



Crewkerne Town Council

Financial Regulations

CREWKERNE TOWN COUNCIL

FINANCIAL REGULATIONS

Contents

1. General	3
2. Risk management and internal control	4
3. Accounts and audit	5
4. Budget and precept	6
5. Procurement	7
6. Banking and payments	8
7. Electronic payments	10
8. Cheque payments	11
9. Payment cards	11
10. Petty Cash	11
11. Payment of salaries and allowances	11
12. Loans and investments	12
13. Income	12
14. Payments under contracts for building or other construction works	13
15. Stores and equipment	13
16. Assets, properties and estates	13
17. Insurance	14
18. Charities	14
19. Suspension and revision of Financial Regulations	14
Appendix 1 - Tender process	15
Appendix 2 – Financial Procedures	16
Appendix 3 – Role of the Independent Internal Auditor	18
Appendix 4 – Duties of the Responsible Financial Officer	19

1. General

- 1.1. These Financial Regulations govern the financial management of the council and may only be amended or varied by resolution of the council. They are one of the council's governing documents and shall be observed in conjunction with the council's Standing Orders.
- 1.2. Councillors are expected to follow these regulations and not to entice employees to breach them. Failure to follow these regulations brings the office of councillor into disrepute.
- 1.3. Wilful breach of these regulations by an employee may result in disciplinary proceedings.
- 1.4. In these Financial Regulations:
 - 'Accounts and Audit Regulations' means the regulations issued under Sections 32, 43(2) and 46 of the Local Audit and Accountability Act 2014, or any superseding legislation, and then in force, unless otherwise specified.
 - "Approve" refers to an online action, allowing an electronic transaction to take place.
 - "Authorise" refers to a decision by the council, or a committee or an officer, to allow something to happen.
 - 'Proper practices' means those set out in *The Practitioners' Guide*.
 - *Practitioners' Guide* refers to the guide issued by the Joint Panel on Accountability and Governance (JPAG) and published by NALC in England or Governance and Accountability for Local Councils in Wales – A Practitioners Guide jointly published by One Voice Wales and the Society of Local Council Clerks in Wales.
 - 'Must' and **bold text** refer to a statutory obligation the council cannot change.
 - 'Shall' refers to a non-statutory instruction by the council to its members and staff.
- 1.5. The Responsible Financial Officer (RFO) holds a statutory office, appointed by the council. The Town Clerk has been appointed as RFO and these regulations apply accordingly. The Finance Officer (FO) will be responsible for day-to-day operation of the Council's accounting procedures and work as directed by the RFO, to achieve all the Council's financial and accounting objectives. 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 control systems;
 - ensures the accounting control systems are observed;
 - ensures the accounting records are kept up to date;
 - seeks economy, efficiency and effectiveness in the use of council resources; and
 - produces financial management information as required by the council.
- 1.6. **The council must not delegate any decision regarding:**
 - **setting the final budget or the precept (council tax requirement);**

- **the outcome of a review of the effectiveness of its internal controls**
- **approving accounting statements;**
- **approving an annual governance statement;**
- **borrowing;**
- **declaring eligibility for the General Power of Competence; and**
- **addressing recommendations from the internal or external auditors**

1.7. In addition, the council shall:

- determine and regularly review the bank mandate for all council bank accounts; and
- authorise any grant or single commitment in excess of £5,000.

2. Risk management and internal control

2.1. **The council must ensure that it has a sound system of internal control, which delivers effective financial, operational and risk management.**

2.2. The RFO shall prepare, for approval by the council, a risk management policy covering all activities of the council. This policy and consequential risk management arrangements shall be reviewed by the council at least annually.

