

LOWER SEVERN (2005) INTERNAL DRAINAGE BOARD

# Governance and Probity Meeting

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Wednesday 30th March 2022

**The Gables, Falfield  
10.30am**

# **LOWER SEVERN (2005) INTERNAL DRAINAGE BOARD**

## **TERMS OF REFERENCE OF THE GOVERNANCE & PROBITY COMMITTEE**

**Approved 5 June 2019, Minute 2879**

### **Matters for recommendation by the Committee to the Board**

1. Consideration of proposals affecting the structure, size or composition of the Board.
2. Consideration of any proposal to alter the Board's overall corporate governance arrangements and committee structure.
3. Formulation or revision of Standing Orders, Procedural Rules and Financial Regulations.
4. Terms of reference of, and delegations to, committees.
5. Delegations to Officers.
6. Formulation or revision of Codes of Member and Officer Conduct or related Protocols.
7. Formulation or revision of any policy document relating to the Board's policies or practices under Data Protection, Freedom of Information or Anti - Fraud or Bribery legislation and IT Security/E-risks.
8. Formulation or revision of Complaints Procedures.
9. Formulation of any protocols intended to clarify and/or facilitate the efficient administrative operation of the Board or its Committees.
10. To keep under regular review the content and effectiveness of the Board's corporate governance arrangements generally and to make appropriate recommendations.
11. Delegation to the Principal Officer to receive, consider and determine complaints and to submit reports to Members as appropriate.

**Minutes of the Governance & Probity Committee Meeting  
Of the Lower Severn (2005) Internal Drainage Board  
Held Wednesday 12 January 2022 at 14.00 pm  
Virtual Meeting**

**Present:** Cllr B Behan Chairman  
Cllr P Abraham  
Mrs F Collins  
Cllr J Jones  
Cllr M Riddle

**Staff:** Kieran Warren Principal Officer PO  
Louise Reading Minutes

3313	<b>Appointment of Chairman</b> Nominations were invited for Chairman. Cllr B Behan was proposed and seconded. No other nominations were received.  <b>Resolved that:</b> <ul style="list-style-type: none"> <li>Cllr B Behan be appointed Committee Chairman for the ensuing year.</li> </ul>	
3314	<b>Declaration of Members' Interests.</b> There were no declarations of Member's interest	
3315	<b>Minutes of the Previous Meeting</b> <b>Resolved that:</b> <ul style="list-style-type: none"> <li>The minutes of the meeting held on 31<sup>st</sup> March 2021 be approved as a true and correct record.</li> </ul>	
3316	<b>Signing of Minutes</b> The PO advised Members that when a meeting was virtual the minutes of the previous meeting could not be signed. In the event of a virtual meeting Admin staff would continue to post a copy of the approved minutes to the Committee Chairman to be signed and returned.	
3317	<b>Council Entitlement to Appoint Members</b> The report listed the number of appointed Members from each council the Board levied. Thanks was given to Bristol City Council for not taking its full allocation of eight as this allowed for representation from all the levied councils on the Board.  <b>It was resolved that:</b> <ul style="list-style-type: none"> <li>The report be noted</li> </ul>	
3318	<b>Co-option of Elected Members</b> The Admin and Ratings Officer advised Members that since the report was prepared two further requests for nomination papers had been received. All the nomination papers would be presented at the Board Meeting in February for consideration.  <b>It was resolved that:</b> <ul style="list-style-type: none"> <li>The report be noted</li> </ul>	
3319	<b>Review of Existing Policy and Procedures</b> The Committee reviewed the Members/Officer Protocol, Substitute Member Protocol and Voting on Appointments procedure.	

	<p>The PO advised that there were no good practice or legislative updates that needed to be included.</p> <p><u>Member/Officer Protocol</u> In response to a question from Cllr Jones the PO confirmed there had been no conflict between Members and Officers.</p> <p>Members asked if new Members were made aware of the Member/Officer Protocol. It was confirmed that a new Member welcome pack was issued to new Members and this policy was included.</p> <p>Members agreed that no changes were required.</p> <p><u>Substitute Member Protocol</u> Members agreed that no changes were required.</p> <p><u>Voting on Appointments Procedure</u> Cllr Riddle asked for clarification on point f. Members discussed and agreed that this referred to advance notice of nominations for the role of Board Chair and Vice Chair so the nominated Member was aware and willing to stand for nomination prior to the Board meeting. The PO advised he would rewrite this in a more reader friendly format.</p> <p><b>It was recommended that:</b></p> <ul style="list-style-type: none"> <li>• The Member/Officer Protocol be submitted to the Board for approval as per Appendix A;</li> <li>• The Substitute Members Protocol be submitted to the Board for approval as per Appendix B; and</li> <li>• The PO to amend point F in the Voting on Appointments Procedure to be reviewed at the next Governance and Probity Committee meeting.</li> </ul>	<p><b><u>ACTION1G&amp;P</u></b> The PO to amend Voting on Appointment procedure</p>
3320	<p><b>Schedule of Policies with Review Dates</b> Members noted the contents of the above Schedule.</p> <p><b>It was resolved that:</b></p> <ul style="list-style-type: none"> <li>• The Schedule of Policies be noted.</li> </ul>	
3321	<p><b>Risk Register</b> The PO advised that the F&amp;GP has recommended that prior to going to the Full Board the Risk Register be considered by Committees. The Finance and General Purposes Committee had also recommended the Risk Register be presented at the Board Meetings bi-annually.</p> <p>The Chair reminded Members that it was agreed that any great risk should be presented at a Full Board meeting as a matter of course.</p> <p>After some discussion Members felt that it was unnecessary for Committees to receive the Risk Register and an annual review of this document at Board meeting was sufficient.</p> <p><b>It was resolved that:</b></p> <ul style="list-style-type: none"> <li>• The Governance and Probity Committee did not wish to receive the Risk Register prior to Board Meetings.</li> </ul> <p><b>It was recommended that:</b></p> <ul style="list-style-type: none"> <li>• The Risk Register be reviewed at the Full Board meeting once a year.</li> </ul>	

