



# Stratfield Mortimer Parish Council

## Financial Regulations

### 1 Interpretation

- 1.1 These are the Financial Regulations ("**Regulations**") of Stratfield Mortimer Parish Council and adopt the definitions in the Council's Policy Guidance and Glossary.
- 1.2 Sums referred to in these Regulations exclude Value Added Tax unless stated otherwise.
- 1.3 References to authorisations, invoices, quotations, estimates, records, reports, schedules, statements, vouchers, or any other document, are references to such in electronic or physical form.
- 1.4 Text in purple type reflects legal and statutory requirements.

### 2 General

- 2.1 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 Financial Control.
- 2.2 These Regulations:
  - 2.2.1 demonstrate how the Council meets these responsibilities and requirements (*nb - see Scheme of Delegation - anything in these Regulations delegated to F&GP may be undertaken by the Council as its Parent Body*);
  - 2.2.2 govern the conduct of financial management by the Council and may only be amended or varied by Council Resolution; and
  - 2.2.3 must be observed in conjunction with the Council's Standing Orders, Procurement Terms, and any applicable statute or statutory regulation.
- 2.3 The Council is not empowered by these Regulations or otherwise to delegate certain specified decisions, and any decision regarding the following shall be a matter for the Council only:
  - 2.3.1 setting the Annual Budget or the Precept;
  - 2.3.2 approving the annual governance statement (part 1 of the AGAR);
  - 2.3.3 approving accounting statements (part 2 of the AGAR);
  - 2.3.4 regarding the outcome of a review of the effectiveness of its internal controls;
  - 2.3.5 borrowing;
  - 2.3.6 declaring eligibility for the General Power of Competence; and
  - 2.3.7 ensuring that recommendations in any report from the internal or external auditors are addressed.
- 2.4 The Council must also:

- 2.4.1 ensure that it has a sound system of internal control, which delivers effective financial, operational and risk management;
- 2.4.2 determine, and keep under regular review, Bank Mandates;
- 2.4.3 have regard to recommendations from F&GP (made in accordance with its Terms of Reference) in respect of setting the annual salary for any Officer.
- 2.5 The Council's accounting control systems must include measures:
- 2.5.1 for the timely production of accounts;
- 2.5.2 that provide for the safe and efficient safeguarding of public money;
- 2.5.3 to prevent and detect inaccuracy and fraud; and
- 2.5.4 identifying the duties of Officers.
- 2.6 At least once a year, prior to approving the AGAR, the Council must review the effectiveness of its Internal Financial Control procedures.
- 2.7 Deliberate or wilful breach of these Regulations by an Officer may give rise to disciplinary proceedings.
- 2.8 A failure by a Councillor to abide by these Regulations shall be a breach of the Council's Code of Conduct.
- 2.9 The Clerk has been appointed as RFO and the Assistant to the Clerk as Deputy RFO.
- 2.10 The RFO:
- acts under the policy direction of the Council;
  - administers the Council's financial affairs in accordance with all legislation and Proper Financial Practice;
  - in conjunction with F&GP determines the nature of the Council's accounting records and accounting control systems;
  - ensures that the accounting control systems are observed;
  - maintains that the accounting records of the Council are up to date and in accordance with Proper Financial Practice;
  - assists the Council to secure economy, efficiency and effectiveness in the use of its resources; and
  - produces financial management information as required by F&GP, the Council and these Regulations.
- 2.11 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 the following comply with the AAR:
- 2.11.1 any income and expenditure account and statement of balances;
- 2.11.2 any record of receipts, payments or management information prepared for F&GP or the Council from time to time.
- 2.12 The accounting records determined by the RFO shall in particular contain:

- 2.12.1 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 or receipts and payments account relate;
- 2.12.2 a record of the assets and liabilities of the Council (eg a balance sheet);
- 2.12.3 an Asset and Investments Register in accordance with Paragraph 19.2.3; and
- 2.12.4 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.
- 2.13 The accounting control systems determined by the RFO shall include:
  - 2.13.1 procedures to ensure that the financial transactions of the Council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
  - 2.13.2 procedures to enable the prevention and detection of inaccuracies and fraud;
  - 2.13.3 procedures to allow the reconstitution of any lost records;
  - 2.13.4 identification of the duties of Officers dealing with financial transactions;
  - 2.13.5 assurance regarding the division of responsibilities of Councillors and Officers in relation to significant transactions;
  - 2.13.6 procedures to ensure that sums written off in accordance with Paragraphs 17.3 or 17.4 are shown in the accounting records; and
  - 2.13.7 measures to ensure that risk is properly managed.

