

# **COPELAND BOROUGH COUNCIL**

## **FINANCIAL REGULATIONS**

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**Approved by Council**  
**Xx/xx/2006**

## **A INTRODUCTION & STATUS OF FINANCIAL REGULATIONS**

- A1** Financial regulations provide the framework for managing the authority's financial affairs. They apply to every member and officer of the authority and anyone acting on its behalf.
- A2** The regulations identify the financial responsibilities of the full Council, Executive and Overview and Scrutiny members, the Chief Executive (as Head of Paid Service), the Head of Legal and Democratic Services (as Monitoring Officer), the Head of Finance & Business Development (as Section 151 Officer), other Heads of service and other employees.
- A3** All members and staff have a general responsibility for taking reasonable action to provide for the security of the assets under their control, and for ensuring that the use of these resources is legal, is properly authorised, provides value for money and achieves best value.
- A4** The Head of Finance & Business Development is responsible for maintaining a continuous review of the financial regulations and submitting any additions or changes necessary to the full Council for approval.
- A5** The Head of Finance & Business Development is responsible for issuing advice, training and guidance to underpin the Financial Regulations that members and Officers are required to follow. Departmental Heads are responsible for ensuring that all staff in their departments are aware of the existence and content of the authority's financial regulations and other internal regulatory documents and that they comply with them.
- A6** Failure of officers to comply with these Regulations may constitute misconduct or gross misconduct, depending on the circumstances of the case in question and may result in disciplinary action being taken in accordance with the Council's Disciplinary Procedure.
- A7** All Council employees must seek to achieve best value and shall give appropriate consideration to:-
- Acquiring resources at an appropriate quality for the minimum cost.
  - Ensuring that the maximum output is obtained from the resources devoted to an activity.
  - Ensuring that the output from any activity is achieving the desired result or target set.
  - How each activity fits within the corporate objectives and how performance can be compared objectively and by the more subjective views of the local community.

- A8** A Head of Service/ manager may delegate any of his/her responsibilities under these financial regulations to another appropriate officer. Such delegations must be in writing and made in consultation with the Head of Finance and Business Development. For the purposes of these regulations Service manager relates to those officers reporting directly to a Head of Service
- A9** Where Consultants or contractors are engaged to work on behalf of the Council they will be required to observe these Financial Regulations. The appointing officer is responsible for ensuring that the Consultant or Contractor complies with Financial Regulations.
- A10** These regulations should be read in conjunction with general Standing orders, the Scheme of Delegation, \Contract Standing Orders, Employee Code of Conduct and Project Management Guidance manual
- A11** This revision , approved at Council on xxxxxxxxxxxxxxxxx, is effective from xxxxxxxx. Should you be in any doubt over financial regulations, please consult the following officers for guidance. Key contacts are:

Sue Borwick	Head of Finance & Business Development	
8452		
Catherine Nicholson	Accountancy Services manager	
8457		
Paul Robson	Accountant	8461
Steven Tickner	Accountant	
8405		
Marilyn Robinson	Audit & Fraud Prevention manager	
8465		

## **B: FINANCIAL MANAGEMENT**

### **B1 Introduction**

Financial management covers all financial accountabilities in relation to the running of the authority, including the policy framework and budget.

### **B2 Full Council**

The full Council is responsible for adopting the authority's constitution and members' code of conduct and for approving the policy framework and budget within which the Executive operates. It is also responsible for approving and monitoring compliance with the authority's overall framework of accountability and control. The framework is set out in its constitution. The full Council is also responsible for monitoring compliance with the agreed policy and related Executive decisions.

The full Council is responsible for approving procedures for recording and reporting decisions taken. This includes those key decisions delegated by and decisions taken by the Council, the Executive and Committees. These delegations and details of who has responsibility for which decisions are set out in the constitution.

### **B3 The Executive**

The Executive is responsible for proposing the policy framework and budget to the full Council, and for discharging Executive functions in accordance with the policy framework and budget. Any decisions taken must take account of legal and financial liabilities and consider risk management issues that may arise from the decision.

Executive decisions can be delegated to a Committee of the Executive, an individual Executive member, an officer or a joint Committee.

### **B4 Overview and Scrutiny Committees**

The Overview and Scrutiny Boards are responsible for scrutinising Executive decisions before or after they have been implemented and for holding the Executive to account. The Overview and Scrutiny Boards are also responsible for making recommendations on future policy options and for reviewing the general policy and service delivery of the authority.

### **B5 Standards Committee**

The Standards Committee is established by the full Council and is responsible for promoting and maintaining high standards of conduct amongst Councillors. In particular, it is responsible for advising the Council on the adoption and revision of the members' code of conduct, and for monitoring the operation of the code.

## **B6 Functions delegated to panels**

Panels implement council policy and may make recommendations for changes in policy in their areas of interest to executive. An exception to this rule is the Licensing Panel, which by the nature of its work, has power to make, vary and revoke policy and conditions relating to types of licence within its remit

## **B7 Head of Paid Service (Chief Executive)**

This statutory role is held by the Chief Executive, and is responsible for the corporate and overall strategic management of the Council. He/she must report to and provide information for the Full Council, Executive, Overview and Scrutiny Committees and other Committees. He/she also has responsibility for establishing a framework for management direction, style and standards, and for monitoring the overall performance of the organization. Head of Paid Service is also responsible, together with the Monitoring Officer, for the system of record keeping in relation to all the Councils decisions. Further details are given in Article 10.02 to the Constitution.

## **B8 Monitoring Officer (Head of Legal & Democratic Services)**

The Monitoring Officer is responsible for promoting and maintaining high standards of conduct and therefore provides support to the Standards Committee. Responsible also for the reporting of any actual or potential breaches of the law or maladministration to the Full Council and/or executive, and for ensuring that procedures for recording and reporting key decisions are operating effectively.