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

2.4. **At least once a year, the council must review the effectiveness of its system of internal control, before approving the Annual Governance Statement.**

2.5. **The accounting control systems determined by the RFO must include measures to:**

- **ensure that risk is appropriately managed;**
- **ensure the prompt, accurate recording of financial transactions;**
- **prevent and detect inaccuracy or fraud; and**
- **allow the reconstitution of any lost records;**
- **identify the duties of officers dealing with transactions and**
- **ensure division of responsibilities.**

2.6. At least once in every month and at each financial year end, a member other than the Chair, shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign and date the reconciliations and the original bank statements (or similar document) as evidence of this. This activity, including any exceptions, shall be reported to and noted by the council.

2.7. Regular back-up copies shall be made of the records on any council computer and stored either online or in a separate location from the computer. The council shall put measures in

place to ensure that the ability to access any council computer is not lost if an employee leaves or is incapacitated for any reason.

3. Accounts and audit

- 3.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations.
- 3.2. **The accounting records determined by the RFO must be sufficient to explain the council's transactions and to disclose its financial position with reasonable accuracy at any time. In particular, they must contain:**
 - **day-to-day entries of all sums of money received and expended by the council and the matters to which they relate;**
 - **a record of the assets and liabilities of the council;**
- 3.3. The accounting records shall be designed to facilitate the efficient preparation of the accounting statements in the Annual Governance and Accountability Return.
- 3.4. The RFO shall complete and certify the annual Accounting Statements of the council contained in the Annual Governance and Accountability Return in accordance with proper practices, as soon as practicable after the end of the financial year. Having certified the Accounting Statements, the RFO shall submit them (with any related documents) to the council, within the timescales required by the Accounts and Audit Regulations.
- 3.5. **The council must ensure that there is an adequate and effective system of internal audit of its accounting records and internal control system in accordance with proper practices.**
- 3.6. **Any officer or member of the council must make available such documents and records as the internal or external auditor consider 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.
- 3.7. The internal auditor shall be appointed by the council and shall carry out their work to evaluate the effectiveness of the council's risk management, control and governance processes in accordance with proper practices specified in the Practitioners' Guide.
- 3.8. The council shall ensure that the internal auditor:
 - is competent and independent of the financial operations of the council;
 - reports to council in writing, or in person, on a regular basis with a minimum of one written report during each financial year;
 - can demonstrate competence, objectivity and independence, free from any actual or perceived conflicts of interest, including those arising from family relationships; and
 - has no involvement in the management or control of the council.
- 3.9. Internal or external auditors may not under any circumstances:
 - perform any operational duties for the council;

- initiate or approve accounting transactions;
 - provide financial, legal or other advice including in relation to any future 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.
- 3.10. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as described in The Practitioners Guide.
- 3.11. 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 documents required by the Local Audit and Accountability Act 2014, or any superseding legislation, and the Accounts and Audit Regulations.
- 3.12. The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

4. Budget and precept

- 4.1. **Before setting a precept, the council must calculate its council tax requirement for each financial year by preparing and approving a budget, in accordance with The Local Government Finance Act 1992 or succeeding legislation.**
- 4.2. Budgets for salaries and wages, including employer contributions shall be reviewed by the council at least annually in October for the following financial year and the final version shall be evidenced by a hard copy schedule signed by the Clerk and the Chair of the Council or Policy and Resources Committee.
- 4.3. No later than December each year, the RFO shall prepare a draft budget with detailed estimates of all income and expenditure for the following financial year, taking account of the lifespan of assets and cost implications of repair or replacement.
- 4.4. Unspent budgets for completed projects shall not be carried forward to a subsequent year. Unspent funds for partially completed projects may only be carried forward by placing them in an earmarked reserve with the formal approval of the full council.
- 4.5. The Policy and Resources Committee shall review the draft budget and submit any proposed amendments to the council not later than the end of December each year.
- 4.6. The draft budget and forecast, including any recommendations for the use or accumulation of reserves, shall be considered by the Policy and Resources Committee and a recommendation made to the council.
- 4.7. Having considered the proposed budget and forecast, the council shall determine its council tax requirement by setting a budget. The council shall set a precept for this amount no later than the end of January for the ensuing financial year.
- 4.8. **Any member with council tax unpaid for more than two months is prohibited from voting on the budget or precept by Section 106 of the Local Government Finance Act 1992 and must disclose at the start of the meeting that Section 106 applies to them.**

- 4.9. The RFO shall **issue the precept to the billing authority no later than the end of February** and supply each member with a copy of the agreed annual budget.
- 4.10. The agreed budget provides a basis for monitoring progress during the year by comparing actual spending and income against what was planned.
- 4.11. Any addition to, or withdrawal from, any earmarked reserve shall be agreed by the council or Policy and Resources Committee.

