



# Taunton Town Council

## Financial Regulations & Internal Financial Controls

### POLICY UPDATE TIMELINE

Policy Number	Version	Owner	Word File No.	PDF File No.	Date Published	Review Due	Review Team
FR 01	V 1	RFO	****	***	1 April 2023	1 Sept 2023	RFO

--	--	--	--	--	--	--	--

**Distribution:**

Internal: All TTC Staff

External: Website / Councillors / Partners

Table of Contents:

	Heading	Page
	Policy Update Timeline	2
	<b>FINANCIAL REGULATIONS</b>	

1	General	4
2	Accounting & Audit (Internal & External)	6
3	Annual Estimates (Budget) and Forward Planning	7
4	Budgetary Control and Authority to Spend	8
5	Banking Arrangements and Authorisation of Payments	9
6	Instructions for the Making of Payments	9
7	Payment of Salaries	10
8	Loans and Investments	10
9	Income	11
10	Orders for Work, Goods and Services	11
11	Contracts	12
12	Payments under Contracts for Building or Other Construction Works	13
13	Stores and Equipment	13
14	Assets, Properties and Estates	14
15	Insurance	14
16	Charities	14
17	Risk Management	15
18	Suspension and Revision of Financial Regulations	15
	<b>INTERNAL FINANCIAL CONTROLS</b>	
1	General	16
2	Internal Controls	16
3	Internal Audit	17
4	Annex A – RFO Duties & Responsibilities	18
5	Annex B – Safeguarding Public Money, Repeal of Section 150(5) of LGA 1972	19

## **FINANCIAL REGULATIONS**

### **1. General**

- 1.1. These Financial Regulations govern the conduct of financial management by the Council and may only be amended or varied by resolution of Full 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.
- 1.2. The Council is responsible in law for ensuring that its financial management is adequate and effective, and that the Council has a sound system of internal control which facilitates the effective exercise of the Council's functions, including arrangements for the management of risk.
- 1.3. The Council's accounting control systems must include measures:
- 1.3.1. For the timely production of accounts

- 1.3.2. That provide for the safe and efficient safeguarding of public money
- 1.3.3. To prevent and detect inaccuracy and fraud; and
- 1.3.4. For identifying the duties of officers.

- 1.4. These Financial Regulations demonstrate how the Council meets these responsibilities and requirements.
- 1.5. At least once a year, prior to approving the Annual Governance Statement, the Council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.
- 1.6. Deliberate or willful breach of these Regulations by an employee may give rise to disciplinary proceedings.
- 1.7. Members of the Council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office or Member into disrepute.
- 1.8. The Responsible Finance Officer (RFO) holds a statutory office to be appointed by the Council. The Council's Town Clerk has been appointed as RFO.

1.9. The RFO:

- 1.9.1. Acts under the policy direction of the Council.
- 1.9.2. Administers the Council's financial affairs in accordance with all Acts, Regulations and proper practices.
- 1.9.3. Determines on behalf of the Council its accounting records and accounting control systems.
- 1.9.4. Ensures the accounting control systems are observed.
- 1.9.5. Maintains the accounting records of the Council up to date in accordance with proper practices.
- 1.9.6. Assists the Council to secure economy, efficiency and effectiveness in the use of its resources; and
- 1.9.7. Produces financial management information as required by the Council.

- 1.10. The accounting records determined by the RFO shall be sufficient to show and explain the Council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or management information prepared for the Council from time to time, comply with the Accounts and Audit Regulations.

1.11. The accounting records determined by the RFO shall contain:

- 1.11.1. 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 relate.
- 1.11.2. A record of the assets and liabilities of the Council.
- 1.11.3. Wherever relevant, a record of the Council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.

