



Westmeston Parish Council

FINANCIAL REGULATIONS

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Please note that alternative formats of this document may be available upon request.

1.	General	2
2.	Accounting & audit (internal & external)	4
3.	Annual estimates (budget) & forward planning	6
4.	Budgetary control & authority to spend	6
5.	Banking arrangements & authorisation of payments	7
6.	Instructions for the making of payments	9
7.	Payment of salaries	11
8.	Loans & investments	12
9.	Income	12
10.	Orders for work, goods & services	13
11.	Contracts	14
12.	Payments under contracts for building or other construction works	15
13.	Assets, properties & estates	16
14.	Insurance	16
15.	Risk management	17
16.	Suspension & revision of Financial Regulations	17

1. GENERAL

1.1. These Financial Regulations govern the conduct of financial management by the Council & 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 & Officers. Financial Regulations must be observed in conjunction with the Council's Standing Orders & any individual Financial Regulations relating to contracts.

1.2. The Council is responsible in law for ensuring that its financial management is adequate & effective & 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 & efficient safeguarding of public money;
- to prevent & detect inaccuracy & fraud; &
- identifying the duties of officers.

1.4. These Financial Regulations demonstrate how the Council meets these responsibilities & 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 & 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 Clerk has been appointed as RFO for this Council & 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 & proper practices;
- determines on behalf of the Council its accounting records & 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 & effectiveness in the use of its resources; &
- produces financial management information as required by the Council.

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

1.11. The accounting records determined by the Clerk/RFO shall in particular contain:

- entries from day to day of all sums of money received & expended by the Council & the matters to which the income & expenditure or receipts & payments account relate;
- a record of the assets & liabilities of the Council; &
- wherever relevant, a record of the Council's income & 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 Clerk/RFO shall include:

- procedures to ensure that the financial transactions of the Council are recorded as soon as reasonably practicable & as accurately & reasonably as possible;
- procedures to enable the prevention & detection of inaccuracies & fraud & the ability to reconstruct any lost records;
- identification of the duties of Officers dealing with financial transactions & division of responsibilities of those Officers in relation to significant transactions;
- procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the Council for approval to be written off except with the approval of the Clerk/RFO & that the approvals are shown in the accounting records; &
- 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. In particular any decision 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; &
 - 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 & keep under regular review the bank mandate for all Council bank accounts;
- approve any grant or a single commitment in excess of £500; &
- 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 & 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, & then in force unless otherwise specified.

In these Financial Regulations the term ‘proper practice’ or ‘proper practices’ shall refer to guidance issued in *Governance & Accountability for Local Councils - a Practitioners’ Guide (England)* issued by the Joint Practitioners Advisory Group (JPAG), available from the websites of NALC & the Society for Local Council Clerks (SLCC).

2. ACCOUNTING & AUDIT (INTERNAL & EXTERNAL) All accounting procedures & financial records of the Council shall be determined by the Clerk/RFO in accordance with the Accounts & Audit Regulations, appropriate guidance & proper practices.

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

2.3. The Clerk/RFO shall complete the annual statement of accounts, annual report, & any related documents of the Council contained in the Annual Return (as specified in proper practices) as

soon as practicable after the end of the financial year & having certified the accounts shall submit them & report thereon to the Council within the timescales set by the Accounts & Audit Regulations.

2.4. The Council shall ensure that there is an adequate & effective system of internal audit of its accounting records, & of its system of internal control in accordance with proper practices. Any Officer or Member of the Council shall make available such documents & records as appear to the Council to be necessary for the purpose of the audit & shall, as directed by the Council, supply the RFO, internal auditor, or external auditor with such information & explanation as the Council considers necessary for that purpose.

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

2.6. The internal auditor shall:

- be competent & 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 & independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; &
- has no involvement in the financial decision making, management or control of the Council

2.7. Internal or external auditors may not under any circumstances:

- perform any operational duties for the Council;
- initiate or approve accounting transactions; or
- direct the activities of any Council employee, except to the extent that those employees have been appropriately assigned to assist the internal auditor.

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

2.9. The Clerk/RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, & vouchers & display or publish any notices & statements of account required by Audit Commission Act 1998, or any superseding legislation, & the Accounts & Audit Regulations.

2.10. The Clerk/RFO shall, without undue delay, bring to the attention of all Councillors any correspondence or report from internal or external auditors.

