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Clerk, Tunstall Parish Council

Risk Assessment – Non-Financial

Tunstall Parish Council

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# Scope and Objectives

The purpose of this document is to identify potential non-financial risks facing Tunstall Parish Council (‘the Council’) and how those risks can be managed to ensure the Council is able to deliver the services expected of it.

This document will be reviewed by the Council annually (preferably at the March meeting), enabling the Council to:

1. appraise itself of identified risks
2. agree appropriate actions to minimise the impact of the risks
3. identify new risks and appropriate measures to manage them
4. ensure the Council’s insurance is adequate for the forthcoming year

# Introduction

Risk management is NOT just about financial management, but about achieving the objectives of the organisation to deliver high quality public services. The failure to manage risks effectively can be expensive in terms of litigation, reputation, and the ability to deliver the expected services.

The new approach to local Council audit seeks to address these issues by placing emphasis on local Council’s strengthening their own corporate governance arrangements, improving their stewardship of public funds, and improving assurances to taxpayers. In other words, ‘the buck’ stops with you, the Councillors!

Members are ultimately responsible for risk management because risk threatens achieving the objectives of the Council. As a minimum, members should:

1. Take steps to identify key risks facing the Council
2. Evaluate the potential consequences to the Council in the event of an identified risk occurring
3. Agree upon appropriate measures to avoid, reduce, or control the risk or its consequences

All of the above objectives should be served by this document. If they are not, then it is up to the Council to determine how they should be met and to put in place appropriate measures.

This document should be read in conjunction with the current Insurance Policy in force for the Council.

# Risk Analysis

The following table attempts to identify all non-financial risks and to assign a probability (‘Prob’) of that risk occurring, and should it occur, its impact (‘Imp’) on the Council. Both the ‘Probability’ and ‘Impact’ of a risk are scored on a 1 – 5 scale: 1 being the lowest score (i.e., very improbable or very low risk) and 5 the highest (i.e., highly probable or very high impact). Both these scores are multiplied to give an Overall Risk Rating (ORR). Any risks over ORR 20 will be reviewed on a monthly basis.

The ‘Managed by’ column details how the risk is managed, either by protecting the Council from its impact (typically by way of insurance) or by reducing the probability of that risk occurring. All Councillors should be aware of the importance of keeping their register up to date and declaring any interests at meetings as and when appropriate. The below list is not exhaustive, and items can be added, amended, or removed as and when appropriate.

| Number | Details | Prob | Imp | Overall Risk Rating | Managed by… | Review Date | Action Taken |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 1 | Damage or loss of physical assets owned by the Council (buildings, furniture, equipment, etc.) | 3 | 1 | 3 | * Insurance and its annual review
* Annual review of assets identified in Council’s Asset Register
 | * 10th March 2022
 | * None
 |
| 2 | Damage to third party property or individuals resulting from the Council providing services or amenities to the public | 3 | 5 | 15 | * Insurance - public liability cover of £10,000,000
* Councillors are required to ensure that any service, product or amenity the Parish Council supplies to the public is in accordance with the requirements of the Council’s insurers
 | * 10th March 2022
 | * None
 |
| 3 | Liability claims against assets owned by the Council | 3 | 5 | 15 | * Insurance - public liability cover of £10,000,000
 | * 10th March 2022
 | * None
 |
| 4 | Libel and Slander | 1 | 1 | 1 | * Insurance – however Councillors are liable for 10% of any claim against them
 | * 10th March 2022
 | * None
 |
| 5 | Business activities are outside the legal powers applicable to local Councils | 3 | 3 | 9 | * Appropriate training for the Clerk/RFO
* Retained membership of SALC
* Councillors to be aware of the appropriate Statutory Powers given to a Council, relating to all payments
 | * 10th March 2022
 | * None
 |
| 6 | Failure to meet the regulations of employment law and inland Revenue protocols | 1 | 3 | 3 | * Appropriate training for the Clerk/RFO
* Retained membership of SALC
 | * 10th March 2022
 | * None
 |
| 7 | Register of Members interests, gifts and hospitality being incomplete, inaccurate or out of date | 3 | 1 | 3 | * Appropriate training for Councillors and Clerk
* Councillors to read and understand guidance from SALC on member’s interests, gifts and hospitality
* An item to remind Councillors of their duty is on the May agenda each year
 | * 10th March 2022
 | * None
 |
| 8 | Under performance of third parties supplying goods or services to the Council (such as partnership agreements) | 3 | 5 | 15 | * Ensuring appropriate agreements are in place
* Having a Service Level Agreement (SLA) or other performance criteria in place
* Regular review / assessment of performance
* Swift action at earliest sign of under performance
* Agreement that performance has met criteria prior to payment (if appropriate)
* At March 2016 review only grass cutting contract applies
 | * 10th March 2022
 | * None

