AUDIT AND GOVERNANCE COMMITTEE

Minutes of the meeting held on 23 April, 2019

PRESENT:	Councillor Peter Rogers (Chair) Councillor Robert Llewelyn Jones (Vice-Chair)
	Councillors John Griffith, Richard Griffiths, G.O.Jones, Margaret Roberts.
	Lay Members: Dilwyn Evans, Jonathan Mendoza
IN ATTENDANCE:	Assistant Chief Executive (Partnerships, Community and Service Improvement) Head of Function (Resources) and Section 151 Officer Head of Internal Audit & Risk (MP) Corporate Health and Safety Advisor (SN) (for item 3) Committee Officer (ATH)
APOLOGIES:	Councillors Dylan Rees, Alun Roberts
ALSO PRESENT:	Councillor Robin Williams (Portfolio Member for Finance), Mr Alan Hughes (Performance Audit Lead - Wales Audit Office), Mr Ian Howse (Engagement Lead Financial Audit Deloitte), Senior Auditor (NW), Senior Auditor (JR)

1. DECLARATION OF INTEREST

No declaration of interest was received.

2. MINUTES OF THE 12TH FEBRUARY, 2019 MEETING

The minutes of the previous meeting of the Audit and Governance Committee held on 12th February, 2019, were presented and were confirmed as correct.

Arising thereon -

• The Head of Audit and Risk reported with regard to school dinner money debt that she had been in contact with Cardiff City Council and Rhondda Cynon Taf Council [as the councils with some of the lowest level of school dinner money debt among those councils that had responded to a BBC survey on school dinner money debt in Welsh Councils in 2017/18] in order to gain insight into their practices for keeping the school dinner money debt level down. The Officer said that she had been able to establish that Cardiff City Council's total school dinner money arrears were in fact higher than the figure published in the BBC article which did not include all non-cash debt. Rhondda Cynon Taf Council made available its protocol for dealing with school dinner money debt which has been forwarded to the Project Manager within the Learning Service who is reviewing the school dinner money payment system.

The Head of Function (Resources)/Section 151 Officer said that having collated the data at the end of the Easter term, he was now able to report on the Isle of Anglesey Council's

school dinner money debt position. The Council is owed a total of £48,084 in school dinner money of which £38,046 is on the schools' registers meaning these arrears are still being dealt with by the schools. The average balance per school is £906 with the highest balance being £6,978. A total of 89 invoices to the value of £10,037 remain outstanding this is where the debt has been transferred from the schools to the Council's Income Team for recovery. The average balance is £113 and the highest is £410. In terms of Anglesey's comparative position, it is not dissimilar to that of the authorities listed in the BBC survey. The Learning Service is looking at the school dinner money policy and the treatment of social services debt in conjunction with schools and the Finance Service. An influencing factor is the roll-out of Universal Credit in that under the previous system of benefits, applications for free school meals would have been determined quickly, now families' application for free school meals is not determined until their Universal Credit application has been confirmed which can take up to several weeks. The Authority is considering how best to deal with those children in the period pending the determination of their families' Universal Credit application in terms of charging or not charging for school meals during this time and the repercussions of one or the other course. This along with other issues will form part of the policy review.

Given that in terms of size, Anglesey is a relatively small authority, the Committee queried whether in the region of £50k of school dinner money debt is considered acceptable. The Committee also sought to establish whether it was possible to gauge the impact of Universal Credit on school meals debt levels in those authorities where the new benefit has been introduced compared to Anglesey.

The Head of Function (Resources)/Section 151 Officer said that whilst it is important that monies due are collected and that debt is kept to a minimum, in the context of the income collected from the 3,000 to 4,000 school meals that are provided on a daily basis at a charge of £2.50 per meal (disregarding the 1,500 approximately entitled to free school meals and those bringing their own lunch to school), and compared with other debts owing to the Council, £48k is not a massive sum. A judgement has to be made about the value of recovering a debt having regard to the amount owing set against the cost of recovery, and sometimes the conclusion is reached that pursuing a debt further is uneconomical especially in the case of smaller debts. Also, the families having difficulty paying for school meals are low income families who are just above the benefits threshold and who may owe more than one debt to the Council. Debt recovery in these circumstances can be difficult. The level of school dinner money debt is therefore not unreasonable in light of all the contributing factors.