3. ANNUAL ESTIMATES (BUDGET) & FORWARD PLANNINGThe Clerk/RFO must each year, by no later than November, prepare detailed estimates of all receipts & payments including the use of reserves & all sources of funding for the following financial year in the form of a budget to be considered by the Council.

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

3.3. The Council shall fix the precept (Council Tax requirement), & relevant basic amount of Council Tax to be levied for the ensuing financial year not later than by the end of January each year. The Clerk/RFO shall issue the precept to the billing authority & shall supply each Member with a copy of the approved annual budget.

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

4. BUDGETARY CONTROL & AUTHORITY TO SPENDExpenditure 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 £500;
- a duly delegated committee of the Council for items over £250; or
- the Clerk/RFO, in conjunction with Chairman of Council or Chairman of the appropriate committee, for any items below £250.

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

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

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

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

4.4. The salary budgets are to be reviewed at least annually in October for the following financial year & such review shall be evidenced by a hard copy schedule signed by the Clerk/RFO & the

Chairman of Council or relevant committee. The Clerk/RFO will inform committees of any changes impacting on their budget requirement for the coming year in good time.

- 4.5. In cases of extreme risk to the delivery of Council services, the Clerk/RFO may authorise revenue expenditure on behalf of the Council which in the Clerk/RFO's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £500. The Clerk/RFO shall report such action to the Chairman as soon as possible & to the Council as soon as practicable thereafter.
- 4.6. No expenditure shall be authorised in relation to any capital project & no contract entered into or tender accepted involving capital expenditure unless the Council is satisfied that the necessary funds are available & the requisite borrowing approval has been obtained.
- 4.7. All capital works shall be administered in accordance with the Council's Standing orders & Financial Regulations relating to contracts.
- 4.8. The Clerk/RFO shall regularly provide the Council with a statement of receipts & payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter & shall show explanations of material variances. For this purpose "material" shall be in excess of £100.
- 4.9. Changes in earmarked reserves shall be approved by Council as part of the budgetary control process.

5. BANKING ARRANGEMENTS & AUTHORISATION OF PAYMENTSThe Council's banking arrangements, including the bank mandate, shall be made by the Clerk/RFO & approved by the Council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety & efficiency.

- 5.2. The Clerk/RFO shall prepare a schedule of payments requiring authorisation, forming part of the Agenda for the Meeting &, together with the relevant invoices, present the schedule to Council. The Council shall review the schedule for compliance &, having satisfied itself shall authorise payment by a resolution of the Council. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses & any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.
- 5.3. All invoices for payment shall be examined, verified & certified by the Clerk/RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined & represents expenditure previously approved by the Council.

- 5.4. The RFO shall examine invoices for arithmetical accuracy & analyse them to the appropriate expenditure heading. The Clerk/RFO shall take all steps to pay all invoices submitted, & which are in order & with the relevant invoices, at the next available Council meeting.
- 5.5. The Clerk/RFO shall have delegated authority to authorise the payment 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, & the due date for payment is before the next scheduled Meeting of Council, where the Clerk/RFO certifies 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;
 - b) An expenditure item authorised under 5.6 below (continuing contracts & obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of Council; or
 - c) Fund transfers within the Council's banking arrangements up to the sum of £500, provided that a list of such payments shall be submitted to the next appropriate meeting of Council.
- 5.6. For each financial year the Clerk/RFO shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively) Salaries, PAYE & NI, Superannuation Fund & regular maintenance contracts & the like for which Council may authorise payment for the year provided that the requirements of regulation 4.1 (Budgetary Controls) are adhered to, provided also that a list of such payments shall be submitted to the next appropriate meeting of Council.
- 5.7. A record of regular payments made under 5.6 above shall be drawn up & be signed by two Members on each & every occasion when payment is authorised - thus controlling the risk of duplicated payments being authorised &/or made.
- 5.8. In respect of grants a duly authorised committee shall approve expenditure within any limits' set by Council & in accordance with any policy statement approved by Council. Any Revenue or Capital Grant in excess of £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 & shall comply with the Code & 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 a Member.

6. INSTRUCTIONS FOR THE MAKING OF PAYMENTSThe Council will make safe & efficient arrangements for the making of its payments.

