

Annual Governance Report

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Annual Governance Report

Taunton Deane Borough Council

Audit 2006/07

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Author Terry Bowditch

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Status of our reports

The Statement of Responsibilities of Auditors and Audited Bodies issued by the Audit Commission explains the respective responsibilities of auditors and of the audited body. Reports prepared by appointed auditors are addressed to non-executive directors/members or officers. They are prepared for the sole use of the audited body. Auditors accept no responsibility to:

- any director/member or officer in their individual capacity; or
- any third party.

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For further information on the work of the Commission please contact:

Audit Commission, 1st Floor, Millbank Tower, Millbank, London SW1P 4HQ

Tel: 020 7828 1212 Fax: 020 7976 6187 Textphone (minicom): 020 7630 0421

www.audit-commission.gov.uk

Contents

Purpose of this document	4
Key messages	5
Audit status	6
Accounts and Statement on Internal Control	7
Unadjusted misstatements	7
Adjustments to the financial statements	7
Accounting practices	8
Systems of internal control	8
Use of resources	9
Value for money conclusion	9
Data quality work	9
Best value performance plan	9
Financial standing	9
Audit fee update	11
Appendix 1 – The Audit Commission’s requirements in respect of independence and objectivity	12
Appendix 2 – Audit reports issued	13
Appendix 3 – Proposed auditor’s report	14
Independent auditor’s report to Taunton Deane Borough Council	14
Conclusion on arrangements for securing economy, efficiency and effectiveness in the use of resources	17
Appendix 4 – Management representation letter	19
Appendix 5 – Value for money conclusion	22
Appendix 6 – Action Plan	24

Purpose of this document

- 1 In accordance with the Audit Commission's Code of Audit Practice (the Code), this report provides a summary of the work we have carried out during our 2006/07 audit of accounts, the conclusions we have reached and the recommendations we have made to discharge our statutory audit responsibilities to those charged with governance (in this case the Corporate Governance Committee).
- 2 In preparing our report, the Code requires us to comply with the requirements of International Standards on Auditing (United Kingdom & Ireland) – ISA (UK&I) - 260 'Communication of Audit Matters to Those Charged with Governance', by reporting to you matters relating to the audit of the financial statements. Other auditing standards require us to communicate with you in other specific circumstances including:
 - where we suspect or detect fraud;
 - where there is an inconsistency between the financial statements and other information in documents containing the financial statements; and
 - non-compliance with legislative or regulatory requirements and related authorities.
- 3 We are also required to communicate to you the Audit Commission's requirements in respect of independence and objectivity, and these are set out at Appendix 1.
- 4 This report has been prepared for presentation to the Corporate Governance Committee on 24 September 2007. Members are invited to:
 - consider the matters raised in the report before the financial statements are approved;
 - approve the representation letter on behalf of the Council and those charged with governance before we issue our opinion; and
 - consider amending the financial statements for unadjusted misstatements, significant qualitative aspects of financial reporting and any recommendations for improvement in the action plan (Appendix 6).
- 5 Our work during the year was performed in line with the plan that we presented to you on 28 June 2006. We have issued separate reports during the year having completed specific aspects of our programme, which are listed in Appendix 2.

Key messages

- 6 Our work on the financial statements is substantially complete and we propose issuing an unqualified audit opinion before the statutory deadline of 30 September (a draft report is attached at Appendix 3).
- 7 Our work on the Council's arrangements to secure economy, efficiency and effectiveness in its use of resources is now complete. We propose issuing an unqualified conclusion on the use of resources before the statutory deadline of 30 September (a draft report is attached at Appendix 3).
- 8 The Council overspent by £242,000 against budget in 2006-7, and is currently forecasting a further overspend of £370,000 for the current year. It needs to agree prompt and effective action to bring this year's expenditure within or close to budget.

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Audit status

- 9 At the date of issue of this report our detailed audit is substantially complete and we anticipate issuing our report shortly.
- 10 The Council has taken a positive and constructive approach to our audit and we would like to take this opportunity to express our appreciation to you for your assistance and co-operation.

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Accounts and Statement on Internal Control

- 11 Our work on the accounts and the Statement of Internal Control is substantially complete although there are still outstanding issues to be resolved. In particular, our work has yet to be concluded on:
 - reconciliation of control accounts for council tax and non-domestic rates;
 - analytical review of payroll; and
 - movements on reserves.
- 12 Auditors are required to obtain written confirmation of certain representations from management and those charged with governance before an audit report is issued, such as acknowledgement of responsibility for the fair presentation of the financial statements in accordance with the applicable financial reporting framework and responsibility for the design and implementation of internal control to prevent and detect error.
- 13 The auditor should also obtain written representations from management on matters material to the financial statements when other sufficient appropriate audit evidence cannot reasonably be expected to exist.
- 14 The final draft of the letter of representation has been attached as Appendix 4.

