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Cherwell District Council

Accounts, Audit and Risk Committee

Minutes of a meeting of the Accounts, Audit and Risk Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 12 September 2018 at 7.30 pm

Present: Councillor Mike Kerford-Byrnes (Chairman)

Councillor Hannah Banfield
Councillor Hugo Brown
Councillor Nicholas Mawer
Councillor Tom Wallis
Councillor Sean Woodcock

Substitute Members: Councillor Tony Ilott (In place of Councillor Sean Gaul)
Councillor Barry Wood (In place of Councillor Ian Corkin)

Also Present: Steve Bladen, Engagement Partner, Ernst & Young, External Audit
Neil Harris, Engagement Partner, Ernst & Young, External Audit

Apologies for absence: Councillor Sean Gaul
Councillor Ian Corkin

Officers: Adele Taylor, Interim Executive Director: Finance and Governance
Kelly Watson, Assistant Director: Finance and Procurement
Isaac Aisu, Closedown Project Manager
Louise Tustian, Team Leader, Insight Team
Aaron Hetherington, Democratic and Elections Officer

26 **Declarations of Interest**

There were no declarations of interest.

27 **Petitions and Requests to Address the Meeting**

There were no petitions or requests to address the meeting.

28 **Minutes**

The Minutes of the meeting of the Committee held on 25 July 2018 were agreed as a correct record and signed by the Chairman.

29 **Chairman's Announcements**

There were no Chairman's announcements.

30 **Review by Those Charged with Governance**

The Executive Director, Finance & Governance submitted a report which set out the External Audit Opinion for 2017/18.

Resolved

- (1) That, following approval given at the Committee on 30 May 2018 it be agreed that the Chairman of the Accounts, Audit and Risk Committee sign the response relating to management assurances from Those Charged with Governance (annex to the Minutes as set out in the Minute Book).

31 **External Audit - Annual Audit Opinion 2017/18**

The Executive Director, Finance & Governance submitted a report which presented the External Audit Opinion for 2017/18.

In introducing the report, the External Auditor expressed their appreciation to the closedown team for their hard work during the process. The Committee added their appreciation to the closedown team.

Resolved

- (1) That the contents of the External Audit Opinion (ISA260) for 2017/18 from the External Auditor, Ernst & Young (EY) be noted.

32 **Statement of Accounts, Annual Governance Statement 2017/18 and Letter of Representation**

The Executive Director, Finance & Governance submitted a report for members to consider the Statement of Accounts 2017/18, the Annual Governance Statement 2017/18, and the Letter of Representation 2017/18.

Resolved

- (1) That the Statement of Accounts 2017/18 be approved.
- (2) That the Annual Governance Statement 2017/18 be endorsed.
- (3) That the Letter of Representation 2017/18 be approved.

33 **Monthly Performance, Risk and Finance Monitoring Report - July 2018**

The Assistant Director: Performance and Transformation and Assistant Director: Finance and Governance submitted a report which summarised Council's Performance, Risk and Finance monitoring position as at the end of each month.

Resolved

- (1) That the monthly Performance, Risk and Finance Monitoring Report be noted.
- (2) That having given due consideration, the Leadership Risk Register be noted and no issues be identified for further consideration.

34 **Treasury Management Report - July 2018**

The Executive Director of Finance and Governance (Interim) submitted a report which presented information on treasury management performance and compliance with treasury management policy for 2018/19 as required by the Treasury Management Code of Practice.

Resolved

- (1) That the contents of the July 2018 Treasury Management Report be noted.

35 **2018/19 Work Programme**

The Assistant Director: Finance and Procurement advised that it was anticipated that there would be training on treasury management prior to the November meeting of the Committee.

Resolved

- (1) That the work programme be reviewed.
- (2) That the updated work programme for 2018/19 be approved.

36 **Urgent Business**

There were no items of urgent business.

37 **Exclusion of Press and Public**

Resolved

That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the

grounds that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part I, Paragraph 3 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

38 **Treasury Management Report - July 2018 - Exempt Appendix**

Resolved

- (1) That the exempt appendix be noted.

The meeting ended at 9.32 pm

Chairman:

Date:



DISTRICT COUNCIL
NORTH OXFORDSHIRE

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Finance & Procurement

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Dear Neil

Understanding how the Accounts, Audit and Risk Committee gains assurance from management

I refer to the annual requirement for the Council to provide its external auditors details of the management assurance process that is in place. I have set down below the arrangements that those charged with governance (the Accounts, Audit & Risk Committee) have in place to gain the necessary assurance from management.

