



Seaton Town Council Constitution

Chapter 8 – Risk Register

Reviewed – May 2024

Issue	Risk Identified	Level of Risk H/M/L	Management of Risk (Mitigating factors)	Officer Action	Reviewed level of risk
Governance	Quality of decision making – potentially unlawful	M	<ul style="list-style-type: none"> The Council's constitutional documents, including Standing Orders, Financial Regulations and policies, set how the Council's business will be conducted. These are reviewed annually. Member training The Town Clerk is a qualified solicitor Membership of Devon Association of Local Councils and Society of Local Council Clerks 	Town Clerk	L
	Inappropriate delegation	M	<ul style="list-style-type: none"> Council's constitutional documents include a scheme of delegations to committees and the town clerk. This is reviewed regularly. 	Town Clerk	L
	Unclear member responsibility and accountability	M	<ul style="list-style-type: none"> Appropriate committee structure and clear lines of reporting by committees to Council New Member compulsory training arranged, as soon as practicable after election/co-option. 	Town Clerk	L
	Appointments to outside bodies not made	L	<ul style="list-style-type: none"> Annual review of appointments and reports to Council, as necessary 	Town Clerk	L
	Governance and regulatory documents not reviewed.	M	<ul style="list-style-type: none"> Reviewed at least annually and updated as the Town Clerk considers appropriate and adopted by Council for approval. 	Town Clerk	L
	Register of Interests for Members up to date	M	<ul style="list-style-type: none"> All Members complete forms as soon as elected/co-opted. Annual Review of Register entries. 	Town Clerk	L

Issue	Risk Identified	Level of Risk H/M/L	Management of Risk (Mitigating factors)	Officer Action	Reviewed level of risk
Finance	Poor systems and control of petty cash	M	<ul style="list-style-type: none"> Reviewed monthly by Town Clerk and a second officer and a councillor. Ratified by F&GPC Reviewed by Internal Auditor and any risks identified 	Town Clerk	L
	Waste and misappropriation of funds.	M	<ul style="list-style-type: none"> Appropriate supervision of staff by Town Clerk and reporting to Councillors as necessary 	Town Clerk	L
	Waste of public funds due to unlawful/poor decision making	M	<ul style="list-style-type: none"> Comprehensive advice provided by Town Clerk and Officers as to lawfulness and best value Three quotations sought wherever possible, in line with the Council's Financial Regulations 		
	Budget not approved and precept request not submitted	H	<ul style="list-style-type: none"> Timely reporting to Members with detailed draft budget for following year initially presented to F&GP in October meetings in annual schedule and detailed in Financial Regulations. 	Town Clerk	L
	Adequate funds	H	<ul style="list-style-type: none"> Monitor actual expenditure to forecast and report regularly to F&GPC and Council, as necessary Income and expenditure is carefully monitored and proposals for virement of funds between budgets made to ensure budgets remain on target 	Town Clerk	L

Issue	Risk Identified	Level of Risk H/M/L	Management of Risk (Mitigating factors)	Officer Action	Reviewed level of risk
	Properly authorised payments	M	<ul style="list-style-type: none"> • Authority to pay is carried out in line with Financial Regulations • Cheques signed by two councillors • Online payments set up by Town Clerk and dual authorised by a councillor, once approved by two councillors • All payments authorised by two Councillors. • Financial Regulations reviewed May 2024 • Statement of Internal Controls reviewed May 2024 	Town Clerk	L
	Theft, fraud and corruption	M	<ul style="list-style-type: none"> • Training, management & insurance 	Town Clerk	L
	Activities being outside of legal powers/unlawful payments	H	<ul style="list-style-type: none"> • Town Clerk - CiLCA qualified & qualified solicitor • Ongoing CPD training of Town Clerk and officers • advice to members 	Town Clerk	L
Direct Costs	Goods not supplied to Council	M	<ul style="list-style-type: none"> • Accurate record of purchased made. • Payment usually only made after delivery 	Town Clerk and all officers	L
	Invoices incorrectly calculated	M	<ul style="list-style-type: none"> • Detailed check of calculations 	Town Clerk	L