5. Procurement

- 5.1. **Members and officers are responsible for obtaining value for money at all times.** Any officer procuring goods, services or works should ensure, as far as practicable, that the best available terms are obtained, usually by obtaining prices from several suppliers.
- 5.2. The RFO should verify the lawful nature of any proposed purchase before it is made and in the case of new or infrequent purchases, should ensure that the legal power being used is reported to the meeting at which the order is authorised and also recorded in the minutes.
- 5.3. Every contract shall comply with these the council's Standing Orders and these Financial Regulations and no exceptions shall be made, except in an emergency.
- 5.4. **For a contract for the supply of goods, services or works where the estimated value will exceed the thresholds set by Parliament, the full requirements of The Public Contracts Regulations 2015 or any superseding legislation ("the Legislation"), must be followed in respect of the tendering, award and notification of that contract.**
- 5.5. Where the estimated value is below the Government threshold, the council shall (with the exception of items listed in paragraph 5.12) obtain prices as follows:
- 5.6. For contracts estimated to exceed £60,000 including VAT, the Clerk shall advertise an open invitation for tenders in compliance with any relevant provisions of the Legislation. Tenders shall be invited in accordance with Appendix 1.
- 5.7. **For contracts estimated to be over £30,000 including VAT, the council must comply with any requirements of the Legislation¹ regarding the advertising of contract opportunities and the publication of notices about the award of contracts.**
- 5.8. For contracts greater than £3,000 excluding VAT the RFO shall seek at least 2 fixed price quotes;
- 5.9. Where the value is between £1,000 and £3,000 excluding VAT, the RFO shall try to obtain 2 estimates, which might include evidence of online prices, or recent prices from regular suppliers.
- 5.10. For smaller purchases, the RFO shall seek to achieve value for money.
- 5.11. **Contracts must not be split into smaller lots to avoid compliance with these rules.**

¹ The Regulations require councils to use the Contracts Finder website if they advertise contract opportunities and also to publicise the award of contracts over £30,000 including VAT, regardless of whether they were advertised.

5.12. The requirement to obtain competitive prices in these regulations need not apply to contracts that relate to items (i) to (iv) below:

- i. specialist services, such as legal professionals acting in disputes;
- ii. repairs to, or parts for, existing machinery or equipment;
- iii. works, goods or services that constitute an extension of an existing contract;
- iv. goods or services that are only available from one supplier or are sold at a fixed price.

5.13. When applications are made to waive this financial regulation to enable a price to be negotiated without competition, the reason should be set out in a recommendation to the council or relevant committee. Avoidance of competition is not a valid reason.

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

5.15. Individual purchases within an agreed budget for that type of expenditure may be authorised by:

- The Clerk, under delegated authority, for any items below £1,000 excluding VAT.
- the Clerk, in consultation with the Chair of the Council, or Chair of the appropriate committee, for any items below £5,000 excluding VAT.
- the council for all items over £5,000.

Such authorisation must be supported by a minute (in the case of council or committee decisions) or other auditable evidence trail.

5.16. No individual member, or informal group of members may issue an official order or make any contract on behalf of the council.

5.17. No expenditure may be authorised that will exceed the budget for that type of expenditure other than by resolution of the council, or a duly delegated committee acting within its Terms of Reference, except in an emergency.

