

EATON UNDER HEYWOOD & HOPE BOWDLER PARISH COUNCIL

STRATEGIC & OPERATIONAL RISK ASSESSMENT

Reviewed and adopted on 19th February 2024

GROUPED INTO SPECIFIC AREAS OF:

- **Employee liability**
- **Finance**
- **Assets**
- **Public Liability**
- **Legal Liability & Councillor's liability taking into account H & S issues**

<u>Activity</u>	<u>Potential Hazard</u>	<u>Severity</u> 1 - 5	<u>Likelihood</u> 1 - 5	<u>Risk</u> Score	<u>Control Measures to be adopted</u>
<u>Employee Liability</u> Clerk unable to attend meeting due to sickness, etc.	No deputy	2	1	2	SALC to be asked to provide a locum failing which a Councillor will take Minutes at meeting and liaise with the Clerk as necessary.
<u>Finance</u> (1) Insufficient funds	Unable to pay creditors/employees or fulfil commitments to local projects.	5	1	5	Two Council Precept Meeting are held annually to consider and set annual budget, and budget is monitored during the year. A Finance Report is presented by the Clerk at each meeting and the bank statement/cash book reconciliation is checked by a councillor at the monthly meetings. Accounts are audited annually. It is not anticipated any insufficiency of funds will arise due to these control measures.
(2) No access to funds	Unable to pay creditors	5	1	2	Five authorised signatories exist on Parish Council's bank mandate which ensures ability to get cheques signed – 2 signatures needed on each cheque. If all Councillors resigned en masse, alternative signatories would be obtained through Shropshire Council. The Clerk is mandated to sign cheques.

(3) Over funded – i.e. too much Precept applied for.	Poor use of public money: Precept and accounts would be called in for a detailed audit.	5	1	5	Precept Budget considered at two annual meeting and budget is monitored throughout the year, and bank balance is reported on monthly. Accounts are audited. The Clerk/RFO and councillors are prudent when setting the Precept Requirement to ensure it covers only annual administration costs with a modest reserve for unseen contingencies.
(4) Misappropriation of funds.	Loss of public money.	5	1	5	All cheques require 2 Councillors' signatures and no petty cash is held. All expenses are reclaimed monthly and are supported by receipts which the councillors examine and verify by signature. Precept and Grant income is received electronically from Shropshire Council, as is VAT reclaim from HM Customs & Excise. Bank balance is monitored monthly by Councillors. The Accounts are audited annually. Insurance indemnity cover is examined annually and considered adequate.
(5) Borrowing	Non-compliance with Borrowing Regulations.	1	1	1	No borrowing at present and none contemplated in the future.
<u>Assets</u> Maintenance of assets	Insurance claims Loss of public assets	3	2	5	The Clerk keeps a Register of Assets which is checked annually by the members. The main assets are two bus shelters and a speed indicator device which the council insures, inspects and maintains. The Council has also assumed responsibility for the war memorial in Ticklerton.
	Loss of all the Council's records, Minutes, etc.	5	1	5	Clerk keeps all the Council's records at home. Minutes, Agendas and budgets and audit documents are kept on the parish council's computer which is backed-up nightly, and in paper form in appropriate files, which are stored in a locked filing cabinet in accordance with GDPR. They are also displayed on the parish council's website. A Retention of Documents Policy was adopted on 16.04.18.
<u>Public Liability</u> Public incurring accident on Parish	Claims against the Parish Council	2	2	1	The Parish Council maintains £10m worth of public liability insurance with Aviva Insurance Ltd.. The policy is reviewed annually. The Parish Council owns no grounds/land. An EMO provides

Council owned or maintained land.					maintenance around the parish but is an independent contractor who provides his own public liability insurance. The Clerk keeps an Accident Book to record any accidents reported. There have been none to date.
<u>Employer's Liability</u>	(1) Non-compliance with PAYE & HMRC regulations.	2	2	1	Parish Council employs a Payroll Administrator and is been registered with HMRC/PAYE and with the Pensions Regulator. Appropriate records and accounts are kept, and payments made to HMRC on time by cheque. Records are audited annually
	(2) Non-compliance with Employment Law resulting in a claim.	2	2	1	Contract of Employment for Clerk is in place. Regular legal up-dates are received from NALC and Clerk has attended courses on this area of law.
	(3) Non-compliance with the Workplace Pension Scheme	2	1	1	The Clerk has nominated herself and Mrs Diane Malley the payroll administrator as the Contacts for the Workplace Pension Scheme, which came into force for the Parish Council on 1st February 2017. There are no employees who are eligible for the pension scheme. The documents will be updated as required by the payroll administrator.
	(4) Non-compliance with the General Data Protection Regulations 2018 resulting in a fine.	5	3	5	The Parish Council initially appointed a Data Protection Officer (Mr Ben Malley) who worked with the Clerk on the implementation of the provisions of the GDPR. The council is been registered with the ICO. There have been no breaches of Data Protection regulations.
<u>Councillors Liability</u>	(1) Legal action for defamation	3	2	5	Councillors are governed by Code of Conduct and Standards Board. Councillors are protected from defamation by insurance and statute.
	2) Ensuring Parish Council activities are within legal framework.	5	1	5	A Register of Councillor's Interests is completed and lodged with the Monitoring Officer at Shropshire Council and appropriate declarations of interest are made at each meeting if required..

					<p>A Gifts & Hospitality Register is kept by the Clerk. (No entries to date).</p> <p>Standing Orders and Financial Regulations have been adopted by which Parish Council is bound. Spending powers are over-seen by the Clerk. Training courses are attended when identified as being necessary. All new Councillors are encouraged to attend training courses</p>
<u>Legal Liability – Business Continuity</u>	Loss of Parish Office	4	1	4	<p>The office is the Clerk’s home. Alternative accommodation would be required in an emergency if necessary, seeking help from the Unitary Authority or SALC for accommodation.</p>

Note: Should the Parish Council hold a significant public event, an individual risk assessment will be carried out.

Key to **Impact/effect** **Probability**
Ratings:

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|---|---------------------|-------------------------|
| 1 | Little impact | Seldom occurs |
| 2 | Minimal impact | Could possibly occur |
| 3 | Medium impact | Likely to occur |
| 4 | Major impact | Almost certain to occur |
| 5 | Very Serious impact | Certain to occur |

This Strategic & Operational Risk Assessment for 2024/2025 was Approved and Adopted by the Parish Council on 19th February 2024

SIGNED BY THE CHAIRMAN -- -----Graham Watts