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	Online Payments	H	<ul style="list-style-type: none"> • Two councillors authorise payments each week by email and sign schedule of payments each month, which is then ratified by F&GPC at its quarterly meetings • Town Clerk sets up payments online which are then actioned by a councillor (dual authorisation) • Reviewed by internal auditor twice a year 	Town Clerk	M
	Use of debit card	H	<ul style="list-style-type: none"> • Use restricted to the Town Clerk and limited to a single transaction maximum value of £1,000, unless authorised by the Finance and General Purposes Committee, unless in an emergency, in which case the Town Clerk will use delegated powers to make any such payments required and it will be reported to the first available meeting of F&GP or Council 	Town Clerk	M
	Income tax deduction	M	<ul style="list-style-type: none"> • Tax codes as notified by HMRC • Payments made by EDDC Payroll services, as the Council's chosen payroll provider since October 2020 	Town Clerk	L
Grants	Authority and power to approve	M	<ul style="list-style-type: none"> • Grant criteria/annual approvals through Council with a limit of £1,000 per grant, unless Council considers that special circumstances exist that may warrant a higher award 	Town Clerk	L

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	Conditions of grant	L	<ul style="list-style-type: none"> Grants include conditions, as Members consider appropriate, and report back to Council 	Town Clerk	L
VAT	VAT analysis	M	<ul style="list-style-type: none"> All items recorded in financial accounting software reports as part of cash book lists. Checks conducted by internal auditor Specialist advice taken from VAT experts as required 	Town Clerk	L
	Claimed within time limits	M	<ul style="list-style-type: none"> Quarterly returns digitally submitted as soon as possible after the end of each quarter 	Town Clerk	L
Reserves	Adequacy of earmarked and general reserves.	M	<ul style="list-style-type: none"> Agreed annually by Council, as part of budget setting process Approximately 6 months general reserves held in line with advice from JPAG and internal auditor EMRs kept under review by F&GPC and Council and quarterly reports prepared, highlighting over and underspends and proposing such adjustments as the Town Clerk considers appropriate for Members to consider 	Town Clerk	M
Assets	Loss, damage and value	M	<ul style="list-style-type: none"> Annual inspection, update insurance/review asset register 	Town Clerk/Deputy Clerk	M
Salaries	Wrongly paid salary	M	<ul style="list-style-type: none"> Agreed contracts and annual review of salaries and payment systems 	Town Clerk	L
	Wrong tax, NI or pension deducted	M	<ul style="list-style-type: none"> Agreed contracts and annual review of salaries and payment systems 	Town Clerk	L

Issue	Risk Identified	Level of Risk H/M/L	Management of Risk (Mitigating factors)	Officer Action	Reviewed level of risk
Members	Members' Interests	M	<ul style="list-style-type: none"> • Training on Code of Conduct, including refresher training. 	Town Clerk	M
Staff	Accidents/Personal injury	M	<ul style="list-style-type: none"> • Visual checks of premises • Health and safety checks 	Deputy Clerk	M
	Bullying	H	<ul style="list-style-type: none"> • Staff Handbook and grievance procedures • Review being undertaken by Tozers Solicitors to assess risks, after resolutions of Council on 11 March and the Personnel Committee on 4 April 2024 	Town Clerk	M
	Lack of communication	M	<ul style="list-style-type: none"> • Town Clerk holds regular meetings with all staff 	Town Clerk	L
	Performance issues	M	<ul style="list-style-type: none"> • Annual appraisals. • Reports to Council or relevant committee as necessary. 	Town Clerk	L
	Knowledge not up to date or insufficient	M	<ul style="list-style-type: none"> • Staff training - ongoing and seek independent professional advice – legal, property etc. as required 	Town Clerk	M
	Loss of key staff	H	<ul style="list-style-type: none"> • Regular meetings/staff appraisals • Insurance considered but no substantive cover available 	Town Clerk	H
Financial Records	Inadequate records	H	<ul style="list-style-type: none"> • Town Clerk reviews and reports quarterly to F&GPC. • Checks by internal auditors twice annually 	Town Clerk	L
Insurance	Insufficient cover for all responsibilities	M	<ul style="list-style-type: none"> • Annual review of cover taking account of existing and new responsibilities 	Town Clerk	L
Procurement	Contracts not issued properly to ensure best value	M	<ul style="list-style-type: none"> • Contract Standing Orders to be followed as part of Financial Regulations 	Town Clerk	L

