

**RESOURCES COMMITTEE**

Minutes of a meeting of the Resources Committee held at 6.30pm on Tuesday, 10 September 2019 in the Town Hall, Banbury.

Present: Councillor Mallon (Chairman)  
Councillors: Bell, Clarke, Colegrave, Fatemian, Harrison, Hussain, Kilsby, Richards, Ross and Wren.

Alternate Members: none

Officers: Mark Recchia (Town Clerk)  
Mark Hassall (Deputy Town Clerk/RFO)  
Megan Sommerville (Planning & Administration Officer)

**R.13/19 Apologies for Absence**

None.

**R.14/19 Declarations of Interest**

None.

**R.15/19 Minutes of the last Meeting**

**IT WAS RESOLVED** that the Minutes of the Meeting held on 11<sup>th</sup> June 2019 be approved as a correct record and signed by the Chairman.

**R.16/19 Income & Expenditure Report**

The Committee considered a report prepared by the Deputy Town Clerk/RFO outlining year-to-date income and expenditure with the projected annual budget to 22 August 2019. Members were advised that overall the Committees were within forecast. Underspends versus the Phased Annual Budget were £61k, made up of General Services overspends of £6k and Resources underspends of (£67k).

Principal items of note for General Services Committee were:

- ◆ Potential claim for water costs associated to Bowls Club building Peoples Park £6k, GM Contract costs had been conservatively fully accrued subject to ongoing discussions regarding the extent of works completed. Arboriculture underspends (£19k) were seasonal timing related.
- ◆ Horton View radiator replacement programme and Horton View car park repair £5k, offset by water meter reading correction credit.
- ◆ Professional fees associated with capital works at People's Park Café (£32k), and Community Garden toilets (£13k), installation costs of footpath refurbishment in People's Park (£47k), capital costs incurred on Spiceball skate ramps in 2019 (£20k).

Underspends on Resources Committee were principally:

- ◆ Salaries in Central Administration remained underspent due to past vacancies (£10k).
- ◆ Grants were underspent due to lower applications (£9k),
- ◆ Maintenance costs at the town hall remained negligible following investment in 2018/19 (£20k).
- ◆ Investment strategy continued to improve interest income versus budget (£8k), and miscellaneous income included cost reimbursed for gate damage following a successful insurance claim from 2018/19.

Members asked a number of questions on the Income and Expenditure report, to which the Deputy Town Clerk & RFO responded. In particular officers undertook to chase up the District Council for an update on performance over the Summer period in operating the Woodgreen Open Air Swimming pool.

**IT WAS RESOLVED** to receive and note the Income and Expenditure report.

**R.17/19 Review of Effectiveness of Internal Control Systems for the Financial Year 2018/ 19**

Members considered the report of the Deputy Town Clerk/RFO indicating that the Council was required, under the Accounts & Audit Regulations (England) 2015 as amended, to carry out an annual review of the effectiveness of its internal audit procedures.

The Committee was asked to review the Council's records and control systems for 2018/19. Members' attention was drawn in particular to the need to consider whether the various internal audit measures in place were commensurate with the risks involved.

**IT WAS RECOMMENDED** to the Council that no changes be made to the Internal Controls programme (as set out in **Appendix A** to the Minutes).

**R.18/19 Risk Management Policy**

The Committee conducted an annual review of the Council's Risk Management Strategy/Policy on the recommendation of the Council's External Auditor.

The objectives of this strategy were reported as being the integration of risk management into the culture of the organisation.

**IT WAS RECOMMENDED** that the Council adopt the Risk Management Policy (as set out at **Appendix B** to the Minutes).

**R.19/19 Parades Policy**

The Committee considered a report of the Town Clerk advising that it was one of the Council's Corporate Objectives to preserve and enhance the traditions, character and identity of the town. Parades were very much part of the civic tradition and heritage of the town. Traditionally these parades had been non-political and non-protest, but following issues in the run up to and on the day of the last parade, it was now felt that a Council policy was needed to govern the operation of parades.

