

WINKLEIGH PARISH COUNCIL RISK ASSESSMENT POLICY

This procedure is a document that sets out Winkleigh Parish Councils approved and agreed practices. Any deviation must be by resolution of the full Council.

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2	Numerous	Full update and additions to include cemetery and Data Protection	1 st November 2018 (to be adopted and ratified January 2019)

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WINKLEIGH PARISH COUNCIL – RISK MANAGEMENT POLICY

Risk assessment is a systematic general examination of working conditions, workplace activities and environmental factors that will enable the Parish Council to identify any and all potential inherent risks. The Parish Council, based on a recorded assessment, will take all practical and necessary steps to reduce or eliminate the risks, insofar as is practically possible.

This document has been produced to enable Winkleigh Parish Council to assess the risks that it faces and satisfy itself that it has taken adequate steps to minimise them.

FINANCE				
Subject	Risk(s) identified	H/M/L	Management/control of Risk	Review/Assess/Revise
Precept Determination	Adequacy of precept in order for the Council to carry out its Statutory duties (Fit for Purpose)	L	<p>The council have appointed an RFO to ensure financial practices are monitored and adhered to</p> <p>To determine the precept amount required, the Council receives a budget and cash in hand update at each parish council meeting. The Council approves an annual budget by November each year in accordance and this together with the regular budget reports, including actual position and projected position to the end of year and indicative figures or costings obtained by the RFO, the Council maps out the required monies for standing costs and projects for the following year and applies specific figures to budget headings, the total of which is resolved to be the precept amount to be requested from Devon County Council. The figure is submitted by the RFO in writing.</p> <p>the RFO gives regular reminders to Cllrs leading up to the budget setting to identify spending for the next financial year to ensure all projections are included in the budget.</p> <p>The actual cost to tax payers is presented to Cllrs by annual/monthly/weekly breakdown to fully assess the impact to residents of any rise in the Precept</p> <p>The Clerk informs the Council when the monies are received.</p>	Existing procedures work adequately and are updated if the need arises and Cllrs agree by Resolution. The Financial Regulations and Risk Assessment are reviewed annually to allow for any modifications

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Subject	Risk(s) identified	H/M/L	Management/control of Risk	Review/Assess/Revise
Bank and banking	Inadequate checks Banks mistakes Theft/Fraud	L L	<p>The Council has Financial Regulations which set out banking requirements. Councillors are given a monthly financial statement prepared by the RFO including the monthly bank reconciliation, detailing payments to the individual bank accounts and detailing the minutes where those payments were pre-authorised and under which powers of the council. The statement is signed by 2 councillors at the meeting for accuracy.</p> <p>The council has Financial Regulations and Standing Orders which mandate how all financial matters are to be dealt with and a Finance working group to monitor and snap-check financial business of the council</p> <p>A monthly bank reconciliation is prepared by the RFO to ensure accuracy, which is presented to Council at each meeting.</p> <p>The Council has moved to online banking and Financial Regulations dictate that 2 Cllrs will independently check the bank accounts online against the financial statement presented to Council each month to ensure no theft/fraud/errors have occurred and sign a declaration to this effect which is attached to the financial schedule</p> <p>The council has an anti-fraud and corruption policy</p>	<p>Existing procedure adequate, Financial Regulations are reviewed annually or sooner if a matter arises with sufficient support.</p> <p>As above and the anti-fraud and corruption policy is reviewed annually</p>
Grants	Receipt of grants – adequate accounting and monitoring of funds Awarding of grants – eligibility and	L L	<p>Any grant application is prepared by the RFO and approved by Resolution of the full Council before being submitted by the RFO.</p> <p>Any grant monies received is paid into the Reserves account as ‘Earmarked’ until such time as it is required to make payment.</p> <p>The reserves account balance showing any grant monies, is included in the financial statement presented to the Council each month. A report is sent to the grant provider upon completion of the project along with any unspent grant monies</p> <p>The council have a grants policy and advertises the grant scheme between May and September each year. All applications are assessed on</p>	<p>Existing procedure is adequate</p> <p>The grants policy is reviewed annually, and the</p>