With regard to the effect of Universal Credit on the debt level, Universal Credit combines both existing in-work and out- of-work benefits meaning that some families now entitled to free school meals as recipients of Universal Credit may not have been entitled under the former system wherein in-work and out of work benefits were separate. Welsh Government has introduced protection for families on Universal Credit in receipt of free school meals before 1 January, 2019; there is therefore a significant number of families in authorities where Universal Credit has been implemented who are in receipt of this protection. However, because Universal Credit was not introduced in Anglesey until December, 2018, the number of families benefiting from the protection is fewer because prior to January, 2019 they came under the old system. A comparison between Anglesey and authorities where Universal Credit has been operative for some time can therefore be misleading because of the number of families in receipt of the protection in those authorities.

 The Committee sought clarification of how soon would it be provided with the selfevaluation questionnaire to assess the Committee's level of compliance with CIPFA's new guidance on the role of Audit Committees. The Head of Audit and Risk clarified that the questionnaire is a piece of work that the Welsh Chief Auditors Group is working on currently and will be in two parts – the one focusing on the skills and aptitude of individual members of the Audit Committee and the other focusing on the Committee's collective effectiveness against its terms of reference. As it is a CIPFA generated document, a Welsh version needs to be created as well as ensuring that the questionnaire is relevant to Anglesey. Once this has been done, the questionnaire will be forwarded to the Committee's members.

• The Head of Audit and Risk clarified that whereas it had been the intention to present the Annual Insurance Report to this meeting of the Committee, the report will now be submitted to the Committee's July meeting, the period from the end of the financial year on 31 March to the deadline for the submission of reports for this meeting being too short for the Insurance Company to provide the necessary information.

NO ADDITIONAL ACTION WAS PROPOSED WITH REGARD TO ANY OF THE MATTERS RAISED

3. MATTERS ARISING – FOLLOW-UP TO THE CORPORATE HEALTH AND SAFETY ANNUAL REPORT 2017/18

A follow-up report to the 2017/18 Corporate Health and Safety Annual Report was presented by the Corporate Health and Safety Advisor. The report provided further analysis in connection with the issues raised by the Audit and Governance Committee on the 2017/18 Corporate Health and Safety Annual Report when it was presented to the Committee's February, 2019 meeting in relation to the following –

• The differentiation between the two categories of Physical Assaults by Person in the types of Incident table at page 6 of the Annual Report for 2017/18

The Corporate Health and Safety Advisor reported that the accident reporting system has two categories for Physical Assault, the one for Physical Assault and the other for Physical Assault Challenging Behaviour. The figure of 56 incidents for 2016/17 and the figure of 103 incidents for 2017/18 relate to the Physical Assault Challenging Behaviour category and are incidents where mental health issues could apply or where mental capacity could be questioned and where there may have been no intention to cause physical harm. The Physical Assault category includes incidents where one person has been struck by another but where mental capacity is not in question. The figures for this category were 37 incidents in 2016/17 and 45 incidents in 2017/18. In 2017/18, 9 incidents recorded as minor were against staff.

• Whether there were any specific reasons for the increase in the number of physical assaults and whether the upturn reflected an emerging trend.

The Corporate Health and Safety Advisor reported that during a review of the incidents between 2016/17 and 2017/18 it was found that incidents had been reported from an additional 11 sites across all services which it is considered is largely attributable to improved awareness of Health and Safety requirements following work undertaken in 2016/2017 to raise the profile of Health and Safety within the Council particularly with regard to reporting violence and aggression type incidents. The Physical Assault Incident chart in the report shows a decline in the number of incidents from 2013 to 2017 which is reversed in the period from 2016/17 to 2017/18. As the chart shows, the number of incidents under the Physical Assault Challenging Behaviour category has always been higher than for the Physical Assault category and includes incidents where there may have been no intention to cause harm. Therefore improved awareness may be the reason for the increase in the figure

recorded. The figure for the Physical Assault category dipped to a low of 20 in 2015/16 but has risen since. This figure needs to be monitored more closely as the incidents may reflect an intention to cause harm.

The Officer said that figures in the 2018/19 Annual Report when compiled will provide greater clarity as to any emerging trends and, if there is a continued increase in the figures for these categories, may warrant further investigation especially if incidents recorded apply to services other than Education and Social Services for which the number of incidents of Physical Assault Challenging Behaviour recorded have been historically higher.

