

REPORT FOR RESOLUTION

SUBJECT: BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE
FINANCIAL REGULATIONS

REPORT OF: THE LEAD OFFICER ON BEHALF OF THE ADVISORY
BOARD

PURPOSE OF REPORT

To request that the Joint Committee reviews its Financial Regulations and in accordance with section 1.6 of said regulations, notes where services have been procured outside of those Financial Regulations.

RECOMMENDATIONS

It is recommended that the Joint Committee:

- [i] Approves the revised Financial Regulations (Appendix 1)
- [ii] Notes the procurement information set out in 1.4.

FINANCIAL CONSEQUENCES OF THIS REPORT

The report reflects a requirement under the Joint Committee's Financial Regulations.

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1. BACKGROUND

- 1.1 The Joint Committee last approved its Financial Regulations at its annual meeting in September 2011. The Joint Committee is asked to review these Financial Regulations in the light of a number of changes.
- 1.2 The purpose of this report is to report on services which have been procured outside the framework of these regulations, to seek approval for the planned arrangements for reviewing these services.
- 1.3 The Financial Regulations include arrangements for procuring goods and services. The Regulations (1.6) state that the Head of Service can allow exceptions to these regulations if it is believed that the best interests of the BUS LANE Joint Committee would be served if the regulations were not applied.
- 1.4 The Head of Service reports that the Financial Regulations have been waived during 2011/12 in relation to the following:

Service	Supplier
Advice	Nabarro
Advice	Monkton Chambers
Advice	St James Chambers
Consultancy	Diane Dixon Associates
Role evaluation	Price Waterhouse Cooper
Property Negotiation	GVA Grimley
Training	Learning Tree International
TRO Project	Bath & North East Somerset Council

2. RECOMMENDATIONS

It is recommended that the Joint Committee:

- [i] Approves the revised Financial Regulations (Appendix 1)
- [ii] Notes the procurement information set out in 1.4.

BUS LANE ADJUDICATION JOINT COMMITTEE (BLASJC)**APPENDIX 1
FINANCIAL REGULATIONS**

- 1. General**
- 1.1 These Regulations should be read in conjunction with the Bus Lane Adjudication Service Joint Committee's Financial Standing Orders and Rules of Financial Management contained within the BLASJC Agreement and the Scheme of Delegation to the Head of Service.
- 1.2 These Regulations lay down for the guidance of members and officers, principles to be followed in securing the proper administration of the Joint Committee's financial affairs and shall be reviewed by the BLASJC on an annual basis.
- 1.3 The Head of Service, as the officer responsible for the proper administration of the Joint Committee's affairs, shall report to the Joint Committee any significant failure to comply with these regulations which comes to his/her attention.
- 1.4 The Head of Service shall be responsible for the accountability and control of all resources managed by him/her on behalf of the Joint Committee and will maintain a written record where decision making has been delegated to others
- 1.5 The Head of Service will ensure the organisational structure provides an appropriate segregation of duties to provide adequate internal controls to minimize fraud or malpractice.
- 1.6 The Head of Service can allow exceptions to these Regulations if it is believed that the best interests of the BLASJC would be served if the Regulations were not applied. A written record of these decisions must be kept and reported to the BLASJC at the earliest opportunity.
- 1.7 Whenever any matter arises which may involve financial irregularity, the Head of Service shall be notified immediately, and if an irregularity is disclosed the matter shall, at the discretion of the Head of Service, and after consultation with the Joint Committee Treasurer, be referred by them to the Bus Lane Adjudication Service Joint Committee. The Head of Service and the Joint Committee Treasurer will determine whether the matter should be referred to Internal Audit. Further in a case where the Head of Service advises that there is prima facie

evidence of a criminal offence having been committed, the matter shall be reported to the Police forthwith.

2. Accounting Arrangements

- 2.1 The Statement of Responsibilities for the Statement of Accounts sets out the role of the BLASJC, the Head of Service and the Treasurer to the BLASJC.
- 2.2 The Treasurer to the Joint Committee is responsible for approving the BLASJC's Statement of Accounts.
- 2.3 The Head of Service shall ensure that appropriate financial arrangements and procedures in place on behalf of the Joint Committee in order that the Treasurer can be provided with the necessary accounting records.
- 2.4 The unaudited accounts must be approved by the full Joint Committee.
- 2.5 The Head of Service will publish and make available a final accounts/audit timetable to member authorities following the September meeting.
- 2.6 The Head of Service, where applicable, shall be responsible for the submission of all claims for grant to Government Departments, or to the EU.

