

Part 4.6 Financial Procedure Rules

1. INTRODUCTION

1.1 These Rules outline in broad terms the system of financial administration to operate within the Council at Directorate level. They are complementary to the relevant sections of the Constitution, which seek to prescribe a framework for the effective management of the Council's financial business and to ensure that public accountability and high standards of financial integrity are exercised in the use of public funds. These Financial Procedure Rules are controlled by the Cabinet and are subject to any overriding or general direction by the Council.

1.2 These Rules shall apply to any service carried out by or on behalf of the Council, except where expressly approved by [the](#) Council, in any delegation or agency scheme, agreement or other document made with any other authority, body or person.

1.3 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ shall make recommendations to Cabinet to keep these Rules up to date and ensure that:

- (a) all Members and Officers are aware of their existence and understand that failure to comply with their requirements or with instructions issued under them will constitute misconduct;
- (b) all details of amendments and instructions issued under these Rules are circulated promptly;

1.4 It shall be the duty of each Strategic Director to ensure that these Rules together with any other instructions issued by the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ are brought to the attention of and followed by their Directorate employees.

~~1.5 The Strategic Director, Regeneration, Housing and Resources will also issue a matrix of financial management responsibilities based on these Financial Procedure Rules and other relevant guidance. The matrix will summarise the roles of the key participants in financial management processes and the inter-relationships between them.~~

2. GENERAL

2.1 Subject to any directions and authorisations given by the Council, the Cabinet shall:

- (a) oversee, co-ordinate and control the Council's finances ~~and accounts~~;
- ~~(b) as soon as possible after the end of each financial year, but in any event prior to the statutory date, currently 30th June, approve for submission to the External Auditor the statutory Statement of Accounts for the preceding financial year;~~

~~(e) — as soon as practicable after receipt, present to the Council the External Auditor's Annual Management Letter and any Letter in the Public Interest together with such comment and recommendations thereon considered appropriate;~~

(e)(b*d*) maintain the Council's Treasury Management Policy Statement having regard to the requirements of the Local Government Act 2003, CIPFA's Prudential Code for Capital Finance and best practice, as set out in the CIPFA Code of Practice for Treasury Management in Local Authorities, with a view to ensuring that the authority's finances continue to be managed on a sound basis;

~~(e)(c)~~ make, keep under review and revise as necessary these Financial Procedure Rules to provide for the proper supervision and control of the finances, accounts, income, expenditure and assets of the Council in conformity with the Constitution and all relevant statutes and best practice.

~~(f*d*)~~ after consultation with the Overview and Scrutiny Committee make any other recommendations to the Council it considers necessary.

2.2 The Cabinet, Commissioners, other Committees and Strategic Directors shall be responsible for the observance of the Council's Financial Procedure Rules throughout all functions and financial areas under its control.

~~2.3 The Section 151 Officer must, after consultation with the relevant Director report to the Cabinet any significant non-compliance with the Financial Rules that come to their attention.~~

3. DEFINITION OF TERMS & RESPONSIBILITIES

3.1 Chief Financial Officer

The Assistant Director (Finance and Audit) fulfils the statutory responsibilities of the "Chief Finance Officer" and shall, for the purposes of Section 151 of the Local Government Act 1972, under the general direction of the Cabinet, be responsible for the proper administration of the Council's financial affairs. This will also include duties under Section 73 of The Local Government Act 1985 and Section 112/114 of The Local Government Finance Act 1988 and Sections 25, 27 and 30 of the Local Government Act 2003.

3.2 Monitoring Officer

The Officer designated under Part 1, Section 5 of the Local Government and Housing Act 1989 who is responsible for promoting and maintaining high standards of financial conduct throughout the Council and thus provides support to the Standards Advisory Committee. The Monitoring Officer is also responsible for reporting any actual or potential breaches of the law or

maladministration to the Council and/or the Executive, and for ensuring that procedures for recording and reporting key decisions are operating effectively. (Further details of the powers and responsibilities of the Monitoring Officer are set out at Part 2 of the Constitution.)

3.3 Strategic Director

Strategic Directors are responsible for budget formulation, allocation and management within their respective Directorates. They are also responsible for the overall accountability and control of employees and the security, custody and control of all other resources including vehicles, plant, buildings, materials, furnishings, cash and stores appertaining to their respective Directorates. Strategic Directors shall be responsible for ensuring the whole system of controls, financial and otherwise, set up within the organisation. This will enable reasonable assurance to be provided to the Section 151 Officer that the Council's financial rules of procedure are being complied with.

3.4 Service Manager

Designated by the Council or nominated by a Strategic Director as being charged with managing a particular service, project or activity. Service Managers are responsible through the Directorate line management structure for the financial management of their area. However, such delegation shall not divest the Strategic Director of the responsibility for the effective, efficient and proper delivery of such matters.

3.5 Lead for Finance

~~The most senior post holder with designated responsibility for finance and financial management within each directorate. They have a line management responsibility to their Strategic Director and a professional responsibility to the Strategic Director, Regeneration, Housing and Resources.~~ nominated Officer by the Section 151 Officer who is the finance representative responsible for the respective directorate.

3.6 Cost Centre Manager

Officers who have designated responsibility for overseeing a cost centre budget. Whilst this Officer may have day to day responsibility for overseeing the budget and managing the service, the Service Manager bears ultimate responsibility for ensuring the proper management of the Council's resources.

3.7 Responsible Officers

Officers with financial management responsibilities delegated to them by their Strategic Directors for specific purposes such as approving requisitions, certifying invoices or signing timesheets etc.

3.8 Cost Centre

The budget held on a unique code for an activity, making up part of a service, and an aggregate of the subjective sub-codes. In this context, "budget" must be taken to be the permission to spend given by Council.

3.9 Budget Head

| The budget held on a unique code combination at subjective analysis level. In this context, “budget” must be taken to be the permission to spend given by Council.

4. AUDIT & CONTROL ISSUES

General

- 4.1 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~, the Council's Internal Audit Team and the Council's External Auditors shall have the authority to:
- (a) enter any Council premises or land;
 - (b) have access to all assets, records, documents and correspondence and control systems relating to any financial and other transactions of the Council;
 - (c) access records belonging to third parties, such as contractors, when required;
 - (d) require and receive such explanations as are necessary concerning any matter under examination, and
 - (e) require any employee or agent of the Council to produce cash, stores or any other Council property under their control.
 - (f) Report to the Head of Paid Service, the Audit and Risk Committee or any other officers or members of the council.
- 4.2 ~~All elected Members and members of staff must provide full co-operation~~ All elected members, members of staff and contractors must give access at all reasonable times to premises, personnel, documents and assets that the auditors consider necessary for the purposes of their work and that auditors are provided with any information and explanations that they seek in the course of their during work during any audit.

Internal Audit

- 4.3 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ shall ensure that an effective Internal Audit Team is maintained by the Council. ~~The~~ Head of Audit shall provide assurances on the adequacy of the internal control system and audit work will be conducted to professional standards in accordance with CIPFA and other relevant guidance. ~~The~~ Head of Audit will report on internal control no less frequently than ~~six monthly~~ annually in line with the Accounts and Audit Regulations (2011).
- 4.4 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ shall:
- (a) ~~A~~ approve the strategic and annual audit plans prepared by internal audit, which take account of the characteristics and relative risks of the activities involved.
 - (b) ~~M~~ maintain a permanent record of internal audit reports which are available for inspection by Members of the Council.

- (c) Regularly inform the Audit and Risk Committee of audit reports and corrective action, where appropriate.

~~4.5 All elected members, members of staff and contractors must give access at all reasonable times to premises, personnel, documents and assets that the auditors consider necessary for the purposes of their work and that auditors are provided with any information and explanations that they seek in the course of their work.~~

4.56 Strategic Directors should consider and respond promptly to recommendations in audit reports and ensure that any agreed actions arising from audit recommendations are carried out in a timely and efficient fashion.

4.67 Whenever a matter arising out of any audit activity, or otherwise, comes to the attention of Internal Audit and this reveals, or suggests, the possibility of any irregularity, the Head of Audit shall consult immediately with the Strategic Director of the Directorate concerned, the ~~Section 151 Officer~~ Strategic Director, Regeneration, Housing and Resources and the Monitoring Officer, to determine the nature of any action to be taken and to effect compliance with these Rules.

External Audit

4.78 The Council's External Auditors will be appointed by the Audit Commission in accordance with the Audit Commission Act 1998 and their roles and responsibilities are set out in the Act and the Code of Audit Practice for local government bodies. Their work covers:

- the financial aspects of the Council's corporate governance arrangements
- the Council's financial statements
- a conclusion on the Council's use of resources
- ~~the Council's preparation of grant claims~~
- ~~a scored judgement on the use of resources to feed into the Comprehensive Performance Assessment process; and~~
- ~~a report on arrangements to manage the Council's performance, including the preparation and publication of specified performance information and compliance in respect of the preparation and publication of the Council's best value performance plan (BVPP)~~

4.89 The section 151 Officer shall be responsible for the submission of the Council's accounts to the External Auditor in accordance with the Accounts and Audit Regulations (2011) 03 and, ~~in consultation with the Chief Executive, and other such Officers as appropriate, shall submit these to the Council with comments and recommendations as considered appropriate by the 30th June of each year.~~

~~4.104.9~~ The section 151 eOfficer shall be responsible for preparing and publishing the audited accounts of the Council for each financial year, in accordance with the statutory timetable and with the requirement for the Council, or its delegated committee, to approve the statement of accounts within a timescale determined by legislation.

~~4.10 The section 151 officer shall ensure there is effective liaison between external and internal audit.~~

~~4.124.10~~ The section 151 ~~e~~Officer shall work with the external auditor and advise Council, Audit and Risk Committee and Strategic Directors on their responsibilities in relation to external audit.

Internal Control

- ~~4.13 Strategic Directors shall be responsible for ensuring the whole system of controls, financial and otherwise, set up within the organisation provide reasonable assurance that:~~
- ~~(a) the Council's policies are put into practice;~~
 - ~~(b) the Council's values are met;~~
 - ~~(c) The Council carries out all its activities with a view to achieving economy, efficiency and effectiveness;~~
 - ~~(d) laws, rules and regulations both external and internal, are complied with;~~
 - ~~(e) the Constitution, including all Articles, Rules and Codes and Protocols are adhered to;~~
 - ~~(f) financial statements and other published information are accurate and reliable.~~
- ~~4.14 Strategic Directors must obtain prior written agreement from the Strategic Director, Regeneration, Housing and Resources for any new systems or changes to existing financial systems.~~

Risk management

- 4.151 The ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer will prepare and promote the Council's Risk Management policy.
- 4.162 The ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer will develop an appropriate corporate Risk Management process, in conjunction with Strategic Directors.
- 4.137 Strategic Directors will take responsibility for managing the risks their directorates face, having regard to advice from the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer and other specialist officers as necessary.
- 4.148 Strategic Directors will ensure that regular risk assessments and monitoring of risks are carried out within their Directorates.

Financial Irregularities

- 4.1519 Slough will not tolerate fraud and corruption in any aspect of the way it carries out its responsibilities, whether from inside or outside the Council. ~~The Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer is responsible for developing and maintaining the Council's Anti-Fraud and Corruption Policy which is available at Part 5 of the Constitution.
- 4.1620 Any employee who becomes aware of any breach of the requirements set out in the Constitution, and more particularly these Rules or of any matter that involves or is thought to involve, any potential financial irregularity shall notify immediately their Strategic Director. The Strategic Director shall consult

with the Head of Audit to determine the most appropriate action to be taken. No investigation of potential financial irregularity should take place prior to seeking advice from Internal Audit. Where there is evidence to suggest that a criminal offence may have been committed, it shall be the duty of the ~~Strategic Director, Regeneration, Housing and Resources~~ Section 151 Officer in consultation with the Chief Executive to refer the matter to the police having taken advice from the Monitoring Officer and the Head of Audit and to inform the relevant Lead Commissioners and Leader of the Council.

4. ~~1724~~ It shall be the duty of a Strategic Director to report to the Chief Executive, the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ and the Monitoring Officer when, after proper investigation, if it is determined that the financial sections of the Constitution have not been complied with, or any financial irregularity has occurred. The report shall include details of actions taken and/or proposed. The Chief Executive and the Monitoring Officer will consider whether to report the matter to the Cabinet and the Audit and Risk Committee or to any other Committee such as the Standards Advisory Committee.

