



NewquayCouncil

CorporateService

Name of Document: **Terms of Reference**

Committee: **Finance and Policy (F&P)**

Date of Inception:



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This is a Policy or Procedure document of Newquay Town Council and as such must be fully adhered to by both councillors and employees.

Policy/Procedure File Status			
Version	6.2	Approving Body	Full Council
Date	17/06/2020	Date of Approval	
Responsible Officer	Town Clerk	Minute Reference	
Oversight Committee	F&P	Review Date	

Version History			
Date	Version	Author/Editor	Comments
22.07.13	1.0	F&P Committee	Adopted by FC
18.02.14	2.0	Town Clerk	Annual Review
21.06.16	3.0	Town Clerk	Annual Review
27.06.16	4.0	Committee	Minor Alterations pre Full Council
30.01.17	4.1	Town Clerk	QS Recommendation
26.06.17	5.0	Town Clerk	Annual Review
30.04.18	6.0	Town Clerk	Annual Review
29.07.19	6.1	Town Clerk	Reviewed by Committee
18.09.19	6.2	Town Clerk	Minor alterations (highlighted)
15.06.20	6.2	Town Clerk	Minimal Review

Review Record				
Date	Type of Review Conducted	Stage Completed	Summary of Actions Taken or Decisions Made	Completed By
18.02.2014	Annual Review	Yes	Update	Town Clerk
21.06.2016	Annual Review	Yes	Update	Town Clerk
30.04.2018	Annual Review	Yes	Update	Town Clerk
29.07.2019	Annual Review	Yes	Update	Town Clerk
15.06.2020	Minimal Review	Yes		Town Clerk

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1.0 Membership

Membership of this committee is to be appointed annually following the Annual Meeting of the Town Council.

- 1.1 The F&P Committee to consist of ten members of the Council who shall be duly elected into the following positions: Chairman and Vice Chairman of Planning and Licensing, Chairman and Vice Chairman of ED, Chairman and Vice Chairman of FBOS, Chairman and Vice Chairman of Tourism and Leisure, Mayor and Deputy Mayor.
- 1.2 The Committee Chairman will be the Deputy Mayor and Vice Chairman will be the Mayor. They shall hold office until the next Annual Council meeting where the Mayor and Deputy Mayor elections/re-election takes place.
- 1.3 If necessary, the committee membership shall remain for any extraordinary meeting called after Mayor Making, whereby the only membership changes will relate to the positions of Chair and Vice chair in accordance with 1.2 and any positions which have changed as a result of any standing committees meeting post Mayor Making to elect a new chair and vice chair.

2.0 Aims

To provide effective, efficient and professional management of all financial and procedural matters relating to the Council.

3.0 Objectives

To ensure that the Council acts lawfully in relation to all expenditure and maintains adequate financial controls to be accountable for audit purposes.

4.0 Meetings

- 4.1 The committee shall meet a minimum of 4 times in a Municipal year, on the last Monday after a Full Council meeting in each quarter (meetings will not normally be held in May, August and December), with Special meetings being called as required by the Town Clerk, through normal procedures defined in Standing Orders.
- 4.2 Members will be summoned to attend meeting which will be held in the Council Offices and a Public Notice of the meeting shall be given in accordance with Schedule 12, Para 10(2) of the Local Government Act 1972.
- 4.3 The Town Clerk may attend any meeting to offer advice, guidance and support.

5.0 Documentation

- 5.1 The minutes of all meetings shall be recorded by an officer of Newquay Town Council, scheduled by the Town Clerk and circulated at Full Council meetings of Newquay Town Council.

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- 5.2 All resolutions and recommendations to Full Council shall be recorded in the minutes of the meetings.

6.0 Accountability

- 6.1 The F&P Committee has delegated powers to act on behalf of the Full Council in relation to the defined terms of reference only; any recommendations outside the Committee's terms of reference shall be made to Full Council and may require another committee's input before a decision is made by Full Council or another responsible committee.
- 6.2 In some circumstances, officers have delegated powers to act on behalf of both the committee and Full Council under a separate Scheme of Delegation or as outlined in committee terms of reference.