The Monitoring Officer must ensure that Executive decisions are made public and that Council Members are aware of Executive decisions and of those made under delegated powers.

The Monitoring Officer, in conjunction with the Head of Finance & Business Development, has responsibility for advising Council/Executive on whether a decision is likely to be contrary to or not wholly in accordance with the budget and policy framework.

He/she is also responsible for maintaining an up to date constitution. Further details of responsibilities can be found in Article 10.03 to the Constitution.

## **B9 Section 151 Officer (Head of Finance & Business Development)**

The Head of Finance & Business Development has statutory duties in relation to the financial administration and stewardship of the authority. This statutory responsibility cannot be overridden. The statutory duties arise from:

## Section 151 of the Local Government Act 1972

- The Local Government Finance Act 1988
- The Local Government and Housing Act 1989
- The Accounts and Audit Regulations 1996.

The Head of Finance & Business Development is responsible for:

- The proper administration of the Council's financial affairs
- Advising Council/Executive, in conjunction with the Monitoring Officer, on whether a decision is likely to be contrary to or not wholly in accordance with the budget and policy framework.
- Setting and monitoring compliance with financial management standards.
- Advising on the corporate financial position and on the key financial controls necessary to secure sound financial management.
- Provided financial information.
- Preparing the revenue budget and capital programme.
- Preparing medium term financial plans
- Treasury Management
- Advise the Council in formulating a plan or Strategy for the control of borrowing, investment, or capital expenditure.

Section 114 of the Local Government Finance Act 1988 requires the Head of Finance & Business development to report to Council, executive and external auditor if the Council or one of its officers:-

- Has made, or is about to make, a decision which involves incurring unlawful expenditure.
- Has taken, or is about to take, an unlawful action which has resulted or would result in a loss or deficiency to the Council.
- Is about to make an unlawful; entry in the Council's accounts.

Section 114 also requires:-

- The Head of Finance & Business development to nominate a properly qualified member of staff to deputise should he or she be unable to perform the duties under Section 114 personally.
- The Council to provide the Head of Finance & Business Development with sufficient staff, accommodation and other resources to carry out these statutory duties.

## **B10 Directors & Heads of Service**

They are responsible for:-

- Ensuring that members are advised of the financial implications of all proposals and that the financial implications have been agreed by the Head of Finance & Business development.

- Liaising with the Head of Legal & democratic services in relation to the signing of any contracts on behalf of the Council.

Directors and Heads of Service must consult either the Head of Finance & Business Development and seek approval on any matter liable to affect the Council's finances materially, before any commitments are incurred.

## **B11 Accounting records and returns**

The Head of Finance & Business Development is responsible for determining the accounting procedures and records for the authority.

## **B12 The Annual Statement of Accounts**

The Head of Finance & Business Development is responsible for ensuring that the annual statement of accounts is prepared in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom: A Statement of Recommended Practice (CIPFA/LASAAC).

Full Council or an approved Audit Committee (if in place) is responsible for approving the Statement within the statutory timescales.

## **B13 Virement**

Full Council is responsible for agreeing procedures for transferring revenue budget provision between budget headings (subsequently known as "virement")

Virement will operate as follows:

Head of Services can exercise Virement up to £10,000 within a single portfolio, following consultation with the relevant portfolio holder and Head of Finance & Business Development, provided there is no change in Council Policy and no additional financial commitment for future years. If the proposal is likely to affect other services of another Head of Service, then it will only be implemented with the agreement of that Departmental Head. The exception to this is as follows;

Ex CCT contracts (Grounds Maintenance, Refuse Collection – Head of Leisure & Environmental services is allowed to incur operational revenue expenditure against a specific activity as long as it is financed by income generated by that activity, in consultation with the head of Finance & Business Development.

**No virement from or to a staffing budget is allowable without Executive approval**

**~~Any virement proposal in excess of £10,000 or from/to a salary or wages budget requires Executive approval.~~**

## **B14 Treatment of year-end balances**

The full Council is responsible for agreeing procedures for carrying forward under-and overspendings. Where a service manager wishes to carry forward and use a surplus this request must be approved by executive. The same will apply to any distribution of a surplus. Any deficits at year end will be reported to Executive and Council.

The Head of Finance & Business Development may also allow commitment or exceptionally spending of approved budgets before 1 April. Written approval is required.

## **B15 Emergencies and essential expenditure**

The provisions of these regulations shall not prevent the Chief Executive or a Director, in consultation with the Head of Finance & Business Development where appropriate and practicable, from incurring revenue expenditure which is essential to meet any immediate need created by a sudden emergency or a situation related to Section 138 of the Local Government Act 1972 in accordance with the procedures in the Council's Standing Orders..

The Executive, a committee, an individual member of the executive or officers discharging executive functions may take a decision which is contrary to the Council's policy framework or contrary or not wholly in accordance with the budget approved by full Council if the decision is a matter of urgency. However, the decision may only be taken:

- 1) if it is not practical to convene a quorate meeting of the full Council: and
- 2) If the chair of a relevant scrutiny committee or ~~Policy development Group~~ agrees that the decision is a matter of urgency. In the absence of either party consent of the Mayor is required.

All reasons for the decision should be documented and an urgent action form completed. This then needs to be reported to the next Full Council explaining all relevant circumstances.

Specific procedures for emergency and urgent contracts as detailed in Contract Standing orders 12 and 13.

## **B16 Accounting policies**

The Head of Finance & Business Development is responsible for selecting accounting policies and ensuring that they are applied consistently.