5.18. In cases of serious risk to the delivery of council services or to public safety on council premises, the clerk may authorise expenditure of up to £3,000 excluding VAT on repair, replacement or other work that in their judgement is necessary, whether or not there is any budget for such expenditure. The Clerk shall report such action to the Chair as soon as possible and to the council as soon as practicable thereafter.

5.19. No expenditure shall be authorised, no contract entered into or tender accepted in relation to any major project, unless the council is satisfied that the necessary funds are available and that where a loan is required, Government borrowing approval has been obtained first.

5.20. An official order or letter shall be issued for all work, goods and services above £250 excluding VAT unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained, along with evidence of receipt of goods.

5.21. Any ordering system can be misused and access to them shall be controlled by the RFO.

6. Banking and payments

- 6.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and authorised by the council; banking arrangements shall not be delegated to a committee. The council has resolved to bank with Lloyds bank. The council's other investments are detailed in the Investment and Borrowing Management policy. The arrangements shall be reviewed regularly for security and efficiency.
- 6.2. The council must have safe and efficient arrangements for making payments, to safeguard against the possibility of fraud or error. Wherever possible, more than one person should be involved in any payment, for example by dual online authorisation or dual cheque signing. Even where a purchase has been authorised, the payment must also be authorised and only authorised payments shall be approved or signed to allow the funds to leave the council's bank.
- 6.3. All invoices for payment should be examined for arithmetical accuracy, analysed to the appropriate expenditure heading and verified to confirm that the work, goods or services were received, checked and represent expenditure previously authorised by the council before being certified by the RFO.
- 6.4. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of employment) may be summarised to avoid disclosing any personal information.
- 6.5. All payments shall be made by online banking or cheque, in accordance with a resolution of the council, or duly delegated committee, or a delegated decision by an officer, unless the council resolves to use a different payment method.
- 6.6. The Clerk and RFO shall have delegated authority to authorise payments in the following circumstances:
 - i. Any payments of up to £1,000 excluding VAT, within an agreed budget.
 - ii. Payments of up to £3,000 excluding VAT in cases of serious risk to the delivery of council services or to public safety on council premises.
 - iii. Any payment necessary to avoid a charge under the Late Payment of Commercial Debts (Interest) Act 1998, or to comply with contractual terms, where the due date for payment is before the next scheduled meeting of the council, where the Clerk and RFO certify that 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.
 - iv. Fund transfers within the councils banking arrangements up to the sum of £10,000, provided that a list of such payments shall be submitted to the next appropriate meeting of council.
- 6.7. Prior to each Full Council meeting a councillor other than the Chair shall examine and verify all invoices for accuracy. The RFO shall present a schedule of these payments requiring authorisation, forming part of the agenda for the meeting, to the council. The council shall review the schedule for compliance and, having satisfied itself, shall authorise payment by resolution. The authorised schedule shall be initialled immediately below the last item by

the person chairing the meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of that meeting.

7. Electronic payments

- 7.1. Where internet banking arrangements are made with any bank, the RFO and Finance Officer shall be appointed as the Service Administrators. The bank mandate agreed by the council shall identify at least three councillors who will be authorised to approve transactions on those accounts and a minimum of two people will be involved in any online approval process.
- 7.2. All authorised signatories shall have access to view the council's bank accounts online.
- 7.3. No employee or councillor shall disclose any PIN or password, relevant to the council or its banking, to anyone not authorised in writing by the council or a duly delegated committee.
- 7.4. The Service Administrator shall set up all items due for payment online. A list of payments for approval, together with copies of the relevant invoices, shall be sent by email to two authorised signatories.
- 7.5. In the prolonged absence of the Service Administrator an authorised signatory shall set up any payments due before the return of the Service Administrator.
- 7.6. Two councillors who are authorised signatories shall check the payment details against the invoices before approving each payment using the online banking system.
- 7.7. Evidence shall be retained showing which members approved the payment online and a printout of the transaction confirming that the payment has been made shall be appended to the invoice for audit purposes.
- 7.8. A full list of all payments made in a month shall be provided to the next council meeting and appended to the minutes.
- 7.9. With the approval of the council in each case, regular payments (such as gas, electricity, telephone, broadband, water, National Non-Domestic Rates, refuse collection, pension contributions and HMRC payments) may be made by variable direct debit, provided that the instructions are signed by two authorised members. The approval of the use of each variable direct debit shall be reviewed by the council at least every two years.
- 7.10. Payment may be made by BACS or CHAPS by resolution of the council provided that each payment is approved online by two authorised bank signatories, evidence is retained and any payments are reported to the council at the next meeting. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.
- 7.11. If thought appropriate by the council, regular payments of fixed sums may be made by banker's standing order, provided that the instructions are signed or approved online by two members, evidence of this is retained and any payments are reported to council when made. The approval of the use of a banker's standing order shall be reviewed by the council at least every two years.
- 7.12. Account details for suppliers may only be changed upon written notification by the supplier verified by the Clerk, Finance Officer and/or a member. This is a potential area for fraud and