Whistleblowing

- ~~4.224.18~~ Slough is committed to the highest possible standards of openness, probity and accountability in the delivery of its services to the people who live and work within the borough. The Council's Whistleblowing Policy provides a safe environment for concern is to be raised confidentially and places an obligation on Council employees to deal with ~~aa~~ allegations appropriately. The Whistleblowing Policy (see Part 5 of the Constitution) is the responsibility of the Monitoring Officer.

5. ACCOUNTING ARRANGEMENTS

- 5.1 Subject to statutory requirements and to any directions given by the Cabinet, the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ shall determine all the accounting procedures and records of the Council and its officers and be responsible for making judgements and estimates that are reasonable and prudent.
- 5.2 All relevant Members, finance staff and service managers are required to operate within the accounting standards and timetables.
- 5.3 The ~~Section 151 Officer~~, or nominated lead for finance, ~~Strategic Director, Regeneration, Housing and Resources~~ will ensure that all claims for funds, including grants, are made by the due date.

Annual Statement of Accounts

- 5.4 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ is responsible for ensuring that the annual statement of accounts ~~and accounting policies, are~~ prepared in accordance with the Accounts and Audit Regulations (2011) ~~03~~ and the Code of Practice on Local Authority Accounting in the United Kingdom: a Statement of Recommended Practice (CIPFA/LASAAC).

- 5.5 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ is responsible for the preparation and publication of an Annual Governance Statement (AGS), included as part of the statement of accounts, following an annual review of the Council's systems of internal control, in accordance with proper practices.

~~5.6 The Strategic Director, Regeneration, Housing and Resources is responsible for selecting the Council's accounting policies, including any changes to these policies, and ensuring that they are applied accurately and consistently.~~

Accounting Records

- 5.67 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ shall be responsible for keeping the principal accounts and financial records of the Council. Directorate financial procedures and records shall be compiled and maintained in accordance with such directions given by the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ in consultation with the Directorate Strategic Director, Leads for Finance and Service Managers. All the Council's transactions, material commitments and contracts and other essential accounting information should be recorded completely, accurately and on a timely basis and reconciliation procedures carried out to ensure transactions are correctly recorded.
- 5.78 The Strategic Directors shall ensure the safe retention of all accounting records, including paid invoices and certificates or media record thereof, for as long as may be statutorily required, currently 7 years for prime records such as invoices and 3 years for budget records.

Accounting systems and procedures

- 5.98 There must be effective protocols for reconstituting accounting records in the event of a system failure.
- 5.409 A Strategic Director, Lead for Finance and/or Service Manager shall consult with and must obtain written permission from the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ before introducing, amending or discontinuing any Directorate system, record or procedure that relates to any area covered in these Financial Procedure Rules. No feeder computer system shall be linked into any corporate financial system without the prior consent or authority of the Section 151 Officer or nominated Officer.

Trading Accounts

- 5.104 The ~~Section 151 Officer, or lead for finance, Strategic Director, Regeneration, Housing and Resources~~ will advise on the establishment and operation of trading accounts. Each trading account will have defined objectives, including the way in which surpluses or deficits will be dealt with.

5.112 The Strategic Directors will observe all statutory requirements in relation to services that maintain trading accounts, including the maintenance of a separate revenue account to which all relevant income is credited and all relevant expenditure, including full recovery of overhead costs, is charged, and to produce suitable information for the statutory disclosure in the final accounts.

~~5.13 The Strategic Directors will ensure that the same accounting principles are applied in relation to trading accounts as for other services unless, in the opinion of the Strategic Director, Regeneration, Housing and Resources, arrangements which are more advantageous to the Council are permissible.~~

Directorate financial management arrangements

5.124 The Strategic Directors in determining the allocation of accounting duties within their Directorates shall observe the following principles:

- (a) the duties of providing information regarding sums due to the Council and the calculating, checking and recording of these sums shall be separated as completely as possible from the duty of collecting or disbursing them;
- (b) employees charged with the duty of examining or checking the accounts of cash transactions shall not themselves be engaged in any of those transactions.

6. BUDGETING

6.1 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ will develop and maintain a Financial Strategy for the Council. This will include an annual revenue budget, a capital strategy and a medium term financial strategy. The procedure leading to the approval by Council of the Capital Programme and Annual Revenue Budget will be determined each year by the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources.~~ The annual revenue budget will include the key income assumptions, service pressures, savings and key ~~This procedure will be consistent with any direction given by the Cabinet which shall fulfil all statutory requirements.~~ reserves. The Section 151 Officer will advise Council on his / her opinion of a minimum level of general reserves for the financial year ahead.

~~6.2 The Strategic Director, Regeneration, Housing and Resources will advise Council on policy for and prudent levels of reserves.~~

6.23 Capital and Revenue Budgets shall be prepared by Strategic Directors in conjunction with the relevant Lead for Finance in accordance with directions and ~~cash limits issued by the Strategic Director, Regeneration, Housing and Resources. Service and Cost Centre Managers are expected to maximise resources by identifying and bidding for external grants and funding in accordance with corporately agreed processes.~~ the overall budgetary position as detail by the Section 151 Officer.

- ~~6.4 The Strategic Directors must review the level of all discretionary and non-discretionary charges within their control annually in line with the preparation of the Revenue Budget.~~
- ~~6.5 Revenue and capital budget growth bids and savings targets will be subject to the scrutiny and review of a Member/Strategic Director Group that will consider their priority.~~
- 6.63 The ~~Directorate~~ Capital and Revenue Budgets will be presented to the Corporate Management Team and subsequently the Cabinet by the Section 151 Officer Strategic Director, Regeneration, Housing and Resources for agreement, prior to being submitted to the Council for formal approval.
- 6.47 No new revenue, capital or grant aided scheme(s) may be committed without the specific approval of the Cabinet and unless a report including full scheme appraisal has been undertaken. The report on the scheme must include a financial and technical appraisal in the format prescribed by the Strategic Director, Regeneration, Housing and Resources, identifying amongst others, alternative(s) to the proposed bid, resources required for delivery, delivery mechanism and timetable.
- 6.58 Before the report is presented to Members, the Section 151 Officer Strategic Director, Regeneration, Housing and Resources and the Monitoring Officer must be satisfied all financial and contractual arrangements are in order and all Financial Procedure Rules have been complied with.
- 6.69 Approval of the annual revenue budget and capital programme for the next financial year will confer authority on the Cabinet, Committees, Strategic Directors and Service Managers to incur revenue and capital expenditure.
- ~~6.9 Additional guidance can be found in the Budget and Policy Framework Procedure Rules, also within the Constitution.~~

7. **BUDGETARY CONTROL AND VARIATIONS**

Corporate Budgetary Control

- 7.1 The Section 151 Officer Strategic Director, Regeneration, Housing and Resources shall report regularly quarterly to Overview and Scrutiny Committee and the Cabinet on the Council's overall financial performance and ensure the Cabinet and other Committees are kept adequately informed of the financial implications of their activities.
- 7.2 The Strategic Directors with the assistance of their Lead for Finance, shall return the monitoring information to ~~Corporate~~ Finance each month in accordance with the agreed format and timetable.
- 7.3 The Service Managers shall be responsible for ensuring they supply timely information on monthly expenditure, income and commitments to their Lead for Finance.

- 7.4 All ~~o~~Officers producing reports for elected Members must seek support and advice from their Leads for Finance in assessing the financial implications of any actions recommended. -The financial implications of reports must then be cleared with the Section 151 ~~O~~fficer Strategic Director, Regeneration, Housing and Resources prior to the report being presented to elected Members in accordance with the reporting timetable.

Cost Centre Budgetary Control

- 7.5 The Section 151 ~~o~~fficer Strategic Director, Regeneration, Housing and Resources shall ensure an effective system of budgetary control is operated throughout all Directorates.
- 7.6 The Strategic Directors and/or Service Managers must nominate a named manager for each cost centre within their Directorate, known as the Cost Centre Manager.
- 7.7 The Strategic Directors are responsible for the economic, efficient and effective use of resources allocated to their Directorate, including identifying opportunities to minimise resource requirements without having a detrimental effect of service delivery.
- 7.8 Service Managers should delegate day to day responsibility for overseeing the budget and managing the service to the Cost Centre Manager. ~~b~~But, they retain the ultimate responsibility for ensuring the proper management of the Council's resources for their service area and are responsible for the economic, efficient and effective use of resources allocated to them.
- 7.9 The Service Managers and Cost Centre Managers will be assisted in their duties by financial management information, support and advice provided by ~~their Directorate~~the finance section.
- 7.10 The Service Managers and Cost Centre Managers must not spend more than their annual budget and are expected to take corrective action, if necessary, during the course of the year in order to stay within budget. Unauthorised overspend contrary to the financial rules of procedure may lead to disciplinary action being taken against the cost centre manager or Service Manager.
- 7.11 The Lead for Finance shall co-ordinate the information from ~~S~~Mservice ~~M~~anagers and submit a regular monitoring report to the Directorate Management Team. -Where a monitoring report highlights a projected overspend, the Strategic Director and Service Managers must produce an action plan to contain that overspend.
- ~~7.12~~ The Section 151 ~~O~~fficer Strategic Director, Regeneration, Housing and Resources will determine the rules for considering either carry forward requests or penalties, except for the schools block. Any approved revenue budget unspent at year-end can only be carried forward if approved, initially by the Section 151 ~~O~~fficer Strategic Director, Regeneration, Housing and Resources and/or Cabinet.
- ~~7.12~~ The Council will be asked to approve the recommended carry forwards as part of the approval of the financial accounts.

~~7.13~~

~~7.14 Additional guidance is set out in the Practitioners' Guide to Budget Management issued by the Strategic Director, Regeneration, Housing and Resources.~~

Capital Projects Control

~~7.14~~ 7.13 The ~~Section 151 Officer~~ Strategic Director, Regeneration, Housing and Resources is responsible for issuing guidance concerning capital schemes and controls reporting against the capital programme, and determining the definition of "capital", having regard to government and accounting requirements.

~~7.15~~ 7.14 The ~~Asset Management~~ Capital Strategy Group ~~Board~~ is responsible for co-ordinating the preparation, review and implementation of the Council's Capital Strategy and Asset Management Plan. - The Group is also responsible for evaluating bids for capital funding and the monitoring of the capital programme including Post Project Evaluations.