- 1.12. The accounting control systems determined by the RFO shall include procedures to:
  - 1.12.1. Ensure that the financial transactions of the Council are recorded as soon as reasonably practicable and as accurately and reasonably as possible.
  - 1.12.2. Enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records.
  - 1.12.3. Identify the duties of officers dealing with financial transactions and division of responsibilities of those officers.
  - 1.12.4. Ensure that uncollectable amounts, including any bad debts, with a value exceeding £5,000 are submitted to the Finance and Governance Committee for approval to be written off.
  - 1.12.5. Ensure that measures are in place to enable risk to be properly managed.
  
- 1.13. The Council is not empowered by these Regulations or otherwise to delegate certain specified decisions including:
  - 1.13.1. Setting the final budget or the precept.
  - 1.13.2. Approving accounting statements.
  - 1.13.3. Approving an annual governance statement.
  - 1.13.4. Borrowing.
  - 1.13.5. Writing off bad debts exceeding £5,000.
  - 1.13.6. Declaring eligibility for the General Power of Competence; and
  - 1.13.7. Addressing recommendations in any report from the internal or external auditors.
  
- 1.14. In addition, the Council must:
  - 1.14.1. Determine and keep under regular review the bank mandate for all Council bank accounts.
  - 1.14.2. Approve any grant or a single commitment in excess of £100,000; and
  
  - 1.14.3. In respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the Personnel Sub-Committee in accordance with its terms of reference.
  
- 1.15. In these Financial Regulations, references to the Accounts and Audit Regulations shall mean the Regulations issued under the provisions of section 27 of the Audit Commission Act 1998, or any superseding legislation, including the Local Audit and Accountability Act 2014, and then in force unless otherwise specified.
  
- 1.16. In these Financial Regulations, the term 'proper practice(s)' shall refer to guidance issued in *Governance & Accountability for Local Councils – a Practitioners' Guide (England)* issued by the Joint Practitioners Advisory Group (JPAG), available from the websites of NALC and the Society for Local Council Clerks (SLCC).

## **2. Accounting and Audit (Internal and External)**

- 2.1. All accounting procedures and financial records of the Council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.
- 2.2. On a regular basis, at least once in each quarter, and at financial year end, the Chair of the Finance and Governance Committee shall verify bank reconciliations produced by the RFO. The Chair shall sign the reconciliations as evidence of verification. Any material discrepancies shall be reported to the Finance and Governance Committee.
- 2.3. The RFO shall complete the annual statement of accounts, annual report and any related documents of the Council contained in the Annual Return 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 necessary for the audit and shall, as directed by the Council, supply the RFO, internal auditor or external auditor with such information and explanation as 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:
  - 2.6.1. Be competent and independent of the financial operations of the Council.
  - 2.6.2. Report to Council on a regular basis with a minimum of one annual report during each financial year.
  - 2.6.3. Demonstrate competence, objectivity and independence, and be free from any actual or perceived conflicts of interest; and
  - 2.6.4. Not be involved in the financial decision making, management or control of the Council.
- 2.7. Internal or external auditors may not under any circumstances:
  - 2.7.1. Perform any operational duties for the Council.
  - 2.7.2. Initiate or approve accounting transactions; or
  - 2.7.3. Direct the activities of any Council employee, except to the extent those employees have been appropriately assigned to assist the internal auditor.
- 2.8. For the avoidance of doubt, in relation to internal audit the terms “independent” and “independence” shall have the same meaning as is described in proper practices.
- 2.9. The RFO shall arrange for the exercise of electors’ rights in relation to the accounts including the opportunity to inspect the accounts, books and vouchers and display or publish any notices and statements of account required by the

Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.

- 2.10. The RFO shall bring to the attention of all Members, at the next meeting of Full Council, any report from internal or external auditors.

