



BANBURY TOWN COUNCIL

RISK MANAGEMENT STRATEGY

1 Introduction

1.1 This document forms the Council's Risk Management Strategy. It sets out:

- What is risk management;
- Why does the Council need a risk management strategy;
- What is the Council's philosophy on risk management;
- What is the risk management process
- Roles and responsibilities;
- Future monitoring

1.2 The objectives of this strategy are to:

- Further develop risk management and raise its profile across the Council;
- Integrate risk management into the culture of the organisation;
- Embed risk management through the ownership and management of risk as part of all decision making processes; and
- Manage risk in accordance with best practice.

2 What is Risk Management?

2.1 *'Risk is the threat that an event or action will adversely affect an organisation's ability to achieve its objectives and to successfully execute its strategies. Risk management is the process by which risks are identified, evaluated and controlled. It is a key element of the framework of governance together with community focus, structures and processes, standards of conduct and service delivery arrangements.'* Audit Commission, *Worth the Risk: Improving Risk Management in Local Government*, (2001: 5)

2.2 Risk management is an essential feature of good governance. An organisation that manages risk well is more likely to achieve its objectives. It is vital to recognise that risk management is not simply about health and safety, but applies to all aspects of the Council's work.

2.3 Risks can be classified into various types but it is important to recognise that for all categories the direct financial losses may have less impact than the indirect costs such as disruption of normal working. The examples below are not exhaustive:

Strategic Risk - long-term adverse impacts from poor decision-making or poor implementation. Risks damage to the reputation of the Council, loss of public confidence, in a worse case scenario Government intervention.

Compliance Risk - failure to comply with legislation, laid down procedures or the lack of documentation to prove compliance. Risks exposure to prosecution, judicial review, employment tribunals and the inability to enforce contracts.

Financial Risk - fraud and corruption, waste, excess demand for services, bad debts. Risk of additional audit investigation, objection to accounts, reduced service delivery, dramatically increased Council Tax levels/impact on Council reserves.

Operating Risk - failure to deliver services effectively, malfunctioning equipment, hazards to service users, the general public or staff, damage to property. Risk of insurance claims, higher insurance premiums, lengthy recovery processes.

2.4 Not all these risks are insurable and for some the premiums may not be cost effective. Even where insurance is available, a monetary consideration might not be an adequate recompense. The emphasis should always be on eliminating or reducing risk before costly steps to transfer risk to another party are considered.

2.5 Risk is not restricted to potential threats but can be connected with missed opportunities. Good risk management can facilitate proactive, rather than merely defensive responses. Measures to manage adverse risks are likely to help with managing positive ones.

3 Why does the Council need a Risk Management Strategy?

3.1 Risk management will strengthen the ability of the Council to achieve its objectives and enhance the value of services provided.

3.2 The Risk Management Strategy will help to ensure that all Committees/ service areas have an understanding of risk and that the Council adopts a uniform approach to identifying and prioritising risks. This should in turn lead to conscious choices as to the most appropriate method of dealing with each risk, be it elimination, reduction, transfer or acceptance.

3.3 Strategic risk management is also an important element in demonstrating continuous service improvement.

3.4 There is a requirement under the Accounts and Audit Regulations to establish and maintain a systematic strategy, framework and process for managing risk.

4. Risk Management Policy Statement

Banbury Town Council recognises that it has a responsibility to manage risks effectively in order to protect its employees, assets, liabilities and community against potential losses, to minimise uncertainty in achieving its goals and objectives and to maximise the opportunities to achieve its vision.

The Council is aware that some risks can never be eliminated fully and it has in place a strategy that provides a structured, systematic and focussed approach to managing risk.

Risk management is an integral part of the Council's management processes.

5. Implementing the Strategy

5.1 Risk Control

Risk control is the process of taking action to minimise the likelihood of the risk event occurring and/or reducing the severity of the consequences should it occur. Typically, risk control requires the identification and implementation of revised operating procedures, but in exceptional cases more drastic action will be required to reduce the risk to an acceptable level.

Options for control include:

Elimination – the circumstances from which the risk arises are removed so that the risk no longer exists;

Reduction – loss control measures are implemented to reduce the impact/ likelihood of the risk occurring ;

Transfer – the financial impact is passed to others e.g. by revising contractual terms;

Sharing - the risk is shared with another party;

Insuring - insure against some or all of the risk to mitigate financial impact; and

Acceptance – documenting a conscious decision after assessment of areas where the Council accepts or tolerates risk.

5.2 Risk Monitoring

The risk management process does not finish with putting any risk control procedures in place. Their effectiveness in controlling risk must be monitored and reviewed. It is also important to assess whether the nature of any risk has changed over time.