~~The Asset Management Group may create sub-groups to monitor the various aspects of the capital programme in more detail and thus allow the main Group consisting of senior officer representatives across the Council directorates to concentrate on the overall capital strategy. The sub-groups report to the main Group. The only sub-group currently constituted is the Capital Monitoring Group with responsibility for detailed monitoring of the high profile/spending schemes.~~

~~7.16~~ 7.15 To support the management and delivery of the capital programme:

(a) Directorates, as the owners and sponsors of individual capital projects, hold the ultimate responsibility and accountability for the delivery of individual capital projects. The Regeneration, Housing and Resources Directorate will help and support the delivery of the overall capital programme. ~~To achieve this, one officer/post must be identified from each service department to lead the overall management and delivery of the department's capital programme. That officer will also report on a regular basis (at least monthly) to the directorate Management Team on the progress of the capital programme and identify and implement corrective measures that may be required.~~

(b) The ~~D~~irectorate ~~L~~ead ~~O~~fficer on the respective capital programme projects will provide the progress information necessary to enable the ~~Strategic -~~ Section 151 Officer ~~Director, Regeneration, Housing and Resources~~ to present regular overall capital financing monitoring report quarterly capital monitoring to the Members, which will include level of committed budget, ~~where this is defined as situations where, "the contract has been let and the payment either for value of work and goods or grant payment will be accounted for by 31st March of the year in question" and the actual level of service activity provided, e.g. x number of bathroom replacements and any areas of underspend or re-profiling required.~~

~~(c) Individual Directorates will present their capital programme regularly to Overview and Scrutiny Committee and the Cabinet to discuss progress on individual schemes in further detail.~~

Revenue Budget Virement

7.1~~67~~ Budget provision may be transferred from one budget head to another (known as virement) during the course of the year subject to the following rules:

- (a) the total cost of the proposal is capable of being met from an identified part of that Service Manager's / Managers' approved budget(s);
- (b) the item is not creating new policy or initiatives not identified in approved budgets or service plans;
- (c) the transfer creates no commitment to recurring expenditure;
- (d) there should be no virement to or from employee budgets;

and with the authorisation of the following Officers and Members for these categories which are cumulative (ie up to £250,000 within a ~~D~~irectorate subject to the agreement of the relevant ~~S~~trategic ~~D~~irector):

<u>Amount</u>	<u>Approval</u>	<u>Informed</u>
<u>Up to £100,000 within a Directorate</u>	<u>Strategic Director</u>	
<u>Between £100,000 and £250,000 within a directorate</u>	<u>Strategic Director, Section 151 Officer or Lead for Finance</u>	<u>Commissioner</u>
<u>Between £250,000 and £500,000 within or between a Directorate</u>	<u>Cabinet</u>	
<u>Up to £250,000 between Directorates</u>	<u>Strategic Director, Section 151 Officer or Lead for Finance</u>	<u>Commissioner(s)</u>
<u>Over £500,000</u>	<u>Council, delegated to Cabinet</u>	

~~Virement of up to £100,000 within the same Directorate~~

~~The individual Service Manager or relevant Service Managers in consultation with the Directorate Lead for Finance.~~

~~Virement of over £100,000 to £250,000 within the same Directorate~~

~~The individual Service Manager or relevant Service Managers in consultation with the Directorate Lead for Finance and with the agreement of the Directorates Strategic Director and the Strategic Director, Regeneration,~~

~~Housing and Resources. The relevant Cabinet Commissioner should be informed of these adjustments.~~

~~Virements of more than £250,000 and less than £500,000 within the same Directorate~~

~~The Directorate Strategic Director in consultation with the Strategic Director, Regeneration, Housing and Resources and the relevant Cabinet Commissioner.~~

~~Virement of up to £250,000 between Directorates~~

~~The relevant Service Managers within the relevant Directorates their respective Lead for Finance and with the agreement of the relevant Directorates Strategic Directors and Strategic Director, Regeneration, Housing and Resources. The relevant Cabinet Commissioner should be informed of these adjustments.~~

~~Virements between directorates of between £250,000 and £500,000~~

~~The Strategic Director in consultation with the Strategic Director, Regeneration, Housing and Resources and the Cabinet.~~

~~All single and cumulative virements whether within or across Directorates above £500,000~~

~~The Cabinet and the Council.~~

- 7.18 Each virement decision at whatever level needs the written approval of the relevant ~~o~~fficers listed. ~~A Budget register for each directorate must be maintained which records all virements. A corporate budget~~virement register must be kept by ~~Corporate~~ Finance recording ~~virements between Directorates~~all virements.

- 7.19 The Strategic Directors must report the cumulative value of virements, by service, as part of the regular cost centre budgetary control, as referred to above.

- 7.20 The following transfers will not count as Virement for these purposes:

- (a) Transfers of budgets when a whole service transfers from one Directorate to another:
- (b) Income and expenditure budgets related to additional grants not included in the Council's approved budget.
- (c) virements completed as a result of Council decisions as part of the budget approval process
- (d) any transfers in respect of support service overhead allocations

Capital Budget Variations

7.21 Capital schemes may last for more than one financial year so variations need to be considered in terms of both the impact on the scheme as a whole and on the agreed annual programme. ~~Q:~~

~~(a)~~ The ~~Strategic Director~~ Section 151 Officer, via the approval of the Capital Strategy Board, may authorise a variation(s) to the ~~contract capital project~~ subject to the :

~~(i)~~ — overall cost of the scheme ~~-(the variation itself, or when added to previous variations);~~ not incurring additional expenditure of more than 10~~10~~% of the ~~total~~ cost of the scheme or £~~2~~50,000 whichever is the lower;

~~(ii)~~ ~~annual cost of the scheme—the estimated annual capital payments for the scheme not exceeding the annual amounts included within the Capital Programme by more than 10% or £25,000 whichever is the lower;~~

~~and~~

~~(iii)~~ ~~a copy of the authorisation in the prescribed form being sent to the Strategic Director, Regeneration, Housing and Resources and Head of Legal Services;~~

~~(b)~~ — A~~a~~ variation(s) which results in the total or annual cost of the scheme exceeding the above financial limits ~~shall~~ must be reported to the Cabinet; a scheme approved in the capital programme for a future financial year may be brought forward into the current financial year, or a current scheme may be varied, subject to:

~~(i)~~ The overall revenue impact of the capital programme in the current financial year remaining the same, and there being no increase to the underlying borrowing requirement

~~(ii)~~ Approval by the Capital Strategy Board, the Section 151 Officer, and the respective Commissioner

~~(iii)~~ Is reported to Cabinet as part of the next quarterly finance paper

7.22 Where completion of a contract is likely to be delayed by more than one-eighth of the contract period, the appropriate Strategic Director shall inform the Monitoring Officer and ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ and a joint decision as to whether, and for what reason an extension of time is to be granted or a claim for liquidated damages is to be actioned.

7.23 ~~If a scheme underspends its annual budget by either 5% or £10,000 (whichever is the higher), then the directorate must submit a project management~~

case to the Asset Management Group (AMG), including reasons for not delivering the project as originally anticipated and how it proposes to deliver it in the next financial year, including key dates. AMG will consider the project management case and make recommendations on the carry forward of any slippage.

~~7.24 This process is not intended to abort funding for the approved and already started capital schemes, as that may not be in the Council's best interest. The process is designed to ensure that the responsibility and accountability for individual schemes is embraced by service departments and thus resulting in improved levels of the overall delivery of the capital programme. Any re-profiling of capital schemes in year will be reported for Cabinet to consider on the basis that the overall revenue cost of the capital programme is not exceeded. Any re-profiling from previous years is for Cabinet to approve on the basis that funds were set aside for these capital programmes in previous years. Any revenue increase to the Capital Programme or the underlying borrowing requirement must be considered by the full Council.~~

~~7.25~~ 7.24 Where a Directorate has overspent on capital schemes in any one year, it will be expected to have balancing underspends to enable the Council to stay within the overall annual capital programme.

8. EXPENDITURE

Authorisation and Certification

8.1. The Strategic Directors shall, having had regard to any guidance issued by the ~~Strategic Director, Regeneration, Housing and Resources~~ Section 151 Officer, determine which officers in their respective Directorates, shall be duly authorised to certify the following:

- (a) Official Requisitions, Orders and Contracts.
- (b) Invoices, Contract Certificates for Payment and Requests for Cheques.
- (c) Contract Variation Orders / Architect Instructions.
- (d) Documents relating to the remuneration and other conditions of employment of employees.
- (e) Petty Cash and Travelling and Expenses reimbursement claims.
- (f) Stock Sheets.
- (g) Any other purpose as defined or authorised by the Council or Strategic Director that may arise in relation to financial matters.

8.2 The Strategic Directors shall ensure the ~~Section 151 eOfficer Strategic Director, Regeneration, Housing and Resources~~ is provided with an up to date composite list of the names and specimen signatures of all the officers so authorised. Approval at Assistant Director level or above is required where agency staff are included on the authorised signatory list. The list shall be held

in the format determined by the ~~Strategic Director, Regeneration, Housing and Resources~~ Section 151 Officer.

- 8.3 Before entering into a contract and/or placing an order, the Responsible Officer must ensure there is an approved budget (capital or revenue) sufficient to meet the cost of the contract as specified by a written estimate of the cost of the goods, services or works and any associated annual expenditure.

8.4 The Section 151 Officer will set out appropriate authorisation limits for the authorisation of purchase orders and payments for the organisation.

Payment of Accounts

- 8.54 Apart from petty cash payments from imprest accounts the method of payment of money due from the Council shall be by ~~cheque~~, bank transfer, Purchasing Card or other instrument drawn on the Council's bank account.

- 8.65 Accounts for payment by the Council shall be on the supplier's official printed invoice, or on PDF documentation. Photocopies and faxes are not acceptable under any circumstances. Supplier invoices shall not be made out by officers of the Council unless agreed by the ~~Section 151 Officer~~ Strategic Director, Regeneration, Housing and Resources. Where accounts are made out by officers they shall accord with the requirements of these Rules and shall bear the signature of at least two duly authorised officers prior to certification for payment.

- 8.76 No officer shall amend or add any item or items to an invoice rendered by a supplier without approval of the ~~Section 151 Officer~~ Strategic Director, Regeneration, Housing and Resources.

- 8.87 When goods or services ordered through the procurement-finance system have been received, the Directorate requisitioning them will input to the system confirmation that they have been received and match the details on the requisition. Payment will then be generated automatically.

- 8.89 In exceptional cases, e.g. for utilities, the Directorate issuing a requisition or an order shall be responsible for the examination, verification and certification of the invoice. Certification of invoices for payment can only be undertaken by Officers authorised to do so under the Council's Scheme of Delegation, or the Strategic Director's delegated powers as per 8.1 and 8.4 above. The certification for payment shall mean that the certifying officer is satisfied that:

- (a) The goods have been received, examined and approved as to quality and quantity, or the work has been done or the service provided satisfactorily and that price is reasonable and in accordance with the contract or order.
- (b) The expenditure is within the approved budget or covered by special financial provision and is in accordance with the Constitution.
- (c) The proper entries have been made on the copy order and in the inventory, asset register or stores record as appropriate.
- (d) The account has not previously been certified for payment. Payment must not be made against a faxed or photocopied invoice.

- (e) A duplicate invoice is appropriate since the original has not previously been certified for payment and can no longer be found.
- (f) Any available trade or cash discount, adjustment, credit note, returns or packaging, have been claimed and taken into account.
- (g) In the case of charges for utilities services including gas, electricity, telephone, water or rates any standing charges are correct and that consumption is charged on the most advantageous tariff and is reasonable.
- (h) any VAT included on the invoice has been appropriately included and charged at the correct rate.
- (i) If VAT is charged, that the invoice complies with the requirements of HM Revenues & Customs as per Section 3 of the Council's VAT Manual.
- (j) The account is arithmetically accurate.
- (k) The coding to the appropriate revenue budget or capital scheme, including the VAT amount, shown on the invoice is correct. The invoice shall contain the official order number.

8.109 The Strategic Directors shall arrange a suitable division of staff duties within their Directorates so that the eOfficer who inputs details of receipt of goods or services or certifies an invoice for payment shall not, save in exceptional circumstances as agreed with the Section 151 eOfficer Strategic Director, Regeneration, Housing and Resources, be the person who either raised the requisition or placed the order.

8.110 Accounts for payment shall be submitted to and in the manner and frequency prescribed by the Section 151 Oefficer Strategic Director, Regeneration, Housing and Resources.

8.124 The Section 151 Oefficer Strategic Director, Regeneration, Housing and Resources shall arrange for the prompt payment of all accounts on being satisfied by means of a suitable level of selective checks and enquiries and receiving such information and explanations as may be considered necessary that they have been duly examined and certified and are properly payable by the Council.

8.123 The Strategic Directors and Service Managers shall, notify the relevant Directorate Finance Manager of all due but outstanding revenue and capital payments and receipts relating to the previous financial year in accordance with the closure of accounts guidance notes issued by the Section 151 Oefficer Strategic Director, Regeneration, Housing and Resources.

Leasing arrangements and PFI/PPP arrangements

8.134 Finance and operating lease arrangements or PFI/PPP arrangements shall only be negotiated on behalf of the Council by the Section 151 Oefficer Strategic Director, Regeneration, Housing and Resources or such other authorised Officer. All such leasing agreements must be signed by the

~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ or such other ~~Officer~~ mandated by these Rules.

8.154 Any Strategic Director considering lease finance or PFI/PPP arrangements as a means of funding the acquisition of an item shall consult with the ~~Section 151 eOfficer Strategic Director, Regeneration, Housing and Resources~~ before undertaking any discussions with any lease finance supplier. Arrangements for the supply of items that may be acquired by way of lease finance shall comply with the Constitution and Prudential Indicators.

8.165 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ shall keep all lease or PFI/PPP documentation in safe custody and maintain records of all leases entered into by the Council and retain them for such time as may be required to satisfy statutory requirements.