### **3. Annual Estimates (Budget) and Forward Planning**

- 3.1. The Finance and Governance Committee shall prepare a four-year forecast of revenue and capital income and expenditure. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to Full Council not later than the end of January each year including any proposals for revising the forecast.
- 3.2. The RFO must each year, by no later than December, prepare detailed estimates of all income and expenditure 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 Governance Committee and subsequently by Full Council.
- 3.3. The Council shall consider annual budget proposals in relation to the Council's four-year forecast of revenue and capital income and expenditure including recommendations for the use of reserves and sources of funding and update the forecast accordingly.
- 3.4. The Council shall fix the precept and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall issue the precept to the billing authority and shall supply each Member with a copy of the approved annual budget.
- 3.5. The approved annual budget shall form the basis of financial control for the ensuing year.
- 3.6. The RFO shall maintain a minimum reserve equivalent to two months' gross expenditure. This level shall be reviewed regularly to consider known capital projects which may impact on levels of reserves and cash flow during the 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 is determined by the Town Clerk and detailed in the Financial Authorisation Limits for Staff. Such authority is as stated in the Minutes of the Finance and Governance Committee held on \*\*\*\*\* 2023. 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 service area other than by resolution of Finance and Governance Committee. During the budget year, the RFO, having considered fully the implications for public services, may move unspent and available amounts to other budget headings or to an earmarked reserve as appropriate ("virement"). All budget virements exceeding £30,000 will be reported to the Finance and Governance Committee.
- 4.3. Unspent provisions in the revenue budget, recurring capital budgets or completed non-recurring capital budgets, shall not be carried forward to a subsequent year. Unspent provisions for uncompleted non-recurring capital budgets may be carried forward following approval of the RFO.

- 4.4. The salary budgets are to be reviewed at least annually in October for the following financial year and such review shall be subject to approval by the Town Clerk.
- 4.5. In cases of extreme risk to the delivery of Council services, the Town 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 £50,000. The Town Clerk shall report such action to the Chair of the Finance and Governance Committee as soon as possible and to the Finance and Governance Committee as soon as practicable thereafter.
- 4.6. 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, or the requisite borrowing approval has been obtained if applicable.
- 4.7. All capital works shall be administered in accordance with the Council's Standing Orders and Financial Regulations relating to contracts.
- 4.8. The RFO shall regularly provide the Council with a statement of income and expenditure to date under each budget heading, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose, "material" shall be in excess of £30,000 of the budget.
- 4.9. Changes in earmarked reserves shall be approved by Full Council as part of the budgetary control process.

## **5. Banking Arrangements and Authorisation of Payments**

- 5.1. The Council's banking arrangements, including the bank mandate, shall be made by the RFO, approved by Full Council and regularly reviewed for safety and efficiency. Any transfer of monies between bank accounts shall be made by the RFO. Banking arrangements may not be delegated to a Committee.
- 5.2. The RFO shall have delegated authority to prepare a schedule of payments, together with the relevant invoices, in respect of all authorised items of expenditure. All payments shall require dual authorisation undertaken by the RFO, and a designated Member approved by Full Council.
- 5.3. All invoices for payment shall be examined, verified and certified by the relevant budget holder in accordance with the Scheme of Delegation, or the RFO as appropriate, to confirm that the work, goods or services to which each invoice relates has been received. Invoices shall be posted to the appropriate expenditure heading in the general ledger following certification.
- 5.4. All invoices shall be checked for arithmetical accuracy, and a supporting order where applicable, and allocated to the appropriate expenditure heading. The RFO shall take all reasonable steps to pay all invoices submitted, and which are in order, in accordance with supplier payment terms and conditions.
- 5.5. In respect of expenditure on grants, expenditure shall be approved by the Finance and Governance Committee within budgetary limits and in accordance with any applicable policy.



