Agenda Item 15 i

Ledbury Town Council Risk Assessment of Financial and

1. Finance

Identified Weakness	Risk Owner	Actual Risk Prob	Actual Risk Impact	Actual Risk Risk	Mitigation	Residual Risk Prob	Residual Risk Impact	Residual Risk Risk
Bank Failure	LTC	1	4	4	Council use a major clearing bank and a portfolio approach to reserves	1	2	2
Bank Fraud	LTC	1	4	4	Monthly statements are checked by the Clerk and signed off by trained Cllr	1	2	2
Internal fraud	LTC	2	4	8	Cheques require 3 Signatories, (2 x Cllrs and Towm Clerk/Deputy Clerk), Internal Audit, Cllr reconcilliations. FP&GP/Full Council authorise payments.	2	1	2
Cheque Book or cash theft from offices	LTC	2	1	2	Appropriate measures in place; cheque book kept locked away, FR stipulate limit on cash wihdrawal value and minimum of cash on premises.	2	1	2
Custom & Excise (VAT) return	LTC	3	4	12	Return checked by the internal auditor.	2	3	6
Inland Revenue returns and regulations (payroll)	LTC	2	4	8	Payroll system handled via computer package that produces required return diarise return date, Cllr Verification of Payroll.	1	3	3
Failure to set a precept by the HC deadline	LTC	1	3	3	Procedure in place by which each committee prepares a budget for review by the Full Council. Clerk ensures decision made before Herefordshire Council deadline. Hereford would impose precept based on last year if not requirements not met	1	3	3
Council budget overspend	LTC	1	4	4	Payment procedures in place to ensure all receipts and payments are reported to councillors at each finance meeting. All cheques to be signed by two councillors and countersigned by Clerk or Deputy Clerk.	1	3	3
Committee budget overspend	LTC	2	3	6	Payment procedures in place to ensure all receipts and payments are reported to councillors at each finance meeting. All cheques to be signed by two councillors and countersigned by Clerk or Deputy Clerk and reviewed quarterly.	1	2	2
Line item Ovrespend	LTC	3	3	9	constant review against budget and invoices are sent to FP&GP as outlined in Financial regulations.	1	1	1

2. Employer's Liabilities

Identified Weakness	Risk Owner	Prob	Impact	Risk	Mitigation	Prob	Impact	Risk
Council fails to comply with employment law.	Standing Committee	3	4	12	Professional bodies are available for advice, support and regular review. All staff and councillors are encouraged to identify and attend appropriate training as it is identified. Budget is maintained to cover this.	2	3	6
Long term unavailability of the Clerk or loss of the Clerk without a period of notice.	Standing Committee	1	4	4	The appointment of a Deputy Clerk ameliorates this situation in the short term and backfill with longer term replacement as necessary.	1	2	2

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Identified Weakness	Risk Owner	Actual Risk Prob	Impact	Risk	Mitigation	Residual Risk Prob	Impact	Risk
Long term unavailability of the staff other than the Clerk.	Standing Committee	2	3	6	The council will employ short term contract or agency staff.	2	2	4
Failure to maintain safe working environment	Standing Committee	2	4	8	Health & Safety Policy adoption, and practice.	1	3	3
Protection of office based staff from visitors	Clerk/standing committee	2	3	6	When the council offices are open; two staff (staff can include councillor) must be on the premises. When closed an electronic door lock and speaker system is fitted (and must be used).Lone working policy in place staff recieve appropriate training, CCTV installed.	1	2	2

3. Other Liabilities

Identified Weakness	Risk Owner	Prob	Impact	Risk	Mitigation	Prob	Impact	Risk
The Town Council expends funds on an activity outside its legal powers.	Clerk	1	4	4	The Clerk checks the legal position with professional bodies. Internal auditor reviews expenditure. Council processes are in place. Council has General Power of Competence. Governance framework is being updated to strengthen this.	1	3	3
Failure to maintain full document control	Clerk	3	3	9	Primary copies of unsigned documents are held electronically offsite and secured to backup media within one day of creation or amendment. Stored at appropriate off-site location. a file protocol will be established.	1	3	3
Failure to keep records in accordance with the Data Protection Act	Clerk	3	3	9	A council policy is in place to ensure compliance with the DPA or FOIA as appropriate The policy is administered by the Clerk, who will report any failings to Councillors on operation of the record keeping of the Council as soon as possible. Reviewed if there is a change in law or every three years, whichever is the sooner.clerk attends appropriate training	1	3	3
GDPR. Rule changes.	Clerk/Councillors	3	3	9	Staff and Councillors receive available training.	1	3	3
Failure to respond to Data Protection/Freedom of Information Act disclosure requests as required by law	Clerk	3	4	12	A council policy is in place to ensure compliance with the DPA or FOIA as appropriate. The policy is administered by the Clerk, who will report any failings to Councillors on operation of the record keeping of the Council as soon as possible. Reviewed if there is a change in law or every three years, whichever is the sooner. Clerk attends appropriate training, adequate staffing available.	1	3	3
Insufficient insurance cover for any aspect of Council responsibilities.	LTC	2	4	8	All appropriate insurances are in place. List is maintained in the council offices covering policies, types and amounts. Annual review in F&GP. Up to date Valuations.	1	4	4

