Taunton Deane Borough Council

Corporate Governance Committee – 6 December 2016

External Audit – Progress Report and Update

This matter is the responsibility of the Leader of the Council, Councillor John Williams

Report Author: Jo Nacey, Finance Manager

1 Purpose of the Report

1.1 The attached report provides the Audit Committee with a progress update regarding the work of the external auditors, Grant Thornton, together with information relating to emerging issues which may be relevant to the Council.

2 Recommendations

- 2.1 Members are requested to note the update report.
- **3 Risk Assessment** (if appropriate)

Risk Matrix

Description	Likelihood	Impact	Overall
The details of any specific risks are contained in			
the report			

4 Background and Full details of the Report

4.1 The Council's external audit function is undertaken by Grant Thornton. The external auditors, as part of their work, provide regular progress updates to Members via the Audit Committee together with updates in relation to emerging national issues, which may be of relevance to the Council. These are detailed in the attached report.

5 Links to Corporate Aims / Priorities

5.1 There is no direct contribution to the Corporate Priorities.

6 Finance / Resource Implications

6.1 This is an update report only and there are no specific financial implications.

7 Legal Implications

7.1 The Council has a statutory duty to produce financial statements.

- 8 Environmental Impact Implications
- 8.1 None
- 9 Safeguarding and/or Community Safety Implications
- 9.1 None
- 10 Equality and Diversity Implications
- 10.1 None
- 11 Social Value Implications
- 11.1 None
- 12 Partnership Implications
- 12.1 None
- 13 Health and Wellbeing Implications
- 13.1 None
- 14 Asset Management Implication
- 14.1 None
- 15 Consultation Implications
- 15.1 None

Democratic Path:

- Corporate Governance Committee Yes
- Executive No
- Full Council No

Reporting Frequency:	☐Once only	∐Ad-hoc	Quarterly
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X Twice-yearly Annually

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Corporate Governance Committee Taunton Deane Borough Council Progress Report and Update Year ended 31 March 2017

December 2016

Peter Barber

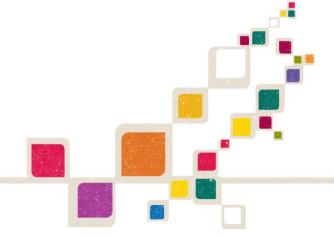
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The contents of this report relate only to the matters which have come to our attention, which we believe need to be reported to you as part of our audit process. It is not a comprehensive record of all the relevant matters, which may be subject to change, and in particular we cannot be held responsible to you for reporting all of the risks which may affect your business or any weaknesses in your internal controls. This report has been prepared solely for your benefit and should not be quoted in whole or in part without our prior written consent. We do not accept any responsibility for any loss occasioned to any third party acting, or refraining from acting on the basis of the content of this report, as this report was not prepared for, nor intended for, any other purpose.



Introduction

This paper provides the Audit Committee with a report on progress in delivering our responsibilities as your external auditors.

Members of the Audit Committee can find further useful material on our website www.grant-thornton.co.uk, where we have a section dedicated to our work in the public sector. Here you can download copies of our latest publications:

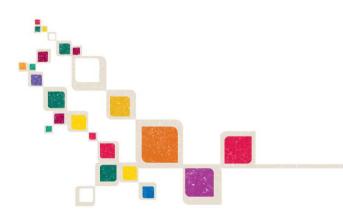
 Advancing closure: Transforming the financial reporting of local authority accounts (August 2016) http://www.grantthornton.co.uk/en/insights/advancing-closure-the-benefits-to-local-authorities/

Members and officers may also be interested in out recent webinars:

Alternative delivery models: Interview with Helen Randall of Trowers and Hamlins, discussing LATCs and JVs in local government. <u>http://www.grantthornton.co.uk/en/insights/qa-on-local-authority-alternative-delivery-models/</u>

Cyber security in the public sector: Our short video outlines questions for public sector organisations to ask in defending against cyber crime <u>http://www.grantthornton.co.uk/en/insights/cyber-security-in-the-public-sector/</u>

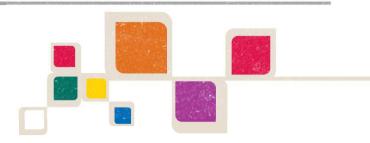
If you would like further information on any items in this briefing, or would like to register with Grant Thornton to receive regular email updates on issues that are of interest to you, please contact either your Engagement Lead or Engagement Manager.