Payment of Salaries and Wages^[J1]

8.176 The Strategic- Director, ~~Regeneration, Housing and Resources~~Customer & Community Services shall make all necessary arrangements, including the issue of guidance and submission timetables, for the preparation and control of all payrolls, and for the payment of all salaries, wages, pensions, compensation or other emoluments to employees, former employees or other persons approved by the Council.

8.187 The ~~Strategic Director, Customer & Community Services~~Strategic Director, Regeneration, Housing and Resources shall record and make arrangements for the accurate and timely payment of tax, superannuation and other deductions.

8.189 The ~~Strategic Director, Customer & Community Services~~ Strategic Director, Regeneration, Housing and Resources shall ensure that there are adequate arrangements for administering superannuation matters on a day-to-day basis.

8.2049 Each Service Manager or other Responsible Officer shall notify promptly to and within the time limits and in the form prescribed by the ~~Strategic Director, Regeneration, Housing and Resources~~Assistant Director, Professional Services, all matters affecting the payment of salaries, wages or other emoluments of Directorate personnel and in particular:

- (a) ~~A~~appointments, resignations, dismissals, suspensions, secondments/transfers.
- (b) ~~A~~absences from duty for sickness or other reason (including relevant dates) apart from approved leave or training.
- (c) ~~C~~ehanges in remuneration, other than normal increments and pay awards and agreements of general application.
- (d) ~~I~~information necessary to maintain records of service for superannuation, income tax and national insurance liability.

8.210 The Strategic Directors will ensure adequate and effective systems and procedures are operated, so that:

- (a) Payments are only authorised to bona fide employees.
- (b) Payments are only made where there is a valid entitlement.
- (c) Conditions and contracts of employment are correctly applied.
- (d) Employees' names listed on the payroll are checked at regular intervals.
- (e) Accuracy and completeness is verified.

8.221 The Strategic Directors should give careful consideration to the employment status of individuals employed on a self-employed consultant or sub-contract basis. - The Inland Revenue applies a tight definition for employee status and, in cases of doubt, advice should be sought from the Strategic Director, Regeneration, Housing and Resources Assistant Director, Professional Services

8.232 Appointments of all employees shall be made in accordance with the Rules of the Council and approved budgets, grades and rates of pay.

8.243 Time sheets, bonus sheets and overtime claims for weekly wages or monthly salaries shall be signed by the claiming employee as being a true record of hours worked for the Council. The relevant Service Managers or other authorised officers shall certify, on being satisfied all Procedure Rules have been complied with, such documents and process them in such a manner as determined by the Strategic Director, Customer & Community Services ~~Strategic Director, Regeneration, Housing and Resources~~ within such period before the respective pay day.

8.254 The Strategic Director, Customer & Community Services ~~Strategic Director, Regeneration, Housing and Resources~~ shall arrange for such checks and enquiries, and seek such information and explanations as deemed necessary, so as to be satisfied that these documents have been appropriately examined and certified and are otherwise properly payable by the Council.

8.265 Payment of salaries or wages shall not be made in advance of the normal payment date except in exceptional cases at the discretion of the Strategic Director, Regeneration, Housing and Resources section 151 officer and with the support of the relevant Strategic Director or Service Manager.

8.276 The Strategic Directors shall refer to the Lead for Human Resources and to the Strategic Director, Regeneration, Housing and Resources section 151 officer matters relating to the application of salary and wage scales and other conditions of service including any payments in relation to redundancy, early retirement or any other payments associated with an employee's termination of employment, and no commitment in these matters shall be entered into without their joint agreement. ~~The Strategic Director, Regeneration, Housing and Resources and Lead for Human Resources~~ The Assistant Director, Professional Services and s151 officer shall be jointly empowered to

automatically apply non-discretionary salary and wage awards, expenses and other allowances approved by the various joint negotiating councils’.

- 8.287 No payments may be made to members of staff other than through the payroll unless specifically agreed by the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer.

Payment to Members for Travel, Subsistence and Allowances

- 8.298 Claims by Slough Borough Council’s Members for payment of travelling, subsistence and other allowances shall be submitted to the Monitoring Officer in the form prescribed by the ~~Strategic Director, Customer & Community Services~~Strategic Director, Regeneration, Housing and Resources duly completed and signed as being a true record by the Member. The Monitoring Officer, on being satisfied such claims are properly payable by the Council, shall certify these claims and pass them to the Strategic Director, Customer & Community Services~~Strategic Director, Regeneration, Housing and Resources~~ for payment.

- 8.3029 Claims submitted more than two months after the expenses were incurred shall be paid only with the express approval of the Monitoring Officer.

- 8.310 The Monitoring Officer shall provide to the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer details of any approved allowances due to Members.

- 8.324 The ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer and the Monitoring Officer will consider and determine requests by Members for advance payments of their allowances as provided for in the current Members’ Allowances scheme.

Payment to Staff for Travel and Subsistence

- 8.332 Claims by employees’ for payment of car allowances, subsistence allowances, travelling and incidental expenses shall be submitted to the Strategic Director, Customer & Community Services~~Strategic Director, Regeneration, Housing and Resources~~, in the appropriate form and supported by receipts, where appropriate, and in the approved timescale. Travel and subsistence claims must not be paid from imprest, petty cash etc.

- 8.343 The claimant must sign to confirm that journeys were carried out on official business, the mileages are correct, the form of transport used was reasonable and any expenses were relevant and properly incurred.

- 8.354 Claims must be counter signed by a Responsible Officer authorised to approve such records. The Responsible Officer shall be satisfied that the journeys made and form of transport used were authorised and that the expenses claimed are reasonable and were necessarily incurred and are properly payable by the Council.

- 8.365 The ~~Strategic Director, Regeneration, Housing and Resources~~Assistant Director, Professional Services shall arrange for such checks or enquiries and seek information and explanations as deemed necessary so as to be satisfied that allowance and expense claims have been appropriately examined and certified and are otherwise properly payable by the Council. The ~~Strategic Director, Regeneration, Housing and Resources~~ Strategic Director, Customer & Community Services shall process them for payment in such a way as to ensure they are treated correctly for tax, national insurance and VAT purposes.

9. COLLECTION OF INCOME AND WRITING OFF BAD DEBTS

- 9.1 The collection of all money due to the Council shall be under the supervision of the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer who shall ensure adequate arrangements are maintained for:
- (a) ~~The~~ financial organisation and accounting necessary to ensure the proper recording of all sums due to the Council, and
 - (b) ~~The~~ collection, custody, control, disposal and prompt accounting of all cash in all Directorates and establishments of the Council and any bodies acting on the Council's behalf;
 - (c) ~~Securing~~ the safety of any employee whom has a responsibility for receiving and looking after money on behalf of the Council.
- 9.2 The Service Managers shall arrange for accounts to be raised promptly in respect of charges for work done or goods or services supplied and for rendering such accounts to the debtors concerned, along with required supporting documentation. Where appropriate, these accounts shall conform to current VAT Rules and instructions issued by the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer.
- 9.3 The ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer shall provide for the setting up and continued maintenance of a periodical income register of all sums regularly due to the Council. Service Managers shall promptly notify the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer of contracts, leases and other agreements and other arrangements entered into which involves the receipt of money by the Council. The ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer shall inspect any documents or other evidence in this connection as considered necessary to verify the accuracy of the register.
- 9.4 The format of all receipt forms, books, tickets and any other documents or vouchers or tokens acknowledging on the Council's behalf the receipt of money or money's worth shall be agreed between Service Managers concerned and the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer. Service Managers shall arrange for the ordering, custody and internal issue of such items in a manner approved by the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer.

- 9.5 All moneys received on behalf of the Council shall be banked daily unless otherwise agreed by the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer. All payments shall be made intact. Refunds of overpayments shall be made through the Creditor payments system or, if so authorised by the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer, an imprest account.
- 9.6 In the transport of cash for banking or other purpose the Service Manager, in consultation with the Occupational Health Safety and Welfare Manager and the Head of Audit, shall make arrangements for the safety of Council employees and for the proper security of the cash.
- 9.7 Any ~~O~~fficer or other person authorised to receive money on behalf of the Council shall keep such records as may be prescribed by the Strategic Director, Regeneration, Housing and Resources including an accurate and chronological account of all receipts and deposits. Monies received shall not be used in any circumstances to cash personal or third party cheques and must be banked without deductions of any kind.
- 9.8 Every transfer of official money from one employee to another shall be evidenced in the records of the Directorates / sections involved by the signature of the receiving employee and retained for such period as may be determined by the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer.
- 9.9 The Service Manager in consultation with the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer shall ensure that proper and secure arrangements are in place for the receipt, opening and discharge of post containing remittances at offices and establishments of the Council. The opening of post shall be in the presence of at least 2 officers. A record shall be kept in such form as may be determined by the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer in which details of the remittances shall be entered. A discharge shall be given when remittances are handed over to a cashier for receipting and banking.
- 9.10 Each ~~O~~fficer or other person who deposits money to the credit of any Council account shall enter on the paying in slip and on the counterfoil or duplicate such particulars as are required by the Strategic Director, Regeneration, Housing and Resources.
- 9.11 Where a sum shown as due on the Council's accounts is found to be overstated an allowance may be recorded in respect to the amount overstated where the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer is satisfied that such an allowance is in order.
- 9.12 No debts shall be recommended for write off until all cost effective measures have been taken to try to recover the debt.
- 9.13 Expenditure which is reliant upon the satisfactory recovery of income should not generally be incurred until the income has been received and banked

unless the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer has given prior approval.

Writing off bad debts

- 9.14 Any individual debt of up to £1,000 may be recommended for write off by the relevant Service Manager and Lead for Finance, and approved by relevant Strategic Director.
- 9.15 Any individual debt of up to £15,000 may be recommended for write off by the relevant Strategic Director; ~~or an Assistant Director Finance or a Section Head within Corporate Finance~~Lead Officer for finance and approved by the ~~Section 151 Officer~~Strategic Director, Regeneration, Housing and Resources.
- 9.16 Any individual debt in excess of £15,000 may be recommended for write off by the ~~Section 151 Officer~~Strategic Director, Regeneration, Housing and Resources and approved by the Cabinet.
- 9.17 In any one financial year:
- (a) ~~A~~A Strategic Director may not approve write offs of debt totalling more than £15,000 in aggregate.
 - (b) ~~T~~The ~~Section 151 Officer~~Strategic Director, Regeneration, Housing and Resources may not approve write offs of debt totalling more than £500,000 in aggregate.
- 9.18 All debt write offs must be regularly reported to the ~~Section 151 Officer~~Strategic Director, Regeneration, Housing and Resources who will report the cumulative debt write off figure quarterly- to Cabinet.
- 9.19 All write off of losses arising from theft must be agreed by the relevant ~~Section 151 Officer~~Strategic Director and Strategic Director, Regeneration, Housing and Resources unless the cumulative value involved is in excess of £15,000 then this can only be written off with the approval of the Cabinet.
- 9.20 All debt written off will be charged back to the originating budgets, unless in exceptional circumstances where approval by Section 151 Officer will be sought.
- ~~9.20 The Strategic Director, Regeneration, Housing and Resources will ensure appropriate accounting adjustments.~~

10. TAXATION

- 10.1 The ~~Section 151 Officer~~Strategic Director, Regeneration, Housing and Resources is responsible for ensuring the Council is fully compliant with all relevant guidance and statutory responsibilities in relation to all taxation matters.

- 10.2 Strategic Directors are responsible for complying with all guidance and instructions issued by the Section 151 Officer Strategic Director, Regeneration, Housing and Resources to ensure correct accounting records are maintained in relation to:
- VAT
 - Construction Industry Tax
 - Income Tax
 - National Insurance
- 10.3 The Section 151 Officer Strategic Director, Regeneration, Housing and Resources is responsible for making tax payments, receiving tax credits and submitting tax returns by their due date as appropriate.
- 10.4 Strategic Directors are responsible for ensuring all persons employed by the Council are added to the Council's payroll and tax deducted from any payments, except where the individuals have demonstrated they are bona fide self-employed or are employed via a recognised staff agency.

