

WITNEY TOWN COUNCIL FINANCIAL REGULATIONS

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These Financial Regulations were adopted by the council at its meeting held on [date of full Council meetingenter date].

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1. General

- 1.1. These Financial Regulations govern the financial management of the council and may only be amended or varied by resolution of the council. They are one of the council's governing documents and shall be observed in conjunction with the council's Standing Orders.
- 1.2. Councillors are expected to follow these regulations and not to entice employees to breach them. Failure to follow these regulations brings the office of councillor into disrepute.
- 1.3. Wilful breach of these regulations by an employee may result in disciplinary proceedings.
- 1.4. In these Financial Regulations:
 - 'Accounts and Audit Regulations' means the regulations issued under Sections 32, 43(2) and 46 of the Local Audit and Accountability Act 2014, or any superseding legislation, and then in force, unless otherwise specified.
 - "Approve" refers to an online action, allowing an electronic transaction to take place.
 - "Authorise" refers to a decision by the council, or a committee or an officer, to allow something to happen.
 - 'Proper practices' means those set out in *The Practitioners' Guide*
 - *Practitioners' Guide* refers to the guide issued by the Joint Panel on Accountability and Governance (JPAG) and published by NALC in England or Governance and Accountability for Local Councils in Wales – A Practitioners Guide jointly published by One Voice Wales and the Society of Local Council Clerks in Wales.
 - 'Must' and **bold text** refer to a statutory obligation the council cannot change.
 - 'Shall' refers to a non-statutory instruction by the council to its members and staff.
- 1.5. The Responsible Financial Officer (RFO) holds a statutory office, appointed by the council. ~~– [The Clerk has been appointed as RFO and these regulations apply accordingly.]~~ The RFO;
 - acts under the policy direction of the council;
 - administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
 - determines on behalf of the council its accounting records and control systems;
 - ensures the accounting control systems are observed;

- ensures the accounting records are kept up to date;
- seeks economy, efficiency and effectiveness in the use of council resources; and
- produces financial management information as required by the council.

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1.6. **The council must not delegate any decision regarding:**

- **setting the final budget or the precept (council tax requirement);**
- **the outcome of a review of the effectiveness of its internal controls**
- **approving accounting statements;**
- **approving an annual governance statement;**
- **borrowing;**
- **declaring eligibility for the General Power of Competence; and**
- **addressing recommendations from the internal or external auditors**

1.7. In addition, the council shall:

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

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2. Risk management and internal control

- 2.1. The council must ensure that it has a sound system of internal control, which delivers effective financial, operational and risk management.**
- 2.2. The Clerk [with the RFO] shall prepare, for approval by Policy, Governance and Finance Committee (the council), a risk management policy covering all activities of the council. This policy and consequential risk management arrangements shall be reviewed by the council at least annually.
- 2.3. When considering any new activity, the Clerk [with the RFO] shall prepare a draft risk assessment including risk management proposals for consideration by the council.
- 2.4. At least once a year, the council must review the effectiveness of its system of internal control, before approving the Annual Governance Statement.**
- 2.5. The accounting control systems determined by the RFO must include measures to:**
 - ensure that risk is appropriately managed;

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

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

2.6. Copies of all bank reconciliations and the statements showing account balances at the end of each month shall be presented in a timely manner by the RFO for approval at the Policy, Governance and Finance Committee.

2.7. Regular back-up copies shall be made of the records on any council computer and stored either online or in a separate location from the computer. The council shall put measures in place to ensure that the ability to access any council computer is not lost if an employee leaves or is incapacitated for any reason.

3. Accounts and audit

3.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations.

3.2. **The accounting records determined by the RFO must be sufficient to explain the council's transactions and to disclose its financial position with**
~~reasonable~~**reasonable** accuracy at any time. In particular, they must contain:

- day-to-day entries of all sums of money received and expended by the council and the matters to which they relate;
- a record of the assets and liabilities of the council;

3.3. The accounting records shall be designed to facilitate the efficient preparation of the accounting statements in the Annual ~~{Governance and Accountability}~~ Return.

3.4. The RFO shall complete and certify the annual Accounting Statements of the council contained in the Annual ~~{Governance and Accountability}~~ Return in accordance with proper practices, as soon as practicable after the end of the financial year. Having certified the Accounting Statements, the RFO shall submit them (with any related documents) to the council, within the timescales required by the Accounts and Audit Regulations.

