

ST PETERS THE GREAT PARISH COUNCIL FINANCIAL REGULATIONS

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Appendixes A and B

These Financial Regulations were adopted by the Council at its Meeting held on
[.....]

FINANCIAL REGULATIONS – UPDATED MAY 2018

1. GENERAL

1.1

These financial regulations govern the conduct of financial management by the council and may only be amended or varied by resolution of the council.

1.2

The council is responsible in law for ensuring that its financial management is adequate and effective and that the council has a sound system of internal control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk.

1.3

The council's accounting control systems must include measures:

for the timely production of accounts;

that provide for the safe and efficient safeguarding of public money;

to prevent and detect inaccuracy and fraud; and

identifying the duties of officers.

1.4

These financial regulations demonstrate how the council meets these responsibilities and requirements.

1.5

At least once a year, prior to approving the Annual Governance Statement (the annual audit), the council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.

1.6

A breach of these Regulations by an employee is gross misconduct.

1.7

Members of Council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of Councillor into disrepute.

1.8

The Responsible Financial Officer (RFO) holds a statutory office and for this council the Clerk has been appointed RFO.

The RFO;

acts under the policy direction of the council;

administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;

determines on behalf of the council its accounting records and accounting control systems;

ensures the accounting control systems are observed;

maintains the accounting records of the council up to date in accordance with proper practices;

assists the council to secure economy, efficiency and effectiveness in the use of its resources; and

produces financial management information as required by the council.

1.9

The accounting records determined by the RFO shall be sufficient to show and explain the council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information as the case may be, or management information prepared for the council from time to time comply with the Accounts and Audit Regulations.

1.10

The accounting records recommended to the council for acceptance by the RFO shall in particular contain:

entries from day to day of all sums of money received and expended by the council and the matters to which the income and expenditure or receipts and payments account relate;

a record of the assets and liabilities of the council;

and wherever relevant, a record of the council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.

1.11

The accounting control systems recommended to the council for acceptance by the RFO shall include:

procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;

procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;

FINANCIAL REGULATIONS – UPDATED MAY 2018

clear identification of duties for any Councillor and officer of the Council in relation to these financial regulations

determination of councillors and officers financial and signatory responsibilities

a financial system that has defined auditable processes

a financial system that has where required defined and written down procedures for repeatable processes and these procedures will be attached as appendixes to these regulations.

procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records

measures to ensure that risk is properly managed

the council has presently defined the following processes as requiring financial procedures:

Newslink advertising

Annual Festival

1.12

The council is not empowered by these Regulations or otherwise to delegate certain specified decisions. In particular any decision regarding:

setting the final budget or the precept (Council Tax Requirement);

approving accounting statements;

approving the annual governance statement;

borrowing;

writing off bad debts;

declaring eligibility for the General Power of Competence; and

addressing recommendations in any report from the internal or external auditors,

shall be a matter for the full council only.

1.13

In addition the council must:

determine and keep under regular review the bank mandate for all council bank accounts; approve any grant or a single commitment in excess of £750; and in respect of the annual salary for any employee note the contractual position of annual salaries of employees made by the relevant Committee or portfolio holder in accordance with its terms of reference.

1.14

In these financial regulations, references to the Accounts and Audit Regulations or ‘the regulations’ shall mean the regulations issued under the provisions of section 32 of the Local Audit and Accountability Act 2014, or any superseding legislation then in force unless otherwise specified.

In these financial regulations the term ‘proper practice’ or ‘proper practices’ shall refer to guidance issued in *Governance and Accountability for Local Councils – a Practitioners Guide (England)* issued by the Joint Practitioners Advisory Group (JPAG)

2. ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)

2.1

All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices and recommended to the Council for adoption.

2.2

On a regular basis, at least once in each quarter, and at each financial year end, a member other than the Chairman (or a cheque signatory) shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the council unless otherwise delegated

2.3

The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit the report to the Council within the timescales set by the Accounts and Audit Regulations.

2.4

The council through the Finance Portfolio Holder shall ensure that there is an adequate and effective system of internal audit of its accounting records, and its systems of internal control in accordance with proper practise. The RFO shall make available such documents and records as appears to the council to be necessary for the purpose of the audit and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary for that purpose.

2.5

The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices.