11. **BANKING**

Banking Arrangements

- 11.1 All arrangements with the Council's bankers shall be made by or under arrangements approved by the Section 151 Officer Strategic Director, Regeneration, Housing and Resources, who shall be authorised to operate such banking accounts as may be considered necessary.
- 11.2 All banking accounts shall stand in the name of Slough Borough Council and not in the name or designation of any officer. No payment including direct credit/debit or standing order shall be made from the Council's banking accounts unless agreed by the Section 151 Officer Strategic Director, Regeneration, Housing and Resources.
- 11.3 All cheque and cheque forms but excluding cheques drawn on authorised imprest accounts, shall be ordered only on the authority of the Section 151 Officer Strategic Director, Regeneration, Housing and Resources who shall be responsible for the safe custody and issue of such forms.
- 11.4 Except in those cases determined by the Section 151 Officer Strategic Director, Regeneration, Housing and Resources all payments by the Council shall be by crossed cheque endorsed "***a/c payee only.***" – Blank cheques should not be signed under any circumstances.
- 11.5 Cheques in excess of £100,000 shall be signed in manuscript by the Section 151 Officer Strategic Director, Regeneration, Housing and Resources and other such officer duly authorised by the Section 151 Officer Strategic Director, Regeneration, Housing and Resources. Cheques signed previously by a duly authorised officer or bearing the facsimile signature of the Section 151 Officer Strategic Director, Regeneration, Housing and Resources which

require a second signature must be signed by one of the other duly authorised signatories.

- 11.6 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ should ensure that similar levels of control operate in respect of electronic funds transfers such as BACS and CHAPS.
- 11.7 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ shall ensure the Council's banking accounts are reconciled regularly with the Council's accounts.
- 11.8 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ may arrange overdraft facilities from time to time on behalf of the Council within the limit authorised annually by the Cabinet.
- 11.9 Strategic Directors are responsible for following the instructions on banking issued by the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~.

Imprest Accounts

- 11.10 ~~The Strategic Director, Regeneration, Housing and Resources~~ The Section 151 Officer shall arrange for the maintenance of a central imprest account(s) for the meeting of urgent minor cash payments.
- 11.11 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ after consultation with respective Strategic Directors may make such advances of cash or postage stamps as considered appropriate to such officers of the Council as may need them for petty cash imprests, change floats, postage imprests, etc.
- 11.12 Petty Cash accounts shall be on an imprest system supported by records in a form agreed by the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ and operated as follows:
 - (a) Aan account with such supporting documents as may be required shall be submitted to the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ on a monthly basis for examination and reimbursement of expenditure; all reimbursement claims shall be certified in manuscript by the officer responsible for the imprest account control and the appropriate authorised Officer;
 - (b) pPayments shall be limited to items of expenditure not exceeding ~~such sums £250 as may be decided from time to time by the Strategic Director, Regeneration, Housing and Resources;~~
 - (c) Cash receipts, other than imprest reimbursements, shall not be paid into any such account but must be paid over to or as directed by the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ in accordance with these Rules.

(d) Requests to increase imprests must be made to the Lead for Finance.

(e) All imprest accounts must be accounted for on 31st March each year.

11.13 Where an imprest is operated through a bank account the Section 151 Officer ~~Strategic Director, Regeneration, Housing and Resources~~ shall ensure that suitable arrangements are made with the bank which shall include the requirement that all imprest cheques shall bear the signature of two authorised employees. A record of the names and specimen signatures of such employees shall be deposited with the Section 151 Officer ~~Strategic Director, Regeneration, Housing and Resources~~ and updated promptly as changes become necessary.

11.14 No personal cheques shall be cashed through nor shall money be borrowed from any imprest account.

11.15 Service Managers' shall ensure that any Officer within their area of responsibility holding petty cash, change or other cash or postage floats shall, on leaving the Council's employment or ceasing to be entitled to hold the imprest or float, repay the unexpended balance to, and submit any accounts and vouchers required by the Section 151 Officer. Imprest funds must never be used to pay salaries, wages or other employee expenses e.g. travel & subsistence ~~without the specific approval of the Section 151 Officer due to VAT and taxation concerns.~~ ~~Strategic Director, Regeneration, Housing and Resources.~~

-Treasury Management

11.16 The Council has adopted the key recommendations of CIPFA's Treasury Management in the Public Services: ~~Code of Practice (the Code), as described in Section 4 of that Code and accordingly, the Council will create and maintain, as the cornerstones for effective treasury management:~~

~~-a treasury management policy statement, stating the policies and objectives of its treasury management activities~~

~~-suitable treasury management practices (TMPs), setting out the manner in which the Council will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities.~~ aAnd Treasury Management Policy (TMP) will be presented to Cabinet and Council on an annual basis for approval

11.17 The Cabinet will receive reports on the treasury management policies, practices and activities, including, as a minimum, an annual strategy and plan in advance of the year, and an annual report after its close, in the form prescribed in the TMPs.

11.18 The Council delegates responsibility for the implementation ~~and~~ monitoring of the treasury management policies and practices to the Cabinet, and for the execution and administration of treasury management decisions to the

~~Section 151 Officer~~ Strategic Director, Regeneration, Housing and Resources, who will act in accordance with the Council's policy statement and TMPs and CIPFA's Standard of Professional Practice on Treasury Management.

~~11.19 The Strategic Director, Regeneration, Housing and Resources shall, subject to statutory requirements and to the general direction of the Cabinet arrange for the deposit, investment, realisation or utilisation of all surplus funds of the Council in accordance with the CIPFA's Code of Practice on Treasury Management and in the Council's interest. All deposits and investments of such money shall be made in the name of the Council.~~

~~11.20 The Strategic Director, Regeneration, Housing and Resources shall, subject to the general direction of the Cabinet and in the case of the issue of stock to the general direction of the Council, raise and manage all loans for the purposes and amount for which the Council is authorised to borrow money in accordance with CIPFA's Prudential Code for Capital Finance, approved Prudential Indicators and CIPFA's Code of Practice on Treasury Management.~~

11.21 Strategic Directors will ensure that loans are not made to third parties and that interests are not acquired in companies, joint ventures or other enterprises without the approval of the ~~Council~~ abine, following consultation with the ~~Section 151 Officer~~ Strategic Director, Regeneration, Housing and Resources.

11.22 The ~~Section 151 Officer~~ or nominated ~~Officer~~ Strategic Director, Regeneration, Housing and Resources shall be the Council's registrar of stocks, bonds and mortgages and shall maintain records of all borrowing of money by the Council.

11.23 The Chief Executive, or other duly authorised ~~Officer~~, in consultation with the Section 151 Officer, shall sign, seal, issue, transfer or reassign as appropriate any mortgage for money advanced to or by the Council. The Section 151 Officer ~~The Strategic Director, Regeneration, Housing and Resources~~ shall produce to the Chief Executive such documentary evidence as may be required of the receipt of value for securities given or secured.

Trust Funds

11.24 Trust Funds are held for a variety of purposes including trust schemes administered by the Council (e.g. resulting from a bequest), funds held on trust for others (e.g. vulnerable people such as children in care) or grant funding from government departments. Strategic Directors will arrange for all trust funds to be held, wherever possible, in the name of the Council. All ~~Officers~~ acting as trustees by virtue of their official position shall deposit securities, etc., relating to the trust with the ~~Section 151 Officer~~ Strategic Director, Regeneration, Housing and Resources, unless the deed otherwise provides.

11.25 All Strategic Directors will ensure that the administration of Trust or Private funds includes correct accounts for VAT on donated funds.

11.26 All Officers dealing with trust funds must declare an interest and absent themselves from any managerial involvement in any trust or private funds from which they or their family could directly or indirectly benefit.

12. ASSETS

Security and Safety of Personnel, Assets and Inventories

- ~~12.1 Strategic Directors shall be responsible for the accountability, control and health and safety of employees and for ensuring that proper arrangements exist for the security and care at all times of buildings, stocks, stores, furniture, equipment, cash, documents and data under their control. A Strategic Director shall consult promptly with the Strategic Director, Regeneration, Housing and Resources where security of cash or assets is thought to be defective or where it is considered that special security and/or safety arrangements may be needed.~~
- ~~12.2 Any monies held shall be properly safeguarded normally kept in a safe or locked container the specification of which shall be approved by the Strategic Director, Regeneration, Housing and Resources and Strategic Directors must ensure that all safes or locked containers are suitable to safeguard the maximum amount of money to be kept in them at anytime, in line with the manufacturers' and Strategic Director, Regeneration, Housing and Resources' guidance. For safes, one key must be held in a secure place offsite. If a code/pin number is involved in securing monies, the Strategic Director shall consult with the Head of Audit to determine the frequency that these numbers are changed.~~
- ~~12.3 Identity cards, entry cards to Council establishments, keys to safes and similar containers are to be carried on the Responsible Officer of those responsible at all times, except as the Strategic Director, Regeneration, Housing and Resources may otherwise approve. In the event of the loss of any such items, or if an access code or "pin number" may have become known to an unauthorised person, it must be reported immediately to the relevant Strategic Director and Assistant Director Property Services. The Strategic Director and the Assistant Director Property Services will decide whether any special action needs to be taken to safeguard the Council's interests as a consequence.~~
- ~~12.4 Strategic Directors shall maintain a register of all key and cardholders within their respective Directorates and of those employees to whom any other Council property has been issued on a personal basis. They are to ensure those persons, on leaving the employment of the Council or otherwise ceasing to be entitled to hold such property, shall surrender those items. Code/pin numbers for safes and locked containers are to be changed immediately. All Strategic Directors and Assistant Directors are responsible for maintaining property security at all times for all information, buildings, stocks, stores, furniture, equipment and cash under their control and shall consult, via the Assistant Director, Assets, Infrastructure and Regeneration, where they consider security is thoughts to defective or where they consider special arrangements are needed.~~

- 12.2 -Appropriate controls for all assets shall be identified by the risk assessment processes and by referring to security standards and procedures. Arrangements shall be agreed as above.
- 12.3 Maximum limits for cash holdings shall be identified by the risk assessments process and agreed with the Section 151 Officer or nominated officer and shall not be exceeded without permission.
- 12.4 Key holders for safes and similar security receptacles are to be agreed by each Assistant Director in conjunction with the Lead Officer for finance. The loss of keys shall be reported immediately using the security incident reporting procedures.
- 12.5 The Council's Data Protection Officer shall be responsible for ensuring proper security and privacy with regard to information held in all of the Council's computer installations and/or for its use and shall register protected data.
- 12.6 Strategic Directors will ensure controls are in place to ensure that staff do not carry out private work in Council time.
- 12.7 The instrument for affixing the common seal of the Council shall be in the custody of the Monitoring Officer or a duly authorised Officer.
- 12.8 In any premises of the Council to which the public has access, satisfactory arrangements, including a register of items shall be maintained in respect of lost property handed in or reported lost. Items of money and valuables such as jewellery, watches etc., shall be deposited with the Strategic Director, Regeneration, Housing and Resources. Goods so held and not claimed after a period of 3 months may be returned to the finder.
- ~~12.9 The Strategic Director, Regeneration, Housing and Resources and the Monitoring Officer shall set out the requirements for the maintenance of asset registers in such form and detail required to comply with the statutory rules in force.~~The Assistant Director, Assets, Infrastructure and Regeneration is responsible for maintaining an up to date asset register. The Strategic Directors shall provide information and maintain records as required by this guidance. Any register relating to property, including land, owned by the Council shall record the purpose for which it was originally acquired, its location, area, plan reference, purchase details, current value, subsequent appropriations, particulars or nature of interest, tenancies granted and rents payable.
- ~~12.10 The Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~will ensure assets are valued in accordance with the "Code of Practice on Local Authority Accounting in the United Kingdom: A Statement of Recommended Practice".latest CIPFA Accounting Code of Practice
- 12.11 Strategic Directors will ensure no Council asset is subject to personal use by an employee without proper authority.

~~12.12 Strategic Directors will assist the Assistant Director Property Services to provide a report on property performance and asset management to relevant Member and officer groups.~~

12.123 The Monitoring Officer shall have custody of all title deeds of property belonging or mortgaged to the Council.

~~12.14 Service Managers shall ensure Directorate inventories are maintained in a form and to such an extent as may be prescribed by the Strategic Director, Regeneration, Housing and Resources of furniture, fittings, equipment, plant and machinery, relating to their area of responsibility.~~

12.135 Service Managers shall arrange for a complete check of their Directorate inventories at least once a year. A certified copy of each such inventory shall be supplied to the Assistant Director, Assets, Infrastructure and Regeneration ~~Strategic Director, Regeneration, Housing and Resources~~ at the end of each financial year. Written explanations of deficiencies or surpluses shall be supplied. Items identified as being in excess of requirements or obsolete shall be dealt with in the manner described in these Rules.