- 3.5. **The council must ensure that there is an adequate and effective system of internal audit of its accounting records and internal control system in accordance with proper practices.**
- 3.6. **Any officer or member of the council must make available such documents and records as the internal or external auditor consider necessary for the purpose of the audit** and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary.
- 3.7. The internal auditor shall be appointed by ~~the council~~ and shall carry out their work to evaluate the effectiveness of the council's risk management, control and governance processes in accordance with proper practices specified in the Practitioners' Guide.
- 3.8. The council shall ensure that the internal auditor:
- is competent and independent of the financial operations of the council;
 - reports to council in writing, or in person, on a regular basis with a minimum of ~~two~~ one written reports during each financial year;
 - can demonstrate competence, objectivity and independence, free from any actual or perceived conflicts of interest, including those arising from family relationships; and
 - has no involvement in the management or control of the ~~council~~ council.
- 3.9. Internal or external auditors may not under any circumstances:
- perform any operational duties for the council;
 - initiate or approve accounting transactions;
 - provide financial, legal or other advice including in relation to any future transactions; or
 - direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.
- 3.10. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as described in The Practitioners Guide.
- 3.11. The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts, including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and documents required by the Local Audit and Accountability Act 2014, or any superseding legislation, and the Accounts and Audit Regulations.

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3.12. The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

3.12.

4. Budget and precept

- 4.1. Before setting a precept, the council must calculate its ~~{council tax (England)/budget (Wales)}~~ requirement for each financial year by preparing and approving a budget, in accordance with The Local Government Finance Act 1992 or succeeding legislation.
- 4.2. Budgets for salaries and wages, including employer contributions shall be reviewed by ~~{the council}~~ each committee at least annually ~~in {October}~~ as part of the "budget cycle" for the following financial year and the final version shall be evidenced by a hard copy schedule of the complete budget, signed by the Town Clerk and Mayor following approval of the precept. ~~the {Chair of the Council or relevant committee}~~. {The RFO will inform committees of any salary implications before they consider their draft budgets.}
- 4.3. No later than ~~{month}~~ December each year, the RFO shall prepare a draft budget with detailed estimates of all ~~{receipts and payments/}~~ income and expenditure for the following financial year ~~{along with a forecast for the following {four three} financial years}~~, taking account of the lifespan of assets and cost implications of repair or replacement.
- 4.4. Unspent budgets for completed projects shall not be carried forward to a subsequent year although the Council may transfer them to an earmarked reserve for provide for future expenditure if this is, in the opinion of the RFO, affordable and prudent. {Unspent funds for partially completed projects may only be carried forward (by placing them in an earmarked reserve) with the formal approval of the full council.}
- 4.5. Each committee ~~{if any}~~ shall review its draft budget and submit any proposed amendments to the council ~~{finance committee}~~ Policy, Governance and Finance Committee not later than the end of ~~{November}~~ December each year.
- 4.6. The draft budget ~~{with any committee proposals and {three year}}~~ forecast, including any recommendations for the use or accumulation of reserves, shall be considered by the Policy, Governance and Finance Committee ~~{finance committee and a which may make recommendations made to the}~~ council.
- 4.7. Having considered the proposed budget and ~~{three year}~~ four year forecast, the council shall determine its ~~{council tax (England)/budget (Wales)}~~ requirement by

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The Council's accounting software allows for forward budgets for next and the following four years.

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setting a budget. The council shall set a precept for this amount no later than ~~the~~ the end of January for the ensuing financial year.

4.8. **Any member with council tax unpaid for more than two months is prohibited from voting on the budget or precept by Section 106 of the Local Government Finance Act 1992 and must disclose at the start of the meeting that Section 106 applies to them.**

4.9. The RFO shall **issue the precept to the billing authority no later than the end of February** and supply each member with a copy of the agreed annual budget.

4.10. The agreed budget provides a basis for monitoring progress during the year by comparing actual spending and income against what was planned.

4.11. Changes in earmarked reserves shall be approved by council as part of the budgetary control process. However the Council may by resolution delegate to individual committees the powers to utilise specific earmarked reserves for expenditure. Note that unless an earmarked reserve comprises capital receipts or restricted funds (e.g. a grant given to the Council for a specific purpose), they shall be considered to comprise unrestricted revenue funds and therefore a specific earmarked reserve may be, by Council resolution, returned to the general fund at any time. Any addition to, or withdrawal from, any earmarked reserve shall be agreed by the council (or relevant committee).

