

FINANCIAL PROCEDURE RULES

1.	Definitions:
For the purposes of these Financial Procedure Rules the following definitions shall apply:	
1.1	The Council means the legal entity "Tonbridge & Malling Borough Council."
1.2	Full Council means the meeting of the Full Council as set out in Article 4 of the Constitution.
1.3	Overview and Scrutiny Committee means a committee as set out in the Overview and Scrutiny Committee Procedure Rules in Part 4 (Rules) of the Constitution.
1.4	Executive means the Executive function as set out in Article 6 of the Constitution.
1.5	Relevant Executive Member means the Executive member to whom responsibility for any specific functions has been delegated.
1.6	Joint Standards Committee means the committee as set out in the Responsibility for Council Functions, Committee Membership and Terms of Reference in Part 3 (Responsibilities) of the Constitution and includes any Advisory Board reporting to it.
1.67	Chief Officer means the designated officers set out in the Functions Delegated to Officers in Part 3 (Responsibilities) of the Constitution and includes any officer of their Service acting on their behalf. The terms include the Chief Executive and Head of Finance and s151 Officer when acting as Service Chief Officers rather than as Head of Paid Service and Chief Finance Officer respectively.
1.78	Statutory Officers means the Chief Executive, the Monitoring Officer and the Head of Finance and s151 Officer as set out in the Functions Delegated to Officers in Part 3 of the Constitution.
1.89	Chief Executive means the Head of Paid Service as set out in Functions Delegated to Officers in Part 3 of the Constitution and includes any officer acting on their behalf.
1.940	Monitoring Officer means the Director of Central Services & Deputy Chief Executive as set out in the Functions Delegated to Officers in Part 3 of the Constitution and includes any officer acting on their behalf.

1.10 4	Head of Finance and s151 Officer means the Chief Finance Officer holding responsibility for the Council's financial affairs for the purpose of Section 151 of the Local Government Act 1972 and Section 114 of the Local Government Finance Act 1988 and set out in the Functions Delegated to Officers in Part 3 of the Constitution. It includes any officer they have designated to act on their behalf.
1.11 2	Accounts and Audit Regulations means the Accounts and Audit Regulations (England) 2015 or the most recent version of the regulations dealing with local authority accounting and audit requirements which are in force or such other regulations as shall govern the accounting and audit arrangements of the Council from time to time.
1.12 3	Internal Audit Charter means the document approved from time to time by the Audit Committee setting out the purpose, authority and responsibility of the internal audit function and the overall delivery of the internal audit function in accordance with the Public Sector Internal Audit Standards and the Application Note to the Standards produced by CIPFA.
1.13 4	Chief Audit Executive the person responsible for managing the internal audit function on behalf of the Authority.
2.	Application
2.1	These Financial Procedure Rules are the framework within which the Council's financial affairs are to be managed and form an important part of its corporate governance arrangements. Every officer and every person acting on behalf of the Council shall comply with the provisions of these Financial Procedure Rules. Failure to do so may result in action being taken in accordance with the Council's disciplinary procedures.
2.2	The Head of Finance and s151 Officer may issue procedures setting out the detailed application of these Financial Procedure Rules as necessary.
3.	Financial Responsibilities
3.1	The Full Council is responsible for setting the budget, including the allocation of financial resources to different services and projects, proposed contingency funds, and setting the Council tax. It is responsible for decisions relating to the control of the Council's borrowing requirement, the control of capital expenditure and the setting of virement limits, as set out in Constitution Article 4 section 4.01 (b).
3.2	The Executive has overall responsibility for implementation of policy in accordance with parameters determined by Full Council and set out in 3.1 above. The Executive is authorised to make all financial decisions subject to such decisions being consistent with overall Council policy and the budget.

