MARDEN PARISH COUNCIL
FINANCIAL REGULATIONS

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LOCAL COUNCIL AWARD SCHEME QUALITY GOLD

These Financial Regulations were adopted by the Council at its meeting held on 12th April 2016 (amended 10th May 2016; 10th January 2017; 26th June 2018; 10th September 2019, 8th March 2022)
Following revised Financial Regulations from NALC this document was amended and agreed on 13th August 2024, 13th May 2025 and 12th August 2025.

1 GENERAL

1.1 These Financial Regulations govern the financial management of Marden Parish Council (known as "the Council") and may only be amended or varied by resolution of the Council. They are one of the Council's governing documents and shall be observed in conjunction with the Council's Standing Orders.

1.2 Councillors are expected to follow these Regulations and not to entice employees to breach them. Failure to follow these Regulations brings the office of Councillor into disrepute.

1.3 Willful breach of these Regulations by an employee may result in disciplinary proceedings.

1.4 In these Financial Regulations

- 'Accounts and Audit Regulations' means the regulations issued under Sections 32, 43(2) and 46 of the Local Audit and Accountability Act 2014, or any superseding legislation, and then in force, unless otherwise specified.
- "Approve" includes an online action, allowing an electronic transaction to take place.
- "Authorise" refers to a decision by the Council, or a committee, or an officer, to allow something to happen.
- 'Proper practices' means those set out in *The Practitioners' Guide*
- *'Practitioners' Guide'* refers to the guide issued by the Joint Panel on Accountability and Governance (JPAG) and published by NALC in England or Governance and Accountability for Local Councils in Wales – A Practitioners Guide jointly published by One Voice Wales and the Society of Local Council Clerks in Wales.
- 'must' and **bold text** refer to a statutory obligation the council cannot change.
- 'shall' refers to a non-statutory instruction by the council to its Councillors and staff.

1.5 The Responsible Financial Officer (RFO) holds a statutory office, appointed by the Council. The Clerk has been appointed as RFO and these regulations will apply accordingly. The RFO:

- acts under the policy direction of the Council;
- administers the Council's financial affairs in accordance with all Acts, Regulations and proper practices;

- determines on behalf of the Council its accounting records and control systems.
- ensures the accounting control systems are observed;
- ensures the accounting records are kept up to date
- seeks economy, efficiency and effectiveness in the use of council resources; and
- produces financial management information as required by the Council.

1.6 The Council must not delegate any decision regarding:
- Setting the final budget or the precept (Council tax requirement);
- the outcome of a review of the effectiveness of its internal controls;
- Approving accounting statements
- Approving an annual governance statement;
- Borrowing;
- Declaring eligibility for the General Power of Competence; and
- Addressing recommendations from the internal or external auditors.

1.7 In addition the Council shall:
- Determine and regularly review the bank mandate for all Council bank accounts;
- Approve any grant;
- Approve any single non-procurement commitment.

2 RISK MANAGEMENT AND INTERNAL CONTROL

2.1 The council must ensure that it has a sound system of internal control, which delivers effective financial, operational and risk management.

2.2 The Clerk shall prepare, for approval by the Council, a risk management policy covering all activities of the Council. This policy and consequential risk management arrangements shall be reviewed by the Council at least annually.

2.3 When considering any new activity, the Clerk shall prepare a draft risk assessment including risk management proposals for consideration by the Council.

2.4 At least once a year, the Council must review the effectiveness of its system of internal control before approving the Annual Governance Statement.

2.5 The accounting control systems determined by the RFO must include measures to:
- ensure that risk is appropriately managed;
- ensure the prompt, accurate recording of financial transactions
- prevent and detect inaccuracy and fraud;
- allow the reconstitution of any lost records;

- identifying the duties of the officers dealing with transactions; and
- ensure division of responsibilities

2.6 On a regular basis, at least once in each quarter, and at each financial year end, at least two Councillors shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The Councillors shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall, on conclusion, be reported, including any exceptions, to, and noted by, the Finance Committee.

2.7 Regular back-up copies shall be made of the records on any council computer and stored either online or in a separate location from the computer. The council shall put measures in place to ensure that the ability to access any council computer is not lost if any employee leaves or is incapacitated for any reason.

3 ACCOUNTS AND AUDIT

3.1 All accounting procedures and financial records of the Council shall be determined by the RFO in accordance with the Accounts and Audit Regulations.

