

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. Financial regulations must be observed in conjunction with the council's standing orders.

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 financial control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk and for the prevention and detection of fraud and corruption.

1.3 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.

1.4 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.

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

1.6 At least once a year, prior to approving the annual return, the council shall conduct a review of the effectiveness of its system of internal control which shall be in accordance with proper practices.

1.7 Deliberate or willful breach of these regulations by an employee may give rise to disciplinary proceedings.

1.8 Members of the 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 councillors into disrepute.

1.9 The Responsible Financial Officer (RFO) is a statutory officer and shall be appointed by the council at the Annual General Meeting of the Council. The Clerk has been appointed as RFO for this council and these regulations will apply accordingly.

1.10 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;



FINANCIAL REGULATIONS

- 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.

1.11 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.

1.12 The accounting records determined 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.

1.13 The accounting control systems determined 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;
- identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
- 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; and
- measures to ensure that risk is properly managed.

1.14 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;

FINANCIAL REGULATIONS

- approving an 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.

1.15 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 £5,000; and
- in respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the relevant committee in accordance with its terms of reference.

1.16 In these financial regulations, references to the Accounts and Audit Regulations or 'the regulations' shall mean the regulations issued under the provisions of section 27 of the Audit Commission Act 1998, or any superseding legislation, and then in force unless otherwise specified.

1.17 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), available from the websites of NALC and the Society for Local Council Clerks (SLCC).

2. ANNUAL ESTIMATES (BUDGET)

2.1 Detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the year shall be prepared each year by the RFO in the form of a budget to be considered by the Finance Committee, who will make a recommendation to Full Council.

2.2 The Council shall review the budget not later than the end of January each year and shall fix the Precept to be levied for the ensuing financial year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved budget.

2.3 The annual budgets shall form the basis of financial control for the ensuing year.

3 BUDGETARY CONTROL

3.1 Expenditure on revenue items may be incurred up to the amounts included for that class of expenditure in the approved budget.

FINANCIAL REGULATIONS

This authority is to be determined by:

- the council for all items over £5,000;
- a duly delegated committee of the council for items over £2000; or
- the Clerk, in conjunction with Chairman of Council or Chairman of the appropriate committee, for any items below £2000.

Such authority is to be evidenced by a minute or by an authorisation slip duly signed by the Clerk, and where necessary also by the appropriate Chairman.

Contracts may not be disaggregated to avoid controls imposed by these regulations.

3.2 No expenditure may be incurred that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the council, or duly delegated committee. 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').

3.3 The RFO shall provide the Council with a monthly 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.

3.4 The Clerk may incur expenditure on behalf of the Council which is necessary to carry out any repair, replacement or other work which is of such extreme urgency that it must be done at once, regardless of whether there is any budgetary provision for the expenditure, subject to a limit of £2,000. Before the Clerk acts to incur expenditure as described, they shall consult with the Chair, or in their absence the Vice-Chair, before taking any action under the authority of this regulation. The Clerk shall report the action to the Council as soon as practicable thereafter.

3.5 Unspent provisions in the revenue budget shall not be carried forward to a subsequent year unless placed in an earmarked reserve by resolution of the council.

3.6 No expenditure shall be incurred 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, or the requisite borrowing approval has been obtained.

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

4. ACCOUNTING AND AUDIT

4.1 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.

FINANCIAL REGULATIONS

4.2 The RFO shall complete the annual financial statements of the Council, including the council's annual return, as soon as practicable after the end of the financial year and shall submit them and report thereon to the Council.

4.3 The RFO shall complete the Accounts of the Council contained in the Annual Return (as supplied by the Auditor appointed from time to time by the Audit Commission) and shall submit the Annual Return for approval and authorisation by the Council to the June meeting, at the latest.

4.4 The Council shall ensure that there is an adequate and effective system of internal control of the Council's accounting records, and of its system of internal control in accordance with proper practices. The RFO shall make available such documents of the Council which are necessary for this purpose.

4.5 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.

4.6 The Internal Auditor shall:

- shall be competent and independent of the financial operations of the Council;
- shall report to Council in writing, or in person, on a regular basis with a minimum of one annual written report in respect of each financial year;
- in order to demonstrate objectivity and independence, the internal auditor shall be free from any conflicts of interest, including those arising from family relationships; and
- has no involvement in the financial decision making, management or control of the council.

4.7 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.

4.8 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.

4.9 The RFO shall make arrangements for the exercise of electors' rights in relation to accounts including the opportunity for inspection of the accounts, books, and vouchers and for the display or publication of any Notices and statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.

4.10 The RFO shall, as soon as practicable, bring to the attention of all councillors any correspondence or report from the Internal or External Auditor, unless the correspondence is of a

purely administrative matter.

