

BROXTED PARISH COUNCIL RISK ASSESSMENT

"H/M/L" indicates level of risk, taking into account the likelihood of the risk materialising and the impact if it does materialise.

Bold print indicates a change in content compared to the previous version.

Reviewed 13 March 2025

FINANCIAL				
Subject	Risk(s) Identified	H/M/L	Management/Control of Risk	Review/Assess/Revise
Precept	Adequacy of Precept	L	Before deciding the precept demand the Council is provided with a detailed budget and a variance analysis showing actual and projected expenditure. Financial details are provided at each meeting. Grants/donations are made towards the end of the year giving scope for savings.	Existing procedure considered adequate
VAT	Failing to claim refund of VAT in time or at all especially where purchases are made when others buy on behalf of council.	L	Clerk diarises timely claim and completes claim approximately annually	Existing procedure considered adequate
Financial Irregularity	Incompetence or dishonesty of Clerk or member	L	Fidelity Insurance carried on Clerk, and on members. Internal financial controls followed, including review of bank statements against cashbook.	Review annually when completing insurance renewal
Bank and Banking	Inadequate checks, lack of timely reconciliation of cashbook and bank statements. Bank mistakes, imposition of avoidable charges.	L	Clerk reconciles accounts against monthly bank statements. Errors immediately resolved with bank. No debit card requested. Internet banking requires dual authorisation. Other banking options considered from time to time.	Existing procedure considered adequate
Grants and Donations - made	Risk of exceeding the permitted limit when using s137 of the Local Government Act 1972, i.e. acting unlawfully, reputational damage.	L	The Clerk advises Councillors on the statutory position regarding grants and donations. Councillors are aware of s137 provisions. All grants and donations are authorised by Council.	Existing procedure considered adequate
FINANCIAL				
Subject	Risk(s) Identified	H/M/L	Management/Control of Risk	Review/Assess/Revise
Grants Received	The Council does not receive any regular grants. Occasional grants are sought.	L	All grant applications are authorised by the full Council.	Existing procedure considered adequate

FINANCIAL				
Subject	Risk(s) Identified	H/M/L	Management/Control of Risk	Review/Assess/Revise
Salaries and Contracts of Employment	The Clerk is the only employee and has a statement of terms of employment and contract in the form recommended by NALC.	L	The Clerk's salary is reviewed annually, in line with National guidelines. A budget for salary and staff costs is considered/approved annually.	Existing procedure considered adequate
Councillor Allowances	No allowances are allocated to Parish Councillors	Negative		N/A
Insurance	Adequacy of cover when asset values change or new assets acquired. See also below.	L	The Council is responsible for ensuring the adequacy of insurance coverage.	Existing procedure considered adequate

OPERATIONAL				
Subject	Risk(s) Identified	H/M/L	Management/Control of Risk	Review/Assess/Revise
Business Continuity	Risk of the Council being unable to carry out its functions due to unexpected circumstances	M	The Clerk, Chairman and Vice-Chairman are in regular contact and can deal with any unexpected circumstances. A scheme of delegation to the clerk is in place. Documents and emails are accessible other than via clerk, in an emergency. Bank mandate requires two authorisations from the five councillors and clerk listed on mandate..	Existing procedure considered adequate
Continuity of clerk's operations	Unexpected absence of clerk's service due to illness or accident	M	A written contingency plan is needed which should be reviewed as needed.	Contingency plan in preparation.
Financial Records	Loss of paper records resulting in loss of information and queries over compliance with legal duties.	L	Original documents in a locked metal filing cabinet. Minutes and annual accounts (AGARs) are sent for archiving at the County Records office at appropriate intervals. Most recent documents are kept electronically as well as in hard copy.	Existing procedure considered adequate
Annual Return and Auditing of Accounts	Non-compliance with legal obligations	L	The Council's Accounts are reviewed by an Internal Auditor annually and a report provided. Clerk diarises dates for publication and manages accounts preparation.	Existing procedure considered adequate

