

# CHIDHAM AND HAMBROOK PARISH COUNCIL

## FINANCIAL REGULATIONS

### **1. General**

- 1.1 These financial regulations shall govern the conduct of the financial transactions of Chidham and Hambrook Parish Council (the Council) and may only be amended or varied by resolution of the Council.
- 1.2 The Responsible Financial Officer (RFO) under the policy direction of the Council shall be responsible for the proper administration of the Council's financial affairs. [The Clerk has been appointed as RFO for this council and these regulations will apply accordingly.]
- 1.3 The RFO shall be responsible for the production of financial management information.
- 1.4 It shall be the duty of the Finance Committee to review the financial regulations of the Council from time to time and to make such recommendations to the Council as the Finance Committee considers are required.

### **2. Annual Estimates**

- 2.1 Detailed estimates of income and expenditure shall be prepared each year by the RFO in conjunction with the Finance Committee.
- 2.2 The Council shall review these estimates and submit the approved version to the District Council not later than the end of January (or any other such deadline that may be required by CDC from time to time) in each year and shall recommend the precept to be levied for the ensuing financial year.
- 2.3 Unless the Council approved material changes, the approved estimates will be adopted as the approved budget for the coming year, and form the basis of budgetary control for that year.
- 2.4 The RFO shall supply each Council Member (Member) with a copy of the approved estimates and budget.

### **3. Budgetary Control**

- 3.1 Expenditure may be incurred up to the amounts included in the budget.
- 3.2 No expenditure may be incurred which cannot be met from the amount provided in the appropriate budget cost centre unless a reallocation from one cost centre to another has been approved by the Council.
- 3.3 The RFO shall regularly provide the Council with a statement of income and expenditure to date under each cost centre of the budget.
- 3.4 The RFO may, on behalf of the Council, incur expenditure that is necessary to carry out any repair, replacement or other work that is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £1,000. The RFO shall report the action to the Council as soon as practicable thereafter.

- 3.5 Where expenditure is incurred in accordance with regulation 3.4 above and the sum required cannot be met from savings made under another approved budget heading, it shall be subject to the provisions of a supplementary estimate approved by the Council.
- 3.6 Unspent provisions in the revenue budget shall revert to the general fund.
- 3.7 No expenditure shall be incurred in relation to any capital project and no contract entered into or tender accepted involving expenditure on capital account unless the committee concerned or the Council are satisfied that it is contained in the rolling capital programme and that the necessary capital funds are available, or the requisite borrowing approval can be obtained.
- 3.8 All capital works shall be administered in accordance with the Council's Standing Orders and Financial Regulations relating to contracts.

#### **4. Accounting and Audit**

- 4.1 All accounting procedures and financial records of the Council shall be maintained by the RFO, as required by the Accounts and Audit Regulations 1996.
- 4.2 The RFO shall be responsible for completing the annual accounts of the Council as soon as practicable after the end of the financial year and shall submit them and report thereon to the Council.
- 4.3 The RFO shall be responsible for completing the Financial Statements of the Council contained in the Annual Return (as supplied by the Auditor appointed from time to time by the Audit Commission) and for submitting the Annual Return for approval and authorisation by the Council within the timescales set by the Auditor.
- 4.4 The RFO shall be responsible for maintaining an adequate and effective system of internal audit of the Council's accounting, financial and other operations in accordance with regulation 5 of the Accounts and Audit Regulations 1996 and for reporting regularly to the Finance Committee.
- 4.5 Any officer or member of the Council shall, if the RFO requires, make available such documents of the Council which relates to the Council's accounting and other records as appear to the RFO to be necessary for the purpose of the audit and shall supply the RFO with such information and explanation as the RFO considers necessary for that purpose.
- 4.6 The Internal Auditor shall carry out the work required by the Council, with a view to satisfactory completion of the Internal Auditor's Report section of the Annual Return as compiled annually by the Audit Commission. The Internal Auditor, who shall be competent and independent of the operations of the Council, shall report to the Council in writing for each financial year.
- 4.7 The RFO shall make available for inspection the Accounts, Books and Vouchers required by the Audit Commission Act 1998 section 15 and the Accounts and Audit Regulations.
- 4.8 The RFO shall, as soon as practicable, bring to the attention of all Councillors any correspondence or report from the Internal or External Auditor, unless the correspondence is purely of an administrative matter.

