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Queen Victoria Road High Wycombe Bucks HP11 1BB

Audit Committee Supplementary Agenda

Date: 9 January 2020

Time: 7.00 pm

Venue: Committee Room 1

District Council Offices, Queen Victoria Road, High Wycombe Bucks

Membership

Chairman: Councillor M C Appleyard

Vice Chairman: Councillor R J Scott

Councillors: G C Hall, M Hanif, Ms C J Oliver, N J B Teesdale and R Wilson

Standing Deputies

Councillors D A C Shakespeare OBE, K Ahmed, Miss S Brown and R Gaffney

SUPPLEMENTARY AGENDA

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6	CERTIFICATION OF GRANTS AND CLAIMS	1 - 7
7	BUSINESS ASSURANCE HALF YEARLY REPORT	8 - 13
8	STRATEGIC RISK REGISTER	14 - 21

For further information, please contact Iram Malik on 01494 421204, committeeservices@wycombe.gov.uk

agenda itangenda Item 6 summary





Title of Report:	Certification of grants and claims
Officer Contact: Direct Dial: Email:	Andy Green 01494 421001 Andy.green@wycombe.gov.uk
Ward(s) affected:	All
Reason for the Decision:	The Department of Work and Pensions, who pay Local Authorities subsidy to administer Housing Benefit, require external certification of the annual Subsidy claim

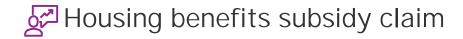
Proposed	That:
Decision/Recommendation:	(i) The Auditors report be noted
	(,) The realise repeat to here
Sustainable Community Strategy/Council Priorities -	Risk: None
Implications	
	Equalities: None
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	Health & Safety: None
Monitoring Officer/ S.151 Officer	Monitoring Officer:
Comments	No specific Monitoring Officer comments
	S.151 Officer:
	The financial implications are set out in the report.
Consultees:	N/A
Options:	N/A
Next Steps:	None
Background Papers:	Held in Finance and Commercial
Abbreviations:	DWP – Department of Works and Pensions
	LA – Local Authority

Appendix A – Certification of claims and returns annual report 2018/19 (To follow)

1. Detailed Report

- 1.1. Every year the Council's appointed auditors are required to audit the Authorities Housing Benefit Subsidy Claim in accordance with the audit guidelines set out by the Department for Work & Pensions (DWP). The value of this claim in 2018/19 is £42.4m. As part of this process the DWP set error thresholds which, if exceeded means the amount of subsidy from is reduced. For these purposes an "error" is made up of two factors:
- (a) Admin delay which occurs when a LA does not process claims as quickly as DWP would like; and
- (b) Local Authority error is where the Council incorrectly overpays benefit, for example where claimant income data is input incorrectly.
- 1.3 Audit certification guidelines require auditors to "extrapolate" the value of the errors. The extrapolation process increases the likelihood that the maximum subsidy amount is not achieved.
- 1.4 In the 2018/19 audit the LA error value was £3,718.35 (0.009% total claim) which resulted in an extrapolated value of £77,203. This year the extrapolated value has tipped Wycombe over the lower of the DWP thresholds. The DWP will determine the precise amount of the reduction but this is expected to be around £130,000 against the overall grant claim of £42.4m. A provision is set aside each year to offset such reductions in subsidy. This reduction falls within the provision of £250,000 set aside for 2018/19. An element of the shortfall will also be recovered over time through the usual recovery processes that are in place for housing benefit overpayments.
- 1.5. Despite the fact that full subsidy has not been achieved for 2018/19, in terms of the service offered to customers high levels of performance were maintained during the year and processing time targets were exceeded (4.4 days for changes in circumstances & 19.8 days for new claims). This has been achieved by using a combination of WDC and external resources that can be increased or reduced according to demand.
- 1.6 To maximise the opportunity of receiving full subsidy in future years the volume of checking has increased during the current year the use of an additional external resource to scrutinise Housing Benefit claim assessments is being considered.