OPERATIONAL				
Subject	Risk(s) Identified	H/M/L	Management/Control of Risk	Review/Assess/Revise
Minutes, Agendas, Notices and Statutory Documents	The Clerk is responsible for producing all documents and making them available in accordance with legal duties, e.g. of transparency and public access.	L	Agendas are produced and circulated five to ten days before each meeting. Draft Minutes are circulated as soon after each meeting as practicable and publicised within one month. Notices are displayed on the Parish Council Noticeboards and the Council website.	Existing procedure considered adequate
Members' Interests	Register of Members' Interests may not comply with Code of Conduct leading to unlawful decisions and reputational damage.	M	The Clerk maintains a hard copy of the Register of Members Interests, which is available for inspection at each meeting and publicly available on the principal authority's website. Councillors are aware of Code of Conduct.	Existing procedure considered adequate
Insurance	Invalid unless council complies with conditions	L	The Clerk, as RFO is responsible for compliance.	Existing procedure considered adequate
Insurance	Annual renewal needed, to meet statutory requirement to insure.	L	The Clerk, as R.F.O. is responsible for the timely renewal of insurance	Existing procedure considered adequate
Insurance	Fidelity guarantee needed	L	Each year the Council reviews the adequacy of its Fidelity Guarantee insurance and ensures this is included in the policy.	Existing procedure considered adequate
Emergency Planning	May not be up to date or relevant	L	The plan is reviewed periodically to ensure accuracy and relevance and supplied to the principal authority's Emergency Planning Officer.	Existing procedure considered adequate
Public access to information under Freedom of Information Act	Publication scheme is required and must comply with legislation	L	The Council has adopted the current Model Publication Scheme. It is reviewed periodically and is on the council website. The council has a document retention policy which is reviewed at intervals and available on the website.	Existing procedure considered adequate
Data Protection	Policy provision may be inadequate, risk of breach of data protection regulations, risk of data breach leading to financial penalties and reputational damage.	L	The Council is aware of its responsibilities with regard to data protection, in particular the UK GDPR and the Data Protection Act 2018 as amended. It is registered with the ICO and the clerk is the data protection officer for ICO purposes.	Existing procedure considered adequate

INFORMATION SECURITY				
Subject	Risk(s) identified	H/M/L	Management/Control of Risk	Review/Assess/Revise
Website	Site being unavailable ("down") to council/public, resulting in non-compliance with legal duties such as Transparency Code.	L	Contract with commercial hosting service. It will keep website running despite e.g. power-cut or failure of one of its data centres, and advise if site is down. Data on the website is preserved by backing up the site daily (using the Updraft plug-in on the website) to cloud storage (Dropbox) so site could be reconstructed in the event of total failure. The contract (which includes an email server) is considered for renewal every two years.	Existing procedure considered adequate
	Unauthorised access to alter data, resulting in reputational damage, non-compliance with council's legal duties and/or financial costs of reinstatement.	L	Commercial hosting service has a contractual obligation to safeguard the website from improper access. User access restricted to clerk and any users authorised by the council. Additional firewall has been installed on the Broxton PC website server to supplement the hosting service's firewall on its servers. There is no link between the website and the council's financial operations (e.g bank account or cash accounts) and all material on the site is for public access. Data on the website is preserved by backing up the site daily to cloud storage (Dropbox).	Existing procedure considered adequate