### 3 Accounting and Audit (Internal and External)

- 3.1 All accounting procedures and financial records of the Council shall be determined by the RFO in accordance with the AAR, appropriate guidance and Proper Financial Practice.
- 3.2 On a regular basis (at least once in each quarter), and at each financial year end, the Supervising Councillor (or the Supervising Councillors between them where more than one) shall:
  - 3.2.1 undertake Internal Financial Control and authorise the IFC Confirmation;
  - 3.2.2 verify bank reconciliations for all accounts produced by the RFO, and sign the reconciliations and the original bank statements (or similar document) as evidence of verification.
- 3.3 Following the actions detailed in Paragraph 3.2, the RFO shall report to F&GP regarding the IFC Confirmation and fact of bank reconciliations (detailing any exceptions).
- 3.4 As soon as practicable after the end of the financial year the RFO shall:
  - 3.4.1 finalise the year-end Accounts;
  - 3.4.2 complete the AGAR; and
  - 3.4.3 submit both, and report thereon, to F&GP, and then to the Council within the timescales set by the AAR.
- 3.5 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 Financial Control.

- 3.6 Officers and Councillors must make available such documents and records as the internal or external auditor consider necessary for the purpose of the audit and shall, as directed by F&GP, supply the RFO, internal auditor or external auditor with such information and explanation as F&GP considers necessary for that purpose.
- 3.7 The internal auditor shall be appointed by F&GP and shall check the Council's governance arrangements as to the effectiveness of the Council's overall controls and decision-making processes, and that Internal Financial Control has been carried out correctly.
- 3.8 The internal auditor shall:
- be competent and independent of the financial operations of the Council;
  - report to Council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
  - demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
  - not be involved in the financial decision making, management or control of the Council.
- 3.9 Internal or external auditors may not under any circumstances:
- perform any operational duties for the Council;
  - initiate or approve accounting transactions;
  - provide financial, legal or other advice including in relation to any future transactions; or
  - direct the activities of any Officer, except to the extent that such Officers have been appropriately assigned to assist them.
- 3.10 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 Financial Practice.
- 3.11 The RFO shall, without undue delay, bring to the attention of F&GP any report from internal or external auditors.
- 3.12 The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by the 2014 Act, or any superseding legislation, and the AAR.

#### 4 Banking Arrangements and System Security

- 4.1 The Council's banking arrangements, including any Bank Mandate, shall:
- 4.1.1 be made by the RFO and approved by Council Resolution;
  - 4.1.2 not be delegated to a Body;
  - 4.1.3 be regularly reviewed.
- 4.2 No Officer or Councillor shall disclose any Access Code to any person not authorised in writing by the Council.

- 4.3 Save for any Access Code used by a Bank Signatory to access a Bank Portal using only their personal electronic device or computer, a note (which may be electronic, eg via a secure password store or the like) shall be made of all Access Codes used by any individual.
- 4.4 The note of Access Codes, and/or the password to the electronic store where used, shall be placed in an identifiable sealed dated envelope, and:
  - 4.4.1 the envelope shall be handed to, and retained securely, by the Council Chairman; and
  - 4.4.2 the envelope may only be opened by the Council Chairman in the presence of two other Councillors; in which case:
    - 4.4.2.1 the relevant password and/or Access Code(s) shall be changed as soon as practicable; and
    - 4.4.2.2 the circumstances leading to the envelope needing to be opened shall be reported to F&GP.
- 4.5 Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off site.
- 4.6 Any individual using an electronic device or computer for the Council's financial business shall ensure that anti-virus, anti-spyware and firewall software with automatic updates, together with a high level of security, is used.
- 4.7 The Clerk shall be appointed as the Bank Administrator, but may delegate day-to-day banking administration (including use of any Banking Portal) to another Officer.
- 4.8 Any Bank Mandate shall identify the payment limit applicable to the Bank Administrator alone, or by the Bank Administrator with a stated number of Bank Signatory approvals.
- 4.9 Changes to account details for payees may only be made on written notification by the payee verified independently (for example by means of a telephone call to a known payee contact).
- 4.10 Any Council debit card will be restricted to use by the Clerk for single transactions in accordance with their authority to spend (Paragraph 8.1.4) unless otherwise authorised in accordance with Part 8.
- 4.11 Any corporate credit card or trade card account opened by the Council will be specifically restricted to use (in accordance with the spending limits in these Regulations) by the Clerk and will be restricted to a spending limit of £3,000 per month, and shall be subject to automatic payment in full at each month-end.
- 4.12 The reimbursement of any personal expenditure is subject to approval in accordance with the Expenses Policy.
- 4.13 The Council will not maintain any form of cash float and any cash received must be banked promptly.

