Audit Committee Progress Report – January 2019

Bolsover District Council Year ending 31 March 2019





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AUDIT PROGRESS

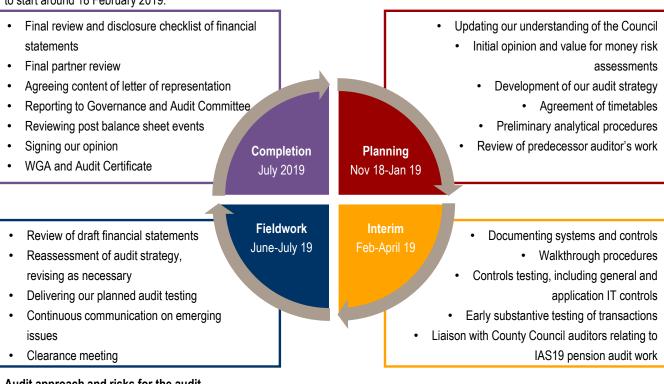
Purpose of this report

This report provides the Audit Committee with an update on progress in delivering our responsibilities as your external auditor for Bolsover District Council We have also included at Appendix B our briefing for the Committee on recent publications which are relevant to your responsibilities.

Audit progress

Our key audit stages are summarised in the diagram shown below, together with the key tasks. Upon completion of our initial planning and risk assessment, we will present our Audit Strategy Memorandum together with a further progress report to the April 2019 Audit Committee for discussion. This will set out the significant audit risks we have identified for the audit of the financial statements and our planned response. The Memorandum will also set out the results of our VFM risk assessment and any planned work required to address the risks identified.

We are currently at the Planning stage and this work is drawing to a close. There are no significant matters arising from our work that we are required to report to you at this stage. We are currently discussing with managers the arrangements for the interim audit which is due to start around 18 February 2019.



Audit approach and risks for the audit

The scope of the audit is unchanged from previous years and will meet the requirements of the NAO's Code of Audit Practice and relevant auditing standards. Our audit opinion work is focused on those aspects of your business which we consider to have a higher risk of material misstatement, such as those affected by management judgement and estimation, application of new accounting standards. changes of accounting policy, changes to operations or areas which have been found to contain material errors in the past. The overall risk profile for the audit is similar to that in the previous year and at this stage of our audit planning the expected significant audit risks are likely to again relate to:

- Management override of controls this is an inherent risk we are required by auditing standards to address at all clients and reflected in our planned work on, for example, management judgements and estimates.
- Property valuations these balances are material, valuations are provided by an expert valuer and there is a high degree of estimation uncertainty associated with those held at valuation.
- Defined benefit pension liability the accounts contain material liabilities relating to the local government pension scheme and the Council uses an actuary to provide an annual valuation of these liabilities in line with the requirements of IAS 19 Employee Benefits. There is a high degree of estimation uncertainty associated with this valuation.

We will provide our updated risk assessment, and set out our planned response, in our draft Audit Strategy Memorandum.



AUDIT PROGRESS

Our VFM Conclusion risk assessment is in progress and is taking into account the NAO's latest guidance and requirements. At this stage we expect to carry out further work relating to the risks around the Council's medium term financial sustainability, which is a common risk for our audit clients in this sector and is a continuing risk which has been identified by your previous auditors. We will include more information on this risk and our planned response in the Audit Strategy Memorandum.

We consider materiality whilst planning and performing our audit based on quantitative and qualitative factors. At this stage we expect the initial threshold for our overall materiality to be around £1.4m. We will confirm our planning materiality through our Audit Strategy Memorandum and update the Committee throughout the audit and in our Audit Completion Report on any changes required.

At this stage of the audit we are not planning any divergence from the scale fees set by PSAA as communicated in our fee letter of 25 April 2018. The scale fee set by PSAA is £38,046 (£49,410 2017/18). We have not been separately engaged by the Council to carry out any additional work outside of that in relation to our appointment by PSAA.

We are satisfied at this stage that we comply with the Financial Reporting Council's Ethical Standard and there are no matters or relationships which we believe may have a bearing on our independence or the objectivity of the audit team. We will further confirm this, or report any relevant matters, in our Audit Strategy Memorandum and our Audit Completion Report.

At Appendix A we have included a summary of the audit outputs we are required to share with you under auditing standards and our other reporting responsibilities, together with an indicative timeline for the audit.