- 6.2. Following authorisation under Financial Regulation 5 above, the Council, a duly delegated committee or, if so delegated, the Clerk/RFO shall give instruction that a payment shall be made.
- 6.3. All payments shall be affected by cheque or other instructions to the Council's bankers, or otherwise, in accordance with a resolution of Council.
- 6.4. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to Council or committee shall be signed by two Members of Council in accordance with a resolution instructing that payment. 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 order for payment with the counterfoil & the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.
- 6.6. Cheques or orders for payment shall not normally be presented for signature other than at a Council or committee meeting (including immediately before or after such a meeting). Any signatures obtained away from such meetings shall be reported to the Council at the next convenient meeting.
- 6.7. Payment for utility supplies (energy, telephone & water) & any National Non-Domestic Rates may be made by variable direct debit provided that the instructions are signed by two Members & any payments are reported to Council as made. The approval of the use of a variable direct debit shall be renewed by resolution of the Council at least every two years.
- 6.8. Payment for certain items (principally salaries) may be made by banker's Standing order provided that the instructions are signed, or otherwise evidenced by two Members are retained & any payments are reported to Council as made. The approval of the use of a banker's Standing order shall be renewed by resolution of the Council at least every two years.
- 6.9. Payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories, are retained & any payments are reported to Council as made. The approval of the use of BACS or CHAPS shall be renewed by resolution of the Council at least every two years.
- 6.10. Payment for certain items may be made by internet banking transfer provided evidence is retained showing which Members approved the payment.

- 6.11. 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 & Passwords & shall be handed to & retained by the Chairman of Council in a sealed dated envelope. This envelope may not be opened other than in the presence of two other Councillors. After the envelope has been opened, in any circumstances, the PIN &/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 & 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.
- 6.12. 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.
- 6.13. Regular back-up copies of the records on any computer shall be made & shall be stored securely away from the computer in question, & preferably off site.
- 6.14. The Council, & any Members using computers for the Council's financial business, shall ensure that anti-virus, anti-spyware & firewall software with automatic updates, together with a high level of security, is used.
- 6.15. Where internet banking arrangements are made with any bank, the Clerk/RFO shall be appointed as the Service Administrator. The bank mandate approved by the Council shall identify a number of Councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.
- 6.16. Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), & 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.
- 6.17. Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier & supported by hard copy authority for change signed by the Clerk/RFO & a Member. A programme of regular checks of standing data with suppliers will be followed.
- 6.18. The Council will not maintain any form of cash float. All cash received must be banked intact. Any payments made in cash by the Clerk/RFO (for example for postage or minor stationery items) shall be refunded on a regular basis, at least quarterly.

7. PAYMENT OF SALARIESAs an employer, the Council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE & National Insurance legislation. The

payment of all salaries shall be made in accordance with payroll records & the rules of PAYE & National Insurance currently operating, & salary rates shall be as agreed by Council, or duly delegated committee.

- 7.2. Payment of salaries & payment of deductions from salary such as may be required to be made for tax, National Insurance & pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records & on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available Council meeting, as set out in these Regulations above.
- 7.3. No changes shall be made to any employee's pay, emoluments, or terms & conditions of employment without the prior consent of the Council or relevant committee.
- 7.4. Each & every payment to employees of net salary & to the appropriate creditor of the statutory & discretionary deductions shall be recorded in a separate confidential record (confidential cash book). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
- a) 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 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 actually been paid.
- 7.6. An effective system of personal performance management should be maintained for the senior officers.
- 7.7. Any termination payments shall be supported by a clear business case & 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 & INVESTMENTS All borrowings 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 & purpose. The application for borrowing approval & subsequent arrangements for the loan shall only be approved by full Council.

8.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the

full Council. In each case a report in writing shall be provided to Council in respect of value for money for the proposed transaction.

- 8.3. The Council will arrange with the Council's banks & investment providers for the sending of a copy of each statement of account to the Clerk/RFO.
- 8.4. All loans & investments shall be negotiated in the name of the Council & shall be for a set period in accordance with Council policy.
- 8.5. The Council shall consider the need for an Investment Strategy & Policy which, if drawn up, shall be in accordance with relevant Regulations, proper practices & guidance. Any Strategy & Policy shall be reviewed by the Council at least annually.
- 8.6. All investments of money under the control of the Council shall be in the name of the Council.
- 8.7. All investment certificates & other documents relating thereto shall be retained in the custody of the Clerk/RFO.
- 8.8. Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 (Authorisation of payments) & Regulation 6 (Instructions for payments).

9. INCOME The collection of all sums due to the Council shall be the responsibility of & under the supervision of the Clerk/RFO.