3. Banking Arrangements, Cheques and Purchase Cards

- 3.1 All arrangements with the Authority's bankers, including the procedures for the ordering and safe custody of cheques and purchase cards, shall be made under arrangements approved by the Head of Service.
- 3.2 All cheques drawn on behalf of the Joint Committee shall be signed by the Head of Service and Finance Manager except in their absence or in the case of personal expenses incurred by these post holders in which circumstances named signatories will provide signatures.
- 3.3 Purchase cards can be used to a pre-set limit of £50,000 per month and £15,000 per single transaction and will be used in accordance with agreed procedures including storage, authorised users and record keeping requirements.

- 3.4 Bank reconciliation will be undertaken on a monthly basis (within 30 days) and signed by two members of staff in accordance with the Bank Reconciliation Procedure with one signature being that of the Finance Manager.

4. Revenue and Capital Budgets

- 4.1 The Head of Service, in consultation with appropriate Officers, shall prepare annual estimates of expenditure and income, including the proposals for the basis for defraying that expenditure through member authorities. The budget and the basis for defraying that expenditure through member authorities must be approved by the Joint Committee by the end of January each year.
- 4.2 The Head of Service will monitor income and expenditure against the budget and will report to the meetings of the Bus Lane Adjudication Service Joint Committee in September, January and June (including outturn report) showing budgeted, actual and (where applicable) projected expenditure.
- 4.3 The Head of Service shall be authorised to approve transfers between expenditure heads up to a maximum of £25,000. These transfers will be reported for information to the Joint Committee at the next available meeting as part of the budget monitoring arrangements (see 4.2). Anything in excess of this shall be reported for approval to the Bus Lane Adjudication Joint Committee.
- 4.4 Where it is anticipated that expenditure as a whole will exceed the approved revenue budget by more than 2.5%, the Chair and Vice Chair of the Joint Committee should be notified by the Head of Service at the earliest opportunity following consultation with the Chair of the Advisory Board.

5. Income

- 5.1 The collection of all money due to the Joint Committee shall be under the supervision of the Head of Service.
- 5.2 All money received shall be without delay passed for payment to the Joint Committee's bank account.
- 5.3 The Head of Service shall be furnished with information to ensure prompt rendering of accounts for the collection of income.

- 5.4 Following year-end, the Head of Service shall request a self-certification of Penalty Charge Notices issued from member authorities.
- 5.5 The Head of Service shall seek to validate the accuracy of data supplied through the self-certification process by reference to third party data sources where this is available.
- 5.6 The Head of Service shall report all bad debts to the Bus Lane Adjudication Service Joint Committee for these to be written off. This report will include the cause of the bad debt and the recovery measures taken in accordance with the Debt Recovery Procedure.
- 5.7 Through regular budget monitoring reports, the Head of Service will appraise the Joint Committee of variations in achieved income in order that the Joint Committee can take appropriate actions in a timely manner

6. Borrowing and Investments

- 6.1 The Joint Committee approves on an annual basis a Treasury Management Statement prepared in conjunction with the Treasurer. This will take into account the Joint Committee's Reserve Policy Statement.

7. Orders and Contracts

- 7.1 The Order Procedure includes the required procedures, recording keeping and procurement thresholds. These procurement threshold are set out below together with the responsibilities of the Head of Service and budget holders in procurement:

Up to £2,000, a written quotation submitted by a requisitioner and authorized by the Budget Holder.

Between 2,000 and £30,000 – three written quotations submitted by the Budget Holder

£30,000 to EU Threshold formal tender process to at least three candidates authorised by the Head of Service.

EU Threshold to £250,000 follow EU Tender Rules initiated by the Head of Service.

Only Budget holders and staff who have received training in the Order Procedure may order goods or services.

The Head of Service will ensure that staff involved in procurement are aware of the financial thresholds and the need for aggregation with single suppliers in respect of purchasing thresholds. Market testing will be undertaken on a three year cycle.

The Head of Service is required to obtain approval from the BLASJC in respect of tenders for the supply of goods, services, materials, equipment, building and civil engineering works in excess of £250,000 per contract.

The Head of Service is required to obtain approval from the BLASJC in respect of tenders of a sub-contractor or supplier for specialist work or material in excess of £100,000 for which a prime cost sum is included in the main contract sum for services, building and civil engineering works.

- 7.2 The Head of Service has the authority to waive these rules (excluding those falling within the EU threshold) where the interests of the BLASJC would best be served. Such circumstances would include where there is only one contractor that is able to provide the goods or service or where the need for such goods or services was urgent and the above procedure would be detrimental to the BLASJC. Forward planning and market testing will be deployed to ensure that cases of waiver are minimised. The Head of Service shall maintain a record of such decisions and report to the Joint Committee at the earliest opportunity.