## **5. Banking Arrangements and Cheques**

- 5.1 The Council's banking arrangements shall be made by the RFO and approved by the Council.
- 5.2 A schedule of the payments shall be prepared by the RFO and be presented for approval at the next Council meeting. If the schedule is in order it shall be authorised by a resolution of the Council.
- 5.3 Cheques drawn on the Council's bank account in accordance with the schedule referred to in regulation 5.2 above or in accordance with paragraph 6.4, shall be signed by TWO councillors with full banking access.
- 5.4 For the purpose of internet banking the RFO will initiate the relevant payments for authorisation by one of the councillors with full banking access on condition that they are (a) in receipt of a written request from the RFO or (b) in receipt of written authorisation from another councillor with full banking access.
- 5.5 The RFO shall reconcile the cash book balances to the relevant bank account statement balances on a monthly basis.

## **6. Payment of Accounts**

- 6.1 Apart from petty cash payments all payments shall be effected by cheque or other order drawn on the Council's bankers.
- 6.2 All invoices for payment shall be examined, verified and certified by the RFO. The RFO shall satisfy him/herself that the work, goods or services to which the invoice relates have been received, carried out, examined and approved.
- 6.3 The RFO shall examine the invoices in relation to arithmetic accuracy and shall allocate them to the appropriate expenditure cost centre. The RFO shall take all possible steps to settle all invoices approved by the Council in a timely manner.
- 6.4 If a payment is necessary to avoid a charge of interest under the Late Payments of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled meeting of the Council, where the RFO certifies that there is no reason to delay payment, the RFO may (notwithstanding Para 6.3) take steps necessary to settle such invoices provided that a list of such payments is presented to the next appropriate meeting of the Council.

## **7. Loans and Investments**

- 7.1 All loans and investments shall be negotiated by the RFO in the name of the Council.
- 7.2 All investments of money under the control of the Council shall be in the name of the Council.
- 7.3 All borrowings shall be effected in the name of the Council, after obtaining any necessary borrowing approval. Any application for borrowing shall be approved by the Council as to amount, terms and purpose.
- 7.4 All investment certificates and other documents relating thereto shall be retained by the RFO in a location approved by the Council.

## **8. Income**

- 8.1 The collection of all sums due to the Council shall be the responsibility of and under the supervision of the RFO.
- 8.2 Particulars of all charges to be made for work done, services rendered or goods supplied shall be notified to the RFO and the RFO shall be ultimately responsible for the collection of all accounts due to the Council.
- 8.3 The Council will review all fees and charges annually.
- 8.4 Any bad debts shall be reported to the Council and may be written off in the year.
- 8.5 All sums remitted in favour of the Council shall be sent to the RFO for banking or paid directly into the Council's bank account. Cheques and cash receipts shall be deposited with the Council's bankers in a timely manner.
- 8.6 The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with the VAT Act 1994 section 33 shall be made half yearly.

## **9. Payment of Salaries**

- 9.1 The payment of salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating. Salaries shall be agreed by the Council.
- 9.2 Payment of salaries and payment of deduction from salary as may be made for tax and national insurance contributions may be made in accordance with the payroll requirements and on the appropriate dates.
- 9.3 The RFO shall promptly complete any PAYE and national insurance returns that are required, and remit or claim amounts to/from HMRC in a timely manner.
- 9.4 The RFO shall promptly complete any pension returns that are required and remit or claim amounts to/from the Council's pension provider.
- 9.5 The Chair or Vice-Chair of the Staffing Committee, on behalf of the Council, will instruct the payroll bureau on any revisions to employees' salary, homeworking or pension arrangements.