the individuals involved should ensure that any change is genuine. Data held should be checked with suppliers every two years.

7.13. Members and officers shall ensure that any computer used for the council's financial business has adequate security, with anti-virus, anti-spyware and firewall software installed and regularly updated.

7.14. Remembered password facilities other than secure password stores requiring separate identity verification should not be used on any computer used for council banking.

8. Cheque payments

8.1. Cheques or orders for payment in accordance with a resolution or delegated decision shall be signed by two members.

8.2. A signatory having a family or business relationship with the beneficiary of a payment shall not, under normal circumstances, be a signatory to that payment.

8.3. To indicate agreement of the details on the cheque with the counterfoil and the invoice or similar documentation, the signatories shall also initial the cheque counterfoil and invoice.

9. Payment cards

9.1. The Town Council Corporate Purchase card and any trade card account opened by the council will be specifically restricted to use by the RFO and FO and any balance shall be paid in full each month. The Corporate Purchase card shall be restricted to a maximum spend of £3,000 per month. Before any order above the value of £100 is placed using the Corporate Purchase card, a Purchase Authority shall be signed by two councillors who are cheque signatories.

9.2. Personal credit or debit cards of members or staff shall not be used except for expenses of up to £250 including VAT, incurred in accordance with council policy.

10. Petty Cash

10.1. The council will not maintain any form of cash float. All cash received must be banked intact.

11. Payment of salaries and allowances

11.1. As an employer, the council must make arrangements to comply with the statutory requirements of PAYE legislation.

11.2. Councillors allowances (where paid) are also liable to deduction of tax under PAYE rules and must be taxed correctly before payment.

11.3. Salary rates shall be agreed by the council, or a duly delegated committee. No changes shall be made to any employee's gross pay, emoluments, or terms and conditions of employment without the prior consent of the council. However, where nationally agreed pay rises apply as a contractual right, this shall be implemented automatically by the RFO and noted by council at the next meeting.

- 11.4. Payment of salaries shall be made, after deduction of tax, national insurance, pension contributions and any similar statutory or discretionary deductions, on the dates stipulated in employment contracts.
- 11.5. Deductions from salary shall be paid to the relevant bodies within the required timescales, provided that each payment is reported, as set out in these regulations above.
- 11.6. Each payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a payroll control account or other separate confidential record, with the total of such payments each calendar month reported in the cashbook.
- 11.7. Any termination payments shall be supported by a report to the council, setting out a clear business case. Termination payments shall only be authorised by the full council.

12. Loans and investments

- 12.1. Any application for Government approval to borrow money and subsequent arrangements for a loan must be authorised by the full council and recorded in the minutes. All borrowing shall be in the name of the council, after obtaining any necessary approval.
- 12.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State (such as Hire Purchase, Leasing of tangible assets or loans to be repaid within the financial year) must be authorised by the full council, following a written report on the value for money of the proposed transaction.
- 12.3. The council shall consider the requirement for an Investment Strategy and Policy in accordance with Statutory Guidance on Local Government Investments, which must be written in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.
- 12.4. All investment of money under the control of the council shall be in the name of the council.
- 12.5. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 12.6. Payments in respect of short-term or long-term investments, including transfers between bank accounts held in the same bank, shall be made in accordance with these regulations.

