



RIVER LUGG INTERNAL DRAINAGE BOARD

FINANCIAL REGULATIONS

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A SUMMARY

1. These Financial Regulations supplement the Board's Standing Orders to ensure that its resources are properly managed, accounted for and controlled.
2. The Clerk shall have the full power and authority of the Board to take all decisions on its behalf, other than those that are set out in the Schedule of Reserved Matters which must always be referred to the Board and those that have been delegated by the Board to any sub-committee.
3. The Clerk shall be responsible to the Board for securing economy, efficiency and effectiveness in its use of resources and for receiving a favourable value for money conclusion from the appointed auditor each year.
4. The Responsible Finance Officer shall be the Board's Responsible Financial Officer, as defined in the Accounts and Audit Regulations 2005 (amended 2010). The designated Responsible Finance Officer (RFO) shall be responsible for maintaining adequate and effective controls and procedures in the manner and format he/she considers to be best. The Responsible Finance Officer shall, where appropriate, prepare additional rules of procedure/guidance, supplementary to these Regulations.
5. The Responsible Finance Officer shall be responsible for setting up and maintaining the financial and management accounting/reporting systems, processes, procedures and coding lists. Such systems shall be fully documented by the Responsible Finance Officer and shall not be changed without the Responsible Finance Officer's consent.
6. The Responsible Finance Officer shall ensure that the Board's Financial Statements for the year ending 31 March are prepared no later than the following 30 April every year, and that they are completed in accordance with the Practitioners Guide to the preparation of Financial Statements for IDBs.
7. The Responsible Finance Officer shall ensure that the Board considers and approves its Financial Statements for the year ending 31 March by no later than the following 30 June every year, or by any other date specified in the Accounts and Audit Regulations.
8. The Engineer sets and monitors annual maintenance works and thus spend against the agreed annual maintenance works budget. Where the use of other specialist services have been approved by the Board, the Engineer ensures value for money.
9. Any variation to these Financial Regulations shall only be made by resolution of the Board. The Clerk will ensure that these Regulations are followed and, for the avoidance of doubt, shall be empowered to do the same.

B SCHEME OF BUDGET DELEGATION

1. The Clerk shall be the primary budget holder and is responsible to the Board for the overall management of the Board's Finances, the Rate Estimates and all Budgets.
2. The Responsible Finance Officer shall be a budget holder and is responsible to the Clerk for preparing and managing the Board's budgets, in accordance with the Financial Regulations and any supplementary rules of procedure/guidance issued by the Clerk.
3. The Engineer shall be a budget holder and is responsible to the Clerk for preparing and managing the Board's Maintenance Works Budget in accordance with the Financial Regulations and any supplementary rules of procedure/guidance issued by the Clerk.
4. If the Clerk issues any rules of procedure/guidance to supplement these Financial Regulations, he/ she shall notify the Board.
5. The Clerk shall have the full power and authority of the Board to overrule any decision taken by another budget holder to procure goods and services, charge, allocate or otherwise commit expenditure, if the Clerk feels that it is in the best interests of the Board to do so.
6. The Clerk shall be the only person empowered to enter into contracts on behalf of the Board and no other person shall commit the Board to a particular course of action, or provide any undertaking/ assurance to any third party without the relevant budget holder's prior written consent.
7. Board members shall not individually have the power to commit the Board to any contract unless the Board has made a statutory resolution specifically authorising this course of action, which should be reviewed annually.
8. No person shall procure goods and services, charge, allocate or otherwise commit expenditure against a budget that they have no budgetary responsibility for. Budgetary responsibility is clearly set out in and limited to items B1 to B5 above.
9. All correcting journals shall always be authorised and approved by the Clerk or the Responsible Finance Officer.
10. All of the Board's members and those acting on its behalf have a responsibility for health and safety, for compliance with policies procedures and codes of practice, for the general security of the Board's property, and for economy, efficiency and effectiveness in the use of resources.
11. Serious breaches by Board Members may result in them having to resign, in accordance with the Members' Code of Conduct.