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5. Procurement

5.1. **Members and officers are responsible for obtaining value for money at all times.**

Any officer procuring goods, services or works should ensure, as far as practicable, that the best available terms are obtained, usually by obtaining prices from several suppliers.

5.2. The RFO should verify the lawful nature of any proposed purchase before it is made and in the case of new or infrequent purchases, should ensure that the legal power being used is reported to the meeting at which the order is authorised and also recorded in the minutes.

5.3. Every contract shall comply with the council's Standing Orders and these Financial Regulations and no exceptions shall be made, except in an emergency.

5.4. **For a contract for the supply of goods, services or works where the estimated value will exceed the thresholds set by Parliament, the full requirements of The Procurement Act 2023 and The Procurement Regulations 2024 or any superseding legislation ("the Legislation"), must be followed in respect of the tendering, award and notification of that contract.**

5.5. Where the estimated value is below the Government threshold, the council shall (with the exception of items listed in paragraph 5.12) obtain prices as follows:

5.6. For contracts estimated to exceed ~~£659,000~~ including VAT, the Town Clerk shall ~~seek formal tenders from at least three suppliers agreed by the relevant committee council~~ OR ~~advertise an open invitation for tenders in compliance with any relevant provisions of the Legislation~~. Tenders shall be invited in accordance with Appendix 1.

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5.7. **For contracts estimated to be over £30,000 including VAT, the council must comply with any requirements of the Legislation regarding the publication of invitations and notices.**

5.8. For contracts greater than ~~£3,000~~ £5,000 excluding VAT the Town Clerk or duly authorised officer Clerk ~~or RFO~~ shall seek at least [3] fixed-price quotes;

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5.9. where the value is between ~~£500~~ and ~~£53,000~~ excluding VAT, the Town Clerk or duly authorised officer shall have executive power Clerk ~~or RFO~~ and shall try to obtain ~~three~~ 3 estimates ~~which might include evidence of online prices, or recent prices from regular suppliers.~~

5.10. For smaller purchases, ~~the clerk~~ Town Clerk of duly authorised officer shall seek to achieve value for money.

5.11. **Contracts must not be split to avoid compliance with these rules.**

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

i. for the supply of gas, electricity, water, sewerage and telephone services;

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ii. specialist services, such as legal professionals acting in disputes;

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iii. repairs to, or parts for, existing machinery or equipment;

iv. works, goods or services that constitute an extension of an existing contract;

v. goods or services that are only available from one supplier or are sold at a fixed price.

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

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

~~5.15.~~ Individual purchases within an agreed budget for that type of expenditure may be authorised by: the Town Clerk, under delegated authority. The Town Clerk has the discretion to seek the advice or approval of the relevant committee if deemed necessary.

5.15.

~~the Clerk~~, under delegated authority, for any items below ~~£500~~ excluding VAT.
Payments

~~the Clerk, in consultation with the Chair of the Council (or Chair of the appropriate committee), for any items below £2,000~~ excluding VAT.

~~{a duly delegated committee of the council for all items of expenditure within their delegated budgets for items under £5,000} excluding VAT}~~

5.16. ~~{in respect of grants shall be made following agreement by the Council within the budget set, a duly authorised committee within any limits set by council and in accordance with any policy statement agreed by the council.}~~

~~the council for all items over £5,000;~~

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

5.16-5.17. No individual member, or informal group of members may issue an official order ~~{unless instructed to do so in advance by a resolution of the council}~~, or make any contract on behalf of the council.

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

5.18. ~~No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the council, or duly delegated committee. During the budget year and with the approval of council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement'). Conditions regarding these are as follows:-~~

(a) Within the same cost centre a departmental head may recommend to the RFO transfers between budget lines provided that this does not distort Council policy, and that the RFO may authorise such transfers provided that this does not distort Council policy.

(b) A committee may authorise a reallocation of resources between its departments/cost centres.

(c) A reallocation of resources between committees will require the approval of the Council, acting on the advice of the Policy, Governance & Finance Committee and the committees concerned.

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(d) A reallocation of resources between capital projects will require the approval of the Council, acting on the advice of the Policy, Governance & Finance Committee and the committees concerned.