3.3	Overview and Scrutiny Committee may exercise overall responsibility for the finances made available to them under the Council's budget (Budget and Policy Framework Procedure Rules – Part 4). However, no committee may review or scrutinise a decision in which it was involved. (Article 1 section 1.03.6)
3.4	The Overview and Scrutiny Committee shall be the relevant committee of the Council in respect of the scrutiny of all financial matters, including the financial aspects of matters under the control of other committees.
3.5	The Head of Finance and s151 Officer will be responsible for the accounts and finances of the Council in every respect and as regards every Service.
3.6	The Head of Finance and s151 Officer shall determine all accounting procedures and financial records of the Council and its officers in consultation with the relevant Chief Officer. All new or amended systems, procedures or practices with a financial implication shall be agreed with the Head of Finance and s151 Officer prior to implementation and must meet all requirements specified by them.
3.7	Chief Officers shall be responsible for the proper maintenance of accounting procedures and records within their spheres of responsibility and for the security and integrity of data held in their Service.
3.8	Prior to reporting to Council, Executive, Committee or Advisory Board, Chief Officers shall consult with the Head of Finance and s151 Officer on the financial aspects of any proposals. They shall not advise on the method of financing any expenditure without prior consultation with the Head of Finance and s151 Officer.
4.	Delegation of Financial Responsibilities
4.1	In the event of the Head of Finance and s151 Officer being absent or otherwise unable to act, their nominated deputy shall be empowered to act in relation to these Financial Procedure Rules on behalf of the Head of Finance and s151 Officer. The deputy nominated by the Head of Finance and s151 Officer shall be communicated by them to the Chief Executive and the Monitoring Officer and shall be subject to approval by the former.
4.2	In the event of the Chief Executive being absent or otherwise unable to act, their nominated deputy shall be empowered to act on their behalf in relation to these Financial Procedure Rules. The nominated deputies will be the Monitoring Officer and Head of Finance and s151 Officer acting jointly, unless otherwise determined by the Chief Executive.
4.3	In the event of a Chief Officer being absent any officer of their Service nominated by them shall have authority to act on their behalf in relation to these Financial Procedure Rules.

4.4	In cases of urgency and in the absence of the relevant officer, two of the three Statutory Officers acting jointly shall have the authority in relation to these Financial Procedure Rules of any other officer identified within these Financial Procedure Rules.
5.	Accounting
5.1	The Head of Finance and s151 Officer shall compile all accounts and accounting records of the Council. All financial transactions of the Council shall be properly accounted for and the Council's accounts shall be maintained in accordance with statutory requirements and professional standards.
6.	Petty Cash Accounts
6.1	Petty cash accounts may be advanced to such officers as may be determined by the Head of Finance and s151 Officer and will be such sum as may be determined by them. Such accounts shall be maintained in accordance with such procedures as may be determined by the Head of Finance and s151 Officer.
7.	Audit
7.1	The Council will maintain an adequate and effective internal audit in accordance with statutory requirements and professional standards.
7.2	The Head of Finance and s151 Officer has responsibility for discharging the Council's internal audit responsibilities.
7.3	<p>The scope of internal audits shall encompass the examination and evaluation of the adequacy and effectiveness of the Council's system of internal control and the quality of performance in carrying out assigned duties and responsibilities.</p> <p>Internal audits shall:</p> <ul style="list-style-type: none"> - Review the reliability and integrity of financial and operating information and the means used to identify, measure, classify and report such information; - Review the systems established to ensure compliance with those policies, plans, procedures, laws and regulations which could have a significant impact on operations and reports and should determine whether the Council is in compliance; - Review the means of safeguarding assets and where appropriate verify the existence of such assets; - Appraise the economy and efficiency with which resources are employed; and

	<ul style="list-style-type: none"> - Review the operations or programmes to ascertain whether results are consistent with established objectives and goals and whether the operations or programmes are being carried out as planned and approved.
7.4	<p>For the purpose of conducting internal audit enquiries, the Head of Finance and s151 Officer or their authorised representative shall be entitled to:</p> <ul style="list-style-type: none"> - Enter any Council premises or land at reasonable times; - Have access to all records, documents and correspondence relating to any Council business; - Require and receive such explanations as may be necessary concerning any matter under examination; and - Require any employee of the Council to produce cash, stores or any other Council property under their control.
7.5	<p>Any employee who suspects fraud, financial loss or error must either:</p> <ul style="list-style-type: none"> - Raise their concerns under the Whistle Blowing Policy; or - Inform their Chief Officer, who must notify the Head of Finance and s151 Officer; or - Follow the procedures set out in the Council's Anti-Fraud, Bribery and Corruption Policy.
7.6	<p>The reporting arrangements in respect of internal audit reports are set out in the Whistle Blowing Policy. In the case of suspected fraud or major internal control weaknesses, the Internal Audit Charter authorises the Chief Audit Executive to investigate and report all instances of fraud.</p>
7.7	<p>The Chief Audit Executive shall have the right of direct access to the Chief Executive, the Monitoring Officer and to Members where they consider this is necessary.</p>
8.	Banking Arrangements
8.1	<p>All facilities required in respect of banking shall be made by the Head of Finance and s151 Officer, who shall be a signatory to every bank account and banking arrangement of the Council.</p>
8.2	<p>All cheques and payment documents shall be ordered only on the authority of the Head of Finance and s151 Officer, who shall ensure proper arrangements for their safe custody.</p>
8.3	<p>Cheques drawn on the Council's banking accounts shall bear the facsimile signature of the Head of Finance and s151 Officer or be signed by the Head of Finance and s151 Officer or officers authorised by them.</p>