Whilst some problems were encountered during the last parade, it was considered that any attempt to introduce a complete ban on political or protest groups taking part could cause staff organising the parades additional problems at their busiest times, and could also cause problems on the day. However, it was also important that civic parades (i.e. those led by the Civic Dignitaries, such as the Lord/Deputy Lord Lieutenant, High Steward and Town Mayor), especially those relating to the more sombre occasions and where visiting civic dignitaries were involved, could maintain appropriate decorum.

It was recommended that there should be no political or protest groups promoting their causes through participation in Council organised parades. This would not prevent groups from parading in a lawful and respectful manner but there should be no flying of flags, or displaying of banners that promote political or protest groups, by those invited to participate.

**IT WAS RECOMMENDED** that the Council endorse a policy position that there should be no flying of flags or displaying of banners that promote political or protest groups by anyone invited to participate in Town Council organised parades.

**R.20/19 Violence and Aggression at Work Policy**

The Committee considered a report of the Town Clerk, submitting a Violence and Aggression at Work Policy for approval. The Council had a duty under the Health and Safety at Work Act to minimise the risk of violence to all employees so far as was reasonably practicable. Council employees were potentially at risk of violence at work from members of the public. Those at increased risk were likely to be employees who:

- handled or collected money or valuables
- gave advice or training
- worked alone or away from a workplace
- carried out enforcement duties or inspections
- had contact with service users.

Town council staff are not exposed to high risks as we do not tend to be dealing with vulnerable adults or individuals in crisis. However, we do have staff working, outdoors and often alone, such as the Park Rangers and Landscape Officer, where there is potential to come into conflict. We also operate town centre offices that are open to the public, so reception staff can be at a higher risk. Having up to date policies and procedures in place, coupled with staff training and risk assessments, can help to mitigate these risks.

**IT WAS RECOMMENDED** that the Council adopt the Violence and Aggression at Work Policy (as set out at **Appendix C** to the Minutes).

**R.21/19 Public Spaces Protection Order (PSPO)**

The Committee considered a report of the Town Clerk reminding Members that in November 2016 CDC had introduced a PSPO prohibiting rough sleeping, street drinking and begging within the town centre. The Order applied for 3 years and CDC were now consulting on whether it should be renewed with effect from November 2019.

It was understood that CDC were proposing only to renew the Order in respect of street drinking and begging, and to remove the prohibitions on rough sleeping unless consultation responses indicate a continued problem. It was acknowledged in the consultation that rough sleeping was often beyond the control of the individual. Whilst rough sleeping was still being experienced beneath the canal bridges and within Spiceball Park, Members did not wish to see rough sleeping criminalised through the PSPO.

Street drinking and begging remained clearly visible issues within the town centre and, whilst greater enforcement resources were needed to make the best use of the powers contained in the Order, the problem had not gone away. The Order did strengthen the powers available to the Police to deal with these issues and Members felt it should be retained. The current Order also extended to cover People's Park, due to its proximity to the town centre and likelihood of displacement. It was felt that, with the new Castle Quay 2 development bringing the town centre closer to Spiceball Park, the Order should now be further extended to also cover this park.

**RESOLVED** that the Town Clerk be authorised to respond to the consultation supporting renewal of the Order and its extension to include Spiceball Park, but that rough sleeping should not be criminalised by inclusion within the fixed penalty sanctions.

**R.22/19 Confidential Business Exclusion**

**RESOLVED** that, in accordance with Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, the public and press be excluded from the meeting during the consideration of the item set out below on the grounds that publicity would be prejudicial to the general interest by reason of the confidential nature of the business to be transacted.