C MANAGING BUDGETS & REPORTING

1. The Responsible Finance Officer shall be responsible to the Clerk for preparing the Board's Estimates/Budgets with budget holders, for monitoring income and expenditure during the course of the year and alerting the Clerk to any material variances.
2. The Responsible Finance Officer shall present the Clerk with the proposed Rate Estimates for the Board in the manner/format prescribed by the Clerk by no later than November every year and it is the Responsible Finance Officer and Engineer's responsibility to provide the detailed budgets and supporting information to support these Estimates.
3. The Clerk shall ensure that the Board considers and approves the Rate Estimates before 15 February each year, in order that the Drainage Rates and Special Levies can be determined in accordance with the Land Drainage Act 1991.
4. Any drainage rate refunds due for whatever reason shall be approved by the Clerk prior to being paid or otherwise accounted for.
5. The Responsible Finance Officer shall be empowered to prosecute drainage rate defaulters on behalf of the Board.
6. The Responsible Finance Officer shall be responsible to the Clerk for ensuring that the Drainage Rates and Special Levies are substantially collected by 1 November each year. Liability Orders should have been issued by no later than 30 November each year.
7. The Responsible Finance Officer shall advise the Clerk immediately should a Billing Authority fail to make their Special Levy payment to the Board at the agreed time, or where significant Drainage Rates due become doubtful.
8. The Clerk, Responsible Finance Officer and Engineer shall attend all Board meetings.
9. The Clerk shall be the only officer who can convene a Board meeting or a Sub-committee meeting. The Chair, Vice Chair or any 3 other Board members shall have the power to convene a Board meeting.
10. For any capital funded works the Engineer with the support of the Responsible Finance Officer shall prepare an Engineer's Report for each Board meeting and, where necessary, any Board sub-committee meeting, detailing the relevant progress made on approved capital schemes during the reporting period as compared to approved budgeted costs, and, when appropriate, will propose fully costed new capital schemes for the Board's consideration, in a manner prescribed by the Clerk or the Board. The Engineer shall present the completed Report to the Clerk at least 10 working days before the Board/sub-committee meeting date.

11. The Engineer shall prepare an Operations Report for each Board meeting and sub-committee meeting, detailing the maintenance work that has been carried out during the reporting period and the cost of such work, in a manner prescribed by the Clerk or the Board. The Engineer shall present the completed Report to Clerk 10 at least working days before the Board/sub-committee meeting date.

12. The Responsible Finance Officer shall prepare a Financial Report for each Board meeting and, shall prepare any other management accounting/financial report that may be required by the Board, sub-committee as directed by the Clerk. The Responsible Finance Officer shall present the completed Report to the Clerk at least 10 working days before the Board/sub-committee meeting date.

D PURCHASING GOODS & SERVICES (INCLUDING PLANT) - outside the agreed maintenance programme

1. Those acting on the Board's behalf shall always comply with the following procedures when procuring goods and services. Quotations/Tenders will be sought as follows, other than in emergency situations; where approved buying groups are used or where approved service level agreements are in force. These threshold amounts may be amended from time to time by resolution of the Board:

Estimated Value of Goods/Services Quotes/Tenders to be obtained

Value	
<= £500	No quotations/tenders required
> £500 and <= £2,000	Obtain 1 written quotation
> £2,000 and < = £30,000	Obtain 3 written quotations
> £30,000	Obtain 3 tenders

2. The budget holder, or other person acting on the Board's behalf, shall be responsible for ensuring that 3 written quotations are sought from suppliers when the value of the goods/services is >£2,000 and <=£30,000. Where it is not possible to get 3 quotations, the Clerk's or, where appropriate, the Board's written approval must be obtained prior to awarding any contract.

3. Tendering may be selective or open, although, whenever possible, selective tendering shall be used when the value of the goods/services is >£30,000. Tenders will be invited from 3 such suppliers whenever this is reasonably practicable and the documentation prepared by Officers for the tendering process shall always be proportionate to the value of the contract, as estimated by the Responsible Finance Officer. Where it is not possible to get 3 tenders, the Board's approval must be obtained prior to awarding any contract.