3.2 The accounting records determined by the RFO must be sufficient to explain the Council's transactions and to disclose its financial position with reasonable accuracy at any time. In particular, they must contain:

- Day-to-day entries of all sums of money received and expended by the council and the matters to which they relate;
- A record of the assets and liabilities of the council.

3.3 The accounting records shall be designed to facilitate the efficient preparation of the accounting statements in the Annual Governance and Accountability Return.

3.4 The RFO shall complete and certify the annual Accounting Statements of the Council, contained in the Annual Governance and Accountability Return in accordance with proper practices, as soon as practicable after the end of the financial year. Having certified the Accounting Statements, the RFO shall submit them (with any related documents) to the Council, within the timescales required by the Accounts and Audit Regulations.

3.5 The Council must ensure that there is an adequate and effective system of internal audit of its accounting records and internal control system in accordance with proper practices.

3.6 Any officer or Cllr of the Council 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 the Council, supply the RFO, Internal

Auditor, or external auditor with such information and explanation as the Council considers necessary.

3.7 The Internal Auditor shall be appointed by the council and shall carry out their work to evaluate the effectiveness of the Council's risk management, control and governance processes in accordance with proper practices specified in the Practitioners' Guide.

3.8 The council shall ensure that the Internal Auditor:

- is competent and independent of the financial operations of the Council;
- reports to Council in writing, or in person, on a regular basis with a minimum of one written report during each financial year;
- can demonstrate competence, objectivity and independence, free from any actual or perceived conflicts of interest, including those arising from family relationships; and
- has no involvement in the 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 Council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.

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 The Practitioners' Guide.

3.11 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 documents required by the Local Audit and Accountability Act 2014, or any superseding legislation, and the Accounts and Audit Regulations.

3.12 The RFO shall, without undue delay, bring to the attention of all Councillors any correspondence or report from Internal or External Auditors.

4 BUDGET AND PRECEPT

4.1 Before setting a precept, the council must calculate its council tax requirement for each financial year by preparing and approving a budget, in accordance with The Local Government Finance Act 1992 or succeeding legislation.

4.2 Budgets for salaries and wages, including employer contributions shall be reviewed by the council at least annually in Quarter 3 for the following financial year and the final version shall be evidenced by a hard copy schedule signed by the Clerk and the Chairman of Council or relevant committee. The RFO will inform committees of any salary implications before they consider their draft budgets.

4.3 No later than November each year, the RFO shall prepare a draft budget with detailed estimates of all receipts and payments/income and expenditure for the following financial year along with a forecast for the following financial year taking account of the lifespan of assets and cost implications of repair or replacement.

4.4 Unspent budgets for completed projects shall not be carried forward to a subsequent year. Unspent funds for partially completed projects may only be carried forward by placing them in an earmarked reserve with the formal approval of the full council.

4.5 Each committee shall review its draft budget and submit any proposed amendments to the Finance Committee not later than the end of October each year.

4.6 The draft budget with any committee proposals and three-year forecast, including any recommendations for the use or accumulation of reserves, shall be considered by the Finance Committee and a recommendation made to Full Council.

4.7 Having considered the proposed budget and three-year forecast, the council shall determine its council tax requirement by setting a budget. The council shall set a precept for this amount no later than end of January for the ensuing financial year.

4.8 Any Cllr with council tax unpaid for more than two months is prohibited from voting on the budget or precept by Section 106 of the Local Government Finance Act 1992 and must disclose at the start of the meeting that Section 106 applies to them.

4.9 The RFO shall **issue the precept to the billing authority no later than the end of January** and supply each Cllr with a copy of the agreed annual budget.

4.10 The agreed budget provides a basis for monitoring progress during the year by comparing actual spending and income against what was planned.

4.11 Any addition to, or withdrawal from, any earmarked reserve shall be agreed by the Council or relevant committee.

5 PROCUREMENT

5.1 **Councillors and officers are responsible for obtaining value for money at all times**. Any officer procuring goods, services or work should ensure, as far as practicable, that the best available terms are obtained, usually by obtaining prices from several suppliers.

5.2 The RFO should verify the lawful nature of any proposed purchase before it is made, and in the case of new or infrequent purchases should ensure that the legal power being used is reported to the meeting at which the order is authorised and also recorded in the minutes so that the Minutes can record the power being used.