## **6. Instructions for the Making of Payments**

- 6.1. The Council shall ensure that it has in place safe and efficient arrangements for the making of its payments.
- 6.2. The RFO shall have delegated authority to process payments in respect of all authorised items of expenditure as and when, and on a timely basis, to ensure that all invoices are paid in accordance with terms as far as is practicable.
- 6.3. All payments shall be by BACs. In exceptional circumstances where payment is required by cheque, these shall be signed by the RFO and a designated Member.
- 6.4. Where internet banking arrangements are made with any bank, the RFO shall be appointed as Systems Administrator. The bank mandate approved by Full Council shall clearly state the officers and Members authorised to approve transactions, and the value of those transactions.
- 6.5. Corporate credit cards and trade card accounts opened by the Council shall be specifically designated to named officers, as approved by the RFO, and shall be subject to automatic payment in full each month. Personal debit or credit cards shall not be used under any circumstances.
- 6.6. The RFO shall maintain petty cash floats for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment and evidence a claim for reimbursement.

## **7. Payment of Salaries**

- 7.1. As an employer, the Council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by the Council.
- 7.2. Payment of salaries and deductions from salary such as may be required for tax, national insurance and pension contributions, or similar statutory or discretionary deductions, must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts.
- 7.3. Payments to employees of net salary and to appropriate creditors of the statutory and discretionary deductions shall be confidential. These confidential records are not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
  - 7.3.1. By any Member who can demonstrate a need to know;
  - 7.3.2. By the internal or external auditor; or
  - 7.3.3. By any person authorised under the Audit Commission Act 1998 or any superseding legislation.

- 7.4. The payroll process shall be undertaken by the RFO in conjunction with another authorised senior officer. Forms for new starters and all subsequent changes to staff terms and conditions, shall be authorised by the relevant line manager and the Town Clerk.
- 7.5. Any termination payments shall be supported by a clear business case and reported to the Personnel Sub-Committee. Termination payments shall only be authorised by Full Council.

## **8. Loans and Investments**

- 8.1. All borrowings shall be in the name of the Council, after obtaining any necessary borrowing approval. Any application for borrowing shall be approved by Full Council as to terms and purpose and subsequent arrangements.
- 8.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State, such as hire purchase or leasing of tangible assets, shall be subject to approval by Full Council. A report in writing shall be provided to Full 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 the Council's Annual Investment Strategy which shall be reviewed by Full Council annually, and be in accordance with relevant Regulations, proper practices and guidance.
- 8.4. All investments and money under the control of the Council shall be in the name of the Council.
- 8.5. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

## **9. Income**

- 9.1. The collection of all sums due to the Council shall be the responsibility of and under the supervision of the RFO.
- 9.2. Fees and charges to be made for work done, services rendered, or goods supplied shall be reviewed and agreed by the Finance and Governance Committee, and subsequently by Full Council, as part of the annual budget setting process.
- 9.3. Any sums found to be irrecoverable, and any bad debts shall be written off by the RFO in the year. All such sums and debts more than £5,000 shall be reported to the Finance and Governance Committee prior to such items being written off.
- 9.4. All sums received on behalf of the Council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the Council's bankers with such frequency as the RFO considers necessary.
- 9.5. Personal cheques shall not be cashed out of money held on behalf of the Council.
- 9.6. The RFO shall promptly complete any VAT Return that is required. Any repayment claims due in accordance with the VAT Act 1994 section 33 shall be made quarterly.
- 9.7. Where any significant sums of cash are regularly received by the Council, the RFO shall take such steps 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, and that appropriate arrangements are in place to ensure the security of cash taken for deposit.

- 9.8. Any income arising which 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.

## **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. 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 11.8 below.
- 10.3. A Member may not issue an official order or make any contract on behalf of the Council.