4. Tenders shall be opened (including those received by email), not earlier than the closing date prescribed in the tender documents, in the presence of the Responsible Finance Officer, the Chair or Vice Chair or other suitable member, except where this process has been delegated by the Board to a sub-committee or third party. A declaration shall be signed to such effect by the persons present at the opening of the tender(s).

5. Where a tender is accepted other than the lowest, the Board's approval shall be obtained, or a sub-committee's approval shall be obtained where the sub-committee has delegated authority from the Board for this purpose.

6. If anyone acting on the Board's behalf would like to start trading with a new supplier that is not on the approved suppliers' list or would like to remove a supplier from the approved suppliers' list they must gain the appropriate authority in writing from the Clerk or the Responsible Finance Officer. Where it is proposed that a new supplier should be added to the list the person acting on the Board's behalf must first provide the Clerk and Responsible Finance Officer with a copy of the new supplier's trading terms of business.

7. Anyone acting on the Board's behalf shall fully comply with all competition law, with the Bribery Act 2010, and with the Board's Anti-Fraud and Corruption Policy. Furthermore they must inspect the insurance policies of contractors, their safe systems of work and environmental policies, and, obtain the Clerk's prior written consent before awarding works contracts.

8. Anyone acting on the Board's behalf shall not enter into any contract that has been reserved to the Board, or delegated to a sub-committee, without obtaining the should first seek the Board or relevant sub-committee's authorisation for the contract. The Board/ sub-committee should then check with the Clerk that the contract is OK. If he/she says "Yes" , the contract can be taken out, but if he/ she thinks that the contract is "inappropriate", i.e. there is a disagreement, the matter should be referred to, and decided by, the Board.(see Section 5 'Contracts' of the Board's Schedule of Reserved Matters).

9. The Responsible Finance Officer shall be responsible to the Clerk for ensuring that the procurement of all goods and services is authorised, including the purchasing of goods and services for emergency situations, and the purchasing of goods and services through buying groups or via service level agreements or other arrangements that have been approved by resolution of the Board. Reference to the 'budget holder' below also includes reference to approved deputies. These threshold amounts may be amended from time to time by resolution of the Board:

Value of Purchase			Authorisation required
£	and	£	Authoriser(s)
>0	and	<=3,000	Budget holder: 1. Capital Schemes budget – Engineer 2. Maintenance Works budget, Plant & Labour Operations Account, Stock Control Account – Engineer 3. Administration budget – Responsible Finance Officer 4. Any budget/appropriation of Reserve – Clerk
>3,000	and	<=7,000	Clerk or Responsible Finance Officer (contracts must be authorised by the Clerk).
>7,000	and	above	Clerk

10. All types of contract that are listed in Section 5 of the Schedule of Reserved Matters shall be authorised by the Clerk, after the Board has approved them. All expenditure on officer/member training, continuous professional development, courses and seminars shall only be authorised by the Clerk, or, where appropriate, by the Board.

11. All procurement of goods and services above the value of £250 shall be authorised by the authoriser(s) as stated in D-9 above, by the raising, signing and dating of an official purchase order, should one be requested by the supplier before the goods are dispatched. Otherwise, invoices are to be authorised by the Clerk's signature. Before authorising the procurement of goods or services anyone acting on the Board's behalf will have first satisfied themselves that these Financial Regulations have been complied with and that the Board's approval has been obtained, if required by the Schedule of Reserved Matters, or that the sub-committee's approval has been obtained, if delegated authority has been given to a sub-committee by the Board.

12. Anyone acting on the Board's behalf must never break down a job to avoid having to get 3 written quotations/tenders or approval from a secondary authoriser.

13. Where a purchase order is raised the following information must be clearly stated on each purchase order:

- I. The name of the supplier
- II. The agreed price of the goods/services required, other than in an emergency.
- III. The internal code(s) to which the item(s) will be allocated and thereby charged to in the Board's Financial Statements. These codes shall be determined by the Responsible Finance Officer, who shall ensure that there is an up-to-date coding list for all areas of budgetary responsibility.