## **C FINANCIAL PLANNING**

### **C1 Introduction**

Full Council is responsible for agreeing the Council's Budget and Policy framework as approved by the Executive. In terms of financial planning, the key elements are the revenue budget and the capital programme:

### **C2 Budget & Policy framework**

Full Council is responsible for approving the Budget & Policy framework as detailed in Part 4c of the Constitution. Executive will publicise a timetable for making proposals to Council for the adoption of any plan, strategy or budget that forms part of the budget and policy framework.

The Budget includes the allocation of financial resources to different services and projects as set out in the Budget Book and Capital Programme, proposed contingency funds, the Council Tax Base, setting the Council Tax and decisions relating to the control of the Council's borrowing requirements, the control of its capital expenditure and setting of virement limits.

Full Council is also responsible for approving procedures for agreeing variations to approved budgets, plans and strategies forming the policy framework and for determining the circumstances in which a decision will be deemed to be contrary to the budget or policy framework. These procedures are set out in the Constitution.

Full Council is responsible for setting the level at which the Executive may reallocate budget funds from one service to another. The Executive is responsible for taking in-year decisions on resources and priorities in order to deliver the budget policy framework within the financial limits set by the Council.

### **C3 Budget format**

The general format of the budget will be approved by Full Council, following consideration by the executive on the advice of the Head of Finance & Business Development. The draft budget will include allocation to services, budget heads and projects, proposed Council Tax and contingency funds.

### **C4 Budget preparation**

The Head of Finance & Business Development is responsible for ensuring that a revenue budget is prepared on an annual basis and a general revenue and capital forecast on a three-yearly basis for consideration by the Executive, before submission to the full Council.

It is the responsibility of the Heads of Service to ensure that budgets reflecting service plans are submitted to the Head of Finance & Business Development in line with guidance he/she has issued.

## **C5 Budget monitoring and control**

Once approved by the Council the revenue budget gives authority for expenditure to be incurred for the amounts shown in the budget. It is the responsibility of Heads of service/Budget holders, to control expenditure/income within their area and to monitor performance taking account of financial information provided by the Head of Finance & Business Development. They must also take any action necessary to avoid exceeding their budget allocation, taking due regard of the rules of virement and year end balances and will notify the Head of Finance & Business Development of any budgetary problems. Only expenditure consistent with the service plan is allowed. Any exceptional requirement outside of the service plan must obtain approval from the Executive with the source of funding identified.

The Head of Finance & Business Development is responsible for providing appropriate financial information and delivery of training needs to assist departmental heads in the effective monitoring of budgets. He/she must monitor the overall position on expenditure/income against budget allocations and report to executive no less than twice yearly. These reports must include variances where they are or forecasted to be in excess of 10% or £10,000 of the latest approved budget.

## **C6 Resource allocation**

The Head of Finance & Business Development is responsible for developing and maintaining a resource allocation process that ensures due consideration of the Policy framework.

## **C7 Preparation & control of the capital programme**

The Head of Finance & Business Development is responsible for ensuring that a capital programme is prepared on an annual basis for consideration by Executive before submission to the Full Council and where practicable, on a three year rolling programme. The capital programme will take account of the Budget and Policy Framework, Corporate Capital Strategy, and Asset Management Plan on the basis,

Capital schemes may only be committed after an assessment in the agreed standard format including an estimate of the associated revenue expenditure and income has been approved by the Executive and appropriate finance has been made available.

Inclusion in the capital programme confers authority to incur expenditure on planning and costing and tender preparation, providing that the cost of doing so does not exceed 15% of the total budget allocated. Apart from this the

approval of Executive must be obtained before any work is commenced or commitments made.

Where it appears that any scheme in the capital programme will be overspent by less than 10% or below £10,000, whichever is the lower, approval can be made by the Head of Finance & Business Development providing there is no material change to the scope of the project and resources are secured. Revisions required in excess of 10% or £10,000, or request for additional funds will require the approval of Executive.

No capital expenditure which requires the approval of a Government Department, or other funding organisation, will be incurred until such approval has been received by Council or a written assurance has been received that such approval will be given in due course.

The Head of Finance & Business Development is responsible for providing appropriate financial information and delivery of training needs to assist departmental heads in the effective monitoring of the capital programme. A monitoring report to Executive must be made no less than twice yearly. These reports must include variances where they are or forecasted to be in excess of 10% or £10,000 of the latest approved budget.

## **C8 Guidelines on budget preparation**

Guidelines on budget preparation are to be issued by the Head of Finance & Business Development. The guidelines will take account of:

- Available resources
- Legal requirements
- Medium-term planning prospects
- Strategic plans
- Spending pressures
- Best value and other relevant government guidelines
- Other internal policy documents
- Cross-cutting issues (where relevant).

## **C9 Adequacy of Reserves and Provisions**

It is the responsibility of the Head Finance & Business Development to advise the Executive and/or the full Council on prudent levels of reserves for the authority.

## **D: RISK MANAGEMENT AND CONTROL OF RESOURCES**

### **D1 Introduction**

It is essential that robust, integrated systems are developed and maintained for identifying and evaluating all significant operational and financial risks to the Council. This should include the proactive participation of all those associated with planning and delivering services.

### **D2 Risk Management**

The Executive is responsible for approving the authority's risk management policy statement and strategy and for reviewing the effectiveness of risk management. The Head of Finance & Business Development is responsible for ensuring that proper insurance exists where appropriate.