3322	<p><b>Car Insurance Cover</b></p> <p>The PO advised Members that all staff had provided valid car insurance certificates.</p> <p>Periodic monitoring of all staff insurance documents would continue to ensure compliance.</p> <p><b>It was resolved that;</b></p> <ul style="list-style-type: none"> <li>• <b>The report be noted</b></li> </ul>	
3323	<p><b>Data Protection Training</b></p> <p>The PO reported that he had spoken with the Accounts Officer, who also acts as the Boards Data Protection Officer, about organising data protection training to provide staff with a refresher.</p> <p>He reassured Members that there had been no changes to regulations since the AO had provided training to Officers so a refresher would be sufficient.</p> <p>The Chair expressed her thanks to the Accounting Officer for his valuable work as Data Protection Officer.</p> <p><b>It was resolved that</b></p> <ul style="list-style-type: none"> <li>• <b>The report be noted</b></li> </ul>	
3324	<p><b>Biodiversity Action Plan – Consultation</b></p> <p>The Chair was interested at the differing feedback from Gloucestershire and Wiltshire Wildlife Trusts. The PO added that elements of the new environmental act would also need to be included.</p> <p>The PO also explained that the BAP was important as it assisted with the completion of the annual AGAR and audit processes.</p> <p>Members discussed the difficulties and limitations the Board faced as the Bio Diversity Plan applied to land that was not owned by the Board.</p> <p><b>It was resolved that;</b></p> <ul style="list-style-type: none"> <li>• <b>The report be noted; and</b></li> <li>• <b>The BAP remain on the schedule of policies and be reviewed periodically.</b></li> </ul>	
3325	<p><b>Date of Next Meeting</b></p> <p>Members noted that the next Governance and Probity meeting would be held on 30<sup>th</sup> March 2022.</p>	
	<p>The meeting closed at 15.00pm</p>	

MEETING: Governance & Probity Committee

MEETING DATE: 30.03.2022

REF: KW/B1.2/2022

REPORT BY: Principal Officer

### **VOTING ON APPOINTMENTS PROCEDURE**

#### **Introduction**

At the meeting held on 12 January, Members determined to amend the above policy in order to clarify the manner in which a Chairman and Vice-Chairman are appointed. This decision was ratified by the full Board on 2 February.

[Minutes 3319 and 3340 respectively refer.]

#### **Proposal**

For ease of reference, a copy of the currently approved procedure is attached as an appendix.

I propose that the following words be added to point (f):

*"Only candidates who have expressed their willingness to assume the role of Chairman or Vice-Chairman may be considered for appointment."*

#### **Recommendation:**

That the procedure be amended to include the above provision.

*Kieran Warren*

*Principal Officer*

## **LOWER SEVERN (2005) INTERNAL DRAINAGE BOARD**

### **PROCEDURE FOR VOTING ON APPOINTMENTS**

- a) In the event of there being a contest for the appointment of Chairman or Vice-Chairman of the Board and provided that the meeting is quorate, a show of hands, which would thereafter ensue, should require the successful candidate to obtain at least 50% of the votes cast at the meeting. If there are more than 2 candidates, the person with the lowest number of votes will be eliminated and the ballot re-run until one candidate achieves more than 50% of the votes cast.
- b) Once the Chairman of the Board has been appointed, nominations will be called for the appointment of a Vice-Chairman to be selected from the different category of members than that from which the Chairman has been drawn. Only if no nominations are made from that category, will nominations be then called for from the other category of members.
- c) The principles set out in (a) above will be applied to the appointment of Committee Chairs, which should take place at the first meeting of the relevant Committee following the Board's Annual Meeting.
- d) Where there are more applicants for places on a Committee than the number of seats available, the person(s) with the lowest number of votes will be eliminated so far as may be appropriate to ensure that the number of remaining candidates is equal to the number of Committee seats available.
- e) In the event of the Board being invited to make an appointment to an outside body, if there are more nominations than places available, voting will be in accordance with the principles set out in (a) above until one candidate obtains at least 50% of the votes cast.
- f) The practice of the PO to seek a prior indication of the names of persons intended to be nominated for appointment as Chairman or Vice-Chairman of the Board be endorsed, without prejudice to the requirement that such persons (together with any other initially undeclared candidate) should be formally proposed and seconded at the relevant meeting.
- g) The practice of the PO in seeking information in advance of the Annual Meeting concerning Board Members Committee preferences be also endorsed.