5. BANKING ARRANGEMENTS AND CHEQUES

5.1 The Council's banking arrangements, including the Bank Mandate, shall be made by the RFO and approved by the Council. They shall be regularly reviewed for safety and efficiency. Cheque signatories shall be changed periodically and those with cheque signing authority shall register for internet banking.

5.2 The RFO shall prepare a schedule of payments requiring authorization, that shall form part of the Agenda for each Ordinary Meeting and, together with the relevant invoices, present the schedule to Full Council. The council shall review the schedule for compliance and, having satisfied itself shall authorize payment by a resolution of the council. A schedule of payments may include payments that have already been made and require endorsement.

5.3 Bank Transfers are the preferred method of payment and shall be drawn upon in accordance with the schedule referred to in paragraph 5.2. Verified invoices shall be presented to Councillor 1 by the RFO, to be checked and signed; payments will be set up by the RFO or the Deputy Clerk (via on-line banking) ready for submission by Councillor 2 (via on-line banking).

5.4 Where a computer 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 Chair of Council 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. The fact that the sealed envelope has been opened, in whatever circumstances, shall be reported to all members immediately and formally to the next available meeting of the council. This will not be required for a member's personal computer used only for remote authorisation of bank payments.

5.5 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 or a duly delegated committee.

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

5.7 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.

5.8 Where internet banking arrangements are made with any bank, the Clerk/RFO shall be appointed as the Service Administrator. The bank mandate approved by the council shall identify a



FINANCIAL REGULATIONS

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.

5.9 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.

5.10 Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and supported by hard copy authority for change signed by [two of] the Clerk/RFO and an authorised signatory. A programme of regular checks of standing data with suppliers will be followed.

5.11 Cheques drawn on the bank account in accordance with the schedule referred to in paragraph 5.2 or in accordance with paragraph 6.4, shall be signed by two members of Council. A member who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question.

5.12 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.

5.13 Cheques 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. PAYMENT OF ACCOUNTS

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

6.2 Following authorization under financial Regulation 5 above, the council, a duly delegated committee, or, if so delegated, the Clerk/RFO shall give instruction that a payment shall be made.

6.3 All payments shall be effected by cheque or other order drawn on the Council's bankers, in accordance with a resolution of council.

6.4 All invoices for payment shall be examined, verified and certified by the Clerk/RFO. The Clerk/RFO shall be satisfied that the work, goods or services to which the invoice relates have been

FINANCIAL REGULATIONS

received, carried out, examined and approved.

6.5 The Clerk/RFO shall examine invoices in relation to arithmetic accuracy and shall analyse them to the appropriate expenditure heading. The Clerk/RFO shall take all steps to settle all invoices submitted, and which are in order, within specified payment terms.

6.6 The Council supports 'Prompt Payment'. Where invoices have been paid before the next Ordinary Meeting, endorsement shall be included in the Account Schedule. Such payments are subject to the protocol referred to in paragraph 5.3 above.

6.7 If thought appropriate by the council, payment for utility supplies (business rates, energy, telephone and water) may be made by variable Direct Debit 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 shall be renewed by resolution of the council at least every two years.

6.8 If thought appropriate by the council, payment for certain items (principally salaries) may be made by banker's standing order provided that the instructions are signed, or otherwise evidenced by two members are retained and any payments are reported to council as made. The approval of the use of a banker's standing order shall be renewed by resolution of the council at least every two years.

6.9 Details of all expenditure will be published on the town council website.

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 salaries shall be as agreed by Council, or duly delegated committee.

7.2 Payment of salaries and payment of deductions from salary such as may be made for tax, national insurance and pension contributions, may be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to and ratified by the next available Council Meeting.

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, or duly delegated committee.

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

7.5 Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by council.

7.6 Before employing interim staff, the council must consider a full business case.

8 LOANS AND INVESTMENTS

8.1 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.

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

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

8.4 All borrowings shall be affected in the name of the Council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The terms and conditions of borrowings shall be reviewed at least annually.

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

8.6 Details of all loans will be published on the town council website.

9 INCOME

9.1 The collection of all sums due to the Council shall be the responsibility of and under the supervision of the Clerk/RFO.

9.2 Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed bi-annually by the Council, notified to the Clerk/RFO and the Clerk/RFO shall be responsible for the collection of all accounts due to the Council.

9.3 The Council will review all fees and charges bi-annually, following a report of the Clerk/RFO that must be received by the Council even where changes are not expected.

9.4 Any sums found to be irrecoverable and any bad debts shall be reported to the Council and shall be written off in the year.

9.5 All sums received on behalf of the Council shall be banked intact as directed by the Clerk/RFO. In all cases, all receipts shall be deposited with the Council's bankers with such frequency as the Clerk/RFO considers necessary.