Scope of work	Results
Value of claim presented for certification	£42.834,077
Amended/Not amended	Amended: no effect on overall subsidy
HBAP report	Yes
Fee - 2018-19	£35,003
Fee - 2017-18	£16,833
Fee - 2016-17	£29,145

Bocal Government administers the Government's housing benefits scheme for tenants and can claim subsidies from the Department for Work and Pensions (DWP)

The certification guidance requires reporting accountants to complete more extensive '40+' or extended testing if initial testing identifies errors in the calculation of benefit or compilation of the claim. 40+ testing may also be carried out as a result of errors identified in the certification of previous years' claims. We found errors and carried out extended testing in several areas.

Extended and other testing identified errors which the Council amended. They had a small net impact on the claim. We have reported underpayments, uncertainties and the extrapolated value of other errors in our HBAP report (which replaces the qualification letter of the previous regime). The DWP then decides whether to ask the Council to carry our further work to quantify the error or to claw back the benefit subsidy paid. These are the main issues we reported:

We carried out four areas of 40+ testing of non-HRA claims. Two of these led to amendments; one was for overpayment of pensions, and the other incorrect backdating. The other two areas arose from errors in the previous year, as required by the DWP (for tax credits and eligible rent): no errors were found in 2018-19.

For rent allowance cases, we performed 40+ extended testing in 5 areas: earnings, self-employed earnings, occupational pensions, non-dependants, and rent change not actioned. We calculated extrapolations which the DWP might decide to claw back from the Authority. We also did extended work on joint tenancies, where apparent errors required the use of technical specialists to establish the position in a very complex area (we initially discussed this with Council staff who agreed that 40+ testing was appropriate at that stage).

We are pleased to note that the cumulative impact of these extrapolations falls below the upper threshold for local authority error allocated by the DWP. This means that they do not claw back subsidy at the highest level if the threshold is breached.

The certification work is both specialised and time-consuming, so we would like to thank the Council's benefits staff for their assistance throughout the process.



2018-19 certification fees

For 2018-19 the fee for the certification work is agreed directly with the Council. For previous years, these scale fees were set and published by the Public Sector Audit Appointments Ltd (PSAA's) and are available on their website (www.psaa.co.uk).

Claim or return	2018-19	2017-18	2016-17
	Actual fee £	Actual fee £	Actual fee £
Housing benefits subsidy claim	35,003	16,833	29,145

The fee for 2018-19 was based on the terms of our agreement letter. This specified £10,543 for the certification work if no extended testing was required, £3,634 for the first set of extended testing (as this leads to increased reporting requirements through the HBAP report), and £2,314 for each extended test thereafter. Because of the work required to establish the position on joint tenancies we have also regarded this as a 40+ test. The work done in this area was agreed with ocouncil staff.

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ED None

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Agenda Item 7

Report For:	Audit Committee
Meeting Date:	Audit Committee 9 Jan 2020
Part:	Part 1 - Open
If Part 2, reason:	Choose a reason



Title of Report:	Business Assurance Manager's Half Yearly Report	
Officer Contact: Direct Dial: Email:	Michael Howard 01494 421357 mike.howard@wycombe.gov.uk	
Ward(s) affected:	All	
Reason for the Decision:	The Business Assurance Manager provides regular reports on the progress of the work undertaken in the Internal Audit, Risk and Corporate Investigation Division.	
Proposed	That:	
Decision/Recommendation:	The Business Assurance Managers half yearly report for the period ending 30 th September 2019 be NOTED.	
Sustainable Community	Risk: N/A	
Strategy/Council Priorities - Implications	Equalities: N/A	
	Health & Safety: N/A	
Monitoring Officer/ S.151	Monitoring Officer:	
Officer Comments	The Business Assurance Manager's report contributes to the Councils suite of arrangements for effective governance and the management of risk.	
	S.151 Officer:	
Consultees:	There are no direct financial implications of this report. N/A	
Consultoco.		
Options:	N/A	
Next Steps:	N/A	

Background Papers:	N/A
Abbreviations:	N/A

INTERNAL AUDIT, RISK MANAGEMENT AND CORPORATE INVESTIGATIONS

BACKGROUND

The Division consists of three service elements, Internal Audit, Risk Management and Corporate Investigations.