Signed..... Chairman

Dated: 6<sup>th</sup> February 2019

MEETING: Governance & Probity Committee

MEETING DATE: 30.03.2022

REF: KW/B1.10/2022

REPORT BY: Principal Officer

## **REVIEW OF THE BOARD'S STRUCTURE & ORGANISATION**

### **Introduction**

At the Board meeting held on 2 February, Members determined to amend the above report in order to clarify the maximum term of office for both the Chairman and the Vice-Chairman of the Board and to spell out the requirement that these roles are shared equitably between elected and appointed Members.

[Minute 3347 refers.]

### **Proposal**

The Chairman has suggested the following:

*DELETE 2. The Board's Chairmen and Vice Chairmen term of office is limited to maximum of five consecutive years. A Member may have more than one term of office in either of these two roles, but with a break in between each term.*

INSERT 2. The Board's Chairman/Vice Chairman term of office is limited to maximum of five consecutive years, in each of the two roles. A Member may have more than one term of office in either of these two roles, but with a break in between each term. No break in service is required when a Vice Chairman becomes the Chairman or vice versa. The Chairman and Vice Chairman must each be drawn from different types of Board membership. Eg if the Chairman is an Elected Member, then the Vice Chairman must be an Appointed Member and vice versa.

### **Recommendation:**

That the above amendment be recommended to the full Board at its next meeting.

*Kieran Warren*

*Principal Officer*



MEETING: Governance & Probity Committee

MEETING DATE: 30.03.2022

REF: KW/B1.1/2022

REPORT BY: Principal Officer

## **REVIEW OF THE BOARD'S FINANCIAL REGULATIONS**

### **Introduction**

At the Board meeting held on 2 February, Members determined to consider the inclusion of two additional provisions in its Financial Regulations. [Minute 3347 refers.]

A thorough overhaul of the Regulations was last undertaken in 2021, based on 'best practice' models posted on ADA's website. For ease of reference, a copy is enclosed at Appendix 1 to this report. Consequently, no other changes are proposed at the present time.

### **Proposals**

(1) National advertisement of LSIDB contracts on the GOV.UK website

The Board can choose, as and when appropriate, to advertise upcoming contracts more widely than at present by using the government's website. They would then appear on its Contract Finder page – see Appendix 2 to see how this is organised.

(2) Observance of the requirements of the Public Services Act (Social Value) 2012

This Act "requires public authorities to have regard to economic, social and environmental well-being in connection with public services contracts; and for connected purposes."

An extract setting out the central provisions of the Act is enclosed at Appendix 3.

### **Recommendation:**

That the following provisions be added to Paragraph 6 of the Board's Financial Regulations and recommended to the full Board for adoption at its next meeting:

*6.4(d) As and when so determined by the Board or a Committee acting within its delegated powers, contracts will be advertised on the Government's Contract Finder web page.*

*6.5(e) All LSIDB contracts will comply with the requirements of the Public Services (Social Value) Act 2012.*

*Kieran Warren*

*Principal Officer*

# **LOWER SEVERN (2005) INTERNAL DRAINAGE BOARD**

**FINANCIAL REGULATIONS**  
**Approved 3<sup>rd</sup> February 2021 Minute 3180**

## FINANCIAL REGULATIONS

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### 1. Introduction

1.1 Financial Regulations set out the framework of the rules for the proper financial administration of the Board and the responsibility of those charged with carrying out duties with financial implications.

1.2 These financial regulations shall govern the conduct of the financial transactions of the Board and may only be amended or varied by resolution of the Board.

1.3 The Accounts Officer (AO) is the Responsible Financial Officer (RFO), as defined in the Accounts and Audit Regulations and is responsible for ensuring that the Board complies with these Regulations, the Local Audit (Smaller Authorities) Regulations 2015 (as an opted-in authority) and the Smaller Authorities (Transparency Requirements) Regulations 2015.

1.4 The AO, under the policy direction of the Board, shall be responsible for the proper administration of the Board's financial affairs.

1.4 The AO is responsible for the overall financial control of the Board's financial affairs and the provision of financial management information.

1.5 The AO will prepare the Board's annual accounts as soon as possible after the end of the financial year. These accounts will be produced in accordance with proper practices as set out by the Joint Panel on Accountability and Governance – Governance and Accountability for Smaller Authorities in England – A Practitioners' Guide to proper Practices to be applied in the preparation of statutory annual accounts and governance statements.

## **2. Responsibility of Officers**

2.1 All staff of the Board have a general responsibility for the security of the property of the Board for the avoidance of loss and for economy, efficiency and effectiveness in the use of resources.

2.2 All accounting procedures and financial records of the Board shall be determined by the AO as required by the Accounts and Audit Regulations 2015 and the Good Governance for Internal Drainage Board Members – published by the Association of Drainage Authorities (ADA).

2.3 The AO shall ensure that appropriate accounting systems are in place to meet the Board's legal requirements, including those of all funding bodies.

2.4 The AO shall be responsible for the maintenance and supervision of all accounting records. He will supply to the Board at appropriate intervals such information as is necessary to enable expenditure and income to be controlled.

2.5 The AO shall be responsible for completing the annual accounts of the Board as soon as practicable after the end of the financial year and shall submit them to the Board at a Board Meeting held before the Statutory Date in accordance with the Accounts and Audit Regulations currently in force.

## **3. Annual Estimates**

3.1 Detailed estimates of income and expenditure on revenue services, and receipts and payments on capital account, shall be prepared each year by the AO.

