REPORT TO CABINET

Open		Would a	any ded	ny decisions proposed :					
Any especially affected Wards	N/A	Be entirely within Cabinet's powers to decide YES Need to be recommendations to Council NO Is it a Key Decision NO							
Lead Member: C	•		Othe	r Cabinet Member	rs consulted:				
E-mail: cllr.Brian norfolk.gov.uk Cllr Angie Dickin E-mail:			Other Members consulted: Audit Committee						
Lead Officer: Ka	•		Other Officers consulted:						
E-mail: <u>kathy.wo</u>	odward@west-		Assistant Director, Resources Democratic Services Manager						
Direct Dial: 0155	53 616252			ocratic Services C	•				
Financial Implications NO	Policy/Person nel Implications NO	Statutory Implicatio YES	ns	Equal Impact Assessment NO	Risk Management Implications YES	Environmental Implications No			

Date of meeting: 5th January 2021

Review of the Effectiveness of the Audit Committee 2019-20

Summary

This report provides Cabinet with the results of the 'Review of the Effectiveness of the Audit Committee' for 2019-20 and confirms that the Committee is fulfilling its stated purpose which is 'to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk and weakens the control environment, and to oversee the financial reporting process'.

Recommendation

To consider and accept the evidence presented in the report as confirming that the Audit Committee operated effectively during 2019-20.

Reason for Decision

To ensure the Council continues to meet its obligations under the Accounts and Audit Regulations 2015.

REPORT DETAIL

1. Introduction

- 1.1 The Audit Committee was set up in 2006, with Terms of Reference drawn up in line with guidance from the Chartered Institute of Public Finance and Accountancy (CIPFA). These were reviewed and updated as part of the review of the scrutiny arrangements in June 2016.
- 1.2 Under the Accounts and Audit Regulations 2015, a council is required to 'ensure that it has a sound system of internal control which:
 - (a) facilitates the effective exercise of its functions and the achievement of its aims and objectives;
 - (b) ensures that the financial and operational management of the authority is effective; and
 - (c) includes effective arrangements for the management of risk.'
- 1.3 Good corporate governance requires independent, effective assurance about the adequacy of financial and operational management and reporting. This assurance is best delivered by a committee that is independent from the executive and scrutiny functions. This was provided by the Audit Committee during 2019/20.
- 1.4 In order to ensure that this monitoring of governance is carried out effectively, a regular review of the role and activities of the Audit Committee is necessary.

2. Review Details

- 2.1 The review was completed by the Audit Manager using a checklist compiled by CIPFA. The completed checklist is attached as **Appendix 1** of this report. In addition information has been compiled on the reports considered by the Committee and attached as **Appendix 2**. The resulting draft report was then considered by the Chair and Vice Chair of the Audit Committee.
- 2.2 The responses in the checklist are ticked as:
 - 'Y' Yes. The criteria have been met and no action is required.
 - 'P' Partial. The criteria have only been met in part, some action may be required.
 - 'N' No. The criteria have not been met and action may be required

3. Items considered during 2019-20

3.1 Throughout 2019-20 the Audit Committee held 5 meetings and received a total of 15 reports on a number of issues, including:

Internal Audit and Fraud

- Internal Audit Annual Report and Opinion 2018-19
- Internal Audit Plan 2018-19 End of year progress report
- Internal Audit and Fraud half year progress report 19-20

External Audit

External Audit Plan

Finance

- Annual Treasury Report 2018-19
- Mid-year Treasury Report 2019-20

Corporate Governance and Risk

- Draft Annual Governance Statement
- Annual Governance Statement 2018-19
- Audit Committee Effectiveness Review 2018-19
- Business Continuity Annual Update
- Risk Register Update June 2019 and March 2020
- Risk Based Verifications Policy Update 2020/21
- Cross Party Working Group Review KLIC
- Major Projects Board Member and Officer

A summary of the content of each report and the subsequent discussion has been compiled by Democratic Services and is attached as **Appendix 2**.