7.0 Scope

The F&P Committee have delegated powers from Full Council to:

- 7.1 review the Council's Financial Regulations on a regular basis and making any recommendations to Full Council.
- 7.2 be responsible for the monitoring of the Council's Financial Regulations.
- 7.3 receive, examine and implement internal auditor's reports and recommendations and to ensure that recommendations are made to Full Council where necessary.
- 7.4 monitor all budgets on a quarterly basis, taking action where required to vire unspent provisions to ensure that the overall budget strategy is maintained.
- 7.5 establish a budget strategy for recommendation to Full Council as laid down in Financial Regulation 3.1. This includes an Admin budget which will be produced by the Town Clerk and an F&P Committee budget in-line with Financial Regulation 3.1.
- 7.6 spend up to its annual budget, without the requirement to go back to Full Council for approval; subject to such spends falling within the remit of Finance and Policy or General Purposes (not covered by any other Town Council committee) and are F&P committee projects, budgeted for in-line with Financial Regulation 3.1.
- 7.7 make decisions and project manage any Newquay Town Council initiatives which fall within the budget or scope of this committee.
- 7.8 consider and make relevant decisions on any matter referred to it by Full Council.
- 7.9 refer any budget request by any Committee back to that Committee or Full Council if it is felt that the financial implications would be outside normal budget limits. This may include considerations from public consultations, reviews on the budget or other relevant sub-committee/working party recommendations.

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- 7.10 consider any expenditure outside of the established budget strategy when required to do so and make recommendations to Full Council.
- 7.11 discuss and make decisions on all grant applications which do not fall to any other committees. Larger grants will need to be recommended to Full Council as appropriate. The Grant Policy should be adhered to at all times.
- 7.12 investigate any proposal involving financial implications brought to Full Council or any other Committee (and shall seek input and approval of the Staffing Committee and Town Clerk should these proposals have any impact on staff resources).
- 7.13 appoint an internal auditor, accountant and if required an independent financial advisor and make any necessary recommendations to Full Council.
- 7.14 following a request from a committee, consider and recommend to Full Council having any unspent budgets placed within a specific Committee earmarked reserve or the spending of contingency or earmarked reserves in accordance with Financial Regulation 4.9.
- 7.15 appoint Sub-Committees and Working Parties which shall report to it in accordance and within the scope of Standing Orders 4.a. – 4.d.(vi.) inclusive.
- 7.16 accept and set the terms of reference of any F&P Sub-Committee or F&P Working Party which it sets up, but the terms of reference must adhere to the F&P Committee's remit and terms of reference.
- 7.17 consider and investigate sources of external funding (including grants) for any projects, but should always seek guidance and input from relevant committee(s) responsible for the service/deliverable the grant will support unless there is not enough time for the relevant committee to feed in to the application.
- 7.18 handle, fund or support the following initiatives as per its budget for **2020-21** (some items may be delegated to the Town Clerk):
 - 7.18.1 *Admin Budget (in conjunction with the Town Clerk)*
 - 7.18.2 *Small Grants*
 - 7.18.3 *Other Grants*
 - 7.18.4 *Capital Projects (funding applications)*
 - 7.18.5 *External Grant Applications*
 - 7.18.6 *Mountwise Building*
 - 7.18.7 *Council Offices (in conjunction with the Town Clerk)*
 - 7.18.8 *Website Management*
 - 7.18.8.1 *General Management*
 - 7.18.8.2 *System Upgrades/Updates*
 - 7.18.8.3 *Polls and Surveys System*
 - 7.18.9 *Internal Newsletters*
 - 7.18.10 *Email System Management*
 - 7.18.10.1 *Upgrades*
 - 7.18.10.2 *Hosting*
 - 7.18.10.3 *Changes and Integrations*

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- 7.18.11 *Public Engagement and Communication*
- 7.18.12 *Printed Public Materials*
- 7.18.13 *Business Cards*
- 7.18.14 *Flags and Banners*
- 7.18.15 *Pull-up Banners (conferences/in-door use)*
- 7.18.16 *Standards of Practise Scheme*
- 7.18.17 *Portfolio of Evidence*
- 7.18.18 *Re-accreditation*
- 7.18.19 *ID Cards and Lanyards*
- 7.18.20 *Civic Gowns and Civic Robes*
- 7.18.21 *Civic Regalia*
- 7.18.22 *Office Servers and IT Infrastructure*
- 7.18.23 *Seating and facilities which are used for public meetings*
- 7.18.24 *Monitoring the Council's Business Plan*
- 7.18.25 *Newquay Recovery Planning and Pandemic Response*