The Chief Executive, Directors and Heads of Service are responsible for promoting risk management throughout the authority. The key controls for risk management are:-

- (a) Procedures are in place to identify, assess, prevent or contain material known risks, and these procedures are operating effectively throughout the authority
- (b) A monitoring process is in place to review regularly the effectiveness of risk reduction strategies and the operation of these controls. The risk management process should be conducted on a continuing basis
- (c) Managers know that they are responsible for managing relevant risks and are provided with relevant information on risk management initiatives
- (d) Provision is made for losses that might result from the risks that remain
- (e) Procedures are in place to investigate claims within required timescales
- (f) Acceptable levels of risk are determined and insured against where appropriate
- (g) The authority has identified business continuity plans for implementation in the event of disaster that results in significant loss or damage to its resources.

### **D3 Insurances**

The Head of Finance & Business Development shall affect all insurance cover deemed necessary and negotiate all claims in consultation with other officers where necessary.

The Chief Executive, Directors and Heads of Service shall give prompt notification to the Head of Finance & Business Development of all new risks, properties or vehicles or other assets which may require to be insured and of all alterations which may affect existing insurances.

The Chief Executive, Directors and Heads of Service shall forthwith notify the Head of Finance & Business Development in writing of any loss, liability or damage or any event likely to lead to a claim and inform the police where appropriate.

The Head of Finance & Business Development shall periodically review all insurances in consultation with the Heads of Service as appropriate.

The Chief Executive, Directors and Heads of Service shall consult the Head of Finance & Business Development and Solicitor to the Council regarding the terms of any indemnity which the Council is requested to give. Managers will notify the Insurance section prior to undertaking any external contract

The Chief Executive, Directors and Heads of Service concerned shall notify the Head of Finance & Business Development in such form as he/she may require of any case known to him/her where steps are necessary to prevent or mitigate loss or damage of property not belonging to the Council but in their control.

### **D4 Internal Control**

Internal control refers to the systems of control devised by management to help ensure the authority's objectives are achieved in a manner that promotes economical, efficient and effective use of resources and that the authority's assets and interests are safeguarded.

The Head of Finance & Business Development is responsible for advising on effective systems of internal control. These arrangements need to ensure compliance with all applicable statutes and regulations, and other relevant statements of best practice. They should ensure that public funds are properly safeguarded and used economically, efficiently, and in accordance with the statutory and other authorities that govern their use.

It is the responsibility of the Chief Executive, Directors and Heads of Service to establish sound arrangements for planning, appraising, authorising and controlling their operations in order to achieve continuous improvement, economy, efficiency and effectiveness and for achieving their financial performance targets.

## **D5 Audit Requirements**

The Accounts and Audit Regulations 2003 require every local authority to maintain an adequate and effective internal audit service and the Audit Commission is responsible for appointing external auditors to each local authority.

Responsibility for maintaining an adequate and effective system of internal audit is delegated to the Head of Finance & Business Development. The Chief Executive, Directors and Heads of Service must ensure that agreed actions regarding audit recommendations are carried out in a timely and efficient manner.

The Head of Finance & Business Development and Audit Manager or their authorised representatives shall have authority where necessary in the performance of Council duties to:

- enter any Council premises or land in the occupation of the Council;
- have access to all records, documents and correspondence relating to any financial and other transaction of the Council;
- require and receive oral or written explanations from any employee as he/she thinks necessary concerning any matter under examination and;
- require any employee of the Council to produce cash, stores or any other Council property under his/her control.

Whenever any matter arises which involves, or is thought by any Council employee or member to involve, irregularities concerning cash, stores or other property of the Council or any suspected irregularity as to finance, property or advantages in the exercise of the functions of the Authority, the Director, employee or member concerned shall forthwith notify the Head of Finance & Business Development and the Head of Finance & Business Development and Audit Manager shall, in consultation with the Chief Executive, take such steps as considered necessary.

The Council may, from time to time, be subject to audit, inspection or investigation by external bodies such as HM Customs and Excise and the Inland Revenue, who have statutory rights of access.

## **D6 Preventing Fraud and Corruption**

The Head of Finance & Business Development is responsible for the development, promotion and maintenance of an anti-fraud and anti-corruption policy. The Chief Executive, Directors and Heads of Service are responsible for reporting to the Head of Finance & Business Development all suspected irregularities and to instigate the appropriate disciplinary procedures where the outcome of an audit investigation indicates improper behavior.

## **D7 Assets – acquisition and security**

Heads of Service must ensure that records and assets are properly maintained and securely held. They must also ensure that contingency plans for the security of assets and continuity of service in the event of disaster or system failure are in place.

The Heads of Service are responsible for ensuring that proper arrangements exist for the security and care at all times of all buildings, stocks, stores, furniture, equipment, cash etc., under his/her control. He/she shall consult the Head of Finance & Business Development in any case where security is thought to be defective or where it is considered that special security arrangements may be needed.

Inventories shall be maintained by all service units of furniture, fittings and equipment, vehicles, plant and machinery, in a form and to such extent as prescribed by the Head of Finance & Business Development. Inventories shall include for each item the date of purchase and the purchase price

Maximum limits for cash holdings shall be agreed with the Head of Finance & Business Development and shall not be exceeded without his/her express permission.

Keys to safes, cash boxes, and other receptacles in which money or valuables are secured will be kept in a locked key cupboard or carried on the person of those responsible at all times. The loss of any such keys will be reported to the Head of Finance & Business Development immediately.

The Heads of Service shall be responsible for maintaining proper security and privacy of information contained in the financial records under their control including such information held on computer in accordance with the principles of the Data Protection Act. The Heads of Service shall have regard to any advice given by the Solicitor to the Council in his/her capacity as Data Protection Officer.

Heads of Service shall have regard to the Council's ICT Security Policy in particular to the use of Council ICT property for personal use and ensure that only licensed software is used in systems under his/her control, and shall seek advice from the Head of Finance & Business Development as necessary. All purchases of ICT equipment and software must be made in accordance with the ICT Strategy and approved by the Head of Finance & Business development or delegated nominee/s.

