

**LEDBURY TOWN COUNCIL**

**RISK REGISTER - May 2024**

Ledbury Town Council recognise that the greatest risk to a local authority is not being able to deliver the activity or services expected of the Council.

Management of risk is an essential part of the Council's work - it ensures that those who use our facilities are safe, giving the staff the protection to get on with their work, and protecting the assets that the Council hold. Risk assessment is a systematic examination of working conditions, workplace activities and environmental factors that enable the Council to identify any and all potential inherent risks. Ledbury Town Council will take all practical steps to reduce or eliminate the risks insofar as is reasonably practicable and making sure that all employees are made aware of the contents of this Risk Register and any related risk assessments.

Subject	Possible Risks	Actual			Management & Controls	Review/Assess/ Revise	Residual		
		Likelihood	Severity	Risk			Likelihood	Severity	Risk
<b>1) FINANCIAL</b>									
Business Continuity	Risk of Council not being able to continue its business due to an unexpected or tragic circumstance	1	5	5	Daily back-ups of council files made and stored to cloud storage - <b>Disaster Management Plan required to reduce risk level</b>		1	5	5
	Loss of Clerk	1	4	4	In the event the Clerk is unable to work Deputy Clerk to act up <b>or employ a Locum Clerk/RFO (Flow diagram to be prepared)</b>	Appropriate back up measures in place.	1	3	3
Precept	Adequacy of precept	2	2	4	Regular budget updates provided throughout the year to check the adequacy of the precept which is fixed by council. Council to ensure that maintain adequate reserves	Existing procedures adequate	2	1	2
	Council budget overspend	1	4	4	Regular budget monitoring to take place at Finance meetings and budget monitoring meetings (percentage spend considered on a monthly basis)	Appropriate back up measures in place.	1	3	3
	Failure to set a precept by HC deadline	1	3	3	Set a project plan for the budget development plan and agree this at the first meeting of the Finance, Policy & General Purposes Committee after September. Clerk ensures decision made before HC deadline. If not made on time HC would impose precept based on previous year	Review process regularly	1	3	3

Bank & Banking	Inadequate Checks	2	3	6	The Council has adopted the model Financial Regulations which set out the requirements for financial reporting to the council.	Review financial regulations annually	1	1	1
Bank & Banking	Bank error/failure/fraud	2	4	8	Council use a major clearing bank and a portfolio approach to reserves - Bank accounts reconciled monthly by RFO and chair of Finance - Expenditure reports provided at all finance committee meetings and scrutinised by members and reports made to full council	Review banking arrangements regularly	1	1	1
	Internal Fraud	2	4	8	Cheques require 3 signatories (2 x Cllr and either TC or DTC), internal audit, Cllr reconciliations, Committee approval of payments - Expenditure reports provided at all finance committee meetings and scrutinised by members and reports made to full council	Review and update processes regularly	2	1	2
Year End	Council does not adhere to its own financial regulations	2	2	4	Bank reconciliations are signed monthly and prior to approval of the Annual Accounting Statements by cash custodian	To be signed monthly by Chair of Finance Committee & RFO and reported to council	1	1	2

Cash/Cheques	Cheque book or cash theft or dishonesty	2	3	6	Cheque books kept in locked safe and the office is locked at night. Financial Regulations provide limit on cash withdrawal value and minimum cash on premises. Cash held in locked tin and kept in locked safe at all times. Cash balances held to be supported with a cash statement stating the denomination and value of cash held. this should be signed and dated by the cash custodian, and an independent person. the balance held should be agreed to the balance stated in the Council's accounting system. Appropriate controls in place when receiving money from Mayor in the form of a cash handling policy. All cheques must be signed by two appointed cllrs plus either the Town Clerk or Deputy Clerk	Review financial regulations annually	1	2	2
VAT	Re-claiming/charging	3	3	9	The Council's Financial Regulations sets out the required processes and is checked annually by the Internal Auditor	Review financial regulations annually	2	2	4
Payroll	Failure to pay staff on time	3	3	9	The payroll is managed by DTBC of Holme Lacy - details to be provided by dates set by them, with email confirmation once prepared - Diarise monthly dates for sending details of hours worked and expected date of confirmation from DTBC (Request notification from banking provider that payroll has been received and confirmed via email)	Review process regularly	2	3	6
	Inland revenue returns and regulations - no inland revenue returns within regulations	2	3	6	Required information (P32) generated by DTBC as part of the payroll process - RFO makes payment monthly upon payment of salaries - salaries reported to FP & GP Committee as part of income and expenditure	Review process regularly	1	3	3