## 5 Transfers between accounts

- 5.1 In order to keep appropriate balances in different Council bank accounts, the Clerk in consultation with the Council Chairman may authorise transfers between Council

bank accounts (eg from a current account to a savings account or vice-versa), to be reported to Council in accordance with Paragraph 12.1.7.

## 6 Annual Budget and Forward Planning

- 6.1 The process and timetable for preparation of the Annual Budget is determined by the RFO and F&GP, who manage this on behalf of the Council.
- 6.2 Each Body shall consider its financial requirements in accordance with a timetable set by the RFO and, as desired, submit a draft Body Budget to the RFO and F&GP for consideration.
- 6.3 Each year the RFO must prepare a draft Annual Budget for the following financial year to be considered by F&GP and the Council.
- 6.4 The Council shall then (usually by the end of January):
  - 6.4.1 approve the Annual Budget in accordance with the 1992 Act or succeeding legislation; and
  - 6.4.2 calculate its council tax requirement for the financial year and so set a Precept; but
  - 6.4.3 any Councillor with council tax unpaid for more than two months is prohibited from voting on the Annual Budget or Precept by s106 of the 1992 Act and must disclose at the start of the meeting that s106 applies to them.
- 6.5 The RFO shall issue the Precept to West Berkshire Council (as billing authority) by no later than the end of February and shall ensure that each Councillor has access to a copy of the approved Annual Budget.

## 7 Reserves and Virement

- 7.1 As part of its Annual Budget setting process, and generally from time to time as needed, the Council shall decide what amounts should be held in its Operating and Earmarked Reserves (and may establish or discontinue Earmarked Reserves as the requirements of the Council dictate).
- 7.2 Any financial resource of the Council not held in the Operating Reserve or in Earmarked Reserves shall constitute the General Reserve.
- 7.3 Relevant Bodies shall have the power to undertake Virement within their Body Budget.
- 7.4 Changes in the Operating Reserve or in Earmarked Reserves other than as set out in Paragraph 7.3 must be approved by Council Resolution.

## 8 Budgetary Control and Authority to Spend

- 8.1 Save as set out in Paragraphs 8.2 or 8.3, authorisation (which must be evidenced by the minutes of the Meeting in question or recorded in writing) must be obtained as below for any expenditure:
  - 8.1.1 from the Council for any amount;
  - 8.1.2 from a Delegated Body other than the Council, in accordance with that Body's Budget, for amounts up to £25,000.00;

- 8.1.3 from the Clerk in accordance with a Body Budget for amounts up to £5,000.00, following any consultation thought necessary with the Council Chairman and/or relevant Body (and/or Parent Body) Chairman.
- 8.1.4 from the Clerk for amounts up to £500.00.
- 8.2 In a matter of urgency, to be determined by the Clerk in consultation with the Council Chairman, and reported to the next Meetings of F&GP and of the full Council for ratification, the Clerk may authorise any expenditure reasonably necessary to deal with that matter of urgency.
- 8.3 In the event that there is no relevant forthcoming Council or Body Meeting, a payment requiring authorisation in accordance with Paragraph 8.1.1 or 8.1.2 may be authorised by the Clerk in consultation with the Council Chairman and/or relevant Body Chairman and reported to the next relevant Council or Body Meeting for ratification.
- 8.4 **Contracts may not be disaggregated to avoid controls imposed by these Regulations.**
- 8.5 No expenditure shall be authorised in relation to any capital project, and no contract entered into or tender accepted involving capital expenditure, unless the relevant Delegated Body is satisfied that the necessary funds are available and any requisite borrowing approval has been obtained in accordance with Part 16.
- 8.6 All capital works shall be administered in accordance with the Council's Standing Orders and that element of these Regulations relating to contracts.
- 8.7 The RFO shall regularly provide F&GP and the Council with a statement of receipts and payments to date under each Budget heading, comparing actual expenditure to the appropriate date against that planned as shown in that Budget - these statements are to be prepared at least at the end of each financial quarter and shall show explanations of variances.