12.146 The Council's property including vehicles, plant, equipment, etc. shall not be removed otherwise than in accordance with the ordinary course of the Council's business or used otherwise than for the Council's purpose.

12.157 A loss of any asset of any kind must be reported to the ~~Head of Audit and Risk and Insurance~~ Manager-Officer.

~~12.18~~12.16 The management and security of assets, financial or otherwise, of third parties must adhere to these Financial Procedure Rules, all statutory and best practice guidance and any other relevant policies and procedures in operation within the Council for example, the Money Management procedures within the Social Services Financial Procedures.

Intellectual Property

12.179 Intellectual property is a broad term that includes inventions and written material. Intellectual property may be created during the work of the Council's staff (e.g. through the preparation of documentation or the development of computer software). By law, that intellectual property belongs to the Council and its rights should be protected. The Assistant Director, Assets, Infrastructure and Regeneration ~~Strategic Director, Regeneration, Housing and Resources~~ shall issue guidance on the identification and protection of the Council's intellectual property rights.

Stocks and Stores

12.2018 Strategic Directors shall be responsible for ensuring adequate arrangements exist to provide for the custody and physical control of stocks and stores in their respective Directorates. Except in special circumstances approved by the Section 151 Officer ~~Strategic Director, Regeneration, Housing and Resources~~ in consultation with the appropriate Service Manager

stocks and stores shall not be carried by any Directorate in excess of reasonable requirements as ascertained by experience.

- 12.2119 Stocks and stores records shall be kept in such form as may be determined by the Service Manager in consultation with the [Section 151 Officer Strategic Director, Regeneration, Housing and Resources](#) which as a minimum shall show in chronological order receipts, issues and remaining balances of each item. The [Section 151 Officer Strategic Director, Regeneration, Housing and Resources](#) shall maintain financial stores control accounts where appropriate and may prescribe general principles governing issue pricing and levels of stock.
- 12.202 A delivery note shall be obtained in respect of every receipt of goods into stores and must be signed by the person taking delivery at the time. All goods shall be checked as regards quantity and quality in compliance with the order and entered on a goods received note.
- 12.213 Issues of goods from or return of goods to a store shall be supported by a receipt on a stores issued or returned note as appropriate.
- 12.224 Service Managers must ensure that stocktaking of all stores appropriate to their Directorate is undertaken on a programme determined in consultation with the [Section 151 Officer Strategic Director, Regeneration, Housing and Resources](#) such that all items of stores shall be checked at least once in a period of 12 months.
- 12.235 Stock sheets shall be signed by the [Officers](#) making the stock check and by the Service Manager or Responsible Officer certifying that the particulars shown therein are correct. A copy of the certified stock sheet must be forwarded to the [Section 151 Officer Strategic Director, Regeneration, Housing and Resources](#).
- 12.246 Adjustments to stores records to write off deficiencies or to bring surpluses into account shall be made only with the approval of the [Section 151 Officer Strategic Director, Regeneration, Housing and Resources](#) or duly authorised [Officer](#). The [Section 151 Officer Strategic Director, Regeneration, Housing and Resources](#) in consultation with the Service Manager concerned shall arrange for an investigation into the cause or causes in all cases of significant stock deficiencies/surpluses and take appropriate action.

Disposals

- 12.257 The [Section 151 Officer Strategic Director, Regeneration, Housing and Resources](#), in conjunction with the Assistant Director [Property Services, Assets, Infrastructure & Regeneration](#), shall issue guidelines representing best practice for disposal of assets.

12.268 Where stocks, stores, furniture and fittings, vehicles, plant and equipment or other assets are certified by a Strategic Director to be excess to requirements or obsolete the Strategic Director may arrange for the disposal in the following way unless directed otherwise by the Council:

- (a) ~~Where~~ where the estimated realisable value exceeds £5,000 by competitive tender or
- (b) ~~Where~~ where the estimated realisable value is less than £5,000 in the best possible market and at the best price reasonably obtainable subject to advice and consent of the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ and/or any other relevant ~~Officers~~.

12.279 Strategic Directors will ensure income received for the disposal of an asset is properly banked and coded.

13. INSURANCES

13.1 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ shall, under the general direction of the Cabinet and in consultation with other Strategic Directors and such Service Managers as necessary, ensure adequate arrangements are maintained to effect and keep under review all necessary insurance cover of the Council and its Officers and for the negotiation of all claims.

13.2 Service Managers shall keep suitable records to ensure the inspection of engineering plant under their respective control, which is normally inspected by an insurance company, is carried out by the company within the statutorily prescribed periods. In the event of any failure of the company to carry out an inspection within the period the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ shall be notified immediately in writing.

13.3 Each Service Manager shall give prompt notification in writing to the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ of:

- (a) ~~All~~ all new risks, properties, vehicles, plant and machinery which require to be insured and of any alteration affecting existing insurance cover, and
- (b) ~~Any~~ any fire, loss, liability or damage or any other event likely to lead to a claim upon the Council.

13.4 Service Managers shall consult with the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ and as considered appropriate the Monitoring Officer respecting the terms of any indemnity which the Council is requested to give.

13.5 Strategic Directors ensure that employees, or anyone covered by the Council's insurances, do not admit liability or make any offer to pay compensation that may prejudice the assessment of liability in respect of any insurance claim.

13.6 All ~~appropriate~~ employees of the Council shall be included in appropriate fidelity guarantee insurance whilst carrying out duties directly connected with their employment as a Council officer.

13.7 The ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~ shall at least once a year make arrangements to provide Service Managers' with details of all insurances in force affecting their Directorates and any consequent variations to these arrangements shall be notified promptly to the ~~Section 151 Officer Strategic Director, Regeneration, Housing and Resources~~.

14. **GIFTS AND HOSPITALITY**

14.1 Staff and elected Members must comply with the Rules contained in Slough Borough Council's Constitution and in particular the relevant Codes of Conduct.

15. **THIRD PARTY ARRANGEMENTS AND PARTNERSHIPS**

15.1 The ~~Strategic Director, Regeneration, Housing and Resources~~ s151 officer shall ensure that all External Arrangements, Partnerships, External Funding and Work for Third Parties, shall be undertaken in accordance with all relevant Financial Procedure Rules, appropriate accounting & financial management policies & procedures, effective internal controls and risk assessments.

15.2 The ~~Strategic Director, Regeneration, Housing and Resources~~ Head of Policy & Communications has issued specific guidance on partnerships (the Slough Partnership Protocol) and for seeking and managing external sources of funding (the Grant Bids and Claims Manual).

Partnerships

15.33 As set out within the Slough Partnership Protocol, the Strategic Directors, in consultation with the ~~Strategic Director, Regeneration, Housing and Resources~~ Head of Policy & Communications and s151 officer, will ensure that, prior to entering into a partnership arrangement that they adhere to the Slough Partnership Protocol..:

(a) ~~There is a clear rationale for the partnership arrangement, setting out how the partnership objectives contribute to the Council's corporate priorities and how the partnership will demonstrate and improve value for money;~~

(b) ~~A project appraisal has taken place to assess the viability of the project in terms of resources, staffing and expertise;~~

(c) ~~The resources available to support the partnership objectives are clearly identified;~~

- ~~(d)The roles and responsibilities, including that of lead partner or accountable body, of each of the partners are set out and agreed by all partners;~~
- ~~(e)Consultation with appropriate Council officers has taken place to identify the financial, human resource, asset usage, data sharing and legal issues relevant to the proposed partnership;~~
- ~~(f)The key risks to the Council and to the achievement of its corporate objectives from entering into the partnership have been identified and appropriate risk management and monitoring processes are in place;~~
- ~~(g)Appropriate and proportionate performance reporting and inspection arrangements are agreed, including the right of access to partners' records, if necessary, by the Council's internal and external auditors;~~
- ~~(h)The significance of the partnership has been assessed and effective and appropriate governance and internal control policies and procedures have been agreed which will ensure value for money and the effective stewardship of public monies;~~
- ~~(i)Audit, security and insurance arrangements meet acceptable standards in line with the Council's Financial Procedure Rules;~~
- ~~(j)There is agreement about how the partnership assets and liabilities will be shared;~~
- ~~(k)There is an exit strategy which sets out the circumstances in which the partnership may be dissolved and how any residual assets and liabilities will be shared;~~
- ~~(l)Arbitration procedures are in place to resolve any disagreement between partners;~~
- ~~(m)Communication and complaints protocols have been identified to ensure that the public understand the work of the partnership and how they may seek redress; and~~
- ~~(n)A partnership agreement addressing the issues outlined in 4.1 of the Slough Partnership Protocol is prepared and agreed with the partners.~~

15.4 ~~The Strategic Director, Regeneration, Housing and Resources~~151 officer must be informed of ~~-will ensure all funding notified by~~with ~~external bodies, and that this~~ is received and properly recorded in the Council's accounts.

16. ORDERS FOR WORK, GOODS AND SERVICES

Introduction

- 16.1 These rules together with the Contracts and Procurement Guidance, the Procurement Strategy and Procurement Action Plan are one of the key elements that govern the way in which the Council lets its contracts.
- 16.2 Procurement can often be effected in innovative ways to the advantage of the Council, e.g. through use of external framework contracts. Thus it is always important to discuss potential purchases in advance with the Procurement Unit.
- 16.3 These rules form part of the Council's Constitution. Compliance is therefore mandatory. Contravention may lead to the Council invoking its disciplinary Procedures.

Purpose of the rules

16.4 The rules are intended to:

- (a) Ensure that the Council complies with all local, national and EU-based guidance, legislation, and directives
- (b) Ensure a clear audit trail is kept and protect the Council against the risk of challenge
- (c) Provide clear guidance to officers involved in the tendering and management of contracts
- (d) Encourage the spread of best practice and lessons learned across the council
- (e) Reduce unnecessary bureaucracy by clarifying what is and is not allowed; and
- (f) Contribute to the Council's aims to provide high-quality, cost-effective services
- (g) Obtain Best Value in the way the Council spends money by making arrangements to secure continuous improvement in the way in which the contract is performed, having regard to a combination of economy, efficiency and effectiveness (The Three E's)
- (h) The rules and guidance are not intended to be a straitjacket that constricts innovation, but instead a framework on which officers can build pragmatic and appropriate solutions to contractual issues which will withstand scrutiny and provide best value. The aim of these Rules, the Contracts and Procurement Guidance and the Procurement Strategy and Action Plan- therefore is to provide clear information to ensure that probity, transparency, fairness and value for money are achieved in contracts.
- (i) Attention is drawn to the Council's approved procurement strategy and action plan which must be followed unless there are overriding circumstances leading to an alternative course of action agreed by the Head of Legal Services and the ~~Strategic Director, Regeneration, Housing and Resources~~ Section 151 Officer

Strategic Directors- responsibilities

16.5 In addition to ensuring compliance with this Code, Strategic Directors are also responsible for ensuring that:

- (a) All relevant legal requirements are met;

Appropriate Directorate procedures are set up in place for the compliance with these financial rules of procedures in respect of tendering, awarding, managing and monitoring of contracts;

(b)

(c) Staff who are appointed to let, manage or monitor contracts have the necessary delegated authority to do so. They must also ensure that such staff are fully aware of the requirements of the Contracts Code and other relevant documents, and are trained in the application of these requirements;

(d) Aa Named Contracts Officer (CO) is appointed for each contract, who is aware of their responsibilities and will act in accordance with relevant procedures;

(e) Value for money is demonstrated on every contract placed by his/her Directorate;

(f) Efficiencies and savings are identified on every contract placed by his/her Directorate.

Official requisitions and orders

16.6 Official requisitions and orders shall be in a form approved by the Strategic Director, Regeneration, Housing and Resources Section 151 Officer in consultation with the Head of Legal Services. Official requisitions shall be raised in accordance with the delegated authority set up in the procurement finance system (as approved by the Strategic Director, Regeneration, Housing and Resources Section 151 Officer). Where they continue to be used, official orders shall be signed by a Directorate Service Manager or such other person authorised by the Strategic Director as having authority to approve official orders issued from that Directorate.