Election Costs	Financial risk to the council of election inadequate funds available	2	2	4	Risk is higher in an election year. An earmarked reserve is held to cover anticipated as well as unanticipated election costs	Review earmarked reserve annually and increase/decrease input accordingly	1	2	2
Reporting & Auditing	No monitoring information provided to council	2	3	6	Monthly budget reports provided to FP & GP Committee which includes Bank reconciliations, breakdown or receipts and payments, balance sheet, and trial balance.	Review processes Regularly	1	3	3
	No compliance with Accounts and Audit Regulations 2015	2	4	8	Annual Internal and External audits undertaken in line with Accounts and Audit Regulations 2015	Ensure Clerk/RFO aware of amendments to Accounts and Audit	1	4	4
Annual Return	No Submission within time limits	2	4	8	Annual Return is completed and approved by Council and submitted to the External Auditor on time - Internal auditor completes relevant paperwork following year end close down Diarise annual end of year close down and internal audit visit	Review process regularly	1	4	4
Direct Costs	Goods and services billed and paid for but not supplied	3	3	9	Council has financial regulations that set out underlying requirements - No advance payments to be made in respect of major projects without confirmation from council	Review Financial Regulations annually	3	2	6
Procurement	Council governing process not followed	4	5	20	Procurement "tool box" to be put in place providing clarification on roles within procurement process and responsibilities from staff to councillors	Review financial regulations regular and provide councillor and staff training - review sheet to be included in tool box documentation for review by FP & GP Committee	3	5	15

Orders and Invoices	Incorrect Invoicing	3	3	9	Council to ensure that invoices are approved in accordance with Financial Regulations. (This could be either through signature on each individual invoice, or by signature on each batch of invoices). Invoice for payment provided to either Finance or Full Council meetings for Cllr consideration and approval	Review Financial Regulations annually	2	3	6
Debts	Loss of Stock	2	2	4	The council carries minimal stocks which are checked and monitored regularly by the Clerk	Review Financial Regulations annually	1	2	2
	Unpaid invoices	3	2	6	Unpaid invoices to the council are pursued and where possible payment is obtained in advance	Review Financial Regulations annually	2	2	4
	Committee budget/line item overspend	3	3	9	Financial Regulations provide procedures to be followed - finance committee to review committee budgets quarterly	Review Financial Regulations annually	2	3	6
Petty Cash	Petty Cash not replenished to an agreed amount	3	3	9	Petty cash to be replenished on a top up basis to a limit of £250. Reimbursements to be supported by receipts of cash payments made.	Monthly	2	3	6
Acting outside of regulatory/statutory framework	Receiving inadequate advice - staff and councillors unaware and/or not working within the statutory framework of council and uninformed decisions taking, and lack of scrutiny full council	3	5	15	Ensure staff and councillors are able to access expert advice before and during decision making process i.e. NALC, SLCC, or Internal Auditor	Following any issue that arises review and assess adequacies of procedures and revise accordingly	2	5	10
Lease agreements	Lease agreements not renewed or reviewed at specified times	4	4	16	Register of renewal dates to be kept updated and electronic calendar alerts set. Council to review and update lease agreements regularly - solicitors to be engaged accordingly to assist with preparation of lease agreements	Review annually	2	2	4

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<b>2) EMPLOYER'S LIABILITIES</b>									
Employment Law	Failure to comply with employment law	3	5	15	Advice from will be sought from Professional bodies where required, support and regular review. Staff/councillors are encouraged to identify and attend appropriate training within annual budgets. Council policies and procedures are in place, or in progress with copies provided to staff who are requested to confirm receipt and reading of said policies and procedures.	Review procedures regularly and provide updates when changes to legislation	2	5	10
Long term unavailability of Clerk or loss of Clerk without a period of notice	Council business is not able to proceed	2	5	10	The appointment of a Deputy Clerk ameliorates this situation in the short term and backfill with longer term replacement if necessary. The Deputy Clerk will be supported in their studies to become CiLCA qualified. Contingency to be considered in the annual budget to cover any associated costs to employ a locum clerk		2	3	6
Long term unavailability of staff other than the Clerk		2	3	6	The Council will employ short term contract or agency staff.		2	2	4
Health & Safety	Failure to maintain a safe working environment	3	4	12	Health and Safety Policy - adopt and practice. Regular reviews from fire safety, DSE assessments. Appoint H & S Officer. All staff to be aware that they are responsible for their health & safety and of others	Review regularly - provide H & S training for all staff	2	4	8
Staff Safety from Members of Public	Protection of office based staff from visitors	3	4	12	When Council offices are open, two staff (staff can include a 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 receive appropriate training. CCTV installed.	Review regularly and ensure cameras are repaired with minimal delay.	2	4	8