SUMMARY OF THE WORK OF INTERNAL AUDIT

Background

The purpose of this report is to provide the Committee with an update on the progress on delivering the Audit Programme that was agreed by this Committee at its meeting on 31st May 2018.

With the exception of two planned reviews it is anticipated that the 2019/20 Audit programme will be delivered by the end of February 2020, in readiness for the introduction of the new Buckinghamshire Council in April 2020.

We have appointed Mazars, who will be providing the Internal Audit Service for 2019/20.

Scheduling of the remaining programme is outlined below:

AUDIT REVIEW	START DATE	
Licencing Scheme – Houses in Multiple	Complete	
Occupation.		
Commercial Leases	Complete	
Treasury Management	Complete	
Revenue and Capital Budgeting	Work in progress	
Council Tax Support and Housing	9 th December 2019	
Benefits.		
Council Tax and NNDR	Work in progress	
Fixed Assets and Inventories	Work in progress	
Parking Services	TBC	
Human Resources and Payroll	2 nd December 2019	
Creditors	20 th January 2020	
Corporate Debt Management &	13 th January 2020	
Income		
Assurance Review - Fit for	TBC	
Competition		
Waste Management Contract	Deferred due to operational	
	circumstances.	
IR 35 (Off Payroll Working Rules)	To be undertaken as part of a joint	
	Council approach.	

Attached at appendix A to this report is a description of the audit opinions that is used when assessing the effectiveness of the system of internal control.

SUMMARY OF THE WORK OF RISK MANAGEMENT ACTIVITY

At a strategic level, a review of the content of the current strategic risk register was undertaken to align to the recently refreshed Corporate Plan, with a view to greater clarity and focus of the key strategic risks facing the Council.

SUMMARY OF THE WORK OF THE CORPORATE INVESTIGATIONS TEAM Background

The Team continues to review and refine operational processes in order to best maximise the resources available. This has resulted in the way in which the Team promotes itself both internally and externally and we will continue to pursue other avenues in order to raise its profile.

The table below provides an illustration of the types and number of referrals that the Team has received, up to September 2019, and those which after the completion of a risk assessment have been taken on for investigation. A comparison has been made as regards the same period in 2018/19.

Type of Fraud	<u>Categories</u>	2018/19 TOTAL (Sept)	2019/20 TOTAL (Sept)
CTR	Number of referrals received	37	18
	Number of referrals investigated	25	10
	Number of referrals that failed the risk assessment stage	12	8
SPD, DISCOUNTS AND EXEMPTIONS	Number of referrals received	20	16
	Number of referrals investigated	18	9
	Number of referrals that failed the risk assessment stage	2	7
Internal Fraud/Procurement	Number of referrals received	1	1
	Number of referrals investigated	1	1
	Number of referrals that failed the risk assessment stage of referrals closed	0	0
Tenancy Fraud	Number of referrals received	0	1
	Number of referrals investigated	0	0
	Number of referrals that failed the risk assessment stage	0	1
Housing Option Fraud	Number of cases received	7	4
(false allocation of social housing	Number of cases investigated	5	4
	Number of referrals that failed the risk assessment stage	2	0
NNDR Fraud	Number of referrals received	3	6
	Number of referrals investigated	1	2
	Number of referrals that failed the risk assessment stage	2	4
Environmental	Number of referrals received	3	4
	Number of referrals investigated	2	v 4
	Number of referrals that failed the risk assessment stage	1	0
DPA requests from Thames Valley Police	Number of queries	34	15
DPA requests from other agencies	Number of queries	10	6

Sanctions and Prosecutions

There are three types of sanctions that can be administered:

Caution - this is a formal, final warning that is issued by Corporate Investigations and stays on a person's record with WDC for a period of 5 years and is used for less serious cases. A caution can only be sanctioned if the offence is admitted during an interview under caution. In these cases, the recovery of any overpayment is sought as well. A caution can be cited in court should the claimant be found guilty of a further benefit offence

Penalty - this is a "fine" and the value of the fine is calculated by taking up to 50% of the total CTR overpayment. The fine can be no greater than £1000 with a minimum of £100 and can be used where it's not in the public interest to proceed with a prosecution. A fine can be sanctioned without a full admission of guilt being made. The penalty is in addition to the reclaiming of the original overpayment and is collected through a sundry debtor invoice.