Financial Reporting Workshops

These workshops have been scheduled for February 2019 and will provide our clients with an update on the latest developments as well as a forum for our clients to discuss emerging issues. Agenda items will include a revisit of 2017/18 issues including early close implications, changes in the 2018/19 Code and a forward look to future regulatory and policy changes. The East Midlands event is being held in Nottingham on 12 February 2019 and officers from the Council's finance team have been invited to attend.

Technical Update

Appendix B includes, for the Committee's information, summaries of recent technical and other sector publications (from Mazars, CIPFA and the NAO) which we believe are relevant to your responsibilities. The reports covered in this appendix, and the key messages, are summarised overleaf.



AUDIT PROGRESS (CONT.)

Manage 1					
Mazars					
1	Horizon Scanning – Challenges and Opportunities in 2019	In November 2018 Mazars issued its annual Horizon Scanning document, which identifies the key topics which Councils' Internal Audit teams should be considering in preparing their Audit Plans.			
Chartered Institute of Public Finance and Accountancy					
2	Measured resilience in English authorities	The Beta Version of CIPFA's Resilience Index, released to finance directors of English councils in December 2018, is a tool that enables authorities to view their positions, relative to others, on a range of measures linked to financial risk. This briefing note summarises key results from across the country, including a description of the measures chosen and their link to financial resilience.			
3	Managing Risk in the Local Government Pension Scheme	CIPFA has worked with Aon to revise and update its 'Managing Risk in the Local Government Pension Scheme publication.			
4	New Statement of Professional Practice on Ethics	The standard has been introduced by CIPFA to help provide clarity and support for members to meet global ethical standards and best practice, a matter of increasing important in the context of demanding public finance environments			
5	Next steps on Sustainability and Transformation Plans (STPs)	CIPFA has raised concerns relating to the basis on which STPs are proceeding and it believes the NHS is taking a risk by initiating medium-term integrated care planning without first ensuring members of sustainability transformation partnerships (STPs) have a thorough understanding of their financial outlook.			
6	CIPFA Fraud and Corruption Tracker (CFaCT) 2017/18	The 2017/18 report shows that fraud continues to pose a major financial threat to local authorities, with £302m detected or prevented by councils in 2017/18.			
7	Statement on Borrowing in advance of need	This statement expresses CIPFA's concerns with Councils funding commercial investment through borrowing and reminds Councils of the relevant guidance and their responsibilities.			
8	Implementation date for IFRS 16 Leases, CIPFA	CIPFA/LASAAC have confirmed that the effective date of implementation in the Code has been deferred for one year only to 1 April 2020, for alignment with the wider public sector.			
National Audit Office					
9	A review of the role and costs of clinical commissioning groups	NAO highlights the importance of ensuring that the current restructuring of CCGs creates stable and effective organisations that support the long-term aims of the NHS.			
10	Local auditor reporting in England 2018	The NAO reports that the number of NHS and local government bodies with weaknesses in their arrangements for delivering value for money is increasing			
11	Local Authority Governance	In order to mitigate the growing risks to value for money in the sector MHCLG needs to improve its system-wide oversight, be more transparent in its engagement with the sector, and adopt a stronger leadership role across the governance network.			
12	Departmental Overview: Commercial and Contracting 2017-18	Using ten case studies from NAO's work over the last 18 months, this overview identifies the main things that government departments need to look out for as they develop commercial relationships with their suppliers.			
13	Financial sustainability of local authorities 2018 visualisation	The NAO has made available its on-line 'interactive visualisations' which describe changes in local authorities' financial circumstances since 2010-11			



APPENDIX A - COMMUNICATIONS AND TIMELINE

ISA (UK) 260 'Communication with Those Charged with Governance', ISA (UK) 265 'Communicating Deficiencies In Internal Control To Those Charged With Governance And Management' and other ISAs (UK) specify the matters we are required to communicate to you. These matters, and the reports we will issue, are as follows:

Required communication	Audit Strategy Memorandum April 2019 Audit	Audit Completion Report July 2019 Audit
	Committee	Committee
Our responsibilities in relation to the audit of the financial statements and our wider responsibilities	✓	
Planned scope and timing of the audit	\checkmark	
Significant audit risks and areas of management judgement	✓	
Our commitment to independence	✓	\checkmark
Responsibilities for preventing and detecting errors	✓	
Materiality and misstatements	\checkmark	\checkmark
Fees for audit and other services	✓	
Significant deficiencies in internal control		✓
Significant findings from the audit		\checkmark
Significant matters discussed with management		\checkmark
Our conclusions on the significant audit risks and areas of management judgement		\checkmark
Summary of misstatements		\checkmark
Management representation letter		\checkmark
Our proposed draft audit report		\checkmark