## **10. Orders for Work, Goods and Services**

- 10.1 An official order or letter shall be issued by the RFO for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate e.g. petty cash purchases. Copies of orders issued shall be maintained.
- 10.2 All Members and the RFO are responsible for obtaining good value for money at all times. Members and the RFO should 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-minimus provisions in Regulation 11 (1) below.
- 10.3 The RFO shall verify the lawful nature of any proposed purchase before the issue of any order and in the case of new or infrequent purchases or payments, 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 Contracts exceeding £10,000 in value:**

- a) Where it is intended to enter into a contract exceeding £10,000 in value for the supply of goods or materials, or for the execution of works, the RFO shall invite tenders from at least three firms, to be taken from an appropriate approved list.
- b) Such invitation to tender shall state the general nature of the intended contract and the RFO shall obtain the necessary technical assistance to prepare an appropriate specification. The invitation shall state that tenders must be addressed to the RFO and marked "TENDER" in the ordinary course of post and the date for the latest receipt of such tenders.
- c) All tenders shall be opened at the same time on the prescribed date by the RFO in the presence of at least one member of the Council.
- d) If less than three tenders are received or if all tenders are identical the Council may make such arrangements as it thinks fit for procuring the goods or materials or execution of the works.

### **11.2 Contracts exceeding £1,000 but not exceeding £10,000 in value:**

- a) Where it is intended to enter into a contract exceeding £1,000 but not exceeding £10,000 in value for the supply of goods or materials, or for the execution of works the RFO shall obtain three quotations (priced descriptions of the proposed supply or service).
- b) The Council shall not be obliged to accept the lowest of any tender, quote or estimate.
- c) When applications are made to waive financial regulations relating to contracts so as to enable a tender to be negotiated without competition, the reason shall be embodied in a recommendation to the Council.

### **11.3 Contracts under £1,000 in value:**

When the total cost of a project is less than £1,000 the Council may waive the need to obtain three quotations if they are persuaded that the proposed supplier is the best-value supplier or the only supplier in the market at the time. In this case the reasons for the choice of the supplier should be embodied in a recommendation for approval by the Council.

## **12. Payments under Contracts for Building or Other Construction Works**

- 12.1 Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract.
- 12.2 Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case when it is estimated that the total cost of work carried out under a contract, excluding fluctuation clauses, will exceed the contract sum by 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 to the contractor in writing, the Council being informed where the final cost is likely to exceed the financial provision.

### **13. Properties and Estates**

- 13.1 The RFO shall make appropriate arrangements for the safe custody of all title deeds and other legal documents relating to properties owned by the Council.
- 13.2 The RFO shall ensure a record is maintained of all properties owned by the Council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with regulation 4(3)(b) of the Accounts and Audit Regulations 1996.
- 13.3 No property shall be sold, leased or otherwise disposed of without the authority of the Council together with any other consent required by law, save where the estimated value of any one item of tangible moveable property does not exceed £50.00.

### **14. Risk Assessment**

- 14.1 A formal system of risk management shall be maintained by the Council, consisting of regular and ad hoc risk assessment reviews and an annual Review and Report of the Risk Management System should be available for the Council to approve at the same time as the annual Financial Statements.

### **15. Insurance**

- 15.1 Following the annual review of the Risk Management System the RFO shall effect all insurances and negotiate all claims on the Council's insurers.
- 15.2 The RFO shall inform insurers in a timely manner of any matters which might otherwise invalidate an insurance policy.
- 15.3 The RFO shall keep a record of all insurances effected by the Council and the property and risks covered thereby and annually review it.
- 15.4 All councillors and employees of the Council shall be included in a suitable liability insurance scheme.

Approved by Full Council on 7 May 2020