- 3.2 The Committee received 5 training sessions during the year on:
 - Audit Committee An Introduction
 - Finance Services Members Induction Training
 - Annual Governance Statement
 - Briefing on Treasury Awareness
 - Treasury Management

4. Conclusion

4.1 During 2019-20 the Audit Committee received and commented on all relevant reports and actively monitored risk and internal controls. As a result it is continuing to perform effectively and the Council is meeting its requirements under the Accounts and Audit Regulations 2015.

5. Background Papers

Accounts and Audit Regulations 2015.
CIPFA Audit Committees Practical Guidance for Local Authorities 2018 edition.

Borough Council of King's Lynn and West Norfolk

For the year 2019-20

No	Issue	Y	Р	N	Evidence/ Comment	Action Required

AUDIT	UDIT COMMITTEE PURPOSE AND GOVERNANCE									
1	Does the authority have a dedicated audit committee?	Y								
2	Does the audit committee report directly to full council? (applicable to local government only)	Υ			The Audit Committee reports to Cabinet first, then Council.					
3	Do the terms of reference clearly set out the purpose of the committee in accordance with CIPFA's Position Statement?		Р		The Audit Committee have a Terms of Reference that broadly cover the purpose as outlines in CIPFA's Position Statement. The Terms of Reference are currently under review and will be presented to the next available Audit Committee.	Update / review the current Terms of Reference				
4	Is the role and purpose of the audit committee understood and accepted across the authority?	Υ			The committee's Terms of Reference are documented on the councils Intranet site (Insite) where officers and members can access relevant documentation.					
5	Does the audit committee provide support to the authority in meeting the requirements of good governance?	Υ			The committee supports the authority by following the Nolan Principles adopted by the authority, and ensuring to the best of their ability that the corporate plan and strategic goals of the authority are adhered to.					
6	Are the arrangements to hold the committee to account for its performance operating satisfactorily?	Υ			The Audit Committee report to Cabinet and provide an effectiveness report to Cabinet on an annual basis. Throughout the year other members of the Council attend meetings under Standing Order 34.					

Borough Council of King's Lynn and West Norfolk

For the year 2019-20

No	Issue	Υ	Р	N	Evidence/ Comment	Action Required

FUNC	TIONS OF THE COMMITTEE					
7	Do the committee's terms of reference explicitly address all the core areas identified in CIPFA's Position Statement?		Р		The majority of the core areas are covered in the current Terms of Reference, these are currently under review and will be presented to the next available audit committee.	Update / review the current Terms of Reference
	good governance			N		Update / review the current Terms of Reference
	assurance framework, including partnerships and collaboration arrangements			N		Update / review the current Terms of Reference
	internal audit	Y				
	external audit	Υ				
	financial reporting	Υ				
	risk management	Υ				
	value for money or best value			N		Update / review the current Terms of Reference
	counter fraud and corruption	Y				
	supporting the ethical framework			N		Update / review the current Terms of Reference

Borough Council of King's Lynn and West Norfolk

For the year 2019-20

No	Issue	Y	P	N	Evidence/ Comment	Action Required
8	Is an annual evaluation undertaken to assess whether the committee is fulfilling its terms of reference and that adequate consideration has been given to all core areas?	Υ			The Audit Committee completes an annual Audit Committee Effectiveness report, which encompasses this review. The committee also considers as part of its annual work the Annual Governance Statement, Risk Register and Major Projects (including any partnerships the authority is involved in). The committee regularly receives reports from Internal Audit and reviews the financial statements.	
9	Has the audit committee considered the wider areas identified in CIPFA's Position Statement and whether it would be appropriate for the committee to undertake them?	Υ			The committee reviews treasury management reports and has oversight of the annual report. Throughout 2019/20 The committee undertook a review of a major project at the request of Full Council and continues to monitor major projects. Additional wider areas will be considered during the current review of the committee's Terms of Reference.	Additional wider areas will be considered during the current review of the committee's Terms of Reference.
10	Where coverage of core areas has been found to be limited, are plans in place to address this?	Υ			A review of the Terms of Reference is currently underway.	Update / review the current Terms of Reference.
11	Has the committee maintained its advisory role by not taking on any decision-making powers that are not in line with its core purpose?	Υ			The Audit Committee maintains its independence by adhering to being a non decision making committee. Any decisions required are presented to Cabinet as recommendations by Audit Committee and the approval is made by the executive. During the recent review of the KLIC project, the committee approved the recommendations from the Cross Party Working Group, and was then passed to Cabinet to approve.	