2.6

The internal auditor shall:

be competent and independent of the financial operations of the council;

report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;

to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and

have no involvement in the financial decision making, management or control of the council.

2.7

Internal or external auditors may not under any circumstances: perform any operational duties for the council;

initiate or approve accounting transactions; or direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.

2.8

For the avoidance of doubt, in relation to internal audit the terms ‘independent’ and ‘independence’ shall have the same meaning as is described in proper practices.

2.9

The RFO shall make arrangements for the exercise of electors’ rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Local Audit and Accountability Act 2014, or any superseding legislation, and the Accounts and Audit Regulations.

2.10

The RFO shall without undue delay, bring to the attention of all councillors any Correspondence or report from internal or external auditors.

3. ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING

3.1

The RFO and Finance Portfolio Holder shall review the councils year forecast revenue and capital receipts and payments with a subcommittee. Having due regard to the forecast the RFO and Portfolio Holder will then formulate and submit proposals for the following financial year to the council not later than the end of November each year including any proposals for revising the current financial year accounts forecast.

3.2

The council shall consider annual budget proposals in relation to the council's year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.

3.3

The council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.

3.4

The approved annual budget shall form the basis of financial control for the ensuing year.

4. BUDGETARY CONTROL AND AUTHORITY TO SPEND

4.1

Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:

- the council for all items over £750
- a duly delegated committee of the council for items over £250 but below £750; or
- the RFO, in conjunction with the Chairman of the Council or Chairman of the appropriate committee, for any items below £250.

Such authority is to be evidenced by a Minute or by an authorisation slip duly signed by the RFO, and where necessary also by the appropriate Chairman. Contracts may not be disaggregated to avoid controls imposed by these regulations.

4.2

No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the council. During the budget year and with the approval of council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').

4.3

Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year.

4.4

The salary budgets are to be reviewed at least annually with due regard to contractual commitment and the Councils Clerk Job Grading in October for the following financial year by the Portfolio Holder and the Chairman of the Council. The review shall be evidenced by a minute of the Council.

4.5

In cases of extreme risk to the delivery of council services, the RFO may ask the Chairman, or in their absence Vice Chairman of the Council to authorise revenue expenditure on behalf of the council which in the clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work whether or not there is any budgetary provision for the expenditure, subject to a limit of £500.

4.6

No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the council is satisfied that the necessary funds are available and the requisite approval has been obtained.

4.7

All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.

4.8

The RFO shall regularly provide the council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose “material” shall be in excess of £100 or [10%] of the budget.

4.9

Changes in earmarked reserves shall be approved by council as part of the budgetary control process.

5. BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS

5.1

The council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the council; banking arrangements may not be delegated to a committee. These Arrangements shall be reviewed annually by the RFO, the Chairman of the Council and the Finance Portfolio Holder for safety and efficiency.

5.2

The RFO will arrange that a copy of every account provided by the Councils Bank/s or Investment/s provider is made available to the RFO and the Chairman of the council or the Finance Portfolio Holder at the earliest time after one is available to the RFO. The copy can be from on-line accounts. If it is a copy of an on-line account then this is to be provided monthly, if provided by the account provider then it must be at least 6 monthly.

5.3

The Chairman or Finance Portfolio Holder will with the RFO review accounts on-line at a three monthly period.

5.4

The RFO shall prepare a schedule of payments requiring authorisation, forming part of the Agenda for the Meeting and, together with the relevant invoices, present the schedule to Council. The council shall review the schedule for compliance and, having satisfied itself shall authorise payment by resolution of the council. The approved schedule shall be initialled by the Chairman of the Meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.

5.5

At the Annual Meeting the Council may authorise a schedule of Due Payments for the Financial year.

5.6

All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the council.

5.7

The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order, at the next available council meeting or in line with previously agreed authorisation given by the Council such as the schedule of Due Payments.

5.8

The RFO shall have delegated authority to authorise the payment of items only in the following circumstances:

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a)

If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled meeting of council, the RFO may ask the Chairman, or in their absence Vice Chairman of the Council to authorise expenditure provided there is no dispute or other reason to delay payment provided that a list of such payments shall be submitted to the next appropriate meeting of council; This expenditure will not exceed £750 and in the circumstances where it does a meeting of the Council will be called to consider the situation or

b)

An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of council; or

c)

fund transfers within the councils banking arrangements up to the sum of £1,000, provided that a list of such payments shall be submitted to the next appropriate meeting of council.