5.18.5.19. In cases of serious risk to the delivery of council services or to public safety on council premises, the Town Clerk may authorise expenditure of up to £5,000 excluding VAT on repair, replacement or other work that in their judgement is necessary, whether or not there is any budget for such expenditure. The Town Clerk shall report such action to the Chair of the Policy, Governance and Finance Committee as soon as reasonably possible and to the council as soon as practicable thereafter.

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

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

5.21.5.22. Any ordering system can be misused and Access to any ordering system them shall be controlled by the RFO to avoid misuse.

6. Banking and payments

6.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO in consultation with the Town Clerk and authorised by the council; banking arrangements shall not be delegated to a committee. The council has resolved to bank with name bank Barclays Bank. The arrangements shall be reviewed annually for security and efficiency.

6.2. The council must have safe and efficient arrangements for making payments, to safeguard against the possibility of fraud or error. Wherever possible, For payments in excess of £5,000 more than one person should be involved in any payment, for example by dual online authorisation or dual cheque signing. Even where a purchase has been authorised, the payment must also be authorised and only authorised payments shall be approved or signed to allow the funds to leave the council's bank.

6.3. All purchase invoices shall be authorised by the appropriate Head of Service or officer prior to them being passed to Finance for payment. Each initial purchase invoice shall be supported by a purchase order which is attached to the invoice. Subsequent invoices for the same goods or service do not require additional

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purchase orders. Each purchase invoice shall be coded to a cost centre / account code for which the authoriser has authority to charge to and which has sufficient budget available. All invoices for payment should be examined for arithmetical accuracy, analysed to the appropriate expenditure heading and verified to confirm that the work, goods or services were received, checked and represent expenditure previously authorised by the council before being certified by [the RFO]. (Where the certification of invoices is done as a batch, this shall include a statement by the RFO that all invoices listed have been 'examined, verified and certified' by the RFO).

6.3.

6.4. All invoices for payment shall be examined, verified and certified by the Head of Service or officer/budget holder 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 through its budget setting process. All invoices shall be coded by the Head of Service or Officer to a budget area appropriate to the nature of the invoice.

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6.5. The Admin Support Assistant or RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading.

6.6. All invoices shall also be examined and then countersigned by the RFO or in their absence the Town Clerk or Deputy Town Clerk. The RFO shall take all steps to pay all invoices submitted, and which are in order, at the next available payment run as appropriate.

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6.7. Officers authorised to sign off purchase invoices and purchase orders within agreed limits up to £1,000 without requiring authorisation by the Town Clerk are:

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a. Biodiversity and Green Spaces Officer

b. Communications & Community Engagement Officer

c. Compliance & Environment Officer

d. Deputy Town Clerk

e. Head of Estates and Operations

f. Operations Manager

g. PA to Town Clerk

h. Project Officer

i. Responsible Financial Officer

j. Senior Admin Officer and Committee Clerk

k. Town Clerk and Chief Executive Officer

I. Venue & Events Officer

6.4. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of employment) may be summarised to avoid disclosing any personal information.

6.5-6.8. All payments shall be made by ~~{online banking/cheque}~~, in accordance with a resolution of the council ~~{or duly delegated committee}~~~~{or a delegated decision by an officer}~~, unless ~~{the council}~~ resolves to use a different payment method.

6.6-6.9. ~~{For each financial year {the RFO} may draw up a schedule of regular payments due in relation to a continuing contract or obligation (such as Salaries, PAYE, National Insurance, pension contributions, rent, rates, regular maintenance contracts and similar items), which the council {or a duly delegated committee} Policy, Governance and Finance Committee may authorise in advance for the year}.~~

~~6.7. {A copy of this schedule of regular payments shall be signed by {two members} on each and every occasion when payment is made to reduce the risk of duplicate payments.}~~

~~6.8. {A list of such payments shall be reported to the next appropriate meeting of the council or Finance Committee} for information only.~~

6.10. The Town Clerk and RFO shall have delegated authority:

a. ~~to authorise payments within an agreed budget for that type of expenditure. The Town Clerk has the discretion to seek the advice or approval of the relevant committee if deemed necessary.~~

6.9. ~~{only} in the following circumstances:~~

i. ~~{any payments of up to {£500} excluding VAT, within an agreed budget}.~~

b. payments of up to ~~£5,000~~~~{£2,000}~~ excluding VAT, ~~where there is no budget available~~ in cases of serious risk to the delivery of council services or to public safety on council premises.