9.6 The origin of each receipt shall be entered on the paying-in slip.

9.7 The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.

9.8 Where any significant sums of cash are regularly received by the Council, the Clerk/RFO shall take such steps as are 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 such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.

10 ORDERS FOR WORK, GOODS AND SERVICES

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

10.2 Order books shall be controlled by the Clerk/RFO.

10.3 All members and Officers are responsible for obtaining value for money at all times. An officer 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 below.

10.4 The Clerk/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 Clerk/RFO shall ensure that the statutory authority shall be reported to the 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:

a) Every contract shall comply with these financial regulations, and no exceptions shall be made other than in an emergency, provided that these regulations shall 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;

FINANCIAL REGULATIONS

(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 £250 (in excess of this sum the Clerk/RFO shall act after consultation with the Chairman and Vice Chairman of Council);

(vi) For goods or materials proposed to be purchased which are proprietary articles and/or are only sold at a fixed price.

- b) Where it is intended to enter into a contract exceeding £25,000 in value for the supply of work, goods or services the council will publish the opportunity via an 'invitation to tender' on the Government's Contracts Finder and the Council's website.
- c) An 'invitation to tender' shall state the specification, the procurement timescale, the contractors' obligations and the closing date. The invitation shall in addition state that tenders must be marked PRIVATE & CONFIDENTIAL and addressed to the Clerk to remain sealed until the prescribed date for opening tenders for that contract.
- d) If less than three tenders are received for contracts above £25,000 or if all the tenders are identical the Council may make such arrangements as it thinks fit for procuring the work, goods or services.
- e) Any invitation to tender issued under this regulation shall contain a statement to the effect of Standing Orders 18d and shall refer to the terms of the Bribery Act 2010.

11.2 Where it is intended to enter into a contract less than £25,000 in value for the supply of work, goods or services the Clerk/RFO shall obtain 3 *quotations* (priced descriptions of the proposed supply); where the value is between £2,000 and £500 the Clerk/RFO shall strive to obtain 3 *estimates*. Otherwise, Regulation 10.3 ['de minimis' provision] above shall apply.

11.3 Where it is decided that work, goods or services are of a 'specialist' nature and not subject to an 'invitation to tender', this must be agreed by a resolution of the Council.

11.4 The Council shall not be obliged to accept the lowest or any tender, quote or estimate.

11.5 All contracts awarded over £25,000 will be published on the Government's Contracts Finder.

11.6 Details of all contracts and contractors will be published on the town council's website.

12. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS

12.1 Where contracts provide for payment by instalments the Clerk/RFO shall maintain a record of

FINANCIAL REGULATIONS

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.

12.2 Any variation to a contract or addition to or omission from a contract must be approved by the Council and Clerk to the Contractor in writing, the Council being informed where the final cost is likely to exceed the financial provision.

13 STORES AND EQUIPMENT

13.1 The Clerk shall be responsible for the care and custody of stores and equipment.

13.1 Delivery Notes 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.

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

13.3 The Clerk/RFO shall be responsible for periodic checks of stocks and stores at least annually.

14 ASSETS, PROPERTIES AND ESTATES

14.1 The Clerk/RFO shall make appropriate arrangements for the custody of all title deeds of properties owned by the Council. The Clerk/RFO shall ensure a record is maintained of all land and properties owned by the Council, recording the location, size, UPRN, services offered and the main purpose thereof. Information relating to land and assets will be published on the town council website.

14.2 No property shall be 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 The Clerk/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 at the same time as insurance premiums are established.

14.4 Where assets are acquired at nil cost, these will be noted on the Assets Register with a value of £1.

14.5 The Clerk/RFO shall ensure an annual inspection of all assets with due regard to health and safety and the management of risk; this can be carried out by an external provider, e.g. RoSPA. The Council should receive an annual report and agree any action necessary.



FINANCIAL REGULATIONS

15 INSURANCE

15.1 Following the annual risk assessment (per Financial Regulation 16), the Clerk/RFO shall affect all insurances and negotiate all claims on the Council's insurers.

15.2 The Clerk/RFO shall keep a record of all insurances affected by the Council and the property and risks covered thereby and annually review it.

15.3 The Clerk/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.

15.4 All appropriate employees of the Council shall be included in a suitable fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the Council.

16 RISK MANAGEMENT

16.1 The council is responsible for putting in place arrangements for the management of risk. The Clerk/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.

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

17 REVISION OF FINANCIAL REGULATIONS

It shall be the duty of the Council to review the Financial Regulations of the Council from time to time. The Clerk 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.

Date of adoption/last review: May 2023

Date of review: May 2024