INFORMATION SECURITY				
Subject	Risk(s) identified	H/M/L	Management/Control of Risk	Review/Assess/Revise
Email	As website, and also "spoofing" (impersonating the council) and receiving emails with viruses/malware attached. Risks of reputational damage, communication failures, data loss, interruption of normal operations and financial costs.	L	Commercial hosting service provides email server on the same basis as it provides the website server, with the same safeguards on availability and access. Spoofing: Emails with domain name -pc.gov.uk, if sent via the council's hosting service, incorporate a code and key authenticating the council as the sender, to prevent rejection by spam filters. Unauthorised senders do not have access to the code and key. Malware: Emails are held on the clerk's password-protected PC which has business-quality anti-viral software installed and a firewall.	Existing procedure considered adequate
	Unavailability of emails through power cuts or internet connection failure, resulting in communication failures, non-compliance with legal duties and the council being unable to carry out its functions.	M	Emails on broxted-pc.gov.uk run on Thunderbird. Former email address broxted_parish_council@hotmail.com runs on Outlook. Both can be accessed from their websites. Councillors are in a WhatsApp group for encrypted messaging. Non-current emails are archived to local folders on the clerk's PC - see "data storage" below.	Existing procedure considered adequate
Data storage	Working and historic documents and records may be unavailable, e.g. lost, corrupted or damaged through technical failure, malware, human error or direct damage to equipment, resulting in the council being unable to carry out its functions, not complying with legal requirements, reputational damage, financial costs and data loss.	L	Data is backed up to cloud storage (Dropbox) daily using ARQ software on the clerk's PC. It is password-protected there and on the clerk's PC. The PC has business-standard anti-viral software, a firewall and protection from electrical surges. Council data is held on a hard drive which is detachable from the clerk's PC.	Existing procedure considered adequate

INFORMATION SECURITY				
Subject	Risk(s) identified	H/M/L	Management/Control of Risk	Review/Assess/Revise
Social media	Reputational damage and poor community relationships from adverse comments/responses. If there is a council page or account, unwanted posts and abuse of the opportunity to communicate. When posting on village Facebook pages, there may be difficulties ensuring that councillors'/clerk's personal views and those of the council are correctly identified and understood as councillors may be seen to represent the council even when acting in personal capacity.	L	Council has created a Facebook page (which will prevent "Broxted Parish Council" as a name being misused by third parties) but does not use it for communication. No other social media accounts. Comments by clerk on village FB pages are limited to publicising information from district and county council and local charities/public bodies, and advertising council meetings.	

ROLE AS TRUSTEE OF REGISTERED CHARITY				
Subject	Risks identified	H/M/L	Management/Control of Risk	Review/Assess/Revise
Safeguarding trust property	Risk of loss or damage to Village Hall or contents, financial loss from bank account or loss of value through deterioration, lack of maintenance or physical damage.	L	Council is sole (managing) trustee and makes decisions as a corporate body. Village Hall Trust funds are held in a separate bank account. Annual accounts are prepared, examined annually and reviewed/approved by the council as trustee. Cheques (no online banking facility) must be signed by two signatories including an authorised parish councillor. Insurance of trust assets is arranged and paid for by the parish council under the council's policy (insurer is aware that the PC is the trustee and confirms it has an insurable interest). A regular maintenance schedule of the hall and contents is followed. Access to the hall building/contents is controlled by experienced volunteer hall managers. Deposit taken from hirers. High-risk hirers not accepted.	Existing procedure considered adequate

ROLE AS TRUSTEE OF REGISTERED CHARITY				
Subject	Risks identified	H/M/L	Management/Control of Risk	Review/Assess/Revise
Certainty of trust property and powers	Lack of legal certainty over extent of trust property due to limited documentation of the trust and the land being unregistered. Risk of financial costs and reputational risks relating to disputes if there is a change of use or ownership of neighbouring land. Lack of clarity over transfer of legal ownership to Parish Council following retirement of former trustees.	M	Agreement reached on the boundary, with new owner of adjoining land. Eastern boundary marked with posts and hedge and western boundary with a fence. Founding document of trust is lodged with Charity Commission. Parish Council resolution to appoint council as trustee taken according to advice and is on record. Legal advice obtained which confirmed valid appointment of PC as trustee in 2007. An application to register the hall and surrounding land at Land Registry has been made and confirmation of registration is awaited.	First registration at Land Registry will confirm extent of land in trust and prove title. Now that the application has been made, it has priority over any later applications even though the process of registration has not yet been completed by the Land Registry.
Compliance with Charity Commission regulations	Non-compliance may result in closure of charity, removal as trustee and/or transfer of assets to another charity. Clerk is not the official contact on the Charity Commission account.	L	Experienced non-councillor volunteers provide the annual return to the Charity Commission. Fully compliant with requirements. Charity Commission digital account is working and account details including name of contact are kept under review.	Existing procedures considered adequate
Management processes	Council has legal responsibility while day-to-day management (bookings, maintenance, accounting) is carried out by very experienced volunteers. Risk of unexpected changes resulting in loss of continuity.	L	Council is sole (managing) trustee and makes decisions as a corporate body. Village hall working group has been created and terms of reference are being modified on auditor's advice in 2024. Charity trustee (Council) has created a subcommittee to take decisions.	Revised terms of reference of subcommittee are needed.