Prosecution - for the more serious cases the Council's Legal Department will pursue criminal court proceedings against the person involved.

All cases put forward for deterrent actions are monitored and, as necessary, further advice is sought from the Council's Legal Service.

A higher level of evidence is required on those cases where either a Caution or Penalty is offered. If a person does not accept a Caution or a Penalty, the normal course of action would be for the case to be considered for legal proceedings.

Where possible, the local media has been made aware of successful prosecutions but coverage is dependent on other items of news at the time. Reports of these cases are intended to have a deterrent effect. In addition, successful prosecutions are reported on the Council's website and intranet site.

Successful prosecution

In August, the Team undertook a successful prosecution using the Fraud Act in relation to the use of a false passport as part of the application process to obtain a hackney carriage and drivers licence. This case resulted in 120 hours unpaid work as well as awarding the Council a contribution to its costs of £1,400.

Council Tax Reduction and Discretionary Housing Payments

The monetary value of the overpayments identified as a result of an investigation into Council Tax Reduction was £12,000

In addition the Team levied 3 penalties, equating to £1,500.

Council Tax Single Person Discount

The monetary value of Single Person Discounts to which there was no valid eligibility was £8,000.

AUDIT OPINION

Note 1 - Overall opinion

The Internal Audit opinion used is based on 4 levels covering an evaluation of the internal control framework that key controls exist and are applied consistently.

Level	Symbol	Evaluation Assessment	Testing Assessment
Full	⊘	There is a sound system of internal control designed to achieve the system objectives.	The controls are being consistently applied.
Substantial	®	Whilst there is a basically sound system of internal control design, there are weaknesses in design which may place some of the system objectives at risk.	There is evidence that the level of non-compliance with some of the controls may put some of the system objectives at risk.
Limited	?	Weaknesses in the system of internal control design are such as to put the system objectives at risk.	The level of non-compliance puts the system objectives at risk.
Nil	8	Control is generally weak leaving the system open to significant error or abuse.	Significant non-compliance with basic controls leaves the system open to error or abuse.

Note 2 - Priority ratings

Internal Audit priority ratings are based on 2 levels:-

Priority 1- Fundamental: - action we consider essential to ensure that

the Authority is not exposed to any

immediate significant risk.

Priority 2- Significant: - action we consider necessary to avoid

exposure to significant risks.

It is management responsibility to ensure full implementation of the agreed action plan.

Agenda Item 8

Report For:	Audit Committee
Meeting Date	9 th January 2020
Part:	Part 1 - Open
If Part 2, reason:	Choose a reason



Title of Report:	Strategic Risk Register – Quarter 3 - April -December 2019 Monitoring Report.
Officer Contact: Direct Dial: Email:	Michael Howard – Business Assurance Manager 01494 421357 Mike.howard@wycombe.gov.uk
Ward(s) affected:	All
Reason for the Decision:	Risk Management is the process of identifying and addressing the risks that either impact on the long term direction and sustainability of the Councils (strategic risks), or arise from the delivery of objectives as set out in the Councils Corporate plan (corporate /operational risks).
	Risk Management forms part of Wycombe District Council's approach to effective governance and is an essential element of good management.
	The Strategic Risk Register contains the most significant risks that could have an effect or impact on the delivery of the Councils' Corporate Plan and in doing so damage the Councils financial standing and its reputation.
	1 new risk (SR08) was identified during the reporting period and this was in relation to Vehicle Fleet Management as part of the Joint Waste Contract.
	Strategic Board via the respective designated Risk Owners have provided their commentary as regards the content of individually assigned risks
Proposed Decision/Recommendation:	That: The Committee is asked to NOTE the Monitoring Report for the Councils Strategic Risk Register.

