

**Tutbury Parish Council  
Risk Analysis 2022-2023)  
(Reviewed 21<sup>st</sup> Feb 2022**

GENERAL

- 1) Risk to, or risks arising from the ownership/leasing of assets and other operations/responsibilities (where possible) are covered by insurance. Statutes, standing orders, financial regulations, internal and external audits and this policy document, control other matters. The asset Register is updated annually and can be found on the parish council website.
- 2) Recent actions to mitigate risks are highlighted in bold text.
- 3) Items for further consideration are in bold italics underlined.

INSURANCE COVER

Property

1. Changing rooms – Legionella control - periodic checks are carried on the water system by Sterilizing Services Ltd. Extract fan in periodic electrical checks carried out. **Fire alarms are installed and will be checked annually.**
2. Bus shelters subject to annual checks by the council
3. Bench seats –
4. Trophies –.as listed in the asset register.
5. Computer – laptop and projector purchased and insured.
6. Play equipment - goal posts at Cornmill Lane and Ferrers Ave
7. Multi use games area and equipment –**Annual inspection will be carried out.**
8. Planters in High Street –
9. All 8 planters fall under the planting remit of the Parish Council.
10. Closed churchyard – The council is responsible for the maintenance of the closed area of St Mary’s churchyard. The area is mown by a contractor and repairs to retaining walls are carried out periodically. Public indemnity insurance cover is provided by the contractor together with a risk assessment. The southern boundary of the churchyard has as far as possible, been defined and extent of the councils’ responsibilities in this area clarified. **Financial Provision for a retaining wall behind the closed church boundary wall has been made and will be monitored.** *Mowing near the grass bank edges will not be carried out. Tree survey **has been carried out on the closed churchyard trees in 2020 and will be reviewed again in 2023. Trees will be monitored by PCC periodicall and will require planning permission***
- 1A set of concrete steps leading to the Church off Church Street has been replaced and **will be reviewed periodically with the condition of the path including the drain gullies.**

The insurance cover for the above items is periodically reviewed and reflects the contents of the council's asset register. Insurance cover is provided through Gallagher(Brokers) by Pen Insurers

### Land

1. Cornmill Lane Playing fields: **The entrance road to car park is a stone path and will be reviewed periodically to maintain a safe access.** The path at the pedestrian entrance has been extended and a safety rail fitted. More hardcore has been added to reduce a slip hazard. **The condition of pathways will be reviewed periodically.**

A metal gate and barrier are sited at the main entrance to the Cornmill Lane Playing field (CLPF) fitted with three locks. Keys for the (CLPF) entrance gate/barrier Clerk and a named person from Tutbury Tigers FC to facilitate access for training sessions with the proviso that the gate & barrier are always locked after use. Should a need to evict unauthorised persons from council leased playing fields, assistance from ESBC and Tutbury Charities as the land owner would be sought to affect their removal. Costs incurred would be met from the council's contingency reserve.

The football teams' responsibilities include removal of debris and litter from the basketball court and football pitch at the CLPF.

2. The Triangle

The area is mown by a mowing contractor; trees are inspected periodically by a qualified contractor. A Christmas tree is positioned at yuletide with electric lights-operated from the electrical supply . **A risk assessment is carried prior to the erection of the tree and installation of the lights.** Trees have been inspected and remedial work carried out on them with Ivy and undergrowth removed. ***Trees will be reviewed periodically and surveyed in 2023. Steps leading to a bench on the triangle have been repaired. Steps will be reviewed periodically.***

3. Land adjacent to the path on the approach to the church. Trees and vegetation controlled periodically. A tree survey has been carried out in 2021, ***A further tree survey will be carried out in 2024. Planning permission is required in this area.***
4. Land at Chatsworth Drive that is part of an ancient monument protected by English Heritage has been transferred to the Parish Council, this area is known as Park Pale, two sycamore trees are located on this footpath and have been surveyed in August 2021 ***A Future Tree Survey will be carried out in 2024. Planning permission is required for maintenance.***
5. An additional section of the Park Pale ancient monument off Chatsworth Drive has been acquired. *A resident's fence has been erected erected by a certified contractor to define the boundary. The residents of 38A Ironwalls Lane takes responsible for the maintenance of their boundary fence.*

Public liability cover is in place up to £10m. **Consideration is to be given to the register of council owned land**

---

## RELIANCE OF THIRD PARTIES TO CARRY OUT WORK AND SERVICES

Contracts: ongoing – all contracts are reviewed annually, bi-annually or three yearly. Contracts are awarded each year where appropriate. Risk assessments for operations are provided by contractors. **Public liability certificates are checked annually.**

