

**Agenda Item No:** 8 **Report No:** 176/14

**Report Title:** Interim Report on the Council's Systems of Internal Control 2014/15

**Report To:** Audit and Standards Committee **Date:** 1 December 2014

**Ward(s) Affected:** All

**Report By:** Head of Audit and Performance

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### **Purpose of Report:**

To inform Councillors on the adequacy and effectiveness of the Council's systems of internal control during the first seven months of 2014/15, and to summarise the work on which this opinion is based.

### **Officers Recommendation(s):**

- 1 To note that the overall standards of internal control were satisfactory during the first seven months of 2014/15 (as shown in Section 3).
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### **Reasons for Recommendations**

- 1 The remit of the Audit and Standards Committee includes the duties to agree an Annual Audit Plan and keep it under review, and to keep under review the probity and effectiveness of internal controls, both financial and operational, including the Council's arrangements for identifying and managing risk.

### **Information**

#### **2 Background**

- 2.1** The Chartered Institute of Public Finance and Accountancy (CIPFA) has, with the other governing bodies that set auditing standards for the various parts of the public sector, adopted a common set of Public Sector Internal Audit Standards (PSIAS) that apply from 1 April 2013. The Head of Audit and Performance (HAP) advised the Audit and Standards Committee of the effect of the new standards at its March 2013 meeting.
- 2.2** The PSIAS 2013 specify the requirements for the reporting to the Audit and Standards Committee and senior management by HAP. These requirements are met via a series of reports, including interim reports to each meeting of the Committee. Each interim report includes a review of the work undertaken by Internal Audit compared to the annual programme, an opinion of HAP on the internal control, risk management and governance environment at the Council, together with any significant risk exposures and control issues, in the period since the beginning of the financial year. Each interim report will contain an appendix that includes an outline of

each of the final audit reports issued since the previous meeting of the Committee, and an appendix that outlines any significant recommendations that have not yet been implemented.

### 3 Internal Control Environment at Lewes District Council

3.1 The Annual Report on the Council's Systems of Internal Control for 2013/14 included the opinion of HAP that the overall standards of internal control are satisfactory. This opinion was based on the work of Internal Audit and the Council's external auditors, BDO, and the Council's work on risk management. In the seven months since the start of the financial year there has been nothing to cause that opinion to change and there have been no instances in which internal control issues created significant risks for Council activities or services.

### 4 Internal Audit work 2014/15

4.1 This section of the report summarises the work undertaken by Internal Audit during the first seven months of the year, compared to the annual plan that was agreed by the Audit and Standards Committee in March 2014. Further information on each of the audits completed since the previous meeting of the Committee is given at Appendix A.

4.2 Table 1 shows that a total of 422 audit days have been undertaken compared to 385 planned. The variance of 37 days is largely due to the investigation carried out by the Head of Audit and Performance (see paragraph 4.11) that was not planned at the start of the year. It is estimated that the audit days will be closer to plan by the year end.

Table 1: Plan audit days compared to actual audit days for April to October 2014

Audit Area	Actual audit days for the year 2013/14	Plan audit days for the year 2014/15	Actual audit days to date	Pro rata plan audit days to date
Main Systems	260	285	197	
Central Systems	31	65	21	
Departmental Systems	178	100	37	
Performance and Management Scrutiny	64	40	23	
Computer Audit	11	65	23	
Environmental Audit	65	-	-	
Management Responsibilities/Unplanned Audits	132	98	121	
Total	741	653	422	385

Note: The 'Pro rata plan audit days to date' provides a broad guide to the resources required to carry out planned audits. The actual timing of the individual audits will depend on a variety of factors, including the workloads and other commitments in the departments to be audited.

4.3 *Main Systems*: The initial work was on completing the testing of the major financial systems in order to gain assurance on the adequacy of internal controls for the Annual Governance Statement (AGS) and to inform BDO's work on the Council's accounts for 2013/14. The audit did not identify any significant control issues that would have an impact on the Council's main accounts. A summary report has been finally issued.

