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# ILLOGAN PARISH COUNCIL

## FINANCIAL REGULATIONS

### 1. GENERAL

- 1.1 These Financial Regulations shall govern the conduct of financial management by the Council and may only be amended or varied by resolution of the Council. Financial Regulations are one of the Council's governing policy documents providing procedural guidance for Members and Officers. Financial Regulations must be observed in conjunction with the Council's Standing Orders and other adopted policies.
- 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 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.
- 1.4 In these financial regulations the term 'proper practice' or 'proper practices' shall refer to guidance issued in Governance and Accountability for Local Councils – a Practitioners' Guide (England) issued by the Joint Practitioners Advisory Group (JPAG), available from the websites of National Association of Local Councils (NALC) and the Society of Local Council Clerks (SLCC).
- 1.5 The Council's accounting control systems will 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.
- 1.6 These Financial Regulations demonstrate how the Council meets these responsibilities and requirements.
- 1.7 At least once a year, prior to approving the Annual Governance Statement, the Council must review the effectiveness of its systems of internal control which shall be in accordance with proper practices.



- 1.8 A deliberate breach of these Financial Regulations by an employee may be gross misconduct.
- 1.9 Members of the Council are expected to follow the instructions within these Financial Regulations and not to entice employees to breach them. Failure to follow instructions within these Financial Regulations brings the office of Councillor into disrepute.
- 1.10 The Responsible Finance Office holds a statutory office and shall be appointed by the Council. The Clerk has been appointed as Responsible Financial Officer for this Council and these regulations will apply accordingly.
- 1.11 The Responsible Financial Officer:
- Acts under the policy direction of the Council.
  - Administers the Council's financial affairs in accordance with all Acts, Regulations, and proper practices.
  - Ensures that 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.
  - Produces financial management information as required by the Council.
- 1.12 The accounting records determined by the Council shall be sufficient to show and explain the Council's transactions and to enable the Responsible Financial Officer to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the Council from time to time comply with the current Accounts and Audit Regulations.
- 1.13 The accounting records determined by the Council shall in particular 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.
  - 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.
- 1.14 The accounting records determined by the Council shall include:



- Procedures to ensure that the financial transactions 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, other than the Responsible Financial Officer, 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 not submitted to the Council for approval to be written off except with the prior approval of the Responsible Financial Officer.
- Measures to ensure that risk is properly managed.

1.15 The Council is not empowered by these Financial Regulations or otherwise to delegate certain specified decisions. In particular any decision regarding any item on the list below shall be a matter for the Full Council only:

- Setting the final budget and the precept (Council Tax Requirement);
- Approving accounting statements.
- Completion of the 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.

1.16 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 £10,000.
- In respect of the annual salary for any employee have regard to decisions about annual salaries of employees made by the relevant Committee in accordance with its Terms of Reference.



## **2. ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)**

- 2.1 All accounting procedures and financial records of the Council shall be determined by the Council in accordance with the Accounts and Audit Regulations.
- 2.2 On a regular basis, at least bi-monthly, and at each financial year end, two Members shall be appointed to verify bank reconciliations for all of the Council's accounts produced by the Responsible Financial Officer. The members 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 Council's Finance and Resources Committee with any recommendations being considered and decided by the Full Council.
- 2.3 The Responsible Financial Officer shall complete the annual statement of accounts, annual report, and 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 and having certified the accounts shall submit them and report thereon to the Council within the timescales set by the Accounts and Audit Regulations.
- 2.4 The Council shall ensure that there is an adequate and effective system of internal audit of its 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 Responsible Financial Officer, internal auditor or external auditor with such information and explanation as the Council considers necessary for that purpose.
- 2.5 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.
- 2.6 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.
  - Demonstrate competence, objectivity, and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships.
  - Have 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.



- Direct the activities of any Council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.

- 2.8 For avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as is described in proper practices.
- 2.9 The Responsible Financial Officer 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 Audit Commission Act 1998 and the Accounts and Audit Regulations.
- 2.10 The Responsible Financial Officer shall, without undue delay, bring to the attention of all Councillors any correspondence or report from the Internal or External Auditors.

### **3. ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING**

- 3.1 The Responsible Financial Officer must each year, by no later than the end of October, 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 Finance and Resources Committee of the Council.
- 3.2 The Council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of December each year. The Responsible Financial Officer shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.
- 3.3 The approved annual budget shall form the basis of financial control for the ensuing year.