Unadjusted misstatements

- 15 We are required to report to you all unadjusted misstatements that we have identified during the course of our audit, other than those that are clearly trivial. I am able to inform you that all material and non-trivial adjustments have been made to the Statements and therefore I have no items to report to you.

Adjustments to the financial statements

- 16 We are also required to bring to your attention misstatements that have already been corrected by management where we consider them relevant to your wider governance responsibilities. There is one item to bring to your attention:
 - The fixed asset figures in the draft accounts included an addition of £1.067 million for a purchase in connection with the Firepool Development. From our audit work, we found that legal title to the asset involved did not transfer to the Council until early April 2007. The accounts have now been revised so that the accounts only show the ten percent deposit, which had been paid in March 2007, as a payment in advance.

Accounting practices

- 17 We are also required to report to you our view on the qualitative aspects of the Authority's accounting practices and financial reporting and have set out below our observations on key issues affecting the Council.
- 18 The revisions to the SORP introduced this year have been generally well managed. Further changes are to be introduced for 2007/08, and we will continue to discuss these with relevant officers during our 2007-8 audit.
- 19 The audit has not highlighted any major problems and the Council is making revisions to the statements in line with our recommendations
- 20 The issues will be summarised in a separate report to officers to assist in the closedown process in subsequent audits.

Systems of internal control

- 21 As part of our audit, we consider the systems of accounting and financial control and report to you any material weaknesses identified.
- 22 Our review completed during 2006/07 identified control weaknesses in the new systems introduced in 2006-7:
 - Non-domestic rates
 - Council Tax
 - Benefits
 - Payroll.
- 23 As a result of these weaknesses, our testing provided only limited assurance for our opinion on the 2006-7 accounts, and we therefore carried out additional substantive testing on these systems. As this additional work was not included in our original audit plan, we raised an additional fee invoice for £4,165. We received assurances from officers that they would address the control weaknesses in the current year.
- 24 We have also reviewed whether the Statement of Internal Control (SIC) has been prepared in accordance with proper practice specified by CIPFA and is consistent with the findings from our audit. There are no matters arising from our review.
- 25 During the year, we carried out a detailed review of the Council's internal audit, provided by the South West Audit Partnership (SWAP). This confirmed a high level of compliance with the requirements of the CIPFA Code for Internal Audit. SWAP managers have already taken the action necessary to address the few minor areas where they did not fully comply.

Use of resources

Value for money conclusion

- 26 The Code requires us to reach a conclusion on whether we are satisfied that the Council has proper arrangements in place for securing economy, efficiency and effectiveness in its use of resources – the value for money conclusion. In meeting this responsibility, we review evidence that is relevant to the Council's corporate performance management and financial management arrangements across a range of criteria specified by the Audit Commission.
- 27 Details of our conclusion for each of the criteria specified by the Audit Commission are set out in Appendix 5. We anticipate issuing an unqualified value for money conclusion by 30 September 2007 (a draft report is attached at Appendix 3), confirming that the Council has met the minimum requirements for all twelve criteria in 2006-7.

Data quality work

- 28 We are currently finalising our data quality review and will report our findings to the relevant officers.

Best value performance plan

- 29 Our report on the Council's 2006/07 Best Value Performance Plan (BVPP) was issued in November 2006. No recommendations were made to the Audit Commission or the Secretary of State.

Financial standing

- 30 The Council has a sound record of delivering expenditure within budget. However, for 2006-7, there was an overspending against budget of £242,000, which represents 1.9 percent of the approved budget of £13.060 million. As a result, general fund balances reduced from £1.38 million at the end of 2005-6 to £1.24 million at 31 March 2007. This is still comfortably above the Council's "acceptable minimum" level of £0.75 million.
- 31 The major area of overspending in 2006-7 was of £505,000 on the concessionary travel budget, with the Council, like many others, having under-estimated the impact of the statutory changes to the concessionary fares scheme from April 2006.

- 32 The Council included an additional £373,000 for concessionary travel in the 2007-8 budget. Despite this, the budget monitoring report for the first quarter of 2007-8 shows a further forecast overspend this year of £340,000 on this budget line, and an overall overspend of £370,000. The Council needs to agree prompt and effective action to address this variance.

