

# **Document 2.3**

## **Financial Regulations**

Adopted 4<sup>th</sup> March 2003, reviewed & amended on 26<sup>th</sup> February 2008

**1. General**

- 1.1 These financial regulations shall govern the conduct of the financial transactions of the council and may only be amended or varied by resolution of the council.
- 1.2 The clerk shall be the responsible financial officer (R.F.O.), and, under the policy direction of the Policy & Resources Committee (P. & R. Committee), shall be responsible for the proper administration of the council's financial affairs.
- 1.3 The R.F.O. shall be responsible for the production of financial management information.

**2. Annual Estimates**

- 2.1 Each committee shall formulate and submit proposals to the P. & R. Committee in respect of revenue services and capital projects for inclusion in the rolling capital programme not later than the end of November each year.
- 2.2 Detailed estimates of income and expenditure on revenue services, and receipts and payments on capital account, shall be prepared each year by the R.F.O.
- 2.3 The P. & R. Committee shall review the estimates and submit them to the council not later than the end of January in each year, and shall recommend the precept to be levied for the ensuing financial year. The R.F.O. shall supply each member with a copy of the approved estimates.
- 2.4 The annual capital and revenue budgets shall form the basis of financial control for the ensuing year.

**3. Budgetary Control**

- 3.1 Expenditure on the revenue account may be incurred up to the amounts included in each approved committee budget.
- 3.2 No expenditure may be incurred which cannot be met from the amount provided in the appropriate committee revenue budget unless approved by the P. & R. Committee or the council.
- 3.3 The R.F.O. shall periodically provide the P. & R. Committee with a statement of income and expenditure to date under each head of the approved annual revenue and capital budgets.
- 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, whether or not there is any budgetary provision for the expenditure, subject to a limit of £2,000. The clerk shall

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report the action to the appropriate committee as soon as practicable thereafter.

- 3.5 Where expenditure is incurred in accordance with regulation 3.4 above and the sum required cannot be met from savings made elsewhere within that committee's approved budget, it shall be met from the General Reserve and approved by the P. & R. Committee.
- 3.6 Unspent provisions in the revenue budget shall be carried forward to the General Reserve in the subsequent year.
- 3.7 No expenditure shall be incurred in relation to any capital project and no contract entered into or tender accepted involving expenditure on capital account unless the committee concerned is satisfied that it is contained in the earmarked reserves programme and that the necessary capital funds are available, or the requisite borrowing approval can be obtained.
- 3.8 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 R.F.O. as required by the Accounts and Audit Regulations.
- 4.2 The R.F.O. shall be responsible for completing the annual accounts of the council as soon as practicable after the end of the financial year, and shall submit them to and report thereon to the P. & R. Committee.
- 4.3 The following principles shall be observed in connection with accounting duties:-
- (a) The duty of providing information, calculating, checking and recording sums due to, or from, the council should be separated as completely as possible from the duty of collecting or dispersing them.
  - (b) Officers charged with the duty of examining and checking the accounts of cash transactions should not be engaged in any of those transactions.
- 4.4 The R.F.O. shall be responsible for maintaining an adequate and effective system of internal audit of the council's accounting, financial and other operations in accordance with the Accounts and Audit Regulations. Any officer or member of the council shall, if the R.F.O. requires, make available such documents of the council which relate to their accounting and other records as appear to the R.F.O. to be necessary for the purpose of the audit, and shall supply the R.F.O. with such information and explanation as the R.F.O. considers necessary for that purpose.

**5. Banking Arrangements and Cheques**

- 5.1 The council's banking arrangements shall be made by the R.F.O. and approved by the P. & R. Committee. Three accounts shall be maintained at a bank(s), a current account and two higher rate deposit accounts.
- 5.2 A schedule of the payment of money shall be prepared by the R.F.O. and presented to the P. & R. Committee. If the schedule is in order, it shall be authorised by a resolution of that committee and signed by the chairman or vice-chairman.
- 5.3 Cheques drawn on the bank account, in accordance with the schedule referred to in the previous paragraph, shall be signed by two members of the Council.

**6. Payment of Accounts**

- 6.1 Apart from petty cash payments, all payments shall be effected by cheque or other order drawn on the council's bankers.
- 6.2 All invoices for payment shall be examined, verified and certified by the officer issuing the order. Before certifying an invoice, the officer shall satisfy himself that the work, goods or services to which the invoice relates, have been received, carried out, examined and approved.
- 6.3 Duly certified invoices shall be passed to the R.F.O. who shall examine them in relation to arithmetical accuracy and authorisation, and shall code them to the appropriate expenditure head. He shall take all possible steps to settle all invoices submitted and which are in order within thirty days of their receipt.
- 6.4 All duly certified invoices will then be entered on the schedule referred to in 5.2 above.
- 6.5 The R.F.O. may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the R.F.O. with a claim for reimbursement:-
- (a) The R.F.O. shall maintain a petty cash float to a limit of £250.00 for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.
  - (b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
  - (c) Payments to maintain the petty cash float shall be shown separately on the schedule of the payment of money presented to the P. & R. Committee (under 5.2 above).

**7. Payment of Salaries and Wages**

- 7.1 The payment of all salaries and wages shall be made by the R.F.O. from the current account in accordance with the payroll records.
- 7.2 All time-sheets shall be certified as to accuracy by, or on behalf of, the clerk.
- 7.3 The current account shall not be overdrawn at the bank. Transfers to fund it shall be made from one or other of the council's Deposit Accounts.