## **11. Contracts**

- 11.1. Every contract shall comply with these Financial Regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items 11.1.1 to 11.1.6 below:
- 11.1.1. For the supply of gas, electricity, water, sewerage and telephone services.
  - 11.1.2. For specialist services such as are provided by legal professionals acting in disputes.
  - 11.1.3. 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.
  - 11.1.4. For work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council.
  - 11.1.5. For additional audit work of the external auditor.
  - 11.1.6. For goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.
- 11.2. Where the Council intends to procure or award a public supply, public service or public works contract as defined by the Public Contracts Regulations 2015 which is valued at £30,000 or more, the Council shall comply with the relevant requirements of the Regulations:
- 11.2.1. To use the Contract Finder website to advertise contract opportunities.
  - 11.2.2. Set out the procedures to be followed in awarding new contracts; and

11.2.3. To publicise the award of new contracts.

- 11.3. The full requirements of the Public Contracts Regulations 2015, as applicable, shall be followed in respect of the tendering and award of a public supply, public service or public works contract which exceed thresholds set by the Public Contracts Directive 2014/24/EU (per Article 4). See Note below at 11.6.
- 11.4. 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 Town Clerk.
- 11.5. Invitations to tender shall state the general nature of the intended contract and the Town Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Town Clerk. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- 11.6. All sealed tenders shall be opened at the same time on the prescribed date by the Town Clerk or nominated Officer in the presence of at least one Member of the Council.

**Note:** Thresholds currently applicable (as at 1 January 2022) are:

For public supply and public service contracts £213,477. For public works contracts £5,336,937

- 11.7. Any invitation to tender issued under the Public Contracts Regulations 2015 shall be subject to Standing Order 18 (Financial Controls and Procurement) and shall refer to the terms of the Bribery Act 2010.
- 11.8. When the Council is to enter into a contract of less than £30,000 in value for the supply of goods or materials or for the execution of works or specialist services other than as are excepted in Regulation 11.1 above, three quotations shall be obtained. Where the value is below £10,000 and above £500 officers will strive to obtain three estimates.
- 11.9. The Council shall not be obliged to accept the lowest or any tender, quote or estimate
- 11.10. Should the Council, or duly delegated Committee, not accept any tender, quote or estimate, the work is not allocated, and the Council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision-making process was being undertaken.

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

- 12.1. Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the contract).
- 12.2. Where contracts provide for payments by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of the work carried out under a contract, excluding agreed variations, will exceed

the contract sum by 10% or more a report shall be submitted to the Finance and Governance Committee.

- 12.3. Any variation to a contract or addition to or omission from a contract must be approved by the RFO or delegated officer to the contractor in writing.

### **13. Stores and Equipment**

- 13.1. The officer in charge of each function shall be responsible for the care and custody of stores and equipment within that function.
- 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 minimum levels consistent with operational requirements.
- 13.4. The officer in charge of each function shall be responsible for ensuring periodic checks of stocks and stores at least annually.

### **14. Assets, Properties and Estates**

- 14.1. The Town Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the Council and ensure a record is maintained of all properties held by the Council, recording the 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 Finance and Governance Committee, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £25,000.
- 14.3. No real property (interests in land) shall be purchased, acquired, sold, leased or otherwise disposed of without the authority of Full Council, together with any other consents required by law. In each case, a report in writing shall be provided to Full 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. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified annually.

### **15. Insurance**

- 15.1. The RFO shall keep a record of all insurances effected by the Council and the property and risks covered thereby and annually review it. The RFO shall effect all insurances through an approved broker who will negotiate all claims with the Council's insurers on the Council's behalf.
- 15.2. The RFO shall constantly review all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.

- 15.3. The RFO shall be notified promptly of any loss, liability or damage or of any event likely to lead to a claim.
- 15.4. All appropriate employees and Members of the Council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the Council.

## **16. Charities**

- 16.1. Where the Council is the sole managing trustee of a charitable body the 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.
- 16.2. The RFO shall arrange for any audit or independent examination as may be required by Charity Law or any Governing Document.

## **17. Risk Management**

- 17.1. The Council is responsible for putting in place arrangements for the management of risk. The Town Clerk shall prepare, for approval by the Council, risk management policy statements in respect of all activities of the Council. Risk policy statements and consequential risk management arrangements shall be reviewed by the Council at least annually.