**SUMMARY of items discussed during confidential session**

**R.23/18 Staffing Issues**

The Committee considered a verbal report of the Town Clerk advising members that the recently filled vacancy in the role of Planning and Administration Officer had again become vacant as the post holder had been successful in gaining a Planning Officer role with a neighbouring Planning Authority. Members were reminded that there had been a high level of turnover in this post as it was viewed as a stepping stone to a planning career. Indeed four of five incumbents over the past five years had gone on to work for planning authorities, with two having now received Royal Town Planning Institute (MRTPI) memberships. Whilst this was good for the sector generally, this level of turnover was unsustainable for a small organisation such as the town council.

The Town Clerk advised members that it was still considered important to be able to secure professional planning advice to the Planning Committee. However, gearing the role to those starting out on their careers was proving problematic, with many opportunities on offer to progress within planning authorities, which the town council could not offer. As such, it was suggested that the role be redefined, separating out the professional planning element from the administrative role. This would allow a two day per week planning post to be advertised, on a higher grade (new SCP's 29-33), which might attract someone nearing the end of their planning career wishing to move into a less pressured, part-time role. The residual administrative tasks could be combined with a maternity cover role to create a full-time, fixed term (one year) role (new SCP 12).

Members were also asked to support a re-grading of the Events & Hospitality Assistant role by extending the top of the grade from new SCP 19 to 22, to reflect additional Health & Safety responsibilities at events. Progression beyond SCP 19 would be linked to undertaking/obtaining relevant training and qualifications. This change would have no impact on current budgets, whilst the changes to the planning role could be contained within existing staffing budgets.

**RESOLVED** that the staffing proposals advanced by the Town Clerk, and summarised above, be approved.

The meeting ended at 8.00pm

**REVIEW OF INTERNAL AUDIT OF COUNCIL'S RECORDS AND CONTROL SYSTEMS FOR THE FINANCIAL YEAR 2019/20**

Banbury Town Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. In discharging this overall responsibility, the Council is responsible for putting in place proper arrangements for the governance of its affairs and for ensuring that there is a sound system of internal control which facilitates the effective exercise of its functions.

The Council carries out an annual review of the effectiveness of its internal control procedures. This paper sets out the processes employed at Banbury Town Council.

Banbury Town Council seeks to ensure that the financial management of the Authority is robust and, in particular, that the following financial management principles are incorporated within the system of internal control:

- Compliance with Standing Orders for Contracts
- Compliance with budgetary procedure requirements
- Segregation of financial responsibilities
- Management supervision
- Personal accountability of staff as budget holders
- Development and maintenance of systems by Managers
- Monitoring of budgets for over and underspends.
- Regular periodic reviews and financial reports
- Setting targets to measure financial performance
- Regular reports showing actual expenditure and income against forecasts for reporting on and reviewing financial performance
- Clearly defined budget setting and capital expenditure guidelines
- Regular monitoring of reserves/balances

The process agreed by the Council which is applied in maintaining and reviewing the effectiveness of governance arrangements, including the system of internal control includes:-

- The Resources Committee has been appointed as the Council's Audit Committee.
- Reporting on any issues relating to value for money, to ensure use of resources in an economical, effective and efficient way.
- Approval through the relevant Standing Committees of budget plans, the subsequent collation of comments for policy guidance at the Town Council meeting on the setting of the budget and any Precept requirements for the following year.
- Responsibility through the Resources Committee for receiving regular reports on work in progress and to be programmed for the future on internal audit and external audit functions.
- Where any recommendations are made either by the Internal Auditor or the Audit Commission suggesting improvements to the effectiveness of the systems of governance and internal control, a plan of action will be agreed with the relevant Officer within a reasonable period to address weaknesses and to ensure agreed action is undertaken.

### **Monthly checks**

The Town Clerk checks the original bank statements against the figures shown in the monthly reconciliation print out created by the Responsible Financial Officer (RFO). The reconciliation is initialled by the Clerk. All cheques and instructions to bank are signed by two Councillors and either the Town Clerk or RFO and a summary of invoices are available for inspection, with the originals available on request

The Clerk signs the monthly wages transfer created by the RFO. He then prepares a bank transfer to move the money from the Council's main reserves into the Wages account. This transfer is checked and signed by two Councillors.