Borough Council of King's Lynn and West Norfolk

For the year 2019-20

No	Issue	Υ	Р	N	Evidence/ Comment	Action Required

MEMI	MEMBERSHIP AND SUPPORT							
12	Has an effective audit committee structure and composition of the committee been selected? This should include: • separation from the executive • an appropriate mix of knowledge and skills among the membership • a size of committee that is not unwieldy • consideration has been given to the inclusion of at least one independent member (where it is not already a mandatory requirement)		Р	The current committee is separate from the executive, the current membership has an appropriate mix of knowledge and skills, and the size is not unwieldy. The mix of members from each political party is in line with current policies. The consideration to include an independent member has not taken place as far as I am aware. My understanding of an independent member is an individual from outside the authority (non-officer or member) but with appropriate understanding of the subject.	Consider whether an independent member should be included on the committee.			
13	Have independent members appointed to the committee been recruited in an open and transparent way and approved by the full council or the PCC and chief constable as appropriate for the organisation?			Subject to whether an independent member is to be appointed or not.	See 12 above			
14	Does the chair of the committee have appropriate knowledge and skills?	Υ		The current chair of the committee has the appropriate subject knowledge for the position. Members of the committee are given opportunity to freely discuss matters with fellow members of the committee. Officers attending the meetings are always available for advice to the chair if required. Mandatory training is given to all members of the Audit Committee to ensure appropriate skills are up to date and relevant.				
15	Are arrangements in place to support the committee with briefings and training?	Υ		Training for members of the committee are mandatory, and training is given to members on specific subjects (mainly technical areas – AGS, Statement of Accounts etc) prior to the official meetings taking place.				

Borough Council of King's Lynn and West Norfolk

For the year 2019-20

No	Issue	Υ	Р	N	Evidence/ Comment	Action Required
16	Has the membership of the committee been assessed against the core knowledge and skills framework and found to be satisfactory?	Υ			The committee membership is formed from members with financial backgrounds, historical knowledge of the authority, knowledge from other authorities resulting in a varied mix of experience and knowledge. A formal assessment has not taken place, but could be considered.	Consider undertaking as assessment of current members against the core knowledge and skills framework.
17	Does the committee have good working relations with key people and organisations, including external audit, internal audit and the CFO?	Υ			All meetings are attended by a mixture of the Assistant Director Resources / S151 officer, external audit and internal audit (Audit Manager and officers).	
18	Is adequate secretariat and administrative support to the committee provided?	Y			Relevant officers attend meeting to facilitate secretarial and administrative support to the committee.	

EFFE	EFFECTIVENESS OF THE COMMITTEE								
19	Has the committee obtained feedback on its performance from those interacting with the committee or relying on its work?	Y			The Chairperson of the Audit Committee presents an annual report to the Cabinet team and receives feedback from the executive.				
20	Are meetings effective with a good level of discussion and engagement from all the members?	Υ			All members are encouraged to be involved fully at all meetings. Relevant officers are invited to attend meetings to provide greater detail to help discussions and engagement.				
21	Does the committee engage with a wide range of leaders and managers, including discussion of audit findings, risks and action plans with the responsible	Υ			The committee engages with the relevant responsible officers when discussing risks and action plans. Examples of this are the AGS, Corporate Risk				

Borough Council of King's Lynn and West Norfolk

For the year 2019-20

No	Issue	Υ	Р	N	Evidence/ Comment	Action Required
	officers?				Register, Risk Based Verification Policy, Treasury Reports and Business Continuity etc.	
22	Does the committee make recommendations for the improvement of governance, risk and control and are these acted on?	Υ			All reports presented to the committee for approval are discussed and actions minuted on suggested improvements. These actions are reviewed by the officers to ensure they are followed up on and discussed at the following meeting.	
23	Has the committee evaluated whether and how it is adding value to the organisation?		Р		No formal evaluation has taken place, but the annual audit committee effectiveness report considers this to some degree.	Consider whether the committee is adding value using the information provided in CIPFA 2018 guidance.
24	Does the committee have an action plan to improve any areas of weakness?			N	As no evaluation currently takes place this could be considered as an action.	Consider completing an evaluation and adding an action plan to the Audit Committee Effectiveness report in future.
25	Does the committee publish an annual report to account for its performance and explain its work?	Υ			Audit Committee Effectiveness Report.	