## 9 **Contracts**

- 9.1 The remainder of this Part does not apply to contracts:
  - 9.1.1 regarding Officer employment;
  - 9.1.2 with a value of £1,000.00 or less;
  - 9.1.3 for the supply of gas, electricity, water, sewerage or telephone services;
  - 9.1.4 for specialist services such as are provided by legal professionals acting in disputes;
  - 9.1.5 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;
  - 9.1.6 for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council;
  - 9.1.7 for additional audit work of the external auditor up to an estimated value of £500.00 (in excess of this sum the RFO shall act after consultation with the Council Chairman); and
  - 9.1.8 for goods or materials proposed to be purchased which are proprietary articles and/or are only sold at a fixed price;
  - 9.1.9 entered into in urgency in accordance with Paragraph 8.2.

- 9.2 For a contract for the supply of goods, services or works where the estimated value will exceed the thresholds set by Parliament, the requirements of Procurement Legislation will be followed in respect of the tendering, award and notification of that contract.
- 9.3 Where the estimated value is below the said threshold, the Council shall obtain prices as follows:
- 9.3.1 where the value is anticipated to be between £1,000.01 and £5,000.00 the RFO shall seek to obtain at least three Pricing Submissions;
- 9.3.2 where the value is anticipated to be between £5,000.01 and £25,000.00 the RFO must obtain at least three Pricing Submissions;
- 9.3.3 where the value is anticipated to exceed £25,000.00 the RFO must proceed on the basis of a formal tendering process, seeking a minimum of three tenders; and:
- 9.3.3.1 the RFO shall obtain the necessary technical assistance to prepare a specification in appropriate cases;
- 9.3.3.2 the invitation to tender shall:
- 9.3.3.2.1 refer to the terms of the Bribery Act 2010;
- 9.3.3.2.2 state the general nature of the intended contract; and
- 9.3.3.2.3 require that tenders must be addressed to the Clerk in the ordinary course of post;
- 9.3.3.3 each tenderer 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;
- 9.3.3.4 all sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one Councillor.
- 9.4 Where the RFO finds that it is impractical to obtain at least three Pricing Submissions or tenders, approval to proceed is required:
- 9.4.1 by Council Resolution for any sum;
- 9.4.2 by the Resolution of a Delegated Body other than the Council for amounts up to £25,000.00 in accordance with that Delegated Body's Budget; or
- 9.4.3 from the Clerk having consulted with the Council Chairman and/or relevant Body Chairman for sums up to £25,000.00 in accordance with a Body Budget, in which event the approval, and the reasoning for it, is to be reported to the next Meeting of F&GP.
- 9.5 A Delegated Body shall not be obliged to accept the lowest or any tender or Pricing Submission.
- 9.6 If a Delegated Body does not accept any tender or Pricing Submission, and that Body requires further pricing then, provided that the specification does not change, no person shall be permitted to submit a later tender or Pricing Submission who was present when the original decision making process was being undertaken.



## 10 Orders for Goods and/or Services

- 10.1 Only the RFO may issue an official order or make any contract on behalf of the Council (unless the contract is by deed, in which event the Standing Orders shall apply).
- 10.2 The remainder of this Part shall not apply to payments:
  - 10.2.1 in accordance with Paragraph 11.2; or
  - 10.2.2 where an individual contract containing specific payment terms is entered into between the Council and a supplier (eg a formal contract for building works).
- 10.3 Formal orders for goods and/or services shall comply with the Council's Procurement Terms, unless:
  - 10.3.1 it would be inappropriate in the circumstances, in which event an official order should be issued;
  - 10.3.2 the purchase is in accordance with Paragraph 10.5.
- 10.4 The RFO may establish such Supplier Accounts as appear appropriate.
- 10.5 The Clerk may themselves, or may authorise an Officer or Councillor to, undertake any purchase within the Clerk's authority to spend detailed in Paragraph 8.1.4 in such manner as the Clerk thinks fit, for example via a Supplier Account, by retail purchase followed by a claim (supported by receipt) in accordance with the Expenses Policy, etc.
- 10.6 All Councillors 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.
- 10.7 The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the Meeting at which the order is approved so that the minutes can record the power being used.