The information generated from applying the risk management process will help to ensure that risks can be avoided or minimised in the future. It will also inform judgements on the nature and extent of insurance cover and the balance to be reached between self-insurance and external protection.

5.3 Risk Management System

Risk Identification – Identifying and understanding the hazards and risks facing the Council is crucial if informed decisions are to be made about policies or service delivery methods. The risks associated with these decisions can then be effectively managed.

Risk Analysis – Once risks have been identified they need to be systematically and accurately assessed using proven techniques. Analysis should make full use of any available data on the potential frequency of events and their consequences. If a risk is seen to be unacceptable, then steps need to be taken to control or respond to the risk.

Risk Prioritisation - An assessment should be undertaken of the impact and likelihood of risks occurring, with impact and likelihood being scored using a matrix (See **Appendix A**). This will require a numeric value to be given to both the likelihood of the risk happening and the severity of the impact if it did, based upon the following scoring:

Low = 1 to 5; Medium = 6 to 11; High = 12 to 25

Where a residual risk is low further action will only be taken where it is viable to do so. Medium risks will be addressed within the next 3 to 6 months. High risks will require action as soon as possible. Strategic, Compliance and Financial risks are identified in the Corporate Risk Register at **Appendix B** whilst Operational risks are identified in a suite of service specific risk assessments held by the Clerk and Service Managers.

6 Roles and Responsibilities

6.1 It is important that risk management becomes embedded into the every day culture and performance management process of the Council. The roles and responsibilities set out below, are designed to ensure that risk is managed effectively right across the Council and its operations, and responsibility for risk is located in the right place. The process must be driven from the top but must also involve staff throughout the organisation.

6.2 **Elected Members** – risk management is seen as a key part of the Elected Member's stewardship role and there is an expectation that Elected Members will lead and monitor the approach adopted, including

- (a) Approval of the Risk Management Strategy;
- (b) Analysis of key risks in reports on major projects, ensuring that all future projects and services undertaken are adequately risk managed;
- (c) Consideration, and if appropriate, endorsement of the Annual Governance Statement; and
- (d) Assessment of risks whilst setting the budget, including any bids for resources to tackle specific issues.

6.3 **Employees** – will undertake their job within risk management guidelines ensuring that their skills and knowledge are used effectively. All employees will maintain an awareness of the impact and costs of risks and how to feed data into the formal process. They will work to control risks or threats within their jobs, monitor progress and report on job related risks to the Town Clerk.

6.4 **Town Clerk** – will act as the Lead Officer on Risk Management, assisted by the Deputy Town Clerk & RFO, and be responsible for overseeing the implementation of the Risk Management Strategy. The Town Clerk will:

- (a) provide advice as to the legality of policy and service delivery choices;
- (b) provide advice on the implications for service areas of the Council's corporate aims and objectives;
- (c) update the Council on the implications of new or revised legislation;
- (d) assist in handling any litigation claims;
- (e) provide advice on any human resource issues relating to strategic policy options or the risks associated with operational decisions and assist in handling cases of work related illness or injury;
- (e) advise on any health and safety implications of the chosen or proposed arrangements for service delivery;

6.5 **Responsible Finance Officer** – as the Council's Section 151 Officer the Deputy Town Clerk & RFO will:

- (a) assess and implement the Council's insurance requirements;
- (b) assess the financial implications of strategic policy options;
- (c) provide assistance and advice on budgetary planning and control;
- (d) ensure that the Financial Information System allows effective budgetary control;
- (e) maintain the Council's Risk Register;
- (f) effectively manage the Council's investment and loan portfolio.

6.6 **Role of Internal Audit** – Internal Audit provides an important scrutiny role by carrying out audits to provide independent assurance to the Council that the necessary risk management systems are in place and all significant business risks are being managed effectively.

Internal Audit assists the Council in identifying both its financial and operational risks and seeks to assist the Council in developing and implementing proper arrangements to manage them, including adequate and effective systems of internal control to reduce or eliminate the likelihood of errors or fraud.

Internal Audit reports, and any recommendations contained within, will help to shape the Annual Governance Statement.

6.7 **Resources Committee** – Review and future development of the Risk Management Policy and Strategy will be overseen by the Resources Committee.

6.8 **Training** – Risk Management training will be provided to Elected Members and staff through a variety of mediums. The aim will be to ensure that both Elected Members and staff have the skills necessary to identify, evaluate and control the risks associated with the services they provide.

6.9 In addition to the roles and responsibilities set out above, the Council is keen to promote an environment within which individuals/groups are encouraged to report adverse incidents promptly and openly.

7 **Future Monitoring**

7.1 **Review of Risk Management Strategy** - This Strategy will be reviewed annually.

8 **Conclusion**

The adoption of a sound risk management approach should achieve many benefits for the Council. It will assist in demonstrating that the Council is committed to continuous service improvement and effective corporate governance.