13. Income

- 13.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.
- 13.2. The council will review all fees and charges for work done, services provided, or goods sold at least annually as part of the budget-setting process, following a report of the RFO. The RFO shall be responsible for the collection of all amounts due to the council.
- 13.3. Any sums found to be irrecoverable and any bad debts shall be reported to the council by the RFO and shall be written off in the year. The council's approval shall be shown in the accounting records.

- 13.4. All sums received on behalf of the council shall be deposited intact with the council's bankers, with such frequency as the RFO considers necessary. The origin of each receipt shall clearly be recorded on the paying-in slip or other record.
- 13.5. Personal cheques shall not be cashed out of money held on behalf of the council.
- 13.6. The RFO shall ensure that VAT is correctly recorded in the council's accounting software and that any VAT Return required is submitted by the due date.
- 13.7. Any income that 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.

14. Payments under contracts for building or other construction works

- 14.1. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments, which shall be made within the time specified in the contract based on signed certificates from the architect or other consultant engaged to supervise the works.
- 14.2. Any variation of, addition to, or omission from a contract must be authorised by the RFO to the contractor in writing, with the council being informed where the final cost is likely to exceed the contract sum by 5% or more, or likely to exceed the budget available.

15. Stores and equipment

- 15.1. The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.
- 15.2. 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.
- 15.3. Stocks shall be kept at the minimum levels consistent with operational requirements.

16. Assets, properties and estates

- 16.1. The Clerk shall make arrangements for the safe custody of all title deeds and Land Registry Certificates of properties held by the council.
- 16.2. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date, with a record of all properties held by the council, their 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.
- 16.3. 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.
- 16.4. No interest in land/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. In each case a written report shall be provided to council in respect of valuation and surveyed condition of the land/property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate where required by law).

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, except where the estimated value of any one item does not exceed £500. In each case a written report shall be provided to council with a full business case.

17. Insurance

- 17.1. The RFO shall keep a record of all insurances effected by the council and the property and risks covered, reviewing these annually before the renewal date in conjunction with the council's review of risk management.
- 17.2. The RFO shall promptly arrange additional insurance cover for all new risks, properties or vehicles which are required to be insured and of any alterations affecting existing insurances.
- 17.3. The RFO shall be notified of any loss, liability, damage or event likely to lead to a claim, and shall report these to the council at the next available meeting. The RFO shall negotiate all claims on the council's insurers.
- 17.4. 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.

18. Charities

- 18.1. Where the council is sole managing trustee of a charitable body the Clerk and 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 Clerk and RFO shall arrange for any audit or independent examination as may be required by Charity Law or any Governing Document.

19. Suspension and revision of Financial Regulations

- 19.1. The council shall review these Financial Regulations annually and following any change of Clerk or RFO. The RFO shall monitor changes in legislation or proper practices and advise the council of any need to amend these Financial Regulations.
- 19.2. The council may, by resolution duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations, provided that reasons for the suspension are recorded and that an assessment of the risks arising has been presented to all members. Suspension does not disapply any legislation or permit the council to act unlawfully.
- 19.3. The council may temporarily amend these Financial Regulations by a duly notified resolution, to cope with periods of absence, local government reorganisation, national restrictions or other exceptional circumstances.

Appendix 1 - Tender process

- 1) Any 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.
- 2) The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post, unless an electronic tendering process has been agreed by the council.
- 3) Where a postal process is used, each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract. All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.
- 4) Where an electronic tendering process is used, the council shall use a specific email address that will be monitored to ensure that nobody accesses any tender before the expiry of the deadline for submission.
- 5) Any invitation to tender issued under this regulation shall be subject to Standing Order 18 and shall refer to the terms of the Bribery Act 2010.
- 6) Where 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, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision-making process was being undertaken.