The custody of securities, property deeds and other documents of title, will be the responsibility of the Head of legal & Democratic Services A register of Council land holdings shall be maintained by the Property section of all properties owned by the Council recording the purpose for which held, location, extent and plan reference, purchase details, particulars of nature of interest, rents payable, and tenancies granted. The Head of Finance &

Business Development is responsible for maintaining an Asset Management Plan

No lease, hire, rental or other financial arrangements of a similar nature will be entered into without the approval of the head of Finance & Business Development.

Surplus materials, stores, vehicles, plant and equipment shall be disposed of in accordance with arrangements approved by the Head of Finance & Business Development the current arrangements are set out in paragraph D8

## **D8 Stocks and Stores**

Stock levels shall not be in excess of normal requirements without the prior approval of the Head of Service or delegated nominee.

Stock and store records are to be kept in a form approved by the Head of Finance & Business Development. An annual stock take at 31<sup>st</sup> March will be carried out independently of the storekeeper by each service manager and give a written explanation of differences. Only the Head of Finance & Business Development or his/her authorised representative shall agree write-offs of deficiencies in stock.

Surplus materials, stores, vehicles or equipment will ordinarily be disposed of by competitive tender or public auction. Exceptions to this are:

- 1) Where the estimated disposal value of an individual item is less than £100, in which case discretion lies with the Head of Service
- 2) Where the estimated disposal value of an individual item is above £100, and the Head of service in consultation with the Head of Finance & Business development is satisfied that another means of disposal is more likely to achieve best value.
- 3) Surplus IT equipment may be donated to charitable organisations but must be clear of all software prior to disposal.

Inventories of the Council's property other than stores will be kept within each Department. The inventory will record an adequate description of furniture, fittings and equipment, plant and machinery, and other assets as agreed with the Head of Service and the Head of Finance & Business Development. Each Service Manager is responsible for carrying out at least an annual check against the inventory, for taking action in relation to surpluses or deficiencies and noting these on the inventory.

The Council's property will not be removed except in accordance with the ordinary course of the Council's business. Council property will only be used for the Council's purposes unless specific instructions are issued by the appropriate Service Manager.



## **D9 Treasury Management**

The Council has adopted a Local Code of Practice for Treasury Management in Local Authorities, encompassing CIPFA recommendations...

The Council is responsible for approving the Treasury Management Strategy prior to commencement of the new year, setting out the matters detailed in the Code. The Head of Finance & Business Development has the responsibility for implementing and monitoring the Strategy.

The Council delegates responsibility for the implementation and monitoring of its treasury management policies and practices to the Executive and for the execution and administration of treasury management decisions to the Head of Finance & Business Development who will act in accordance with the organisations policy statement and treasury management practices (TMPs) and, if he/she is a CIPFA member, CIPFAs Standard of Professional Practice on Treasury Management.

The Head of Finance & Business Development is responsible for reporting to Executive each half year on the activities of the Treasury management operation and on their exercise of his/her delegated management one such report will comprise an annual report on Treasury Management to Executive prior to 30<sup>th</sup> September.

All investments of money under its control shall be made in the name of the Council except where Fund Managers are employed to act on behalf of the Council; bearer securities shall be accepted from this regulation.

All securities which are the property of, or in the name of, the Council shall be held in the custody of the Solicitor to the Council except where Fund Managers are employed to act on behalf of the Council.

All borrowings shall be affected in the name of the Council.

Any trust funds shall wherever possible be in the name of the Council.

All Officers acting as trustees by virtue of their official position shall deposit all securities etc, relating to the trust with the Solicitor to the Council unless the deed otherwise provides.

## **D10 Banking Arrangements**

All arrangements with the Council's bankers shall be made by the Head of Finance & Business Development under the arrangements approved by the Executive, and he/she shall be authorised to operate such banking accounts, including National Giro Accounts, as he/she may consider necessary.

All arrangements for the ordering, safe custody and issue of cheques will be made only on the authority of the Head of Finance & Business Development.

Cheques on the Council's Account, including National Giro Accounts, shall bear the facsimile signature of the Head of Finance & Business Development and another authorized signatory or be signed by the Head of Finance & Business Development or other Officer authorised by him/her. Any cheques over £20,000 will require checking by an authorized signatory and the supporting paperwork signed accordingly.

Departmental bank accounts will not be opened without the agreement of the Head of Finance & Business Development with the exception of the Elections Account. Departmental officers responsible for operating a bank account on behalf of the Council will make safe and efficient arrangements for the control of access to blank cheques, the preparation, signing and despatch of cheques and the frequent and, where possible, independent reconciliation of cash books with bank statements in accordance with instructions issued by the Head of Finance & Business Development.

Any electronic transfer of funds must be certified by the Head of Finance & Business Development under manuscript signature prior to such transfer being made through facilities provided by the Council's bankers. This excludes those payments made for goods ordered and purchased on line.

## **D11 Staffing**

The Chief Executive is responsible for providing overall management to staff. He or she is also responsible for ensuring that there is proper use of the evaluation or other agreed systems for determining the remuneration of a job.

Heads of Service are responsible for controlling total staff numbers by:

- Advising Executive on the budget necessary in any given year to cover estimated staffing levels
- Adjusting the staffing to a level that can be funded within approved budget provision, varying the provision as necessary within that constraint in order to meet changing operational needs
- The proper use of the appointment process.

## **E: SYSTEMS AND PROCEDURES**

### **E1 Introduction**

Sound systems and procedures are essential to an effective framework of accountability and control.