The Committee considered the report and in noting the need to monitor the figures for 2018/19 for comparison with those of previous years, noted also the need to encourage staff to report incidents of physical assault to the Police.

The Corporate Health and Safety Advisor said that whilst staff can be encouraged to do so and the Council can bring such incidents to the attention of the Police, ultimately it is for the individual to decide whether to pursue the matter and for the Police then to determine whether the matter is to be taken further.

It was resolved to accept and to note the supplementary information provided by the Corporate Health and Safety Advisor as a follow-up to the 2017/18 Corporate Health and Safety Annual Report.

NO ADDITIONAL ACTION WAS PROPOSED.

4. INTERNAL AUDIT PROGRESS UPDATE

The report of the Head of Audit and Risk which provided an update on Internal Audit's latest progress with regard to service delivery, assurance provision and reviews completed was presented for the Committee's consideration.

The Head of Audit and Risk highlighted the main points as follows -

- That four audit reports were finalised in the period relating to the Direct Payments Scheme which resulted in a Limited Assurance opinion; Recruitment and Retention; Gypsies and Travellers (Requirements of the Housing Act 2014) and Leisure Function – Governance and Control all three of which were considered to provide Reasonable Assurance. For all three reviews, Internal Audit identified scope for improving controls in future in the areas audited which is reflected in action plans agreed with Management. Internal Audit raised 2 Moderate Risk/Issues on the Recruitment and Retention review; 2 Major and 1 Moderate Risks/Issues on the Gypsies and Traveller review and 2 Major and 9 Moderate Risks/Issues on the Leisure Function review.
- That with regard to the Direct Payments Scheme Limited Assurance Review 5 Moderate Risks/Issues were raised, and whilst the audit review confirmed compliance with legislation in implementing policies and procedures and the accuracy and timeliness of the payments made, it identified shortcomings in relation to reviewing the care plans that support direct payments; obtaining confirmation of Panel approval, risk assessments not undertaken and evidence of service users' involvement in care and support plans decisions not consistently obtained. A formal project team is addressing the risks and issues raised; the team meets on a monthly basis and has access to external support. Of the five Risks/Issues raised two that were due to be implemented by this time have been implemented, and work is in progress on the remaining three. Internal Audit will conduct a follow-up review in September, 2019.

- That although the review of Direct Payments raised 5 Moderate Risks/Issues resulting in a Limited Assurance opinion compared with the 2 Major and 9 Moderate Risks/Issues raised on the Leisure Function review which resulted in a Reasonable Assurance opinion, the latter constituted a much greater area and the issues raised are primarily of a housekeeping nature. The Direct Payments is a much smaller system and whilst the numbers and volume involved mean that the 5 Risk/Issues raised are at a Moderate level in terms of their corporate impact on the Council, Internal Audit was only able to provide Limited Assurance with regard to the Direct Payments system itself.
- That one Follow-up review has been finalised in the period relating to Child Care Court Orders under the Public Law Outline. This has resulted in the original Limited Assurance rating being upgraded to a Reasonable Assurance opinion. A Follow-up review of Payment Card Industry Data Security Standards Compliance is currently in progress and a further four Follow-ups are scheduled to be undertaken in the first six months of the year – these are in relation to Income Collection in Primary Schools (*First Follow-up*); Sundry Debtors (*Second Follow-up*); System Control - Logical Access and Segregation of Duties) (*Fourth Follow-up*) and Direct Payments (*First Follow-up*).

The Head of Function (Resources)/Section 151 Officer confirmed that the project which has been focused on Payment Card Industry Data Security Standards Compliance is nearing completion. A great deal has been invested in this project in terms of policy development and staff training across the services that use payment cards and therefore come within the payment card industry data security standards requirements.