Further outputs from our audit include:

- Audit Committee Progress Reports January, April and June 2019
- Value for Money Conclusion July 2019 (included within our Audit Completion Report and draft audit report)
- Audit Report on the 2018/19 Whole of Government Accounts return July 2019
- Annual Audit Letter September 2019



Background

This appendix includes, for the Committee's information, summaries of recent technical and other sector publications (from Mazars, CIPFA and the NAO) which are relevant to your responsibilities. Please get in touch if there any reports which you would like to discuss further.

MAZARS

Horizon Scanning - Challenges and Opportunities in 2019

In November 2018 Mazars issued its annual Horizon Scanning document, which identifies the key topics which Councils' Internal Audit teams should be considering in preparing their Audit Plans. The document acknowledges that austerity continues to provide the framework for the many challenges that Councils face, and the increase in the number of authorities highlighted at risk of financial failure. The report highlights the £16b reduction of government funding to councils this decade and a warning of a £8b funding blackhole by 2025. Most of the key challenges highlighted in the document relate to budgets being squeezed and an increasing demand for services.

The report summarises the difficulties faced from financial and services pressures and other technological and demographic changes as a 'perfect storm'. The pressures are summarised as:

Austerity and the accompanying budget cuts:

A 49.1% real-terms reduction in central government funding from 2010/11 to 2017/18, slower than forecast increases in council tax and delays in the plans for local government to retain 100% of business rates, have severely reduced local authority income.

Changing and increasing demand pressures:

With an increasing and aging population, increased and more complex child referrals, an increase in homelessness and a growing demand for services for children with special education needs or disabilities, there have been increasing cost pressures on local authorities.

Demographic and technological changes:

Millennials now make up much of the workforce and have different values and work expectations to preceding generations, while technological changes continue at pace and bring different challenges to the workplace. The council of the future is a digital council that is more connected and integrated.

Other cost pressures:

The removal of the freeze on public sector pay increases, increased employer national insurance contributions, the national living wage and the apprenticeship levy have all put additional cost pressures on local authorities.

The report acknowledges the pressures on Internal Audit resources, the need in some cases for changes to the approaches for gaining sufficient assurances and the importance of organisations having assurance over the strength of key corporate and governance arrangements (for example ethics, governance, project management, change control and financial management). The report identifies the current and emerging challenges under the following topic headings:

•	0 0	0 1
Financial resilience		Brexit
Adults and Children' social care	funding gaps	Scrutiny
Pupil and SEN funding		Information Governance
Workforce		Single Client Record/Big Data
Apprenticeships		Digital Transformation
Off-payroll Engagement (IR35)		Cyber Security
Alternative Delivery Models		Deprivation of Liberty Safeguards
Supplier Resilience and Risk		Affordable New Homes
Care Homes		Crime
VAT – making tax digital		Fraud Issues/Business as Usual
Premises Health and Safety		Looking over the Horizon

The report is not widely published outside of Mazars' Internal Audit clients but has been shared with the Council's Internal Audit team and can be provided separately to the Audit Committee members if requested.



CIPFA

Measured resilience in English authorities (December 2018)

CIPFA's July 2018 consultation document outlined a proposed methodology for its Resilience Index, and illustrated how the results might be displayed in practice. The Beta Version of CIPFA's Resilience Index, released to finance directors of English councils in December 2018, is a tool that enables authorities to view their positions, relative to others, on a range of measures linked to financial risk. This briefing note summarises key results from across the country, including a description of the measures chosen and their link to financial resilience. The tool is a test version and CIPFA will be running a series of development workshops with finance directors across the country in 2019 ahead of the release of a final version, when CIPFA also aims to publish a new Financial Management Code. Following official publication of local authority revenue and expenditure outturn data in November 2019, the Index will be made publicly available online.

The briefing can be found at the following link:

https://www.cipfa.org/policy-and-guidance/reports/measured-resilience-in-english-authorities

Managing Risk in the Local Government Pension Scheme (December 2018)

CIPFA has worked with Aon to revise and update its 'Managing Risk in the Local Government Pension Scheme publication. The guidance explores how risk manifests itself across the broad spectrum of activities that constitute LGPS financial management and administration. The publication then explains how, by using established risk management techniques, these risks can be identified, analysed and managed effectively.

