procedures are reviewed by internal auditor annually</li> </ul>                                              |                             |
|  | 2.5 Failure to comply with the Council's own financial regulations or those laid down by statute | <b>Risk L<br/>Impact M</b> | <ul style="list-style-type: none"> <li>• Financial regulations are reviewed annually to ensure they are up to date and comply with current legislation</li> <li>• Internal auditor is provided with the most current financial regulations used by the Council</li> </ul>        |                             |
|  | 2.6 Contractual arrangements are not within legal powers                                         | <b>Risk L<br/>Impact M</b> | <ul style="list-style-type: none"> <li>• Every effort is made to ensure that new contracts are issued according to the procedure laid down in the Council's financial regulations</li> <li>• Internal auditor reviews any new contracts</li> </ul>                               |                             |
|  | 2.7 Payments made beyond legal powers (Ultra Vires)                                              | <b>Risk L</b>              | <ul style="list-style-type: none"> <li>• Clerk checks statutory power before any new category of payments</li> </ul>                                                                                                                                                             |                             |

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|-------------------------------|----------------------------------------------------------------|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|
|                               |                                                                | <b>Impact M</b>            | agreed <ul style="list-style-type: none"> <li>Power recorded in minutes for any new category of payment</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                         |
|                               |                                                                |                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                         |
| <b>3:-Business continuity</b> | 3.1 Proper financial records are not maintained                | <b>Risk L<br/>Impact H</b> | <ul style="list-style-type: none"> <li><b>Rigorous procedures in line with G &amp; A doc requirements are in place to prevent this happening. The procedures are reviewed annually.</b></li> <li><b>Evidence provided by the Council is reviewed by the internal auditor. The ensuing report is minuted and accepted at a Council Meeting .Any recommendations are reviewed and actioned</b></li> <li><b>Financial information is displayed on the Councils website</b></li> <li><b>Records and Retention of Documents Policy and Data Protection and Information Security policies in place</b></li> </ul> |                                                                                                                         |
|                               | 3.2 Loss of paper documents due to fire                        | <b>Risk L<br/>Impact H</b> | <ul style="list-style-type: none"> <li><b>Most documents are stored electronically (with back up) or internet</b></li> <li><b>Archive material has been scanned</b></li> <li><b>Fire proof cash box for cheque books etc</b></li> </ul>                                                                                                                                                                                                                                                                                                                                                                     | <b>Fire proof box still to be considered or check with Records Office to see if they can store any archive material</b> |
|                               | 3.3 Loss of electronic documents through fire, theft or damage | <b>Risk L<br/>Impact H</b> | <ul style="list-style-type: none"> <li><b>Information is duplicated on an encrypted memory stick held by chair away from clerk's residence and refreshed at each parish council</b></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                         |

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|---------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
|                                                                                       |                                                                                                    |                            | meeting                                                                                                                                                                                                                                                          |                             |
|                                                                                       | 3.4 Clerk unexpectedly unavailable / leaves post                                                   | <b>Risk L<br/>Impact H</b> | <ul style="list-style-type: none"> <li>• Council is a member of SLCC which provides a locum service which could be used as a temporary measure should clerk be unexpectedly unavailable.</li> </ul>                                                              |                             |
|                                                                                       | 3.5 Website – unable to update due to person with training being unavailable                       | <b>Risk L<br/>Impact H</b> | <ul style="list-style-type: none"> <li>• In addition to the clerk a councillor has access to and is trained to maintain website. If there are changes in personnel a handover / training period will be arranged.</li> </ul>                                     |                             |
|                                                                                       |                                                                                                    |                            |                                                                                                                                                                                                                                                                  |                             |
| <b>4 Statutory Obligations</b>                                                        | 4.1 Not keeping up to date with changes in legislation                                             | <b>Risk L<br/>Impact H</b> | <ul style="list-style-type: none"> <li>• Council is a member of LRALC</li> <li>• Updates are reviewed by clerk and summarised at each PC meeting. Significant updates circulated to councillors</li> </ul>                                                       |                             |
|                                                                                       | 4.2 Council acts beyond its legal powers (Ultra Vires)                                             | <b>Risk L<br/>Impact H</b> | <ul style="list-style-type: none"> <li>• Clerk checks statutory powers before any new activity and records in minutes</li> <li>• Advice sought from LRALC</li> <li>• See also 2.7 above</li> </ul>                                                               |                             |
|                                                                                       |                                                                                                    |                            | •                                                                                                                                                                                                                                                                |                             |
| <b>5:-Freedom of Information / General Data Protection Regulations / transparency</b> | 5.1 Inability to or delay in responding to electors wishing to exercise their rights of inspection | <b>Risk L<br/>Impact H</b> | <ul style="list-style-type: none"> <li>• The Council complies with all statutory requirements and all documents required are placed on the website</li> <li>• See 3.5 above with regard to website expertise</li> <li>• The procedure for requests is</li> </ul> |                             |