1) How the Accounts Audit and Risk Committee, as 'those charged with governance' at the Council, exercise oversight of management's processes in relation to:

- **undertaking an assessment of the risk that the financial statements may be materially misstated due to fraud or error (including the nature, extent and frequency of these assessments);**

The committee receives regular reports on fraud at their meetings but also relies on the S151 Officer, Internal Audit and, to a lesser extent External Audit, to report to them or to me as committee chairman if fraudulent activity has been uncovered. I am confident that all significant instances of fraud have been properly reported to me or the committee. I am also confident that if there was an awareness of a fraud, at senior management level, that would potentially materially misstate the accounts I would be informed immediately. No such incidents have taken place in 2017/18 and therefore based on the information I am aware of at the moment I am assured that the accounts are not materially misstated as a result of fraudulent activity.

- **identifying and responding to risks of fraud in the Council, including any specific risks of fraud which management have identified or that have been**

brought to its attention, or classes of transactions, account balances, or disclosure for which a risk of fraud is likely to exist;

The committee receives regular reports and updates on risk management, anti-fraud, corruption and bribery and whistle blowing. All of these items are standard items on the agenda and are covered at each meeting by the S151 Officer. I also outline the arrangements in place;

(a) Management Arrangements

- The financial statements are prepared in line with the Statement of Recommended Practice and are subject to internal quality assurance arrangements and an assurance framework of S151 assurances that review areas of highest risk. The accounts are subject to a series of analytical reviews that would identify major movements between years and seek explanations that would assess the likelihood for material misstatement.
- A risk assessment relating to the preparation of the accounts is undertaken each year by the S151 Officer and issues raised by Internal or External audit are given particular attention.
- The Council's finance function includes a service accountancy team who directly support and advise all the Council directorates. Through monthly support, challenge and review of the financial spend as part of budget monitoring, any material misstatement against budget or spend should be picked up.
- The officers who prepare the statements are experienced accountants who undertake CPD activities. Their work is segregated where feasible and they work to local and professional codes of conduct.
- Fundamental audits are conducted annually and reported to the Accounts, Audit & Risk Committee on the main accounting system by our Internal Auditors, CW Audit Services.

(b) Accounts, Audit & Risk Committee

- The Committee considers the internal control arrangements exercised by the Council as part of the Annual Governance Statement along with the S151 Officer's report on the accounts including the S151 Officer's arrangements for production of the accounts.
- In receiving the annual accounts from the S151 Officer, the Committee will enquire of them and the deputy S151 Officer whether any further action has been taken to minimise the risk of misstatement due to fraud.
- The committee has regular updates and presentations on Fraud. These presentations highlight the areas that this committee should focus on when reviewing financial statements in order to seek assurances from officers that the accounts are not subject to any risk.

- The Accounts, Audit & Risk Committee consider internal audit reports on an exceptional and risk based basis and the audits undertaken include those on fundamental systems and are able to take into account the likelihood of fraud being detected.
- The Annual Governance Statement, the reports from the Head of Internal Audit on internal control and S151 Officer on the adequacy and effectiveness of internal audit are further bases for coming to a judgement on the risk of misstatement. However, nothing has come to the attention of the Accounts, Audit & Risk Committee which would cause the Committee to consider there is a risk that the financial statements for 2017/18 could be misstated as a result of fraud.
- All members (including the Accounts, Audit & Risk Committee) are aware of the in year budget reporting and monitoring arrangements to Executive and Overview and Scrutiny. All budgets are assigned to a named individual.
- The Accounts, Audit & Risk Committee note the inclusion within the constitution of contract and financial procedure rules and application of external codes such as CIPFA's Treasury Management Code of Practice.
- The Accounts, Audit & Risk Committee is regularly advised on the progress with investigations and where relevant will question whether the nature of the allegations under investigation and any findings could impact on the accuracy of the financial statements.
- The Internal Audit Report of the Head of Internal Audit and the Annual Governance Statement reported to this committee highlight areas where the Council should seek improved control effectiveness.

On occasions when there is something to report outside of the normal committee framework the S151 Officer will contact me to brief me on the issue and discuss it. The Internal Audit manager and External Audit manager, as well as all officers have the right to raise, directly, any issues with me they feel I need to be aware of.

- **communicating to employees its view on business practice and ethical behaviour (for example by updating, communicating and monitoring against the Council's code of conduct);**

The Monitoring Officer and the Standards Committee are responsible for the Council's ethical governance arrangements. The Monitoring Officer is proactive in raising awareness of the ethical agenda with employees and members. Compliance with ethical standards is monitored by the Monitoring Officer and, when required, the Standards Committee.

A new employee code of conduct was introduced in 2015/16 requiring employees to notify all relevant personal interests to their Head of Service/Director. Completed

declaration forms are accessible by the Chief Executive, the Section 151 officer and the Monitoring Officer.

Employees and Committee members are aware that identifying and responding to fraud should be done through the responsible financial officer. This is reinforced by the regular update on anti-fraud and corruption issues, risk management and whistle blowing updates. The Anti-Fraud, Corruption and Bribery Policy, the Money Laundering Policy and the Whistle Blowing Policy have been updated to take account of the joint working arrangements and these policies are available to view on the Councils intranet sites.