3.2 The AO shall formulate and submit to the December meeting of the F&GP (Finance and General Purposes Committee) proposals in respect of revenue services and capital works for the forthcoming financial year.

3.3 The F&GP Committee shall further review these estimates at their meeting in January and submit them to the Board at the February meeting and shall recommend the precept and agricultural rate to be levied for the ensuing financial year.

3.4 The AO shall also each year produce a five-year medium-term financial plan.

3.5 The annual capital and revenue budget shall form the basis of financial control for the ensuing year.

#### **4. Budgetary Control**

4.1 Expenditure on the revenue account may be incurred up to the amounts included in each approved budget. Where expenditure is required which is in excess of the approved budget then it must have the approval of the AO.

4.2 The AO may incur expenditure on behalf of the Board which is necessary, to carry out any repair, replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure. The AO shall report the action to the Board as soon as is practicable thereafter.

4.3 Where expenditure is incurred in accordance with regulation 4.2 above and the sum required cannot be met from savings made elsewhere within the Board's approved budget, it shall be met from the General Provision (Income and Expenditure Account).

4.4 The Board shall be kept informed by the AO of the overall financial position of the Board's finances through management accounts, forecasts and other reports as necessary.

4.5 Uncommitted provisions in the revenue budget shall not be carried forward to a subsequent year. However, a general provision including a contingency should be maintained which is equivalent to approximately 30% of the Board's annual expenditure.

4.6 No expenditure shall be incurred in relation to any capital project and no contract entered into or tender accepted involving expenditure on capital account unless the Board are satisfied that it is contained in the capital programme and that the necessary funds are available, or the requisite borrowing approval can be obtained.

4.7 The following principle shall be observed in connection with accounting duties: the duty of providing information, calculating, checking and recording sums due to, or from, the Board should be separated as completely as possible from the duty of collecting or disbursing them.

#### **5. Purchases of Goods and Services**

5.1 An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate e.g. petty cash purchases. Copies of orders issued shall be maintained.

5.2 All Officers and Board members are responsible for obtaining value for money at all times. The person issuing an official order is to ensure as far as is reasonable and practicable that the best available terms are obtained.

#### **6. Procurement**

6.1 The Board's policy on procurement requires that decisions to award contracts or make purchases are not made on cost alone but are based on achieving 'best value for money' which includes considering cost, quality, on-going maintenance requirements, life of the product and the social and environmental impacts.

6.2 Financial Regulations shall not apply to contracts which relate to items (i) to (vii) below:

- (i) For the supply of gas, electricity water, sewerage, and telephone services.
- (ii) For specialist services such as are provided by solicitors, accountants, surveyors, planning and IT consultants.
- (iii) For work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant.
- (iv) For work to be executed or goods or materials to be supplied which constitute an extension of existing contract by the Board.
- (v) For goods or materials proposed to be purchased which are proprietary articles and/or which are sold only at a fixed price.
- (vi) For work to be executed, or for the purchase of goods, services or materials of a specialist nature or are obtainable from only one supplier.
- (vii) Employment contracts.

6.3 All contracts for over £250 in value shall be in writing.

6.4 Where it is proposed to enter into a contract:

- (a) For expenditure up to £10,000 in value the Principal Officer (PO)/AO/Land Drainage Engineer (LDE)/Civil Engineer (CE) shall have delegated power to contract but must demonstrate that value for money is obtained by comparing prices from alternative suppliers/contractors which are recorded, or by obtaining written quotes.
- (b) For expenditure between £10,000 and £50,000 in value, the PO/AO/LDE/CE shall invite quotations from at least three firms.
- (c) For expenditure over £50,000 in value the PO/AO/LDE/CE shall invite tenders from at least three firms.

6.5 For the avoidance of doubt, in calculating the relevant expenditure limits it is the likely expenditure over a period of a recurring nature, shall be aggregated.

6.6 Any invitation to tender shall state the general nature of the intended contract and the PO/AO/LDE/CE shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the lead officer and the last date by which such tenders should reach the office in the ordinary course of post or by email.

6.7 A detailed register of all tenders received, indicating the total sums (where available), should be formerly recorded and be duly signed, by those officiating at the review of the tenders. All sealed tenders shall be opened at the same time on the prescribed date by two officers in the presence of at least one member of the Board.

6.8 If fewer than two tenders are received for contracts value above £50,000 or if all the tenders are identical the Board may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.

6.9 The Board shall not be obliged to accept the lowest or any tender or quotation.

6.10 Apart from those cases falling within Financial Regulation 3.2, where the value of the contract exceeds £10,000 and it is proposed to enter into a contract without obtaining three or more quotations or tenders, the reasons for such proposed acceptance

shall be reported in writing to the Board/appropriate Committee or and shall be recorded in the minutes.

6.11 All decisions to suspend these rules should be fully documented and recorded in the Board's minutes as a formal auditable record of the decision process undertaken.

6.12 All capital works shall be administered in accordance with the Board's financial regulations relating to contracts.

## **7. Banking**

7.1 The Board's banking arrangements shall be made by the PO/AO and approved by the Board. Bank accounts can only be opened at any of the four main clearing banks (NatWest, Lloyds, Barclays and HSBC). A current account will be opened together with one or more deposit accounts. No changes shall be made to the Board's banker or the bank mandate without prior consent of the Board.