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Minutes	Inaccurate and decisions not followed up	M	<ul style="list-style-type: none"> Minutes reviewed to ensure decisions actioned. Minutes drafted and draft circulated and published as soon as practicable 	Town Clerk	L
Allotments	Revenue loss through poor management/badly maintained sites	M	<ul style="list-style-type: none"> Regular inspections 	Admin Officer	L
	Lack of security	H	<ul style="list-style-type: none"> Regular inspections Feedback from Allotment Holders 	Admin Officer	M
	Damage/nuisance to adjacent residents	M	<ul style="list-style-type: none"> Regular inspections Rules reviewed regularly and professional advice taken as appropriate 	Town Clerk /Facilities & Projects Officer	L
	Accidents/Personal Injury	M	<ul style="list-style-type: none"> Risk assessment is reviewed annually and public liability insurance. 	Admin Officer	M
	Vandalism	H	<ul style="list-style-type: none"> Feedback from Allotment Holders and Officers when carrying out works at the allotments 	Town Clerk	M
	Cash handling and banking	M	<ul style="list-style-type: none"> Cash payments for fees taken in office, recorded and banked as soon as practicable 	Admin Officer	L
	Increased maintenance leading to depletion of reserves and future ability of the site to cover its costs, on the basis on current fees being received.	H	<ul style="list-style-type: none"> Reports to Council Meeting arranged with tenants to discuss the possibility of increasing allotment fees in future years 	Town Clerk/Admin Officer	M
Open Spaces	Damage/vandalism	H	<ul style="list-style-type: none"> Regular inspections and reports to Town Clerk and Council, if appropriate 	Town Maintenance Officer	M
	Condition of land	H	<ul style="list-style-type: none"> Buildings insurance Maintenance programme 	All Officers	M

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Marshlands	Damage/vandalism	H	<ul style="list-style-type: none"> Alarm system, call out and police liaison 	Facilities Clerk	H
	Revenue loss due to badly managed buildings	M	<ul style="list-style-type: none"> Liaison with hirers of function room Review of fees and charges 	Town Clerk	L
	Accident/injury caused by hirers	M	<ul style="list-style-type: none"> Terms and conditions of hire given to hirer 	Facilities Officer	M
	Loss of income due to reduced bookings	M	<ul style="list-style-type: none"> Promotion of Marshlands as a venue and policy on reduced rates for charities and community organisations Regular reviews of income as against expenditure 	Town Clerk	M
	Building safety	H	<ul style="list-style-type: none"> Fire, electrical safety checks Health and safety risk assessment and policy update Health and safety notice board COSHH area Annual PAT testing of equipment Legionella compliance 	Facilities Officer	M
	Condition of building	H	<ul style="list-style-type: none"> Buildings insurance EMRs set aside for maintenance programme 	Town Clerk/ Facilities Officer	M
	Running costs higher than anticipated	H	<ul style="list-style-type: none"> Sufficient budget allocation Increasing earmarked reserves to improve resilience Close monitoring and management Maximising income generation 	Town Clerk	H
Town Hall	Condition and maintenance of building	H	<ul style="list-style-type: none"> Buildings insurance EMRs set aside for maintenance programme Preparation of schedules and budgets to anticipate future costs 	Town Clerk/ Facilities Officer	M