### **E2 General**

The Head of Finance & Business Development is responsible for the operation of the authority's accounting systems, the form of accounts and the supporting financial records. Any changes made by the Heads of Service to the existing financial systems or the establishment of new systems must be approved by the Head of Finance & Business Development. However, the Heads of Service are responsible for the proper operation of financial processes in their own department.

The Heads of Service should ensure that their staff receive relevant financial training that has been approved by the Head of Finance & Business Development.

The Heads of Service must ensure that, where appropriate, computer and other systems are registered in accordance with data protection legislation. The Heads of Service must ensure that staff are aware of their responsibilities under freedom of information legislation and have due regard to the issue of intellectual property rights when developing systems.

The following principles shall be observed in the allocation of accounting duties:-

- Wherever possible there should be adequate segregation of duties so that employees with the duty of checking transactions are not themselves engaged in any of those transactions.
- The duty of providing information, calculating, checking and recording sums due to or from the Council shall wherever possible be separated from the duty of collecting and disbursing them.
- Wherever possible accounting transactions and control functions (such as reviews and reconciliations) should be evidenced, providing a full audit trail.
- Employees shall not certify claims for reimbursement of expenses or other payments to themselves.

### **E3 Income and Expenditure**

It is the responsibility of the Chief Executive, Directors and Heads of Service to ensure that a proper scheme of delegation has been established within their area and is operating effectively. The scheme of delegation should identify staff authorised to act in respect of payments, income collection and placing orders, together with the limits of their authority.

Heads of Service, in consultation with the Head of Finance & Business development will review all fees and charges at least annually and obtain approval as part of the Annual Budget process.

#### **E4 Collection of Income**

The collection of all money due to the Council shall be in accordance with arrangements approved by the Head of Finance & Business Development. Unless otherwise agreed by the Head of Finance & Business Development no money received by Council employees in the course of their duties shall be paid into any other bank account other than the Council bank account.

Each Service Manager, in consultation with the Head of Finance & Business Development, will make and maintain arrangements to ensure the proper recording of all sums due to the Council and the collection, custody, control, disposal and prompt and proper accounting for all monies recovered.

The Heads of Service shall ensure that accounts are rendered promptly in connection with income due in respect of work done, goods supplied, services rendered or other amounts payable to the Council. They shall also ensure that any Departmental computer systems recording income are reconciled monthly to the cash received in the Council's main financial system, and that this is taken into account when purchasing such computer systems.

The Head of Finance & Business Development shall be notified promptly of contracts, leases and other agreements and arrangements entered into which involve the receipt of money by the Council.

All official receipt forms or receipt books, licences, tickets (of value) and all documents or vouchers representing receipts for money or money's worth will be in the form approved by the Head of Finance & Business Development and will be ordered, controlled and issued by Financial Services, unless the Head of Finance & Business Development approves other arrangements. All receipts and issues of such stationery will be properly recorded and acknowledged.

Where cheque payments are presented personally, the receipting employee will ensure that such payments are supported by a cheque guarantee card. He/she will also ensure:

- (i) that the card holder signs the cheque in the presence of the receipting employee, who must ensure that the signature corresponds with that on the cheque card;
- (ii) that the code number shown on the cheque guarantee card is the same as that shown on the cheque;

- (iii) that the receipting employee personally writes the card number on the reverse of the cheque;
- (iv) that the amount of the payment must not exceed the limit shown on the face of the card;
- (v) that the card expiry date has not passed.

This does not apply in the case of Council Tax, Community Charge, Rates, rents, or in circumstances where the Head of Finance & Business Development agrees that it is not appropriate to require a cheque guarantee card.

Where the value of the cheque guarantee card is less than the required payment, employees will not accept a number of cheques using the same guarantee number. This is in breach of banks internal rules and can result in the guarantee being invalidated. The Head of Finance & Business Development will be consulted in such instances in order to provide guidance

Service Managers will consult with the Head of Finance & Business Development before introducing facilities for payment by credit / debit /procurement card. All commission costs relating to facilities for payment by credit / debit/procurement card are to be met from the budget of the department offering the facility.

Each employee who receives money on behalf of the Council will, in addition, keep such records as may from time to time be prescribed by the Head of Finance & Business Development, including an accurate and chronological account of all receipts and of their deposit either with the Head of Finance & Business Development or with the Council's bankers including their agents or with National Girobank. A copy of the secure cash carrier receipt will be retained for a period of 12 months. Where secure cash carrier bags and boxes are used, the official seals must be used and the numbers noted.

Personal cheques shall not be cashed out of the money held on behalf of the Council.

Every transfer of money held by or for the Council from one member of staff to another will be evidenced by the signature of the receiving officer.

Service Managers will ensure that all monies received on behalf of the Council will, without delay, either be paid to the Head of Finance & Business Development or subject to his/her instructions be banked in the name of the Council. Every person who so banks money will complete a bank paying in statement in a form showing such information as may be directed by the Chief Finance Officer. Cheques of £10,000 and over will be immediately transferred to the Head of Finance & Business Development for same day banking.

For the purpose of paying money to the Council's bankers, or their agents, an official paying-in book will be used; no other paying-in stationery will be used. The paying-in slip will indicate the purpose and source of the payment if it does not relate to a debt to the Council.

## **E5 Issue of debtor Accounts**

No invoices are to be raised for goods below the value of £20 unless legally obliged to do so or approval has been given by the Head of Finance & Business development. For all goods under £20 (unless the exceptions prevail;) and wherever practically possible Managers will arrange for payment to be made in advance of the service provided.

Managers must ensure prompt raising of Debtor Accounts and they must be raised using the approved computerised debtors system in operation. Managers must take all practical steps to satisfy themselves as to the correct VAT treatment of their income and will liaise with accountancy services if in doubt. The department initiating the payment must keep a complete file of evidence in respect of the debt to support any recovery action.