Sustainable Community Strategy/Council Priorities –	Risk: Not applicable
Implications.	Equalities: Not applicable
	Health & Safety: Not applicable
Monitoring Officer/ S.151 Officer Comments	Monitoring Officer:
Comments	The Strategic Risk Register contributes to the Councils suite of processes to support good governance.
	S.151 Officer:
	There are no direct financial implications of this report.
Consultees:	None
Options:	None
Next Steps:	None
Background Papers:	None
Abbreviations:	

Strategic Risk Register - Quarter 3 – October- December 2019 Monitoring Report



	Risk	Current Risk	Consequences	Internal Controls	Assurance Level	Evidence of Assurance	Actions	Latest Note	Managed By
c c	SR01 Workforce skills and knowledge Page 17	Likelihood	expected quality standards • Loss of key staff • Increase in complaints • Poor or inconsistent services • Projects not delivered on time / budget /quality • Unrealistic workloads leading to absence/ increased sickness levels. • Failure to attract, recruit and retain suitable staff • Loss of knowledge and expertise	Key specialist roles identified and service resilience plan in place Up to date policies accessible to officers Service based performance management information Periodic formal quality reviews undertaken by Management Published contract	Operational Management (Policies & Procedures)	Turnover, Hard to Fill Vacancies and any HR related issues.	Unitary Council level Unitary Work Streams have completed individual Resource Plans that detail resource requirements to deliver individual work streams, to the Chief Executive Implementation Group - May 2019. On a quarterly basis a monitoring report is produced that high lights: staff turnover, hard to fill vacancies, back filling decisions and associated issues. NB - link to SR08 - Unitary District Council The 5 Councils have introduced the Vacancy Management Protocol Following submission of individual Work stream Resource Plans to Chief Executive Implementation Group - May 2019, retention payments, where applicable, are to be the responsibility of each sovereign Council and will be managed in line with existing HR processes, Decisions as regards the Back filling of posts, are the responsibility of the sovereign Councils.	The Head of ICT, Facilities Mgt and HR has confirmed that the following: Resource requirements for the various unitary work streams continue to be regularly	Facilities Management and HR
li	nternal regulatory ramework (Brexit)	lubact	taken (Ultra Vires) Complaints (justifiable) Reputational damage breach	register used for contract renewal Legal Service support		reporting to SMB quarterly		The Head of Democratic Legal and Policy has confirmed the content of this risk entry for the purpose of monitoring, with	Democratic., Legal and Policy

Risk	Current Risk	Consequences	Internal Controls	Assurance Level	Evidence of Assurance	Actions	Latest Note	Managed By
							the additional comment that in addition to Brexit, there is an ongoing risk that the Council could make unlawful decisions. This is monitored in the usual way through the Monitoring Officer comments on reports and the legal advice being provided.	
SR03 Reduction in Government funding Page 18	Likelihood	Reduction in budgets Loss / reduction of discretionary services Reduction in service level for statutory services Reputational damage Inability to realise corporate plan/ priorities / transformation programme.	Monthly budgetary control reports Service based performance management information Medium Term Financial Plan Income Maximisation Assessed budget volatility	Independent Assurance (Internal Audits, HSE)	External Audit through statutory assessment of value for money (VFM). Quarterly budget reports to Cabinet. Monthly budget reports to Strategic Management Board Budget report presented to Full Council Audit Committee report on Statement of Accounts and Value for Money Opinion.		Mike Howard 06-Jan- 2020 The Head of Finance and Commercial has provided the following commentary: The draft 2020/21 budget is being prepared for consideration by the Shadow Executive. Early iterations show a balanced position based on the assumptions made. Budget scrutiny is programmed for January where wider member review will challenge the robustness and assumptions made and process. The draft budget takes a risk assessed view of assumptions and consequential impacts on reserves and contingencies and this is subject to review by the Corporate Management Team (CMT), Shadow Executive and full Authority at the budget setting meeting in February.	and Commercial