### **4. BUDGETARY CONTROL AND AUTHORITY TO SPEND**

- 4.1 Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority will be determined by:
- i. Full Council for all items over £10,000.
  - ii. a duly delegated Committee of the Council for items between £1,000 and £9,999.
  - iii. the Clerk, in conjunction with the Chair of Council and Chair of the appropriate Committee, for any items below £1,000.
  - iv. the Clerk for any items below £1,000, for handyman tasks, play equipment maintenance, general maintenance, safety works, or for training and conferences. Where possible a regular or known contractor will be used.

Such expenditure will be recorded in the Delegated Decisions Register and reported to the next meeting of the Full Council.



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 Full Council, or delegated Committee. During the budget year and with the approval of the 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').
- 4.3 Unspent provisions in the capital or revenue budget shall not be carried forward to a subsequent year unless placed in an earmarked reserve by resolution of the Finance and Resources Committee.
- 4.4 The salary budgets are to be reviewed at least annually by the end of September for the following financial year and such review shall be evidenced by signed minutes of the Staffing Committee.
- 4.5 The Responsible Financial Officer will inform Committees of any changes impacting on their budget requirement for the coming year in good time.
- 4.6 In cases of extreme risk to the delivery of Council services, in liaison with the Chair and Vice Chair of the Council or if neither available the Chair of an appropriate Committee, the Clerk may authorise revenue expenditure on behalf of the Council which in the Clerk'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 £1,000. The Clerk shall report such action to the Council as soon as practicable thereafter.
- 4.7 No expenditure shall be authorised in relation to any capital project and no contract entered into 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.
- 4.8 All capital works shall be administered in accordance with the Council's Standing Orders, Financial Regulations, and other relevant policies.
- 4.9 The Responsible Financial Officer shall regularly, provide the Council with a statement of receipts and payments to date under each head of the budget, comparing actual expenditure to the appropriate date against the planned as shown in the budget. These statements are to be prepared annually and shall show explanations of material variances. For this purpose, "material" shall be in excess of £100 or 15% of the budget.
- 4.10 Changes in earmarked reserves shall be approved by Full Council as part of the budgetary process.



## **5. BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS**

- 5.1 The Council's banking arrangements, including the Bank Mandate, shall be made by the Responsible Financial Officer, 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 Responsible Financial Officer shall prepare a schedule of payments requiring authorisation, forming part of the Agenda for the Meeting and present the schedule to Full Council. The Full Council shall review the schedule for compliance and, having satisfied itself shall authorise payment by a resolution of the Full Council. The approved schedule shall be initialled by two bank signatories and the Chair of the meeting. A detailed list of all payments shall be disclosed within or act as an attachment to the minutes of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses, and 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 The Responsible Financial Officer shall prepare a schedule of payments made using the Barclaycards for ratification, forming part of the agenda for the meeting and present the schedule to Full Council. The approved schedule shall be initialled by two bank signatories and the Chair of the meeting. A detailed list of the Barclaycard payments shall be disclosed within or act as an attachment to the minutes at which they were ratified.
- 5.4 All invoices for payment shall be examined, verified, and certified by the Responsible Financial Officer to confirm that the work, goods, or services to which each invoice relates has been received, carried out, examined, and represents expenditure previously approved by the Council.
- 5.5 The Responsible Financial Officer shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The Responsible Financial Officer shall take all steps to pay all invoices submitted, and which are in order, at the next available Full Council meeting.
- 5.6 The Clerk and Responsible Financial Officer 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, and the due date for payment is before the next scheduled meeting of the Council, Where The Clerk And Responsible Financial Officer certify that there is no dispute or other reason to delay payment, provided that a list of all such payments shall be submitted to the next appropriate meeting of the Full Council;
  - b. An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of Full Council; or



- c. Fund transfers within the Councils banking arrangements as duly authorised, provided that a list of such payments shall be submitted to the next appropriate meeting of the Full Council.

- 5.7 In respect of grants Full Council shall approve expenditure in accordance with the Councils Grant Policy and allocated budgets.
- 5.8 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, Non-Registerable, or other interest, unless a dispensation has been granted.
- 5.9 The Council will aim to rotate the duties of Members in these Financial Regulations so that onerous duties are shared out as evenly as possible over time.
- 5.10 Cheques drawn on the bank accounts in accordance with the schedule referred to in paragraph 5.2 or in accordance with paragraph 5.4 shall be signed by two Councillors and countersigned by the Clerk.
- 5.11 To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil and the original invoice.