The amount of an account may only be reduced if the original information was incorrect or cancelled in total if the debt was raised incorrectly. In both cases an invoice cancellation form must be used detailing all adjustments including VAT where applicable.

## **E6 Amounts to be written-off**

No accounts or part thereof, due to the Council will be written –off unless the Head of Finance & Business development is satisfied that there is no prospect of economic recovery of the debt. The relevant services must meet cost of the write-off unless alternative provision is approved. All requests for write-off must be submitted on the approved form. Authority for write-offs is as follows:

The Head of Customer services is authorised to write-off debts up the value of £20 at his/her discretion and up to £500 where the debtor has become insolvent.

The Head of Leisure & Environmental Services is authorised to waive standard car park charge notices.

The Head of Finance & Business Development is authorised to write-off debts which for individual accounts or individual amounts do not exceed £2,500, any amounts exceeding this must have the approval of the Executive. **Any write offs over £1500 will be reported back to Overview and Scrutiny on an annual basis.**

The Head of Finance and Business Development is responsible for maintaining a register of debts written-off.

## **E7 Expenditure**

Official orders shall be in a form determined by the Head of Finance & Business Development. They are to be signed only by officers authorised by the Heads of Service as detailed in the authorised signatory list held by accountancy services. Signatories to purchase requisitions and orders must ensure that goods and services are appropriate and needed, that there is adequate budget provision, that contract standing orders have been complied with and that best value/value for money principles have been followed.

Official orders shall be issued for all work, goods or services to be supplied to the Council except for supplies of services by public utilities, for periodical payments such as rent or rates, for petty cash payments, for contracts in writing signed in accordance with Standing Orders or such other exceptions as the Head of Finance & Business Development may approve. Verbal orders will only be given in cases of urgency by an officer authorized to sign orders. Such verbal orders will be confirmed by the issues of a written order, marked confirmation, in the prescribed form within 2 working days or otherwise as agreed by the Head of Finance & Business Development

Each order shall conform with the directions of the Council, Standing Orders related to contracts and any policies or directions of the Council related to purchasing. The Council's computerised commitment accounting system shall be used unless otherwise agreed by the Head of Finance & Business Development and outstanding orders shall be checked by service units periodically, and at least annually, to ensure management accounting information is accurate.

## **E8 Payment of Accounts**

The Head of Finance & Business Development shall promptly pay all accounts properly due and payable by the Council within 28 days of the receipt of the invoice unless the invoice is in dispute. All invoices must be date stamped with the date of receipt.

The Service Manager is responsible for examining, verifying and certifying the related invoice(s) and similarly for any other payment voucher or account arising from sources in his/her area of responsibility. Every invoice authorised must be signed (in the three authorisation boxes) by at least two different employees, and where practical these employees shall not have signed or placed the order for the works, goods or services.

When checking an account, the checking officer shall, determine, before passing the invoice for final authorisation have satisfied himself/herself that:

- (a) the works, goods or services to which the account relates have been received, carried out, examined and approved;

- (b) the prices, extensions, calculations, trade discounts, other allowances, credits and tax have been compared to the order and are correct;
- (c) the relevant expenditure has been properly incurred;
- (d) the relevant expenditure is within the relevant budget provision
- (e) appropriate entries have been made in inventories and stores records as required;
- (f) the account has not been previously passed for payment and is a proper liability of the Council;
- (g) the account (including any Value Added Tax) has been correctly coded.

Council officers will not make out an invoice except in any case or category of cases agreed by the Head of Finance & Business Development, nor will any officer add any item to an invoice submitted by a supplier. If additional items should be included on the invoice, an amended invoice will be requested from the supplier. Amendments may be made if there has been a simple error in addition or multiplication of unit costs. Errors in the VAT coding or calculation must be returned to the supplier for correction. All amendments to an invoice will be made in ink and initialled by the officer making the amendments. The reasons for such action will be stated on the invoice. It is the role of the Service Manager to satisfy him/herself that abuse is not taking place.

Authorised undisputed invoices should be returned for payment to accountancy services within 10 days of receipt. When an invoice is DISPUTED it must be marked as such. When a disputed invoice is finally passed for payment, evidence to support the dispute must be attached.

Head of Service/Managers shall by not later than a date determined by the Head of Finance & Business Development in each year notify him/her of all outstanding expenditure relating to the previous financial year.

Payments drawn on the Council's bank accounts can be made on the internet once approval has been given by the Head of Finance & Business development and approved ordering procedures followed.

Use of Council corporate payment cards shall be in accordance with instructions issued by the Head of Finance & Business Development and a signed undertaking. Only the Head of Finance & Business Development shall have authority to obtain and issue corporate payment cards.



## **E9 Petty cash**

Where it is considered appropriate by the Chief Finance Officer he/she will approve a Petty Cash account for use by the authorised officer who will be personally responsible for the amount so advanced. Arrangements for the safe custody of petty cash are subject to the approval of the Head of Finance & Business Development

No income received on behalf of the Council may be paid into a petty cash account but must be banked or paid to the Authority.

Petty cash payments shall be limited to minor items of expenditure and to such other items as the Head of Finance & Business Development may approve and shall be supported by receipted vouchers and proper VAT receipts where appropriate. In no case shall the amount of an individual payment exceed £30 except with the agreement of the Head of Finance & Business Development. Reimbursements to petty cash shall be made at periods not exceeding one month. In no circumstances will the account holder allow the account to become overdrawn.

An officer responsible for a petty cash account shall, if so requested, give to the Head of Finance & Business Development a certificate as to the state of his/her account.

On leaving the employment of the Council or otherwise ceasing to be entitled to hold a petty cash account the officer concerned shall account to the Head of Finance & Business Development for the amount advanced to him/her.