The Council are members of the National Anti-Fraud Network and the Investigations team receives National Fraud Alerts, which are cascaded to the Council and specific areas at risk of fraud. Finance is an area regularly monitored.

- **encouraging employees to report their concerns about fraud**

Employees are aware that identifying and responding to fraud should be done through the responsible financial officer. Briefing messages are sent to staff on issues when it is felt appropriate to do so.

- **communicating to you the processes for identifying and responding to fraud or error.**

The Accounts, Audit & Risk Committee receive written and verbal reports from the S151 Officer and Head of Internal Audit.

The Head of Internal Audit produces an annual report which includes his opinion on the adequacy and effectiveness of the Council's system of internal control. This report highlights anything that constitutes a significant control weakness during the year under review. The Annual Internal audit report for 2017/18 will be presented to the Accounts, Audit & Risk Committee.

All risks identified are being addressed by the Council. The Accounts, Audit and Risk Committee monitors the action plans associated with all risks identified.

2) How does the Accounts, Audit and Risk Committee oversee management processes for identifying and responding to the risk of fraud and possible breaches of internal control?

(a) Management Processes

- Submission to the Accounts, Audit & Risk Committee of regular updates on fraud activity and initiatives to deter and detect fraud such as the whistle blowing policy.
- The Head of Internal Audit undertakes an annual risk assessment exercise in formulating the Internal Audit Plan. This plan is then submitted to the Accounts, Audit and Risk Committee for approval. For 2017/18, the audit plan was approved by the Committee. The

Committee is aware of the allocation of time in the annual audit plan for counter fraud activity.

(b) The Accounts, Audit & Risk Committee

- The Accounts, Audit & Risk Committee has access to internal audit reports and within these reports any possible fraudulent activity identified through the audit work would be recorded. In addition, the Head of Internal Audit would report any fraudulent, or potentially fraudulent, activity to the Committee in his regular progress reports.
- The Head of Internal Audit, and where appropriate the Monitoring Officer and S151 Officer, are required to advise about each case of alleged fraud. The committee receives regular update reports and communication regarding fraud and if required these would be detailed in the annual governance statement and the committee annual report.

3) Are the Committee aware of any: breaches of, or deficiencies in, internal control; and actual, suspected or alleged frauds during 2017/18?

I, on behalf of the Committee, have no knowledge of any actual or suspected alleged frauds that could have a significant impact on the Council's 2017/18 financial statements. I am confident that if any such instances were discovered, suspected or alleged they would be brought to my attention by the S151 Officer or his deputy.

4) Is the Committee aware any organisational or management pressure to meet financial or operating targets?

I am not aware of any organisational or management pressure placed on staff to meet financial or organisational targets.

5) How does the Accounts, Audit & Risk Committee gain assurance that all relevant laws and regulations have been complied with? Are you aware of any instances of non-compliance during 2017/18?

The authority has a statutory S151 officer (Executive Director, Finance and Governance) and monitoring officer (Assistant Director, Law and Governance) who are responsible for ensuring, as far as possible, that all relevant laws and regulations have been complied with.

The Monitoring Officer and S151 Officer, via membership of the Chief Executive Direct Reports (CEDR) and through the established process for reporting to members under the executive arrangements, will advise on and identify areas of concern and risk of non-compliance. Arrangements are established under the Constitution (e.g. contract procedure rules) to ensure that appropriate consideration is given to (and advice taken on) the application of the legal and regulatory framework.

The constitution provides further safeguards as do the management assurance statements that are provide by all senior managers and the annual governance statement.

I am pleased to state that there have been no instances of non-compliance to date. Should there be any I would expect they would be referred to my committee for consideration.

6) Is the Accounts, Audit and Risk Committee aware of any actual or potential litigation or claims that would affect the financial statements?

The committee is not aware of any potential claims as at the date of this letter, but will continue to receive an update on any potential issues and consideration if we need to make formal representation in our financial statements. Officers will be in a position to provide you with any additional information you may need.

7) How does the Accounts, Audit and Risk Committee satisfy itself that it is appropriate to adopt the going concern basis in preparing the financial statements?

We have considered the going concern assumption and have not identified any events which may impact on the authority's ability to continue as a going concern. The Council has adequate general fund reserves and continually reviews its risk register and mitigations.

The committee does note the current review of arrangements for Northamptonshire and will remain in dialogue with South Northamptonshire Council as the review progresses.

As Chairman of the Accounts, Audit & Risk Committee, I have signed this letter on behalf of the committee. The content of this letter will also be discussed at the Accounts, Audit & Risk Committee.

Yours sincerely

**Councillor Mike Kerford-Byrnes
Chairman of the Accounts, Audit & Risk Committee**