5.3 Every contract shall comply with the council's Standing Orders and these Financial Regulations and no exceptions shall be made, except in an emergency.

5.4 For a contract for the supply of goods, services or works where the estimated value will exceed the thresholds set by Parliament, the full requirements of ~~The Public Contracts Regulations 2015~~The Procurement Act 2023 and The Procurement Regulations 2024, or any superseding legislation ("the Legislation") must be followed in respect of the tendering, award and notification of that contract.

5.5 Where the estimated value is below the Government threshold, the council shall (with the exception of items listed in paragraph ~~6.12~~5.12) obtain prices as follows:

5.6 For contracts estimated to exceed £30,000 including VAT, the RFO shall seek formal tenders from at least three suppliers agreed by the Council or advertise an open invitation to tender in compliance with an relevant provisions of the Legislation. Tenders shall be invited in accordance with Appendix 1.~~the council must comply with any requirements of the Legislation[1] regarding the advertising of contract opportunities and the publication of notices.~~

~~[1]The Regulations require councils to use the Contracts Finder website if they advertise contract opportunities and also to publicise the award of contracts over £30,000 including VAT, regardless of whether they were advertised.~~

5.7 For contracts estimated to be over £30,000 including VAT, the Council must comply with any requirements of the Legislation regarding the publication of invitations and notices.

5.8 For contracts greater than £5,000 excluding VAT the RFO shall seek at least 3 fixed-price quotes.

5.9 Where the value is between £500 and £5,000 excluding VAT the RFO shall try to obtain 3 estimates which might include evidence of online prices, or recent prices from regular suppliers.

5.10 For smaller purchases, the Clerk shall seek to achieve value for money.

5.11 Contracts must not be split into smaller lots to avoid compliance with these rules.

5.12 The requirement to obtain competitive prices in these regulations need not apply to contracts that relate to items (i) to (iv) below:

i. specialist services, such as legal professionals acting in disputes;
ii. repairs to, or parts for, existing machinery or equipment;
iii. works, or goods or services that constitute an extension of an existing contract;
iv. goods or services that are only available from one supplier or are sold at a fixed price.

5.13 When applications are made to waive this financial regulation to enable a price to be negotiated without competition, the reason should set out in a recommendation to the Council, or relevant committee. Avoidance of competition is not valid reason.

5.14 The Council shall not be obliged to accept the lowest or any tender, quote or estimate.

5.15 Individual purchases within an agreed budget for that type of expenditure may be authorised by:

- The Council for all items over £5,000;
- A duly delegated committee of the Council for items of expenditure within their delegated budgets for items over £500 and below £5,000, excluding VAT.
- The Clerk, in consultation with the Chairman of the Council, or Chairman of the appropriate committee, for any items below £500, excluding VAT.
- The Clerk, under delegated authority, for any items below £500 excluding VAT
- In respect of grants, a duly authorised committee within any limits set by council and in accordance with any policy statement agreed by the council.

Such authorisation must be supported by a minute (in the case of council or committee decisions) or other auditable evidence trail.

5.16 No individual Cllr, or informal group of Cllrs, may issue an official order unless instructed to do so in advance by a resolution of the council or make any contract on behalf of the Council.

5.17 No expenditure may be authorised that will exceed the budget for that type of expenditure other than by resolution of the Council, or duly delegated committee acting within its Terms of Reference, except in an emergency.

5.18 In cases of serious risk to the delivery of Council services or to public safety on council premises, the Clerk may authorise expenditure of up to £500, excluding VAT, on repair, replacement or other work that in their judgement is necessary, whether or not there is any budget for such expenditure. The Clerk shall report such action to the Chairman as soon as possible and to the Council as soon as practicable thereafter.

5.19 No expenditure shall be authorised, no contract entered into or tender accepted in relation to any major project, unless the Council is satisfied that the necessary funds are available and that where a loan is required, Government borrowing approval has been obtained first.

5.20 An official order, letter or email shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order, letter or email would be inappropriate. Copies of orders shall be retained, along with evidence of receipt of goods.

5.21 Any ordering system can be misused and access to them shall be controlled by the RFO.

6 BANKING AND PAYMENTS

6.1 The Council's banking arrangements, including the Bank Mandate, shall be made by the RFO and authorised by the Council, banking arrangements shall not be delegated to a committee. The council has resolved to bank with Unity Trust and Nat West (for revenue funds) and Santander (for capital funds). The arrangements shall be reviewed annually for safety and efficiency.