## **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 Following authorisation under Financial Regulation 6 above, the Council or, if so delegated the Clerk or Responsible Financial Officer shall give instruction that a payment shall be made.
- 6.3 All payments shall be effected by faster payment or other instructions to the Council's bankers, or otherwise, in accordance with a resolution of Full Council.
- 6.4 Cheques or orders for payment drawn on the bank in accordance with the schedule as presented to Council shall be signed by two Members of Council, and countersigned by the Clerk, in accordance with a resolution instructing that payment.
- 6.5 Cheques or orders for payment shall not normally be presented for signature other than at a Full Council meeting (including immediately before or after such a meeting). Any signatures obtained away from such meetings shall be reported to the Full Council at the next convenient meeting for ratification.
- 6.6 If thought appropriate by the Council, payment for utility supplies (energy, telephone, and water) and any National Non-Domestic Rates may be made by variable Direct Debit provided that the instructions are signed by two Members and any payments are reported





to Full Council as made. The approval of the use of a variable Direct Debit shall be renewed by resolution of the Full Council annually at the Annual Council Meeting.

- 6.7 If thought appropriate by the Council, 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 and any payments are reported to the 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.
- 6.8 If thought appropriate by the Council, 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 and any payments are reported to the Council as made. The approval of the use of BACS or CHAPS shall be renewed by resolution of the Full Council annually at the Annual Council Meeting.
- 6.9 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.
- 6.10 The Council uses SharePoint to store its computer records. A Sharepoint administrator account has been set up, which will give full access to all stored documents. The Chairman and Vice Chairman of the Council will be the delegated persons, the account will be set up and deactivated and only reactivated if a situation were to arise. The fact that the account has been reactivated and the reasoning will be reported to all Members immediately and formally at the next available meeting of the Council.
- 6.11 No employee or councillor shall disclose any PIN or password, relevant to the working of the Council or its bank accounts, to any person.
- 6.12 Regular back-up copies of the records on any computer shall be made and shall be stored in the cloud.
- 6.13 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.
- 6.14 Where internet banking arrangements are made with any bank, the Responsible Financial Officer 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 clearly state 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.
- 6.15 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.



- 6.16 Any corporate credit card or trade card account opened by the Council will be specifically restricted to use by the Clerk and Assistant to the 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 usually be used.
- 6.17 Corporate credit cards may be used for postage, ancillary items and any online expenditure which is authorised by the Full Council or a Committee.
- 6.18 The Council will not maintain any form of cash float once the current balance has reached zero (£0). All cash received, over £300 must be banked intact. Any payments made in cash by the Clerk (for example for postage or minor stationery items) shall be refunded on a regular basis, at least quarterly.

## **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 the payroll records and the rules of PAYE and National Insurance currently operating, and salaries shall be as agreed by the Staffing Committee.
- 7.2 Payment of salaries and payment of deductions from salary such as may be required for tax, national insurance, and pension contributions, or similar statutory or discretionary deduction must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to and approved by 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 and conditions of employment without the prior consent of the Staffing Committee.
- 7.4 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.
- 7.5 Any termination payments shall be supported by a clear business case and reported to the Council. Termination payments shall only be authorised by Full Council.
- 7.6 Before employing interim staff, the Council must consider the business case.

## **8. LOANS AND INVESTMENTS**

- 8.1 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 Full 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 tangible assets) shall be subject to approval by the Full Council. In each case a report in writing shall be provided to the 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 Responsible Financial Officer.
- 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 Financial Regulation 5 (Banking Arrangements and Authorisation of Payments) and Regulation 6 (Instructions for the Making of 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 Responsible Financial Officer.
- 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 Responsible Financial Officer and the Responsible Financial Officer 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 from the 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 cash sums in excess of £50, that are not refundable deposits for the hire of the Community Room, shall be banked intact as directed by the Responsible Financial Officer
- 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 Responsible Financial Officer shall promptly complete any VAT Return that is required. Any repayment claims 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 Responsible Financial Officer 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.