8.4	Payments from bank accounts to be processed electronically shall be authorised by the Head of Finance and s151 Officer or officers authorised by them.
8.5	Overdraft facilities may be arranged by the Head of Finance and s151 Officer within overall limits approved by the Council.
9.	Corporate Credit Cards
9.1	All corporate credit cards shall be issued in the name of the Head of Finance and s151 Officer who shall give instructions regarding their use and storage by designated officers from time to time.
<u>9.2</u>	<u>Corporate Credit Cards may only be used in connection with the purchase of goods or services for the Council and must not be used in connection with personal transactions.</u>
<u>9.3</u>	<u>Card limits for overall balances and individual transactions must be agreed in when requesting the card with the Head of Finance and s151 Officer. Requests for variations to these limits must be requested to the Head of Finance and s151 Officer in advance who will authorise the change for an agreed period of time.</u>
<u>9.42</u>	Any officer authorised by the Head of Finance and s151 Officer to hold and use a Corporate Credit Card must strictly comply with the instructions <u>and guidance given</u> and any guidance issued by the Head of Finance and s151 Officer from time to time.
10.	Borrowing Powers
10.1	The borrowing powers of the Council will be exercised only in accordance with the policies of the Council (Article 4 section 4.01 (b)).
10.2	The Head of Finance and s151 Officer is responsible for all borrowing on behalf of the Council. The Head of Finance and s151 Officer may authorise other Chief Officers to enter into such arrangements if they have examined and are satisfied with the terms of any such arrangement.
11.	Property and Land Holdings
11.1	The Director of Central Services is responsible for maintaining a register of land and buildings owned by the Council and for producing an Asset Management Plan for adoption by the Council.
11.2	The Director of Central Services and Monitoring Officer is responsible for the safe custody of all title deeds relating to Council owned land and property.
12.	Financial Planning and Control

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12.1	The Head of Finance and s151 Officer shall prepare annual estimates of income and expenditure in consultation with Chief Officers for submission to the Executive.
12.2	In accordance with the Budget and Policy Framework Procedure Rules set out in Part 4 of the Constitution, the Executive will consider annually: <ul style="list-style-type: none"> - The proposed programme of capital expenditure forming List A of the Capital Plan; - Estimates of income and expenditure on the revenue account for the ensuing year.
12.3	Following consultation as set out in Part 4 of the Constitution, including consultation with the Overview and Scrutiny Committee, the Executive shall consider the consequences of these programmes and estimates and receive the advice of the relevant Chief Officers and the Statutory Officers before recommending to Full Council the council tax to be levied, the revenue budgets and the Capital Plan for the ensuing year.
12.4	The approval of revenue estimates by the Full Council will constitute authority to incur the expenditure as detailed in the estimates.
12.5	Any proposal to incur unbudgeted expenditure after Full Council has approved the budget or Capital Plan must be submitted to the Executive for approval. Approval will be subject to the limits on virement set out in paragraph 13.3 of these Financial Procedure Rules and the requirements in respect of supplementary estimates set out in paragraph 15.1 of these Rules.
12.6	Each Chief Officer is responsible for the control of income and expenditure, <u>for both Revenue and Capital</u> within the Services under their control.
12.7	Each Chief Officer shall immediately advise the Head of Finance and s151 Officer should they become aware of a variance or likely variance <u>of more than £5,000</u> from an approved <u>revenue or capital</u> estimate in the budget, or Capital Plan that will exceed £5,000.
12.8	Variance or likely variance from an approved estimate of more than £10,000 shall be reported by the Head of Finance and s151 Officer to the Executive.
12.9	The Head of Finance and s151 Officer shall provide the Executive with regular monitoring reports during each financial year comparing actual expenditure against the budget in key areas. These include salaries expenditure, investment and other major sources of income, collection of council tax and national non domestic rates, and such other key financial performance information as the Head of Finance and s151 Officer considers is necessary for the Executive to discharge its responsibilities effectively.
12.10	The Head of Finance and s151 Officer shall provide the Executive with regular monitoring reports comparing actual capital expenditure with the Capital Plan List A for the financial year in question.

