

# CYNGOR CYMUNED Y FERWIG COMMUNITY COUNCIL

## FINANCIAL REGULATIONS - Issue 3

### **1. General**

- 1.1 These financial regulations shall govern the conduct of the financial transactions of the council and may only be amended or varied by resolution of the council.
- 1.2 The Responsible Financial Officer (RFO) (normally the post of RFO is delegated to the Clerk) under the policy direction of the council shall be responsible for the proper administration of the council's financial affairs.
- 1.3 The RFO shall be responsible for the production of financial management information.

### **2. Annual Estimates**

- 2.1 The council shall formulate and submit proposals to the Clerk in respect of revenue services and capital projects for inclusion in the rolling capital programme not later than the end of January each year.
- 2.2 Detailed estimates of income and expenditure on revenue services, and receipts and payments on capital account shall be prepared each year by the RFO.
- 2.3 The council shall review the estimates not later than the end of January each year and shall recommend the precept to be levied for the ensuing financial year. The RFO shall supply each member with a copy of the approved estimates.
- 2.4 The annual capital and revenue budgets shall form the basis of financial control for the ensuing year.

### **3. Budgetary Control**

- 3.1 Expenditure on the revenue account may be incurred up to the amounts included in each approved committee budget.
- 3.2 No expenditure may be incurred which cannot be met from the amount provided in the appropriate revenue budget, unless the over expenditure is agreed by the council.
- 3.3 The RFO shall periodically provide the committee with a statement of income and expenditure to date under each head of the approved annual revenue and capital budgets.
- 3.4 The Clerk - with the Chairman's agreement - may incur expenditure on behalf of the council which is necessary to carry out any repair replacement or any other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £2,500. The clerk shall report the action to the council as soon as possible thereafter.
- 3.5 Where expenditure is incurred in accordance with regulation 3.4 above and the sum required cannot be met from savings elsewhere, it shall be subject to the provisions of a supplementary estimate approved by the council.
- 3.6 Unspent provisions in the revenue budget shall be carried forward to a subsequent year.
- 3.7 No expenditure shall be incurred in relation to any capital project and no contract entered into or tender accepted involving expenditure on the capital account unless the council is satisfied that it is contained within the rolling capital programme and that the necessary capital funds are available, or the requisite borrowing approval can be obtained.
- 3.8 All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.

### **4. Accounting and Audit**

- 4.1 All accounting procedures and financial records of the council shall be determined by the RFO as required by the Accounts and Audit Regulations 1996, and any subsequent amendments.

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- 4.2 The RFO shall be responsible for completing the annual accounts of the council as soon as practicable after the end of the financial year and shall submit them to and report thereon to the council.
- 4.3 The following principles shall be observed in connection with accounting duties
- (a) The duty of providing information, calculating, checking and recording sums due to, or from, the council, should be separated as completely as possible from the duty of collecting or dispersing them.
  - (b) Officers charged with the duty of examining and checking the accounts of cash transactions should not be engaged in any of those transactions.
- 4.4 The RFO shall be responsible for maintaining an adequate and effective system of internal audit of the council's accounting, financial and other operations in accordance with regulation 5 of the Accounts and Audit Regulations 1996, and any subsequent amendments. Any officer or member of the council shall, if the RFO requires, make available such documents of the council which relate to their accounting and other records as appear to the RFO to be necessary for the purpose of the audit and shall supply the RFO with such information and explanation as the RFO considers necessary for that purpose.

## 5. Banking Arrangements and Checks

- 5.1 The council's banking arrangements shall be made by the RFO and approved by the council.
- 5.2 A schedule of the payment of money shall be prepared by the RFO and together with the relevant invoices etc presented to the council. If the schedule is in order it shall be authorised by a resolution of the council and signed by the Chairman or Vice Chairman.
- 5.3 Cheques drawn on the Business and Community bank accounts in accordance with the schedule referred to in para. 5.2 shall be signed by the clerk, Chairman and any two council members.

## 6. Payment of Accounts

- 6.1 Apart from petty cash payments all payments shall be effected by cheque or other order drawn on the council's bankers.
- 6.2 All invoices for payment shall be examined, verified and certified by the officer issuing the order. Before certifying an invoice the officer shall satisfy himself that the work, goods or services to which the invoice relates have been received, carried out, examined and approved.
- 6.3 Duly certified invoices shall be passed to the RFO who shall examine them in relation to arithmetical accuracy and authorisation, and shall code them to the appropriate expenditure head. He shall take all possible steps to settle all invoices submitted, and which are in order, within 30 days of receipt.
- 6.4 All duly certified invoices will then be entered on the schedule referred to in para. 5.2. above.

## 7. Payment of Salaries and Wages

- 7.1 The payment of all salaries and wages where applicable shall be made by the RFO from the payroll account in accordance with the payroll records.
- 7.2 All time sheets shall be certified as to accuracy by or on behalf of the clerk..
- 7.3 The payroll account shall not be overdrawn at the bank. Transfers to fund it shall be made from the council's Community account, and shall be shown separately on the schedule of payment of money presented to the council (under para. 5.2 above).