6.2 The Council must have safe and efficient arrangements for making payments, to safeguard against the possibility of fraud or error. Wherever possible, more than one person should be involved in any payment, for example by dual online authorisation or dual cheque signing. Even where a purchase has been authorised, the payment must also be authorised and only authorised payments shall be approved or signed to allow the funds to leave the council's bank.

6.3 All invoices for payment should be examined for arithmetical accuracy, analysed to the appropriate expenditure heading and verified to confirm that the work, goods or services were received, checked and represent expenditure previously authorised by the Council before being certified by the RFO. Where the certification of invoices is done as a batch, this should include a statement by the RFO that all invoices listed have been 'examined, vertified and certified' by the RFO.

6.4 Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of employment) may be summarised to avoid disclosing any personal information.

6.5 All payments shall be made by online banking or cheque in accordance with a resolution of Council or duly delegated committee, unless the council resolves to use a different payment method.

6.6 For each financial year the RFO may draw up a schedule of regular payments due in relation to a continuing contract, or obligation (such as, salaries, PAYE, National Insurance, Pension contributions, rent, rates, regular maintenance contracts and similar items) which the Council may authorise in advance for the year.

6.8 A list of such payments shall be reported to the next appropriate meeting of the council for information only.

6.9 The Clerk and RFO shall have delegated authority to authorise payment only in the following circumstances:

- any payment necessary to avoid a charge under the Late Payment of Commercial Debts (Interest) Act 1998 or to comply with contractual terms; where the due date for payment is before the next scheduled meeting of the Council, or a Committee; where the RFO certifies that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of Council;
- Fund transfers within the Council's banking arrangements up to the sum of £20,000 provided that a list of such payments shall be submitted to the next appropriate meeting of Council or Finance Committee.
- payments of up to £5,000 excluding VAT in cases of serious risk to the delivery of council services or to public safety on council premises in agreement with the Chairman of the Council and one other Cllr (who could be the Chairman of relevant Committee) provided that a list of such payments shall be submitted to the next appropriate meeting of Council.

6.10 The RFO shall present a schedule of payments requiring authorisation, forming part of the Agenda for the Meeting, together with the relevant invoices, to the Council or committee. The Council or committee shall review the schedule for compliance and, having satisfied itself, shall authorise payment by a resolution. The authorised invoices shall be initialled immediately by the Cllrs authorising electronic payment/signing cheque. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of that meeting

7 ELECTRONIC PAYMENTS

7.1 Where internet banking arrangements are made with any bank, the RFO shall be appointed as the Service Administrator. The bank mandate agreed by the Council shall identify the names of Councillors who will be authorised to approve transactions on those accounts and a minimum of two people will be involved in any online approval process. The RFO is to be an authorised signatory, but for bank mandate purposes only. The RFO is not authorised to sign cheques or authorise electronic payments.

7.2 All authorised signatories shall have access to view the council's Unity bank account online.

7.3 No employee or Councillor shall disclose any PIN or password, relevant to the Council or its banking, to anyone not authorised in writing by the Council or a duly delegated committee.

7.4 The Service Administrator shall set up all items due for payment online. A list of payments for approval, together with copies of the relevant invoices, will be available at the Council, or relevant Committee, meeting to be viewed by all present.

7.5 In the prolonged absence of the Service Administrator the Deputy Clerk shall set up any payments due before the return of the Service Administrator.

7.6 Two councillors who are authorised signatories shall check the payment details against the invoices before approving each payment using the online banking system.

7.7 Evidence shall be retained showing which Councillors approved the payment online.

7.8 A full list of all payments made in a month shall be provided to the next council meeting and included in the minutes or appended to the minutes.

7.9 With the approval of the Council, in each case, regular payments (such as gas, electricity, telephone, broadband, water, National Non-Domestic Rates, refuse collection, pension contributions and HMRC payments) may be made by variable Direct Debit, provided that the instructions are approved online by Council. The approval of the use of each variable Direct Debit shall be renewed by the Council at least every two years.

7.10 Payment may be made by BACS or CHAPS by resolution of the council provided that each payment is approved online by two authorised bank signatories, evidence is retained and any payments are reported to the council at the next meeting. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.