4.4 The initial work on behalf of BDO to test the Council's subsidy claims for Benefits for 2013/14 was completed to plan. The work identified errors in the processing of claims and, at the request of BDO, has again required significant additional testing to determine the extent and impact of the issues noted. At the time of this report, this

extra testing was being completed and undergoing final quality tests by BDO. It is anticipated that BDO will issued a letter of qualification. A summary report by Internal Audit on the Benefits subsidy claim work is at the draft stage. It has not been necessary to carry out the anticipated work to verify the Council's subsidy claim for NDR. This follows a decision by DCLG and the Audit Commission that there need not be verification of the NDR claim return for 2013/14.

- 4.5** *Central Systems:* An initial outline study for the audit of Business Continuity Planning resulted in a summary report being issued to the Director of Corporate Services; a decision on the timing of the remaining work for this audit is awaited. The audit of Communications that was begun in 2013/14 has been halted in agreement with the Director of Business Strategy and Development in recognition of the major restructuring that is taking place in the department. A final report has been issued for the audit of Safeguarding.
- 4.6** *Departmental Systems:* Final reports have been issued for the audits of Cemeteries and Planning and Development Control, and an audit of Building Control is at the draft report stage. Audits of Estates Management and Trade Waste are underway, and an audit of Housing Management is at the planning stage. Internal Audit is reviewing selected aspects of the procedures for the maintenance and repair of Council housing.
- 4.7** *Performance and Management Scrutiny:* A final report was issued for the audit of Ethics. Internal Audit has been performing a quality assurance role for the Regeneration and Enterprise Project Board that is managing four regeneration projects, and for the project to develop the North Street Quarter of Lewes. Internal Audit is examining the internal control aspects of the project to develop new processes for the delivery of Council services.
- 4.8** *Computer Audit:* Internal Audit completed the IT aspects of the testing of the main financial systems, and an audit of IT Security is at the draft report stage.
- 4.9** *Management Responsibilities/Unplanned Audits:* This category provides resources for the support for the Audit and Standards Committee, liaison with BDO, managing the Follow Up procedures, as well as for special projects or investigations.
- 4.10** Internal Audit has been coordinating the Council's preparations for the 2014/15 NFI data matching exercise which is run by the Audit Commission. The base data was forwarded to the Audit Commission in October 2014 and the investigation of any matches will begin in February 2015.
- 4.11** At the request of the Chief Executive, Internal Audit has investigated the relationship between the Council and Seaford and District Constitutional Club in respect of possible development opportunities at the site. A final summary report has been issued and is presented separately to this meeting of the Committee.

## **5 Follow up of Audit Recommendations**

- 5.1** All audit recommendations are followed up to determine whether control issues noted by the original audits have been resolved. The early focus for follow up in 2014/15 has been on confirming the implementation of the recommendations that had been agreed in the previous year. The results of this work were reported to the June 2014 meeting of the Committee.

## **6 Quality Reviews/Customer Satisfaction Surveys/Performance Indicators (PIs)**

- 6.1** The results of the Internal Audit quality reviews, customer satisfaction surveys and PIs for 2013/14 were reported to the June 2014 meeting of the Audit and Standards Committee. The results enabled the HAP to report that the Internal Audit service at Lewes is fully effective, is subject to satisfactory management oversight, achieves its aims, and objectives, and operates in accordance with the Internal Audit Strategy as approved by the Audit and Standards Committee.
- 6.2** Proposals for a revised set of PIs for Internal Audit were agreed at the September 2013 meeting of the Committee. The new PIs formed the framework for the report on Internal Audit Benchmarking that was presented to the December 2013 meeting of the Committee, and the corresponding results for 2013/14 were reported to the September 2014 meeting of the Committee.

