MILTON PARISH COUNCIL

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14 October 08

To: Members of the Finance Committee
(For Information to all Parish Councillors)

There will be a Finance & Staffing Committee meeting on
Monday 20 October 2008 at 7.30pm in the Council Office

AGENDA

1 **Apologies for absence**

2 **Declarations of Interest**

3 **Minutes of the meeting of 21 July 2008** (page 2)

4 **Matters Arising**

5 **Bank Reconciliation and Bank Statements** (balance sheet in Excel – attached)

6 **Review of Debtors and Creditors at 30 September 2008** (attached in excel)

7 **Minibus Report** (attached)

8 **Review of Budget and Year-to-date Actuals** (attached in Excel)

9 **Independent Internal Audit report** (pages 4-7)

10 **To consider appointment of an Assistant Clerk** (pages 7-9)

11 **Employees' contracts** (pages 10-16)

12 **Any other business**

Jim Daniels

Jim Daniels
Clerk

The full Parish Council agenda papers are available at:

www.miltonvillage.org.uk [Council website]

Parish Council office & Community Centre notice board

QUALITY PARISH COUNCIL

Minutes of the Finance & Staffing Committee meeting held on Monday 21 July 2008 at 8.00pm in the Council Office

Present: RT Summerfield (chair) AJ Campbell RH Chapman JE Coston SC Humphreys RLE Waters The clerk

32/7-08 **1 Apologies for absence** – HM Smith.

33/7-08 **2 Declarations of Interest –** none.

34/7-08 **3 Minutes –** the minutes of the meeting of 19 May 2008 were approved and signed as a true record.

35/7-08 4 **Matters Arising –** although minute 43/5-08 was technically correct February and March interest was subsequently included in the 2007-08 accounts.

36/7-08 5 **Bank Reconciliation and Bank Statements –** the chairman reconciled the bank accounts as at 1st July 2008.

37/7-08 **6 Review of Debtors and Creditors at 30 June 2008**
Debtors amounted to £8672. VAT to be reclaimed. Community Care fees to be to checked. ***Action: the clerk***

Creditors were reviewed.

38/7-08 **7 Minibus report**
The treasurer Minibus Committee had suggested an increase in charges due to the rise in fuel bills. **AGREED** to recommend an immediate increase of 7 pence per mile and to propose the Minibus Committee consider an increase in the minimum charge from £8 to £10. It was also recommended that the committee be given the authority to implement increases as and when necessary without the need to refer back to Council.
Action: the clerk

39/7-08 **8 Internal Auditor report**
Already discussed (min 25/7-08) – Council's comments endorsed.

40/7-08 **9 Review of Budget and Year End Actuals**
Committee reviewed the budget. The clerk would check Community Care fees and youth expenditure.
Action: the clerk

41/7-08 **10 AOB**
<u>Direct debit</u> – recommended that the clerk pay the broadband fee by direct debit.
<u>Assistant clerk</u> – JEC, RHC and the clerk would meet in September.

The meeting ended at 8.35pm.

Chairman…………………………………

Date…..

CHECKING PURCHASES Milton Parish Council October 2008

Question to check	Yes/No	What needs to be reported?
How did they decide on the purchase?		
Was the proposal on the agenda?	Y	
Were three clear days notice given?	Y	
Did councillors make legal decision?	Y	
Evidence they check they have statutory power?	N/A	
Demonstrate knowledge of Section 137?	N/A	
Did they conform to Standing Orders?	Y	
Did they conform to Financial Regs?	Y	
Was order placed with agreed supplier?	Y	
Were the goods delivered?	Y	
Was the invoice for the correct amount?	Y	
Was cheque for correct amount?	Y	
Was it signed by minimum of 2 councillors?	Y	
Are they the signatories on mandate?	Y	
Has the cheque cleared through the bank?	Y	
Account reconciled?	Y	

CHECKING AGENDAS

Question to check	Yes/No	What needs to be reported?
Are councillors summoned to meetings?	Y	
Are the public & press invited?	Y	
Are three clear days given?	Y	
Are they signed by Clerk/Proper Officer?	Y	
Is there a contact address?	Y	
Was the Annual Meeting of Parish Council held in May?	Y	
Is the 1st item on Annual Meeting the election of the Chair?	Y	
Was the Annual Parish Meeting held between 1st March and 1st June?	Y	April 28th
Do they have "Any Other Business"?	N	
Do they have "Matters Arising"?	N	See notes