<u>Date of Meeting/Length</u> <u>of Meeting</u>	<u>Details</u>	Outcome/Recommendation
03.06.19 (161 mins)		
A8: Revised External Audit Plan	M Hodgson, Associate Partner, Ernst and Young presented the update to the Audit Plan which was presented to the Committee on 11 March 2019.	RESOLVED: The Committee received the revised Annual Audit Plan.
	The Committee was advised that the additional risk and the increased audit work to address it would also impact on the previously agreed audit timetable. To ensure that the Borough Council received the best quality audit from Ernst Young, it is proposed that an alternative timetable is issued for the audit of the 2018/2019 accounts.	
A9: Corporate Risk Register	The Senior Policy and Performance Officer presented the report which detailed the changes to the Corporate Risk Register since the last monitoring report in October 2018.	RESOLVED: The Committee considered the contents of the Corporate Risk Register and confirmed agreement with Management Team's assessment of the risks to the corporate objectives.
A10: Draft Annual Governance Statement covering the 2018/2019 year	The Senior Policy and Performance Officer outlined the purpose of the report and reminded Members that the report brought the Council's draft Annual Governance Statement (AGS) 2019 to the Committee to review, challenge and provided an opportunity to input prior to the AGS being finalised and considered by the Committee at its meeting in July 2019.	 Reviewed the draft Annual Governance Statement 2019 and determined that the work undertaken to review the governance arrangements in place during the 2018/19 year was appropriate. A training session be scheduled on the AGS prior to the next Committee meeting on 29 July 2019.
A11: Internal Audit Annual Report and Opinion 2018/2019	The Shared Internal Audit Manager presented the report which provided the Committee with an overview of the work undertaken by Internal Audit during 2018/19 and provided the Audit Manager's	RESOLVED: The Committee received the annual audit opinion and noted the work of Internal Audit for 2018/19.

	annual audit opinion on the system of internal control.	
A12: Internal Audit Full Year Progress Report 2018/2019	The Shared Internal Audit Manager presented the report which provided Members with an update on progress against the Internal Audit Strategic Plan 2018/19 that was endorsed by the Audit Committee at their meeting on 12 February 2018.	against the planned work, noted the update of the
A13: Audit Committee Effectiveness Report 2018/2019	The Shared Internal Audit Manager presented the report which reviewed the work of the Audit Committee during the year 2018/19 and considered if the Committee had effectively fulfilled its role.	RESOLVED: That the Audit Committee: 1) Considered the content of the report and decided it accurately reflected the work of the Committee in 2018/19. 2) Confirmed their agreement to the Chairman taking the report to Cabinet as evidence that the Committee operated effectively. Due to the change in membership the Committee agreed that the Internal Audit Manager and the Chairman would present the report to Cabinet.
A14: Appointment of Members to serve on the Cross Party Working Group	The Committee considered the report circulated with the Agenda. The Committee discussed the draft Terms of Reference for the Cross Party Working Group. The Committee discussed substitutes for the Cross Party Working Group and the general consensus was that substitutes should be discouraged in order to ensure continuity.	 The membership of the Cross Party Working Group was confirmed, and that the first meeting be convened as soon as possible, late afternoon/ early evening. The Audit Committee agreed the draft Terms of Reference.
A15: Committee Work Programme 2019/2020	The Chairman invited the Deputy Chief Executive to explain the reasons as to why the 13 September meeting be rescheduled to 7 October 2019.	RESOLVED: That the 13 September meeting be rescheduled to 7 October 2019.