7.11 If thought appropriate by the Council, regular payments of fixed sums may be made by banker's standing order, provided that the instructions are signed, and approved online, by two Councillors, evidence of this is retained and any payments are reported to Council when made. The approval of the use of a banker's standing order shall be renewed by resolution of the Council at least every two years.

7.12 Account details for suppliers may only be changed upon written notification by the supplier verified by the RFO. Bank details of suppliers are verified and any discrepancies are confirmed, by telephone, with the supplier by the RFO. This is a potential area for fraud and the individuals involved should ensure than any change is genuine.

7.13 Councillors and officers shall ensure that any computer used for the Council's financial business has adequate security, with anti-virus, anti-spyware and firewall software installed and regularly updated.

7.14 Remembered password facilities other than secure passwords stores requiring separate identity verification should not be used on any computer used for council banking.

8 CHEQUE PAYMENTS

8.1 Cheques or orders for payment in accordance with a resolution or delegated decision shall be signed by three Councillors (Nat West and Unity) or two Councillors (Santander).

8.2 A signatory having a family or business relationship with the beneficiary of a payment shall not, under normal circumstances, be a signatory to that payment.

8.3 To indicate agreement of the details on the cheque with the counterfoil and the invoice or similar documentation the signatories shall also initial the invoice.

8.4 Cheques or orders for payment shall not normally be presented for signature other than at, or immediately before or after a Council or committee meeting. Any signatures obtained away from council meetings shall be reported to the Council at the next convenient meeting.

9 PAYMENT CARDS

9.1 Any Debit Card issued for use will be specifically restricted to the Clerk and Deputy Clerk and will also be restricted to a single transaction maximum value of £500 (monthly limit of £1,500) unless authorised by Council or Finance Committee in writing before any order is placed.

9.2 A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the Council. Transactions and purchases made will be reported to the Council and authority for topping-up shall be at the discretion of the Council.

9.3 Any corporate credit card or trade card account opened by the Council will be specifically restricted to use by the Clerk and Deputy Clerk and any balance shall be paid in full each month.

10 PETTY CASH

10.1 The Council will not maintain any form of cash float. All cash received must be banked intact. Any payments made in cash by the or RFO (for example for postage or minor stationery items) shall be refunded on a regular basis, at least quarterly.

11 PAYMENT OF SALARIES AND ALLOWANCES

11.1 As an employer, the Council must make arrangements to comply with the statutory requirements of PAYE legislation.

11.2 Councillors allowances (where paid) are also liable to deduction of tax under PAYE rules and must be taxed correctly before payment.

11.3 Salary rates shall be agreed by the council, or a duly delegated committee. No changes shall be made to any employee's gross pay, emoluments or terms and conditions of employment without the prior consent of the Council or relevant Committee.

11.4 Payment of salaries shall be made, after deduction of tax, national insurance, pension contributions and any similar statutory or discretionary deductions on the dates stipulated in employment contracts.

11.5 Deductions from salary shall be paid to the relevant bodies within the required timescales, provided that each payment is reported, as set out in these regulations above.

11.6 Each payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record, with the total of such payments each calendar month reported in the cashbook. Payroll reports will be reviewed by the finance committee to ensure that the correct payments have been made.

11.7 Any termination payments shall be supported by a report to the Council setting out a clear business case. Termination payments shall only be authorised by the full Council.

11.8 Before employing interim staff, the Council must consider a full business case.

12 LOANS AND INVESTMENTS

12.1 Any application for Government approval to borrow money and subsequent arrangements for a loan must be authorised by the full Council and recorded in the minutes. All borrowing shall be in the name of the Council, after obtaining any necessary approval.

12.2 Any financial arrangement which does not require formal borrowing approval from the Secretary of State (such as Hire Purchase, Leasing of tangible assets or loans to be repaid within the financial year) must be authorised by the full Council, following a written report on the value for money of the proposed transaction.

12.3 The Council shall consider the requirement for an Investment Strategy and Policy in accordance with Statutory Guidance on Local Government Investments, which must be written in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the Council at least annually.

12.4 All investment of money under the control of the Council shall be in the name of the Council.

12.5 All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

12.6 Payments in respect of short-term or long-term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with these regulations.