CHECKING BUDGETS AND BUDGETARY CONTROL

Question to check	Yes/No	What needs to be reported?
What was the year's precept request?		101,000
Is a formal budget prepared?	Y	
Does it reflect sufficient detail for their assets?	Y	
Is it approved by the whole council?	Y	
Level of General Reserves?		17,084
Level of Earmarked Reserves?		150,980
Is there evidence in minutes that these are still "live" projects?	Y	
Evidence of Budgetary Control Statements?	Y	
Precept request justified ?	Y	
Precept request sent on time to District?	Y	

CHECKING ETHICAL FRAMEWORK

Question to check	Yes/No	What needs to be reported?
Are there current Declaration of Acceptance of Office Forms for each councillor as members?	Y	
Has the Chairman signed as Chair?	Y	
Is the Register of Interests Book up-to-date?	Y	
Is there evidence it is regularly monitored?	Y	ANNUALLY MAY
Is there evidence that councillors are declaring interests at meetings?	Y	
When declaring "prejudicial" interests are councillors leaving the meeting?	Y	
Adopt 2007 ethical framework?	Y	

Freedom of information policies? On agenda for November meeting

CHECKING CONTRACTORS

Question to check	Yes/No	What needs to be reported?
Evidence they seek Best Value		Tree works – 5 quotes
Evidence they check that the proposed contractor has their own		
Public Liability Insurance	Y	
Relevant qualification to undertake job	Y	
Certificates – if required	Y	
Own equipment regularly checked	N	
Observes H & S at work regulations	Y	
Are Councillors not being paid to undertake work for the council?	n	

CHECKING LEGISLATION REQUIREMENTS
A

Question to check	Yes/No	What needs to be reported?
Has Council formally written and adopted the following:		
Asset Register		
Risk Management Policy		
Freedom of Information Publication Scheme		
Data Protection Register		
Standing Orders		
Financial Regulations		
Disability Access Policy		Under review
Fire Certification for buildings	Y	Has been updated
Grievance Procedure		
Ethical Framework Feb-May 2001		
Risk assessment		
Health and safety policy		

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Question to check	Yes/No	What needs to be reported?
Is there evidence in the Minutes that these are regularly monitored and updated when required?		
Asset Register		
Risk Management Policy		
Freedom of Information Publication Scheme		
Data Protection Register		
Standing Orders		Item 53 appears incomplete
Financial Regulations		Do these preclude overspending?

Disability Access Policy		
Fire Certification for buildings		
Grievance Procedure		

CHECKING INSURANCE

Question to check	Yes/No	What needs to be reported?
Do they have current insurance policy?		
Public Liability		
Fidelity Guarantee		240,000 checked january
Employer's Liability		
Cover for all assets on register		Some are self insured
Any other insurance requirements		

CHECKING VAT

Question to check	Yes/No	What needs to be reported?
Is the council registered to charge VAT?	n	
If yes – are they charging it?		
Are VAT claim forms being completed?		Quarterly claims
If so – at what intervals?		
Is there evidence that they understand what can be reclaimed?		
For non-business activity?		
Business activity?		
Apportioned reclaims?		
Not claiming on 3rd party purchases?		

CHECKING ALLOTMENTS

Question to check	Yes/No	What needs to be reported?
Do they own allotments?	Y	
Do they have adequate records of tenants?	Y	
Do they have public liability insurance?	Y	
How do they collect rental – cash policy?	Y	Annual – No petty cash is held see notes
Have they got maintenance budget?	Y	

CHECKING - ARE THEY A BURIAL AUTHORITY

Question to check	Yes/No	What needs to be reported?
Are they a burial authority?	Y	
If yes:		
Do they have public liability insurance?	Y	
Do they have written Risk Management Policy?	Y	
Do they have burial records?	Y	
Do they have up-to-date plan of site?	Y	
Have they got maintenance provision in budget?	Y	
If no:		
Are they responsible for Closed Churchyard?	N	CHURCH RESPONSIBILITY
Do they have public liability insurance?	N/A	
Do they have written Risk Management Policy?	N/A	

10TH October 2008

for the attention of the Chairman

Milton Parish Council
Parish Council Offices
Coles Road
Milton
Cambs. CB2 6BL

Dear Sir

I trust I have answered your queries from the last Internal Audit. I repeat here the comments I sent to Jim Daniels:

AS for the comments on the checklist I use.
This is a quite arbitrary list in as much as it a list Jacquie, the company trainer, and I agreed upon. The comments I write upon it serve two purposes:
1. ongoing reminders to me of what I have or have not looked at
2. pointers for your council to consider (or not).
The checklist goes no further than between you (your council) and me.
I hope you find it useful. Some of the questions are quite needless for a well run council such as yours but they might be quite telling in a different environment.
Now to answer the specifics as you requested:
The Ethical Framework 2001 should of course have been changed to 2007 requirement. This should have been adopted by council.
The comment N beside Insurance cover for all assets - this answer might provoke someone to look more closely, if councillors are aware of their own decisions on the matter then it has no significance at all. In a less well run council, councillors may not always be on top of things and a reminder to look closely is necessary. I am quite happy that some of your assets are self insured.
I did neglect to make a note of the Precept request but at the Annual Return I have seen it on that form so the question on my checklist is perhaps irrelevant at that time.

Perhaps in my efforts not to give advice, and I am forbidden from doing that, I tread too carefully and my comments are too dry. If so I apologise.

You will see that I have used very little of my preprinted form on this occasion, however one or two things came to light.
In order for an item to appear on the Agenda councillors must have an opportunity to raise it. I understand these items are currently arranged directly with the Clerk beforehand. If a member of the public followed the course of a meeting he or she might wonder if this is totally transparent. I understand you have an item on the agenda called Clerk/Chair's report. Mere Councillors appear to have no say in this item.

The Standing orders appear to have an error of omission in item 53 which appears incomplete.
The Council appears to have no set policy on the handling of cash. The present arrangement, which works perfectly well, has been left as a decision made by the Clerk for ease of use. I suggest the Council should accept the responsibility for this decision thus relieving the Clerk of the responsibility and leaving him to carry out the task.

If I may make an observation, the Council and it's offices appear, as always to be very well run.

Yours sincerely

S.J.Wilson

The S/O that S Wilson refers to:

RESOLUTIONS ON EXPENDITURE

53. Any resolution which is moved:

- other than by a recommendation of the Finance and Staffing Committee or of another committee after recommendation by the Finance and Staffing Committee
- and which, if carried, would, in the opinion of the Chairman, substantially increase the expenditure or reduce the revenue of any committee, or which would involve capital expenditure,
- shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council,
- any committee affected by it shall consider whether it wishes to report thereon and the Finance and Staffing Committee shall report on the financial consequences of the resolution.

Now that I have read it again it makes sense to me.

And from Financial Regs:

He mentioned this: He thought 3 precludes us from spending outside the budget and that it would read better if 3 and 4 were one conjoined by "and".
In his opinion they are in conflict BUT he has not included it in his written report.
We discussed it and I did not agree so maybe he decided to leave it.

3. Expenditure on revenue items may be incurred up to the amounts included for that class of expenditure in the approved budget.
4. No expenditure may be incurred that will exceed the amount provided in the revenue budget for that class of expenditure unless specifically agreed by resolution of Council. During the budget year and with the approval of Council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate.

ASSISTANT CLERK

Parish Clerk and Other Employees
Introduction to Role and Responsibilities

The Town or Parish Council Clerk is the 'engine' of an effective Local Council. He or she is its principal executive and adviser.
The Clerk has a duty to give clear advice to all Members of the Council, including the Chairman, before decisions are reached, even when that advice may be unpalatable. The Clerk has a key role in advising the Council, and individual Councillors, on governance and ethical matters.

The powers of other staff the Council may have derive from the Clerk, unless they are separately appointed by the Council for a specific purpose.

PARISH COUNCIL
Clerk to the Council
Job Description
Overall Responsibilities

The Clerk to the Council is the Proper Officer and employee of the Council and as such is under a statutory duty to carry out all the functions of a local authority's Proper Officer, and in particular to serve or issue all the notices required by law of the Proper Officer of the Council.

The Clerk is responsible for ensuring that the lawful instructions of the Council in connection with its functions as a Local Authority are carried out. The Clerk is expected to advise the Council on, and assist in the formation of, overall policies to be followed in respect of the Authority's activities.

The Clerk is responsible for producing all the information required for making effective decisions and for implementing all decisions of the Council. The person appointed is accountable to the Council for the effective management of all its resources and will report to the Council on them as and when required.