Progress at December 2016

2015/16 work	Planned Date	Complete?	Comments
Annual Audit Letter We are required to issue the Annual Audit Letter by the 30 November	31 st October 2016	Yes	The Annual Audit Letter is included on the agenda.
Grant Claims Audit We are required to certify your Housing Benefits grant claim by 30 November.	30 th November 2016	Yes	At the time of writing, our work on Housing Benefits was in progress. A verbal update will be provided at the meeting of the Corporate Governance Committee,
2016/17 work	Planned Date	Complete?	Comments
Fee Letter We are required to issue a 'Planned fee letter for 2016/17' by the end of April 2016	30 April 2016	Yes	The fee letter was issued on 6 th April 2016.
Accounts Audit Plan We are required to issue a detailed accounts audit plan to the Council setting out our proposed approach in order to give an opinion on the Council's 2016-17 financial statements.	March 2017	Not yet due	
 Interim accounts audit Our interim fieldwork visit plan included: updated review of the Council's control environment updated understanding of financial systems review of Internal Audit reports on core financial systems early work on emerging accounting issues early substantive testing Value for Money conclusion risk assessment. 		Not yet due	The interim audit is likely to be undertaken in early January.

Progress at December 2016



2016/17 work	Planned Date	Complete?	Comments
 Final accounts audit Including: audit of the 2016/17 financial statements proposed opinion on the Council's accounts proposed Value for Money conclusion review of the Council's disclosures in the consolidated accounts against the Code of Practice on Local Authority Accounting in the United Kingdom 2015/16 	July 2017	Not yet due	We are currently planning on starting our final accounts audit on 1 June 2017as management are hoping to complete the draft accounts by the end of May 2017. We will continue to discuss with management so that if there is any slippage in management's plan, the timing of our audit can be adjusted accordingly.
 Value for Money (VfM) conclusion The scope of our work is unchanged to 2015/16 and is set out in the final guidance issued by the National Audit Office in November 2015. The Code requires auditors to satisfy themselves that; "the Council has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources". The guidance confirmed the overall criterion as; "in all significant respects, the audited body had proper arrangements to ensure it took properly informed decisions and deployed resources to achieve planned and sustainable outcomes for taxpayers and local people". The three sub criteria for assessment to be able to give a conclusion overall are: Informed decision making Sustainable resource deployment Working with partners and other third parties 	January to June 2017	Not yet due	
Other areas of work Meetings with Members, Officers and others		Ongoing	Peter Barber and Kevin Henderson met with Jo Nacey, Paul Fitzgerald and Paul Carter on 21 st November.

Grant Thornton Sector Issues

Integrated Reporting

Grant Thornton publications

Looking beyond the report

The move away from reporting based on historic financial information is beginning to gain momentum and Integrated Reporting is now mandatory in some countries.

In the UK, CIPFA proposed in their consultation document that the narrative report from 2017/18 reflects elements of the International Integrated Reporting Council's framework whilst the Treasury is encouraging public sector organisations to adopt Integrated Reporting.

Integrated reporting: Looking beyond the report was produced by our global Integrated Reporting team, based in the UK, New Zealand and South Africa, to help organisations obtain the benefits of Integrated Reporting.

The International Integrated Reporting Council (IIRC) describes Integrated Reporting as "enhancing the way organisations think, plan and report the story of their business."

At Grant Thornton, we fully agree with this and, in our view, the key word is 'enhancing' because a lot of the elements to support effective Integrated Reporting are likely to be in place already.

But anyone focussing purely on the production of the report itself will not reap the full benefits that effective Integrated Reporting can offer. Instead, think of Integrated Reporting as demonstrating "integrated thinking" across your entire organisation, with the actual report being an essential element of it.

Our methodology is based on six modules which are designed to be independent of each other.

- **1. Secure support** effective Integrated Reporting needs leadership from the top.
- **2.** Identify stakeholders who are they and how can you engage with them?
- **3.** Identify the capitals for your organisation what resources do you use to create value?
- 4. What do you have and what do you need? do you have the data you need and is it accurate?
- 5. Set limits and create boundaries make sure your report is focussed.
- **6. Review and improve** Integrated Reporting is a continuous learning process.

Our approach to Integrated Reporting is deliberately simple; experience has shown us that this works best. Things are often only complicated because people made them that way.