13 INCOME

13.1 The collection of all sums due to the Council shall be the responsibility of and under the supervision of the RFO.

13.2 The Council will review all fees and charges for work done, services provided, or goods sold at least annually as part of the budget-setting process, following a report of the RFO. The RFO shall be responsible for the collection of all amounts due to the council.

13.3 Any sums found to be irrecoverable, and any bad debts shall be reported to the Council by the RFO and shall be written off in the year. The council's approval shall be shown in the accounting records.

13.4 All sums received on behalf of the Council shall be deposited intact with the Council's bankers, with such frequency as the RFO considers necessary. The origin of each receipt shall clearly be recorded on the paying-in slip or other record.

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

13.6 The RFO shall ensure that VAT is correctly recorded in the council's accounting software and that any VAT Return required is submitted from the software by the due date

13.7 Where any significant sums of cash are regularly received by the Council, the RFO shall ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control record such as receipt issues, and that appropriate care is taken in the security and safety of individuals banking such cash.

14 PAYMENTS UNDER CONTRACTS FOR BUILDINGS OR OTHER CONSTRUCTION WORKS

14.1 Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments, which may be made within the time specified in the contract based on signed certificates from the architect or other consultant engaged to supervise the works.

14.2 Any variation of, addition to, or omission from, a contract must be authorised by the Council to the Contractor in writing, with the Council being informed where the final cost is likely to exceed the contract sum by 5% or more, or likely to exceed the budget available.

15 STORES AND EQUIPMENT

15.1 The Clerk shall be responsible for the care and custody of stores and equipment held by the Council.

15.2 Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.

15.3 Stocks shall be kept at the minimum levels consistent with operational requirements.

15.4 The RFO shall be responsible for periodic checks of stocks and stores at least annually.

16 ASSETS, PROPERTIES AND ESTATES

16.1 The Clerk shall make arrangements for the safe custody of all title deeds and Land Registry Certificates of properties held by the council.

16.2 The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date, with a record of all properties held by the council, their location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held, in accordance with Accounts and Audit Regulations.

16.3 The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

16.4 No interest in land shall be purchased or otherwise acquired, sold, leased or otherwise disposed of without the authority of the Council, together with any other consents required by law. In each case a written report shall be provided to the Council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate where required by law).

16.5 No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the Council, together with any other consents required by law, except where the estimated value of any one item of tangible movable property does not exceed £250. In each case a written report shall be provided to the council with a full business case.

17 INSURANCE

17.1 The RFO shall keep a record of all insurances effected by the Council and the property and risks covered, reviewing these annually before the renewal date in conjunction with the council's review of risk management.

17.2 The Clerk shall give prompt notification to council of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.

17.3 The RFO shall be notified of any loss, liability, damage or event likely to lead to a claim, and shall report these to Council at the next available Meeting. The RFO shall negotiate all claims on the council's insurers.

17.4 All appropriate members and employees of the council shall be included in a suitable form of security of fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the council, or duly delegated committee.

18 SUSPENSION AND REVISION OF FINANCIAL REGULATIONS

18.1 The Council shall review these Financial Regulations annually and following any change of Clerk or RFO. The Clerk shall monitor changes in legislation or proper practices and advise the Council of any need to amend these Financial Regulations.

18.2 The Council may, by resolution duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations, provided that reasons for the suspension are recorded and that an assessment of the risks arising has been presented to all Councillors. Suspension does not disapply any legislation or permit the council to act unlawfully.

18.3 The Council may temporarily amend these Financial Regulations by a duly notified resolution, to cope with periods of absence, local government reorganisation, national restrictions or other exceptional circumstances.

APPENDIX 1 - Tender Process

1) Any invitation to tender shall state the general nature of the intended contract and the RFO shall obtain the necessary technical assistance to prepare a specification in appropriate cases.

2) The final decision of whether to have an open, or closed, tender process will be with the next available meeting of Full Council or the Finance Committee.

3) The invitation shall in addition state that tenders must be addressed to the RFO in the ordinary course of post, unless an electronic tendering process has been agreed by the council.

4) Where a postal process is used, each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract. All sealed tenders shall be opened at the same time on the prescribed date by the RFO in the presence of at least one Cllr of Marden Parish Council.

5) Where an electronic tendering process is used, the council shall use a specific email address that will be monitored to ensure that nobody accesses any tender before the expiry of the deadline for submission.