## 11 Regular Payments

- 11.1 Each financial year or from time to time as necessary the RFO shall draw up a list of payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (for example salaries, PAYE and NI, pension payments, and regular maintenance contracts), and seek Council authorisation for the same.
- 11.2 Upon such authorisation the RFO may make payments in accordance with the schedule without seeking further authorisation (but subject to the reporting requirements below).

## 12 Payment Reporting and Authorisation Process

- 12.1 As part of the Agenda for any relevant Meeting, the Clerk shall prepare (as relevant):
  - 12.1.1 a schedule of proposed payments ("Schedule Ai") where authorisation is sought in accordance with Paragraphs 8.1.1 or 8.1.2 (*payments to be authorised by the Council or other Delegated Body*);
  - 12.1.2 a schedule of payments made ("Schedule Aii") where ratification is sought in accordance with Paragraphs 8.2 or 8.3 (*urgency payments or no upcoming relevant Meeting*);

- 12.1.3 a schedule of payments made ("Schedule Bi") to be noted as having been authorised in accordance with Paragraph 8.1.3 (*payments authorised by a Delegated Body Chairman and Clerk*);
- 12.1.4 a schedule of payments made ("Schedule Bii") to be noted as having been authorised in accordance with Paragraph 8.1.4 (*payments authorised by the Clerk*);
- 12.1.5 a schedule of payments made ("Schedule Ci") to be noted as having been authorised in accordance with Paragraph 11.2 (*regular payments authorised in advance by the Council*);
- 12.1.6 a schedule of payments made ("Schedule Cii") to be noted as having been previously authorised in accordance with a Paragraphs 8.1.1 or 8.1.2 (*payments previously authorised by the Council or other Delegated Body*);
- 12.1.7 a schedule of transfers made ("Schedule D") to be noted as having been authorised in accordance with Paragraph 5.1 (*transfers between accounts authorised by the Council Chairman and Clerk*).
- 12.2 The Body in question shall review Schedules Ai and Aii for compliance and, where satisfied, shall authorise or ratify payment by Resolution.
- 12.3 A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the Meeting at which the payment or transfer was authorised or noted.
- 12.4 Personnel payments, including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment, may be summarised to remove public access to any personal information.

### 13 Agreeing Invoices etc

- 13.1 All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work or services to which each invoice relates has/have been received or carried out, examined, and represent/s expenditure previously approved in accordance with these Regulations.
- 13.2 If the work, goods or services has/ve not been carried out and/or received to the specification required:
  - 13.2.1 the RFO shall advise the supplier accordingly and payment will be withheld until the issue/s is/are addressed; and
  - 13.2.2 should the issue/s not be suitably addressed within an acceptable period, or an agreement cannot be reached, F&GP shall consider and agree any further action to be taken.
- 13.3 The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading .

### 14 Making Payments

- 14.1 Following authorisation in accordance with Parts 8, 10 and/or 12, payments and transfers between Bank Accounts shall be made by Electronic Instruction or cheque, or otherwise if so Resolved.
- 14.2 Payments to be made by Electronic Instruction:

- 14.2.1 shall be raised via a Banking Portal against the payee's account by an Officer (and the account details maintained for the payee in the Banking Portal shall be crosschecked with those provided on the authorised invoice etc); and
- 14.2.2 shall then be checked against the authorised invoice etc and (if they are satisfied payment should be made) authorised within such Banking Portal by two Bank Signatories; and
- 14.2.3 a record of the payments made and the relevant invoices (etc) shall be retained.
- 14.3 Cheques or orders for payment drawn on a Bank Account shall be signed by two Bank Signatories (and to indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice etc, the Bank Signatories shall each also initial the cheque counterfoil or order for payment).
- 14.4 Where relevant and approved by F&GP Resolution, certain regular payments (utilities, non-domestic rates, etc) may be made by variable direct debit provided that the instructions are signed by two Bank Signatories and reported to Council in accordance with these Regulations.