Our experienced, independent teams can help you keep focused throughout the entire Integrated Reporting process and can support you, no matter what stage you are at. Please speak to your Engagement Lead if you would like to discuss this further.

Challenge question:

 Have you thought about how the principles of Integrated Reporting can help your organisation become more focussed?

Grant Thornton

Integrated reporting Looking beyond the report



Integrated Thinking and Reporting

Focusing on value creation in the public sector

Grant Thornton has seconded staff to the International Integrated Reporting Council on a pro bono basis for a number of years.

They have been working on making the principles of Integrated Reporting *<*IR*>* relevant to the public sector and co-authored a recent report by CIPFA and the World Bank: *Integrated thinking and reporting: focusing on value creation in the public sector - an introduction for leaders.*

Around one third of global gross domestic product (GDP) is made up by the public sector and this is being invested in ensuring there is effective infrastructure, good educational opportunities and reliable health care. In many ways, it is this investment by the public sector that is helping to create the conditions for wealth creation and preparing the way for the success of this and future generations.

Traditional reporting frameworks, focussed only on historic financial information, are not fit-for-purpose for modern, multi-dimensional public sector organisations.

Integrated Reporting supports sustainable development and financial stability and enables public sector organisations to broaden the conversation about the services they provide and the value they create. The public sector faces multiple challenges, including:

- Serving and being accountable to a wide stakeholder base;
- Providing integrated services with sustainable outcomes;
- Maintaining a longer-term perspective, whilst delivering in the short term; and
- Demonstrating the sustainable value of services provided beyond the financial.

The <IR> Framework is principle based and enables organisations to tailor their reporting to reflect their own thinking and strategies and to demonstrate they are delivering the outcomes they were aiming for.

Integrated Reporting can help public sector organisations deal with the above challenges by:

- Addressing diverse and often conflicting public accountability requirements;
- Focussing on the internal and external consequences of an organisation's activities;
- Looking beyond the 'now' to the 'near' and then the 'far';
- Considering the resources used other than just the financial.

The report includes examples of how organisations have benefitted from Integrated Reporting.

CIPFA Publications

Challenge question:

 Have you reviewed the CIPFA guide to Integrated Reporting in the public sector?



Brexit

Planning can help organisations reduce the impact of Brexit

Several months have passed since the referendum to leave the European Union (EU), during which there has been a flurry of political activity, including the party conference season.

After many years of relative stability, organisations will need to prepare themselves for a period of uncertainty and volatility and will need to keep their risk registers under constant review. The outcome of the US Presidential election in November 2016 has added to this uncertainty.

The High Court ruling that Parliament should have a say before the UK invokes Article 50 of the Lisbon Treaty – which triggers up to two years of formal EU withdrawal talks – will not, in our view, impact on the final outcome. There appears to be a general political consensus that Brexit does mean Brexit, but we feel there could be slippage beyond the original timetable which expected to see the UK leave the EU by March 2019.

2017 elections in The Netherlands (March), France (April/May), and Germany (October/November) will complicate the Brexit negotiation process and timeline at a time when Brexit is more important for the UK than it is for the remaining 27 Member States The question still remains, what does Brexit look like?

While there may be acceptance among politicians that the UK is leaving the EU, there is far from any agreement on what our future relationship with the continent should be.

So, what do we expect based on what has happened so far?

Existing EU legislation will remain in force

We expect that the Government will introduce a "Repeal Act" (repealing the European Communities Act of 1972 that brought us into the EU) in early 2017.

As well as undoing our EU membership, this will transpose existing EU regulations and legislation into UK law. We welcome this recognition of the fact that so much of UK law is based on EU rules and that trying to unpick these would not only take many years but also create additional uncertainty.

Taking back control is a priority

It appears that the top priority for government is 'taking back control', specifically of the UK's borders. Ministers have set out proposals ranging from reducing our dependence on foreign doctors or cutting overseas student numbers. The theme is clear: net migration must fall.

Grant Thornton update

Challenge questions:

- Have you assessed the potential impact of Brexit on your organisation?
- Does your risk register include Brexit and is this regularly updated and reported?

Leaving the Single Market appears likely

The tone and substance of Government speeches on Brexit, coupled with the wish for tighter controls on immigration and regulation, suggest a future where the UK enjoys a much more detached relationship with the EU.