Appendix 2 – Financial Procedures

The Council Accounts are computerised using AdvantEdge software. All council financial procedures will comply with the statement of Financial Regulations.

Income

Money received by the Town Council is banked on the day of receipt unless it arrives after the bank has closed. Such un-banked money is kept in a locked money box in a locked cupboard in the office over-night. Receipts are issued for all monies received. Receipts will also record the relevant invoice numbers where appropriate. A further record of receipts is the bank paying-in book which will also show a record of the receipt number to which the money refers.

Some income is transferred to the council by means of the BACS system. A record of such transfers is received from the payees and placed in a file. Further evidence of BACS payments is provided by the monthly Bank Statements.

Computer records are kept of all income transactions and are comprehensively backed up.

Expenditure & Payment of Invoices

Agreement for payment will be made by the RFO after having checked the invoice against an order or tender and where the sum has been agreed by the council. When the payment of an invoice has been authorised (normally at a Town Council Meeting), the FO will arrange for payment using either a cheque or through the online banking system.

Cheques

A cheque is made out and then signed by any two authorised Councillors, who also initial the counterfoil.

Online banking

The invoice value is entered through the online banking system and is authorised for payment online by any two authorised Councillors. A print out of the Councillor's authorisation is attached to the associated invoices.

A monthly statement of accounts to be paid will be presented to the Council for approval. The cheques will be signed, having previously been prepared and the online payments will have been authorised. Salary payments by BACS shall be made in accordance with Financial Regulations. The Inland Revenue returns and Superannuation payments may be paid promptly but must be recorded by payment method and description only on the monthly statement of accounts in order to preserve staff confidentiality. Bills may be settled prior to the Council Meeting so as not to incur penalties (See Financial Regulations).

Computer records are kept of all expenditure transactions, including petty cash payments. Computer records are held on an IT workgroup server and access to the secure shared data is via individual staff passwords. All computer records are backed up on an ongoing daily basis.

Actual expenditure and income against the budget are reported on a quarterly basis.

Bank Transfers

The RFO will transfer funds to and from the 32 Day Notice and Business Call accounts as necessary to ensure that there are adequate funds in the Business Call account to cover all outstanding payments and taking advantage of higher interest on reserves in the 32 Day Notice Account.

There is “drip feed” arrangement between the Current Account and Business Call Account to maintain a daily Current Account balance of £50,000.

Salaries Records

Each employee has a separate excel spreadsheet showing the employee’s name, rate of pay, the hours worked, the total gross wages earned and the deductions for national insurance, taxation and superannuation etc., together with the employer’s contributions, and finally the net amounts payable by the Council to the employee, and to HM Revenue & Customs (HMRC). Staffology payroll software is used to calculate the national insurance and taxation deductions, and employer contributions. The RFO will provide the Finance Officer with an internal document of the latest amended, approved salaries countersigned by the Mayor. National pay increases and incremental pay rise calculations will be double checked by the RFO, and a copy of each spreadsheet shall be initialled accordingly and kept in the Audit File.

Bank Reconciliation

Bank statements are received after the end of each month and all accounts are balanced with the computer records. After checking by the RFO, printed records are then placed in an Audit File and bank statements are kept in a separate file. A copy of the monthly Bank Reconciliation is presented to the Town Council Meeting.

Audit

As soon as possible after 31st March the accounts are finalised and an income and expenditure account, balance sheet and Annual Return produced. At this stage the accounts have been audited by the Internal Auditor. They should then be approved and signed by resolution as soon as practicable after the end of the financial year and at least within the advised time limit. These accounts are then subject to audit by the External Auditors appointed by the Smaller Authorities’ Audit Appointments (SAAA) or other authorised body. Prior to audit the approved accounts must be displayed on the public notice board for a given period of time and the public are given notice that the full accounts are available for inspection.