5.9

For each financial year the RFO shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively, Salaries, PAYE and NI, Superannuation Fund and regular maintenance contracts and the like for which council may authorise payment for the year provided that the requirements of regulation 4.1 (Budgetary Controls) are adhered to, provided also that a list of such payments shall be submitted to the next appropriate meeting of council.

5.10

A record of regular payments made under 5.9 above shall be drawn up and be signed by two signatories on each and every occasion when payment is authorised - thus controlling the risk of duplicated payments being authorised and / or made.

5.11

In respect of grants the Council will approve expenditure on any submissions at a Council meeting.

5.12

Members are subject to the Code of Conduct that has been adopted by the council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.

5.13

Any changes in the recorded details of suppliers, such as bank account records shall be approved in writing by the Finance Portfolio Holder or Chairman.

6. INSTRUCTIONS FOR THE MAKING OF PAYMENTS

6.1

The council will make safe and efficient arrangements for the making of its payments.

6.2

Following authorisation under Financial Regulation 5 above, the council a duly delegated committee or, if so delegated, the RFO shall give instruction that a payment shall be made.

6.3

All payments shall be affected by cheque or internet banking

6.4

Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be signed by two members[s] of council and countersigned by the RFO in accordance with a resolution instructing that payment. If a member who is also a bank signatory has declared a disclosable pecuniary interest, or has any other interest, in the matter in respect of which the payment is being made that Councillor shall be required to consider Standing Orders, and thereby determine whether it is appropriate and / or permissible to be a signatory to the transaction.

6.5

To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation the signatories shall each also initial the cheque counterfoil.

6.6

For internet banking payments the payment will have been authorised by submission of a schedule to the Council meeting. The schedule will be signed by two members of the Council, and countersigned by the RFO.

6.7

Cheques or internet banking schedules shall not normally be presented for signature other than at a council or committee meeting (including immediately before or after such a meeting). Any signatures obtained away from such meetings shall be reported to the council at the next convenient meeting.

6.8

If thought appropriate by the council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable Direct Debit or standing order, provided that the instructions are signed by two members and any payments are reported to council as made. The approval of the use of a variable Direct Debit or standing order shall be renewed by resolution of the council annually.

6.9

Where a computer or mobile device requires use of a personal identification number (PIN) or other password(s), for access to the council's records on that computer, a note shall be made of the PIN and Passwords and shall be handed to and retained by the Chairman of Council or the Finance Portfolio Holder in a sealed dated envelope. This envelope may not be opened other

than in the presence of two other councillors. After the envelope has been opened, in any circumstances, the PIN and / or passwords shall be changed as soon as practicable. This will not be required for the RFO's personal computer used for remote authorisation of bank payments.

6.10

No employee or councillor shall disclose any PIN or password, relevant to the working of the council or its bank accounts, to any person not authorised in writing by the council.

6.11

Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question.

6.12

The council, and any members using computers for the council's financial business, shall ensure that anti-virus, anti-spyware and firewall software with automatic updates, together with a high level of security, is used.

6.13

Where internet banking arrangements are made with any bank, the RFO shall be appointed as the Administrator. The Bank Mandate approved by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.

6.14

Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for council banking work. Breach of this Regulation will be treated as a very serious matter under these regulations.

6.15

Changes to account details for suppliers, which are used for internet banking may only be changed on written notification by the supplier and supported by written authority for change signed by two of the RFO and a signatory councillor. A programme of regular checks of standing data with suppliers will be followed.

6.16

Any Debit Card issued for use will be specifically restricted to the RFO and will also be restricted to a single transaction maximum value of £100 unless authorised by council in writing before any order is placed.

6.17

A pre-paid debit card will not be used by this Council.

6.18

A corporate credit card or trade card account can only be opened on authority given by the council following a resolution supported by reasons for the card/s given by the RFO. The authorised cards will be specifically restricted to use by the RFO and shall be subject to automatic payment in full at each month-end. Personal credit or debit cards of members or staff shall not be used under any circumstances.

6.19

The council will not normally maintain any form of cash float except in the period of the St Peters Festival. All cash received must be banked intact.