A briefing on the updated publication can be found at the following link:

https://www.cipfa.org/about-cipfa/press-office/latest-press-releases/cipfa-says-lgps-funds-need-to-take-the-right-view-of-risk

New Statement of Professional Practice on Ethics (November 2018)

Coming into effect on 1 November 2018, the new SOPP on ethics aligns with the latest edition of the International Ethical Standards Board of Accountants Code (the Code) released in April 2018. The standard is accompanied by updated guidance and has been introduced by CIPFA to help provide clarity and support for members to meet global ethical standards and best practice, a matter of increasing important in the context of demanding public finance environments. The five fundamental principles detailed in the updated Code are to be upheld by all CIPFA members, and include integrity, objectivity, professional competence and due care, confidentiality, and professional behaviour. CIPFA had earlier in the year carried out a member survey and found almost 60% of public sector finance professionals have come under pressure to act unethically at least once in their career. By updating the SOPP to the latest Code based on internationally recognised principles, and by providing relevant modern case studies, CIPFA wants to ensure that every one in public sector finance is supported to act ethically in their roles, and in line with the public good.

The Statement can be found at the following link:

https://www.cipfa.org/about-cipfa/press-office/latest-press-releases/cipfa-introduces-new-statement-of-professional-practice-(sopp)-on-ethics

Next steps on Sustainability and Transformation Plans (STPs) (October 2018)

CIPFA has raised concerns relating to the basis on which STPs are proceeding. It believes the NHS is taking a risk by initiating medium-term integrated care planning without first ensuring members of sustainability transformation partnerships (STPs) have a thorough understanding of their financial outlook. CIPFA spokesman said "It would appear that lessons have not been learnt from the 'difficult birth' of STPs, where local government and other partner engagement was limited due to the tight timescales set for plans. Although it is good to see the approach setting out calls for wide engagement and a place-based approach, the timescales and uncertainty involved mean they risk making the same mistakes all over again. There must be a considered and methodical approach to this kind of planning work."

The CIPFA statement can be found at the following link:

https://www.cipfa.org/about-cipfa/press-office/latest-press-releases/nhs-must-learn-from-mistakes-of-past-on-stps



CIPFA

CIPFA Fraud and Corruption Tracker (CFaCT) 2017/18 (October 2018)

The 2017/18 report shows that fraud continues to pose a major financial threat to local authorities, with £302m detected or prevented by councils in 2017/18. While this was £34m less than last year's total, the report revealed an overall increase in the number of frauds detected or prevented – up to 80,000, from the 75,000 cases found in 2016/17. Among these cases there are reminders of some of the challenges being faced by local authorities, with the number of serious or organised crime cases doubling to 56, and a significant increase in the amount lost to business rates fraud, which jumped to £10.4m in 2017/18 from £4.3m in 2016/17.

The CFaCT report can be found at the following link:

https://www.cipfa.org/about-cipfa/press-office/latest-press-releases/local-councils-detect-or-prevent-£302m-in-fraud-in-2017-18

Borrowing in advance of need (October 2018)

CIPFA's CIPFA Chief Executive and Chair of the CIPFA Treasury and Capital Management Panel issued a statement on Borrowing in Advance of Need and Investments in Commercial Properties. The statement reminds users of CIPFA's Prudential Code that the Code sets out clearly that the prime policy objective of a local authority's treasury management investment activities is the security of funds, and that a local authority should avoid exposing public funds to unnecessary or unquantified risk. Both the Code and the Statutory Guidance on Local Government Investments issued by the Ministry for Housing, Communities and Local Government set out that local authorities must not borrow more than or in advance of their needs purely in order to profit from the investment of the extra sums borrowed. Relevant statutory provisions also apply in the devolved administrations. CIPFA considers that where the scale of commercial investments including property are not proportionate to the resources of the authority, that this is unlikely to be consistent with the requirements of its Prudential Code and the Treasury Management Code. CIPFA shares the concerns raised in relation to the recent continuation and (in a small number of cases) acceleration of the practice of borrowing to invest in commercial property. CIPFA will issue more guidance which makes it clear that these investment approaches are not consistent with the requirements of fiscal sustainability, prudence and affordability. CIPFA's guidance will also set out the substantial risks which are being incurred by such practices. In the meantime, local authorities are advised to have specific regard to the requirements to compile a capital strategy. Local authorities in England are also directed to have regard to the Statutory Investment Guidance the informal commentary to which cautions local authorities against becoming dependent on commercial income; taking out too much debt relative to net service expenditure; and taking on debt to finance commercial investments.