The Head of Finance & Business Development may authorise change floats as required and these shall be subject to the foregoing regulations as appropriate.

## **E10 Payments to Employees and Members**

The Human Resources Manager is responsible for all payments of salaries and wages to all staff, including payments for overtime, and for payment of allowances to members. The payment of all salaries, wages, compensation and other emoluments to former employees of the Council shall only be made by the Human Resources Manager.

Heads of Service/Managers or person authorised by him/her shall notify the Human Resources Manager promptly within the time limits and in the form prescribed by him/her, of all matters affecting the payment of such emoluments, and in particular:

- (a) appointments, resignations, dismissals, suspensions, secondments and transfers;

(b) absences from duty for sickness or other reasons, apart from approved leave in the form of a monthly return.

(c) changes in remuneration, other than normal increments and pay awards and agreements of general application;

(d) information necessary to maintain records of service for superannuation, income tax, national insurances and the like.

All notifications must be signed by the appropriate manager or nominated officer.

Appointments of all employees shall be made in accordance with the regulations of the Council and the established grades and rates of pay.

All time records or other pay documents shall be in a form prescribed by the Head of Finance & Business Development and shall be certified by authorised officers.

Accountancy Services will at least annually, issue a listing from payroll for managers to check and advise of any discrepancies.

All claims for payment of subsistence allowances, traveling and incidental expenses shall be submitted, duly certified to the Human Resources Manager in a form approved by the Head of Finance & Business Development. The names of officers authorised to sign such records shall be sent to the Head of Finance & Business Development together with specimen signatures and shall be amended on the occasion of any change. The certification by the authorised signatory shall be taken to mean that the certifying officer is satisfied that the journeys were authorised, the expenses properly and necessarily incurred and that the allowances are correctly calculated and properly payable by the Council. Payment will not be made if the claim is submitted more than six months after the expenses have been incurred unless approval is given by the Head of Finance and Business Development.

Payments to Members of the Council who are entitled to claim traveling or other allowances will be made by the Human Resources Manager upon receipt of the prescribed form duly completed, certified by the member and authorised signatory and accompanied by receipts of expenditure. The Head of Legal & Democratic Services in liaison with the Head of Finance & Business Development shall prepare at least every four years an updated Members' Allowances Scheme for approval by Council upon recommendations from the independent remuneration panel.

The Executive will determine schemes for the management of the Civic Hospitality, Mayoral Hospitality, Leader Hospitality and Mayor's Charity Accounts upon the advice of the Head of Finance & Business Development.

## **E11 VAT & other taxation**

The Head of Finance & Business Development is responsible for advising Management Team, in the light of guidance issued by appropriate bodies and relevant legislation as it applies, on all taxation issues that affect the authority. The Heads of service/Managers are responsible for ensuring that transactions within their responsibility comply with the law relating to general taxation and V.A.T. The Head of Finance & Business Development will provide guidance and advice on the administration of V.A.T. All matters of both principle and practice, including any errors or discrepancies, shall be immediately referred to the Head of Finance & Business Development. Contacts with HM Customs and Excise concerning matters of V.A.T must be through the Head of Finance & Business Development.

## **E12 Financial Stationery**

All official forms, cheques, tickets, stores requisition notes, order books and other documents representing money shall be ordered, controlled and issued by the Head of Finance & Business Development. Register will be maintained of all receipts and issues.

## **E13 Retention of Records**

The Head of Finance & Business Development shall determine the requirements that Departments shall observe in relation to the retention of financial records. These are currently the following number of complete financial years:-

Final Ledgers and Annual Accounts	6 years
Grant Claims	10 years
Paid invoices, Income Receipt Stubs, VAT records, cash books, banks statements, paying-in slips, debtor records, expenditure data, final account working papers	6 years
PAYE, National Insurance and CIS records	3 years
Estimate Working Papers and strategic reports	2 years

## **F: EXTERNAL ARRANGEMENTS**

### **F1 Introduction**

The local authority provides a distinctive leadership role for the community and brings together the contributions of the various stakeholders. It must also act to achieve the promotion or improvement of the economic, social or environmental well-being of its area.

### **F2 Partnerships**

The Executive is responsible for approving delegations, including frameworks for partnerships. The Executive is the focus for forming partnerships with other local public, private, voluntary and community sector organisations to address local needs. The Executive can delegate functions including those relating to partnerships to officers. Where functions are delegated, the Executive remains accountable for them to the full Council.

The Head of Paid Service and/or other senior officers represent the authority on partnership and external bodies.

The Monitoring Officer is responsible for promoting and maintaining the same high standards of conduct with regard to financial administration in partnerships that apply throughout the authority.

The Heads of Service, supported by the Head of Finance & Business Development must ensure that the accounting arrangements to be adopted relating to partnerships and joint ventures are satisfactory. He or she must also consider the overall corporate governance arrangements and legal issues when arranging contracts with external bodies. He or she must ensure that the risks have been fully appraised before agreements are entered into with external bodies.

The Heads of Service are responsible for ensuring that appropriate approvals are obtained before any negotiations are concluded in relation to work with external bodies.

### **F3 External Funding**

The Head of Finance & Business Development is responsible for ensuring that all funding notified by external bodies is received and properly recorded in the authority's accounts. The Heads of Service shall inform the Head of Finance & Business Development immediately of funding notified by external bodies and the conditions attached thereto and shall ensure that claims for funds and project progress reports are submitted by the due date in liaison with the Head Finance & Business Development

#### **F4     Work for Third Parties**

The Executive is responsible for approving significant new contractual arrangements for any work for third parties or external bodies, particularly if there is any net cost to the Council or the total value of the new work in one year will exceed £50,000.

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