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12.11	The Head of Finance and s151 Officer shall provide an annual outturn report to the Executive showing actual revenue and capital expenditure against the revenue budget and Capital Plan for the preceding financial year, together with their recommendations on any action that should be taken in the light of the outturn information.
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12.12	The Head of Finance and s151 Officer will meet the requirements of Section 9 of the Accounts and Audit (England) Regulations 2015 as amended from time to time by presenting the Statement of Accounts to the Audit Committee, which shall have delegated authority to approve these on behalf of the Council.
12.13	Nothing in these Rules shall prevent the expenditure by Chief Officers on any item which is essential to meet any immediate needs created by an emergency or which is anticipated by Section 138 of the Local Government Act 1972 subject to a subsequent report on such expenditure being made to Cabinet and/or Full Council.
13.	Virements
13.1	The transfer of budgetary provision from one area of revenue or capital income/expenditure to another in order to finance spending in an area by using a saving in another area is known as a virement.
13.2	Under Article 4 section 4.01 (b) only the Full Council may change the limits for virement. Only Full Council may authorise a virement that commits the Council to ongoing future expenditure.
13.3	The limits for virement approved by the Council are as follows: <ul style="list-style-type: none"> - Chief Officers may transfer up to £10,000 <u>50,000 per item in a financial year</u> between budgets relating to the same area of Service activity (e.g. housing, environmental health, leisure etc.). Any such transfer must be immediately notified in writing to the Head of Finance and s151 Officer. - The Chief Executive, in consultation with the Management Team and Head of Finance and s151 Officer, may transfer up to £25,000 <u>50,000 per item in a financial year between different areas of Service Activity, budgets relating to the same area of Service activity.</u> —The Executive may approve virements up to a limit of £50,000 <u>100,000, including those that involve a transfer between different areas of Service activity.</u> - <u>Any virement above £100,000 will require approval by Full Council following reporting to the Executive.</u>
13.4	The Head of Finance and s151 Officer will report to the Executive any virements approved by Chief Officers or the Chief Executive.
<u>13..5</u>	<u>Virements between Capital and Revenue budgets, or vice versa, are not permissible under any circumstances, these types of requests will be considered as Supplementary Estimates under section 15 of the Financial Procedure Rules.</u>
14.	Underspending and Overspending
14.1	If revenue budgets are underspent or overspent at the year end, the following

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applies:

- No underspending may be carried forward to the following year unless specifically authorised by the Head of Finance and s151 Officer. Any such amounts must be transferred to the subject of an earmarked reserve; and

	- Any overspending shall be reported to the Executive by the Head of Finance and s151 Officer in an outturn report, <u>the Chief Officer responsible will provide details for the reason causing the variation and whether it is considered a one-off or ongoing variation.</u> If in the opinion of the Head of Finance and s151 Officer the overspending is significant and relates to functions not the responsibility of the Executive then they shall also report to the appropriate Committee.
15.	Supplementary Estimates
<u>15.1</u>	<u>Where a reserve has been established for a specific purpose, the Head of Finance and s151 Officer in conjunction with the Chief Executive may approve a supplementary estimate for an item of expenditure of up to £50,000. Any agreed expenditure and the use of the reserve must be reported to the Executive in conjunction with budgetary control reporting.</u>
<u>15.2</u>	<u>Where a reserve has been established for a specific purpose, Management Team, in consultation with the relevant Cabinet Member may approve a supplementary estimate for an item of expenditure of up to £100,000. Any agreed expenditure and the use of the reserve must be reported to the Executive in conjunction with budgetary control reporting.</u>
<u>15.34</u>	Supplementary estimates <u>for revenue and capital expenditure, where specific reserve funding has not been identified, for revenue and capital expenditure</u> will only be granted in exceptional circumstances and <u>will may only be only be</u> approved by the Full Council following a recommendation from the Executive.
<u>15.42</u>	In cases of urgency, with the agreement of the Leader and the Chair of the Overview and Scrutiny Committee, the Chief Executive in consultation with the Head of Finance and s151 Officer may approve additional revenue or capital expenditure. The Chief Executive will report such approvals and the circumstances that made them necessary to the Executive and the Overview and Scrutiny Committee. The Executive will consider whether a virement is possible or recommend approval of a supplementary estimate.
<u>15.5</u>	<u>Where the Duty Emergency Coordinator has declared that an emergency exists, activating the Borough's Emergency Plan or an incident has created the need to implement the Council's Business Continuity Plan, the Head of Finance and s151 Officer, in consultation with the Leader of the Council or Cabinet Member for Emergency Planning and Chief Executive, may approve revenue supplementary estimates specific to expenditure on that situation, up to the sum of £100,000.</u>
16.	Income
16.1	Arrangements for the collection of all monies due to the Council will be subject to the prior approval and control of the Head of Finance and s151 Officer and will be carried out in accordance with procedures issued by them. The circumstances of any inability to comply with procedures issued by the Head of Finance and s151 Officer shall immediately be reported to them.