RISK / PRIORITY INDICATOR KEY

SEVERITY (CONSEQUENCE)
1. Negligible (delay only)
2. Slight (minor injury / damage / interruption)
3. Moderate (Lost time injury, illness, damage, lost business)
4. High (Major injury / damage, Lost time business interruption, disablement)
5. Very High (Fatality / Business closure)

LIKELIHOOD
1. Improbable / very unlikely
2. Unlikely
3. Even chance / may happen
4. Likely
5. Almost certain / imminent

RISK / PRIORITY INDICATOR MATRIX						
LIKELIHOOD	5	5	10	15	20	25
	4	4	8	12	16	20
	3	3	6	9	12	15
	2	2	4	6	8	10
	1	1	2	3	4	5
		1	2	3	4	5
		SEVERITY (CONSEQUENCE)				

SUMMARY		SUGGESTED TIMEFRAME
12-25	High	As soon as possible
6-11	Medium	Within next 3-6 months
1-5	Low	Whenever viable to do so

BANBURY TOWN COUNCIL - CORPORATE RISK REGISTER									
Risk No	Risk Title	Consequence	Risk Owner/s	Likelihood	Severity	Risk rating	Mitigation Actions	Progress	Status
GOVERNANCE									
G1	Failure to attract sufficient candidates for Member vacancies or elections	Reduced representation of neighbourhoods Lack of member resource Possible meeting inquorate	Members Clerk	1	3	3	-actively publicise Council activities - publicise elections & vacancies on notice boards - publicise elections & vacancies on social media and website		G
G2	Failure to achieve quorum at meetings	Business not transacted Decisions not made	Members Clerk	1	4	4	-issue annual meeting calendar to all members & website - issue meeting agendas promptly - record attendance - Alternate Member scheme in place - virtual meetings held when required during Covid 19		G
G3	Lack of public consultation by Council	Decisions not based on evidence People disenfranchised	Members	3	2	6	-ensure meetings publicised on notice boards & website -use Annual Parish Meeting - place articles in newsletters - include public participation on all Council meeting agendas - ensure seating available at meeting for public - provide advice for members of the public attending -publish agendas and minutes on website -hold monthly Cllr surgery		A
G4	Failure to respond to electors wishing to exercise right of inspection	Complaints received Not transparent Non compliance	RFO	1	2	2	-RFO to advertise facility, and respond to requests		G

APPENDIX B

G5	Members acting alone outside meetings	Members outside compliance Indemnities invalid Personal risk	Members	2	3	6	- roles defined in Member/Officer Protocol -Info pack for new clrrs to include 'Good Councillor Guide' - members made aware to avoid making commitments on behalf of the council	A
G6	Council decisions not implemented	Confidence undermined Reputation risk arises Possible losses	Clerk	1	4	4	- Cttee Minutes considered at Council and next meeting; - Internal Auditor reviews action	G
G7	Inaccurate, untimely, improper minutes	Poor decisions in future Poor evidence for decisions	Clerk	1	3	3	-Minutes published to councillors and on website.	G
G8	Failure to recognise and address conflict of interest	Lack of transparency Open to complaints of lack of fairness or bias	Members Clerk	1	3	3	-Members to comply with Code of Conduct and SOs - Clerk to offer advice outside of meetings	G
G9	Incomplete/inaccurate register of Members' interests	Lack of transparency Open to complaints of fairness or bias	Members	1	3	3	- interests to be registered with MO within 28 days of election and kept up to date - Forms published via Website	G
G10	Failure to complete/submit Annual Return on time	Auditors report qualified Public confidence suffers	Clerk/RFO	1	3	3	-RFO to maintain diary note	G
G11	Improper contracting procedures	Possible losses Poor levels of service Possible increased costs	Clerk/RFO/ Service Managers	1	2	2	-latest financial regulations to be enforced in all circumstances -use of Contract finder website for over £25K	G
G12	Loss of data on PC due to system fault	Interruption to effective administration Possible financial loss Information Commissioner sanctions	Clerk/DPO	1	4	4	-External hard-drive and UPS power supply installed - Daily on site back up - Daily Off site Cloud back up - Antivirus software in place	G
G13	Loss of services of Town Clerk	Interruption to effective administration	Members Clerk	2	2	4	- Deputy Town Clerk post in place. - Locum assistance available via SLCC	G
G15	Lack of professional advice	Poor decisions Costs and waste Possible non-compliance	Clerk	1	2	2	-Maintain membership of OALC and NALC - Clerk member of SLCC - budget for professional fees	G