- That Management performance in addressing Issues/Risks and implementing actions has plateaued over the last year, with a recent slight decline in implementing actions to address High, Red and Amber Risks/Issues. The new upgraded version of the action tracking system will be available shortly and will provide extra functionality whilst reducing the burden of administering the system. Internal Audit will undertake an exercise to cleanse the historical data and review the system configuration.
- That since the appointment of two new Senior Auditors, work on the 2018/19 Operational Plan has progressed well. Work is close to completion in four areas which are included as amber residual risks in the corporate risk register – these are outlined in paragraph 24 of the report. Two investigations have been concluded to which paragraph 25 refers. Work has also begun on the 2019/20 Audit Strategy with four audits currently in progress – Business Continuity Arrangements; Corporate Safeguarding, IT Resilience and Corporate Information Governance Health Check.
- In line with the requirements of the Public Sector Internal Audit Standards and as part of the Service's continuous improvement of the audit approach, Internal Audit has reviewed the definitions of its Assurance Ratings which are set out in Appendix B to the report. The new definitions better reflect the judgements made by auditors at the conclusion of each audit.
- Internal Audit has also revised the Risk Management Policy Statement in line with the recommendations from the Risk Management Health Check conducted by the Council's Insurers, Zurich Municipal. In accordance with the Council's Constitution, the policy statement will be submitted to the Executive for approval and will be presented to the Audit and Governance Committee for review in July, 2019.

The Committee considered the report and made points as follows -

• The Committee sought clarification of whether the Direct Payments Scheme whereby individuals or their representative can organise and pay for their own care and support needs is a more efficient system than the traditional model whereby care and support services are provided directly or commissioned by the Council and whether this is the direction of travel for care services.

The Head of Function (Resources)/Section 151 Officer said that under the Direct Payment System, if the client employs a carer directly then they take on the responsibilities of employer and it is for them as employer to agree terms and conditions with the individual(s) they employ. The Council as employer has obligations to its employees in respect of the National Pay Structure, Local Government Pension Scheme and the Council's Sickness Policy which all add to the costs. Therefore the cost of the Council providing the care is higher than if the individuals were to organise the care for themselves in which case the costs are significantly lower or are different. It is compulsory for local authorities to offer direct payments to any adult, child or carer eligible for a service under the Social Services Well-being (Wales) Act and the Council's aim is to increase the take-up of direct payment but only for individuals who have been assessed as capable of managing the payments or have the necessary support to help them do so.

• The Committee noted that the Action Plans agreed with Management in relation to the Recruitment and Retention, Gypsies and Travellers and Leisure Function Internal Audit Reviews were not made available to the Committee. It was suggested that being able to see the action plans would be helpful to the Committee and especially so in putting into context the Reasonable Assurance rating given to the Leisure Function review despite the identification of 2 Major and 9 Moderate Risk/Issues as opposed to the Limited Assurance opinion of the Direct Payments review with 5 Moderate Risk/Issues.

The Head of Audit and Risk said that the Internal Audit Service in providing the Committee with information to enable it to take assurance that risks are being managed effectively will seek to ensure that the information the Committee receives is both relevant and manageable and is not so extensive that the Committee loses sight of the key issues. Presenting the Committee with action plans for each and every review including those where the assurance rating is Reasonable or above, would mean the Committee having a considerable amount of information to deal with and may mean it not being able to see the wood for the trees. However, where reviews lead to a Limited or Minimal Assurance rating as in the case of the review of the Direct Payment scheme, then the Committee is provided with the full report and action plan to enable it to consider whether appropriate and timely action is being taken to address the issues raised.

• The Committee noted that only 4 out of the 10 internal audit review reports on the Operational Plan (as presented to the Committee's February meeting) with a target date of reporting to the April meeting of the Committee have actually been presented which suggests that the Service is 40% off target.

The Head of Audit and Risk said that a further four audits are nearing conclusion but could not be completed in time for submission to this meeting there also being a process to be followed after an audit has been completed which involves formulating the draft report, an action plan and then finalising the end report. The Officer gave a brief update on the status of the four audits and confirmed that a further audit that was due to be reported in April, 2019 in relation to Recovery and Write-Offs (Car Loans) is now a consultation piece rather than an audit.

• The Committee sought clarification of whether the Internal Audit Service has the staffing capacity it needs to deliver the Operational Plan and whether based on current resources, the Plan is realistic and achievable. The Committee noted that given that that the assurance it obtains about the adequacy or otherwise of the

Council's governance, risk management and internal control processes comes from the information it receives from Internal Audit's monitoring of the performance of those processes, it is important that Internal Audit is able to provide the Committee with the information it requires in a timely way and that it has the necessary resources to do so.