14. The Responsible Finance Officer shall be responsible to the Clerk for ensuring that anyone acting on the Board's behalf shall comply with the procurement procedures as set out in Section D and crucially that no one purchases goods or services, charges, allocates or otherwise commits expenditure against a budget for which they have no budgetary responsibility. The Responsible Finance Officer shall inform the Clerk immediately, if he/she establishes that anyone acting on the Board's behalf has procured goods or services, charged, allocated or otherwise committed expenditure against a budget that they have no budgetary responsibility for.

15. All quotes/tenders, delivery notes, invoices for payment and credit notes shall be matched together to the official purchase order if one is raised as determined in D10, or signed by the Responsible Finance Officer as authorisation for payment examined, coded and certified as correct as shown in D-90, before they are proposed for payment. If any invoice/credit note is deemed to be incorrect (other than a utility bill) the Responsible Finance Officer shall not process such

invoices/credit notes for payment. The quotes/tenders, purchase orders and delivery notes, shall all be filed together as directed by the Responsible Finance Officer.

16. The Responsible Finance Officer shall ensure that all Invoices which have been approved in accordance with D14 are proposed for payment within 30 days of the invoice tax point date, unless otherwise requested by the Chairman.

17. For landowners and Board Members to request works/equipment/materials outside of the agreed annual maintenance plan evidence must be provided of a written quote prior to the contribution being approved by Board and proof of the invoice of works provided before payment is made. When the Board is considering making a contribution or purchasing materials/equipment all relevant and involved parties should be invited to the Board meeting where it is to be discussed, and communication is made with these individuals to confirm the works and contributions outlined.

18. Where it is considered that there are valid reasons for departing from the procedures in Section D, the Board's approval shall be obtained, or, if a sub-committee has been established by the Board with the power to do this, then the sub-committee's approval shall be obtained

E BANK MANDATE AND INVESTMENTS

1. No changes shall be made to the Board's banker or the bank mandate without the prior consent of the Board, as stated in Section 12.1 of the Board's Schedule of Reserved Matters.

2. The Responsible Finance Officer shall be responsible for advising the Board's bankers in writing of the conditions under which the Board would like each of its bank accounts to be operated.

3. None of the Board's bank accounts shall be overdrawn and no loans shall be taken out without the Clerk's consent and a statutory resolution from the Board, in accordance with Sections 5.2 and 5.3 in the Board's Schedule of Reserved Matters.

4. Approved signatories for the Board's bank accounts are as follows:

1. Clerk
2. Responsible Finance Officer
3. Chair of the Board

5. All payments from the Board's bank accounts shall be made in the most efficient/secure manner (e.g. electronically), as determined from time to time by the Responsible Finance Officer.

6. Prior to payments being made, all payments shall be approved, authorised and signed by the Responsible Finance Officer / Clerk or their deputy.

7. All bank transfers and investments shall be authorised by the Responsible Finance Officer, In accordance with the Board's Investments and Loans Strategy

(see Section F below). Such transfers and investments shall be made in the most efficient/secure manner (e.g. electronically), as determined from time to time by the Responsible Finance Officer.

8. The Responsible Finance Officer shall maintain a Register of Passwords and Contact Details to enable other approved signatories to use and obtain support on all banking software.

9. All bank account reconciliations shall be checked by the Responsible Finance Officer

F INVESTMENTS AND LOANS STRATEGY

1. All investments for the Board are made in accordance with guidance received from ADA (Association of Drainage Authorities), CIPFA (Chartered Institute of Public Finance Accountants) Guidance for the Public Sector, and the relevant Local Government Statutory Instruments. This means that:

- The Board's investment activities are closely monitored by statute
- The Board has a limited range of primary markets and instruments available to it
- The Board may invest in major banks and building societies
- The Board's investments must be low/medium risk
- The Board's investments must be made in the name of the Board and not any named individual

2. All investments and loans shall be negotiated by the Responsible Finance Officer and agreed by the Board. They must be made in the name of the Board and shall be for a period which accords with Board policy. Changes to investments and loans must be reported to the Board at the earliest opportunity.

3. All investments of money under the control of the Board shall be in the name of the Board.

4. All borrowings shall be effected in the name of the Board.

5. All investment certificates and other documents relating thereto shall be retained in the custody of the Responsible Finance Officer.