## **8. Payments**

8.1 Apart from petty cash payments all payments shall be effected by cheque drawn on the Board's bankers or by Bank Transfer. The exception is where arrangements have been made to make payments by direct debits to continual supplier for example, electricity, telephone, fuel, etc.

8.2 All invoices for payment shall be matched to the official purchase order, examined, verified and certified by the officer issuing the order. Before certifying an invoice that person shall satisfy himself that the work, goods or services to which the invoice relates have been received (or carried out), examined and approved.

8.3 All duly certified invoices shall be passed to the appropriate officer who shall examine them in relation to arithmetical accuracy and authorisation, and code to the appropriate expenditure head. All possible steps to settle all invoices submitted, and which are in order, within 30 days of their receipt.

8.4 A schedule of all payment to suppliers in excess of £100 and together with the relevant invoices and supporting documents for amounts in excess of £5,000 be made available for inspection by Board members. A schedule of all payments and transfers will be made available at the following Board meeting.

8.5 Cheques drawn on the current bank account in accordance with the schedule referred to in the previous paragraph shall be signed by two duly authorised persons. One, the A signatory to be the Chairman or Vice Chairman and the second, the B signatory to be the PO, AO, LDE or the CE.

8.6 Suppliers may be paid by the use of ebanking up to a value of £50,000 in one transaction. The authority to make payment will require the prior signed approval of the PO, LDE or CE and the approval of the Chairman or Vice-Chairman.

8.7 If a supplier contacts the Board purporting to have changes their bank details etc., this will be independently verified before amending the records and making any further payments to the supplier.

8.8 The inclusion of items in approved revenue estimates will constitute authority to incur such expenditure save to the extent to which the F&GP Committee or the Board shall have placed a reservation on any such items or items.

8.9 Revenue expenditure shall not normally be incurred unless provided for in annual estimates or by supplementary estimate examined by the F&GP Committee and

approved by the Board. Whenever it is proposed to seek the approval of the Board to incur revenue expenditure not already sanctioned by the Board, the AO in consultation with the Chairman shall report to the F&GP Committee and the AO shall report to the full Board on the financial aspects of the proposal.

8.10 Capital expenditure shall not normally be incurred unless provision has been made within the capital budget, capital finance has been approved by the F& GP Committee and, where necessary, loan sanctions and other relevant approvals involving capital, the Board shall consider any report which the F&GP Committee may make regarding the financial effects of such proposal. Where approval of the Board is sought to incur capital expenditure not already included in the capital budget the AO, in consultation with the Chairman shall report to the F&GP Committee on the financial aspects of the scheme.

8.11 Payments on account of the contract sum shall be made within the time specified in the contract upon authorised certificates of the officer engaged to supervise the contract.

8.12 Where contracts provide for payments by instalments a record shall be maintained of all such payments. In any case when it is estimated that the total cost of work carried out under a contract, excluding fluctuation clauses, will exceed the contract sum by 5% or more a report shall be submitted to the Board.

8.13 Any variation to a contract or addition to or omission from a contract must be approved by the PO and the Board informed.

## **9. Income**

9.1 Council Levies are to be issued as soon as possible after the rate has been set at the February meeting of the Board each year.

9.2 Agricultural Rates are to be issued as soon as possible after 1<sup>st</sup> April each year.

9.3 All other fees/amounts owed to the Board are to be issued as soon as the debt is incurred.

9.4 Particulars of all charges to be made for work done, services rendered or goods supplied shall be notified to the AO.

9.5 The Board will review all fees and charges annually.

9.6 All cheques and cash received shall be banked at least weekly. Disbursements shall not be made from cash received.

9.7 All cash will be held in a locked cash box within a locked filing cabinet.

9.8 Personal cheques shall not be cashed out of money held on behalf of the Board.

## **10. Petty Cash**

10.1 Petty cash may be provided to employees for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded with a claim for reimbursement:

(a) The AO shall maintain petty cash to a limit of £300 for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.

(b) The maximum claim per voucher is £50.



- (c) Petty cash counts will be carried out and reconciled the cash balance to the ledger monthly.
- (d) Income received must not be paid into petty cash but must be separately banked, as provided elsewhere in these regulations. Similarly, disbursements shall not be made from cash received.
- (e) Payments to replenish the petty cash shall be shown separately on the schedule of the payment of money presented to the Board.

#### **11. Write Offs**

11.1 The PO/AO shall have the authority to write off debts, goods, materials that are less than £100 in value. A record of the write off will be kept together with a note of the circumstances necessitating the write off.

11.2 Any write off of Debts, goods, materials that are over £100 in value requires the authority of the Board.

#### **12. Staff**

12.1 All employees of the Board shall conduct themselves in a polite, courteous and professional manner.

12.2 The PO shall keep a record of all employees to show details of the appointment, grade and payments in respect of each employee of the Board.

12.3 The Board's approval shall be required for the employment of additional permanent staff.

12.4 The PO shall have the authority to employ additional temporary staff, provided the revenue consequences are contained within the current annual estimates.

#### **13. Salaries, Wages and Pensions**

13.1 The payment of all salaries and wages shall be made from the designated bank account in accordance with the salaries and wages records maintained by Moorepay

13.2 All timesheets, other pay records and expense claims shall be in an approved form and shall be signed by the employee and shall be certified by the PO, AO, LDE or CE.