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|--|------------------------------------------------------------------------------|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
|  |                                                                              |                            | <p>followed and reviewed for compliance when complete</p> <ul style="list-style-type: none"> <li>• Policy and procedures for handling requests for information, Publication Scheme with Schedule of Charges, Data Protection and Information Policy, and Complaints Procedure in place</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                              |                      |
|  | 5.2 General Data Protections Regulations not met                             | <b>Risk L<br/>Impact H</b> | <ul style="list-style-type: none"> <li>• The council does not process a great amount of personal data</li> <li>• The council is registered with the ICO and this is budgeted for</li> <li>• <del>Data Protection Officer taken into account when budget for 2018/19 set up</del></li> <li>• Clerk has attended LRALC training who produce regular updates as legislation unfolds</li> <li>• <del>Council is working through “12 steps to take now” document</del></li> <li>• Information Security and Records and Retention of Documents policies in place</li> <li>• Data Protection policy, Data Breach Policy, Subject Access Request Policy and Privacy Notices in place, reviewed yearly</li> <li>• See also 3.2 and 3.3 above</li> </ul> |                      |
|  | 5.3 Register of members interests and gifts and hospitality is not in place, | <b>Risk L<br/>Impact H</b> | <ul style="list-style-type: none"> <li>• The register of members interests is completed and is available to view on HDC website and a link to this is</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                      |

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|                               | complete or up to date                                                                                                     |                            | <p>provided through TLPC website</p> <ul style="list-style-type: none"> <li>The Clerk is responsible for requesting completion of forms. The Chair ensures all councillors have complied</li> <li>Gifts / Hospitality - N/A none received to date A list of gifts/ hospitality will be prepared if the need arises</li> </ul>                                                                                                                       |                      |
| <b>6:- Clerk / Employment</b> | 6.1 Risks relating to the Clerk as an employee of the Council and the use of the Clerks home as the offices of the Council | <b>Risk L<br/>Impact H</b> | <ul style="list-style-type: none"> <li>The Clerk completes a risk questionnaire not less often than every four years</li> <li>Issues arising from this are reviewed and actioned.</li> <li>At annual review the questionnaire will be revisited to establish changes (e.g. moving house )</li> <li>Health and Safety, Lone Working, Home Working, Sickness and Absence and Equality, Diversity and Equal Opportunities Policies in place</li> </ul> |                      |
|                               | 6.2 Requirement under employment law and Inland Revenue are not complied with.                                             | <b>Risk L<br/>Impact H</b> | <ul style="list-style-type: none"> <li>Salary payment details submitted to HMRC via "PAYE Basic Tools"</li> <li>Clerk to evidence and report annually that HMRC submissions have been made</li> <li>Clerk to keep up to date with regulations and inform councillors</li> </ul>                                                                                                                                                                     |                      |