## **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 RFO 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.
- 18.2. The Council may, by resolution, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and an assessment of the risks arising has been drawn up and presented in advance to all Members.

# **INTERNAL FINANCIAL CONTROLS**

## **1. General**

- 1.1. The Council has in place Standing Orders, Financial Regulations and Policies and Procedures which act as the framework for financial and other internal controls within the Council. All staff are required to act in accordance with these rules and regulations when carrying out their duties.
- 1.2. The Responsible Finance Officer (RFO) has a statutory responsibility under Section 151 of the Local Government Act 1972 to “make arrangements for the proper administration of [the Council’s] financial affairs.”
- 1.3. The Council has adopted Financial Codes of Practice and Accounting and requires managers to ensure that departmental instructions exist in relation to the Council’s activities.

- 1.4. The Council has developed and is committed to having in place systems and procedures which incorporate efficient and effective internal controls, adequate separation of duties wherever possible, and risk and performance management.

## **2. Internal Controls**

- 2.1. A system of checks and balances shall be in place to ensure no one person has control over all parts of a financial transaction.
  - 2.1.1. All purchases, payroll and disbursements shall be authorised by two designated officers and / or Members, in accordance with Annex B.
  - 2.1.2. The receipting of customer payments shall be undertaken by a different Finance Officer to the officer that raised the sales invoices, wherever possible.
  - 2.1.3. Managers shall approve and sign payroll overtime payments, expenses and travel claims before the payroll is prepared.
  - 2.1.4. The payroll shall be run by the RFO approving all net salary payments prior to payment.
- 2.2. The Council's bank statement shall be reconciled every month.
  - 2.2.1. The bank reconciliation shall be completed every month and filed with the bank statements.
  - 2.2.2. The bank reconciliation shall be checked and finalised by the RFO, and the Chair of the Finance and Governance Committee will sign and date the reconciliation.
- 2.3. Holding accounts for tickets and other goods sold on behalf of third parties shall be regularly reconciled.
- 2.4. The Council's corporate credit cards shall be used for business purposes only.
  - 2.4.1. It is strictly prohibited to use corporate credit cards for personal use with subsequent re-imbusement.
  - 2.4.2. Corporate credit cards shall be kept securely when not in use.
  - 2.4.3. All purchases by corporate credit cards shall be supported by a VAT invoice and / or a receipt for the purchase, as applicable.
  - 2.4.4. Purchasing limits as defined by the Scheme of Delegation shall apply when any officer uses a corporate credit card.
- 2.5. The Council's fuel cards shall be used for business purposes only:
  - 2.5.1. It is strictly prohibited to use fuel cards for personal use with subsequent reimbursement.
  - 2.5.2. All fuel purchases shall include the driver's name and vehicle registration number.
- 2.6. Council provided mobile devices shall be used only in accordance with the requirements as laid down in Council policies regarding the proper use of mobile devices.

2.7. Petty cash floats shall be the responsibility of the officer to whom they are assigned and held securely by that responsible officer.

2.7.1. All expenditure shall be accompanied by a petty cash slip signed by the delegated officer and accompanied by a VAT receipt where applicable.

2.7.2. The petty cash slip shall detail a summary of the goods purchased.

2.7.3. Petty cash floats shall be reconciled monthly and checked by the RFO prior to a replenishment cheque being prepared and signed in accordance with Annex B.

2.8. Cheques payable to cash shall be limited to the reimbursement of petty cash only. Only in exceptional circumstances, and with the authority of the RFO, shall any other cheque be payable to cash.

### **3. Internal Audit**

3.1. The Council shall employ an independent auditor to carry out internal audits of the Council's systems and procedures. Such a review shall seek to ensure that financial controls are operating effectively and provide assurance that the Council's services are operating in an effective, efficient and economic manner.