Potential existing examples for the UK's future relationship, such as the 'Norwegian' or 'Swiss' models, seem out of the question. The UK wants a 'bespoke deal'.

Given the rhetoric coming from Europe, our view is that this would signal an end to the UK's membership of the Single Market. With seemingly no appetite to amend the four key freedoms required for membership, the UK appears headed for a so-called 'Hard Brexit'. It is possible that the UK will seek a transitional arrangement, to give time to negotiate the details of our future trading relationship.

Brexit

This is of course, all subject to change, and, politics, especially at the moment, moves quickly.

Where does this leave the public sector?

After a relatively stable summer, we expect there will be increased volatility as uncertainty grows approaching the formal negotiation period.

Planning can help organisations reduce the impact of Brexit

The chancellor has acknowledged the effect this may have on investment and signalled his intention to support the economy, delaying plans to get the public finances into surplus by 2019/20.

We expect that there will be some additional government investment in 2017, with housing and infrastructure being the most likely candidates. Clarity is a long way off. However, public sector organisations should be planning now for making a success of a hard Brexit, with a focus on:

Staffing – organisations should begin preparing for possible restrictions on their ability to recruit migrant workers and also recognise that the UK may be a less attractive place for them to live and work. Non-UK employees might benefit from a degree of reassurance as our expectation is that those already here will be allowed to stay. Employees on short term or rolling contracts might find it more difficult to stay over time.

Financial viability – public sector bodies should plan how they will overcome any potential shortfalls in funding (e.g. grants, research funding or reduced student numbers).

Market volatility – for example pension fund and charitable funds investments and future treasury management considerations.

International collaboration – perhaps a joint venture or PPP scheme with an overseas organisation or linked research projects.

Grant Thornton update

Challenge questions:

- Have you assessed the potential impact of Brexit on your organisation?
- Does your risk register include Brexit and is this regularly updated and reported?

For regular updates on Brexit, please see our website:

http://www.grantthornton.co.uk/en/insig hts/brexit-planning-the-future-shapingthe-debate/

Local Audit and Accountability Act (LAAA) 2014

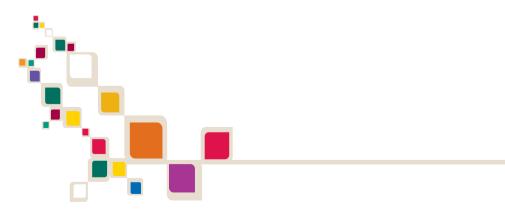
On 31st January 2014 the Local Audit and Accountability Act (LAAA) 2014 came into force. This act abolished the Audit Commission and for the first time allows Local Authorities to appoint their own auditors.

This is a significant change for many organisations. High quality external audit is one of the cornerstones of public accountability and plays an important part in the strategic, operational and financial delivery of Local Government. Done well the role can bring significant benefits.

What does this mean for your organisation?

This change means that for the 2018/19 financial year you will take on the authority to appoint your own external auditor. This will be the first time you will have the opportunity to make this appointment.

External auditors need to be in place by 31 December 2017 for the audit of the 2018/19 financial year. We would encourage organisations to begin their planning early, as there are a number of possible options to consider.



Three options are available....

Audit Procurement Options ...

The legislation sets out three possible options for you to consider:

- undertake an individual auditor procurement and appointment exercise;
- undertake a joint audit procurement and appointing exercise with other bodies, those in the same locality for instance;
- join a 'sector led body' arrangement where specified appointing person status has been achieved under the regulations.

Setting up an Auditor Panel

Options 1 and 2 above require you to set up an auditor panel to advise on the selection and appointment of an external auditor. Guidance to assist you with this task has been issued by CIPFA at - http:www.cipfa.org/policy-andguidance/publications/guide-to-auditor-panelspdf.

Using a Sector Led Body

Option 3 - Public Sector Audit Appointments (PSAA) have been specified by the Secretary of State for Communities and Local Government as a person eligible to appoint external auditors in the sector. They are currently gathering support for a sector led body to make the majority of

these appointments. © 2016 Grant Thornton UK LLP. All rights reserved.

Which option should we choose?

There are possible advantages and disadvantages to each option but these are likely to vary according to the type of authority and your size, geographic location etc.

Can we choose any auditor?

Under the LAAA 2014 audit firms carrying out audits of Local Government bodies have to be licensed and registered to carry out external audit services with the Institute for Chartered Accountants in England and Wales. The list can be found here..