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## 8. Loans and Investments

- 8.1 Following the agreement of the council, all loans and investments shall be negotiated by the RFO in the name of the council, and shall be for a set period of time in accordance with council policy. Changes to loans and investments should be reported to the council at the earliest opportunity.
- 8.2 All investments of money under the control of the council shall be in the name of the council.
- 8.3 All borrowings shall be effected in the name of the council.
- 8.4 All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

## 9. Income

- 9.1 The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.
- 9.2 Particulars of all charges to be made for work done, services rendered, or goods supplied by the council shall be notified to the RFO and the RFO shall be ultimately responsible for the collection of all accounts due to the council.
- 9.3 The council shall review all fees and charges annually.
- 9.4 Any bad debts shall be reported to the council.
- 9.5 All sums received on behalf of the council shall either be paid to the RFO for banking or be banked by the officer collecting the money as directed by the RFO. In all cases all receipts shall be deposited with the council's bankers with such frequency as the RFO considers necessary.
- 9.6 A reference to the related debt, or otherwise, indicating the origin of each cheque shall be entered on the paying in slip.
- 9.7 Every transfer of official money from one member of staff to another shall be signed for by the receiving officer.
- 9.8 Personal cheques shall not be cashed out of money held on behalf of the council.

## 10. Orders for Work, Goods and Services

- 10.1 An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared, or an official order would be inappropriate e.g. petty cash purchases. Copies of orders issued shall be maintained.
- 10.2 Order books shall be controlled by the RFO.
- 10.3 All officers are responsible for obtaining value for money at all times. An officer issuing an official order is to ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction.

## 11. Contracts

- 11.1 Procedures as to the contracts are as follows:
  - (a) Every contract whether made by the council or by any committee to which the power of making contracts has been delegated shall comply with these standing orders, and no exception from any of the following provisions of these standing orders shall be made otherwise than by the direction of the council, or in an emergency by such committee as aforesaid provided that these standing orders shall not apply to contracts which relate to items (i) to (v) below:
    - (i) For the supply of gas, electricity, water, sewerage, and telephone services.
    - (ii) For specialist services such as are provided by solicitors, accountants, surveyors and planning consultants.
    - (iii) For work to be executed or goods or materials supplied which consist of repairs to or parts for existing machinery or equipment or plant.

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- (iv) For work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council.
- (v) For goods or materials proposed to be purchased which are proprietary articles and / or which are sold only at a fixed price.
- (b) Where it is intended to enter into a contract:
  - (i) exceeding £10,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the clerk shall invite sealed tenders from at least three firms, such firms to be taken from an appropriate approved list.
  - (ii) For expenditures of £501 to £10,000 in value the clerk shall invite tenders from at least three firms.
  - (iii) For expenditures below £500 the Clerk and Chairman shall have executive power.
- (c) When applications are made to waive standing orders relating to contracts to enable a contract to be negotiated without competition the reason shall be embodied in a recommendation to the council.
- (d) Every exception made by a committee to which power of making contracts has been delegated shall be reported to the council and the report shall specify the emergency by which the exception shall have been justified.
- (e) Invitations to tender in accordance with sub-paragraph (b)(i) above shall state the general nature of the intended contract and the clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the clerk and the last date that the tenders should reach the clerk by ordinary post. Each tendering firm shall be supplied with a specially marked envelope in which the tender is to be sealed and remain sealed and until the prescribed date for opening tenders for that contract.
- (f) All sealed tenders shall be opened at the same time on the prescribed date by the clerk or the properly authorised deputy in the presence of the Chairman and at least one member of the council.
- (g) If less than three tenders are received for contracts valued above £10,000 or if all the tenders are identical the council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.
- (h) The council shall not be obliged to accept the lowest or any tender.

## 12. Payments Under Contracts for Building or Other Construction Works

- 12.1 Payments on account of the Contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract.
- 12.2 Where contracts provide for payment by installments the RFO shall maintain a record of all such payment. In any case when it is estimated that the total cost of the work carried out under a contract excluding fluctuation clauses, will exceed the contract sum by 5% or more a report shall be submitted to the council.
- 12.3 Any variation to a contract or addition to or omission from a contract must be approved by the clerk in writing, the council being informed where the final cost is likely to exceed the financial provision.

## 13. Stores & Equipment

- 13.1 The officer in charge of any section shall be responsible for the care and custody of stores and equipment in that section.
- 13.2 Delivery notes must be obtained in respect of all goods received into store, and goods must be checked as regard quality at the time delivery is made.

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- 13.3 Stocks shall generally be maintained at the minimum levels consistent with operational requirements.
- 13.4 The RFO shall be responsible for an annual check of all stocks and stores.

## 14. Properties and Estates

- 14.1 The clerk shall make appropriate arrangements for the custody of all title deeds of properties owned by the council. The RFO shall ensure a record is maintained of all properties owned 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 regulation 4(3)(b) of the Accounts and Audit Regulations 1996.
- 14.2 No property shall be sold, leased, or otherwise disposed of without the authority of the council, save where the estimated value of any one item does not exceed £250.

## 15 Insurance

- 15.1 The RFO shall effect all insurances and negotiate all claims on the insurers in consultation with the clerk.
- 15.2 The clerk shall give prompt notification to the RFO of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 15.3 The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.
- 15.4 The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim.
- 15.5 All appropriate employees of the council shall be included in a suitable fidelity guarantee insurance.

## 16. Revision of Financial Regulations

- 16.1 It shall be the duty of the council to review the financial regulations of the council from time to time and to make such alterations as are deemed necessary to update them.

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