PHYSICAL PROPERTY AND EQUIPMENT				
Subject	Risk(s) Identified	H/M/L	Management/Control of Risk	Review/Assess/Revise
Assets	Loss or Damage Risk	H	An annual review of the Council's assets is undertaken for insurance purposes	Existing procedures considered adequate
Liability	Liability to Third Parties	M	The Council carries Public Liability insurance, which is reviewed annually	Existing procedures considered adequate
Maintenance	Poor maintenance presenting a hazard	M	The Council owned property to be assessed annually, and any necessary maintenance put in hand promptly	Review Annually when preparing for insurance renewal

PHYSICAL PROPERTY AND EQUIPMENT				
Subject	Risk(s) Identified	H/M/L	Management/Control of Risk	Review/Assess/Revise
Common land	Council is legally liable as occupier although not the owner. Trespass, misuse, conflict with neighbouring residents, tree health issues and damage caused by or to trees or other use of common. Financial loss, risk to community relations and reputation. Risk of purporting to grant rights of e.g. access when this is not legally possible as the PC is not the owner.	H	Insurance against public liability. Tree survey has been carried out and work done according to advice. Legal advice has established that the council is not the owner so should avoid active management. Steps taken such as tree surgery are for public safety. Council cannot grant rights over the common land. Awareness of limits of council's powers within the council.	Review annually.
Meeting Location	Adequacy & Health and Safety	L	The Council meetings are held in the Village Hall. This is considered to be adequate and meets Health & Safety considerations.	Existing procedures considered adequate
Council Records - paper	Loss through fire/theft/damage/flood	M	See Financial Records above. Paper records are kept in a locked fire-proof cabinet in the home of the Clerk in a locked cabinet. Digital copies are made and backed up to cloud storage (Dropbox). Unique documents are sent for archiving at the Essex Records Office at regular intervals in accordance with document retention policy.	Existing procedures considered adequate
Council Records - Electronic	Loss through fire/theft/damage or computer failure	L	See also Information Security above. All minutes/accounts/letters are stored on the Clerk's personal computer and backed-up daily, automatically (using ARQ software). Paper copies of the most important documents are also maintained.	Existing procedures considered adequate
PC and smartphone	Clerk uses own equipment as council does not provide these. Risk that transfer of data to a new/substitute clerk is difficult and contact details change.	L	PC folders and council-related data on phone are backed up to cloud storage frequently therefore accessible without clerk's equipment. Contingency plan for absence of clerk (see above). No PC documents or data is stored on the clerk's personal phone except for WhatsApp messages. These can also be accessed from the clerk's PC.	Consider supplying equipment when funds allow.

EVENTS AND ACTIVITIES				
Subject	Risk(s) Identified	H/M/L	Management/Control of Risk	Review/Assess/Revise
Ad hoc events or activities	Liability	L	The Council organises very few events/activities. In each case the Council's insurance is reviewed to ensure adequate coverage. .	Existing procedures considered adequate
	Financial Loss	L	The RFO confirms that any expenditure and/or financial loss (eg disposal of worn-out/damaged assets) is authorised	Existing procedures considered adequate
	Disability Discrimination Act	L	All planned meetings and activities should be monitored to ensure that the Council's responsibilities under the Act are properly discharged.	Existing procedures considered adequate
	Health & Safety	L	A nominated person should investigate the Health & Safety aspect of any proposed event or activity.	Existing procedures considered adequate
Defibrillator at The Prince of Wales	Required to perform Monthly/Weekly checks to ensure that equipment is ready for use.	L	A nominated person inspects the equipment regularly and records the inspection on the Webnos website. Battery and pads replaced as requested.	Monthly checks are carried out and the results entered on the Webnos monitoring system by a trained volunteer.