G COLLECTING MONEY

1. The Responsible Finance Officer shall be responsible to the Clerk for ensuring that all monies received are properly recorded in the Board's accounting records.

2. Cheques and postal orders received by post are recorded on the Cheque Register daily and banked twice a week. Official receipts are only issued on request and with the provision of a stamped self-addressed envelope.

3 Those paying in person at Plough Lane are to receive an official receipt.

4. An official receipt must show:
 - a. Date of receipt
 - b. Amount received and from whom
 - c. Reference number
5. Board monies shall not be used for the encashment of private cheques.
6. Disbursements shall not be made from cash received.

H SUNDRY DEBTORS

1. The Responsible Finance Officer is responsible to the Clerk for raising and collecting sundry debts due.
2. The Responsible Finance Officer is responsible for ensuring that rechargeable work is properly accounted for and invoiced, and any other debts due are properly invoiced.
3. The Engineer is responsible for expeditiously providing the Responsible Finance Officer with all the necessary information to enable debtors to be properly invoiced for development contributions, commuted maintenance sums, consenting and wayleave fees, etc.
4. The Responsible Finance Officer is responsible for ensuring that all invoices for debts due are properly raised within one week of being authorised and that the amounts due are collected promptly.
5. The Responsible Finance Officer shall always obtain the Clerk's approval for highland water claims (e.g. the Foreign Water Grant) before sending the invoice(s) to the Environment Agency on the dates specified by the Environment Agency.
6. Any refunds due to debtors for whatever reason shall be approved by the Clerk prior to being paid or otherwise accounted for.
7. The Responsible Finance Officer shall ensure that all debts are collected promptly by sending two reminder letters in accordance with the Board's Billing and Recovery procedure before a summons is issued, should the debt remain unpaid.
8. The Clerk and the Responsible Finance Officer shall be empowered to collect all sundry debts due on behalf of the Board.
9. The Responsible Finance Officer shall obtain the Clerk's approval before instigating legal proceedings to collect any outstanding sundry debt.
10. The Clerk shall obtain the Board's approval for instigating legal proceedings to collect outstanding amounts in excess of £5,000, in accordance with Section 12.2 of the Board's Schedule of Reserved Matters.

I AUDIT

1. As a requirement of the Accounts and Audit Regulations 2011 the Responsible Finance Officer shall ensure that the Board is presented with the Internal Auditor's Report each year and review the Internal Auditor's performance.
2. The Responsible Finance Officer shall respond to all requests from the External Auditor or the Internal Auditor.
3. In addition, all persons acting on behalf of the Board are required to assist the External Auditor, or his/her authorised representative, in the performance of his/her duties under the Accounts and Audit Regulations 2005 (amended 2010).

J FRAUD OR OTHER IRREGULARITIES

1. Anyone acting on behalf of the Board shall immediately notify the Clerk of any matter which involves, or is thought to involve, irregularities concerning cash, stock or other property of the Board or any suspected irregularity in the exercise of the functions of the Board, in accordance with the Board's Anti-Fraud and Corruption Policy.
2. Any financial irregularity or breach of procedures involving anyone acting on behalf of the Board will be investigated and dealt with as necessary.
3. Board Members are to declare all relevant interests at each Board meeting, to be recorded in the minutes. Board Members should leave the meeting when agenda items relating to their declared interests are discussed. If the Board are happy for interested parties to remain in the meeting this should be recorded in the minutes.

K 'WRITE OFFS'

1. The Clerk shall have the authority to write off the following amounts:
 - a. damaged or stolen goods for which it is not considered that the Board may make a valid insurance claim, where those goods do not form part of a stock account,
 - b. surplus goods and materials,
 - c. goods or materials that are considered to have no material value due to deterioration or obsolescence.
2. The Engineer or Responsible Finance Officer shall inform the Clerk of any item under N1 a. – c. above that they consider should be written off together with:-
 - details of the item or debt to be written off,

- the circumstances necessitating the write off,
- the reasons why he/she considers that the value of the goods or materials is irrecoverable or that no proceeds on sale would accrue to the Board.

