

Swettenham Parish Council Financial Risk Assessment 2019/20

1. FINANCIAL:

Risk of funds being unavailable due to Clerk's unauthorised removal or mismanagement.

CONTROL MEASURE:

All expenditure to be approved at council meetings following inclusion within the agenda for that meeting (open to public inspection).

All cheques, to be presented with the relevant documentation, signed by 2 councillors and cheque counterfoil to be initialled.

All income to be reported and minuted at each council meeting.

Bank Statements to be presented at each Council Meeting.

Council to maintain Fidelity insurance of up to £10,000.

2. RECORDS:

Loss of or damage to records due to fire, theft, flooding, or accidental misplacement.

CONTROL MEASURE:

Computer files protected by password.

All financial records (invoices etc) scanned and backed up to external hard drive on weekly basis.

3. LEGAL POWERS:

Council acting outside its Statutory Powers.

CONTROL MEASURE:

Clerk and Councillors to receive regular training.

Membership of Cheshire Association of Local Councils gives Council access to advice from a reliable source and CHALC solicitors.

Council maintains and uses up-to-date reference literature (i.e. The Parish Councillors Guide by Paul Clayden) .

4. BORROWINGS:

Failure of debtor to repay loan

CONTROL MEASURE:

The Council has no borrowing facilities.

5. PAYE & NIC:

As employer, Council is required to ensure all salaries are declared to Inland Revenue for Taxation and National Insurance purposes.

CONTROL MEASURE:

Council registered with HMRC for PAYE and payments made every two months.

6. VAT:

Failure of Council to recover Value Added Tax paid in respect of goods and services purchased by the council for non-profit making activities. (VAT Act 1994)

CONTROL MEASURE:

Financial Regulations and Clerks Duties stipulate that a VAT record must be submitted by the Clerk annually, and a refund claimed at least every three years, or when the total exceeds £100.

7. PRECEPT BUDGET:

Failure to set a budget and precept. (LGFA 1992)

CONTROL MEASURE:

Financial Regulation stipulate that Council must set a Budget and Precept at the November Council Meeting.

8. SECTION 137: Failure to correctly identify monies spent under Section 137 of the LGA 1972 (as amended 2003)

CONTROL MEASURE:

All expenditure incurred under section 137 to be identified at Council meetings and minuted as such. Until such time as there are, a statement shall be made in the Finance Report stating that there are no payments made under this section.

Annual Statement of Payments and Receipts to list total of all Section 137 payments.

9. MINUTES:

Failure of Council to publish Minutes within two months of a meeting. (LGA 1972)

CONTROL MEASURE:

Minutes to be approved by resolution of the Council and signed by the Chairman at next Council meeting.

Draft minutes published in full on village notice board and also uploaded to the Parish Council website within 30 days of the meeting.

10. ELECTORS RIGHTS:

Failure of Council to properly allow Registered Local Electors to exercise their full rights in relation to the Parish Council. (LGA 1972)

CONTROL MEASURE:

Notice informing Electors of their rights and how to exercise those rights put on the notice board and the Parish Council website 35 working days prior to the commencement of the external audit.

Notice of Completion of Audit placed on village notice board at completion of audit and also uploaded to the Parish Council website.

Copies of audited Annual Return available for nominal fee from Clerk.

Time allotted for Public to ask questions at the beginning of every meeting of the Council.

11. REGISTER OF INTERESTS:

Failure of Councillors to Declare Prejudicial and other Interests that may conflict with their position on the Council.

CONTROL MEASURE:

Register of Interests to be maintained by Clerk which may be inspected by members of the public on application.

Specific declaration of interests to be recorded in minutes of meetings.

12. QUOTES:

Failure of Council to allocate contracts for work on a fair and financially sound basis.

CONTROL MEASURE:

Financial Regulations state:

101. Procedures as to contracts are as follows:

- (a) for the supply of goods or materials or for the execution of works or specialist services where the total cost does not exceed £1,000 a single quote on an annual basis will be sufficient subject to such quotes for ongoing work being advertised at least every fifth year inviting competitive quotations.
- (b) for the supply of goods or materials or for the execution of works or specialist services where the total cost exceeds £1,000 but below £2,500 in value, the RFO shall invite tenders from at least two suppliers.
- (c) Where it is intended to enter into a contract exceeding £2,500 but not exceeding £10,000 in value for the supply of goods or materials or for the execution of works, the Clerk shall give at least 3 weeks notice on the summons to attend the meeting of the Council. Such notice to be displayed on public notice boards and parish council website in the usual manner. Where the value of the intended contract exceeds £10,000 similar notice shall be given in addition in such newspapers circulating in the district, as the Council shall direct.
- (d) Notice of a contract exceeding £10,000 shall state the general nature of the intended contract and state the name and address of the person to whom tenders are to be addressed and the last date by which those tenders shall reach that person in writing in the ordinary course of post or by email.
- (e) Tenders shall be opened by the Parish Clerk in the presence of the Chairman of the Council or other person to whom tenders are required to be addressed on the date specified pursuant to paragraph (b) of this Regulation and shall be reported by the person who opened them to the Council.
- (f) The Council is not bound to accept the lowest tender.
- (g) If no tenders are received or if all the tenders are identical, the Council may make such arrangements for procuring the goods or materials or executing the works as it thinks fit.

13. INSURANCE:

Failure of Council to obtain adequate insurance for its activities as a public body.

CONTROL MEASURE:

Insurance cover reviewed annually by Council.

14. General Data Protection Regulations (GDPR)

Failure to comply with GDPR

CONTROL MEASURE

Employment of Data Protection Officer. Adequate records kept by Clerk. Obtaining relevant consents where appropriate.

Adopted by Resolution of Swettenham Parish Council on 30/07/2012

Amended by Resolution of Swettenham Parish Council on 18/09/2017

Amended by Resolution of Swettenham Parish Council on 17/09/2018

Amended by Resolution of Swettenham Parish Council on 23/09/2019