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Individual councillor fails to maintain a full and accurate registers of Interests.	Councillors	2	1	2	Register of interest forms are provided to councillors by the Clerk upon first appointment to the Council. Completed forms are returned to the Clerk and the appropriate registers maintained. Councillors are reminded Annually by the Clerk of the duty of Councillors to update. This is a criminal offence with the impact on the councillor not the Council. Council would have to elect a new councillor in worst case.	1	1	1
Slander and/or libel by a councillor	Councillors	3	1	3	Councillors are personally responsible for their own actions. and covered by code of conduct and Nolan principles	3	1	3
Slander and/or libel by a member of staff.	LTC	2	3	6	Staff covered by TC's liability insurance and employment conditions and staff training and H&S policies	1	2	2
failiure to claim back judicial review costs	LTC	3	3	9	plan to maintain reserves with increases to the precept and investigation of cost reclamation.	1	3	3

4. Council Property

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Identified Weakness	Risk Owner	Prob	Impact	Risk	Mitigation	Prob	Impact	Risk
Impact of flooding or other occurrence affecting use of council offices	LTC	2	3	6	Adequate insurance cover is in place. Disaster recovery plan.	1	2	2
Backlog of bodies to be buried at the cemetary	LTC	1	4	4	Bodies would be stored by local undertakers, in the event of a more significant backlog undertakers from further afield could be approached and in the event of major epedemic national goverment would assist.	1	2	2
Impact of flooding on parish	LTC	2	3	6	Sandbags, HC weather alerts processes and personnel in place.	1	2	2
Impact of Snow/Ice on Parish	LTC	2	3	6	HC gritting , gritting bins, adequate supplies of salt.	2	2	4
General building safety	LTC	2	4	8	All appropriate Health and Safety legislation is complied with and a record of any events which compromise building safety of all town council buildings are kept and acted on by Town Clerk in conjunction with Town Councillors. This includes regular fire inspections and any action that is necessary. Appropriate liability insurance is in place.	2	2	4
contractors working in areas with asbestos	LTC	2	2	4	Clerk to check contractors are approved to work with asbestos and all safety precautions to be adhered to	1	1	1
Damaged play equipment.	LTC	3	4	12	It is a key task for our Groundsman to monitor weekly the state of all Council play equipment.All Council play equipment has an annual inspection by ROSPA. Play equipment Insured.	2	2	4

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Falling tree or branch hits person.	LTC, GO &Contractors	2	3	6	It is a key task for our Grounds Officer/Contractor to monitor at all times the state of:1. Trees in all Council grounds for any signs of damage or other weakness particularly in the event of any storm or other extreme weather conditions before undertaking other duties. Tree surveys undertaken by tree warden and regular maintenance performed and residents reports are acted upon where applicable	1	2	2
Damage to street furniture	LTC GO &Contractors	1	2	2	All signs of damage or any other safety issue are to be reported immediately to the Clerk. Intentional damage is reported to the Police and an incident number obtained. There is no set inspection programme however reports from councillors and residents are acted upon responsibly. Most street furniture is the responsibility of Balfour Beatty	1	2	2
Collapse of grave memorial or boundary wall at the closed churchyard and cemetery.	LTC GO &Contractors	2	3	6	On-going memorial testing programme to be followed using a 1, 3 and 5-year inspection process. Visual inspection by Grounds officer to identify risks as part of general duties. Programme of inspection and repair in place for boundary walls.	1	3	3
Forced entry to council property.	LTC	2	2	4	The buildings rather than the contents are the main assets. Doors are kept locked when not in use and intruder alarms fitted. Council electronic-data is stored offsite, only paper copies are stored onsite, with all confidential papers being held in secure locked cabinets. BT redcare ensure emergency response.	1	2	2