## **7 Combatting Fraud and Corruption**

### **National reporting**

- 7.1** The Annual Report on the Council's work to combat Fraud and Corruption 2013/14 was presented to the September 2014 meeting of the Committee. The report advised that the numbers and values of the fraud cases at LDC had been submitted to the Audit Commission as part of the fraud and corruption survey that all Local Authorities are required to complete. The results of the national survey will be published in an Audit Commission annual report on fraud and corruption in local government called 'Protecting the Public Purse.'
- 7.2** The Audit Commission report 'Protecting the Public Purse' for 2012/13 compared performance by differences types of local authority across a range of fraud types. The Head of Audit and Performance has been examining the report to determine the scope for possible additional controls or preventative measures where these would be justified. The major outcomes of this study are outlined below.

### **Local developments**

- 7.3** As part of the Council's response to the Audit Commission report 'Protecting the Public Purse' for 2012/13, Internal Audit and Housing Services are now represented on the Sussex Tenancy Fraud Forum (TFF). TFF is a body that enables information sharing and joint initiatives with neighbouring authorities in both East and West Sussex to combat the various aspects of tenancy fraud.
- 7.4** There had been some uncertainty over the future of the Benefit Fraud Investigations Team. CMT has agreed a business case for the Investigations Team to work as part of the Audit Division from 1 November 2014. The team is now working on the prevention and detection of fraud across additional areas of Council services including tenancy fraud and business rates fraud. The team will maintain its membership of the East Sussex Fraud Officers Group (ESFOG), a body that enables information sharing and joint initiatives with neighbouring authorities on a wide range of counter fraud work.
- 7.5** Future reports on the Council's Systems of Internal Control will include information on the work carried out by the Investigations Team, and the results achieved.

### **7.6 Risk Management**

- 7.7** Cabinet approved the Risk Management Strategy in September 2003. Since then risk management at the Council has been developed via a series of action plans, with

the result that all the elements of the risk management framework set out in the strategy are in place and are maintained at best practice standards.

- 7.8** The risk management process has identified that most risks are mitigated by the effective operation of controls or other measures. However, there are some risks that are beyond its control, for example a major incident, a 'flu' pandemic, a downturn in the national economy or a major change in government policy or legislation. The Council has sound planning and response measures to mitigate the effects of such events, and continues to monitor risks and the effectiveness of controls. The overall satisfactory situation for risk management has helped to inform the opinion on the internal control environment.
- 7.9** In response to the Government's national deficit reduction plan, the Corporate Management Team (CMT) put in place a phased programme to make savings in the Council's budgets. The programme commenced in 2011/12 and has achieved each of its annual savings targets. The savings target for 2014/15 is £596,000 and this has been achieved, primarily from the first phase of the restructuring programme. The savings target is kept under review (so that it can reflect the latest projections of Government funding, inflation forecasts, etc.) and reported regularly to Cabinet.
- 7.10** The most recent report to Cabinet was in November 2014, and the report indicates a total savings target for the period 2015/16 to 2019/20 of £2,604,000. Of this, £550,000 is to be delivered next year, with £520,000 already identified. The source of savings will continue to come from structural change rather than incremental change. The Head of Audit and Performance has reviewed with CMT the impact on the control environment of the savings achieved so far, and has obtained assurance that there has been no adverse effect on the operation of controls. This exercise will be ongoing while the programme of savings continues.
- 7.11** The Annual Report on Risk Management was presented to Cabinet at its July 2013 meeting. This report confirmed the strategic risks identified by CMT and the action plan for risk management for the year ahead. The corresponding report for 2014 will go to the Cabinet in January 2015.

## **8 System of management assurance**

- 8.1** The Council operates a management assurance system, which enabled senior officers to confirm the proper operation of internal controls, including compliance with the Constitution, in those services for which they were responsible in 2013/14. A joint statement by the Chief Finance Officer (Section 151) and Monitoring Officer confirmed that there were no significant governance issues for the Council in 2013/14. Nothing has arisen in the first seven months of the financial year to change these assessments.

## **9 Corporate governance**

- 9.1** In June 2013, the HAP reviewed the Council's Local Code of Corporate Governance, and concluded that the arrangements remain satisfactory and fit for purpose. These results were reported to the June 2013 meeting of the Committee. The code is currently under review and it is anticipated that the results will be presented to the January 2015 meeting of the Committee.
- 9.2** The Council is required to produce an Annual Governance Statement (AGS), which outlines the main elements of the Council's governance arrangements and the results of the annual review of the governance framework including the system of internal control. The AGS for 2013/14 was reported to the September meeting of the Committee.