The Head of Audit and Risk said that as has been noted in previous reports, the Internal Audit Service has in the past been disadvantaged by vacancies which have hampered the Service's ability to deliver in the way it would wish and as intended. However, resource constraints is an issue in most councils and as a smaller sized authority the Internal Audit function in Anglesey compares favourably with many other authorities in Wales in having a team of five full time auditors which in the Head of Audit and Risk's professional opinion places the Service in a good position to ensure delivery of the Audit Plan (subject to noting that there is currently a sickness absence as well as a maternity absence in the team). Additionally, the Internal Audit Service has again been successful this year in engaging the services of an individual under the Council's Denu Talent Scheme whereby up to 10 young persons 16 years of age and over have 12 weeks of paid work experience at the Council over the summer months. The Officer said that whilst maternity and sickness absence have been factored into the Audit Plan as contingency, it is difficult to project the amount of time that the Service may have to spend on investigations which can take up a not insignificant number of audit days.

The Committee noted the limitations placed on Internal Audit which may adversely impact on the Service.

• The Committee sought clarification of whether there is a standard national definition of assurance ratings and if there is not, whether in the interests of benchmarking and consistency, such a definition should be introduced.

The Head of Audit and Risk confirmed that whilst there is no one all-Wales definition of assurance ratings, councils' definition are not dissimilar with substantial, reasonable and limited being generic terms common to most councils. However the Internal Audit Service in Anglesey seeks to align its rating of issues and risks to the Council's risk appetite hence the use of the definitions in the Corporate Risk Matrix to define risks and issues raised.

It was resolved that having considered the information presented and the clarifications provided by Officers, the Audit and Governance Committee accepts and notes Internal Audit's latest progress in terms of its service delivery, assurance provision, reviews completed, performance and effectiveness in driving improvement.

NO FURTHER ACTION WAS PROPOSED

5. EXTERNAL AUDIT: 2019 AUDIT PLAN - ISLE OF ANGLESEY COUNTY COUNCIL

The External Audit report incorporating the proposed Audit Plan the 2018/19 audit year was presented for the Committee's consideration. The Plan set out the work proposed to be undertaken in relation to the financial audit and matters related thereto along with an outline of the performance audit programme and a timetable for the completion and reporting of the external audit work at the Authority.

Mr Alan Hughes, Performance Audit Lead outlined the scope of the external audit work to be carried out at the Council during 2019/20 along with the approach to be taken with regard to

the financial audit and the financial audit risks identified at the audit planning stage including how these would be treated. The Officer provided the Committee with an update on the Performance Audit Programme confirming that the 2019/20 Local Government Studies will include a review of Public Service Boards and the effectiveness of partnership working; the effects of austerity on discretionary services, and commercialisation in local authorities.

The Committee in considering the Audit Plan made the following points -

- That in the interests of governance it would be helpful if the Audit Plan clarified that the financial audit is delivered by Deloitte on behalf of the Auditor General and that the performance audit programme is delivered by the Wales Audit Office. Although the fee table at paragraph 29 of the report differentiates between the areas of audit work in terms of the fee charged, the Plan does not make clear who is responsible for delivering on those areas of work.
- That although the Plan states that there have been small changes to the fee rates for 2019 there is no variation between the proposed audit fees for 2019 and the previous year's actual fees in the fee table at paragraph 29.

Mr Alan Hughes confirmed that he would take into consideration the comment about clarifying the roles and responsibilities for delivering the performance and financial audit elements when editing next year's Audit Plan, and he confirmed also that the actual fee for last year's performance audit work in the Fee table at paragraph 29 of the Plan should read £100,261 and not the £100,216 stated in the report. The proposed fee for the performance audit for the 2018/19 audit year is £100,216.

It was resolved to accept and to note the Audit Plan for 2019 subject to the amendment to the Fee Table as outlined.

NO ADDITIONAL ACTION WAS PROPOSED

6. ANNUAL REPORT OF THE AUDIT AND GOVERNANCE COMMITTEE 2018/19

The Annual Report of the Audit and Governance Committee for 2018/19 was presented for the Committee's endorsement. The report detailed the activities and performance of the Audit and Governance Committee during the year in discharging its responsibilities and included a synopsis of progress on the actions raised by the Committee during 2018/19 as at Appendix A to the report.

