

**SWINFEN AND PACKINGTON
PARISH COUNCIL**

**FINANCIAL REGULATIONS
Amended 19/01/2022**

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1. GENERAL

- 1.1 These Financial Regulations govern the conduct of financial management of the Council and may only be amended or varied by resolution of the Council. Financial Regulations are one of the Council's three governing policy documents providing procedural guidance for members and officers. Financial Regulations must be observed in conjunction with the Council's Standing Orders and any individual Financial Regulations relating to contracts.
- 1.2 The Council is responsible in law for ensuring that its financial management is adequate and effective, and that the Council has a sound system of internal control which facilitates the effective exercise of the Council's functions, including arrangements for the management of risk.
- 1.3 The Council's accounting control systems must include measures:
- for the timely production of accounts
 - that provide for the safe and efficient safeguarding of public money
 - to prevent and detect inaccuracy and fraud, and
 - identifying the duties of officers
- 1.4 These Financial Regulations demonstrate how the Council meets these responsibilities and requirements.
- 1.5 At least once a year, prior to approving the Annual Governance Statement, the Council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.
- 1.6 Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.
- 1.7 Members of Council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of Councillor into disrepute.
- 1.8 The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the Council. The Finance Officer has been appointed as RFO for this Council and these Regulations will apply accordingly.
- 1.9 The RFO:
- acts under the policy direction of the Council
 - administers the Council's financial affairs in accordance with all Acts, Regulations and proper practices;
 - determines on behalf of the Council its accounting records and accounting control systems;
 - ensures the accounting control systems are observed;
 - maintains the accounting records of the Council up to date in accordance with proper practices;
 - assists the Council to secure economy, efficiency and effectiveness in the use of its resources, and
 - produces financial management information as required by the Council.

- 1.10 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 and statement of balances, or record of receipts and payments and additional information, or management information prepared for the Council from time to time comply with the Accounts and Audit Regulations.
- 1.11 The accounting records determined by the RFO shall 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.
- 1.12 The accounting control systems determined by the RFO shall include:
- procedures to ensure that the Financial Regulations 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 submitted to the Council for approval to be written off only with the approval of the Town Clerk and that the approvals are shown in the accounting records; and
 - measures to ensure that risk is properly managed.
- 1.13 The Council is not empowered by these Regulations or otherwise to delegate certain specified decisions regarding:
- setting the final budget or the precept (Council Tax requirement);
 - approving accounting statements;
 - 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.
- 1.14 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.
- 1.15 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.

In these Financial Regulations the term 'proper practice' or 'proper practices' shall refer to guidance issued in *Governance and Accountability for Smaller Authorities in England – a Practitioners' Guide* issued by the Joint Practitioners Advisory Group (JPAG), available from the website of the National Association of Local Councils' (NALC).

2. ANNUAL ESTIMATES (BUDGET)

- 2.1 Each Committee (if any) shall formulate and submit proposals to the Council in respect of revenue and capital costs for the following financial year, not later than the end of September each year.
- 2.2 The RFO must each year, by no later than November, prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the Policy & Resources Committee and then the Council.
- 2.3 The Council shall consider annual budget proposals at its meeting in January.
- 2.4 The Council shall fix the precept (Council Tax requirement) and relevant basic amount of Council Tax to be levied for the ensuing financial year at its January meeting, to meet any deadline set by Lichfield District Council. The RFO shall issue the precept to Lichfield District Council and shall supply each member with a copy of the approved annual budget.
- 2.5 The approved annual budget shall form the basis of financial control for the ensuing year.
- 2.6 The Town Clerk shall prepare and have regard to, a three-year forecast of Revenue and Capital Receipts and Payments, which shall be prepared for Council approval at the same time as the annual Budget or Estimates.