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5. Other Assets

Identified Weakness	Risk Owner	Prob	Impact	Risk	Mitigation	Prob	Impact	Risk
Failure to maintain a full and accurate Asset Register.	Clerk	4	3	12	The Asset Register is administered by the Clerk, who reviews annually and prepares report to F&GP, and FC.	1	1	1

6. Contractual

Incorrect application of tender rules.	Clerk	3	3	9	The Clerk checks the legal position with professional bodies, either when requested by councillors or in his/her judgement there is a risk to council.	1	3	3
Failure to maintain privacy of CIC information.	Clerk	4	3	12	The Clerk checks the legal position with professional bodies, either when requested by councillors or in his/her judgement there is a risk to council.	1	4	4

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A member of staff and or a Councillor commit to a contract without proper authority.	LTC/Clerk	2	3	6	The authority for the commitment to all contracts rests solely with Councillors at a properly convened meeting of Ledbury Town Council except when the Clerk commits to a contract for daily operation of the Council. All commitments made outside the conditions above will be considered a misrepresentation by Council and will be reported to the Police and may result in court action in either the criminal or civil court. Councillor training ensures they are aware that any contract entered in to outside of these provisons is invalid and would render them personally liable.	1	2	2

7. Council Activities

Identified Weakness	Risk Owner	Prob	Impact	Risk	Mitigation	Prob	Impact	Risk
Failure to provide an accurate and timely report of any council, committee or working party meeting.	LTC	4	2	8	All minutes of meetings are prepared within agreed timescales and agreed by councillors at the next meeting. All minutes are made available for public access on the Town Council website. Adequate staffing levels are provided.	2	2	4
Failure to follow the proper procedures during the allocation of grant monies.	LTC	1	2	2	"Councillors have a personal duty to ensure that their decisions regarding the allocation of grant monies is in accord with all relevant procedures. If the Clerk or any Councillor believes or becomes aware of any infringement of procedures in the allocation of grant monies they must raise the matter as a point of order immediately if part of the meeting where the subject is under discussion. Councillors will consider their own position as to whether any breach of procedures warrants a code of conduct report to the monitoring officer. Grant applications are recorded on appropriate forms and final reports are produced to ensure monies spent correctly. Approved by by F&GP and ratified by FC"	1	2	2

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Failure to respond to consultation invitations from senior authorities or other public bodies within the allotted time. This risk has little financial consequence the primary risk is to the reputation of LTC	LTC	2	2	4	The Clerk is responsible for notifiying LTC of deadlines. Where consultation deadlines are unreasonably short, the Council will make strong representations to the relevant authority to gain an acceptable period.	2	1	2
Failure to complete consultations on long term plans eg. Neighbourhood development Plan	LTC	3	3	9	Hold proper consultations, involve appropriately qualified personell. Take expert advice at the correct stages of the project. Manage the project properly and make sure all provisions of the localism act are followed.	2	2	4

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8. New Website

Web site not delivered to specification	ITC/F&GP	3	4	12	requirements document developed before tendering process and ratified by ITC and FC. All tenders evaluated to the specification	1	2	2
Website not delivered to budget	ITC/F&GP	3	4	12	LTC will favour a fixed price contract which places risk on the contractor and not on LTC	1	1	1
Website not delivered to time	ITC/F&GP	2	2	4	Prince 2 project management principles will be followed by LTC in its dealings with the contractors and regular project oversight will take place to ensure that there are no overruns which can be prevented by LTC	1	2	2
specification is not what is actually required	ITC/F&GP	2	4	8	Requirements document evaluated extensively by the ITC and ratified by FC	1	1	1
Tenderer does not understand the nature of the requirement	ITC/F&GP	2	4	8	development of a requirement document and measurement of each tender against that document	1	1	1
Unsuitable tenderer chosen	ITC/F&GP	3	4	12	evaluation of the tenderer against the requirements doc. Evaluation of the tenderer's project plan and contract requirements.	1	2	2
Tendering rules not followed correctly	ITC/F&GP	3	3	9	consultation with clerk/deputy clerk and consultation with suitably qualified legal professionals	1	2	2
No contractor produces a suitable bid	ITC/F&GP	2	2	4	LTC reserves the right not to award the tender at all	1	1	1

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