Risk	Current Risk	Consequences	Internal Controls	Assurance Level	Evidence of Assurance	Actions	Latest Note	Managed By
SR05 Partnership working SR06 Investment in infrastructure 00 10	Dikelihood 8	• Missed opportunities for funding streams (LEP) • Restricted range of services offered • Failure to realise economies of scale • Duplication of work • Impact on public perception of the wider public sector • Lack of investment in infrastructure could lead to issues as regards both the short and long term sustainability of the local community and economy. • Deterioration of the Councils image and reputation as a place to live, work, visit and invest in. • Restriction in economic growth could impact on service provision & funding through reduced business rate growth. • Programmes /Project are funded by external borrowing rather than internal funds.	Regular contract meetings/ dialogue Periodic formal quality reviews undertaken by Management Partnership	Level 1 - Operational	Strategic Management Board receive periodic updates on partnership relations	Actions	Mike Howard 06-Jan-2020 The Head of Democratic Legal and Policy has provided the following update: This work is now picked up entirely by the transition work looking at partnerships and membership of outside bodies as part of the relevant governance workstream. There is no need for WDC to continue to monitor this as a corporate risk.	Head of Democratic, Legal and Policy
SR07 Data and Information security	12 Likelihood	Internal Information Governance Information Commissioners Office (ICO)infringements/fines Criminal proceedings against the Council and individuals. Reputational damage	Internal Information Governance (Suite of Internal Controls) External Information Governance (Suite of Internal Controls)	Level 2 - Internal Governance (Risk / Performance Management)			Mike Howard 03-Jan- 2020 In relation to External IT governance, the Head of ICT, Facilities and HR has confirmed the content of the risk entry for the purpose of quarter 3	Democratic Legal and Policy; Head of ICT, Facilities Management and HR

Risk	Current Risk	Consequences	Internal Controls	Assurance Level	Evidence of Assurance	Actions	Latest Note	Managed By
		Complaints leading to ICO findings against the Council. Complaints leading to Ombudsman findings against the Council. Loss of sensitive data Unlawful release of personal data External IT Governance Loss of IT services					monitoring.	
SR08 Waste Contract - Vehicle Fleet Management Page 20	Likelihood 12	Public safety put at risk through a failure to ensure that any and all vehicles used in the delivery of the waste contract are maintained properly. Service provision put at risk due to loss of vehicles due to mechanical issues. Reputational damage to the Council(s) caused by the failure of the Councils' appointed contractor. Failure to maintain properly audited systems that ensure vehicle safety could lead to legal action against an individual employee, the Contractor and the individual Councils. Potential breach of Health and Safety legislation as regards vehicle safety could lead to fines, vehicle prohibition notices. Poorly designed and embedded operating procedures including defined role and responsibilities for the posts of Duty Holder and Fleet /Contract Manager are not in place, adhered too or capable of being used to demonstrate compliance and discharge of duties.	notes are in place for key tasks.	/ Performance Management)	place quickly that address any issues/recommendations arising from any fleet condition reviews. Client Management team at CDC to ensure that robust and secure systems for recording details of servicing, maintenance and inspection are in place. Client Management team at CDC to ensure that periodic compliance / quality reviews are undertaken to demonstrate the efficacy of the systems used for	Formal assurance to WDC from the Client Management team at CDC that the Contractor can evidence the following:	Community Services has detailed the Actions that are required of the Client Management Team at Chiltern District Council and will continue to be involved in there delivery.	Head of Housing, Environment and Community Services

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Risk	Current Risk	Consequences	Internal Controls	Assurance Level	Evidence of Assurance	Actions	Latest Note	Managed By
						solution to be used by driver of each vehicle for undertaking daily vehicle inspections.		
			Regular contract meetings/ dialogue					
			Service based performance management information					
			Periodic formal quality reviews undertaken by Management					
			Identification and levying of penalty terms /points					