6) Any invitation to tender issued under this regulation shall be subject to Standing Order 18 and shall refer to the terms of the Bribery Act 2010.

7) Where the council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision-making process was being undertaken.

APPENDIX 2 – Budgetary Control and Authority to Spend

PROCUREMENT (Paragraph 5.4 of Financial Regulations):
For a contract for the supply of goods, services or works where the estimated value will exceed the thresholds set by Parliament, the full requirements of The Procurement Act 2023 and The Procurement Regulations 2024 or any superseding legislation ("the Legislation") must be followed in respect of the tendering, award and notification of that contract.

PROCUREMENT (Paragraph 5.6 of Financial Regulations):
For contracts estimated to exceed £30,000 including VAT, the RFO shall seek formal tenders from at least three suppliers agreed by the Council or advertise an open invitation to tenders in compliance with any relevant provisions of the Legislation.

PROCUREMENT (Paragraph 5.7 of Financial Regulations):
For contracts estimated to be over £30,000 including VAT, the Council must comply with any requirements of the Legislation regarding the publication of invitations and notices.

PROCUREMENT (Paragraph 5.8 of Financial Regulations):
For contracts greater than £5,000 excluding VAT the RFO shall seek at least 3 fixed-price quotes.

PROCUREMENT (Paragraph 5.9 of Financial Regulations):
Where the value is between £500 and £5,000 excluding VAT the RFO shall try to obtain 3 estimates which might include evidence of online prices, or recent prices from regular suppliers.

PROCUREMENT (Paragraph 5.10 of Financial Regulations):
For smaller purchases, the Clerk shall seek to achieve value for money.

PROCUREMENT (Paragraph 5.12 of Financial Regulations):
The requirement to obtain competitive prices in these regulations need not apply to contracts that relate to items (i) to (iv) below:

i. specialist services, such as legal professionals acting in disputes;

ii. repairs to, or parts for, existing machinery or equipment;

iii. works, or goods or services that constitute an extension of an existing contract;

iv. goods or services that are only available from one supplier or are sold at a fixed price.

PROCUREMENT (Paragraph 5.15 of Financial Regulations):
Individual purchases within an agreed budget for that type of expenditure may be authorised by:

- The Council for all items over £5,000;

- A duly delegated committee of the Council for items of expenditure within their delegated budgets for items under £5,000, excluding VAT.

- The Clerk, in consultation with the Chairman of the Council, or Chairman of the appropriate committee, for any items below £500, excluding VAT.

- The Clerk, under delegated authority, for any items below £500 excluding VAT

- In respect of grants, a duly authorised committee within any limits set by council and in accordance with any policy statement agreed by the council.

Such authorisation must be supported by a minute (in the case of council or committee decisions) or other auditable evidence trail.

PROCUREMENT (Paragraph 5.18 of Financial Regulations):
In cases of serious risk to the delivery of Council services or to public safety on council premises, the Clerk may authorise expenditure of up to £500, excluding VAT, on repair, replacement or other work that in their judgement is necessary, whether or not there is any budget for such expenditure. The Clerk shall report such action to the Chairman as soon as possible and to the Council as soon as practicable thereafter.

BANKING AND PAYMENTS (Paragraph 6.9 of Financial Regulations)
The Clerk and RFO shall have delegated authority to authorise payment only in the following circumstances:

- any payment necessary to avoid a charge under the Late Payment of Commercial Debts (Interest) Act 1998 or to comply with contractual terms; where the due date for payment is before the next scheduled meeting of the Council, or a Committee; where the RFO certifies that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of Council;

- Fund transfers within the Council's banking arrangements up to the sum of £20,000 provided that a list of such payments shall be submitted to the next appropriate meeting of Council or Finance Committee.

- payments of up to £5,000 excluding VAT in cases of serious risk to the delivery of council services or to public safety on council premises in agreement with the Chairman of the Council and one other Cllr (who could be the Chairman of relevant Committee) provided that a list of such payments shall be submitted to the next appropriate meeting of Council.

Adopted by Marden Parish Council on: 12th April 2016
Reviewed and amended on: 10th May 2016 / 10th January 2017 / 26th June 2018 / 10th September 2019 / June 2020 / 8th March 2022 / 31st July 2024
Revised (following NALC changes) 13th August 2024
Reviewed with no amendments: 21st January 2025
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