

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.

| FINANCIAL | | | | |
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| 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 | Opportunities to reclaim VAT may be overlooked or missed if proper billing procedure is not followed, e.g. when councillors buy on behalf of council. | L | The Clerk advises on procedure for items purchased for council, Village Hall Trust and by councillors on behalf of council if invoice states this. Clerk completes claim on regular basis as permitted by HMRC. | 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, Bank mistakes, imposition of charges. No debit card issued and. Internet banking requires dual authorisation. | L | Clerk reconciles accounts against monthly bank statements. Errors immediately resolved with bank. Other banking options considered from time to time. | Existing procedure considered adequate |
| Grants and Donations - made | Risk of exceeding the permitted limit on the power under 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. | Existing procedure considered adequate |
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| 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 |
| Salaries and Contracts of Employment | The Clerk is the only employee. The Clerk has a Contract of Employment in the form recommended by NALC. | L | The Clerk's salary is reviewed annually, in line with National guidelines. A budget for salary is considered/approved annually. | Existing procedure considered adequate |
| Councillor Allowances | No allowances are allocated to Parish Councillors | Negative | | N/A |

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| Insurance | Adequacy of cover when asset values change or new assets acquired. | L | The Clerk advises on the adequacy of insurance coverage and council is responsible for decision to insure. | Existing procedure considered adequate |
| OPERATIONAL | | | | |
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| Business Continuity | Risk of the Council being unable to continue its business due to unexpected circumstances | M | The Clerk, Chairman and Vice-Chairman are in regular contact and would deal with any unexpected circumstances. A scheme of delegation to the clerk is in place to enable council functions to be carried out. | Existing procedure considered adequate |
| Continuity of clerk's operations | Unexpected absence of clerk's service due to illness or accident | M | A detailed contingency plan is needed which should be reviewed as needed. | Contingency plan needed. |
| Financial Records | Loss of paper records resulting in loss of information and queries over compliance with legal duties. | L | Clerk/RFO keeps original documents in a locked metal filing cabinet. Documents are sent for archiving at the County Records office at appropriate intervals. Copies of accounts are kept electronically and are backed up frequently and regularly to cloud storage. Important documents are scanned. | 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' (appointed by the Council), and audited as prescribed before publication. | Existing procedure considered adequate |
| 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 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 |

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| Insurance | invalid unless council complies with conditions | L | The Clerk, as RFO is responsible for compliance issues | Existing procedure considered adequate |
| Insurance | Annual renewal needed, to meet statutory requirement to insure. | L | The Clerk, as R.F.O. is responsible for advising on the renewal date and council responsible for authorising. | Existing procedure considered adequate |
| Insurance | Fidelity guarantee needed | L | Each year the Council reviews the adequacy of its Fidelity Guarantee insurance | 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. Current version approved March 2020 | 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. | Existing procedure considered adequate |
| Data Protection | Policy provision may be inadequate, risk of breach of data protection regulations, risk of data breach from documentary or electronic records, 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. | 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, e.g. access to accounts, displaying minutes, giving notice of meetings on website. | L | Legally-enforceable contract with commercial hosting service which has spare capacity to keep website running despite e.g. power-cut or failure of one of its data centres. Data on the website is preserved by backing up the site daily 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 |

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| | Unauthorised access to alter site content or remove 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's log-in. Additional firewall has been installed on the Broxted 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 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 can be accessed on the hosting service's servers (-pc.gov.uk) and via Outlook (hotmail.com). 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 |

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| 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 once a week. 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 |
| 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. Arms-length but good relationship with moderator of Broxted Village Facebook page. | |

| 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, inspected by an independent auditor annually and reviewed/approved by the council as trustee. Cheques must be signed by two signatories including an authorised parish councillor. Insurance of trust assets is arranged and paid for by the parish council as part of the council's policy. A regular maintenance schedule of the hall and contents is followed. | Existing procedure considered adequate |

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| 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. | L | Currently no boundary disputes. A copy of the founding document of the trust is lodged with Charity Commission. Parish Council resolution to appoint council as trustee taken according to advice and is on record. An application for first registration of the hall, with the parish council as legal owner holding as trustee, was made in January 2024 and is being processed by the Land Registry. Legal advice received that parish council will be treated as trustee on the basis that it has taken responsibility for the hall since 2007. | Existing procedures considered adequate and risk reduced by application for registration. |
| Compliance with Charity Commission regulations | Non-compliance may result in closure of charity, removal as trustee and/or transfer of assets to another charity | L | Experienced non-councillor volunteers provide the annual return to the Charity Commission. Fully compliant with requirements | 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 by meeting as a trustee committee which is a committee of the council. Village hall working group has clear terms of reference and reports to trustee committee. Trustee committee has clear terms of reference. | Existing procedures considered adequate. |

| 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 is assessed annually, and any necessary maintenance put in hand promptly | Existing procedures considered adequate |

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| 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. | M | Insurance against public liability. A management and action plan is being prepared. Tree survey has been carried out and work done according to advice - risk level reduced to M. Awaiting legal advice on ownership. | Tree health/safety reviewed as advised by tree expert. |
| 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 a locked fire-proof cabinet in the home of the Clerk. Digital copies are made and stored offsite. Unique documents are sent for archiving 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 as necessary. Paper copies of the most important documents are also maintained. | Existing procedures considered adequate |
| Internet Banking | Loss through loss of internet banking equipment - No longer needs equipment | Negative | N/A | |
| 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). | 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 |

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| Subject | Risk(s) Identified | H/M/L | Management/Control of Risk | Review/Assess/Revise |
| | Financial Loss | L | The RFO should confirm that any expenditure and/or financial loss 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. | Existing procedures considered adequate |