		Actual					Residual		
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<b>3. OTHER LIABILITIES</b>									
The Town Council expends funds on an activity outside its legal powers	Council is acting with ultra vires	3	5	15	Clerk checks the legal position with professional bodies prior to any action. Internal auditor reviews expenditure regularly. Financial Regulations are adhered to.	Regular review of the application of financial regulations and statutory process	2	5	10
Document Control	Failure to maintain full document control	4	3	12	Primary copies of unsigned documents are held electronically on site and secured to backup media within one day of creation or amendment. Electronic back up of all files undertaken each night and stored off-site. Third party check that daily back ups have been instigated. A file retention protocol is in place..	Review policies regularly and ensure back up completed daily	2	3	6
Employee contracts	Contracts do not reflect employee roles and salaries correctly	3	3	12	Employee contracts to be reviewed regularly. New contracts or letter to be issued when job role or rates of pay change due.	Annually at appraisals and when job role or rates of pay change	2	3	6
General Data Protection Regulations	Failure to keep records in accordance with the GDPR	4	4	16	A Council policy is in place to ensure compliance with GDPR or FOI, as appropriate. The Policy is administered by the Clerk, as the appointed DPO, who will report 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 and Deputy Clerk attends appropriate training.	2	4	8

	Failure to respond to Data Protection/FOI disclosure requests as required by law	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 failings to Councillors on operation of the record keeping of the Council as soon as possible. Ensure all rule changes are reported to Council at the earliest opportunity and that staff and councillors receive appropriate training.		1	3	3
Insurance Cover	Insufficient insurance cover for any aspect of Council responsibilities	3	5	15	All appropriate insurances are in place. List is maintained in the Council offices covering policies, types and amounts. Public Liability certificate on display in council offices, cemetery. Insurance reviewed annually by Finance Committee. On purchase of new equipment notice given to insurers.	Annual review in FP&GP. Up to date valuations to be sought regularly	2	5	10
Register of Interests for Councillors	Failure to maintain accurate Register of Interests - risk to individual councillors if not declaring interests which will impact on reputation of council as a whole	3	3	9	Register of Interest forms are provided to Councillors by the Clerk upon appointment to the Council and these are included in councillor profiles on the website with the link provided to Herefordshire Council. Responsibility remains with Cllrs to update forms where/when appropriate and provide updated copies to the clerk for appropriate. Declarations of interests made in meetings to be recorded in register and minutes accordingly.	Councillors reminded annually by the Clerk of the duty of Councillors to update their register if any changes. It is a criminal offence with the a potential reputational impact on both Councillor and t Council.	2	3	6
Slander (Councillors)	Slander and/or libel by a Councillor	3	4	12	Councillors are personally responsible for their own actions and are covered by Code of Conduct and Nolan Principles - Process of reporting to Monitoring Officer will be undertaken and a complaint made and staff/councillor protocol will be applied	Reviewed annually and in the light of any incidents	3	3	6



Slander (Staff)	Slander and/or libel by a member of staff	2	4	8	Staff covered by TC's liability insurance and employment conditions. Staff to be provided with relevant training and to read Council policies including the media and ICT policy. Only designated staff will have access to social media accounts and LTC website. All publications on social media and press release to be approved by Clerk or Deputy Clerk in their absence prior to publication.	Support and disciplinary processes reviewed annually and in the light of any incidents. All incidents are recorded and logged and may be referred to in the annual process	2	3	6
<b>4. COUNCIL PROPERTY</b>									
Weather conditions affecting Council Offices	Impact of flooding or other similar occurrences	3	3	9	Adequate insurance cover in place. Disaster recovery plan in place. Sand bags in place at rear entrance to offices - investigating more permanent solution	Review after any incidents	2	3	6
Weather conditions affecting Parish	Impact of flooding on staff	3	3	9	Arrangements in place for working from home, if staff aware of risk of flooding to take home laptops and work. Office phones connected to all laptops	Regular monitoring of weather conditions	3	2	6
	Impact of snow/ice staff	2	3	6	Arrangements in place for working from home, if staff aware of risk of flooding to take home laptops and work. Office phones connected to all laptops	Regular monitoring of weather conditions	2	2	4
Cemetery	Backlog of bodies to be buried	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 epidemic, National Government would assist	Review after any occurrences	1	2	2
	Collapse of grave memorial or boundary wall at the closed churchyard and cemetery.	3	5	15	Memorial testing programme is enacted every 5 years. Visual inspection by Grounds officer to identify risks as part of general duties. Programme of inspection and repair in place for boundary walls and memorials. Grave Digger to use shoring when excavating. Only NAMM system for installing memorials permitted	Staff to review inspection processes annually	2	5	10