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16.2	The Head of Finance and s151 Officer shall be notified promptly of all money due to the Council and of contracts, leases, grants, external funding and other agreements and arrangements entered into that involve the receipt of money by the Council.
16.3	All money received by the Council will be banked promptly in the Council's name and in conformance with the Accounts and Audit Regulations.
16.4	Money held on behalf of the Council must not be used for anything other than its intended purpose. No monies held shall be used to cash cheques except in accordance with arrangements approved by the Head of Finance and s151 Officer.
16.5	All monies received by the Council shall be acknowledged in accordance with arrangements approved by the Head of Finance and s151 Officer.
16.6	All receipts and other means of acknowledging the receipt of monies received by the Council shall be securely stored and proper records kept of all such items in a form approved by the Head of Finance and s151 Officer.

16.7	Any instructions issued by the Head of Finance and s151 Officer relating to the security of monies held by the Council must be adhered to.
16.8	Any limits on sums held in secure storage for insurance purposes must be adhered to <u>for insurance purposes.</u>
16.9	Invoices must be raised for all sums due to the Council that are not paid at the time the debt is due or identified unless the Head of Finance and s151 Officer approves alternative arrangements to address specific circumstances.
16.10	All invoices for sums due to the Council must be raised <u>in a timely manner and delays in raising invoices must be reported to the Head of Finance and s151 Officer promptly.</u>
16.11	Chief Officers must notify the Head of Finance and s151 Officer of all relevant information so that they can raise an invoice for sums due to the Council where for any reason this is not done by the Chief Officer.
16.12	Chief Officers must ensure that income received or any invoice raised by them is correctly allocated to the appropriate code <u>and VAT category.</u>
17.	Fees and Charges
17.1	Chief Officers are required in liaison with the Head of Finance and s151 Officer to shall review annually the fees and charges levied for services under their control, unless such fees and charges are fixed by statute or by some other body. The results of such reviews and the recommendations flowing from them must be reported to the Executive for decision.
17.2	Any proposed reductions variations in fees and charges shall, following consultation with the Head of Finance and s151 Officer, be reported to the Executive for decision. Similar requirements apply where it is proposed to introduce new fees and charges.
18.	Writing Off Debts
18.1	<u>Where efforts to collect a debt have failed and it is considered uneconomical, impractical or in the opinion of the Head of Finance and s151 Officer there is a valid reason not to pursue the debt, these may be written off subject to the limits shown below.</u> <ul style="list-style-type: none"> • <u>Up to £5,000 can be written off by the Head of Finance and s151 Officer.</u> • <u>Amounts above £5,000 can be written off by the Cabinet Member for Finance Waste and Technical Services.</u> <p><u>All write offs shall be published through a relevant Officer or Cabinet Member Decision notice which will be reported to the Executive at least twice each financial year.</u></p>

	<p>The Head of Finance and s151 Officer must report to the Executive on amounts owing of £5,000 or more where efforts to collect the sums have failed and any other action would be uneconomic or impractical or in the opinion of the Head of Finance and s151 Officer there is a valid reason for not pursuing the debt. The Executive has the authority to approve the write off of the debt.</p>
18.2	<p><u>If it is subsequently found that a written off debt is recoverable, the Head of Finance and Section 151 Officer will consider whether the debt should be reinstated and recovery action undertaken.</u></p> <p>The Head of Finance and s151 Officer, following consultation with the relevant Chief Officer where appropriate, may write off amounts of less than £5,000 if they think that further effort to collect it would be a waste of effort or resources or in their opinion there is a valid reason for not pursuing the debt. The Head of Finance and s151 Officer must report any such write-offs they have approved at least twice a year to the Executive.</p>

19.	Insurances and Risk Management
19.1	The Head of Finance and s151 Officer shall effect all insurance cover and negotiate all claims in consultation with other officers as necessary.
19.2	Chief Officers shall give prompt notification to the Head of Finance and s151 Officer of all new risks, properties, plant and vehicles that require to be insured and of any alterations affecting existing insurances.
19.3	Chief Officers shall immediately notify the Head of Finance and s151 Officer of any loss, liability or damage that may give rise to a claim.
19.4	Chief Officers shall ensure that their staff and any contractors employed on activities for which they are responsible have appropriate insurance cover in force and shall consult the Head of Finance and s151 Officer to determine the relevant requirements for the activities involved.
19.5	The Head of Finance and s151 Officer shall ensure compliance with statutory requirements relating to fidelity guarantee insurance.
19.6	The Head of Finance and s151 Officer shall at such periods as they consider necessary review all insurances held by the Council in consultation with other Chief Officers.
19.7	All Chief Officers shall consult the Head of Finance and s151 Officer in respect of any indemnity the Council is requested to give.
19.8	All individuals within the Council share responsibility for risk management. Any particular responsibilities of key groups and individuals will be set out in the Council's Risk Management Strategy documentation from time to time.
19.9	All Chief Officers are responsible for ensuring compliance in their areas of responsibility with any Risk Management Strategies the Council may from time to time approve.
<u>19.10</u>	<u>The Chairman of the Audit Committee shall act as Member Risk Champion and will take a lead role in promoting the application of sound risk management practices across the Council.</u>
<u>19.11</u>	<u>The Head of Finance and s151 Officer shall act as Officer Risk Champion.</u>
<u>19.12</u>	<u>Each Service will provide a service Risk Champion to provide advice to services on Risk Management via the Officer Corporate Risk Management Group</u>
<u>19.13</u>	<u>Each Service will maintain a risk register for operational services and where appropriate shall consider high risks for the consideration of Management Team for inclusion onto the Council's Strategic Risk Register.</u>
<u>19.14</u>	<u>Each Chief Officer will review their relevant entries on the Strategic Risk</u>