6.20

Payments from a petty cash float shall be shown separately on the schedule of payments presented to council.

7. PAYMENT OF SALARIES

7.1

As an employer, the council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by council.

7.2

Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available council meeting, as set out in these regulations above.

7.3

No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the council unless these changes are provided by previous contractual clauses or by legislation.

7.4

Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (confidential cash book). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:

a)

The Chairman, the Finance Portfolio Holder and the Employee Portfolio Holder

b)

by the internal auditor;

c)

by the external auditor; or

d)

by any person authorised under the Local Audit and Accountability Act 2014, or any superseding legislation.

7.5

The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.

7.6

An effective system of personal performance management should be maintained for employees.

7.7

Any termination payments will either be on previously agreed contractual terms or shall be supported by a clear business case and reported to the council and where new agreed by the Council.

7.8

Before employing interim staff the council must consider a full business case presented by the Employee Portfolio Holder.

8. LOANS AND INVESTMENTS

8.1

All borrowings shall be affected in the name of the council after obtaining any necessary borrowing approval. The application for Borrowing Approval, and subsequent arrangements for the Loan shall only be approved by full council.

8.2

Any financial arrangement which does not require formal Borrowing Approval from the Secretary of State (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full council. In each case a report in writing shall be provided to council in respect of value for money for the proposed transaction.

8.3

The RFO will arrange that a copy of every Loan or Investment account provided by the Councils Bank/s or Investment/s provider is made available to the RFO and the Chairman of the council or the Portfolio Holder at the earliest time after one is provided to the RFO. This copy can be from on line accounts. If it is a copy of an on-line account then this is to be provide monthly, if provided by the account provider then it must be at least 6 monthly.

8.4

All loans and investments shall be negotiated in the name of the Council and shall be for a set period in accordance with council policy.

8.5

The council may consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.

8.6

All investments of money under the control of the council shall be in the name of the council.

8.7

All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

8.8

Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, or branch shall be made in accordance with Regulation 5 (Authorisation of payments) and Regulation 6 (Instructions for payments).

9. INCOME

9.1

The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.

9.2

Particulars of all charges to be made for precept, precept grant, work done, services rendered or goods supplied shall be agreed annually by the council, and the RFO shall be responsible for the collection of all accounts due to the council.

9.3

The council will review all fees and charges on an annual basis following a report from the RFO.

9.4

Any sums found to be irrecoverable by the RFO and any bad debts shall be reported to the Chairman and Portfolio Holder, and then the council and subject to Council decision shall be written off in the financial year

9.5

All sums received on behalf of the council shall be banked intact as directed by the RFO. Evidence of receipt shall be made available by the RFO for the Council.

9.6

The origin of each receipt shall be entered on a schedule of receipts.

9.7

Personal cheques shall not be cashed out of money held on behalf of the council.

9.8

The RFO shall promptly complete any VAT Return that is required following completion of the annual audit. Any claim due in accordance with the VAT Act 1994 section 33 shall be made at annually and payment will be sought in the financial year that the claim was made.

9.9

Where any significant sums of cash are regularly received by the council, the RFO shall take such steps as agreed by the council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control, and that appropriate care is taken in the security and safety of individuals banking such cash.

9.10

Any income arising which is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity meeting separately from any council meeting (see also Regulation 16 below).

10. ORDERS FOR WORK, GOODS AND SERVICES

10.1

An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.

10.2

Order books shall be controlled by the RFO.

10.3

All Councillors and the RFO are responsible for obtaining value for money at all times. The RFO when issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any *de minimis* provisions in Regulation 11 (I) below.

10.4

Only the RFO will issue an official order or make any contract on behalf of the council.

10.5

The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments the RFO shall ensure that the statutory authority shall be reported to the Council meeting at which the order is approved so that the Minutes can record the power being used.

11. CONTRACTS

11.1

Procedures as to contracts are laid down as follows:

Every contract shall comply with these financial regulations, and no exceptions shall be made other than in an emergency provided that this regulation need not apply to contracts which relate to items i. to vi. below:

- i. for the supply of gas, electricity, water, sewerage and telephone services;
- ii. for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
- iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
- iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
- v. for additional audit work of the external Auditor up to an estimated value of £500 (in excess of this sum the RFO shall act after consultation with the Chairman and Finance Portfolio Holder; and
- vi. for goods or materials proposed to be purchased which are proprietary articles and/or are only sold at a fixed price.