3. BUDGETARY CONTROL AND AUTHORITY TO SPEND

- 3.1 Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:
 - the Council for all items over £5,000;
 - a duly delegated committee of the Council for items over £1,000, or
 - the Town Clerk or Finance Officer, as appropriate, in conjunction with the Chairman of the Council or Chairman of the appropriate committee, for any items below £1,000.
 - Such authority is to be evidenced by a minute or by an authorisation slip duly signed by the Town Clerk or Finance Officer 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 authorised 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 regularly provide the Council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared for each Town Council meeting and shall show explanations of material variances. For this purpose 'material' shall be in excess of £100 or 15% of the budget.
- 3.4 The Town Clerk may incur expenditure on behalf of the Council which in the Town Clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement, or other work, which is of such extreme urgency that it must be done at once, whether there is any budgetary provision for the expenditure, subject to a limit of £1,000. The Town Clerk shall report the action to the Chairman or Leader of the Council as soon as possible and 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 approved by the Council.
- 3.6 The salary budgets are to be reviewed at least annually by November for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Town Clerk and the Policy and Resources Committee chairman. The RFO will inform committees of any changes impacting on their budget requirement for the coming year in good time.
- 3.7 No expenditure shall be incurred in relation to any capital project and no contract be let or tender accepted involving capital expenditure, unless the Council is satisfied that the necessary funds are available, and the requisite borrowing approval has been obtained.
- 3.8 All capital works shall be administered in accordance with the Council's Standing Orders and Financial Regulations relating to contracts.
- 3.9 Changes in earmarked reserves shall be approved by Council as part of the budgetary control process.

4. ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)

- 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.
- 4.2 On a regular basis, at least once in each quarter, and at each financial year end, the Chairman of the Policy and Resources Committee shall verify bank reconciliations (for

all accounts) produced by the RFO. The Chairman shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the Policy & Resources Committee.

- 4.3 The RFO shall complete the annual statement of accounts, annual report, and any related documents of the Council contained in the Annual Governance and Accountability Return (as specified in proper practices), as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the Council within the timescales set by the Accounts and Audit Regulations.
- 4.4 The RFO shall be responsible for ensuring that there is an adequate and effective system of internal audit of the Council's accounting records, and of its system of internal control in accordance with proper practices. Any officer or Member of the Council shall make available such documents and records as appear to the Council to be necessary for the purpose of the audit and shall, as directed by the Council, supply the RFO, internal auditor, or external auditor with such information and explanation as the Council considers necessary for that purpose.
- 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:
 - be competent and independent of the financial operations of the Council;
 - report to Council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
 - to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
 - not be involved 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 the accounts including the opportunity to inspect the accounts, books and vouchers and display or publish any notices and statements of account required by the Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.
- 4.10 The RFO shall, without delay, bring to the attention of all Councillors, any correspondence or report from internal or external auditors.

5. BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS

- 5.1 The Council's banking arrangements, including the bank mandate, shall be made by the RFO in consultation with the Town Clerk and approved by the Council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency.
- 5.2 The RFO shall prepare a schedule of payments made since the previous meeting or required, forming part of the Agenda for the Meeting, and, together with the relevant invoices, be presented to the Policy and Resources Committee. If more appropriate, the details may be shown in the Minutes of the Meeting. This schedule will include any payments made by Council cards, which will in turn include re-imbursements of the petty cash account.
- 5.3 All invoices for payment shall be examined, verified and certified by the Town Clerk, Deputy Town Clerk or RFO to confirm that the works, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the Council.
- 5.4 The RFO or Deputy Town Clerk shall examine invoices for arithmetical accuracy, analyse them to the appropriate expenditure heading and take all steps to arrange timely payment of all invoices submitted, and which are in order.
- 5.5 The Town Clerk shall have delegated authority to authorise payments of items only in the following circumstances:
- a) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, where the Town Clerk certifies that there is no dispute or other reason to delay payment, provided that the payments are included on the schedule of payments submitted to the next meeting of the Policy and Resources Committee.
 - b) An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that the payments are included on the schedule of payments submitted to the next meeting of the Policy and Resources Committee.
 - c) Fund transfers within the Council's banking arrangements up to the sum of £10,000, provided that the payments are included on the schedule of payments submitted to the next meeting of the Policy and Resources Committee.
- 5.6 For each financial year the Town Clerk or Finance Officer shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively) Salaries, PAYE and NI, Superannuation Fund and regular maintenance contracts and the like for which Council or a duly authorised committee may authorise payment for the year provided that the requirements of regulation 3.1 (Budgetary Controls) are adhered to, provided also that the payments are included on the schedule of payments submitted to the next meeting of the Policy and Resources Committee.
- 5.7 A record of regular payments made under 5.6 above shall be drawn up and be signed by two members on each occasion when payment is authorised – thus controlling the risk of duplicated payments being authorised and/or made.