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	adherence to funding requirements		<p>their own merits in accordance with the grants policy. In November each year the council agrees, by resolution, a grant pot total sum linked to 20% of the precept to be included in the forthcoming budget and any grants subsequently awarded to projects will be made from and in accordance with this grant pot to ensure no rise in the forthcoming precept to the detriment of residents</p> <p>The council finance group assesses all grant applications received and makes recommendations to the Council on any awards</p> <p>All grant recipients are required to provide a written or verbal report to the Annual Parish Meeting each year on how the funding has aided their project and return any unspent monies within one year</p> <p>A separate column for S137 payments is included in the cash book to ensure expenditure under S137 is within permitted limits.</p>	<p>grant pot figure is a maximum that can be awarded</p> <p>The RFO writes to grant recipients in advance of the Annual Parish Meeting to request their report</p>
Subject	Risk(s) identified	H/M/L	Management/control of Risk	Review/Assess/Revise
Charges-rents receivable	Payment of rents	L	The Parish Council receives rent from tenants of the Cemetery Bungalow, paid monthly to Pure Lettings Agency who manage the tenancy. They deduct their fee then pay the balance monthly into the Parish Council Bungalow Account. The tenants have a signed short hold tenancy agreement for 12 months commencing 1 st June 2018. The rental income and contract is reviewed every year by the council bungalow group	Existing procedure is adequate, and a bungalow group annual report makes any necessary recommendations for change
Best value accountability	<p>Work/contracts awarded incorrectly</p> <p>Overspend on services.</p>	<p>L</p> <p>M</p>	<p>Council Financial Regulations and Standing Orders stipulate the procedure for quotation/tender for any work to be undertaken to ensure transparency, objectivity and fairness.</p> <p>If problems encountered with a contract the Clerk would investigate the situation and report to the Council. Any contract issued by the Council is approved by resolution and includes stipulation that the Clerk is to be notified immediately if any worker/contractor anticipates any overspend is predicted and authorisation obtained before the contractor continues</p>	Existing procedure adequate and Standing Orders and Financial regulations are reviewed at least annually or as any need arises with enough support from Councillors

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Subject	Risk(s) identified	H/M/L	Management/control of Risk	Review/Assess/Revise
VAT	Reclaiming/charging	L	The Council has Financial Regulations which set out the requirements. The RFO submits an electronic VAT reclaim quarterly. The Council is not VAT registered	Existing procedures adequate

MANAGEMENT AND PROCEDURE

Subject	Risk(s) identified	H/M/L	Management/control of Risk	Review/Assess/Revise
Annual Return	Submit within time limits	L	Annual Return completed and signed by the Council at full council meeting and is submitted to the internal auditor for completion and signing then checked and sent to External Auditor within time frame.	Existing procedures adequate and in accordance with Legislation, Council Financial Regulations and Standing Orders
Legal Powers	Illegal activity or payments	L	All decisions and payments of the Parish Council to be resolved at full Council Meetings, including reference to the power used and minuted accordingly	Existing procedures adequate
Minutes/agendas/ Notices Statutory Documents`	Accuracy and legality	L L L L	Minutes and agenda are produced in the prescribed manner by the Clerk and adhere to the legal requirements. Minutes are approved and signed at the next Council meeting. Agenda displayed according to legal requirements. Statutory Notices displayed according to legal requirements	Existing procedures adequate
	Business conduct	L	Business conducted at Council meetings is strictly within the confines of the published agenda and is managed by the Chair and all members act in accordance with Council Standing Orders and Code of Conduct	Standing Orders and Code of Conduct reviewed annually or sooner if necessary and with enough support
Members interests	Conflict of interests	L	Declarations of interest by members at Council meetings are recorded in a register and numbered, then subsequently minuted	Existing procedures adequate.
	Register of members interests	M	Register of member's interests' forms reviewed regularly. Councillors are periodically reminded by the Clerk to ensure their register of interests is current	Members take responsibility to update register.