The Statement can be found at the following link:

https://www.cipfa.org/about-cipfa/press-office/latest-press-releases/statement-from-cipfa-on-borrowing-in-advance-of-need-and-investments-in-commercial-properties

Implementation date for IFRS 16 Leases, CIPFA (December 2018)

CIPFA/LASAAC have confirmed that the effective date of implementation in the Code has been deferred for one year only to 1 April 2020, for alignment with the wider public sector.

The Statement can be found at the following link:

https://www.cipfa.org/policy-and-guidance/technical-panels-and-boards/cipfa-lasaac-local-authority-code-board



National Audit Office (NAO)

A review of the role and costs of clinical commissioning groups (December 2018)

Clinical commissioning groups (CCGs) are clinically-led statutory bodies that have a legal duty to plan and commission most of the hospital and community NHS services in the local areas for which they are responsible. They were established as part of the Health and Social Care Act in 2012.

Since commissioning was introduced into the NHS in the early 1990s, there have been frequent changes to the structure of commissioning organisations. This looks set to continue, with the role of CCGs evolving as the NHS pursues a more integrated system across commissioners and providers. Consequently, there are likely to be more CCG mergers and increased collaborative working between CCGs and their stakeholders, for example healthcare providers and local authorities. The four Derbyshire CCGs are going through a merger process and have already appointed joint Chief Executive and Chief Financial Officers. They are therefore a major set of partners for the local authorities in relation to the County's health and social care services, including housing and other needs.

This NAO review sets out:

- changes to the commissioning landscape before CCGs were established;
- · the role, running costs and performance of CCGs; and
- the changing commissioning landscape and the future role of CCGs.

NHS England's assessment of CCGs' performance shows a mixed picture, with 42% (87 of 207) rated either 'requires improvement' or 'inadequate', with 24 deemed to be failing, or at risk of failing. Many CCGs are struggling to operate within their planned expenditure limits despite remaining within their separate running cost allowance. Attracting and retaining high-quality leadership is an ongoing issue.

There has been a phase of CCG restructuring with increased joint working and some CCGs merging. If current trends continue, this seems likely to result in fewer CCGs covering larger populations based around STP footprints. This larger scale is intended to help with planning, integrating services and consolidating CCGs' leadership capability. However, there is a risk that commissioning across a larger population will make it more difficult for CCGs to design local health services that are responsive to patients' needs, one of the original objectives of CCGs.

CCGs have the opportunity to take the lead in determining their new structures. NHS England is expected to set out its vision for NHS commissioning in its long-term plan for the NHS to be published in December 2018. NHS England has said it will step in where CCGs diverge from its vision of effective commissioning. However, it has not set out fully the criteria it will use to determine when to step in. NAO's previous work on the NHS reforms brought in under the Health and Social Care Act 2012 highlighted the significant upheaval caused by major organisational restructuring. NAO highlights the importance of ensuring that the current restructuring of CCGs creates stable and effective organisations that support the long-term aims of the NHS. NHS commissioning needs a prolonged period of organisational stability, which would allow organisations to focus on transforming and integrating health and care services rather than on reorganising themselves.

The Audit Committee may wish to clarify with management what progress the Derbyshire CCGs are making in relation to their joint working and their collaborative working with the Council.

The full report can be found at the following link:

https://www.nao.org.uk/report/a-review-of-the-role-and-costs-of-clinical-commissioning-groups/



National Audit Office (NAO)

Local auditor reporting in England 2018 (January 2019)

Each year, local auditors give an opinion on whether local public bodies produce financial statements that comply with reporting requirements and are free from material errors and conclude whether local public bodies have arrangements to manage properly their business and finances (the conclusion on arrangements to secure value for money).

Since 2015, the Comptroller and Auditor General (C&AG) has been responsible for setting the standards for local public audit, through maintaining a Code of Audit Practice and issuing associated guidance to local auditors. This report:

- provides an overview of the work of local auditors
- · describes the roles and responsibilities of local auditors and relevant national bodies in relation to the local audit framework; and
- summarises the main findings reported by local auditors in 2017-18.
- considers how the quantity and nature of the issues reported have changed since the C&AG took up his new responsibilities in 2015;
 and
- highlights differences between the local government and NHS sectors.