ii. ~~_____~~

iii. ~~any payment necessary to avoid a charge under the Late Payment of Commercial Debts (Interest) Act 1998 {or to comply with contractual terms}, where the due date for payment is before the next scheduled meeting of {the council}, where the {Clerk and RFO} certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council {or finance committee}.~~

a. Fund transfers within the councils banking arrangements, ~~up to the sum of {£10,000}, provided that a list of such payments shall be submitted to the next appropriate meeting of council {or finance committee}.~~

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~~6.10-6.11.~~ The RFO shall present a schedule of payments ~~requiring authorisation made under delegated powers,~~ forming part of the agenda for the meeting, ~~together with the relevant invoices,~~ to the ~~council (or finance committee).~~ Policy, Governance and Finance Committee. The ~~Committee council (or committee)~~ shall review the schedule for compliance and, having satisfied itself, ~~shall authorise payment approve the payments~~ by resolution. ~~The authorised schedule shall be initialled immediately below the last item by the person chairing the meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of that meeting.~~

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7. Electronic payments

7.1. Where internet banking arrangements are made with any bank, ~~{the RFO}~~ shall be appointed as the Service Administrator. ~~The bank mandate agreed by the council shall detail the arrangements for execution of payments. Payments of up to £5,000 may be authorised by the Town Clerk/CEO or the Deputy Town Clerk. Payments of £5,000 or more must be authorised by two Councillors. identify [a number of] councillors who will be authorised to approve transactions on those accounts and a minimum of two people will be involved in any online approval process. {The Clerk may be an authorised signatory, but No signatory should be involved in approving any payment to themselves.}~~

Commented [NW12]: THE MODEL REGS HAVE NOT BEEN AMENDED - THESE WILL BE FULLY REVIEWED BY OFFICERS FOR THE JUNE MEETING

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7.2. All authorised signatories shall have access to view the council's bank accounts online.

7.3. No employee or councillor shall disclose any PIN or password, relevant to the council or its banking, to anyone not authorised in writing by the council or a duly delegated committee.

7.4. The Service Administrator (RFO) shall set up all items due for payment online, which are assigned a payment reference, which is known as the ELP – Electronic Payment Number. The RFO may delegate this task to the Admin Support Assistant.

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~~7.4-7.5.~~ All electronic payments shall be processed at the Council's offices. When signatories are authorising payments they shall be given aA list of payments for approval, together with copies of the relevant invoices, which they will be required to sign when authorising the payments. ~~shall be sent [by email] to [two] authorised signatories.~~

7.5-7.6. In the prolonged absence of the Service Administrator the Town Clerk/ CEO shall make arrangements for another council officer to ~~{an authorised signatory}~~ shall set up any payments due before the return of the Service Administrator.

~~7.6. Two [councillors who are] authorised signatories shall check the payment details against the invoices before approving each payment using the online banking system.~~

~~7.7. Evidence shall be retained showing which members who approved the payment online. The ELP will be written on the invoice together with the payment date. A file will be retained with a -and a printout each time an electronic payment is made. of the transaction confirming that the payment has been made shall be appended to the invoice for audit purposes.~~

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~~7.8. A full list of all payments made in a month shall be provided to the next [council] meeting and appended to the minutes.~~

Commented [NW13]: Duplication of 6.10 above

~~7.9-7.8. The Town Clerk/ CEO may determine that RWith the approval of [the council] in each case, regular payments (such as gas, electricity, telephone, broadband, water, National Non-Domestic Rates, refuse collection, pension contributions and HMRC payments) may be made by variable direct debit, provided that the instructions are [signed/approved online] by [two authorised members]. Signed in accordance with the bank mandate. The approval of the use of each variable direct debit shall be reviewed by [the council] at least every two years.~~

~~7.10-7.9. Payment may be made by BACS or CHAPS in accordance with the bank mandate by resolution of [the council] provided that each payment is approved online by [two authorised bank signatories], authorised signatories (see 7.1 above), evidence is retained and any payments are reported, together with other payments made, to the Policy, Governance and Finance Committee. to [the council] at the next meeting. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.~~

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~~7.11-7.10. If thought appropriate by the council, Town Clerk/ CEO regular payments of fixed sums may be made by banker's standing order, provided that the instructions are signed {or approved online} by [two members], in accordance with the bank mandate, evidence of this is retained and any payments are reported, together with other payments made, to the Policy, Governance and Finance Committee. to council when made. The approval of the use of a banker's standing order shall be reviewed by [the council] at least every two years.~~

