

**LAYER DE LA HAYE PARISH COUNCIL - RISK ASSESSMENTS – July 2020**

**NO. 5 – FINANCIAL AND LEGAL**

<b>Status</b>	<b>Risk Description</b>	<b>Likelihood</b>	<b>Measures taken</b>	<b>Review/Assess/Revise/Recommend</b>
<b>Financial &amp; legal</b>	Inadequate financial records for statutory requirements.	Low-medium	The Clerk/RFO to be CiLCA-qualified. (CiLCA Qualified March 2018)  Maintain regular training updates.  Records to be kept in accordance with Accounts and Audit regulations.	Adoption of financial regulations reviewed annually. Annual internal/external audit.  Councillors should have specific training when necessary.
<b>Financial</b>	Loss of cash through theft or dishonesty.	Low	Secure storage of cash.  Reduce amount of cash handled and bank regularly.  Ensure sufficient insurance cover.	Fidelity Guarantee Cover Up to £250,000 cover. Annual review of insurance cover.
<b>Financial</b>	Unexpected reduction in income	Low	Maintain an adequate contingency fund.	Contingency fund level to be agreed as part of annual budget. (There are no recommended guidelines.)

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<b>Financial</b>	Correct monies not available through precept.	Low	Annual budget to be approved by whole Council. Give financial report at each Parish Council meeting.	Monitor budget regularly. Monthly budget analysis – running total sheet. Income/Expenditure Monthly analysis
<b>Financial &amp; legal</b>	Collapse of insurance company	Low-medium	Use one of specialists recommended for councils.  Switch company if necessary	Review procedure annually
<b>Financial &amp; legal</b>	Requirements not met under Revenue & Customs regulations.	Low	Send annual return to HM Revenue & Customs and regular electronic data feeds as specified by HMRC.  Regular training for Clerk/RFO in matters of VAT and other taxation issues.	Review procedure annually  Every four years unless change of Clerk/RFO

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<b>Financial</b>	Improper use of funds granted to local community groups.	Low-medium	Report amounts donated in annual accounts.  Groups to be asked to provide evidence of bank account and how grants have been spent.	Review grant awarding policy regularly  Internal Audit Check
<b>Financial &amp; legal</b>	Damage to third party property or individuals.	Medium to High	Ensure public liability insurance is in place.	Annual review of level of public liability cover.
<b>Financial &amp; legal</b>	Risk of being sued by third party as a consequence of providing a service.	Medium-High	Maintain all seats and shelters provided.  Provide adequate public liability insurance cover.  Maintain details of all complaints received /action taken.	Annual review of level of public liability cover. Annual inspection of all assets.
<b>Legal</b>	Liability as a consequence of asset ownership.	Low	Ensure public liability insurance is in place.	Annual check on level of public liability insurance. Inspect assets annually.

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<b>Legal</b>	Lack of, or incorrect information regarding Members' interests, gifts and hospitality	Medium	<p>Ensure Codes of Conduct is signed and Register of Interests form completed by all Members of Council.</p> <p>Copies of Register of Interest to be kept by Clerk and Colchester Borough Council and available to view on Parish Council's website.</p>	<p>Review annually.</p> <p>Review procedure annually</p> <p>Members to advise of new interests within 28 days</p>
<b>Legal</b>	Unfair dismissal claim. Inadequate employment law in place.	Low	<p>Adequate contracts of employment provided.</p> <p>Grievance and Appeal procedures in place.</p> <p>Provide adequate staff training.</p>	<p>Perform annual staff review.</p> <p>Employers Liability Cover</p> <p>Cover up to £10,000,000</p>

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<b>Technical</b>	Failure of computer system hardware.	Medium	Ensure adequate virus protection provided.  Ensure regular transfer of data to disc/memory stick.	Regular update of virus protection software.  At least annually.
<b>Physical</b>	Personal accident to Members and Officers of the Council.	Low	Personal accident cover is in place.  Where possible Officers and Members to be accompanied on Council business.	Annual check on level of cover in place.
<b>Physical and legal</b>	Damage to Council property, furniture and equipment	Medium	Adequate insurance in place.  Maintain list of assets.	Perform annual check on insurance values.  Register assets annually. Consider security tagging all moveable goods over certain value.
<b>Physical</b>	Public become unruly before, during or after Council meeting.	Medium	Door to meeting room to be shut before and after all Council members have arrived or left the premises. Police to be called if required.	Regular review of meeting procedures.  Business Interruption Cover Cover up to £20,000

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<b>Professional and legal</b>	Inability to meet timetables for responses to consultation.	Low	<p>All paperwork is progressed through Council members speedily.</p> <p>Minute consultation exercises and actions.</p> <p>Members inform Clerk of any scheduled absences from home.</p>	Review procedure annually
<b>Professional and legal</b>	Timely, correct and accurate reports of Council business not available.	Low	<p>Minutes are properly recorded and circulated for comment.</p> <p>Previous minutes to be approved and signed at each Council meeting.</p> <p>Computer record to be maintained and backed-up.</p>	Review procedure annually

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<b>Professional and legal</b>	Electors and parish members are unable to exercise their rights of inspection.	Low	<p>End of year accounts are available for inspection.</p> <p>Agenda for each meeting prepared and publicised in advance.</p> <p>Web site to contain minutes of meetings.</p> <p>Meeting agenda to be displayed on parish council notice board and website.</p> <p>Details of data available under the Freedom of Information Act displayed on website</p>	Review procedure annually
<b>Professional and physical</b>	Members and Officers are challenged when visiting sites on Council business.	Low	<p>Members and Officers to be given means of identification.</p> <p>Ensure new Members and Officers are given identification.</p> <p>Update images and details regularly</p>	Review procedure annually

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<b>Professional</b>	Documents including correspondence, records of postage are unavailable. Records inadequately stored.	Low	<p>Clerk is given adequate facilities for recording and storing documents.</p> <p>Filing systems to be regularly monitored.</p> <p>Check that files held in village hall storage room are secure.</p> <p>Monitor that legal papers are stored safely.</p>	<p>Adopt a record retention policy.</p> <p>Review procedure regularly.</p> <p>Deposit old minute books at Essex Records Office.</p>
Professional and legal	Changes to legislation and procedures are not adopted.	Low	<p>Effective training to be available to Clerk and Members.</p> <p>Allow adequate annual training budget.</p> <p>Adopt and review standing orders every two years</p>	<p>Review budget annually</p>