### **Committee checks**

At each meeting cycle (approximately every 8 weeks), the General Services and Resources Committee receive a summary of expenditure against budget. Any significant variations are set out in a written report.

The Council also retains the services of an external Internal Auditor who works to an agreed annual programme, which is regularly reported to the Resources Committee. The Internal Auditor reports to the Council's RFO, but in order to ensure independence, has direct access to the Town Clerk. The Internal Auditor is Stuart Pollard of Auditing Solutions Ltd.

### **Annual checks**

Stuart Pollard carries out a full audit of the Council's expenditure and receipts once a year. This audit is carried out at the Town Hall.

In addition to auditing the cashbook, salaries and VAT, the auditor will check that Officers have complied with Financial Regulations (adequate insurance, competitive tendering, delegations etc) and that Councillors have fulfilled their role including their monthly checks and the annual risk assessment. The Internal Auditors report is submitted to the Resources Committee and any recommendations are acted upon in line with agreed resolutions.

The Annual Return is signed off by the full Council after the RFO has explained the significance of section 2 outlining governance responsibilities. The report of the external auditor following review of the Annual Return is then submitted to the Council for consideration as soon as practicable following its receipt. If any changes are required to the Annual Return following the auditor's review it is re-submitted to the Council.

The budget is set by the Resources Committee in November/December and agreed by full Council in January. The budget is reviewed for appropriateness six months into the year and re-apportioned to service areas in line with evolving priorities of the Council.

Our grounds maintenance and other significant contracts are competitively tendered. Work that is outside of the scope of these contracts are quoted for if more than £3k or tendered for if greater than £25k and the responsible Committee receives reports of tendered exercises.

***The Council is invited to consider whether the various internal audit measures that are in place are commensurate with the sums of money involved.***

September 2019



### 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 everyday 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
<b>GOVERNANCE</b>									
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		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

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 cllrs 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

	<b>OBJECTIVES AND STRATEGY</b>								
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
<b>REPUTATION</b>									
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
<b>FINANCE</b>									
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

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
F11	Fraud by Clerk/RFO	Reputation Costs, Litigation	Clerk/RFO	1	3	3	-Adequate internal audit -Regular reporting to members -Control systems for managing	G

							expenditure - separation of roles		
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
<b>COMPLIANCE</b>									
C1	Inadequate awareness of relevant legislation	Failure to comply	Members Clerk	2	3	6	-Maintain membership of OALC/NALC -Clerk to attend committee 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



**Banbury Town Council**

## **Violence & Aggression at Work Policy**

DATE OF ISSUE – August 2019

## VIOLENCE AND AGGRESSION AT WORK POLICY

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## 1. INTRODUCTION

This Policy applies to **all** incidents of work-related abuse, aggression and violence.

Council employees are potentially at risk of violence at work from members of the public. Those at increased risk are likely to be employees who:

- handle or collect money or valuables
- give advice or training
- work alone or away from a workplace
- carry out enforcement duties or inspections
- have contact with service users.

Banbury Town Council recognises the potentially damaging effect on an employee's well-being of all categories of violence - actual physical attack, the threat of violence and verbal abuse. It regards all types of violence as unacceptable and will take effective action to deal with violent incidents.

This includes:

- physical attack - whether visible injury occurs or not
- animal attack - when an animal is used as a threat
- verbal abuse - when an employee **feels** threatened or intimidated and the abuse is personally directed. This also includes cyber-aggression through texts, email messages or social networking sites
- attack or damage to property or belongings of the employee or the Council
- any work-related incident involving an employee, or their family, which happens away from the workplace.