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			All Councillors are issued with guidance (which is also installed on each Councillor tablet), on declaring and registering interests with examples as an aid memoir	Guidance is downloaded to Cllrs individual Council tablets
Subject	Risk(s) identified	H/M/L	Management/control of Risk	Review/Assess/Revise
Insurance	Adequacy	L	An annual review is undertaken of all insurance arrangements, ensuring correct listing of parish assets and employee/employer and public liabilities, with quotations from at least 2 providers	Existing procedure adequate. Insurance, Standing Orders and Financial Regulations reviewed annually. Current insurance provider regularly emails news items reminding customers of their requirements to ensure compliance
	Cost	L	A policy should only be entered into if the provider meets the full requirements and safe guards of the council in accordance with Standing Orders and Financial Regulations	
	Compliance	L	Compliance measures are in place and policy requirements understood regarding what changes need to be reported to the insurer and when. This is delegated to the Clerk	
	Fidelity Guarantee	L	Fidelity checks in place (see fraud by employees above)	
	Contractors	L	All contractors appointed by the Council are required to provide proof of public liability insurance amounting to £5 million before works may commence	
	Volunteers	L	All projects and volunteers for projects overseen by the Council are required to be risk assessed before the project commences and overseen by a nominated Councillor to ensure cover under Public Liability Protection is maintained	
	Management	L	The Clerk holds a qualification from IOSH (Institute of Occupational Safety and Health) – “Managing Safely” and has overall delegated responsibility to ensure compliance with the insurance policy requirements are met	

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Subject	Risk(s) identified	H/M/L	Management/control of Risk	Review/Assess/Revise
Data protection	Breach of Regulations	L	The Parish Council is registered with the Data Protection Agency (ICO) and has appointed an external Data Protection Officer	Ensure annual renewal of registration and all policies are reviewed annually or sooner if the need arises
		L	The Council has a Data Protection Policy, Data Security Policy, Information Retention Policy, Information Security Policy, Privacy Statement which is installed on all Councillor tablets	
		M	All Councillors have received training and/or instruction on compliance with Data Protection and are regularly reminded of examples of breaches and/or near misses by the Clerk as a general reminder	
		L	All Councillors are issued with a Council owned tablet and software for the sole use of all Parish council business and sign a user agreement proforma referring to the aforementioned policies	
		M	All Council owned devices are protected by BT Symantec Protection to reduce possibilities of infection/hacking	
		L	All Councillors are issued with individual council email address for use of all parish council business	
		L	The clerk takes regular possession of all tablets to carry out a data and security audit as necessary/upon request	
		L	Departure of councillors from the Council requires the tablet to be returned and is subsequently ‘wiped clean’ by the Clerk and email address/Microsoft account deleted, password protection changed, before being reissued to any new councillor	
		L	Any device breakdown is initially presented to the Clerk to resolve. In the event that any device needs to be returned/submitted for repair, the	

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Subject	Risk(s) identified	H/M/L	Management/control of Risk	Review/Assess/Revise
			Clerk is to ensure encryption is activated and data backed-up prior to repair	
Freedom of Information	Breach of Regulations	L	The Council has a Model Publication scheme in place. All councillors only use a council issued tablet and email address for all parish council business and any request for information is gathered by the clerk from the main pc and/or specific councillor tablets in accordance with the Data Protection Policy, Tablet User Agreement Policies, and information/data retention policies	Monitor any requests made under FOI and reported to DPO All policies are reviewed annually or sooner if the need arises
Council records – paper	Loss through: Theft Fire damage	L L L L	The Council have a data retention policy The current records are stored at the home of the Clerk in a lockable metal filing cabinet subject to data retention periods. Where possible, documents are scanned to PC to enable backup to external hard drive Statutory historical records are kept in a safe in the Winkleigh Community Centre pending transfer to the Records Office All historical statutory documents pre1990 are retained at the North Devon Records Office	Damage (apart from fire) and theft is unlikely and so provision is adequate.
Council records – electronic	Loss through: Theft, computer virus, malware, hacking, fire damage or corruption of computer	L L	The Parish Council electronic records are stored on the Council laptop held with the Clerk at her home. Backups of electronic data are made every week to an external hard drive which is kept in a lockable fire proof cabinet The following Council policies aim to minimise risk; Data Protection Policy Data Retention Policy Security Information Policy Information Protection Policy Privacy Statement	Existing procedures considered adequate All policies are reviewed annually or as the need arises