13.3 Employees annual salaries and any enhancements should be reviewed from time to time by the Staff and Pension Committee and presented to the Board for consideration.

#### **14. Employees' Interests**

14.1 Employees must declare to the PO any financial or other interest which could conflict with the Board's interests.

14.2 In terms of hospitality and gifts, only useable gifts of a small value, less than £25, may be accepted.

14.3 Hospitality which is estimated to exceed £25 must be recorded in a register of gifts and hospitality. Any acceptance of hospitality or gifts must not be seen to compromise a future decision made by an Employee.

#### **15. Members' and Employees' Allowances**

15.1 All staff claim for payment for subsistence, travelling and any other incidental expenses shall be submitted and duly certified by a responsible officer (PO, AO, LDE, CE). An officer shall not certify a claim made by him/herself.

15.2 Payments to Members, who are entitled to claim travelling or other expenses will be made upon completion of the prescribed form.

## **16. Fraud or Other Irregularities**

16.1 Any employee who suspects fraudulent behaviour, bribery or other irregularities shall immediately notify the PO. If it concerns the PO then the Chairman must be informed.

## **17. Stores**

17.1 All goods received shall be checked as regards quantity and/or weight and inspected as to quality and specification.

17.2 There will be a monthly physical check of all items in store. There will be a record of the value of the stock.

## **18. Assets**

18.1 All assets over £500 in value owned by the Board shall be accounted for in an asset register maintained by the AO. The asset register shall reflect additions and disposals of assets and record the cost or valuation of the assets.

18.2 Where it is proposed to sell, part exchange or trade in Board assets where the book value or actual value (whichever greater) is estimated to exceed £50,000, the transaction shall require the prior approval of the Board, shall be publicly advertised and be by competitive tender unless otherwise determined by the Board.

18.3 Where the estimated value of the asset is between £10,000 and £50,000, the disposal shall be effected, in the most cost effective manner, including the use of eBay/PayPal, and shall be subject to the approval of the appropriate Committee.

18.4 Where the estimated value of the asset is less than £10,000, the PO/LDE are authorised to undertake the disposal, in the most cost effective manner, including the use of eBay/PayPal, under delegated powers.

18.5 If it is proposed, in any case, to accept a tender or offer other than the highest, approval from the Board or the appropriate Committee must be obtained and the reasons recorded in the minutes.

## **19. Treasury Management, Capital Financing and Reserves**

19.1 The Treasury Sub Committee will determine the amount of cash that is available for deposit with the four main clearing banks. The AO has the flexibility to allocate funds between accounts in order to attract the best return.

19.2 The Treasury Sub Committee has the authority to invest sums received from Developers into a balanced multi asset portfolio following consultation with Smith & Williamson Investment Managers. Smith & Williamson will manage the fund on a non-discretionary basis.

19.3 Reserves will be maintained at an adequate level to support the ongoing operations of the Board. Each reserve will be reviewed, on an annual basis by the Treasury Sub

Committee prior to review by the Board. Reserves will be held jointly in general cash and investment accounts of the Board.

19.4 The Board shall be responsible for raising all loans after receiving appropriate advice from the Treasury Sub Committee and the AO.

## **20. Audit**

20.1 The F&GP Committee may appoint a body or person with the appropriate accountancy qualification to be responsible for maintaining an internal audit of the Board's accounting, financial and other operations.

20.2 It is a requirement of the Accounts and Audit Regulations 2015 that the PO shall arrange for an internal audit to take place on an annual basis.

20.3 The AO shall not be responsible for internal audit.

20.4 The Internal Auditor shall complete Page 3 (Annual Internal Audit Report) of the Annual Governance and Accountability Return Part 3.

20.5 An internal audit report, which shows the findings from the audit, together with recommendations shall be made available to the members of the F&GP Committee and to the Board.

20.6 The External Auditor is appointed by the Smaller Authorities Audit Appointments Ltd (SAAA) as the 'person specified to appoint local auditors' under powers set out in Regulation 3 of the Local Audit (Smaller Authorities) Regulations 2015.

20.7 The Annual External Audit shall complete Page 6 (External Auditor Report and Certificate) of the Annual Governance and Accountability Return Part 3.

20.8 Any officer or member of the Board shall if required to make available to the internal and/or external auditor those documents of the Board which appear to the auditor to be necessary for the purpose of the audit and shall supply the auditor with such information and explanations as the auditor considers necessary.

## **21. Insurances**

21.1 Insurance cover shall be approved annually by the Board.

21.2 The AO shall effect all insurances and negotiate all claims on the Board's insurers.

21.3 The AO shall give prompt notification to the Board of all new risks which require to be insured and of any alterations affecting existing insurances.

21.4 The AO shall keep a record of all insurances effected by the Board and the property and risks covered thereby and review annually.

21.5 The AO shall be notified of any loss liability or damage or of any event likely to lead to a claim.

21.6 All appropriate employees of the Board shall be included in a suitable fidelity guarantee insurance.

21.7 Any Employee using his/her own vehicle for business purposes must ensure that it is insured for such use and has, where applicable, a valid MOT certificate.

## **22. Security**

22.1 Each responsible officer is responsible for maintaining proper security at all times for all buildings, stores, paint, vehicles, equipment, cash, documents and information under his/her control.