11.2

Where it is intended to enter into a contract exceeding £5000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (11.1) the RFO shall invite tenders from at least three firms to be taken.

11.3

When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.

11.4

Such invitation to tender shall state the general nature of the intended contract and the RFO shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the RFO. If a prescribed date for tendering is given then tenders will not be viewed until that date.

11.5

All tenders shall be viewed at the same time on the prescribed date by the RFO in the presence of at least one member of council.

11.6

If less than three tenders are received for contracts above £5000 or if all the tenders are identical the council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.

11.7

Any invitation to tender issued under this regulation shall be subject to Standing Order 30 and

shall refer to the terms of the Bribery Act 2010.

11.8

When it is to enter into a contract of less than £5000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (1) the RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £1,000 and above £200 the RFO shall look to obtain estimates. Otherwise, Regulation 10 (3) above shall apply.

11.9.

The council shall not be obliged to accept the lowest or any tender, quote or estimate but will look for a value for money tender.

11.10

Should it occur that the council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who submitted present when the original decision-making process was being undertaken.

11.11

The European Union Procurement Directive shall apply and the terms of the Public Contracts Regulations 2015 (as amended 2017) and the Utilities Contracts Regulations 2016 including Thresholds shall be followed.

12. PAYMENT UNDER CONTRACT FOR BUILDING OR OTHER CONSTRUCTION WORKS

12.1

Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the particular contract).

12.2

Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more a report shall be submitted to the council for approval at a Council meeting.

12.3

Any variation to a contract or addition to or omission from a contract must be approved by the council and RFO and notified to the contractor in writing. (The council must be immediately informed where the final cost is likely to exceed the financial provision.)

13. STORES AND EQUIPMENT

13.1

The RFO shall be responsible for care and custody of stores and equipment.

13.2

Delivery Notes/documents shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.

13.3.

Stocks shall be kept at the minimum levels consistent with requirements.

13.4.

The RFO shall be responsible for periodic checks of stocks and stores annually or if concerns are raised.

14. ASSETS, PROPERTIES AND ESTATES

14.1

The RFO shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the council. The RFO shall ensure a record is maintained of all properties held by the council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.

14.2

No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £50.

14.3

No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a Report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).

14.4

No real property (interests in land) shall be purchased or acquired without the authority of the full council. In each case a Report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).

14.5

Subject only to the limit set in Reg. 14.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full council. In each case a Report in writing shall be provided to council with a full business case.

14.6

The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

15. INSURANCE

15.1

Following the annual risk assessment (per Financial Regulation 17), the RFO shall affect all insurances and negotiate all claims on the council's insurers.

15.2

The RFO shall give prompt notification to the Council of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.

15.3

The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.

15.4

The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to council at the next available meeting.

15.5

All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined annually by the council, or duly delegated committee.

16. CHARITIES

16.1

Where the council is sole managing trustee of a charitable body the RFO shall ensure that separate accounts are kept of the funds held on charitable trusts and separate financial reports made in such form as shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission. The RFO shall arrange for any Audit or Independent Examination as may be required by Charity Law or any Governing Document.

17. RISK MANAGEMENT

17.1

The council is responsible for putting in place arrangements for the management of risk. The RFO shall prepare, for approval by the council, risk management policy statements in respect of all activities of the council. Risk policy statements and consequential risk management arrangements shall be reviewed by the council at least annually.

17.2

When considering any new activity, the RFO shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.

18. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS

18.1

It shall be the duty of the council to review the Financial Regulations of the council from time to time. The RFO shall make arrangements to monitor changes in legislation or proper practices and shall advise the council of any requirement for a consequential amendment to these financial regulations.

18.2

The council may, by resolution of the council duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations provided that the reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of council RFO

Notes

The value quoted in any of the paragraphs (other than the EU Procurement thresholds referred to in 11.1(1)) may be varied by the council and should be reviewed regularly and confirmed annually by the council.

Every effort has been made to ensure that the contents of this document are correct at the time of publication.

APPENDIX A

Financial Procedure for Newslink advertisers

APPENDIX B

Financial Procedure for the Annual Festival