## 2. DEFINITIONS

For the purpose of this Policy, abuse, aggression or violence is defined as '*an incident in which employees **feel** they have been verbally abused, threatened or attacked in circumstances relating to their duties either in or out of work*'.

Employees should report incidents involving race, gender or gender identity, religion or belief, disability, sexuality and age in line with the requirements of the Banbury Town Council's Dignity at Work Policy.

## 3. GENERAL STATEMENT

The Council has a duty under the Health and Safety at Work Act to minimise the risk of violence to all employees so far as is reasonably practicable.

This can be achieved by:

- carrying out risk assessments
- providing training and information to employees at risk
- changing the work environment
- changing working practices.

#### **4. MANAGERS' RESPONSIBILITIES**

All managers have a responsibility to implement this Policy and to make sure their staff are aware of it and understand it. Managers should also:

- Treat any reports of work-related violence, threats or abuse seriously and respond to them promptly.
- Record details of the incident where appropriate and give all employees involved in the incident full support during the whole process. You should also respond and consider seriously any suggestions made by staff about how to improve violence prevention and management, and give feedback to staff about their suggestions, including whether it will be taken forward and if not, why not.
- Set a positive example by reporting all incidents of violence and abuse and not tolerating abusive behaviour from customers and members of the public.
- Respond to and, where possible, resolve incidents, ideally before they escalate.
- Monitor incidences of violence and abuse and initiate appropriate action if more measures are needed.
- Where possible, direct staff to appropriate support and advice after an incident has occurred. Encourage other staff members to support their colleagues, including those that might have witnessed the incident. If victims are particularly traumatised by the event, provide support where possible, such as time off work or changes to their tasks.
- If an investigation is needed, work with the police and offer any assistance needed to help in their enquiries.

Managers have a responsibility to respond to any reports of violence. Any manager found to be encouraging or inciting violence or not resolving potentially violent or abusive situations may be subject to disciplinary action.

Managers must be aware of the:

- different types of abuse and violence
- circumstances in which they are likely to occur through risk assessment
- incident reporting procedure.

Managers are responsible for:

- completion of risk assessments
- responding urgently to any identified risks involving abuse, aggression and violence
- arranging employee training
- publicising the Policy
- putting preventative measures in place
- investigating incidents thoroughly
- supporting employees following an incident
- recognising the impact of all types of abuse, aggression and violence
- being sensitive to the needs of employees and the risks they face in all aspects of their work.

Managers must ensure employees know about potentially violent customers or service users and any measures put in place to protect them. They must decide if:

- these people should only be seen by a specific member of staff
- accompanied visits are necessary
- these people should only be dealt with by letter/email.

## **5. EMPLOYEES' DUTIES**

All staff have a personal responsibility for their own behaviour and for ensuring that they comply with this Policy.

There are a number of things that staff can do to help prevent work-related violence:

- Be aware of this Policy and comply with it.
- Offer good customer service and be aware of customer needs.
- Recognise the potential for work-related violence and take action to resolve it early on. Staff should take positive action and, for example, contact a manager if they think a customer or member of the public might cause problems.
- Don't accept instances of work-related violence directed towards you or others. Staff should report any instances of violence, threats or abuse, including any details about when it happened, who was involved and any relevant circumstances that may have contributed to the incident.
- Be supportive of colleagues who are victims or witnessed work-related violence.
- Suggest additional measures to managers which might help to prevent and manage work-related violence.

Staff have a responsibility to act in a way that does not incite or increase the likelihood of violence. Any staff member found to be encouraging or inciting violence may be subject to disciplinary action.

## **6. PREVENTATIVE MEASURES**

These guidelines apply to all services but can be adapted to meet specific needs.

### **Visits away from the workplace**

Whenever possible, arrange the initial meeting with an unknown customer or service user in the office or neutral ground where other people are present. It's important to review whether home or outside visits are essential or desirable as part of your risk assessment. If they are essential, check their authenticity. When there is any doubt about employee safety, managers must send two people to the initial meeting.