**8. Loans and Investments**

- 8.1 All loans and investments shall be negotiated by the R.F.O. in the name of the council, and shall be for a set period of time in accordance with council policy. Changes to loans and investments should be reported to the P. & R. Committee at the earliest opportunity.
- 8.2 All investments of money under the control of the council shall be in the name of the council.
- 8.3 All borrowings shall be effected in the name of the council.
- 8.4 All investment certificates and other documents relating thereto shall be retained in the custody of the R.F.O.

**9. Income**

- 9.1 The collection of all sums due to the council shall be the responsibility of and under the supervision of the R.F.O.
- 9.2 Particulars of all charges to be made for work done, services rendered or goods supplied, shall be notified to the R.F.O. and the R.F.O. shall be ultimately responsible for the collection of all accounts due to the council.
- 9.3 The council will review all fees and charges annually following a report of the clerk.
- 9.4 Any bad debts shall be reported to the P. & R. Committee.
- 9.5 All sums received on behalf of the council shall either be paid to the R.F.O. for banking or be banked by the officer collecting the money as directed by the R.F.O. In all cases, all receipts shall be deposited with the council's bankers with such frequency as the R.F.O. considers necessary.
- 9.6 A reference to the related debt, or otherwise, indicating the origin of each cheque, shall be entered on the paying-in slip.
- 9.7 Every transfer of official money from one member of staff to another shall be signed for by the receiving officer.

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

## **10. Order 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 issued shall be maintained.

10.2 Order books shall be controlled by the R.F.O.

10.3 All officers are responsible for obtaining value for money at all times. An officer issuing an official order is to ensure, as far as reasonable and practicable, that the best available terms are obtained in respect of each transaction.

## **11. Contracts**

11.1 Procedures as to the contracts are laid down in the council's standing orders as follows:

- (a) Every contract, whether made by the council or by a committee, to which the power of making contracts has been delegated, shall comply with these standing orders, and no exception from any of the following provisions of these standing orders shall be made otherwise than by direction of the council or in an emergency by such a committee, as aforesaid, provided that these standing orders shall not apply to contracts which relate to items (i) to (v) 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 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 goods or materials proposed to be purchased which are proprietary articles, and/or which are sold only at a fixed price.
- (b) Where it is intended to enter into a contract for less than £10,000 but,
  - (i) exceeding £2,000 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 (a), the clerk shall invite quotations from at least three firms.

- (ii) for expenditure of £2,000 or less in value, the chairman of the spending committee, or his appointed vice-chairman, together with the clerk or the duly authorised deputy, shall have executive power.
- (c) when applications are made to waive standing orders relating to contracts to enable a tender to be negotiated without competition, the reason shall be embodied in a recommendation to the council.
- (d) every exception made by a committee to which the power of making contracts has been delegated shall be reported to the council, and the report shall specify the emergency by which the exception shall have been justified.
- (e) Such invitation to tender shall state the general nature of the intended contract, and the clerk 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 clerk and the last date by which such tenders should reach the clerk in the ordinary course of post. Each tendering firm shall be supplied with a specially marked envelope in which the tender is to be sealed until the prescribed date for opening tenders for that contract.
- (f) All sealed tenders shall be opened at the same time on the prescribed date by the clerk or the properly authorised deputy, in the presence of at least one member of the council.
- (g) If less than three quotations are received for contracts valued above £2,000.00, 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.
- (h) The council shall not be obliged to accept the lowest or any tender.

## **12. Payments Under Contracts 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 R.F.O. upon authorised certificates of the architect or other consultants engaged to supervise the contract.
- 12.2 Where contracts provide for payment by instalments, the R.F.O. shall maintain a record of all such payments. In any case, when it is estimated that the total cost of work carried out under a contract, excluding fluctuation clauses, will exceed the contract sum by five per cent or more, a report shall be submitted to the appropriate committee.
- 12.3 Any variation to a contract, or addition to or omission from a contract, must be

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approved by the clerk or professional adviser in writing, the appropriate committee being informed where the final cost is likely to exceed the financial provision.

### **13. Stores and Equipment**

- 13.1 The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.
- 13.2 Delivery notes must be obtained in respect of all goods received into store, and goods must be checked as regard quality at the time delivery is made.
- 13.3. Stocks shall generally be maintained at the minimum levels consistent with operational requirements.

### **14. Properties and Estates**

- 14.1 The clerk shall make appropriate arrangements for the custody of all title deeds of properties owned by the council. The R.F.O. shall ensure a record is maintained of all properties owned 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 Regulation 4 (3) b) of the Accounts and Audit Regulations, 1996.
- 14.2 No property shall be sold, leased or otherwise disposed of without the authority of the council, save where the estimated value of any one item does not exceed £1,000.

### **15. Insurance**

- 15.1 The R.F.O. shall effect all insurances and negotiate all claims on the council's insurers in consultation with the clerk.
- 15.2 The R.F.O. shall keep a record of all insurances effected by the council, and the property and risks covered thereby, and annually review it.
- 15.3 The R.F.O. shall be notified of any loss liability or damage or of any event likely to lead to a claim.
- 15.4 All appropriate employees of the council shall be included in a suitable fidelity guarantee insurance.

### **16. Risk Management**

- 16.1 The Clerk, with the R.F.O., shall prepare and promote risk management policy statements in respect of all activities of the Council.
- 16.2 When considering any new activity, the Clerk and R.F.O. shall prepare a draft Risk Management policy for the activity and shall bring a draft addressing the

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legal and financial liabilities and Risk management issues that arise to Council for consideration, and, if thought appropriate, adoption.

**17. Revision of Financial Regulations**

17.1 It shall be the duty of the P. & R. Committee to review the financial regulations of the council from time to time and to make such recommendations to the council as the committee considers are required.