1. Mowing contract for the Cornmill Lane and Ferrers Avenue playing fields, the contractor is required under the terms of the contract to hold public indemnity insurance to indemnify the council against claims.
2. Street & bus shelter cleaning contracts – A street cleaner contactor has been appointed and reviewed annually.
3. Football team – is responsible for the cleaning of the Cornmill Lane changing rooms. The council's insurance provides cover for this area of work.
4. Churchyard contract. Covers the mowing of the grass in the closed churchyard at St Marys Church and Triangle. Payments for contract work are made in line with invoices received.
5. Park Pale contract - A maintenance contract has been appointed a risk assessment prepared. The contractor has been notified of restrictions regarding disturbance of the ground stipulated by English Heritage.
6. Elm Lane A strimmer has been obtained and three members of the Friends of Elm Lane have been trained to use it. An annual risk assessment is to be carried out. The strimmer is covered by insurance. The Strimmer is serviced annually.
7. Banking services. The council has used its current UK based bankers for many years without any major problems; their terms and condition apply. **Online banking is utilised, and the bank mandate is reviewed as required in line with the updated financial regulation Feb 2021** External Audit services are carried out by Mazars LLP using the Annual return.
8. Internal audits. Two audits are carried out by an internal auditor appointed annually. **Councillors will carry out periodic checks of the accounts.** An accounts package has been purchased from Scribe and will be assessed in the audit process.

Contracts: one off services/works:

## 1. Capital works & Maintenance works

The council uses contractors for both capital and maintenance work. Standing orders and financial regulations provide for the following:

- The clerk arranges for the provision of goods and services of value up to £150.
- The clerk in consultation with the chairman arrange for the provision of goods and services of value up to £500 and in the case of an emergency involving a danger to life, health or property £1,000. **An emergency contingency for parks and open spaces has been allocated in 2022 2023 budget this will be reviewed annually.**
- Tenders are invited for contracts in excess of £5,000 and contracts are awarded at parish council meetings. The council is not obliged to accept the lowest tender. If no tenders are received the council can make arrangements to carry out the work as it thinks fit

Payments are made on completion of the work/service carried out to the council's satisfaction. Invoices are generally presented for payment at council meetings and initialled by members except where contract terms dictate payment in between meetings. All payments are recorded in the minutes. Direct debit payments are in place for gas, electricity and water payments for the changing rooms at Cornmill Lane. Standing orders will be set up in accordance with the Model financial Regulations.

Where major contracts are involved, the suitability of the contractor to carry out the work is ascertained by reference to the other councils, consultants and by an assessment of their capabilities in line with contractual government guidelines.

All contractors must carry public indemnity insurance.

## IN HOUSE ACTIVITIES

As the council's proper officer, the clerk has the responsibility working with Cllrs to progress the council's business in accordance with various statutes, standing orders, financial regulations and council decisions. The clerk is also the council's responsible financial officer (RFO) as required under section 151 of the Local Government act 1972 and is responsible for its financial affairs. The council has agreed the duties of the RFO, the nature of the council's financial records and the financial control documents and measures in the model Clerk employment contract. These are reviewed periodically. The Clerk has obtained the CiLCA qualification to ensure that the council is operating within current legislation in a professional manner.

The Council's website will be reviewed to ensure that it complies with the transparency code and all governance documentation is accessible.

**An exit policy has been written in the event of unexpected departure or illness of the clerk, Policies and procedures will be reviewed.**

Following a revision of audit guidance and the requirement to complete an annual return, the council appoints an internal auditor, to review year-end accounts, financial procedures and internal financial controls and to complete an intermediate audit. The comments of all auditors are reported to the council. An annual review of internal audit procedures is undertaken. The council also has insurance cover for the following:

- Employers' liability of up to £10m
- Data Protection 1,000,000
- Slander/libel - £500K
- Officers Liability £500,000
- Loss of money on council premises up to £1000 Negotiable money on premises and not in a locked safe outside business hours£2,500, Maximum amount of negotiable money at the residence of any insured person
- £2,500
- A fidelity guarantee (i.e., misappropriation of funds by councillors or clerk) of up to £40,000

The council has a code of conduct and a register of councillor's interests published on the ESBC web site open to public scrutiny. Cllrs interests are reviewed annually. The rights of public to be informed of and to attend meetings and view documents are facilitated.

The council's standing orders are reviewed from time to time, updated and adopted.

The council has few 'cash' transactions. Most receipts and payments involve cheques.

Football teams may make direct debit payments for the hire of the football pitch to the Councils bank account. Loss of income of up to £10k Business interruption is covered by insurance.