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	<u>Register for reporting to Members via the Audit Committee as required.</u>
20.	Inventories
20.1	Each Chief Officer is responsible for the safe custody of stores and equipment placed under their control. Wherever reasonably practicable, items shall be marked as being the property of the Borough Council.
20.2	All Information Technology hardware shall be recorded in a central inventory maintained for the purpose by the Information Technology Manager Head of IT .
20.3	All records of stocks held shall be in a form approved by the Head of Finance and s151 Officer. Chief Officers shall ensure that the level of stock held is reasonable having regard to the nature of the service being provided through their use.

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20.4	Chief Officers are responsible for ensuring that stocktaking is undertaken at appropriate intervals throughout the year having regard to the value of stocks under their control.
20.5	Chief Officers shall secure the consent of the Head of Finance and s151 Officer to the method of disposal to be used in the case of surplus or obsolete items.
20.6	Chief Officers shall provide such certificates in the form that the Head of Finance and s151 Officer may require in respect of the value of any stocks held by them at the end of each financial year.
21	Land Disposal
21.1	No negotiations for the acquisition or disposal by any means of land or buildings in Council ownership shall be undertaken other than in accordance with the Officer Delegation Rules set out in Part 3 of the Constitution.
21.2	Subject to any exceptions within the Officer Delegation Rules, all disposals of land or buildings must be approved by the Executive.
22	Orders for Works, Goods and Services
22.1	Chief Officers are responsible for ensuring that orders are: <ul style="list-style-type: none"> - Placed in accordance with the tendering procedures set out in the Contracts Procedure Rules in Part 4 of the Constitution; - Compliant with all relevant policies of the Council; - Compliant with procedures issued by the Head of Finance and s151 Officer; - Placed following the financial vetting of potential contractors for all arrangements valued in excess of £100,000.
22.2	Orders shall be issued electronically or in hard copy format via the Council's purchase order system in a format approved by and in compliance with any procedures issued by the Head of Finance and s151 Officer.
22.3	Each Chief Officer will maintain a list of officers able to authorise orders electronically and the financial limit applying to them. A copy of this list must be supplied to the Head of Finance and s151 Officer and must be updated with any amendments from time to time.
22.4	All works, goods or services must be the subject of an official order except for: <ul style="list-style-type: none"> - Supplies of utility services, e.g. gas, electricity, <u>water and sewerage charges, mobile and telephony services</u>;

	- Payments of a periodic nature such as rent, or rates, <u>levys or subscription services</u> ;
	- Items purchased via petty cash <u>or Corporate Credit Card</u> ;
	- Any works goods or services which have a written contract which complies with Contracts Procedure Rules 3.2, 3.3 or 3.4. <u>But variations or services where volumes can vary from month to month will require an order.</u>
	<u>- Payments for Temporary Agency Staff</u>
	<u>- Treasury Management Payments</u>
	<u>- Payments made under Rents in Advance Scheme</u>
	<u>- Bank and Merchant Acquirer Charges</u>
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22.5	The Head of Finance and s151 Officer may from time to time permit other items to be acquired without the issue of an official order.
22.6	Official orders may only be used in connection with the purchase of goods by the Council and must not be used in connection with personal transactions.
22.7	All purchases of Information Technology hardware and software shall only be made by the Information Technology Manager unless they agree an alternative arrangement in specific circumstances.
23.	Issuing of Official Orders
23.1	Orders must only be issued for works, goods and services where an approved budget exists for the intended purchase. Chief Officers shall ensure full compliance with these rules and any other procedures issued by the Head of Finance and s151 Officer.
23.2	Each Chief Officer shall ensure that effective procedures exist to check and certify all orders issued.
23.3	Each Chief Officer shall provide the Head of Finance and s151 Officer with a list of officers able to authorise orders and any financial limits that apply to them. A copy of all orders shall be maintained in a secure format within the corporate purchase ordering system.
23.4	Only documentation or electronic formats approved by the Head of Finance and s151 Officer may be used for official orders.
23.5	All orders are contracts made by the authority and must comply in all respects with the Contracts Procedure Rules

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23.6	Urgent orders may be made by telephone, fax or electronically (provided that they are in accordance with the Contracts Procedure Rules) but an order number must be obtained and notified to the supplier. An order must still be completed and clearly marked as being for "CONFIRMATION".
23.7	In every case, Chief Officers must ensure compliance with any procedures issued by the Head of Finance and s151 Officer in relation to accounting for Value Added Tax, Construction Industry Tax and any other taxes that may be applicable.