16.7 Official requisitions and orders must be issued for all work, goods or services to be supplied to the Council except for,

— The continuous supply of utility services

(a)

(b) Supplies subject to periodical payments

(c) Petty cash purchases

(d) Where a formal contract required by these Rules provides for an alternative procedure and

(e) Such other exceptions as the Strategic Director, Regeneration, Housing and Resources may approve

16.8 Where in exceptional circumstances an oral order is given it shall be confirmed by an official order clearly endorsed “confirmation order” within 2

working days and a letter of agreement of contract terms. No other order shall be recognised by the Council.

- 16.9 Requisitions and orders shall be placed only where there is adequate financial provision within the approved revenue budget or capital programme. Cost Centre Managers must maintain a record of expenditure throughout the year and must ensure that orders and/or contracts are not placed which would cause the any budget head to be exceeded. Any special conditions shall be clearly recorded on the requisition and order form.
- 16.10 Each requisition and order shall indicate clearly the nature and quantity of the work, goods or services required and any contract or agreed prices. Computer hardware and software and other such IT related goods must only be ordered through the Head of Information & Technology.
- 16.11 Purchasing cards can be used as an alternative to placing an order and any such purchases must comply with the detailed guidelines set out in Slough BC's, "Purchasing Card Procedures Guide for Cardholders".
- 16.12 Requisitions and orders should only be used for goods and services provided to the Council.- Individuals must not use official requisitions or orders to obtain goods or services for their private use.

Quotations for contracts under £50,000**Tendering & Financial Thresholds**

<u>Total Value / £</u>	<u>Type of Contract</u>	<u>Procedure to be used</u>
<u>500 to 2,500</u>	<u>Works, Supplies and services</u>	<u>A minimum of three quotations</u>
<u>2,500 to 50,000</u>	<u>Works, Supplies and services</u>	<u>A minimum of three written quotes</u>
<u>50,000 to the EU threshold</u>	<u>Works, Supplies and services</u>	<u>Approval from the Procurement Board</u> <u>Full competitive tendering process per the below</u>
<u>Above EU threshold for supplies & Services*</u>	<u>Supplies & Services</u>	<u>EU rules apply – full competitive process following advertisement in the Official Journal of the European Union</u>
<u>Above EU threshold for works*</u>	<u>Works</u>	<u>EU rules apply – full competitive process following advertisement in the Official Journal of the European Union</u>

*There are two different EU thresholds, one for works and one for supplies and services. The Assistant Director for Procurement will provide the values and will have ultimate discretion on what constitutes the above and the correct tendering route.

~~16.13 Where the cost of the work, goods or services to be ordered is estimated to be £50,000 or less at least 3 written quotations shall be obtained by the Authorised Officer in order to secure value for money. Service Managers shall ensure that competitive quotes are obtained, recorded (and~~

~~retained for 6 months) prior to placing orders for goods, services or works. Telephone quotes can be obtained and must be recorded on a pro-forma document where the estimated cost is unlikely to exceed £2,500. Formal written quotes must be obtained where the estimated cost exceeds £2,500 and does not exceed £50,000. Written quotes shall be sent to the Directorate representative designated by the Strategic Director who shall record and date the quotes and pass them to the ordering officer after the closing date. Line managers will be responsible for ensuring that quotes in accordance with these procedures are obtained as part of their regular one-to-one meetings with their staff members.~~

~~16.14 Where the cost of the work, goods or services is likely to be in excess of £50,000 the tendering procedure set out in section 16.55 onwards shall be followed and a written contract shall be prepared unless the Assistant Director Legal & Procurement Services and Strategic Director, Regeneration, Housing and Resources both otherwise determine.~~

~~Tenders for contracts over £50,000~~

~~16.15 Where the cost of the work, goods or services is likely to be in excess of £50,000 all contracts shall:~~

- ~~(a) be subject to prior approval of the Council's Contracts Board which shall receive a full business case for consideration as set out in the Contracts Guidance and;~~
- ~~(b) follow the tendering procedure set out in these Rules and;~~
- ~~(c) be prepared, in writing, unless the Head of Legal Services and Strategic Director, Regeneration, Housing and Resources both otherwise determine.~~

Errors on quotations/tenders

- 16.16 Where on examination a tender or quotation reveals mathematical errors which affect the tendered or quoted figure in an otherwise successful submission, the sender shall be supplied with the detail of such errors and given the opportunity of confirming or withdrawing the tender or quotation in writing within 7 working days unless otherwise agreed by the Strategic Director, Regeneration, Housing and Resources Assistant Director, Procurement and the Head of Legal Services. If withdrawn the next submission in competitive order shall be considered and as necessary dealt with in a similar manner.

Procurement strategy

16.17 These rules explain the minimum standards that the Council expects from staff responsible for buying goods, works and services on behalf of the Council. However, the Council's policies are set out more fully in its Procurement Strategy document and regard should be had at all times to the guidance that it contains on matters to be taken into consideration as part of any tender process, for example

(a) Best Value

(b) Sustainability

(c) Equality

——Workforce matters

(d)

(e) Procurement processes

16.18 Each financial year, the Council shall review on a rolling basis and agree a Procurement Plan setting out its current contracts to be procured for the forthcoming five financial years.

Approved List

16.19 The Approved List is a list of suppliers/contractors who have been pre-approved to provide goods and services to the Council. All applications to join this list shall be scrutinised by a group of suitably qualified officers to evaluate technical competence, financial standing, oral and written references, compliance with the Council's Key Policy Priorities, Health and Safety and Equal Opportunities legislation and any other pre-determined relevant criteria.

16.20 The Strategic Director shall approve the Directorate Approved List which shall contain:

- (a) the names and addresses of no fewer than four contractors/suppliers in each category. Less will be acceptable in cases where the nature of work restricts the number of relevant contractors wishing to appear on the list
- (b) the type and value of goods, services or works for which they are approved

16.21 The Approved List shall be kept under continuous review with annual financial checks and at least once every three years an advertisement shall be placed inviting contractors/suppliers to apply/reapply to be included in the approved list. Any applicant later wishing to join the Approved List must be subject to scrutiny in accordance with 8.4 above.

- 16.22 Contractor/suppliers who fail to submit tenders on three occasions without adequate reasons shall be removed from the list.
- 16.23 A contractor/supplier can be suspended or deleted from an Approved List only when they fail to meet one or more of the criteria in the approved evaluation process or fail to tender as in 8.7 above. There must be substantive evidence for the suspension or deletion and it must be recorded as a key decision.
- 16.24 Where there is an approved list Strategic Directors must ensure that all contractor/suppliers on the list are invited to tender or quote on a regular basis.

Compliance

- 16.25 Every contract entered into by the Council shall be entered into for the purpose of the Council's functions and shall comply with:

- (a) ~~A~~all relevant statutory provisions including Best Value requirements;
- (b) ~~T~~he relevant European procurement rules (i.e. the EC Treaty, the general principles of EC law and the EC public procurement directives implemented by the UK Regulations);
- (c) ~~T~~he Council's constitution, these Financial Procedure Rules and Scheme of Delegation; and
- (d) ~~T~~he Council's strategic objectives, procurement strategy and policies.

- 16.26 The highest standards of probity are required of all officers and Members involved in the procurement, award and management of Council contracts. Failure to do so may lead to:

- (a) ~~b~~Breaches of Codes of Conduct
- (b) ~~C~~ompensation being paid by the Council to anybody adversely affected by the Council's actions and
- (c) ~~D~~amage to the Council's reputation
- (d) ~~D~~isciplinary action.

- 16.27 As a general rule, ~~M~~embers and ~~O~~fficers must not accept from contractors or potential contractors or from any firm or organisation with whom the Council has had, is having or may have dealings of any kind, any gift or hospitality otherwise than strictly in accordance with the provisions of the Council's approved Codes of Conduct for Members and Officers.

Contracts not requiring selective or competitive tendering

- 16.28 The following contracts need not be tendered unless required to do so under the: European Union and United Kingdom public procurement legislation:

- (a) ~~C~~ontracts valued at less than £50,000 which must follow procedures for quotes set out in these Rules above.

- (b) Contracts formalising the grant funding of voluntary sector bodies, where the purpose of the contract is to establish the general conditions of grant by the Council.
- (c) Contracts for the engagement of Barristers.
- (d) For the extension, addition to or maintenance of existing buildings, works, plant or equipment where this can only be done satisfactorily by the original contractor/supplier.
- (e) When carrying out security works where the publication of documents in the tendering process could prejudice the security of the work to be done.
- (f) When buying land and buildings and interests in land and buildings (Contracts for the sale of land must be disposed of by competitive tender or auction except where the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer and the Head of Legal Services consider that a negotiated agreement will add value to the Council and this is documented and approved by the Cabinet).
- (g) Where the contract is on behalf of another local authority for which the Council is acting as agent and is so instructed in writing by the principal.
- (h) For the supply of goods required in respect of a contract from another local authority.
- (i) ~~b~~Before the contract is to be completed at auction the limit of authority of the person bidding has been approved in advance.
- (j) Where urgent steps are necessary for the protection of life, property or to comply with statutory requirements subject to ~~Strategic Director, Regeneration, Housing and Resources~~the Chief Executive and Head of Legal Services approval.
- ~~(k) contracts for which an exception from tendering has been granted under these Rules~~
- (k) Social care contracts, being the provision of personal social services to individual clients; or individual contracts for temporary accommodation for the homeless; or special educational needs contracts being the provision of residential and non residential education for individual pupils with special educational needs. All expenditure that will exceed the £50k limit will need to reported to the procurement board for consideration before the £50k limit has been breached to ensure best value has been achieved.
- ~~(l) for the supply of goods where the Head of Legal Services and the Strategic Director, Regeneration, Housing and Resources agree that there is only one supplier and no acceptable alternative~~

~~(n)(l)~~ For the performance of work or provision of services where effective competition is prevented by the specialist nature of the work subject to written approval from the Head of Legal Services and Strategic Director, Regeneration, Housing and Resources.

~~(e)(m)~~ Where the goods or services are to be procured through a consortium or a procurement organisation which has been approved by the Head of Legal Services e.g. OGC buying solutions and IdeA Marketplace but in such instances three quotations will still be required.

(p) Where goods and services are to be procured by another Local Authority or public body which is acting on behalf of the Council provided the Assistant Director (Commissioning & Procurement) has confirmed that the procurement is in line with public procurement regulations if applicable.

(q) Where the ~~Strategic Director, Regeneration, Housing and Resources and the Head of Legal Services~~ Procurement Board agree that selective or competitive tendering is not appropriate or that an exemption from tendering is required.

Any such decision to be recorded as a significant Officer decision by the Strategic Director of the service.

The Procurement Board consists of the Section 151 Officer, the Head of Legal Services and the Assistant Director with responsibility for corporate procurement.

Consultants supervising or managing contracts

16.29 Any person who is not an employee of the Council or a firm who is appointed to supervise or manage a contract on behalf of the Council shall be supplied with a copy of the Council's Financial Procedure Rules relating to contracts and their conditions of appointment shall provide that the Financial Procedure Rules in relation to contracts are complied with.

16.30 At any time during the course of the contract, all records maintained relating thereto shall be produced to the appropriate Strategic Director or the Strategic Director, Regeneration, Housing and Resources or such other person authorised by them on request.

16.31 On completion of the contract, all such records shall be handed over to the appropriate Strategic Director who shall provide for their safe and secure retention for such period as required by or the Council's Retention of Documents policy and registered with the Legal Department.

Selective tendering by advertisement

16.32 Subject to the Public Procurement Regulations and any European Union and United Kingdom legislation, this Rule shall be used generally for all contract values over £50,000 (unless exempted).

16.33 The tender should be advertised in a way that is most likely to achieve best value and comply with legal requirements. This will normally involve a selection of the following, as appropriate:-

- (a) ~~(a)~~ One local newspaper;
- (b) One or more appropriate trade journals;
- (c) Oen SBC Net
- (d) Oen the Local Business Portal; and
- (e) Where appropriate, the European Journal

Except where advertising in the European Journal, the advertisement shall allow at least 16 days for the response to the Council's pre-tender questionnaire to be submitted to the Council.