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Audit fee update

- 33 We reported our fee proposals as part of the Audit Plan for 2006/07. The table below reports the outturn fee against that plan:

	Plan 2006/07	Actual 2006/07
Financial statements and Statement on Internal Control	55,713	59,878 (see Note 1)
Use of Resources	23,959	23,959
Whole of Government Accounts	1,995	1,995
Total audit fee	81,667	85,832
Inspection	5,557	5,557
Total audit and inspection fee	87,224	91,389
Grant claim fees	20,000	TBC

Note 1. The fee was increased to cover the cost of the additional testing required as a result of control weaknesses identified in the new financial systems - see paragraph 23.

Appendix 1 – The Audit Commission’s requirements in respect of independence and objectivity

- 1 We are required to communicate the following matters to those charged with governance:
 - the principal threats, if any, to objectivity and independence identified by the auditor, including consideration of all relationships between the Authority, senior officers and the auditor;
 - any safeguards adopted and the reasons why they are considered to be effective;
 - any independent partner review;
 - the overall assessment of threats and safeguards; and
 - information about the general policies and processes for maintaining objectivity and independence.
- 2 We are not aware of any relationships that may affect the independence and objectivity of the audit team and which are required to be disclosed under auditing and ethical standards.

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Appendix 2 – Audit reports issued

Planned output	Planned date of issue	Actual date of issue	Addressee
Audit plan	April 2006	April 2006	Corporate Governance Committee
Annual governance report	25 September 2007	25 September 2007	Corporate Governance Committee
Opinion on financial statements	September 2007	TBC	Council
Value for money conclusion	September 2007	TBC	Council
Final accounts memorandum	October 2007	TBC	Officers
BVPP report	November 2006	November 2006	Council
Use of Resources Auditor Judgements 2006	March 2007	March 2007	Officers
Use of resources Auditor Judgements 2007	November 2007	TBC	Officers
Data quality report	October 2007	TBC	Officers
Annual audit letter	March 2008	TBC	Council

Appendix 3 – Proposed auditor's report

Independent auditor's report to Taunton Deane Borough Council

Opinion on the financial statements

I have audited the financial statements of Taunton Deane Borough Council and its Group for the year ended 31 March 2007 under the Audit Commission Act 1998, which comprise the Explanatory Foreword, Income and Expenditure Account, Statement of the Movement on the General Fund Balance, the Balance Sheet, the Statement of Total Recognised Gains and Losses, the Cash Flow Statement, the Housing Revenue Account, the Collection Fund, the Group Accounts, and the related notes. These financial statements have been prepared under the accounting policies set out within them.

This report is made solely to Taunton Deane Borough Council in accordance with Part II of the Audit Commission Act 1998 and for no other purpose, as set out in paragraph 36 of the Statement of Responsibilities of Auditors and of Audited Bodies prepared by the Audit Commission.

Respective responsibilities of the Chief Finance Officer and auditors

The Chief Finance Officer's responsibilities for preparing the financial statements in accordance with applicable laws and regulations and the Statement of Recommended Practice on Local Authority Accounting in the United Kingdom 2006 are set out in the Statement of Responsibilities.

My responsibility is to audit the financial statements in accordance with relevant legal and regulatory requirements and International Standards on Auditing (UK and Ireland).

I report to you my opinion as to whether the financial statements present fairly the financial position of the Authority in accordance with applicable laws and regulations and the Statement of Recommended Practice on Local Authority Accounting in the United Kingdom 2006.

I review whether the statement on internal control reflects compliance with CIPFA's guidance, 'The Statement on Internal Control in Local Government: Meeting the Requirements of the Accounts and Audit Regulations 2003' published on 2 April 2004. I report if it does not comply with proper practices specified by CIPFA or if the statement is misleading or inconsistent with other information I am aware of from my audit of the financial statements. I am not required to consider, nor have I considered, whether the statement on internal control covers all risks and controls. I am also not required to form an opinion on the effectiveness of the Council's corporate governance procedures or its risk and control procedures

I read other information published with the financial statements, and consider whether it is consistent with the audited financial statements. This other information comprises only the Explanatory Foreword. I consider the implications for my report if I become aware of any apparent misstatements or material inconsistencies with the financial statements. My responsibilities do not extend to any other information.