Date of Meeting/Length of Meeting	<u>Details</u>	Outcome
29.07.19 (45 mins)		
A23: Annual Governance Statement covering the 2018/2019 Year	In presenting the report, the senior Policy and Performance Officer reminded the Committee that the preparation and publication of an Annual Governance Statement (AGS) was a statutory requirement. The AGS was a public statement that described and evaluated the Council's overall governance arrangements, in particular, how it had complied with the Code of Corporate Governance during a particular financial year.	2019 Annual Governance Statement properly reflected the risk environment and that actions required to improve it were relevant.
A24: Annual Treasury Outturn Report 2018/2019		RESOLVED: The item was deferred to the October 2019 meeting.
A25: Major Projects Board	The Executive Director, Financial Services provided a verbal update on both Member and Officer Major Project Boards.	RESOLVED: The Major Projects Board be placed as a standard item on the Audit Committee agenda.
A26: Cabinet Forward Decision List		RESOLVED: The Cabinet Forward Decisions List would be placed as a standard item on the Audit Committee agenda.
A27: Committee Work Programme 2019/20	The Chairman proposed that the dates of the next two meetings be reviewed, which was agreed by the Committee.	RESOLVED: The Democratic Services Officer to identify date for week commencing 28 October and mid-December 2019.
28.10.19 (108 mins)		
A35: Annual Treasury Outturn Report 2018/2019	The Committee considered the report which reminded Members that the Council had formally adopted the Chartered Institute of Public Finance and Accountancy's Code of Practice on Treasury Management (2009) and remained fully compliant with its requirements. As such there was a requirement to make an annual review of its Treasury operation for the previous year.	2018/2019 be approved.

Date of Meeting/Length of Meeting	<u>Details</u>	Outcome/Recommendation
A36: Mid-Year Treasury Report 2018/2019	The Interim Financial Services Manager presented the Mid-Year Review Treasury Report 2019/2020 and reminded Members that the Council had formally adopted the CIPFA Code of Practice on Treasury Management (2011) and remained fully compliant with its requirements.	RESOLVED: The Audit Committee reviewed and noted the report and the treasury activity and recommend that Cabinet note the report.
A37: Internal Audit Half Year Progress Report	The Internal Audit Manager presented the report which provided Members with an update on progress against the Internal Audit Strategic Plan 2019/20 that was endorsed by the Audit Committee at the meeting on 11 March 2019. It was highlighted that the report also provided an update on the fraud work for the first half of the year.	RESOLVED: The Audit Committee reviewed the progress against the audit plan and noted the update of the fraud work.
A38: Member Major Projects Board Update	The Chair provided a verbal update to the Committee	
A39: Cabinet Forward Decision List		The Committee noted the Cabinet Forward Decision List
A40: Committee Work Programme 2019/20	 The Chair outlined the proposed amendments to the work programme as set out below: KLIC report to be split into three separate reports. Special Meeting to be held on 20 November to consider the draft report on KLIC from the Cross Party Working Group. 27 January 2020 – Committee to receive the report and recommendations from the Cross Party Working Group on Outside Bodies. 11 March 2020 – Committee to receive the report and recommendations from the Cross Party Working Group on the Terms of Reference of the Major Projects Boards. 	RESOLVED: The Committee approved the amendments to the work programme as set out above.