- 7.19 recommend procedural changes, introductions or rescissions to the Full Council for adoption, but must always consult and obtain prior agreement from both the Staffing Committee and Town Clerk where such policies or procedural changes etc. affect members of staff.
- 7.20 prepare and negotiate contractual terms with third parties as necessary for the operation, repair and overhaul, routine maintenance and cleaning services associated with F&P controlled services, equipment, infrastructure and activities provided such contracts are covered within the F&P Budget, do not create a long-term contractual obligation (over 5 years) and only upon fully considering the current and future financial implications this may have on the F&P Committee's budget in-line with Financial Regulations.
- 7.21 carry out a review of the effectiveness of internal audit controls on an annual basis and may delegate some aspects of this to a Working Party/Sub-committee but in doing so, it will remain responsible with Full Council for the internal control checks.
- 7.22 recommend the level of precept to the Full Council for approval on an annual basis.
- 7.23 ensure that Risk Assessments for all the Council's activities are kept up to date, including the commissioning of external providers to undertake this work.
- 7.24 ensure that the Annual Audit Return is completed and recommended/presented to Full Council for final sign-off before being submitted to the external auditors within the given timescales.
- 7.25 ensure that adequate insurance provision for all assets of the Council is in place, in conjunction with the Town Clerk and Financial Administrator.
- 7.26 The RFO has delegated powers from Full Council with the committee Chairman and Vice Chairman to monitor, review and recommend re-

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investing the Council's investments in conjunction with the Council's policy and as advised by an independent financial advisor.

- 7.27 The RFO has delegated powers from Full Council with the committee Chairman and Vice Chairman to move bank accounts according to interest rates for the financial benefit of the Council subject to the investment policy.
- 7.28 The Town Clerk has delegated powers to spend the administrative budget without the need to seek committee approval, subject to those spends being within budget.
- 7.29 to be responsible in conjunction with the Town Clerk for the operational costs and management of the 'Mountwise Building' including sanctioning renovations within and upto the existing budget, subject to Financial Regulations being observed.
- 7.30 to submit a statement for the Annual Report and Annual Town Crier magazine (or equivalent).
- 7.31 to handle (or delegate the following provisions to a dedicated sub-committee) in relation to Data Protection and the General Data Protection Regulations (GDPR):
 - 7.31.1 to take on the statutory responsibilities and full obligations as 'Data Controller' as defined within the GDPR and or Data Protection Act 2018.
 - 7.31.2 to set council policy on data management, audit the security of council held data, maintain the registers of information held and audit the security of personal data held by the council. This provision is undertaken with full authority to act without recourse to council in order to be able to respond swiftly to any reported breach or identified risk.
 - 7.31.3 to undertake a regular audit of the council's internal processes and procedures similar to the Internal Audit controls currently in place as part of the Council's accounting management of risk.
 - 7.31.3.1 Such audits and findings must be reported to full council together with any actions taken as a result of the check.
 - 7.31.4 At the year end, to produce a detailed report to the Council as part of its management of risk, together with the actions taken to remedy any identified deficiencies.
 - 7.31.5 To ensure that the Town Clerk, where they are appointed as the Data Protection Officer; has no role in agreeing the associated policies in relation to Data Protection/management.
 - 7.31.5.1 The role of the Data Protection Officer (DPO) is to provide information to the Data Controller and the Town Clerk has always performed this role

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providing independent impartial advice for the council to make the decision and set the policy.

7.31.6 To ensure that the council provides sufficient time for the additional work including attendance at training.

7.31.6.1 The committee must ensure the Council understands that the DPO has access to trusted sources of advice and that training is provided on a regular basis to ensure that the DPO remains knowledgeable about their role and responsibilities.

8.0 Review

The F&P Committee's terms of reference are to be reviewed annually at the first meeting after the Annual Council meeting. Any changes must be recommended to Full Council for approval.