## **23. Protection of Private Property**

23.1 The Board shall not be liable for accidental loss or damage to the personal possessions which employees' use whilst on Board business, such as a car, or bring onto the Board's premises that are not included under the Board's Insurance Policies.

23.3 In the event of theft of personal items from staff, a full report shall be made as soon as the theft has been discovered. All such incidents shall be recorded and investigated.

## **24. Review**

24.1 It shall be the duty of the Governance Committee to review the Financial Regulations of the Board from time to time and to make such recommendations to the Board as are considered necessary.

Signed.....(Chairman)  
Date 5<sup>th</sup> Feb 2020  
Minute No 3002

## **EXTRACT FROM GOV.UK WEBSITE**

### **Contracts Finder**

Contracts Finder lets you search for information about contracts worth over £10,000 with the government and its agencies.

You can use Contracts Finder to:

- search for contract opportunities in different sectors
- find out what's coming up in the future
- look up details of previous tenders and contracts

You can create an account to get email updates and save your searches. You can still search and apply for contracts without an account.

To find and apply for high value contracts (usually above £118,000) in the UK [use the Find a Tender service](#) instead.

**EXTRACT FROM THE PUBLIC SERVICES (SOCIAL VALUE) ACT 2012**

**Contracts of relevant authorities**

(1) If a relevant authority proposes to procure or make arrangements for procuring the provision of services, or the provision of services together with the purchase or hire of goods or the carrying out of works, by—

(a) entering into a public services contract that is not a contract based on a framework agreement, or

(b) concluding a framework agreement as regards which public services contracts are likely to constitute the greater part by value of the contracts based on the agreement,

it must comply with the requirements in subsections (3), (6) and (7) before starting the process of procurement.

**Subsections (3), (6) and (7) state as follows:**

(3) The authority must consider—

(a) how what is proposed to be procured might improve the economic, social and environmental well-being of the relevant area, and

(b) how, in conducting the process of procurement, it might act with a view to securing that improvement.

(6) The authority must consider under subsection (3)(b) only matters that are relevant to what is proposed to be procured and, in doing so, must consider the extent to which it is proportionate in all the circumstances to take those matters into account.

(7) The authority must consider whether to undertake any consultation as to the matters that fall to be considered under subsection (3).

**MEETING: Governance & Probity Committee**

**MEETING DATE: 30.03.2022**

**REF: KW/B1.1/2022**

**REPORT BY: Principal Officer**

## **POLICY REVIEW**

### **Introduction**

In line with the Schedule of policies the Committee are to review the following:

- G&P Terms of Reference
- S&P Terms of Reference
- Treasury Committee Terms of Reference

### **Recommendation:**

There are no proposed changes to these policies.

*Kieran Warren*

*Principal Officer*

# **LOWER SEVERN (2005) INTERNAL DRAINAGE BOARD**

## **TERMS OF REFERENCE OF THE GOVERNANCE & PROBITY COMMITTEE**

**Approved 5 June 2019, Minute 2879**

### **Matters for recommendation by the Committee to the Board**

1. Consideration of proposals affecting the structure, size or composition of the Board.
2. Consideration of any proposal to alter the Board's overall corporate governance arrangements and committee structure.
3. Formulation or revision of Standing Orders, Procedural Rules and Financial Regulations.
4. Terms of reference of, and delegations to, committees.
5. Delegations to Officers.
6. Formulation or revision of Codes of Member and Officer Conduct or related Protocols.
7. Formulation or revision of any policy document relating to the Board's policies or practices under Data Protection, Freedom of Information or Anti - Fraud or Bribery legislation and IT Security/E-risks.
8. Formulation or revision of Complaints Procedures.
9. Formulation of any protocols intended to clarify and/or facilitate the efficient administrative operation of the Board or its Committees.
10. To keep under regular review the content and effectiveness of the Board's corporate governance arrangements generally and to make appropriate recommendations.
11. Delegation to the Principal Officer to receive, consider and determine complaints and to submit reports to Members as appropriate.



# **LOWER SEVERN (2005) INTERNAL DRAINAGE BOARD**

## **TERMS OF REFERENCE OF THE STAFF & PENSIONS COMMITTEE**

**Approved 5<sup>th</sup> June 2019, Minute 2879**

### **Matters for determination by the Committee**

1. Managerial appraisals
2. Employee Training
3. Early Retirement/Redundancy
4. Outsourcing payroll
5. Consideration of employment & pension procedures

### **Matters for Recommendation by the Committee to the Board**

6. Staff structure
7. Terms & Conditions of employment (including remuneration)
8. Early Retirement and Pension Policy
9. Pension Fund Management
10. Redundancy Policy
11. Human Resources and Health and Safety policies and consultancies.
12. Human Resources and Health and Safety training and reporting.

# **TERMS OF REFERENCE**

## **OF THE TREASURY SUB COMMITTEE**

**Approved 5<sup>th</sup> June 2019, Minute 2880**

### **Matters for determination by the Sub Committee.**

1. To ensure that the Sub Committee meets at least twice a year.
2. To determine the future investment strategy of the funds held as long term investments, having taken professional advice.
3. To reinvest the income accumulated from the long term investments, having taken professional advice.
4. To invest future contributions received from developers. Having taken professional advice.
5. To undertake portfolio reviews of the investment strategy twice a year.
6. To plan cash management and determine the placing of short term cash surpluses in deposit accounts on an annual basis.