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		M	Computer and Telephone Security Policy Removable Media Policy	
		L	All Council IT Equipment is security protected by BT Symantec which can be activated remotely by the clerk to ensure all councillor tablets protection is current	
		L	All Council tablets and the laptop are protected by a password to open and an additional password to open emails. The password is changed periodically or upon change of Council membership	
EMPLOYEES/STAFF/CONTRACTORS/PUBLIC				
Subject	Risk(s) identified	H/M/L	Management/control of Risk	Review/Assess/Revise
PAYE	Salary paid incorrectly	L	Council resolution is to pay the clerks basic hours and working from home allowance, monthly by standing order on 28 th . Any overtime, reimbursements and mileage claims for the previous month is submitted at the next pcm for approval and paid by bacs to the clerk following approval	Existing procedure adequate and reviewed annually with new resolution to continue monthly standing order
	Unpaid Tax to Inland Revenue.	L	NI and IT contributions are deducted directly from Clerks pay and a combined payment together with Employer NI contributions is paid monthly by BACs to HMRC under Clerks delegated authority Employers HMRC Annual Return is completed and submitted online with the prescribed time frame by the RFO.	Clerks Delegated authority reviewed annually
Employees	Fraud by staff	L	Fidelity Guarantee is included in the Councils insurance policy. The Requirements of the Fidelity Guarantee insurance are strictly adhered to with regards to fraud. The council has an anti-fraud and corruption policy	Existing procedures adequate with annual review of the suitability of the current insurance provider and annual review of policies

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	Health and safety	L	All employees to be provided adequate direction and safety equipment needed to undertake their roles. The council has a Health & Safety Policy and Lone Working Policy incorporating working from home arrangements	This is ongoing with daily monitoring. The health and safety policy is reviewed annually and the staff given annual appraisals which incorporate checking of working environment/lone working
	Insurance	L	Employers' liability included in annual insurance policy	
Meeting locations	Adequacy	L	The Parish Council meeting is held between 2 village venues considered to have appropriate facilities for the Clerk, members and the general public.	Existing procedures adequate
	Health & Safety	M	Each Venue has its own public liability insurance and risk assessments	
COUNCIL PROPERTY AND ASSETS				
Subject	Risk(s) identified	H/M/L	Management/control of Risk	Review/Assess/Revise
Assets	Loss or damage	L	An annual inspection and review of assets is undertaken by the Asset Group for maintenance issues and insurance provision	Existing procedures adequate. Reports received throughout the year of any asset requiring immediate attention
	Risk/damage to third party property	L	During the annual inspection a risk assessment is carried out on potential for damage/harm to third parties and recommendations made to the Council	
Maintenance	Poor performance of assets or amenities	L	All assets owned by the Parish Council are regularly reviewed and maintained. All repairs and relevant expenditure for any repair is actioned/authorised in accordance with the correct procedures of the Parish Council. All Assets are insured.	Existing procedures adequate
Notice Board	Risk of damage and removal of statutory notices	L	The Council notice board is locked to ensure all statutory notices (which are laminated for longevity) remain displayed for the correct duration. Only the Chair and the Clerk have a key to the notice board to ensure that statutory documents are not removed until permitted	Existing procedures adequate