  |
| 9 | Incorrect use of Section 137 of the Local Government Act 1972 | 3 | 3 | 9 | * Appropriate training for Councillors and Clerk
* Councillors to ensure that when approving payments each payment is confirmed by an appropriate statutory power
* Each S.137 payment separately accounted for.
* Grant Awards Policy in place from January 2016
* Adoption of General Power of Competence in May 2019
 | * 10th March 2022
 | * None
 |
| 10 | Manning of Council Office – safe working for the Clerk | 1 | 5 | 5 | * Clerk to notify a Councillor when she is spending any more than 5 minutes in the office and when she leaves
 | * 10th March 2022
 | * None
 |
| 11 | Multiple Freedom of Information Act requests | 1 | 3 | 3 | * Clerk to draw up policy for dealing with ‘Freedom of Information Act’ requests
* Policy drawn up and ratified at March 2016 meeting
 | * 10th March 2022
 | * None
 |
| 12 | Preservation of records and documents | 1 | 3 | 3 | * All important, current, Parish Council documentation held in locked cabinet in locked office
* All-important documentation held in Firebox in Office
* Clerk to keep electronic records of all Parish Council business on OneDrive (i.e. backed up to the Cloud)
 | * 10th March 2022
 | * None
 |
| 13 | Poor maintenance of Defibrillator | 2 | 5 | 10 | * Annual check carried out by Clerk
* Date of expiry of pads noted and diarised
* Periodical checks carried out by Richard Wilson
 | * 10th March 2022
 | * None
 |
| 14 | Abuse towards volunteers on Speed Watch | 3 | 3 | 9 | * Training for all volunteers
* At least three volunteers present at each session
 | * 10th March 2022
 | * Telephone number of local police to be held by all volunteers
 |
| 15 | Unauthorised speaking on behalf of the Council | 3 | 3 | 9 | * Training for all Councillors
* Reminder of the Suffolk Code of Conduct annually
 | * 10th March 2022
 | * None
 |
| 16 | Risk of injury to individuals resulting from failure of or damage to the play park equipment | 2 | 4 | 8 | * Contract with Ipswich Borough Council for periodic inspection and maintenance
* Insurance Policy includes Public Liability Insurance of £5m
 | * 10th March 2022
 | * None
 |
| 17 | A member of the public or of the Parish Council has concerns that the Tunstall Community Hall Charity is not being run in accordance with the terms set out in the Trust Deed | 10 | 2 | 20 | * As a registered charity, the Tunstall Community Hall Charity is governed by the Charities Commission. If anyone has a query or concern about how a charity is being run it should first be referred to the Charity’s Trustees. If that does not resolve the issue it should then be referred directly to the Charities Commission for attention
* Discussion is currently ongoing with TPC and Tunstall Community Hall Trustees with regards to the management and insurance responsibilities of the Community Hall in accordance with the lease.
 | * 5th May 2021
 | * None
 |
| 18 | Clauses within the lease between the PC and the Hall Charity (for the Hall and land surrounding it) not adhered to | 10 | 5 | 50 | * The Chair and one Councillor of TPC review the Lease on a three-year cycle, alongside the Chair and one Trustee from the Hall Charity. Such review will refer in particular to Clause 3 of the Lease including, but not limited to, a review of its use (3.3) , status of repair (3.4), insurance of the premises (3.11) and review and amendment if needed of the informal working arrangements between TPC and the Hall Charity
* Discussion is currently ongoing with TPC and Tunstall Community Hall Trustees with regards to the management and insurance responsibilities of the Community Hall in accordance with the lease.
 | * 5th May 2021
 | * None
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Adopted by the Parish Council at a meeting on: 10th March 2022

Signed: Karol Silovsky

Mrs Tiffany Pollock Cllr. Karol Silovsky

Clerk Chair

Change History

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| --- | --- | --- |
| Version | Description | Date |
| March 2014 | Original document drawn up | 12th March 2015 |
| March 2016 | Amendments after review | 9th March 2016 |
| March 2017 | Amendments after review and add defibrillator item | 8th March 2017 |
| March 2018 | Items 14 and 15 added and details of Chair | 14th March 2018 |
| March 2019 | Review and slight amendments | 13th March 2019 |
| March 2020 | Review and slight amendments | 11th March 2020 |
| August 2020 | Addition of item 16 | 19th August 2020 |
| May 2021 | Addition of items 17 and 18 | 5th May 2021 |
| March 2022 | Probability and ORR scoring raised for items 17 and 18 until resolved | 22nd February 2022 |