- 5.8 In respect of grants the Council shall approve expenditure within any limits set by the Council and in accordance with any policy statement approved by Council. Any Revenue or Capital Grant more than £5,000 shall, before payment, be subject to ratification by resolution of the Council.
- 5.9 Members are subject to the Code of Conduct that has been adopted by the Council and shall comply with the Code and Standing orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest unless a dispensation has been granted.
- 5.10 The Council will aim to rotate the duties of members in these Regulations so that onerous duties are shared out as evenly as possible over time.
- 5.11 Any changes in the recorded details of suppliers, such as bank account records, shall be approved in writing by the RFO.

6. INSTRUCTIONS FOR THE MAKING OF PAYMENTS

- 6.1 The Council will make safe and efficient arrangements for the making of its payments.
- 6.2 Payments shall be made following authorisation, under Financial Regulation 5 above
- 6.3 All payments shall be affected by BACS or cheque or other instructions to the Council's bankers, or otherwise, in accordance with a resolution of Council or duly delegated committee.
- 6.4 Cheques or orders for payment drawn on the bank account 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.
- 6.5 To indicate agreement of the details shown on the cheque or an order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil or the BACS listing sheet(s).
- 6.6 If thought appropriate by the Council, payment for utility supplies (energy, telephone and water), any National Non-Domestic Rates, Salaries, PAYE and NI and Superannuation Fund may be made by variable direct debit provided that the instructions are signed by two members and any payments are reported to the Policy and Resources Committee as made.
- 6.7 If thought appropriate by the Council, payment for certain items may be made by internet banking transfer provided evidence is retained showing which members approved the payment.
- 6.8 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 retained in a sealed envelope in the Council's safe. The envelope may not be opened other than in the presence of two Councillors and the Town Clerk as administrator. 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.

- 6.9 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.
- 6.10 Daily back-up copies of the records on any computer shall be made and shall be stored safely away from the computer in question, and preferably off site.
- 6.11 The Council, and any members using computers for the Council's financial business, shall ensure that anti-virus, anti-spyware and firewall software with automatic updates, together with a high level of security, is used.
- 6.12 Where internet banking arrangements are made with any bank, the Town Clerk and, where additionally required, RFO shall be appointed as Service Administrators. The bank mandate approved by the Council shall identify several Councillors who will be authorised to approve transactions on those accounts.
- 6.13 Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for Council banking work. Breach of this Regulation will be treated as a very serious matter under these Regulations.
- 6.14 Changes to account details for suppliers, which are used for internet banking, may only be changed on written hardcopy notification by the supplier which should be signed by the RFO. A programme of regular checks e.g. quarterly, of standing data with suppliers will be followed.
- 6.15 A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the Council. Transactions and purchases made will be reported to the Policy and Resources Committee and authority for topping-up shall be at the discretion of the Council.
- 6.16 Any corporate credit card or trade card account opened by the Council will be specifically restricted to use by the Town Clerk and shall be subject to automatic payment in full at each month-end. Personal credit or debit cards of members or staff shall not be used under any circumstances.
- 6.17 The Deputy Town Clerk may provide petty cash in advance to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the RFO with a claim for reimbursement.
 - a) The RFO shall maintain a petty cash float of up to £200 for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to evidence 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 payments presented to the Policy and Resources Committee under 5.2 above.