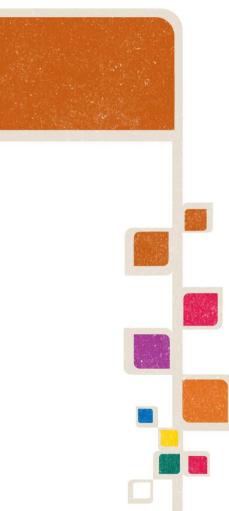
http://www.icaew.com/en/technical/audit-andassurance/local-public-audit-in-england/localauditor-register

As the largest supplier of external audit services to Local Government bodies Grant Thornton have already completed this process and has 35 registered engagement leads across the country.

Timing and length of appointment

Auditors must be in place by 31 December 2017. The appointment can be for longer than a year but there must be a new appointment process at least once every 5 years.

Preparing for tendering



Procurement Options - What and How

What are you procuring?

The work of your external auditors is governed by the National Audit Office's Code of Audit Practice. There is no expected change to the NAO's Code which requires external auditors :

- to be satisfied that the accounts present a true and fair view, and comply with any legislative requirements that apply to them
- to ensure that proper practices have been observed in the preparation of the accounts and
- to ensure that the Authority has made proper arrangements for securing economy, efficiency and effectiveness in their use of resources.

Auditors are required to report their work by expressing an opinion on the financial statements and by forming a conclusion on the authority's arrangements for achieving value for money.

In addition auditors have additional powers under the Act such as responding to objections from members of the public in relation to the accounts.

Procurement Options

There are a number of procurement options open to you at this time. We have set out the main options below. In considering each option you will need to ensure that you comply with the Public Contracting Regulations (PCR) 2015 and take into account EU Procurement rules.

EU Procurement rules require authorities to advertise in OJEU where the estimated total contract value (over the duration of the contract) exceeds \pounds 172,514 for other public bodies and \pounds 111,676 for schedule 1 entities.

Option 1

Restricted procedure under the Public Contracts Regulations 2015. This is a two stage tender process : at the first stage, bidders complete a pre-questionnaire (PQQ) which is used to assess an organisation's commercial, technical and financial capabilities and provides a method of shortlisting interested parties who meet the minimum qualification criteria.

For the second stage, bidders are invited to the Invitation to Tender (ITT) which is often a more descriptive and thorough document that consider how the bidders will meet the tender requirements.

The authority will have to comply with strict procurement timescales allowing bidders 30 days to express an interest and another 30 days for submission of tenders.

Preparing for tendering

Challenge question:

Have you chosen a procurement route?

Procurement options

Option 2 – using an Open Procedure

This is a one-stage procedure, where bidders complete all tender documents (PQQ and tender response) at the same time. The authority evaluate the bids and then evaluates the PQQ part of the submission. The disadvantage of this approach is that the authority may be inundated with large numbers of tenders and will be required to evaluate all bidders.

Existing frameworks

There are a number of well established frameworks across the public sector which cover the procurement of external audit services. Frameworks are valuable in that they are already EU/UK compliant and terms and conditions are pre-agreed, removing much of the burden for you in assessing suppliers and in shortening the process for appointment.

Whilst all frameworks allow for further competition, a number do allow call-off without competition, otherwise frequently referred to as direct award. This reduces administrative costs and the time taken for appointment.

This is applicable to two such frameworks, RM1502/ConsultancyONE as hosted by Crown Commercial Service, and Framework 664/Consultancy Services as hosted by ESPO. Equally, there is an option for a minicompetition of suppliers under these and other frameworks. If you choose a mini-competition, it is useful to note that not all suppliers are on every framework.

Combined procurement – PSAA

Public Sector Audit Appointments have led the development of a national combined procurement option.

Direct appointment

If the contract is below the PCR 2015 levels (which we believe it would be for Taunton Deane Borough Council should you opt for a 3 year appointment) you can make a direct appointment of an auditor. You will need to ensure that you comply with the 'below threshold' contract rules.

Next steps

We recognise that appointing your external auditor is a significant decision. We would be pleased to discuss with you the different options available to you.

Preparing for tendering

Challenge question:

Have you chosen a procurement route?

Grant Thornton Technical update

Annual Governance Statement

What are the requirements?

Regulation 6(1) of the Accounts and Audit Regulations 2015 require authority's to review at least once a year the effectiveness of its internal control systems and that the findings of this review must be considered by the Authority meeting as a whole or by a committee.