Unless separately appointed, the Clerk is the Council's Responsible Finance Officer and is responsible for all the financial records of the Council and for the careful administration of its finances.

The Clerk is the responsible officer in respect of the Health and Safety at Work etc. Act 1974, in regard to his/her own safety, the safety of other employees and that of members of the public, customers or other persons visiting any of the Council's premises.

Specific Responsibilities

1. To ensure that legal, statutory and other provisions, governing or affecting the running of the Council, are observed.
2. To monitor and balance the Council's accounts and prepare records for audit purposes, and VAT.
3. To ensure that the Council's obligations to insure are properly met.
4. To prepare, in consultation with appropriate Councillors as necessary, agendas for meetings of the Council and its committees; to attend such meetings and prepare minutes for approval.
5. To receive correspondence and documents on behalf of the Council and to deal with the correspondence or documents or bring such items to the attention of the Council. To issue correspondence as a result of the instructions of, or the known policy of, the Council.
6. To receive and report on invoices for goods and services to be paid for by the Council and to ensure such accounts are met. To issue invoices on behalf of the Council for goods and services to ensure payment is received.
7. To study reports and other data on activities of the Council and on matters bearing on those activities. Where appropriate, to discuss such matters with administrators and specialists in relevant fields.
8. To draw up both on his/her own initiative and as a result of suggestions by Councillors proposals for consideration by the Council and to advise on the practicability and the likely effects of specific courses of action.
9. To manage and supervise any other members of staff in keeping with the policies of the Council and to undertake all necessary activities in connection with the management of the salaries, conditions of employment, discipline and work of other staff in accordance with any current or future employment legislation.
10. To manage premises and facilities owned or operated by the Council in accordance with the directions or policies of the Council.
11. To monitor the implemented policies of the Council to ensure they are achieving the desired result and where appropriate suggest modifications.
12. To act as a representative of the Council as required.
13. To issue notices and prepare agendas and minutes for the Annual Parish Meeting; to attend the assemblies of the parish meeting and to implement the decisions made at the assemblies.
14. To attend all meetings of the Council and all meetings of its committees and sub committees.
15. To prepare, in consultation with the Chairman, press releases about the activities or decisions of the Council.
16. To attend training courses on the work and role of the Clerk as required by the Council.
17. To attend Conferences of the National Association of Local Councils (and/or Association of Larger Local Councils where applicable), the Society of Local Council Clerks, and other relevant bodies as required by the Council.

18. To be responsible as an officer and employee under the Health & Safety at Work Act for his/her safety at work and to take reasonable care for his/her health and safety and that of other persons who may be affected by his/her acts or omissions at work.

The clerk is responsible for all the above. The assistant clerk will be expected to assist the clerk in these responsibilities and to help him ensure that his statutory duties are carried out.

We have a small busy office in Coles Road, Milton and we are looking for someone who can assist the clerk and cover when he is unavailable / on holiday. We intend to keep the office open specifically on Mondays 10.00 – 12.00 noon, Wednesdays 14.00 – 16.00 and Fridays 10.00-12.00 noon for members of the public. The clerk / assistant will be available to meet residents at other times by prior appointment. The assistant will be expected to be able to work during these times. It is anticipated that his/her hours will be between 10 and 15 per week – to be agreed and that pay will be on the National Joint Council Scale ?? - £?? per hour.
The assistant must be willing to undertake training and seek appropriate qualifications.
Specific duties of the assistant:

Keeping filing up to date and generally helping with filing
Attending meetings and covering for the clerk when he is unavailable
Taking minutes
Assisting with residents enquiries
Assisting with Councillors enquiries
Helping with research
Invoicing and post duties
Management of allotments and other open spaces
Liaising with contractors
Updating the web site
    Replying to emails
    Responding to telephone messages
    Writing letters
    Writing contracts for staff
Dealing with and writing risk assessments
Dealing with health & safety matters
Managing special projects

Essential attributes
Able to keep confidential any part of the work that requires confidentiality
Computer literate - knowledge of emails, excel, word & mail merge.
Able to work flexibly – with some evening work.
Knowledge of local government

Desirable
An understanding of finances
Knowledge of finance package - Quicken

We are looking for someone who is friendly and enjoys working with the public.

The post will be initially for a three month probationary period.

October 2008