## 10 External assurance

**10.1** The Government relies on external auditors to periodically review the work of the Council to make sure it is meeting its statutory obligations and performing well in its services. The results of these external reviews have helped inform the opinion on the internal control environment. The recent results are summarised below.

**10.2** Annual Audit Letter for 2013/14 (October 2014) – This report summarises the key issues from the work carried out by BDO during the year. The letter confirms that:

- BDO issued an unqualified true and fair opinion on the financial statements for 2013/14.
- BDO identified three misstatements in relation to revaluations of land and buildings and the accounting for the value of additions to HRA Council dwellings. Appropriate amendments were made to the financial statements. As these corrections relate to capital transactions and valuations there was no impact on the General Fund or HRA balance.
- BDO did not identify any significant deficiencies in internal controls but, working with Internal Audit, BDO observed instances where purchase orders were either in excess of the officer's formal authorisation limits or were placed by officers not on the authorised signatory list. Management has agreed to review and strengthen this control.
- BDO were satisfied that the Council has robust systems and processes to manage financial risks and opportunities effectively and to secure a stable financial position that enables it to continue to operate for the foreseeable future, and BDO therefore issued an unqualified value for money conclusion.
- BDO noted that the Council maintains healthy levels of earmarked reserves and balances, and Members have agreed a policy to use reserves to fund investments and non-recurring expenditure.
- BDO were satisfied that the Annual Governance Statement (AGS) was not inconsistent or misleading with other information they were aware of from the audit of the financial statements and complies with '*Delivering Good Governance in Local Government*' (CIPFA/Solace).
- BDO noted that the Council's Whole of Government Accounts (WGA) submission is below the threshold for audit and they were required only to review the total amounts in the Data Collection Tool for property, plant and equipment and for the net pension liability. BDO reported that the values in the Data Collection Tool were consistent with the audited financial statements.
- The Medium Term Financial Strategy was updated during the year and Members continue to consider options for achieving additional savings, with these likely to arise from the continued organisational development process and Programme Nexus.
- BDO have completed their review of the Housing Pooled Capital Receipts 2013/14 and have no matters to report.
- BDO reported on the results of the most recent grant claims and returns certification report that covered three returns for 2012/13 amounting to £67 million. The Housing Pooled Capital Receipts return and National Non Domestic Rates returns were certified without amendment or qualification. The BDO audit of the Housing and Council Tax Benefits subsidy claim for 2012/13 found a number of errors in processing. Following further discussion and the provision of additional supporting information by the Council, DWP amended its assessment of the impact on the claim and made a deduction of approximately £4,000 from the final settlement.

- When the letter was issued (late October 2014) the BDO work on the Housing Benefits subsidy claim for 2013/14 was still in progress. The results from this work will be reported in December 2014.

## **11 Financial Appraisal**

11.1 There are no additional financial implications from this report.

## **12 Sustainability Implications**

12.1 I have not completed the Sustainability Implications Questionnaire as this report is exempt from the requirement because it is an internal monitoring report.

## **13 Risk Management Implications**

13.1 If the Audit and Standards Committee does not ensure proper oversight of the adequacy and effectiveness of the Council's systems of internal control there is a risk that key aspects of the Council's control arrangements may not comply with best practice.

## **14 Legal Implications**

14.1 There are no legal implications arising from this report.

## **15 Equality Screening**

15.1 This report is for information only and involves no key decisions. Therefore, screening for equality impacts is not required.

## **16 Background Papers**

16.1 [Annual Audit Plan 2014/15 that was presented to the Audit and Standards Committee on 17 March 2014.](#)

## **17 Appendices**

17.1 There is no summary of recent audit reports (normally Appendix A) for this report.

17.2 There is no Log of Significant Outstanding Recommendations (normally Appendix B) for this report.