All employees must keep a diary or calendar with details of all their planned visits. They must also tell their line manager where they are going and their expected time of return. When employees are working alone or visiting potentially dangerous people or locations, they should call into base at prearranged times.

If employees are delayed, they must let their manager know. If the employee doesn't return to the office or call in as arranged, the manager must make sure contact is made with the last listed address. They must check if the visit took place and, if not, work back through the list to find out when and where the last visit was made.

When there is a serious concern for the whereabouts of an employee and attempts at contact have failed, inform the Police giving details of the employee and, where appropriate, their car.

An employee should not visit people alone if:

- there's a known history of violence
- the situation is isolated or vulnerable
- their business has known potential conflict, for example, enforcement duties.

It's the manager's responsibility to make sure back-up is available. If they can't send two employees, they must make arrangements for the employee's safety by issuing, for example, a personal alarm, two-way radio or mobile phone. Take special care with visits after dark.

Employees must carry their identity card when inspecting a site. They must inform the person responsible for the site of the visit, or show the person their ID card if it's a home visit.

### **Reception areas**

The way in which people are received sometimes affects how they react. The Town Hall Reception area should have easy access, good lighting, an inviting atmosphere, and be monitored (including via a CCTV screen visible in the office) at all times.

When people are kept waiting, explain the reasons and apologise if appropriate. If a receptionist considers a violent situation is likely to develop, they should make an excuse to leave reception to collect something from the main office. Once there, lock the door using the twist catch and call a senior employee to help.

There is also a 2 way Stornet Radio kept on reception, which can be used both to monitor problems developing in other town centre business/retail premises as an early warning system and to alert other nearby premises of any issues being experienced within the Town Hall reception. This also has a panic button facility that can be used to alert colleagues in nearby premises who may be able to assist.

Access from reception to work areas or interview rooms should be controlled.

### **Interview rooms**

Interview potentially violent people in a room close to where colleagues are working. If trouble is anticipated, two employees should conduct an interview. Seating arrangements should give employees a clear escape path.

If an employee has difficulties in an interview and feels threatened or harassed, they should end the interview and call a more senior employee to assist or take over.

### **Property and cash**

Although safeguarding property and cash is important, it's secondary to the safety of employees. If violence is directed solely at property, individual employees must decide whether to try to stop it. If it's likely to result in personal injury, then it is better not to intervene. Try to contain it within a restricted area and summon assistance.

### **Severe disturbances or 'sit-ins'**

If someone refuses to leave, employees **must** get help from their manager and, if necessary, call the Police.

## **People with dogs and other animals**

With the exception of registered assistance dogs, all dogs are banned from the Council office, without prior permission.

Sometimes people encourage their dogs and other animals to behave aggressively towards employees. Employees must report and record such incidents. This will alert other employees to potential danger, particularly home visitors.

The Dangerous Dogs Act 1991 requires owners to keep their dogs under control. An owner may be guilty of an offence if their dog:

- is dangerously out of control in a public place, or
- causes fear or apprehension in a place where it shouldn't be, and which isn't public property.

If the dog injures anyone, the owner may be guilty of an aggravated offence. In either case, the Cherwell District Council or the Police can take action against the owner.

## **7. DEALING WITH VIOLENT INCIDENTS**

It isn't always possible to predict violence, but in most cases events gradually escalate. Treat all threats of violence seriously. Because individuals respond differently, it's difficult to suggest exactly what to do. If you feel threatened, consider trying to calm the person down to diffuse the situation.

It's important to be perceptive and 'read' situations. Try:

- to avoid arguing
- to be careful in what you say and how you say it
- not to be provocative
- not to swear.

Make sure you know how to get help or escape if necessary. These situations are stressful, but it's important to try and remain calm, not to panic or overreact.

