

LEGAL IMPLICATIONS - EXTERNAL FUNDING

1. Before accepting a grant there is a need to be aware of the conditions attached to it and consider what liabilities might follow. All contracts must comply with the Council's Standing Orders.
2. In particular there is a need to be aware of and check:
 - (a) Triggers for repayment of the Grant.
 - (b) Length of contract and the ability of the Council to fulfil its terms.
 - (c) Ownership of items purchased with the Grant and any future maintenance liabilities.
 - (d) Basis on which Grant funded staff are employed - if EFDC is the employer any liabilities at end of term.
 - (e) Contract to be signed by appropriate Head of Service, in accordance with Contract Standing Orders and Financial Regulations, in consultation with Finance and, if necessary, Management Board.
3. Delivery of the Grant objectives by engaging a third party.
 - (a) Status of third party/references/financial checks.
 - (b) Contract with third party - compliance with Standing Orders, trigger points for repayment of Grant must mirror the Councils contract with the Grant provider and be enforceable, include targets to measure delivery of objective.
4. Heads of Services must consult with Legal Services for advice on contractual matters and Human Resources for advice on employment issues.