## **10. ORDERS FOR WORK, GOODS AND SERVICES**

- 10.1 An official order or letter shall be issued for all work, goods, and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.
- 10.2 Order books shall be controlled by the Responsible Financial Officer.
- 10.3 All Members and Officers are responsible for obtaining value for money at all times. 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 11.2 and 11.8 below and the Council's Quotations and Tenders Policy.
- 10.4 A member may not issue an official order or make any contract on behalf of the Council.
- 10.5 The Responsible Financial Officer 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 Responsible Financial Officer 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**

Procedures as to contracts are laid down as follows:

- 11.1 Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that these regulations shall not apply to contracts which relate to items (i) to (vi) below:
- i. for the supply of gas, electricity, water, sewerage, and telephone services;
  - ii. for specialist services such as are provided by solicitors, accountants, surveyors, and planning consultants;
  - iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or 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 £250 (in excess of this sum the Clerk and Responsible Financial Officer shall act after consultation with the Chair and Vice Chair of Council); and



- vi. for goods or materials proposed to be purchased which are proprietary articles and/or are only sold at a fixed price.
- 11.2 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 or specialist services other than such goods, materials, works or specialist services as are excepted as set out. The Clerk shall follow the procedures set out in the Quotations and Tenders Policy to obtain quotes or tenders as appropriate.
- 11.3 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.
- 11.4 Invitations to tender will be in line with the Council's Quotations and Tenders Policy.
- 11.5 All sealed tenders shall be opened in line with the Council's Quotations and Tenders Policy.
- 11.6 If less than three tenders are received for contracts above £10,000 or if all the tenders are identical Full Council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works in line with the Council's Quotations and Tenders Policy.
- 11.7 Any invitation to tender issued under this regulation shall be subject to Standing Order 18 and shall refer to the terms of the Bribery Act 2010.
- 11.8 When it is to enter into a contract less than £10,000 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:
- a. The Clerk or Responsible Financial Officer shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £10,000 and above £500 the Clerk or Responsible Financial Officer shall strive to obtain 3 estimates in line with the Council's Quotations and Tenders Policy. Otherwise, Financial Regulation 11 (3) above shall apply.
  - 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 Regulations.
  - 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 the thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time).
- 11.9 The Council shall not be obliged to accept the lowest or any tender, quote, or estimate.



11.10 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 undertaken.

11.11 The European Union Procurement Directive or succeeding related regulations shall apply and the terms of the Public Contracts Regulations 2006 and the Utilities Contracts Regulations 2006 including thresholds shall be followed.

## **12. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS (PUBLIC WORKS CONTRACTS)**

12.1 Payments on account of the contract sum shall be made within the time specified in the contract by the Responsible Financial Officer 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 Responsible Financial Officer 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 and Clerk to the Contractor in writing, the Council being informed where the final cost is likely to exceed the financial provision.

12.4 For contracts over £50,000, Illogan Parish Council reserves the right to retain 5% for up to 6 months pending snagging etc.

## **13. STORES AND EQUIPMENT**

13.1 The Responsible Financial Officer shall be responsible for the care and custody of stores and equipment.

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 quality at the time delivery is made.

13.3 Stocks shall be kept at the minimum levels consistent with operational requirements.

13.4 The Responsible Financial Officer shall be responsible for periodic checks of stocks and stores at least annually.

## **14. ASSETS, PROPERTIES AND ESTATES**

14.1 The Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the Council. The Responsible Financial Officer



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 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 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 £500.
- 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 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 No real property (interests in land) shall be purchased or acquired without the authority of Full Council. 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).
- 14.5 Subject only to the limit set in Financial 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 the Council with a full business case.
- 14.6 The Responsible Financial Officer 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 shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

## **15. INSURANCE**

- 15.1 Following the annual risk assessment (per Financial Regulation 16), the Responsible Financial Officer shall effect all insurances and negotiate all claims on the Council's insurers.
- 15.2 The Responsible Financial Officer shall keep a record of all insurances effected by the Council and the property and risks covered thereby and annually review it.
- 15.3 The Responsible Financial Officer shall be notified of any loss liability or damage or of any event likely to lead to a claim and shall report these to Council at the next available meeting.
- 15.4 All Members and employees of the Council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined annually by the Full Council.



## **16. RISK MANAGEMENT**

16.1 The Council is responsible for putting in place arrangements for the management of any financial risk.

## **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 annually. The Clerk shall make arrangements to 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 Council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all Members of Council.