#### Special events

The Council helps facilitate special one-off community activities such as the Tutbury Christmas Festival. This can involve funding local groups, arranging a street closure, obtaining entertainment and other licences; appropriate insurance cover is sought when required. All statutory requirements are complied with.

**The use of the car park at Cornmill Lane as an overspill for events held at the castle will require agreement from the insurance company and land owner.**

This is subject to adequate stewarding with the site access being manned at all times.

#### Financial assistance to local organisations

The council gives financial assistance to local organisations from time to time. Applications are made to the council on an application form making the case for

assistance. All such applications are considered at council meetings and if authorised, funds are made available under Section 137 of the local government act 1972. The purpose, for which the application is being made, is stated by the organisation applying for assistance and a receipt provided for funds paid is given to the council. Start and completion dates for any project are required. A grant policy has been approved. And is reviewed annually.

**Payroll and IT**

**The loss of payroll and council information due to system failure fire or theft is reduced by regular back up of information. Up to date versions of the programs are maintained. Implementation of cloud storage for back up of information and sharing of information. The clerk attends regular webinars to ensure compliance with current requirements.**

## **Annex A**

### **DUTIES AND RESPONSIBILITIES OF THE PARISH COUNCIL'S RESPONSIBLE FINANCIAL OFFICER**

1. Prepare financial reports to cover budget monitoring, fund balances, receipts, payroll, payment of accounts and other relevant matters and report to the council at regular intervals thereon.
2. Prepare draft estimates, when approved by the council from the budget monitoring mechanism during the year and report thereon to the council.
3. Submit the request for the parish council's precept to the borough council at the appropriate time.
4. Record regularly all monies received and expended by the council.
5. Ensure that all money due to the council billed promptly and, in all cases, collected promptly.
6. Identify the duties of officers and others dealing with financial transactions and ensure as far as possible the division of responsibilities between officers, others and members of the council in relation to significant transactions.
7. Manage cash flow and control of investments and bank transfers.
8. Control issuing of cheques and online banking. Maintaining current bank mandate requirements.
9. The overall management of payroll. Ensure the correct payment of tax and national insurance to the collector of taxes either monthly or quarterly using HMRC's PAYE software
10. Be responsible for the submission of VAT returns and dealing with VAT inspections.
11. Verification of supplier's invoices prior to certification for payment
12. Prepare and balance financial accounts and complete the annual return in accordance with the current audit regulations.
13. Produce accounts and records for the council appointed auditor in accordance with current audit regulations.
14. Undertake internal audits of all aspects of the council's affairs.
15. Monitor compliance with the council's financial regulations and ensure that the correct financial systems are in place.
16. Management of insurance and other risks undertaking regular reviews. Process claims as necessary. Report annually to the council on insurance and other risks covered.
17. Maintain the council's register of property and assets and safe storage.
18. Familiarisation with any computer system used for the council's financial records.

## Annex B

### PARISH COUNCIL FINANCIAL DOCUMENTATION

Minute book	Records all payments made by the council.
Financial regulations model.	Regulates the council's financial affairs, based on NALC
Invoice file	Contains invoices paid initialled by two members.
Chequebook	Current account chequebook, cheques require three signatures – the Clerk and two members. Counterfoils are also signed.
Bank Statements	For three accounts provided monthly by the council's bankers. (Lloyds) i.e. Current account Instant access account (interest bearing) Premier interest account (interest bearing)
Account transfer slips	Records transfers made between accounts to meet commitments.
Deposit credit books	Records payments into accounts
Clerk's expenses book	Records all mileage by the clerk, records all postage costs incurred by the clerk and the clerk's phone and office allowances.
Insurance documents	Details of the cover provided by the council's insurance policy.
Council budget	Agreed each year – determines precept requirements and guides expenditure throughout the year.
Precept request forms	Provided by ESBC to enable precept to be paid in April and September each year
VAT claim form	Enables VAT to be reclaimed from Customs & Excise.
Computer records	Enable finalised receipts payments and budget monitoring statements to be produced.
Budget monitoring doc's	Monitors council income and expenditure against budget provision, reconciles this with bank statements; produced quarterly.
PAYE & NI records	Records payments and returns made to HMRC.
Internal auditor's report	the annual audit carried out by the council appointed auditor.
Vice chairmen report	The (vice) chairman or nominated Cllr undertakes an intermediate audit.
Annual accounts	Records all financial activities of the council during the year. Submitted to the council for approval at the year end.



Annual return

Supplied by government appointed auditors for completion by the council to enable external audit of council financial affairs to be undertaken. Three sections are required to be completed, a statement each by the council the internal auditor and the external auditor. The finalised return is reported to the council.