8. VAT

- 8.1 The Head of Service will make arrangements for VAT to be reclaimed from the Joint Committee's Lead Authority on a quarterly basis.

9. Reserves

- 9.1 The Joint Committee shall approve a Reserves Policy Statement on an annual basis. The Joint Committee will be asked to approve arrangements for placing elements of the reserve on deposit, with regard to ensuring sufficient cash flow and minimizing risk.

10. Equipment

- 10.1 The Head of Service will ensure that all staff are aware of their responsibility for the security and proper recording of equipment under their control including their personal responsibility with regard to the protection and confidentiality of information whether held in manual or computerized records in accordance with the Information Security Policy. All equipment over £1,000 in value must be recorded in the Equipment Inventory in accordance with the Asset Management Policy. The Head of Service will also ensure that no BLASJC equipment is subject to personal use by an employee without proper authorisation.

11.0 Insurance

11.1 The Head of Service shall in consultation with the Joint Committee's Treasurer, arrange such insurances as he/she considers necessary.

11.2.1 Officers shall give prompt notification to the Head of Service of all new risk or any alterations which may affect existing insurances.

11.2.2 Officers shall inform the Head of Service promptly in writing of any event which may involve the Joint Committee in a claim.

12. Risk

12.1 The Head of Service will present a Risk Register for review by the Joint Committee at each meeting in accordance with the Risk Management Strategy. In addition, the Head of Service will ensure that effective Business Continuity Planning arrangements are in place.

13. Internal Audit

13.1 The Joint Committee shall approve an Internal Audit Three Year Strategy and Annual plans.

13.2 The Head of Service will, in accordance with the above strategy and plan, arrange for the internal audit of accounts and internal assurance framework of the Joint Committee. Internal audit is currently undertaken by the Lead Authority's Internal Audit Department.

13.3 The Head of Service will ensure that Internal Auditors have right of access to such records and explanations as they require to complete work undertaken.

13.4 Audit Reports will be presented to the Joint Committee.

14. External Audit

14.1 The Joint Committee will be asked to approve the appointment of auditors.

14.2 The Head of Service will make such arrangements as are necessary to facilitate this audit.

14.3 The Head of Service will ensure that External Auditors have right of access to such records and explanation as they require to complete work undertaken.

14.4 Audit Reports will be presented to the Joint Committee.

15. Petty Cash

- 15.1 The Head of Service shall make such arrangements as he/she considers necessary for defraying petty cash and other expenses by means of an imprest system in accordance with a procedure to be agreed by the Treasurer should a petty cash imprest system be introduced.

16. Gifts and Hospitality Register

- 16.1 The Head of Service will ensure that a register is held for the purposes of recording gifts and hospitality and that staff are made aware of its existence.

17. Declarations of Interest

- 17.1 All staff with financial responsibilities will be required to complete a Declaration of Interest form on an annual basis at the end of each financial year. Members at each meeting will be provided with the opportunity to declare a pecuniary or non-pecuniary interest.

18. Anti-fraud, anti-corruption and whistleblowing

- 18.1 Compliance with these financial regulations is supported by policies and procedures in respect of anti-fraud, anti-corruption and whistleblowing. Where staff have concerns in this respect, they should approach their Line Manager, The Head of Service or if they wish to speak to someone external to the organisation, they can contact the Audit Commission Whistleblowing Hotline on 0845 052 2646. The Head of Service will ensure that staff are aware of whom they can contact both within and external to the organisation in these circumstances.

19. Document Retention

- 19.1 All financial documents will be retained for a period of six years plus the current year in accordance with the Document Retention Policy.

20. Review

- 20.1 These Financial Regulations will be reviewed by the Joint Committee on an annual basis.

BLASJC Financial Regulations - Related Documentation

1. Financial Standing Orders and Rules of Financial Management contained within the BLASJC Agreement.
2. The Scheme of Delegation to the Head of Service.
3. The Statement of Responsibilities for the Statement of Accounts
3. Annual Governance Statement
4. Treasury Management Statement
5. Reserves Policy Statement
6. Responsibilities of the BLASJC and Terms of Reference for the BLASJC Advisory Board
7. Financial Regulations – Operational Procedures Manual. This manual contains all policies, procedures and guidelines to staff referenced within these Regulations.

APPROVALS

Approval Date 28th September 2011
Review Date 26th June 2012 (Full Joint Committee)