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~~7.12-7.11. Bank account details of suppliers are a potential area for fraud and therefore reasonable steps must be taken to ensure that they are genuine. When the first electronic payment is made to a supplier the bank aAccount details which have been submitted by the supplier for suppliers will be verified by the RFO or another member of staff at their direction, in accordance with the advice of the Council's bankers. Account details for suppliers may only be changed upon written notification by the supplier verified by the RFO [two of] the Clerk and [the RFO] [a~~

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~~member} or another member at his direction in accordance with the advice of the Council's bankers. — This is a potential area for fraud and the individuals involved should ensure that any change is genuine. Data held should be checked with suppliers every {two years}.~~

~~7.13.~~ 7.12. Members and officers shall ensure that any computer used for the council's financial business has adequate security, with anti-virus, anti-spyware and firewall software installed and regularly updated.

~~7.14.~~ 7.13. Remembered password facilities {other than secure password stores requiring separate identity verification} should not be used on any computer used for council banking.

8. Cheque payments

8.1. Cheques or orders for payment for up to £5,000 and which are made in accordance in accordance with a resolution ~~or~~ or delegated decision shall be signed by the Town Clerk or {two members. Cheques of £5,000 or more shall be signed by two members. In addition cheques of up to £500 and which required to reimburse the petty cash only, may be signed by the Deputy Town Clerk or RFO. } ~~{and countersigned by the Clerk}.~~

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

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

~~8.4. {Cheques or orders for payment shall not normally be presented for signature other than at, or immediately before or after a council {or committee} meeting}. Any signatures obtained away from council meetings shall be reported to the council {or Finance Committee} at the next convenient meeting.~~

9. Payment cards

9.1. Any Debit Card issued for use will be specifically restricted to ~~{the Town Clerk and Deputy Town Clerk (in the Town Clerk's absence) the RFO}~~ and will also be restricted to a single transaction maximum value of ~~£1,000 {£500}~~ unless authorised by council or finance committee in writing before any order is placed.

9.2. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the Policy, Governance and Finance Committee. ~~{the council}.~~ Transactions and purchases made will be reported to ~~{the council the Committee. }~~ and a Authority for topping-up shall be at the discretion of the Town Clerk. ~~{the council}.~~

Commented [NW14]: Changes to reflect practice and existing FRs

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9.3. Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Town Clerk and Deputy Town Clerk (in the Town Clerk's absence) ~~(and RFO) (specify other officers)~~ and any balance shall be paid in full each month.

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9.4. Personal credit or debit cards of members or staff shall not be used ~~(under any circumstances.) OR (except for expenses of up to £500 (£250) including VAT in a single transaction,~~ incurred in accordance with council policy and budget.

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10. Petty Cash

10.1. ~~(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 (or RFO) (for example for postage or minor stationery items) shall be refunded on a regular basis, at least quarterly.) OR (The RFO shall maintain a petty cash [float/imprest account] of £500 (£250) and may provide petty cash to officers for the purpose of defraying operational and other expenses.~~

- a) Vouchers for payments made from petty cash shall be kept, along with receipts to substantiate every payment.
- b) Cash income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
- c) Payments to maintain the petty cash float shall be shown separately on any schedule of payments presented for approval.

11. Payment of salaries and allowances

Commented [NW15]: Changes to model FRs to reflect current FRs

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

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

11.3. Salary rates shall be agreed by the council, or a duly delegated committee. No changes shall be made to any employee's gross pay, emoluments, or terms and conditions of employment without the prior consent of the Personnel Sub-Committee, Policy, Governance and Finance Committee or full council ~~(or relevant committee).~~

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11.4. Payment of salaries shall be made, after deduction of tax, national insurance, pension contributions and any similar statutory or discretionary deductions, on the dates stipulated in employment contracts.

11.5. Deductions from salary shall be paid to the relevant bodies within the required timescales, provided that each payment is reported, as set out in these regulations above.

11.6. Each payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a payroll control account or other separate confidential record by the RFO, with the total of such payments each calendar month reported in the cashbook. Payroll reports will be reviewed by ~~[the finance committee]~~ the Town Clerk to ~~to~~ ensure that the correct payments have been made.

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11.7. Each payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (confidential cash book). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than;

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a) by any councillor who can demonstrate a need to know to the Town Clerk;

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b) by the internal auditor;

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c) by the external auditor; or

d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.

~~11.6.~~

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11.8. 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.