24.	Payment of Invoices
24.1	Each Chief Officer shall ensure that within their Service effective procedures exist to check and certify all invoices received for payment.
24.2	Each Chief Officer shall provide the Head of Finance and s151 Officer with a list of officers authorised to certify <u>electronically</u> invoices and claims for payment and any financial limits attached.
24.3	Only documentation approved by the Head of Finance and s151 Officer may be used in connection with the processing of payments.
24.4	The following checks must be made prior to payment by Chief Officers or their authorised officers: <ul style="list-style-type: none"> - The work, goods or services have been received or carried out and conform to what was ordered. If payment in advance is required, confirmation from the supplier of receipt of payment must be obtained. - The prices, calculations, trade discounts, other allowances, credits, Construction Industry tax and VAT are correct. - Any goods supplied have been entered on inventories, stores or other appropriate records. - Details of the intended payment shall be checked against the details of goods ordered and received, either on a copy of the order or to the entries held electronically within the purchase order and payment systems. - The Council has not previously paid the invoice and that it is the Council's responsibility to make payment.
24.5	Chief Officers must ensure that the correct accounting code is used when making payment.
24.6	Chief Officers must ensure that undisputed invoices are processed without delay to obtain any prompt payment discounts and to meet the Council's targets for the prompt payment of invoices and to avoid statutory penalties arising from late payment.
24.7	Prior to payment, all invoices must be appropriately certified by the Chief Officer or a person authorised by them. This cannot be the same person as has conducted the checks required at 24.4 above.

24.8	Chief Officers shall, as soon as possible after 31 March each year, and no later than a date specified by the Head of Finance and s151 Officer, notify <u>officers appointed by</u> the Head of Finance and s151 Officer of any payments outstanding for works, goods or services supplied before the 31 March and comply with all other requirements of the Head of Finance and s151 Officer in connection with the production of the annual accounts of the Council.
25.	Financial Management of Contracts
25.1	Where there is a variation to a contract that results in a change to the cost to the Council then that change must comply with the requirements of the Contracts Procedure Rules (Rule 14).
25.2	Where there is a change to the contract resulting in a different cost to the Council the Chief Officer shall ensure that a priced Variation Order or priced Architects or Engineers Instruction has been issued prior to the work being carried out. For the avoidance of doubt, Variation Orders are <u>not only</u> required <u>for any change in contract value or service delivery where the cost to the Council has increased but also where it has decreased.</u>
25.3	The provision in 25.2 shall not have effect in the case of additional work necessary to maintain the continuity of the contract or in an emergency to protect the safety of an officer, workman, the public or the fabric of a structure. In these circumstances the Chief Officer shall ensure that a priced Variation Order or priced Architects Instruction is issued promptly after the work has been carried out.
25.4	Interim payments to contractors and consultants in the case of contracts exceeding £100,000 in value shall be made only where the contract provides for them and only on a certificate issued by the relevant Chief Officer or consultant (where one has been engaged). Payments must not be made to anyone other than the Contractor unless agreed with the Head of Finance and s151 Officer or unless the Council is directed to make a payment by a Court or a Receiver appointed by a Court.
25.5	Variations to a contract shall be authorised in writing on a sequentially numbered form by the appropriate Chief Officer or the nominated Architect or Engineer in the contract, or by a consultant where engaged.
25.6	Claims from a contractor not clearly within the terms of any existing contract shall be referred by Chief Officers to both:-
	(a) the Director of Central Services and Deputy Chief Executive for consideration of the Authority's legal liability; and
	(b) the Head of Finance and s151 Officer for financial consideration before a settlement is made.