Date of Meeting/Length	<u>Details</u>	Outcome/Recommendation
of Meeting		
10.02.20 (45 mins)		
A49: Report of the Cross Party Group to review the King's Lynn Innovation Centre (KLIC) Project	The Chair of the Cross Party Working Group presented the report on the Review of the King's Lynn Innovation Centre Project. The Chair of the Cross Party Working Group drew attention to page 9 of the report:- "Nautilus is also a member of the NALEP" - and advised the statement was incorrect and was therefore withdrawn from the report. The Chair of the Cross Party Working Group explained that, as stated in the report, not all the terms of reference had been addressed and that the remaining two areas (to consider the Terms of Reference for the Major Projects Board and to consider the role of Council appointed Directors to an outside body) would be the subject of a separate report.	A) The Audit Committee agreed the recommendations set out below: 1. Notwithstanding the requirements of the Major Projects Boards, all major projects should have a designated Project Manager of sufficient seniority in the Council's hierarchy to make appropriate decisions. 2. In the event that a major project involves a third party in order to bring it to fruition the Chief Executive Officer or appropriate Assistant Director should oversee the project's management. 3. If a loan is granted or investment made under any statutory power that in ordinary circumstances would fall within the Treasury Management Procedures it should be governed by those Procedures, especially as regards to the 3 principal elements, i.e. risk/security, liquidity and return. 4. Any joint venture with a third party must undergo rigorous examination before being entered into to ensure as far as reasonably practicable the third party's financial visibility for a period exceeding the life of the project. 5. If a loan is entered into with a third party that does not fulfil the council's requirements for creditworthiness such a loan must be secured on a tangible asset wholly owned by the third party that is not otherwise secured elsewhere.

ISSUES DISCUSSED AT MEETINGS OF THE AUDIT COMMITTEE 2019-2020	APPENDIX 2
	 6. Each and every project involving a third party should be included in the Council's Risk Register following a risk assessment. 7. The loans to NWES should immediately be either reinstated to the half yearly reports on Treasury Management to Audit Committee or be reported on separately to Audit Committee at a shorter frequency. 8. All legal documents should be signed off before funds are released.
	B) The report be presented to Cabinet by the Chair

of the Cross Party Working Group.

Date of Meeting/Length of Meeting	<u>Details</u>	Outcome/Recommendation
11.03.20 (127 mins)		
A58: Exempt Report (The press and public were excluded for this item) Risk Based Verification Policy Update for 2020/2021	In presenting the report the Revenues and Benefits Manager explained that the Council introduced Risk Based Verification (RBV) to assess the risk of fraud and error in new claims for Housing Benefit and Council Tax Support from April 2015. In February 2016 RBV was extended to include changes of circumstance. The report provided an update for the Committee on RBV activity over the past year, and made some minor updates to the RBV policy.	RESOLVED: Members noted and agreed the RBV policy and the RBV procedure updates in the report.
A59: Business Continuity Annual Update	The Senior Policy and Performance Officer presented the annual update report which outlined the current position of the Council's business continuity arrangements, summarised progress made since the last update in November 2018 and described work that was planned to be undertaken over the coming months.	RESOLVED: The Audit Committee: 1) Reviewed progress made and endorsed the approach being taken to the council's business continuity arrangements. 2) Confirmed annual updates on the topic were required.
A60: Corporate Risk Register Monitoring Report	The Senior Policy and Performance Officer presented the report which outlined the changes to the Corporate Risk Register since the last monitoring report on 3 June 2019. The report set out details of the risks falling into the 'Very High' category and the associated work being progressed to mitigate the effects.	RESOLVED: The Audit Committee considered the contents of the Corporate Risk Register and confirmed agreement with Management Team's assessment of the risks to the Corporate Objectives.
	The Committee was advised that following the review, the risk scores for 2 entries had been reduced. It was also proposed that 1 risk was added to the register and 4 risks were refocused.	
	Members' attention was drawn to section 2 of the report – Changes to the Corporate Risk Register	

<u>Date of Meeting/Length</u> <u>of Meeting</u>	<u>Details</u>	Outcome/Recommendation
A61: Major Projects Board – Update from the Chair	The Committee received a verbal update report from the Chair. It was noted that as far as she was aware, the Officer Major Projects Board continues to meet on a monthly basis. The Chair outlined the reason for the cancellation of the Member Major Projects Board scheduled for 31 January 2020, which was not to be rescheduled. The next meeting of the Member Major Projects Board was scheduled for 29 April 2020, 6 months after the previous meeting.	
A62: Cabinet Forward Decision List		The Committee noted the Forward Decisions List.
A63: Committee Work Programme	The Chair advised that the Committee Work Programme had been revised and that the Statement of Accounts would be considered on 20 April 2020. The Chair provided feedback from a recent Ernst and Young Seminar which she had attended. The Committee was invited to forward items for training and the future work programme.	