The Chair expressed his gratitude both to the Committee's Members for their attendance and contribution to the work of the Committee during the year and also to the Council employees who have attended and contributed to the meetings, in particular the staff of the Finance and Internal Audit Services. The Chair highlighted the importance of the Committee's work which takes on a greater relevance in the current economic situation in term of ensuring that the Council is run in a sound manner and that it obtains value for money. The Committee remains committed to continuing to work with Council employees in supporting continuous improvements in the Council's operations in 2019/20.

It was resolved to endorse the Annual Report of the Audit and Governance Committee for 2018/19 prior to its submission to the Full Council on 14 May, 2019.

NO ADDITIONAL ACTION WAS PROPOSED

7. INTERNAL AUDIT ANNUAL REPORT 2018/19

The Annual Report of the Internal Audit Service for 2018/19 was presented for the Committee's consideration. The report outlined the Internal Audit work carried out during the year ended 31 March, 2019 based on which the Head of Audit and Risk gave her overall opinion on the adequacy and effectiveness of the Council's framework of governance, risk management and control during the year which will inform the Council's Annual Governance Statement.

The Head of Audit and Risk reported that for the 12 months ended 31 March, 2019, the Isle of Anglesey's Head of Audit and Risk's opinion is that the organisation has an adequate and effective framework for risk management, governance and internal control. While the Head of Audit and Risk does not consider there to be any areas of significant concern, some areas require the introduction or improvement of internal controls to ensure the achievement of objectives, and these are the subject of monitoring. There are no qualifications to this opinion.

The Officer said that the opinion above has been reached by considering the work and activities undertaken by the Internal Audit Service during the year which is summarised in Appendix A to the report and specifically, the following considerations –

- During 2018/19, the Internal Audit Service has found senior management at the Council to be supportive and responsive to the issues raised by Internal Audit.
- Where Internal Audit has identified issues/risks, Management has accepted them all
- Management has addressed all the outstanding "Red" issues/risks, which confirms that Management is responsive to Internal Audit's work
- No "Red" issues/risks were raised during the year
- There are no issues which are of a significantly high risk or impact that warrant inclusion in the Annual Governance Statement

With regard to the performance of the Internal Audit Service, the Service has performed well against its targets during the year with 4 out of 7 indicators meeting or surpassing their targets. An external assessment of the Council's Internal Audit Service in March 2017 provided assurance that the Service "generally conforms" with the Public Sector Internal Audit Standards which is the top assessment available to the assessor. Although the Internal Audit Team is in a good position to deliver its Strategy for 2019/20, having gained experience from implementing the new audit methodology; the addition of two new members of staff; new risk management software and upgraded action tracking software, there remain challenges going forwards specifically resource pressures due to absence which has affected the Service's overall level of productivity in 2018/19.

The Committee in considering the report and in noting that the Head of Audit and Risk is satisfied as to the adequacy and effectiveness of governance, risk management and control at the Council, raised the issue of the Committee's own effectiveness and whether it could be regarded as being sufficiently proactive in its practices to ensure effective oversight of all the areas for which it has responsibility. One view expressed was that the Committee's approach is overly reactive in mainly responding to Internal Audit reports and findings and that it should be looking at ways it can actively add value and insight in those areas.

The Head of Audit and Risk said that the Audit and Governance's Annual Report to Council provides an assessment to the Committee's performance against its Terms of Reference on an annual basis. The Officer said that with the addition of governance documentation for specific areas e.g. insurance activity which has now been incorporated into the Committee's Work Programme, the Committee is not too far away from fulfilling the expectations of it.

The Head of Function (Resources)/Section 151 Officer suggested that the self-assessment questionnaire referred to previously which the Committee's members will be asked to complete and which will cover members' skills and competencies both individually and collectively as a committee will help identify strengths and weaknesses thereby providing a basis for a programme of further development as appropriate.

It was resolved to accept the Internal Audit Annual Report for 2018/19 and to note that the Head of Audit and Risk is satisfied with the adequacy and effectiveness of the Council's overall arrangements for risk management, governance and internal control subject to introducing and/or improving internal controls in some areas.

NO ADDITONAL ACTION WAS PROPOSED

8. FORWARD WORK PROGRAMME 2019/20

The Committee's Forward Work programme was presented **and was accepted and noted without amendment.**

Councillor Peter Rogers Chair