Always try to predict and prevent violent behaviour. If you can recognise early warning signs and symptoms, it's often possible to prevent violence or avoid direct confrontation. However, if the situation escalates then leave and get immediate help.

## **8. VERBAL ABUSE**

Some people become abusive and agitated over the telephone or in reception areas when they feel aggrieved. In these situations:

- try to remain calm and not be provoked into responding in a similar manner
- try to explain what has happened to the person's complaint or case
- get support and advice from your manager if necessary. They should help or may take over the conversation.

If the situation gets worse, and there is no help available from a manager, tell the person that you are ending the discussion, ask them to leave or put the phone down. Walk away, if necessary, and call the Police if they will not leave.

## 9. ACTION FOLLOWING AN INCIDENT

### Employees

If you are involved in a violent incident, you must tell your manager as soon as possible afterwards. You, or your manager, must also report it immediately to the Police and, if necessary seek medical attention.

### Managers

Cases of assault, physical violence and severe disturbance can be criminal offences, so ensure sure that the Police are called.

Managers are to investigate any incidents fully. Take written statements from witnesses as soon as possible, preferably on the day of the incident. Ensure that the Abuse, Aggression and Violence Incident Report form is completed as soon as possible. The Police may also wish to take separate statements.

If the incident involves physical violence, and the employee suffers an injury then you also need to complete a separate Accident Report form.

## 10. REPORTING PROCEDURE

If you are threatened with violence or actually assaulted, you must tell your manager and colleagues immediately. Complete the *Abuse, Aggression and Violence Incident Report Form* as soon as possible, preferably on the day of the incident. Send it to your manager, so they can fill in the management action section.

Managers must complete Part 2 and sign off the form, and then forward it to the Town Clerk. Ensure you attach any written statements or additional sheets. The "Manager's Actions" outlining the procedures related to reporting a violent incident appears at Appendix 1.

## 11. LEGAL ADVICE AND ASSISTANCE

If an employee is assaulted whilst carrying out their duties, and the Police take no action, Banbury Town Council will prosecute the assailant if it considers a successful prosecution is possible and justified. An employee can also take a private action, either through the Criminal or Civil Courts, with assistance from their trade union or a private solicitor.

## 12. SICKNESS PAYMENTS

Injury as a result of an assault at work will be treated as an industrial injury, and occupational sick pay will be paid. It's therefore important that abuse, aggression and violence incidents are reported to your manager.

## 13. COUNSELLING AND SUPPORT

The welfare of employees is of paramount importance. An employee who suffers violence must be treated sympathetically, and their immediate needs attended to **before** the more formal process of recording and reporting the incident.

Employees may choose to use Banbury Town Council's occupational health service for counselling, further information can be obtained from the Town Clerk.

#### **14. TRAINING**

Managers are responsible for identifying their employees' training needs, including the requirement for 'Conflict Management' type training. Any employees requiring further or refresher training should contact their line manager and/or the Town Clerk.

#### **15. EQUAL OPPORTUNITIES**

This Violence and Aggression at Work Policy will be applied fairly and consistently to all employees of the Council.

#### **16. RELATED INFORMATION**

Refer to Banbury Town Council's Employee Handbook and policies on Dignity at Work; Employee Support & Welfare and Complaints handling.