Basis of audit opinion

I conducted my audit in accordance with the Audit Commission Act 1998, the Code of Audit Practice issued by the Audit Commission and International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures in the financial statements. It also includes an assessment of the significant estimates and judgments made by the Council in the preparation of the financial statements, and of whether the accounting policies are appropriate to the Council's circumstances, consistently applied and adequately disclosed.

I planned and performed my audit so as to obtain all the information and explanations which I considered necessary in order to provide me with sufficient evidence to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or other irregularity or error. In forming my opinion I also evaluated the overall adequacy of the presentation of information in the financial statements.

In my opinion:

- The financial statements present fairly, in accordance with applicable laws and regulations and the Statement of Recommended Practice on Local Authority Accounting in the United Kingdom 2006, the financial position of the Council as at 31 March 2007 and its income and expenditure for the year then ended.

Peter Lawrence
District Auditor
The Audit Commission
3-6 Blenheim Court,
Lustleigh Close
Matford Business Park
Exeter EX2 8PW

September 2007

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Conclusion on arrangements for securing economy, efficiency and effectiveness in the use of resources

Council's Responsibilities

The Council is responsible for putting in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources, to ensure proper stewardship and governance, and to regularly review the adequacy and effectiveness of these arrangements.

Under the Local Government Act 1999, the Council is required to prepare and publish a best value performance plan summarising the authority's assessment of its performance and position in relation to its statutory duty to make arrangements to ensure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

Auditor's Responsibilities

I am required by the Audit Commission Act 1998 to be satisfied that proper arrangements have been made by the authority for securing economy, efficiency and effectiveness in its use of resources. The Code of Audit Practice issued by the Audit Commission requires me to report to you my conclusion in relation to proper arrangements, having regard to relevant criteria specified by the Audit Commission for principal local authorities. I report if significant matters have come to my attention which prevent me from concluding that the authority has made such proper arrangements. I am not required to consider, nor have I considered, whether all aspects of the authority's arrangements for securing economy, efficiency and effectiveness in its use of resources are operating effectively.

I am required by section 7 of the Local Government Act 1999 to carry out an audit of the authority's best value performance plan and issue a report:

- certifying that I have done so;
- stating whether I believe that the plan has been prepared and published in accordance with statutory requirements set out in section 6 of the Local Government Act 1999 and statutory guidance; and
- where relevant, making any recommendations under section 7 of the Local Government Act 1999.

Conclusion

I have undertaken my audit in accordance with the Code of Audit Practice and having regard to the criteria for principal local authorities specified by the Audit Commission and published in December 2006, I am satisfied that, in all significant respects, Taunton Deane Borough Council made proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ending 31 March 2007.

Best Value Performance Plan

I issued my statutory report on the audit of the Council's best value performance plan for the financial year 2006/07 on 24 November 2006. I did not identify any matters to be reported to the Council and did not make any recommendations on procedures in relation to the plan.

Certificate

I certify that I have completed the audit of the accounts in accordance with the requirements of the Audit Commission Act 1998 and the Code of Audit Practice issued by the Audit Commission.

Peter Lawrence
District Auditor
The Audit Commission
3-6 Blenheim Court,
Lustleigh Close
Matford Business Park
Exeter EX2 8PW

September 2007

Appendix 4 – Management representation letter

To:

Peter Lawrence
District Auditor
The Audit Commission
3-6 Blenheim Court,
Lustleigh Close
Matford Business Park
Exeter EX2 8PW

Dear Mr Lawrence

Taunton Deane Borough Council - Audit for the year ended 31 March 2007

I confirm to the best of my knowledge and belief, having made appropriate enquiries of other officers of t Taunton Deane Borough Council, the following representations given to you in connection with your audit of the Council's financial statements for the year ended 31 March 2007

I acknowledge my responsibility under the relevant statutory authorities both for preparing the financial statements which present fairly and for making accurate representations to you.

Taunton Deane Borough Council has no plans or intentions that may materially alter the carrying value or classification of assets and liabilities reflected in the financial statements.

Specific representations:

- Sufficient controls have been established, and have operated, to identify, classify and record correctly transactions processed via the Council's bank account.
- There are no other material amounts relating to unfunded liabilities, curtailments or settlements of past service costs relating to pension provision other than those which have been properly recorded and disclosed in the financial statements.
- The steps taken by the Council to confirm that the data used by the actuary to calculate FRS 17 disclosure information continues to be appropriate and representative of the membership profile as at 31 March 2007.

