

Amendments to Financial Regulations – notes for meeting 8/3/16

- There has been an update to NALC's model Financial Regulations.
- The new model regulations are attached and the NALC Briefing FO1E-16 (attached) outlines the changes.
- Our current Financial Regulations are attached (Tur Langton Financial Regs (England) adopted 14-7-15
- The proposed revised Financial Regulations reflecting these changes is attached (tur Langton Financial Regs (England) for consideration 8.3.16).

The changes to 1.6 and 6.4 are straightforward and have been made and highlighted in yellow on the revised regulations. The relevant paragraphs in the NALC model document are highlighted in blue. The old paragraphs are below:

1.6 A breach of these Regulations by an employee is gross misconduct.

6.4 Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be signed by two members of council in accordance with a resolution instructing that payment. If a member who is also a bank signatory has declared a disclosable pecuniary interest, or has any other interest, in the matter in respect of which the payment is being made, that councillor shall be required to consider Standing Orders, and thereby determine whether it is appropriate and / or permissible to be a signatory to the transaction in question

11 Contracts

The changes to section 11 are more complex and relate to the new Public Contracts Regulations 2015. NALC Legal Briefing LO-15 and LTN 87 refer and are attached. This also necessitates changes to our Standing Orders which is the subject of a separate paper.

The changes are outlined below. The new paragraphs in the revised document are highlighted in yellow and the relevant paragraphs in the model document in blue. Where paragraphs have been replaced or removed the old ones are copied here.

11.1 a – no change

11.1 b – replaced with new. Old was:

Where it is intended to enter into a contract exceeding £60,000 (Standing Order 18a v) in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted

as set out in paragraph (a) the Clerk shall invite tenders from at least three firms to be taken from the appropriate approved list.

11.1 c – new paragraph

11.1 d – renumbered from 11.1 c – no change

11.1 e – renumbered from 11.1 d – no change

11.1 f – renumbered from 11.1 e – no change

Old 11.1 f – removed

11.1 g – no change

11.11.3 h – replace with new. Old was:

~~When it is to enter into a contract of less than £60,000 (Standing Order 18d) in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £3,000 and above £100 the RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10 (3) above shall apply.~~

11.1 i – no change

11.1 j – no change

11.1 k – removed, it read:

~~The European Union Procurement Directive shall apply and the terms of the Public Contracts Regulations 2006 and the Utilities Contracts Regulations 2006 including thresholds shall be followed.~~