### **Matters for recommendation by the Sub Committee to the Finance and General Purposes Committee**

7. To review the Treasury Management Policy.
8. To review the Capital Financing and Reserves Policy annually.

# Schedule of Policies with Review Dates

Updated:

Feb 2022

	Date of Adoption	Minute Number	Web Site	Last Reviewed by G&P Committee	Proposed Review Date
<b>Policy/Document</b>					
1. Anti-Bribery Policy	23 September 2020	3106	Published	2 September 2020	2023
2. Anti-Fraud and Corruption Policy	23 September 2020	3106	Published	2 September 2020	2023
3. Biodiversity Action Plan	28 June 2017	2523	Published	31 March 2021	2024
3a. Biosecurity Policy and Procedures	6 February 2019	2822	No		2023
4. Capital and Finance Reserves Policy	23 September 2020	3106			2023
5. Complaints Against Board Members Procedure	23 September 2020	3106	Published	2 September 2020	2023
6. Complaints Procedure	23 September 2020	3106	Published	2 September 2020	2023
7. Data Protection Policy	28 April 2021	3211	Published	31 March 2021	2024
8. Delegation of Powers to Officers	24 June 2015	2221	Published	4 December 2019 (2968)	2022
9. Employee Handbook	5 November 2014	2099	No	Revised April 2021 by Citation	2023
10. Financial Regulations	3 February 2021	3002	Published	5 February 2021(Board)	2023
11. Flood Protection and Water Level Management Policy Statement	18 September 2013	1860	Published		
12. Freedom of Information Publication Scheme	3 February 2021	3173	Published	2 December 2020	2024
13. Gifts and Hospitality Policy	3 February 2021	3173	Published	2 December 2020	2024
14. Grievance Hearings	5 June 2019	2879	No	3 April 2019	2022
15. Home Working	3 November 2021	3294	No	To be reviewed by G&P in March 2022 for Full Board in June 2022	2022
16. Media Protocol	3 February 2021	3173	Published	2 December 2020	2024
17. Media and Publicity Policy	26 February 2020				
18. Member Code of Conduct	3 February 2020	3173	Published	2 December 2020	2024
19. Members/Officer Protocol	2 February 2022	3340	No*	12 January 2022	2025
20. Mission Statement	6 February 2019	2823	Published	5 December 2018	2022
21. Redundancy Policy	23 September 2020	3106	No*	2 September 2020	2023
22. Standing Orders	28 April 2021	3211	Published	31 March 2021	2024
23. Substitute Member Protocol	2 February 2022	3340	No*	12 January 2022	2025
24. Voting on Appointments Procedure	G&P 30/03/2022		No*	12 January 2022	2025
25. Whistle Blowing Policy (revise 2 years not 3)	3 February 2021	3173	Published	2 December 2020	2023

<b>Terms of Reference for the Board and Committees</b>	<b>Date of Adoption</b>	<b>Minute Number</b>	<b>Website</b>	<b>Last Reviewed by G&amp;P Committee</b>	<b>Proposed Review Date</b>
25. Matters reserved for the Board	05 February 2020	3002	Published	04 December 2019	2023
26. Engineering Committee	05 February 2020	3002	Published	04 December 2019	2023
27. Finance & General Purposes Committee	05 February 2020	3002	Published	04 December 2019	2023
28. Governance and Probity Committee	05 June 2019	2879	Published	03 April 2019	2022
29. Staff & Pensions Committee	05 June 2019	2879	Published	03 April 2019	2022
30. Treasury Management Committee	05 June 2019	2865	Published	03 April 2019 (Full Board)	2022

<b>Other Policies/Guidance Notes</b>	<b>Date of Adoption</b>	<b>Minute Number</b>	<b>Web Site</b>	<b>Proposed Review Date</b>
30. LGPS Discretions 2014	14 June 2014	2002	No*	-
31. Guidance for Elected Members in respect of Extended Absence	22 June 2016	2352	Archived in Board Documents	-
32. Culvert and Structures Statement	9 November 2016	2415	Archived in Board Documents	-
33. Business Continuity Plan	12 February 2014	1934	No	-
34. Guidance for Members of staff in respect of Gifts and Hospitality	28 June 2017	2532	Archived in Board Documents	-

<b>Financial Registers for Annual Approval</b>	<b>Date Approved/Noted</b>	<b>Latest Minute No.</b>		<b>Review Due</b>
Annual Governance Statement/Accountability Return	9 June 2021	3233/34	Published	Annually
DEFRA Annual Report – signed by MD and JD	27 August 2021	-	Published	Annually
Risk Register	6 October 2021	3272	Archived in Board Documents	Annually
Treasury Management Policy	9 June 2021	3231	Published	Annually
Insurance Policies Schedule	9 June 2021	3231	Archived in Board Documents	Annually

<b>Board</b>				
Council Entitlement to Appoint Members Review	8 February 2017	2481	Archived in Board Documents	Triennially 2020
Members Register of Interests	October 2021	n/a	Published	November 2022

<b>Election</b>				
Register of Electors Notice	7 April 2021		Published	April 2024
Notice of Approved Electoral Register	9 June 2021	3237	Published	June 2024
Notice of Election	7 September 2021		Published	September 2024
Poll/No Poll	11 October 2021		Published	October 2024