The NAO found that the number of NHS and local government bodies with weaknesses in their arrangements for delivering value for money is increasing. Given increasing financial and demand pressures on local bodies, they need strong arrangements to manage finances and secure value for money. Only three of the bodies (5%) NAO contacted in connection with this study were able to confirm that they had fully implemented their plans to address the weaknesses auditors reported. This suggests that while auditors are increasingly raising red flags, some of these are met with inadequate or complacent responses.

The number of qualified conclusions on local arrangements to secure value for money is high and increasing. The proportion of local public bodies whose plans for keeping spending within budget are not fit-for-purpose, or who have significant weaknesses in their governance, is high. This is regarded as a risk to public money and undermines confidence in how well local services are managed. Local bodies need to demonstrate to the wider public that they are managing their organisations effectively, and take local auditor reports seriously. Those charged with governance need to hold their executives to account for taking prompt and effective action. Local public bodies need to do more to strengthen their arrangements and improve their performance.

NAO state that local auditors need to exercise the full range of their additional reporting powers, where this is the most effective way of highlighting concerns, especially where they consider that local bodies are not taking sufficient action. Government departments need to continue monitoring the level and nature of non-standard reporting, and formalise their processes where informal arrangements are in place. The current situation is regarded as serious, with trend lines pointing downwards.

The full report can be found at the following link:

https://www.nao.org.uk/report/local-auditor-reporting-in-england-2018/



National Audit Office (NAO)

Local Authority Governance (January 2019)

NAO's report examines whether local governance arrangements provide local taxpayers and Parliament with assurance that local authority spending achieves value for money and that authorities are financially sustainable. The report addresses this question in three separate parts:

Part One examines the pressures on the local governance system;

Part Two explores the extent to which local governance arrangements function as intended; and

Part Three assesses whether the Department is fulfilling its responsibilities as steward of the system.

The report finds that Local government has faced considerable funding and demand challenges since 2010-11. This raises questions as to whether the local government governance system remains effective. As demonstrated by Northamptonshire County Council, poor governance can make the difference between coping and not coping with financial and service pressures. The Department (MHCLG) places great weight on local arrangements in relation to value for money and financial sustainability, with limited engagement expected from government. For this to be effective, the Department needs to know that the governance arrangements that support local decision-making function as intended. In order to mitigate the growing risks to value for money in the sector the Department needs to improve its system-wide oversight, be more transparent in its engagement with the sector, and adopt a stronger leadership role across the governance network.

The full report can be found at the following link:

https://www.nao.org.uk/report/local-authority-governance-2/

National Audit Office (NAO)

Departmental Overview: Commercial and Contracting 2017-18

Using ten case studies from NAO's work over the last 18 months, this overview identifies the main things that government departments need to look out for as they develop commercial relationships with their suppliers. Overall the NAO found that:

- Many problems arise before procurement begins. Good contracting requires getting the basics right at the start by:
- · Understanding what you are trying to contract out and the risks attached
- Understanding, by both sides carrying out due diligence, who is best placed to take on those risks
- Ensuring that the contract correctly allocates risks and responsibilities to those best able to manage them.
- There is a need for better performance measures and use of intelligence in managing contracts:
- Commercial capability is improving but contract management remains weak
- Performance measures need to be established at the start and assess quality as well as cost to ensure that the contract delivers value for money.
- Government departments need good intelligence on their suppliers to help them manage contracts effectively
- Government has had mixed results in managing markets, and to ensure that risks are managed and value for money is delivered it
 needs to develop a more interventionist approach to the markets it has created.

The full report can be found at the following link:

https://www.nao.org.uk/report/departmental-overview-commercial-and-contracting-2017-18/

Financial sustainability of local authorities 2018 visualisation

The NAO has made available its on-line 'interactive visualisations' which describe changes in local authorities' financial circumstances from 2010-11 to 2016-17. They can be used to explore broad trends identified in their report <u>Financial sustainability of local authorities</u> 2018 in order to gain a more detailed understanding of the experiences of individual local authorities. The data shows changes in income and spending alongside analysis of factors such as budget overspends and use of reserves.

The data and the original March 2018 report can be found at the following links:

 $\frac{https://www.nao.org.uk/highlights/financial-sustainability-of-local-authorities-2018-visualisation/https://www.nao.org.uk/report/financial-sustainability-of-local-authorities-2018/$



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