## 15 Officers' Salaries

- 15.1 Salary payments shall be made in accordance with employment contracts, payroll records, relevant legislation (PAYE, National Insurance, etc), and salary rates agreed by the Council or the relevant Delegated Body.
- 15.2 Where any element of the Chairman's Allowance is paid as a salary that sum shall be liable to the deduction of PAYE, National Insurance, etc.
- 15.3 Payment for salaries shall be made by Electronic Instruction in accordance with the procedure set out at Paragraph 14.2 provided that:
  - 15.3.1 the details for each payment are listed on the payroll summary each month; and
  - 15.3.2 the record of payments (including statutory and discretionary deductions) shall be kept as a separate confidential record, not open to inspection or review (under s.40, Freedom of Information Act 2000 or otherwise) other than:
    - 15.3.2.1 by any Councillor who can demonstrate a need to know;
    - 15.3.2.2 by the internal auditor;
    - 15.3.2.3 by the external auditor; or
    - 15.3.2.4 by any person authorised under the 2014 Act, the AAR, or any superseding legislation.

## 16 Loans and Investments

- 16.1 Any Council borrowing may only be undertaken in accordance with a Council Resolution following a report including an analysis of value for money and reference to the Investment Strategy and Policy where relevant.
- 16.2 Formal borrowing approval from the Secretary of State shall be sought where required (eg borrowing other than hire purchase, the leasing of tangible assets, or loans to be repaid within one year).
- 16.3 All investments, investment certificates and other documents relating thereto shall be in the name of the Council and retained in the custody of the RFO.

## 17 Income

- 17.1 The collection of all sums due to the Council shall be the responsibility of and under the supervision of the RFO.
- 17.2 Particulars of all standard charges to be made for work done, services rendered or goods supplied shall be agreed annually by the Council.
- 17.3 The RFO shall have authority to write off individual sums found to be irrecoverable up to a limit, per supplier, of £100.00 per financial year.
- 17.4 F&GP shall determine if other sums found to be irrecoverable are to be written off.

## 18 VAT

- 18.1 The RFO shall promptly complete any VAT Return that is required.

## 19 Assets, Properties and Estates

- 19.1 No real property (interests in land) shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without:
  - 19.1.1 the authority of the relevant Delegated Body, together with any other consents required by law; preceded by
  - 19.1.2 a report in writing to that Delegated Body (and reported to Council where it is not that Body) 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).
- 19.2 The RFO shall:
  - 19.2.1 make appropriate arrangements for the custody of all title deeds and Land Registry documentation for property held by the Council;
  - 19.2.2 ensure that a record is maintained of all property held by the Council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with AAR;
  - 19.2.3 ensure that an appropriate and accurate Register of Assets and Investments is kept up to date, and ensure that the continued existence of tangible assets shown in the Register is verified at least annually (possibly in conjunction with a health and safety inspection of assets).

## 20 Charities

- 20.1 Where the Council is sole managing trustee of a charitable body the Clerk shall:
  - 20.1.1 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; and
  - 20.1.2 arrange for any audit or independent examination as may be required by charity law or any governing document.

## 21 Risk Management and Insurance

- 21.1 The RFO shall prepare, for approval by F&GP, risk management arrangements and reporting in respect of all activities of the Council, which shall be reported to the Council at least annually.
- 21.2 When considering any new relevant activity, the Clerk and RFO shall prepare a draft risk assessment including risk management proposals for consideration and adoption by F&GP.
- 21.3 Taking into account the annual risk review, the RFO shall effect all insurances and negotiate all claims on the Council's insurers.
- 21.4 The RFO shall give prompt notification to F&GP of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 21.5 The RFO shall keep a record of all insurances effected by the Council and the property and risks covered thereby and annually review it.
- 21.6 The Clerk or RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to F&GP at the next available Meeting.
- 21.7 All appropriate Councillors and Officers shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined annually by F&GP.

## 22 Suspension and Revision of Regulations

- 22.1 The RFO shall make arrangements to monitor changes in legislation or Proper Financial Practice and shall advise the Council of any requirement for a consequential amendment to these Regulations.
- 22.2 The Council may, by Resolution, suspend any Regulation(s) provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all Councillors.