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 National Insurance and PAYE currently operating, and salary rates 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 required to be made for PAYE, National Insurance and pension contributions, or similar statutory or discretionary deductions, must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each total monthly salary payment is reported to the next available Policy and Resources Committee meeting, as set out in these Regulations above.
- 7.3 No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the Council.
- 7.4 Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (Sage Instant Payroll software). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
- a) by any Councillor who can demonstrate a need to know;
 - b) by the internal auditor;
 - c) by the external auditor; or
 - d) by any person authorised under the Audit Commission Act 1998, or any superseding legislation.
- 7.5 The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have been paid.
- 7.6 An effective system of personal performance management should be maintained for all officers.
- 7.7 Any termination payments shall be supported by a clear business case and reported to the Council. Termination payments shall only be authorised by Council.
- 7.8 Before employing interim staff the Council must consider a full business case.

8. LOANS AND INVESTMENTS

- 8.1 All loans and investments shall be effected 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 application for borrowing approval, and subsequent arrangements for the loan shall only be approved by full Council.

- 8.2 Any financial arrangement which does not require formal borrowing approval from the Secretary of State (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full Council. In each case a report in writing shall be provided to Council in respect of value for money for the proposed transaction.
- 8.3 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.
- 8.4 All investments of money under the control of the Council shall be in the name of the Council.
- 8.5 All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 8.6 Payments in respect of short term or long term investments, including transfers between bank accounts held in the same bank or branch, shall be made in accordance with Regulation 5 (Authorisation of Payments) and Regulation 6 (Instructions for Payments).

9. INCOME

- 9.1 The collection of all sums due to the Council shall be the responsibility of and under the supervision of the RFO.
- 9.2 Particulars of all charges to be made for work done, services rendered, or goods supplied, shall be agreed annually by the Council and notified to the RFO. The RFO shall be responsible for the collection of all accounts due to the Council.
- 9.3 The Council will review all fees and charges annually, following a report by the Town Clerk.
- 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 RFO. In all cases, all receipts shall be deposited with the Council's bankers, with such frequency as the RFO considers necessary.
- 9.6 The origin of each receipt shall be entered on the paying-in slip.
- 9.7 Personal cheques shall not be cashed out of money held on behalf of the Council.
- 9.8 The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 Section 33 shall be made quarterly and to coincide with the financial year end.
- 9.9 Where any significant sums of cash are regularly received by the Council, the 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.

- 9.10 Income received must not be paid into any petty cash float but must be separately banked, as provided elsewhere within these Regulations.

10. ORDERS FOR WORK, GOODS AND SERVICES

- 10.1 An official order, email or letter shall be issued under the Town Clerk's signature for all work, goods and services, unless a formal contract is to be prepared, or an official order would be inappropriate. Copies of orders shall be retained.
- 10.2 Records of orders shall be controlled by the RFO.
- 10.3 All Members and officers are responsible for always obtaining value for money. 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 11.1 below.
- 10.4 A Member may not issue an official order or make any contract on behalf of the Council.
- 10.5 The Town Clerk 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 Town Clerk 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 otherwise than in an emergency, provided that this Regulation shall not apply to contracts which relate to items (i) to (vi) below:
- (i) for the supply of water, sewerage and NNRD payments;
 - (ii) for specialist services
 - (iii) for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
 - (iv) for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
 - (v) for additional audit work of the external auditor up to an estimated value of £500 (more than this sum the Town Clerk shall act after consultation with the Chairman and Leader of the Council); and

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

- b) Where the Council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 ("the Regulations") which is valued at £25,000 or more, the Council shall comply with the relevant requirements of the Regulations¹.

