

Appendix 10 - Financial Procedure Rules

1 Introduction

- 1.1 These Financial Regulations (Regulations) provide the governance framework for managing the Council's financial affairs. They apply to every Member and Officer of the Council and to anyone acting on its behalf.

2 Observing these regulations

- 2.1 These Regulations apply across all parts of the whole organisation, including all Member fora and Directorate services, as well as all arms length organisations, agencies and partnerships with whom the Council does business and for whom the Council is the relevant accounting body. Where the Council is not the relevant accounting body, but is a responsible partner, officers must ensure that the accounting body has in place adequate Regulations and proper schemes of delegation. Schools are bound by these Regulations unless the School Standards and Framework Act 1988 (SSFA98) specifically exempts them from any particular provisions set out herein (e.g. financial thresholds, if the Framework provides differently).
- 2.2 All Council members and staff have a general responsibility for taking reasonable action to provide for the security of the assets under their control and for ensuring that the use of these resources is legal, properly authorised, provides value for money (VFM) and achieves best value (notwithstanding the delegated authorities of any given committee or officer). In doing so, proper consideration must be given at all times to matters of probity and propriety in managing the assets, income and expenditure of the Council.

3 Maintaining these regulations

- 3.1 The Council operates a system of managerial and financial control whereby the Chief Finance Officer (CFO) has overall responsibility for the proper management of the finances of the Council as a whole and is responsible for issuing advice and guidance to underpin the Regulations that Members, Officers and others acting on behalf of the Council are required to follow.

The responsibility for the day-to-day financial control and administration in each Directorate is devolved to the Corporate Director. Corporate Directors are responsible for ensuring that all staff in their departments are aware of the existence and content of the Authority's financial regulations and that they comply with them.

- 3.2 The overall responsibilities of the CFO in respect of these regulations are therefore to:
- a) maintain these Regulations and submit any additions or changes necessary to Full Council for approval in consultation with the Monitoring Officer (MO);
 - b) issue explanatory advice and guidance to underpin these Regulations as necessary. Where such advice and guidance is issued, members, officers and others acting on behalf of the Council are required to comply with it in accordance with the general provisions of these Regulations;
 - c) require any officer to take any action deemed necessary (as is proportionate and appropriate) to ensure proper compliance with these Regulations;
 - d) report, where appropriate, any breaches of these Regulations to Members;

- 3.3 These regulations have been drafted with a view to avoiding any uncertainty or ambiguity as to the principles, standards and procedures to be observed. Should any uncertainty or dispute arise pursuant to these Regulations, the matter must be referred to the CFO for interpretation and/or arbitration.

4 Sanctions & remedies for non-compliance

- 4.1 Compliance with these Regulations is mandatory. Those with responsibility for fulfilling their duties in line with the Regulations are required to maintain ongoing knowledge and awareness to ensure compliance. It will be the responsibility of officers to address non-compliance promptly and in the most appropriate way according to the circumstances. Concerns can also be raised anonymously in line with the Council's whistleblowing procedure. Failure to comply with any part of these Regulations may constitute misconduct and lead to formal disciplinary action.