## Appendix 1

## Managers' Actions

Incident	Legislation	Manager's Action
Actual Physical Assault.	Offences Against the Person Act 1861	<ol style="list-style-type: none"> <li>1) Report to Police at time of incident to restrain offender and then press charges.</li> <li>2) Ensure notes are taken from any witnesses.</li> <li>3) Ensure Incident Report form is completed</li> <li>4) Review incident with member of staff, identifying any need for support, training needs etc.</li> </ol>
Threat of violence or abuse in public place, including Town Hall reception area	Public Order Act, ss. 4,4A and 5 and Protection from Harassment Act.	<ol style="list-style-type: none"> <li>1) The Manager should try to calm the offender and ask them to leave. If it becomes necessary Police should be called to facilitate removal.</li> <li>2) In any event, matter should be reported to the Police.</li> <li>3) Ensure notes are taken from any witnesses.</li> <li>4) Ensure Incident Report form is completed</li> <li>5) Review incident with member of staff, identifying any need for support, training needs etc.</li> </ol>
Threat to kill or threats to property.	Offences against the Person Act 1861	<ol style="list-style-type: none"> <li>1) Report to Police</li> <li>2) Ensure notes are taken from any witnesses.</li> <li>3) Ensure Incident Report form is completed</li> <li>4) Review incident with member of staff, identifying any need for support, training needs etc.</li> </ol>
Threat of violence or abuse in non-public place, e.g. in assailants home or on their property, including abusive correspondence	Protection from Harassment Act and Anti-Social Behaviour Act 2003	<ol style="list-style-type: none"> <li>1) Ensure Incident Report form is completed</li> <li>2) Review incident with member of staff, identifying any need for support, training needs etc.</li> <li>3) If further incident occurs to SAME person, then a witness statement needs to be prepared detailing BOTH incidents and this and a copy of the letter needs to be given to the police who will then make further investigations.</li> <li>4) Ensure further Incident Report form is completed</li> <li>5) Review incident with member of staff, identifying any need for support, training needs etc.</li> </ol>
Shouted or sworn at in person or over the telephone/abusive correspondence.	Anti-social Behaviour Act 2003	<ol style="list-style-type: none"> <li>1) Ensure detailed notes of the incident are made</li> <li>2) Ensure Incident Report form is completed</li> <li>3) Review incident with member of staff, identifying any need for support, training needs etc.</li> <li>4) Repeat incidents should be assessed by the manager with the member/s of staff in the context of the situation</li> <li>5) Manager should consider designating one officer to deal with complainant, etc.</li> <li>6) If the behaviour continues seek advice from Town Clerk.</li> </ol>
Customer is intimidating but is not abusive or swearing.	Anti-social Behaviour Act 2003	<ol style="list-style-type: none"> <li>1) Ensure detailed notes of the incident are made</li> <li>2) Ensure Incident Report form is completed</li> <li>3) Review incident with member of staff, identifying any need for support, training needs etc.</li> <li>4) Repeat incidents should be assessed by the manager with the member/s of staff in the context of the</li> </ol>
Customer is angry but not abusive or swearing.	None	If member of staff has concerns about dealing with this kind of situation it may be necessary to review training needs of member of staff.

## Appendix 2

# Abuse, Aggression & Violence Incident Report

### Employee Details

Name			
Service		Team	
Location/Site			
State if you wish your identity to be kept confidential	Yes	No	

### Details of Incident

Date		Time	
Location			

### What Happened (Tick as appropriate)

Verbal Abuse	Threat of Violence	Physical Violence
Other e.g. Intimidating Behaviour	Damage to Public Property	Damage to Private Property
Details of Injury (If applicable)		
Describe what happened ( <i>continue on an additional page if required</i> )		
Employee's Signature		Date

### Details of Aggressor (Tick as appropriate)

Name	Male	Female			
Address					
Any other relevant details. <i>In your opinion was he/she under the influence of:</i>					
Alcohol	Yes	No	Drugs	Yes	No
Appear to be ill/disturbed	Yes		No		

**Witness Details** (If applicable)

Name	Name
Team/Address	Team/Address

**Manager's Initial Actions** (Tick as appropriate)

First aid required	Yes	No
Hospital treatment required	Yes	No
Police informed	Yes	No
If yes, what action is proposed		
Name	Signature	Date

**Health & Safety Advisor - Follow Up Action** (Tick as appropriate)

HSE Reportable	Yes	No
Were existing procedures followed	Yes	No
Were existing procedures adequate	Yes	No
Comments		
Details of any other actions carried out		
Name	Signature	Date