- c) The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive 2014/24EU (which may change from time to time).

- d) Where applications are made to waive Financial Regulations relating to contracts, to enable a price to be negotiated without competition, the reason shall be embodied in a recommendation to the Council.

- e) Such invitation to tender shall state the general nature of the intended contract, and the Town 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 Town Clerk. 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.

- f) All sealed tenders shall be opened at the same time on the prescribed date by the Town Clerk in the presence of at least one Member of Council.

- g) Any invitation to tender issued under this regulation shall be subject to Standing Order 30: Financial Controls and Procurement and shall refer to the terms of the Bribery Act 2010.

- h) When it is intended to enter into a contract of between £10,000 and £25,000 (i.e. below the limit covered by para. 11.1b) a formal tendering process must be carried out. For contracts between £10,000 and £1,000 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 Town Clerk shall seek to obtain three quotations (priced descriptions of the proposed supply); where the value is below £1,000 Regulation 10.3 above shall apply.

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

¹ The Regulations require councils to use the Contracts Finder website to advertise contract opportunities, set out the procedures to be followed in awarding new contracts and to publicise the award of new contracts

- j) Should it occur that the Council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the Council

requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision making process was being undertaken.

12. PAYMENTS UNDER CONTRACT FOR BUILDING OR OTHER CONSTRUCTION WORKS

- 12.1 Payments on account of the contract sum shall be made within the time specified in the contract by the Town Clerk, upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholdings as may be agreed in the particular contract).
- 12.2 Where contracts provide for payment by instalments, the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more, a report shall be submitted to the Council.
- 12.3 Any variations to, addition to or omission from a contract, must be approved by the Council and the Town Clerk in writing to the Contractor, the Council 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 shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quantity at the time delivery is made.
- 13.3 Stocks shall be kept at the minimum levels consistent with operational requirements.
- 13.4 The RFO shall be responsible for periodic checks of stocks and stores at least annually.

14. ASSETS, PROPERTIES AND ESTATES

- 14.1 The Town Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the Council. The Town Clerk shall ensure a record is maintained of all properties held by the Council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with the Accounts and Audit Regulations.
- 14.2 No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of without the authority of the Chairman of the relevant Committee or the Leader of the Council together with any other consents required by law, save where the estimated value of any one item of tangible, moveable property, does not exceed £250.

- 14.3 No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the Council, together with any other consents required by law. In each case a report in writing shall be provided to Council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 14.4 Subject only to the limit set in Regulation 14.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full Council. In each case a report in writing shall be provided to Council with a full business case.
- 14.5 The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register must be verified at least annually by the Town Clerk, possibly in conjunction with a health and safety inspection of assets.

15. INSURANCE

- 15.1 Following the annual risk assessment (per Regulation 17), the Town Clerk shall effect all insurances and negotiate all claims on the Council's insurers.
- 15.2 The Town Clerk shall give prompt notification to the Council of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 15.3 The Town Clerk shall keep a record of all insurances effected by the Council and the property and risks covered thereby and annually review it.
- 15.4 The Town Clerk shall be notified of any loss, liability or damage or of any event likely to lead to a claim and shall report these to the Council at the next available meeting.
- 15.5 All appropriate members and employees of the Council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the Council or duly delegated committee.

16. RISK MANAGEMENT

- 16.1 The Council is responsible for putting in place arrangements for the management of risk. The Town Clerk 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 annually.
- 16.2 When considering any new activity, the Town Clerk shall prepare a draft risk assessment including risk management proposals, for consideration and adoption by the Council.

17. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS

- 17.1 It shall be the duty of the Council to review the Financial Regulations of the Council from time to time. The RFO shall monitor changes in legislation or proper practices and shall advise the Council of any requirement for a consequential amendment to these Financial Regulations.
- 17.2 The Council, may, by resolution of the Council duly notified prior to the relevant meeting of the Council, suspend any part of these Financial Regulations if reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of Council.