The RFO will ensure that the Council considers the annual internal and external written reports and demonstrates that by inclusion in the agendas and minutes. Following a satisfactory audit the accounts are signed off and a written statement from the auditor is added to the accounts statement. A public notice placed is on the board for the required time and subsequently retained, for audit evidence purposes.

Appendix 3 – Role of the Independent Internal Auditor

The internal auditor shall:

- be allowed to have direct access to the Council
- have no other role or be related to any member within the Council
- prepare a report in writing in his/her own name and addressed to the Council
- be competent to carry out the work i.e.(i) shall have an understanding of basic accounting processes (ii) shall have an understanding of the role of internal auditor in reviewing systems rather than undertaking detailed checks that are more appropriately the responsibility of management (iii) shall have an awareness of risk management issues (iv) shall have an understanding of accounting requirements of the legal framework and powers of local councils.
- undertake the work in an ethical manner with integrity and objectivity.

Responsibility

To report on the adequacy of the systems of financial control in operation. This will include:

1. Review of internal controls in place and their documentation as listed in Section 5 of the 'Governance and Accountability in Local Councils in England and Wales – A Practitioners' Guide'.
2. Review of minutes to ensure legal powers in place, recorded and correctly applied.
3. Testing of income and expenditure from minutes to cashbook, from bank statements to cashbook, from minutes to statements etc. including petty cash transactions.
4. Review and testing of systems and arrangements to prevent and detect fraud and corruption, including risk management processes.
5. Testing of disclosures.
6. Testing of specific internal controls and reporting findings to management.
7. The War Commemoration Trust Recreation Ground separate accounts and financial reports made in such form as shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission.
8. Reports of fraudulent or corruption findings depending on the type shall be reported to the Mayor in the first instance, the RFO (as appropriate), Chairman of Policy and Resources and the Council.

Appendix 4 – Duties of the Responsible Financial Officer

1. To prepare financial reports for the Policy and Resources committee, and/or the Council. These reports will cover budget monitoring, fund balances, receipts to date, payroll summary, payment of accounts, and other relevant current matters.
2. To prepare draft estimates. When approved by Council these will form the annual budget monitoring during the year. To report thereon to the Policy and Resources committee.
3. To submit the precept to the Unitary Council and supply any breakdown requested.
4. To ensure regular banking (daily if necessary) of all money received and expended by the Council.
5. To ensure that all money due to the Council is billed and collected promptly.
6. To identify the duties of all officers, including the RFO dealing with financial transactions, and ensure, as far as possible, the division of responsibilities of those officers in relation to larger transactions. In other words, to ensure that there is as much internal checking as possible.
7. To manage cash flow and control investments and bank transfers.
8. To control payments by cheque, corporate card and online banking.
9. To handle the overall management of payroll, including Local Government Pension Scheme. To ensure prompt payment of tax and national insurance to the collector of taxes monthly. Also to ensure, where appropriate prompt payment of sums due to the pension authority.
10. To take overall responsibility for submission of monthly VAT returns and to deal with VAT inspections.
11. To verify the budget code of suppliers' invoices prior to certification for payment.
12. To ensure the preparation and balance of the final accounts are in accordance with the regulations and report thereon to Policy and Resources Committee and the Full Town Council.
13. To produce accounts and records for external audit in accordance with the regulations.
14. To arrange for internal audit material of all aspects of the Council's financial affairs.
15. To monitor compliance with the Council's financial regulations and ensure correct financial systems are in place.
16. To manage insurance risk. To process claims as necessary. To report annually to Policy and Resources Committee or council on insurance risk covered.
17. To ensure that the Council's register of property and assets is maintained.

18. To be familiar with the computerised accounting system in place.

VERSION CONTROL:

These Financial Regulations were adopted by the Policy & Resources Committee at its meeting held on 10th February 2025.

REVIEW:

As a core governing document, Financial Regulations are to be reviewed annually at the Annual Town Council Meeting, or sooner if changes or legislation requires it.

Due: May 2025.