APPENDIX B

	OBJECTIVES AND STRATEGY								
OS1	Lack of defined objectives or strategy	Resources not directed Poor performance management Risks not base lined	Members	1	3	3	-Council sets Vision, Corporate and Key Service Objectives at start of each new administration		G
OS2	Failure to correctly identify local needs or wishes	Council does not represent the people Resources not applied Democratic deficit	Members	2	3	6	-Ward Cllrs maintain close contact with local residents - use questionnaires to identify local wishes - publicise plans and invite comments - review local papers, especially correspondence sections - use events to seek views and feedback -hold Councillor surgeries		A
OS3	Lack of public participation at meetings	Public voice not heard Potential lack of interest in vacancies Lack of transparency	Members	1	2	2	-ensure meetings publicised on notice board and website for year ahead; - include public participation on Council meeting agendas - ensure seating available at meeting for public - provide advice for members of the public attending -publish agendas and minutes on website		G
REPUTATION									
R1	Allegations of libel or slander	Potential for litigation Costs of investigation Reduces confidence	Members	2	3	6	-Clerk to intervene at meetings -review all press releases or newsletter articles before release - review insurance cover - press protocol and social media policy in place		A
FINANCE									
F1	Accidental damage to fixed assets	Costs of repair Loss of service until repaired	Clerk/RFO	2	2	4	- Maintain insurance - Playground inspection regime established.		G

APPENDIX B

F2	Vandalism to fixed assets	Costs of repair Loss of service until repaired	Clerk/RFO	3	2	6	-Maintain inspection regime -Maintain insurance -Liaison with Police		A
F3	Loss to third parties	Possible litigation Costs/damages	Clerk/RFO	1	3	3	-Review health & safety -ensure adequate insurance -check contractors insurance		G
F4	Inadequate insurance	Balance of costs to be found	RFO	1	4	4	-Council to review annually or if circumstances change		G
F5	Loss or damage to moveable assets	Loss of heritage Replacement costs	Clerk	1	2	2	Maces held in Museum unless required for ceremonial purposes		G
F6	Failure to calculate/submit precept on time	Inadequate resources to meet commitments Costs of re-billing	Clerk/RFO	1	3	3	- RFO to respond to CDC Council notices -Timetable agenda item for Members providing sufficient time for additional meetings if required		G
F7	Inadequate annual precept and unsound budget	Inadequate resources to meet commitments	Clerk/RFO/ Members	1	4	4	- Members to build sound budget, using risk register and known commitments. -Members to consider Reserves Policy		G
F8	Failure to account for and recover VAT	Wasted resources	RFO	1	3	3	- RFO to review throughout year - Internal auditor to check		G
F9	Failure to stay within agreed budgets	Inadequate control Potential wasted resources	Members Clerk RFO Service Managers	1	2	2	-All committees to review at each meeting -Internal auditor to check - 6+6 exercise undertaken -Reserves Policy to mitigate short-term impact of loss.		G
F10	Holding excessive or inadequate reserves	Auditors report Poor use of resources Inability to meet commitments	Members Clerk RFO	1	3	3	-Clerk & RFO to review as part of budgeting -Reserves Policy to set percentage of precept. - Council to review size of Reserves		G

APPENDIX B

F11	Fraud by Clerk/RFO	Reputation Costs, Litigation	Clerk/RFO	1	3	3	-Adequate internal audit -Regular reporting to members -Control systems for managing expenditure - separation of roles	G
F12	Fraud by Members	Reputation Costs, Litigation	RFO	1	3	3	-Adequate internal audit -Regular reporting to members -Control systems for managing expenditure	G
F13	Illegal activity/payments	Intervention by auditor with possible surcharge	Clerk RFO Members	1	3	3	RFO involved in reports and advises on decisions Payments checked by internal auditor	G
COMPLIANCE								
C1	Inadequate awareness of relevant legislation	Failure to comply	Members Clerk	2	3	6	-Maintain membership of OALC/NALC -Clerk to attend cttee meetings - SLCC training attended	A
C2	Failure to comply with relevant legislation	Litigation Costs Reputation damage	Members Clerk	2	3	6	-Maintain membership of OALC/NALC -Clerk to attend SLCC training -Liaise with internal and external auditors	A
C3	Failure to maintain fixed assets register	Improper control Poor auditor's report	RFO	1	2	2	-Council to review -Internal audit to review	G
C4	Improper financial records	Potential for wasted resources	RFO	1	2	2	-Internal audit to review	G
C5	HMRC requirements not met	Costs Litigation	RFO	1	3	3	-RFO to liaise as necessary	G
C6	Failure to comply with deadlines for accounts and returns	Poor auditor's report Reduction in confidence	RFO	1	2	2	- RFO to liaise with internal and external audit and ensure deadlines adhered to.	G
C7	Non-compliance with data protection	Litigation Poor reputation	Members Clerk/DPO	1	3	3	-Clerk to monitor - DPO nominated	G