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|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
|                                   |                                                                                                                                         |                            | <ul style="list-style-type: none"> <li>• Council holds Employer Liability Insurance and complies with other legal requirements relating employment</li> <li>• Recruitment , Sickness, Absence and Annual Leave and Equality, Diversity and Equal Opportunities Policies in place</li> </ul>                                                                                     |                      |
|                                   |                                                                                                                                         |                            |                                                                                                                                                                                                                                                                                                                                                                                 |                      |
| <b>7:-Liability and Insurance</b> | 7.1 Damage to third parties or their property as a consequence of the council providing a service (public liability)<br>(Grass cutting) | <b>Risk L<br/>Impact H</b> | <ul style="list-style-type: none"> <li>• SLA with LCC</li> <li>• Contractor engaged</li> <li>• Grass cutting Specification in place which requires contractor to manage identified risks</li> <li>• Spot checks by Council</li> <li>• Covered by Parish Council's Public Liability Insurance</li> </ul>                                                                         |                      |
|                                   | 7.2 Legal liability arising as a consequence of asset ownership (public liability)                                                      | <b>Risk L<br/>Impact H</b> | <ul style="list-style-type: none"> <li>• Annual review of insurance requirements cross referenced to the insurance policy held by TLPC. Alterations made if required.</li> <li>• If there are changes to insurance requirements during the year e.g. additional assets the insurance company will be informed</li> <li>• Refer also to asset management in section 1</li> </ul> |                      |
|                                   | 7.3 Defibrillator                                                                                                                       |                            | See 1.3 above                                                                                                                                                                                                                                                                                                                                                                   |                      |
|                                   |                                                                                                                                         |                            |                                                                                                                                                                                                                                                                                                                                                                                 |                      |

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|------------------------------|----------------------------------------------------------------------------------------|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| <b>8:Health &amp; Safety</b> | <b>8.1 – General</b>                                                                   |                            | <ul style="list-style-type: none"> <li>• <b>Health and Safety policy in place</b></li> </ul>                                                                                                                                                                                                                                                                                            |                             |
|                              | 8.2 Member of public/Councillor becomes abusive or violent in a Parish Council meeting | <b>Risk L<br/>Impact H</b> | <ul style="list-style-type: none"> <li>• <b>Procedures are understood and followed by all councillors</b></li> <li>• <b>If an incident occurs procedures are reviewed to ensure effectiveness</b></li> </ul>                                                                                                                                                                            |                             |
|                              | 8.3 Councillors and members of public taking part in Speedwatch                        | <b>Risk L<br/>Impact H</b> | <ul style="list-style-type: none"> <li>• <b>Training is given which covers all aspects of the Speedwatch</b></li> <li>• <b>All sites are risk assessed by the Speedwatch Team</b></li> <li>• <b>Comprehensive instructions and guidelines are contained in folders which must be read and are carried by Speedwatch volunteers whilst carrying out Speedwatch activities</b></li> </ul> |                             |
|                              | 8.4 Volunteer activities                                                               | <b>Risk M<br/>Impact H</b> | <ul style="list-style-type: none"> <li>• <b>Any activity involving volunteers (e.g. planting bulbs in verges) will be individually risk assessed and a copy of the risk assessment kept as an appendix to this document</b></li> <li>• <b>See 1.3 above regarding Defibrillator</b></li> </ul>                                                                                          |                             |
|                              | 8.5 Clerk                                                                              | <b>Risk L<br/>Impact H</b> | <ul style="list-style-type: none"> <li>• <b>Cross reference with 6.1 and 6.2 above</b></li> </ul>                                                                                                                                                                                                                                                                                       |                             |
|                              | 8.6 in the event of an emergency in the village                                        | <b>Risk L<br/>Impact H</b> | <ul style="list-style-type: none"> <li>• <b>Emergency Plan in place with Leicestershire Resilience Partnership</b></li> <li>• <b>Emergency grab bag held</b></li> </ul>                                                                                                                                                                                                                 |                             |