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11.9 Any termination payments shall be supported by a report to the Personnel Sub-Committee ~~council~~, setting out a clear business case. Termination payments shall only be authorised by the full council. ~~Policy, Governance and Finance Committee.~~

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~~11.7.~~

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~~11.8.~~ 11.10 Before employing interim staff, the council must consider a full business case.

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However this will not be required if there is an existing budgetary provision and as long as this does not distort council policy.

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12. Loans and investments

12.1. Any application for Government approval to borrow money and subsequent arrangements for a loan must be authorised by the full council and recorded in the minutes. All borrowing shall be in the name of the council, after obtaining any necessary approval.

12.2. Any financial arrangement which does not require formal borrowing approval from the ~~[Secretary of State/Welsh Assembly Government]~~ (such as Hire Purchase, Leasing of tangible assets or loans to be repaid within the financial year) must be authorised by the full council, following a written report on the value for money of the proposed transaction.

- 12.3. The council shall consider the requirement for an Investment Strategy and Policy in accordance with Statutory Guidance on Local Government Investments, which must be written in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.
- 12.4. All investment of money under the control of the council shall be in the name of the council.
- 12.5. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 12.6. Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, shall be made in accordance with these regulations.

13. Income

- 13.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.

13.2. The council will review all fees and charges for work done, services provided, or goods sold at least annually as part of the budget-setting process and included in the reports of the RFO to the various committees. ~~following a report of the Clerk.~~ ~~{The RFO}~~ shall be responsible for the collection of all amounts due to the council.

~~13.2.~~

13.3. Individual sums of £100 or more which are considered by the RFO to be irrecoverable shall be reported to the Policy, Governance & Finance Committee and shall be written off by the full Council, subject to a resolution of the Policy, Governance & Finance Committee. Individual sums of less than £100 may be written off by the RFO with the agreement of the Town Clerk or in their prolonged absence, the Deputy Town Clerk.

~~13.3.~~ 13.4. Any sums found to be irrecoverable and any bad debts shall be reported to the council by ~~{the RFO}~~ and shall be written off in the year when they considered that the debt is irrecoverable. The council's approval shall be shown in the accounting records.

~~13.4.~~ 13.5. All sums received on behalf of the council shall be deposited intact with the council's bankers, with such frequency as the RFO considers necessary. The origin of each receipt shall clearly be recorded on the paying-in slip or other record.

~~13.5.~~ 13.6. Personal cheques shall not be cashed out of money held on behalf of the council.

~~13.6.~~ 13.7. ~~{The RFO}~~ shall ensure that VAT is correctly recorded in the council's accounting software and that any VAT Return required is submitted from the

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software by the due date}. OR {Any repayment claim under section 33 of the VAT Act 1994 shall be made {quarterly where the claim exceeds [£100] and} at least annually at the end of the financial year.}

~~13.7. The RFO shall ensure that a cash handling procedure is effective to avoid any losses, including fraud and that other appropriate controls are in place. Banking of cash shall be undertaken in accordance with the conditions set out in the Council's insurance policy document, which for 2025-26 is in part D (Money), section 5. {Where significant sums of cash are regularly received by the council, the RFO shall 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 record such as ticket issues, and that appropriate care is taken for the security and safety of individuals banking such cash.}~~

Commented [NW16]: 13.8 AND 13.9 WILL BE SUBJECT TO FURTHER CONSIDERATION BY OFFICERS

~~13.8. {Any income that is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity meeting separately from any council meeting.}~~

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14. **Payments under contracts for building or other construction works**

14.1. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments, which shall be made within the time specified in the contract based on signed certificates from the architect or other consultant engaged to supervise the works.

Commented [NW17]: SECTIONS 14,15 AND 16 CURRENTLY REFLECT THE MODEL AND SO WILL BE SUBJECT TO FURTHER CONSIDERATION BY OFFICERS AHEAD OF THE MEETING ON 9 JUNE 2025.

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14.2. Any variation of, addition to or omission from a contract must be authorised by {the Town Clerk} to the contractor in writing, with the council being informed where the final cost is likely to exceed the contract sum by 5% or more, or likely to exceed the budget available.

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15. **Stores and equipment**

15.1. ~~{The officer in charge of each section}~~ shall be responsible for the care and custody of stores and equipment ~~{in that section}.}~~

15.2. Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.