- 9.2. Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the Council, notified to the Clerk/RFO who shall be responsible for the collection of all accounts due to the Council.
- 9.3. The Council will review all fees & charges at least annually, following a report of the Clerk/RFO.
- 9.4. Any sums found to be irrecoverable & any bad debts shall be reported to the Council & shall be written off in the year.
- 9.5. All sums received on behalf of the Council shall be banked intact as directed by the Clerk/RFO. In all cases, all receipts shall be deposited with the Council's bankers with such frequency as the Clerk/RFO considers necessary.
- 9.6. The origin of each receipt shall be entered on the paying-in slip.
- 9.7. Personal cheques shall not be cashed out of money held on behalf of the Council.
- 9.8. The Clerk/RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.

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

10. ORDERS FOR WORK, GOODS & SERVICESAn official order or letter shall be issued for all work, goods & services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.

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

10.3. All Members & Officers are responsible for obtaining value for money at all times. An Officer issuing an official order shall ensure as far as reasonable & 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 Clerk/RFO shall verify the lawful nature of any proposed purchase before the issue of any order, & in the case of new or infrequent purchases or payments, the Clerk/RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the minutes can record the power being used.

11. CONTRACTS11.1. Procedures as to contracts are laid down as follows:

- a) Every contract shall comply with these Financial Regulations, & no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:
- i. for the supply of gas, electricity, water, sewerage & telephone services;
 - ii. for specialist services such as are provided by legal professionals acting in disputes;
 - iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
 - iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;

- v. for additional audit work of the external auditor up to an estimated value of £500 (in excess of this sum the Clerk/RFO shall act after consultation with the Chairman & Vice-Chairman of Council); &
- vi. for goods or materials proposed to be purchased which are proprietary articles &/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 & 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 2014/24/EU (which may change from time to time)².

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

e) Such invitation to tender shall state the general nature of the intended contract & the Clerk/RFO shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk/RFO in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed & 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 Clerk/RFO 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 18.d³ & shall refer to the terms of the Bribery Act 2010.

h) When it is to enter into a contract of less than £25,000 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/RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £3,000 & above £100 the Clerk/RFO shall strive to obtain 3 estimates. Otherwise, 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 & to publicise the award of new contracts

² Thresholds currently applicable are:

a) For public supply & public service contracts 209,000 Euros (£181,302)

b) For public works contracts 5,225,000 Euros (£4,551,413)

³ Based on NALC's Model Standing Order 18d ©NALC 2018

j) Should it occur that the Council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated & 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 CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION

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

12.2. Where contracts provide for payment by instalments the Clerk/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 variation to a contract or addition to or omission from a contract must be approved by the Council & Clerk/RFO to the contractor in writing, the Council being informed where the final cost is likely to exceed the financial provision.

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

13.2. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the Council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £250.

13.3. 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 & surveyed condition of the property (including matters such as planning permissions & covenants) together with a proper business case (including an adequate level of consultation with the electorate).

13.4. No real property (interests in land) shall be purchased or acquired without the authority of the full Council. In each case a report in writing shall be provided to Council in respect of valuation & surveyed condition of the property (including matters such as planning permissions & covenants)

together with a proper business case (including an adequate level of consultation with the electorate).

13.5. 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.

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

14. INSURANCE Following the annual risk assessment (per Regulation 17), the Clerk/RFO shall effect all insurances & negotiate all claims on the Council's insurers.

14.2. The Clerk/RFO shall keep a record of all insurances effected by the Council & the property & risks covered thereby & annually review it.

14.3. The Clerk/RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, & shall report these to Council at the next available meeting.

14.4. All appropriate Members & 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.

15. RISK MANAGEMENT The Council is responsible for putting in place arrangements for the management of risk. The Clerk/RFO shall prepare, for approval by the Council, risk management policy statements in respect of all activities of the Council. Risk policy statements & consequential risk management arrangements shall be reviewed by the Council at least annually.

15.2. When considering any new activity, the Clerk/RFO shall prepare a draft risk assessment including risk management proposals for consideration & adoption by the Council.

16. SUSPENSION & REVISION OF FINANCIAL REGULATIONS It shall be the duty of the Council to review the Financial Regulations of the Council from time to time. The Clerk/RFO shall make arrangements to monitor changes in legislation or proper practices & shall advise the Council of any requirement for a consequential amendment to these Financial Regulations.

16.2. The Council may, by resolution of the Council duly notified prior to the relevant meeting of Council, suspend any part of these Financial Regulations provided that reasons for the suspension

are recorded & that an assessment of the risks arising has been drawn up & presented in advance to all Members of Council.