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Cemetery Bungalow	Risk of deterioration	L	The bungalow group carry out an annual internal and external inspection for maintenance issues and make recommendations to the Council	Existing procedures adequate
	Health and Safety of the tenants and visitors	L	The bungalow has a five yearly electrical inspection and annual boiler service. The tenants report any faults as they occur to the letting agent who seeks permission from the council to carry out any repairs as they arise The letting agency also carry out regular inspections to ensure the tenants are respectful to the property condition and surroundings	

CEMETERY

Subject	Risk(s) identified	H/M/L	Management/control of Risk	Review/Assess/Revise
Cemetery	Safety of all visitors, staff, contractors whilst within the Cemetery boundary	M	<p>As owner and occupier of the cemetery the Winkleigh Parish Council has the overall duty of care under the Health and Safety at Work Act 1974 (Duties relating to Premises). The council must take the necessary steps, as far as is reasonably practicable, to ensure that the cemetery is safe and without risk to health.</p> <p>a) Risk Assessment The <u>Management of Health and Safety at Work Regulations 1999</u> require that risk assessments be made. These assessments should consider all risks that employees and others might be exposed to (other includes members of the public, Funeral Directors staff officiating at funerals, mourners, clergy, memorials masons and any other person that may enter the site). The results of the risk assessments can be used to draft safe systems of work that will eliminate or significantly reduce the risks identified.</p> <p>b) Site Inspections Site inspections are considered to be good health and safety practice and should be carried out at 12 month intervals. Cllrs will tour the site noting</p>	<p>The Council current policies are all reviewed annually or sooner if the need arises/identified; Cemetery Management policy Cemetery Terms & Conditions Health & Safety Policy Standing Orders Risk Assessment Policy Insurance Policy or public liability</p>

		<p>any hazards that may be present and taking any actions that may be required to eliminate any risks arising from the hazards identified. The aim of the inspection is to view the fabric of the site including roads and paths, fences and gates, etc. A system to record findings, immediate actions and further actions required will be completed. From this record the Council will be able to amend and update other documentation such as risk, maintenance schedules etc and prove a history of monitoring and action.</p> <p>A Soil box (soil tidy) is erected to contain the excavated material. This structure will be securely erected so that pressure from the soil inside does not cause it to collapse. The use of a soil box will assist with protection of nearby memorials and turf and is recommended best practice.</p> <p>Funeral Directors are requested to provide their risk assessments, safe systems of work and staff training information together with a copy of their public liability insurance certificates annually</p> <p>Tender documents for major contracts contain a section relating to health and safety requirements. This section will contain full details of how the contractor will comply with all legislative requirements with copies of policies, risk assessments, safe systems of work, staff training records, COSHH assessments, insurance certificates etc.</p> <p>Management of Health and Safety at Work Regulations 1999 Small contracts that are not submitted to the full tendering process should also require that bidders submit full details of the health and safety documentation as above. As Winkleigh Parish Council is owner and occupier of the cemetery it has ultimate duty of care under health and safety legislation and must</p>	
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			<p>therefore set the standards required and closely monitor activities of contractors so as to ensure compliance.</p> <p><i>Health and Safety at Work Act 1974</i> Horticultural and agricultural activities are considered by the HSE to be high-risk areas of work. The risks that exist in relation to the maintenance of cemetery and crematorium grounds are amplified by the fact that members of the public frequent these premises. Additional thought and control measures need to be applied to this working environment in order to protect the health and safety of all who may enter the grounds as well as staff.</p> <p>Winkleigh Parish Council will assess the risks posed to members of the public when the grass cutting machine is in use and for each piece of machinery formulate a safe system of work designed to eliminate those risks identified</p> <p>General maintenance includes all of the horticultural operations that are carried out such as hedge cutting, flower bed planting and maintenance etc.</p> <p>Other general tasks such as road sweeping, emptying bins, clearing old wreaths etc must also be considered and risk assessed by the Council.</p>	
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