15.3. ~~{Stocks shall be kept at the minimum levels consistent with operational requirements.}~~

15.4. ~~{The senior manager in each section}~~The RFO shall be responsible for ensuring that they or another officer conduct periodic checks of stocks and stores, at least

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annually. This may be, as in the case of the café/bar, be contracted to an external professional.}

16. Assets, properties and estates

16.1. The Town Clerk/CEO shall make arrangements for the safe custody of all title deeds and Land Registry Certificates of properties held by the council.

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16.2. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date, with a record of all properties held by the council, their location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held, in accordance with Accounts and Audit Regulations.

16.3. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

16.4. No interest in land shall be purchased or otherwise acquired, sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a written report shall be provided to council, via the relevant committee(s) 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 where required by law).

16.5. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of unless the Council has made budgetary provision for such property and any other consents required by law have been obtained.

Commented [NW18]: 16.5, 16.6 and 16.7 are in accordance with current FRs

16.6. Inventories shall be maintained by all departments and therein shall be recorded an adequate description of furniture, fittings and equipment, plant and machinery. All inventories shall be in a form approved by the RFO, who in consultation with the Town Clerk may agree that certain items may be excluded from the records.

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16.7. Each departmental head shall be responsible for maintaining an annual check of all items on the inventory, for taking action in relation to surpluses or deficiencies and noting the inventory accordingly, and possibly in conjunction with a health and safety inspection of assets.

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16.5. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, except where the estimated value of any one item does not exceed [£500]. In each case a written report shall be provided to council with a full business case.

17. Insurance

- 17.1. The RFO shall keep a record of all insurances effected by the council and the property and risks covered, reviewing these annually before the renewal date in conjunction with the council's review of risk management in consultation with other council officers as appropriate.
- 17.2. Each officer ~~The Clerk~~ shall give prompt notification to ~~the RFO~~ of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 17.3. The RFO shall be notified of any loss, liability, damage or event likely to lead to a claim, and shall report these to ~~the council~~ Policy, Governance and Finance Committee at the next available meeting. The RFO shall negotiate all claims on the council's insurers {in consultation with the Town Clerk/ CEO}.
- 17.4. All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined ~~annually~~ by the council, or duly delegated committee.

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~~18. [Charities]~~

- ~~18.1. Where the council is sole managing trustee of a charitable body the Clerk and RFO shall ensure that separate accounts are kept of the funds held on charitable trusts and separate financial reports made in such form as shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission. The Clerk and RFO shall arrange for any audit or independent examination as may be required by Charity Law or any Governing Document.]~~

Commented [NW19]: Not applicable for WTC

18.18. Suspension and revision of Financial Regulations

- 18.1 It shall be the duty of the Council to review the Financial Regulations of the council from time to time. The Town 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.
- ~~19.1. The council shall review these Financial Regulations [annually] and following any change of clerk or RFO. The Clerk shall monitor changes in legislation or proper practices and advise the council of any need to amend these Financial Regulations.~~
- ~~19.2.18.2~~ The council may, by resolution duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations, provided that reasons for the suspension are recorded and that an assessment of the risks arising has been presented to all members. Suspension does not disapply any legislation or permit the council to act unlawfully.

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~~49.3.18.3~~ The council may temporarily amend these Financial Regulations by a duly notified resolution, to cope with periods of absence, local government reorganisation, national restrictions or other exceptional circumstances.

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Appendix 1 - Tender process

- 1) Any invitation to tender issued under this regulation shall be subject to and in accordance with the Council's Standing Orders, Financial Regulations, Procurement Policy and any other policies which the Council may have in place and shall refer to the terms of the Bribery Act 2010.
- 2) Any invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases.
- 3) The invitation shall in addition state that tenders must be addressed to the Town Clerk/CEO in the ordinary course of post, unless an electronic tendering process has been agreed by the Town Clerk/CEO council.
- 4) Where a postal process is used, each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract. All sealed tenders shall be opened at the same time on the prescribed date by the Town Clerk/CEO in the presence of at least one member of council.
- 4) Where an electronic tendering process is used, the council shall use a specific email address that will be monitored to ensure that nobody accesses any tender before the expiry of the deadline for submission.
- 5) ~~Any invitation to tender issued under this regulation shall be subject to Standing Order [insert reference of the council's relevant standing order] and shall refer to the terms of the Bribery Act 2010.~~
- 6) Where the council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision-making process was being undertaken.

Commented [NW20]: FOR FURTHER OFFICER REVIEW

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