25.7	Where a claim for liquidated damages arises the Chief Officer concerned will consult both the Director of Central Services & Deputy Chief Executive and the Head of Finance and s151 Officer in order to determine the appropriate action to be taken.
25.8	Chief Officers must provide a report to the Council or Executive, as appropriate, explaining the circumstances in any case where the value of the final account for a contract is greater than £100,000 and exceeds the accepted tender sum by an amount greater than 5% of the tender sum.
26.	Partnership
26.1	The Council defines a partnership as “an agreement between the Council and one or more independent bodies to work together to achieve one or more objectives.” Partnerships may help deliver strategies and improve the well-being of the area. They may spread risk, access resources and provide new and better ways of delivering services.
26.2	When entering into a partnership the Council will ensure such agreements are fully documented with terms and conditions covering: <ul style="list-style-type: none"> - Provision and allocation of funding and resources - Appraisal and reporting systems - Risk management provisions - Audit and security controls - Accounting arrangements - Exit strategy - Vires
27.	Working for Third Parties
27.1	Where work is carried out by the Council for third parties arrangements will be put in place to ensure such work is intra vires and that the risks involved are managed.
28.	Payment of Salaries and Members’ Allowances
28.1	The Director of Central Services is responsible for ensuring that all salaries and matters relating thereto are in accordance with the policies and decisions of the Council.
28.2	The Head of Finance and s151 Officer is responsible for the calculation and payment of salaries to the Council's employees and for the payment of approved allowances to Council Members.

28.3	<p>Chief Officers must provide the Director of Central Services with full details of:</p> <ul style="list-style-type: none"> - any new employees of the Council; - anyone leaving the Council's employment; - anyone who is transferred to other Council Services; - anyone whose pay changes other than by salary awards or annual increments; and - any other information that may affect the amount of the payment they are entitled to receive.
28.4	<p>Chief Officers must notify the Head of Finance and s151 Officer of anyone who is absent through sickness or reasons other than annual leave using the form approved by the Head of Finance and s151 Officer.</p>
28.5	<p>The Head of Finance and s151 Officer must approve the design of all-time records or other pay documents. Chief Officers must send the names and signatures of all the employees who are authorised to sign these records, together with any limits applied, to the Head of Finance and s151 Officer.</p>
28.6	<p>All staff classed as temporary or casual by their contract of employment must be required to complete a monthly timesheet, except in the case of illiteracy when the line manager must complete the timesheet and indicate that they have done so.</p>
28.7	<p>All payments of salaries and Members' allowances shall be paid direct to a bank or building society account using BACS or any similar method determined by the Head of Finance and s151 Officer unless they approve alternative arrangements in specific cases.</p>
29.	Security
29.1	<p>Chief Officers are responsible for maintaining proper security at all times for all buildings, property, cash and other assets under their control. Chief Officers shall consult the Head of Finance and s151 Officer in any case where security is thought to be defective or where it is considered that special security arrangements may be needed. Chief Officers must ensure that their staff are aware of any requirements relating to the security of cash and equipment in transit or held at an employee's home.</p>
29.2	<p>Maximum limits for cash holdings shall be agreed with the Head of Finance and s151 Officer having regard to the level of security appropriate for staff and premises. The limit shall not be exceeded without their permission.</p>
29.3	<p>Chief Officers are responsible for maintaining the security and privacy of information held on computer systems under their control and are responsible for compliance with relevant legislation and the Council's adopted Information Security Policy.</p>

29.4	The Director of Central Services and Deputy Chief Executive is responsible for the safe custody of all legal documents relating to the activities of or interests of the Council.
30.	Taxation
30.1	The Head of Finance and s151 Officer is authorised to make any decision or determination with regard to any taxation issue that they consider necessary for the overall tax efficiency of the Council.
30.2	The Head of Finance and s151 Officer will account for and pay or recover all taxes on behalf of the Council.
31.	Travelling and Subsistence Allowances
31.1	All claims of employees for payment of car allowances, subsistence allowances, travelling and incidental expenses must be submitted, together with any supporting documentation and records required, in accordance with such procedures as may be issued by the Head of Finance and s151 Officer. Reimbursement will normally be made with the employee's next normal salary payment unless the Head of Finance and s151 Officer decides that an alternative method of payment is appropriate.
32.	Treasury Management
32.1	The Head of Finance and s151 Officer is responsible for undertaking all borrowing of monies and for all arrangements concerning the investments of the Council.
32.2	In exercising treasury management responsibilities, the Head of Finance and s151 Officer shall comply with the Council's Treasury Management Strategy Statement; Annual Investment Strategy; Treasury Policy Statement and the Chartered Institute of Public Finance and Accountancy Code of Practice on Treasury Management.
33	<u>Medium Term Financial Strategy and Saving and Transformation Strategy</u>
33.1	<u>The Head of Finance and s151 Officer, in conjunction with Management Team, shall produce a Medium Term Financial Strategy (MTFS) to assess the Councils long term financial planning needs. This will include the calculation of any funding gap between resources available and anticipated spend.</u> <u>This MTFS shall be reported to the executive as needed to assess the long term financial issues for the council.</u> <u>The Management Team in conjunction with the Executive will prepare a Savings and Transformation Strategy in order to address any funding gap identified.</u>

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