General Building Safety	Health and safety in buildings	3	4	12	All appropriate H&S legislation is complied with and a record of any events which compromise building safety of all Town Council buildings. These 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. sprinkler system in place and regularly inspected by Chubb	Weekly fire alarm test carried out. Regular H & S inspections carried. Insurance renewed annually. Fire Warden and Health Safety Office in place and to be provided with appropriate training	2	4	8
Asbestos	Contractors working in areas with asbestos	2	4	4	Clerk to check Contractors are approved to work with asbestos and all safety precautions are adhered to. Asbestos survey reviewed prior to any works being undertaken	Reviewed prior to any works being carried out	1	4	4
Play Equipment	Damaged play equipment	3	4	12	It is a key task for our Groundsman to monitor the condition of all Council play equipment on a weekly basis. Play equipment insured.	All Council play equipment has an annual inspection by appropriately qualified person	2	4	8
Trees	Falling tree or branch hits person	3	4	12	Groundsman/Contractor to monitor the state of 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. Reports received by residents are acted upon where applicable.	Regular tree surveys are undertaken suitably qualified arboriculturalists	1	4	4
Street furniture	Damage caused to street furniture (to include shelter at recreation ground)	3	3	9	All signs of damage/safety issues to be reported immediately to the Clerk. Intentional damage is reported to the Police and an incident number obtained. Shelter covered by CCTV	Review after any incidents - regular inspections carried out	2	3	6
Forced entry to Council property	Theft and damage	3	4	12	The buildings rather than the contents are the main assets. Doors are kept locked when not in use and intruder alarms fitted and set when buildings unoccupied. Council data is stored offsite; only paper copies are stored onsite. Security alarms managed by CHUBB. CCTV in operation	Quarterly alarm tests carried out by Chubb. Review after any incident	2	4	8

Foamstream Weeding Machine	Theft and damage	3	3	9	Security measures put in place - machine to be padlocked to trailer during and covered with a tarpaulin in summer months when stored outside - to be stored inside during winter months when not in - tracker fitted to trailer	Annually reviewed and after any incidents	2	2	4
Trailer for use by cemetery groundsman	Theft and damage	3	3	9	Security measures put in place - hitch lock fitted, wheel clamp/lock, and tracker to be fitted	Annually reviewed and after any incidents	2	2	4
<b>5. OTHER ASSETS</b>									
Asset register	Failure to maintain a full and accurate Asset Register	2	3	6	The Asset Register is administered by the Clerk. List of purchase prepared throughout the year to be included at year end to ensure regular updates	Register revised annually and Clerk prepares a report to FP&GP and FC.	2	2	4
<b>6. CONTRACTUAL</b>									
Tender rules	Incorrect application of tender rules	3	4	12	The Clerk checks the legal position with professional bodies, either when requested by Councillors or in his/her judgement if there is a risk to Council. Contract finder to be used and ALWAYS work within financial regulations	Financial Regulations reviewed annually. Criteria checked on application	2	4	8
Tender Threshold	Incorrect tender threshold set	3	4	12	Council to review its Financial Regulations annually and set tender threshold in line with the limit set out in the Public Contracts Regulations.	Reviewed annually - must comply with CIPFA regulations	2	4	8
CIC Confidentiality	Failure to maintain privacy of CIC information	3	4	12	The Clerk checks the legal position with professional bodies, either when requested by Councillors or in his/her judgement if there is a risk to Council.	Review after any incident	2	4	8

Contracts	A member of staff and/or a Councillor commit to a contract without proper authority	4	4	16	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 into outside of these provisions is invalid and would render them personally liable.		3	4	12
Year End	Dates for Exercise of Pubic Rights not approved by Council	3	3	9	Council to ensure that the date set for the Period of Public Rights is recorded in Council Minutes	Annually	2	3	6
<b>7. COUNCIL ACTIVITIES</b>									
Failure to provide reports for any Council, Committee or Working Party Meeting	Failure to follow legal requirements and provide councillors with information on projects and council business	4	3	12	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 at the time of publishing the next agenda for each committee.	All processes reviewed regularly	2	3	6

