

----- Original Message -----

Subject: Potto Parish Council - Complaint against Clerk/Responsible Financial Officer (RFO)
Date: Fri, 17 Feb 2023 21:03:49 +0000 (UTC)
From: [REDACTED]
To: pottopc@btinternet.com
CC: news@nyenquirer.uk

Dear Potto Parish Council

I have been reading some of the articles published on the North Yorks Enquirer about Potto Parish Council with open-mouthed astonishment.

It seems to me that the Clerk/Responsible Financial Officer (RFO) must be incompetent and, astonishingly, immune to oversight, control or criticism by Council members and/or the Potto public.

I want to know how this disastrous situation has come about.

PLEASE TREAT THIS AS A FORMAL CORPORATE COMPLAINT

My evidence is below

I am perplexed by this extract from the November 2021 minutes, which was featured in an article in the North Yorks Enquirer.

9.2 To note the following payments previously authorised.
9.2.1 Coxon Brothers – Footpath work £10,180.80. Agreed, can reclaim VAT.

I was shocked, because I see that the entire budget for 2021-22 was only £7,100.

It also seems that there is no item anywhere in the budget for footpaths or bridlepath repairs.

The Financial Regulations state;

3 BUDGETARY CONTROL

1. Expenditure on revenue items may be incurred up to the amounts included in the approved budget.
2. No expenditure may be incurred that will exceed the amount provided in the revenue budget.

So, if there is no amount set aside in the approved budget, expenditure may not be incurred. But it was.

These Regulations also state that the RFO is responsible;

9 ORDERS FOR WORK, GOODS AND SERVICES

4. The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the Minutes can record the power being used.

It seems this safeguard cannot have been applied – in which case, the Clerk/RFO failed in a core duty.

10 CONTRACTS

1. Procedures as to contracts are laid down as follows:
 - (a) Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that these regulations

The Financial Regulations confirm there can be no exceptions.

I can see no record in the minutes providing any explanation for why the RFO didn't follow the PPC Rules and Regulations.

9 ORDERS FOR WORK, GOODS AND SERVICES

1. All orders for work shall be approved by the Council prior to work commencing.
2. Approved work orders shall be recorded in the minutes.
3. All members and Officers are responsible for obtaining value for money at all times. An officer issuing an official order is to ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any de minimis provisions in Regulation 11 (l) below.

As far as I can see, none of these 3 steps were followed.

The Number 1 requirement for the Clerk/RFO is in the job description;

Specific Responsibilities

1. To ensure that statutory and other provisions governing or affecting the running of the Council are observed.

Clearly, the Clerk/RFO has not adhered to Specific Responsibility Number 1.

My allegations are below

It is clear from the above evidence that the Clerk/RFO is paid to carry out key duties and is not even attempting to do so and, far worse, nobody else at the Council seems bothered.

It seems the Clerk/RFO is missing in action or couldn't care less about doing the job properly.

I also alledge that the Clerk/RFO didn't pass these key financial details to the internal Auditor, because the internal audit reports make no mention of these very serious problems.

Can you please tell me how and why this Clerk/RFO was appointed over 10 years ago – what qualifications or experience did/does she have for the job?

It is little wonder the big Auditors issued a public interest report with a multitude of problems, all centred around disastrous **governance and accountability**.

Handling of Complaint

I ask that this complaint be addressed by Full Council and handled properly and openly, as per the complaint handling procedure.

Please let me know the stages you intend to take and the timeframe.

Please contact me by email and provide me with a copy of your detailed and final written report by email, in due course.

Best wishes,

[REDACTED]

BA (Hons) Journalism, University of [REDACTED]

[REDACTED] **Journalist of the Year (Winner)**