16.34 Procedures for the tender and evaluation of all contracts shall be as set out in the Council's contract and procurement guidance in the Council's intranet.

16.35 Where goods or services are valued at over £140,000 over the proposed contract period then public procurement regulations may apply and guidance must be sought from Legal & Procurement Services and an Official Journal of European Union advert may have to be placed.

16.36 After the closing date and following evaluation of financial and technical competence invitations to tender shall be sent to:-

- (a) Aat least 3 contractors/suppliers selected from the applicants, or
- (b) Iff fewer than 3 have applied or are considered suitable, all those contractors/suppliers considered suitable.

Contract formalities

16.37 All contracts shall be evidenced in writing.

16.38 Contracts of £50,000 or more in value or amount shall be sealed with the common seal unless the Monitoring Officer having regard to the circumstances in any particular case otherwise determines.

16.39 Service Managers shall consult with the Head of Legal Services as to the preparation of a contract under seal where the value or amount involved is less than £50,000 if the circumstances suggest that such action may be in the best interest of the authority (i.e. the contract obligations should endure for 12 years such as a building contract).

- 16.40 Every contract shall contain such standard clauses as approved by the Head of Legal Services and ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer.
- 16.41 In relation to goods and services ordered to the value of between £5,000 and £50,000 a formal agreement should be signed by the Strategic Director, who shall consult with the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer about the contractor's financial capability and with the Head of Legal Services on the terms and conditions.
- 16.42 The Head of Legal Services in consultation with the responsible Service Manager shall arrange where necessary for suitable and adequate bond and/or liquidated damages and/or parent company guarantee for the due performance of every contract the value of which exceeds £50,000.
- 16.43 The Service Manager/Contract Administrator shall ensure that all necessary insurances have been affected and remain in force throughout the period of each contract.
- 16.44 Service Managers/Contract Administrators shall ensure that the Strategic Director, Regeneration, Housing and Resources is provided with such details as may be required of all contracts, agreements or instruments which provide for payment or receipt of money by the Council by instalments. The ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer shall ensure a register of all such items is maintained so as to show the state of the account in each case between the Council and the other contracting firm, person or party to the contract.
- 16.45 Strategic Directors shall maintain a register of all contracts in a form approved by the Head of Legal Services. Copies of contracts registers shall be sent to the ~~Procurement Manager~~Assistant Director for Procurement by Service Managers.
- 16.46 Payments to contracting firms or persons by instalments shall be authorised only on an official certificate signed by the appropriate Strategic Director or other duly authorised officer in a form approved by the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer. Certificates shall be dealt with promptly and processed so that payment may be made within the time prescribed in the contract.
- 16.47 The ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer in consultation with the Head of Legal Services and the appropriate Service Manager may, until the terms of the contract have been complied with, withhold payment of any sums purporting to be due to a contractor.
- 16.48 Claims from contractors and third parties in respect of matters not clearly within the terms of the contract shall be referred to the Head of Legal Services and the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer for consideration of the Council's legal and financial liability before any settlement is reached.

16.49 In relation to Building Contracts over £50,000, a Strategic Director or Officer duly authorised by him for this purpose shall upon receipt of a request from a contractor to issue a final certificate of payment under a contract, inform the Strategic Director, Regeneration, Housing and Resources who shall determine whether a pre-payment audit shall be conducted, in which case the contractors final account and such other documents and records relating there to as are considered necessary shall be forwarded to Internal Audit for examination. Service Managers / Contract Administrators shall notify the Strategic Director, Regeneration, Housing and ResourcesSection 151 Officer in writing following satisfactory completion of the maintenance period under a contract for which they are responsible so that any retention money may be released.

Limits of councillors' authority in contracts

16.50 Unless specifically authorised by the Cabinet, a Member shall not:-

- (a) Issue any order relating to work done by or for the Council, or
- (b) Claim any rights to enter or inspect property where the Council has the right or duty to enter or inspect.

16.51 A Member shall not enter, either orally or in writing, into any contract on behalf of the Council.

16.52 A Member shall not negotiate personally on behalf of the Council for the purchase of goods or services or sale of any land, property, plant rights, or commodities or for any lease or tenancy. All such negotiations shall be conducted by an employee authorised by the Council except that, at the request of the Leader or Deputy Leader, a Cabinet Commissioner and, at the request of the Scrutiny and Overview Committee, a Scrutiny Member may attend any personal interview in the course of negotiations.

16.53 In matters of special importance, the Cabinet may instruct one or more of its Commissioners together with the employees concerned, to conduct negotiations.

Submission of quotations and tenders

Method of Submission

16.54 All invitations to tender or quote shall state that no tender or quotation shall be considered unless it is: -

- (a) Enclosed in a plain sealed envelope addressed to the Authorised Recipient at the Tender Address;
- (b) Sent by e-mail addressed to the Authorised Recipient where the invitation specifically allows; or

- (c) Submitted electronically at a reverse auction where the invitation specifically allows;

and in all cases envelopes, discs and covering e-mails -shall bear only the words 'Tender' or 'Quotation' followed by the subject to which it relates and the date and time by which it is due.

Media

- 16.55 Tenders or quotations shall be in writing or, where the invitation specifically allows, may be submitted electronically by e-mail as the Authorised Recipient may specify.

Tendering Procedure

- 16.56 Tenders for contracts worth over £50,000 shall only be considered if they are received in accordance with the procedure prescribed in the tendering procedure or if the Head of Legal Services and ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer agree to accept a tender notwithstanding a defect. This must be recorded in writing on the file. All tenders shall be required to be submitted on a formal tender prepared by the Council which form shall include a statement that the Council will not be bound to accept any tender.

- 16.57 Tenders must be received in a sealed envelope (generally provided by the Council) which should be:-

- (a) Addressed to the Head of Democratic Services.
(b) Marked with "Tender for" (showing the title of the contract).

- 16.58 The invitation to tender shall state that there should be no mention of the sender's name or any other way of identifying him / her from the envelope. Any tenders contravening this rule shall be recorded but excluded from any subsequent assessment/evaluation exercise unless the Head of Legal Services and the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer shall agree otherwise. Any unsealed tenders shall be recorded in the register as being received but shall be excluded unless the Head of Legal Services and the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer shall agree otherwise. ~~Strategic Director, Regeneration, Housing and Resources~~. Any such decisions to be recorded as significant officer decisions.

- 16.59 The Head of Democratic Services shall record the date and time of receipt of each tender and keep them in a secure location until the time and date prescribed for their opening.

- 16.60 The Head of Democratic Services shall arrange for all tenders received in respect of a contract to be opened by one of the following at the time and date prescribed:-

- (a) A Commissioner, Mayor or Deputy Mayor or

(b) The Strategic Director authorised to accept the tender for that contract; In the presence of:

(i) The ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer or his/her nominee, or

(ii) The Head of Legal Services or his/her nominee.

16.61 The Head of Democratic Services shall arrange for a schedule to be completed detailing:-

(a) ~~T~~he title of the contract,

(b) ~~T~~he prescribed time and date of the opening of the tenders,

(c) ~~T~~he names and addresses of all tenderers,

(d) ~~T~~he total value of each tender submitted,

(e) ~~T~~he signatures / names of all witnesses to the tender opening.

Late Tenders

16.62 Tenders received after the closing date and time shall be recorded but excluded from any subsequent assessment/evaluation exercise unless there are exceptional circumstances as agreed by the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer and Head of Legal Services and both are satisfied that:

(a) ~~T~~here is evidence of dispatch by tendered in due date and time and

(b) ~~O~~ther tenders have not been opened or there is no evidence that undue advantage or the process is fettered and

(c) ~~n~~No unfair advantage is obtained from absence of compliance and

(d) ~~I~~it is in the Council's interest to allow the tender.

Defects in Procedure

16.63 If they consider it fair and appropriate the ~~Strategic Director, Regeneration, Housing and Resources~~Section 151 Officer and the Head of Legal Services shall have the authority to agree to permit a tender to be received and opened notwithstanding that there is a defect in the procedure. Any such decision to be recorded as a significant ~~O~~fficer decision.

Post Tender Negotiation

16.64 Post tender negotiation is not generally permitted in contracts procured under the Public Procurement / European law – see contract guidance.

Amending tenders

16.65 A tender may be amended after it has been opened and before it has been accepted only if the Strategic Director, Regeneration, Housing and Resources and Head of Legal Services approve:-

- (a) The correction of an error or omission made (in good faith) by the tenderer, or
- (b) The making of an alteration to the Council's advantage provided that the alteration, if made to all the tenders, would not make any other tender the most financially favourable.

16.66 The Strategic Director must consult the Head of Legal Services or Strategic Director, Regeneration, Housing and Resources Section 151 Officer on any error or omission and keep a record of any amendments.

Electronic tendering

16.67 Requests For Quotes and Invitations To Tender may be transmitted by electronic means. Quotations and tenders may be submitted by electronic means provided that:

- (a) Evidence that the transmission was successfully completed is obtained and recorded;
- (b) Each tender submitted electronically is supplemented by an identical signed hard copy original submitted in the manner prescribed in the advertisement or the ITT documents within five working days after the tender return date; and
- (c) electronic tenders are kept in a separate secure folder under the control of the nominated Officer (or the Project Officer in the case of Low Value Procurement) which is not opened until the deadline has passed for receipt of tenders.

Call-off / framework agreements

16.68 Call-off contracts are those where prices and terms are agreed with a supplier for an estimated quantity of supplies, services or works without commitment until confirmed by a separate purchase order. They offer benefits of bulk buying, improved service and reduced administration costs.

16.69 Where they exist, call-off contracts for particular supplies and services must be used regardless of value.

16.70 Call-off contracts must be competitively tendered by means of the appropriate procedure in accordance with these Rules.

16.71 Where a Framework Agreement or Agreements has or have been entered into on behalf of the Council, orders for goods, services or works shall only be

made in accordance with the approved procedure relevant to the Agreement concerned.

Consultants and staff employed through employment agencies

- 16.72 With regard to consultants' contracts, there must be three alternative quotes to ensure best value and a consultancy agreement in the form provided by Monitoring Officer or otherwise agreed by Legal & Procurement Services shall be signed, setting out clearly Audit requirements regarding the project brief, milestones and measurement as well as price. See the Guidance on appointment of consultants in the Council's Contract and Procurement Guidance on the intranet.
- 16.73 Contracts with consultants shall not be completed until the Strategic Director, Regeneration, Housing and Resources has agreed that satisfactory tax and VAT registration documents have been supplied.
- 16.74 Payments shall not be made to consultants until a contract has been completed.
- 16.75 Strategic Directors shall maintain a register of consultants' contracts and shall provide a copy of all contracts to the Monitoring Officer for registration on the Contracts Register.

Statistical returns

- 16.76 Each year the Council shall make a statistical return to the relevant government department for onward transmission to the European Commission concerning the contracts awarded during the year under the European rules.
- 16.77 The ~~Procurement Manager~~AD for procurement shall be responsible for this statistical return and will make the necessary arrangements for information to be collected annually. All Directorates shall provide the information necessary to compile this return.

Contract extension

- 16.78 Any contract may be extended provided its terms allow for an extension. Any such extension shall be subject to a report through the ~~Contract~~Procurement Board procedure and sign off by Head of Legal Services.
- 16.79 The Project Officer shall demonstrate that extension will achieve Best Value for money and is reasonable in all the relevant circumstances and this shall be approved by the Strategic Director and Head of Legal Services. The Project Officer shall also complete a Contract Letting Checklist before the contract is formally signed with the contractor and the contract will be registered in Legal & Procurement Services as well as in the Directorate.

Termination of contract

16.80 Termination of any contract exceeding £1m in value shall be approved by the Cabinet as appropriate. Contracts of a lesser value may be terminated early by agreement or in accordance with the termination provisions set out in the contract subject to legal advice from the Head of Legal Services and approval of the Strategic- Director, Regeneration, Housing and Resources (if appropriate).

Letter of Intent/Letter of Comfort

16.81 A Letter of Intent/Letter of Comfort shall be avoided and only be issued in an emergency with the approval of the Head of Legal Services. The wording of such letters must be approved by the Head of Legal Services prior to dispatch.