The regulations require that the Authority or nominated committee must approve an Annual Governance Statement prepared in accordance with proper practices. CIPFA's updated guidance "Delivering Good Governance in Local Government: Framework 2016 edition" is considered in the CIPFA Code of Practice on Local Authority Accounting to represent proper practices for an Annual Governance Statement (AGS) to be produced.

The AGS should accompany the accounts, but does not need to be included within them and can be published separately.

What is the purpose of the AGS?

CIPFA's guidance requires the Authority to report publicly on the extent to which it complies with its own code of governance on an annual basis, including how they have monitored and evaluated the effectiveness of their governance arrangements in the year, and on any planned changes in the coming period. The process of preparing the AGS should itself add value to the effectiveness of the Authority's corporate governance and internal control framework.

The AGS should provide a brief communication regarding the review of governance that has taken place and the role of the governance structures involved. It should be high level, strategic and written in an open and readable style. It should be focused on outcomes and value for money and provide clear links to the Authority's vision and strategic objectives.

Auditors' responsibilities

Auditors are required to conclude whether the AGS has been presented in accordance with proper practices and report if it does not meet these requirements or if it is misleading or inconsistent with other information of which the auditor is aware.

In doing so, auditors take into account the knowledge of the Authority gained through their work in relation to the annual accounts and through their work in relation to the Authority's value for money arrangements.

Key challenge questions

2.

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- Is the content of the AGS consistent with your knowledge of the operations of the Authority over the year?
 - Do you recognise what is said?
 - Does it focus on the those issues of greatest significance to achieving the Authority's vision and strategic objectives?
 - Does it recognise the significant risks that you were aware of during the year?
- Does the AGS succinctly describe the control environment in an understandable way?
- Does it provide an open and balanced assessment of the effectiveness of its control environment?
- Are the Authority's conclusions from its assessment clear? Does this mean that the arrangements are good or need improvement?
- What else have you seen during the year?
- Is it consistent with the findings of internal audit, external audit and external regulators?
- Is the AGS clear about what further actions need to be taken to address the identified issues?

Additional references

What should be included in the AGS?

- a) An acknowledgement of responsibility for ensuring there is a sound system of governance (incorporating the system of internal control).
- b) A reference to and assessment of the effectiveness of key elements of the governance framework, including group activities where the activities are significant, and the role of those responsible for the development and maintenance of the governance environment such as the authority, the executive, the audit committee and others as appropriate.
- c) An opinion on the level of assurance that the authority's governance arrangements can provide.
- d) An agreed action plan.
- e) A conclusion.

Source: Code of Practice on Local Authority Accounting in the United Kingdom 2016/17, CIPFA (2016)

Seven principles of good governance

- A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law.
- B. Ensuring openness and comprehensive stakeholder engagement.
- C. Defining outcomes in terms of sustainable economic, social and environmental benefits.
- D. Determining the interventions necessary to optimise the achievement of the intended outcomes.
- E. Developing the entity's capacity, including the capability of its leadership and the individuals within it.
- F. Managing risks and performance through robust internal control and strong public financial management.
- G. Implementing good practices in transparency, reporting, and audit to deliver effective accountability

Source: Delivering Good Governance in Local Government: Framework 2016 edition, CIPFA/SOLACE (2016)

Grant Thornton Publications and events

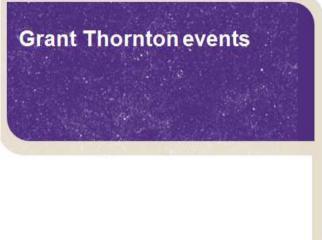
Future events and workshops

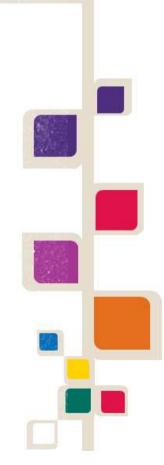
Joint Venture seminar on 6th December 2016

Following publication of our 'Better Together' report we are running a workshop in Taunton. The session will include presentations from the practitioners interviewed in preparing our report, including Arthur Hooper, Managing Director of Cormac.

The event will provide an invaluable insight into setting up and running joint venture companies

For further information or to book your place, please contact your Audit Manager or Lynsey Searle T +44 (0)117 305 7930 lynsey.searle@uk.gt.com







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