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	Building safety	H	<ul style="list-style-type: none"> • Lack of compliance by leaseholder with required building safety checks as detailed above, leading to possible invalidation of insurance. • Officers have met with the leaseholder to reiterate the need for documentary evidence of checks to be provided to the Council on a regular basis to meet the insurers requirements 	Facilities Officer	H
	Loss of income	H	<ul style="list-style-type: none"> • Loss of income due to leaseholder being unable to fulfil commitments under lease. • Regular communication with leaseholder to seek financial position and consider the possibility of an alternative reserve, should the obligations not be met 	Town Clerk	H
	Compliance with the law	H	<ul style="list-style-type: none"> • As the town hall is used as an events venue, a statement in line with the upcoming Martyn's Law will be required to be prepared by the occupier to comply with its duties as an events venue, when this comes into force • Officers have advised of the need for this to meet the requirements of the Council's insurers 	Town Clerk/Deputy Clerk	L

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Play Areas	Damage/vandalism/rubbish	H	<ul style="list-style-type: none"> Regular visual checks and weekly inspections identifying defects and remedial action required Regular reports to F&GPC identifying any issues Annual independent RoSPA inspections 	Town Maintenance Officer	M
	Trees	M	<ul style="list-style-type: none"> Regular inspections at annual intervals and commissioning the carrying out of recommended works in a timely manner 	Facilities & Projects Officer	L
	Facilities not maintained	M	<ul style="list-style-type: none"> In house minor repairs Use of approved qualified contractor for more substantial repairs 	Town Maintenance Officer	L
	Personal injury	H	<ul style="list-style-type: none"> Preventative measures, as above Adequate insurance cover Advisory signage as appropriate 	Town Maintenance Officer	M
Vehicles/ Machinery	Loss, theft, vandalism	H	<ul style="list-style-type: none"> Secure storage Adequate insurance 	Town Maintenance Officer	M
	Misuse of equipment or badly maintained/accidents	M	<ul style="list-style-type: none"> Training and advice on use of equipment provided to relevant staff Annual servicing of vehicle and equipment as appropriate Comprehensive insurance 	Town Maintenance Officer	L
Events	Road closures and liability	M	<ul style="list-style-type: none"> Correct procedures implemented Adequately trained staff 	Town Clerk	L

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	General Health and Safety – setting up, parking, stewarding	H	<ul style="list-style-type: none"> • Conditions for attendees, including traders' insurance where appropriate • Liaison with EDDC and other stakeholders as necessary • Preparation of comprehensive risk assessments for all aspects of the event 	Town Clerk	M
	Organisation	M	<ul style="list-style-type: none"> • Separate risk assessment for each event • Ensuring adequate insurance including separate organiser's insurance, of appropriate 	Town Clerk	M
	Cancellation due to poor weather	H	<ul style="list-style-type: none"> • Consider on an event-by-event basis, whether 'bad weather' cover should be obtained • Cost and limitations of such insurance may be prohibitive leading to a loss of money spent on infrastructure and activities, if an event cannot go ahead. 	Town Clerk	M
	Christmas decorations and lighting	H	<ul style="list-style-type: none"> • DCC have required the removal of all catenary wire and permanent festoon lights from the lampposts in the town and will not grant a banner licence to erect lighting on buildings. Alternative solutions being sought. • Testing/assessment of lights and fixings for town decorations and risk assessment of others • Appropriate testing of all connections 	Town Maintenance Officer/ Facilities Officer	H

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Tourist Information	Provision of service in-house	M	<ul style="list-style-type: none"> • Ensuring sufficient with appropriate knowledge employed to provide a quality service to visitors • Always two members of staff or two volunteers present, to ensure safety of staff and volunteers • Specific RA prepared 	Admin Officer	L

The **level of risk** is an assessment of the likelihood and consequences of the risk happening.

The **management of risk** is how the town council controls the risk.

The **reviewed level of risk** is the level of risk after the control measures are taken into account and where further ongoing attention is necessary.