3.2. The Council shall facilitate effective internal audit by enabling full access to its premises and records to enable reasonable tests and checks to be undertaken, and to ensure that the internal auditor is able to request and receive any explanations as are necessary concerning any matter under examination.

## **ANNEX A**

### **RESPONSIBLE FINANCE OFFICER - DUTIES AND RESPONSIBILITIES**

The Responsible Finance Officer (RFO), under the policy direction of the Council, shall be responsible for the proper administration of the Council's financial affairs. Allowing that delegation to other members of staff may be necessary, the primary RFO's duties and responsibilities are to:

1. Prepare financial reports for the Council and Committees as required. These reports shall cover budget monitoring, fund balances, receipts, payroll, payments of accounts and other relevant financial matters.
2. Prepare draft estimates which, when approved by the Council will form the annual budget for monitoring and control purposes, as well as report on comparisons between actual and budgeted expenditure to appropriate committees and the Council.
3. Submit the precept to the unitary authority or any successor principal authority.
4. Control the banking of all money received and payments expended by the Council, manage cash flow and control investments and bank transfers.
5. Ensure that all money due to the Council is invoiced, collected and banked promptly.



6. Identify the duties of all officers responsible for financial transactions and ensure, as far as possible, the division of responsibilities of those officers to avoid potential conflict.
7. Control and manage all payments by BACS, direct debit, cheque and cash.
8. Undertake the overall management of payroll and ensure the timely payment of salaries, income tax and national insurance, other statutory payments, Pension contributions and voluntary deductions at the correct times.
9. Ensure the timely submission of VAT returns.
10. Ensure that all invoices for payment are allocated to the correct expenditure heads.
11. Ensure the timely production of the Annual Return and Accounting Statements for external audit and report to the appropriate committee and Council in accordance with appropriate legislation.
12. Monitor compliance with the Council's Financial Regulations.
13. Maintain the Council's Asset Register as required by paragraph 14.4 of the Regulations.
14. Ensure all appropriate insurances are in place.

## **ANNEX B**

### **SAFEGUARDING PUBLIC MONEY – REPEAL OF SECTION 150(5) OF LGA 1972**

Following the repeal of Section 150(5) of the Local Government Act 1972, local councils in England may safely take advantage of modern payment methods while protecting the public assets in their care, through the application of the Joint Practitioners Advisory Group Paper (JPAG Issue 20120725) entitled Safeguarding Public Money - A framework to safeguard public money for local councils in England.

This Paper is detailed in the National Association of Local Councils' (NALC's) The Good Councillors' Guide under Section 7 - Rules for Dealing with Public Money.

In accordance with the guidance provided in JPAG Issue 20120725, local councils, through the roles and responsibilities of members, must have in place safe and efficient arrangements to safeguard public money (clause 15), and review regularly the effectiveness of their arrangements (clause 14). Councils must arrange for:

- the proper administration of their financial affairs by ensuring that controls over money are embedded in Standing Orders and Financial Regulations, and
- establish an officer as holding responsibility for those affairs, such as the RFO.

Councils may delegate the role of protecting money to individuals, for example to the Clerk or the RFO, however legal responsibility cannot be delegated so it remains with the council and its members.

The requirement under the repealed Section 150(5) of the LGA, as stated under clause 10 of the guidance, that 'every cheque or other order for the payment of money shall be signed by two members of the council' remains good practice although it is no longer law. Therefore, Councils must put in place safe and efficient arrangements in accordance with the clause 15 of the JPAG guidance. Such arrangements must include:

- councils approving every bank mandate,
- holding a list of authorised signatures for each account,
- determining the limits of authority for each account signature, and • determining the limits of authority for any amendments to mandates.

**Authorised Members and Officers and Designated Limits**

Type of Payment	Designated Limit	Authorised Persons (at least three)
BACs Payments, Bank Transfers, Cheques, Direct Debits and Other Bank Deductions	Up to £100,000	Town Clerk and Designated Members/Staff
	Over £100,000	Designated Members