3. The write off of rate demands shall be authorised by the Responsible Finance Officer if the yearly bill per ratepayer is under £5 Anything over £5 shall be reported to the Board on a yearly basis for their approval together with supporting evidence as to why the debt is irrecoverable.

L MEMBERS' EXPENSES/ALLOWANCES

1. All claims for payment of car allowances, subsistence allowances, travelling expenses and all other incidental expenses shall be submitted as required by the Clerk, duly certified with receipts, where appropriate, and in a form approved by the Clerk.

2. No mileage claim, reimbursement of expenses or allowances shall be paid to Board members until such claims have been certified by the Clerk. On certifying such claims the Clerk must be satisfied that the journeys were authorised, the expenses were properly authorised and necessarily incurred, and that any allowances claimed are due to be paid by the Board.

3. Members' claim forms submitted more than 6 months after the expenditure has been incurred shall be paid only with the approval of the Board.

4. Serious breaches by Board Members may result in them having to resign, in accordance with the Members' Code of Conduct.

M INSURANCES

1. The Responsible Finance Officer shall initiate all insurance cover after consulting with the Board.

2. The Responsible Finance Officer shall be responsible to the Clerk for expeditiously submitting all insurance claims that the Clerk agrees should be pursued.

3. Anyone acting on behalf of the Board shall immediately notify the Clerk and the Responsible Finance Officer of any loss, liability or damage, or of any event likely to lead to a claim on any of the Board's insurance policies and shall, where appropriate, notify the police of the relevant circumstances.

N SECURITY

1. The Clerk shall be responsible to the Board for ensuring that the Board's assets are safe and secure.

2. The Engineer shall be responsible to the Clerk for:
 - a. the proper safety and security of the Board's documents and information under his/her control.
 - b. registering all of the Board's land where clear and unambiguous title can be established, in order to safeguard the Board's property.

3. The Responsible Finance Officer shall be responsible to the Clerk for:
 - a. the proper safety and security of all cash, office equipment, documents and information under his/her control.
 - b. filing and maintaining a Register of all legal agreements, including but not limited to title deeds, seal books, constitutional documents, consents, acknowledgements, rental agreements, licences and sundry arrangements, as instructed by the Clerk.
 - c. maintaining the Register of Software Licences and Office Equipment Support Contracts, as instructed by the Clerk.

4. All those acting on behalf of the Board have a duty to comply with the requirements of the Board's Data Protection Policy, the General Data Protection Regulations (GDPR), the Data Protection Act 2018 and any amending legislation. The Clerk shall ensure that anyone acting on behalf of the Board is aware of their responsibilities under this legislation through the provision of suitable training and the circulation of relevant information on the subject.

5. Cash holdings shall not exceed £200 without express permission from the Clerk or the Responsible Finance Officer.

6. Keys to safes, cash boxes and similar receptacles are to be carried on the person of those responsible at all times. Such persons shall be determined by the Clerk.

O PROTECTION OF PRIVATE PROPERTY

1. Anyone acting on behalf of the Board shall notify the Clerk of any case where steps are necessary to prevent or mitigate loss or damage of property.

2. The Board shall not be liable for accidental loss of, or damage to, the personal possessions which anyone acting on behalf of the Board uses whilst on Board business, such as a car.

3. All recovered valuables such as jewellery, watches and other small items of a similar nature and documents of title shall be kept under safe custody as directed by the Clerk, and shall, if not claimed, be disposed of in a manner determined by him/her.

4. In the event of the theft of personal items from anyone acting on behalf of the Board, a full report shall be made as soon as the theft has been discovered. All such incidents shall be recorded and investigated in accordance with the Board's Anti-Fraud and Corruption Policy.

P REVIEW OF FINANCIAL REGULATIONS

1. These Financial Regulations shall replace all previous regulations or arrangements that existed prior to 31 March 2019.
2. The Board reserves the right to make reasonable changes to these Financial Regulations at any time in future.
3. These Financial Regulations shall be reviewed at least every four years by the Board.

Document Control

Date Approved by RLIDB	21 st January 2021
Date of next of scheduled review	January 2025