Supporting records

All the accounting records have been made available to you for the purpose of your audit and all the transactions undertaken by the Council have been properly reflected and recorded in the accounting records. All other records and related information, including minutes of all Committee and Council meetings, have been made available to you.

Related party transactions

I confirm the completeness of the information provided regarding the identification of related parties.

The identity of, and balances and transactions with, related parties have been properly recorded and where appropriate, adequately disclosed in the financial statements.

Contingent liabilities

There are no other contingent liabilities, other than those that have been properly recorded and disclosed in the financial statements. In particular:

- there is no significant pending or threatened litigation, other than those already disclosed in the financial statements; and,
- there are no material commitments or contractual issues, other than those already disclosed in the financial statements;
- no financial guarantees have been given to third parties.

Provisions

- The Council is not aware of any equal pay claims for which appropriate provision should be made in the 2006-7 accounts.
- There are no other provisions, other than those that have been properly recorded and disclosed in the financial statements.

Law, regulations and codes of practice

There are no instances of non-compliance with laws, regulations and codes of practice, likely to have a significant effect on the finances or operations of the Council.

Irregularities

I acknowledge my responsibility for the design and implementation of internal control systems to prevent and detect error.

There have been no:

- irregularities involving management or employees who have significant roles in the system of internal accounting control;

- irregularities involving other employees that could have a material effect on the financial statements; and
- communication from regulatory agencies concerning non-compliance with, or deficiencies on, financial reporting practices which could have a material effect on the financial statements.

Post balance sheet events

Other than those already disclosed in the financial statements, there have been no additional significant post balance sheet events that have occurred since the date of approval of the financial statements by the Council which would require additional adjustment or disclosure in the financial statements.

Signed on behalf of Taunton Deane Borough Council

Shirlene Adam
Strategic Director
Taunton Deane Borough Council
The Council House
Belvedere Road
Taunton

September 2007

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Appendix 5 – Value for money conclusion

- 3 The Audit Commission has published, in accordance with the Code of Audit Practice, 12 criteria on which auditors are required to reach a conclusion on the adequacy of an audited body’s arrangements for economy, efficiency and effectiveness in its use of resources.
- 4 The Code criteria are linked to the use of resources assessment (UoR) key lines of enquiry (KLoEs). A score of Level 2 or higher under the KLoEs will result in an assessment that the Authority has adequate arrangements in place for the purposes of the Code criteria. The Code criteria and the linked KLoEs are show in the table below.

Code Criteria	Description	Associated UoR KLoE	UoR Score	VFM Conclusion
1	The body has put in place arrangements for setting, reviewing and implementing its strategic and operational objectives.	N/A	N/A	Adequate
2	The body has put in place channels of communication with service users and other stakeholders including partners, and there are monitoring arrangements to ensure that key messages about services are taken into account.	N/A	N/A	Adequate
3	The body has put in place arrangements for monitoring and scrutiny of performance, to identify potential variances against strategic objectives, standards and targets, for taking action where necessary, and reporting to members.	N/A	N/A	Adequate
4	The body has put in place arrangements to monitor the quality of its published performance information, and to report the results to members.	N/a	N/A	Adequate
5	The body has put in place arrangements to maintain a sound system of internal control.	4.2		Adequate

6	The body has put in place arrangements to manage its significant business risks.	4.1		Adequate
7	The body has put in place arrangements to manage and improve value for money.	5.2		Adequate
8	The body has put in place a medium-term financial strategy, budgets and a capital programme that are soundly based and designed to deliver its strategic priorities.	2.1		Adequate
9	The body has put in place arrangements to ensure that its spending matches its available resources.	3.1		Adequate
10	The body has put in place arrangements for managing performance against budgets.	2.2		Adequate
11	The body has put in place arrangements for the management of its asset base.	2.3		Adequate
12	The body has put in place arrangements that are designed to promote and ensure probity and propriety in the conduct of its business.	4.3		Adequate

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Appendix 6 – Action Plan

Page no.	Recommendation	Priority 1 = Low 2 = Med 3 = High	Responsibility	Agreed	Comments	Date
8	The Council should strengthen the controls within the following systems introduced during 2006-7: <ul style="list-style-type: none"> • Non-domestic rates • Council tax • Benefits • Payroll. 	3	Strategic Director (Shirlene Adam)	Yes	-	31.12.2007
10	The Council should agree prompt and effective action to try to ensure that actual expenditure in 2007-8 is within or close to budget.	3	Strategic Director (Shirlene Adam)	Yes	-	Ongoing

