MEETING:	Audit Committee
DATE:	Friday, 22 September 2017
TIME:	2.00 pm
VENUE:	Reception Room, Barnsley Town Hall

Present Councillors Clements (Chair), Barnard and Lofts together with Independent Members - Ms D Brown, Mr S Gill, Mr P Johnson and Mr M Marks

24. DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST

There were no declarations of interest from Members in respect of items on the agenda.

25. FUTURE AGENDA DISTRIBUTION

The Chair informed Members of the Committee that from November, 2017 the Council intended to move towards paperless meetings with agenda and reports being accessed electronically.

The Executive Director Core Services reported that papers would be available via the Council's website or via the Modern.gov app for users with Apple, Android and Windows Devices (running Windows 8.1 or Windows 10). Only those Members who were able to demonstrate special circumstances (such as medical need) would be provided with papers.

In relation to Independent Members, papers would be sent electronically those members who possessed suitable devices and any reports containing exempt information would be send vie encrypted email.

Any Independent Member wishing to retain paper documentation for meetings should contact the Executive Director Core Services prior to the next meeting.

26. MINUTES

The minutes of the meeting held on the 19th July, 2017 were taken as read and signed by the Chair as a correct record.

27. ACTIONS ARISING FROM THE PREVIOUS MEETINGS

The Committee received a report detailing actions taken and arising from previous meetings of the Committee.

RESOLVED that the report be noted.

28. REPORT TO THOSE CHARGED WITH GOVERNANCE (ISA 260) 2016/17

The Committee considered a report of the External Auditor (KPMG) which had been submitted in accordance with International Standard on Auditing 260, the External Audit Governance Report 2016/17. Mrs C Partridge representing KPMG attended the meeting to present the report.

The report incorporated, amongst other things, the following:

- The Financial Statements, including the significant audit risks, area of audit focus and judgements
- The proposed opinion and audit differences
- The Accounts Production and audit process
- The current position with regard to the completion of the audit of the financial statements
- The Value for Money Conclusion which indicated that there were no identified VFM risks

Appendices to the report provided the following:

- Key issues and recommendations
- The follow up of prior year recommendations – all of which had been implemented
- The audit differences
- Materiality and the reporting of audit differences
- The Declaration of independence and objectivity
- The audit fees

In relation to the Financial Statements, the report summarised the key findings in relation to the 2016/17 external audit. The report focussed on the work which had been completed in August 2017 on the Authority's significant risk areas as well as other areas of the financial statements together with additional findings in respect of KPMG's control work. She stated that subject to all outstanding queries being resolved satisfactorily, it was anticipated that an unqualified audit opinion on the Authority's financial statements would be issued before the deadline of 30th September, 2017 following consideration by the Council on the 28th September, 2017.

A number of audit adjustments had been identified, notably the need to prepare consolidated accounts, with the remainder of the adjustments being largely presentational with no impact upon the primary statements and the reserves balances.

Based on the work undertake, four recommendations had been made and these were detailed within Appendix 1. These related largely to IT controls, the retention of documentation and evidencing of reconciliation preparation and review. These had been discussed and agreed with management and the response to those recommendations was detailed. It was also recommended that the Authority should closely monitor progress in addressing risks, including the implementation of the recommendations, and these issues would be formally followed up next year.

In relation to the Use of Resources, it was reported that the risk based work to consider whether in all significant respects the Authority had proper arrangements to ensure it had taken properly informed decision and deployed resources to achieve

planned sustainable outcomes for tax payers and local people had been completed. It had been concluded that the Authority had made proper arrangements to secure economy, efficiency and effectiveness in its use of resources. It was anticipated, therefore, that an unqualified Value for Money opinion would be issued.

Finally, Mrs Partridge asked to place on record her thanks to officers and members for their continuing help and co-operation throughout the audit work.

The presentation engendered a full and frank discussion during which matters of a detailed and general nature were raised and answers were given to Members questions where appropriate.

The following issued were referred to:

- The External Auditor had not identified any material misstatements. They had, however identified that a set of group accounts needed to be prepared due to the material nature of the pension liability held by the Subsidiary company Berneslai Homes Ltd.
- For the year ending 31st March 2017 the Authority had reported total surplus on provision of services of £55.2m which includes £86.3 m reversal of previous impairment loss on Council Dwellings. Net outturn was, therefore of the order of approximately £31.1m deficit. The impact on the General Fund had been an increase of £5.9m. Mrs Partridge apologised for the typographical error within this section and stated that this section would be re-issued
- There was some concern expressed in relation to the recommendations in relation to IT controls. In response the Chief Executive and Service Director Finance commented that all recommendations had been accepted and remedial action taken to address the issues. Where required, additional compliance controls were to be introduced and reminders given to Service Directors and managers of the arrangements to be followed particularly in relation to 'leavers', the notification of such events to appropriate sections and to ensure their removal from access to IT systems. In addition there were to be periodic reviews to ensure compliance with the system requirements
- Arising out of the above, the Chief Executive commented on the reduction in staffing within the Council and of the increased pressure faced by remaining staff and also in relation to the increased risk appetite which the Authority was now required to accept
- There was a discussion of the significant audit risks, of why they were classified as risks and of the action taken to address the issues identified

RESOLVED:-

(i) That the External Auditor's Report 2016/17 be received and referred for consideration by the Council to be held on the 28th September, 2017;

(ii) That the Auditor's findings on the effectiveness of the Council's internal controls and the conclusion on the Council's arrangements for securing Value for Money be noted; and

(iii) That the Committee place on record their thanks and appreciation for the hard work of the External Auditor and the Service Director Finance and his Team in this process.

RECOMMENDED TO FULL COUNCIL ON THE 28th SEPTEMBER, 2017:-

(i) That the External Auditor's Annual Governance Report 2016/17 be approved;

(ii) That the findings on the effectiveness of the Council's internal controls and the conclusions on the Council's arrangements for securing Value for Money be noted; and

(iii) That the findings from the audit work in relation to the 2016/17 financial statements be noted and accordingly, the final accounts 2016/17 be approved.

29. ANNUAL GOVERNANCE REPORT 2016/17

Further to minute 15 of the previous meeting held on the 19th July, 2017, the Committee considered a joint report of the Chief Executive and Executive Director Core Services on the final Annual Governance Statement for 2016/17, requesting the Committee to refer it to Council for consideration and adoption as part of the process for approving the 2016/17 Statement of Accounts. A copy of the Statement was appended to the report.

In the ensuing discussion, reference was made to the following:

- There was a discussion as to the effectiveness of the authority's scrutiny process.
    - It was noted that the Committee comprised both elected and co-opted members tougher with parent governor representatives and that there were robust processes in place coupled with a significant work programme. Indicators suggested that the Scrutiny Committee was performing appropriately
    - The Chief Executive made reference to the reports that were submitted Cabinet on a periodic basis from both the Scrutiny Committee and from the three Task and Finish Groups. In addition, she reported that customer views were also being sought about the effectiveness of the process and any learning points would be addressed
    - There was some concern that following the merger of the Children's Services Scrutiny Committee with the Overview and Scrutiny Committee there was an over emphasis on children's services issues which, whilst understandable, was perhaps to the detriment of other matters that required scrutiny attention. The Chief Executive stated that there was to be an examination of work load, balance and focus

and further details on the outcome of this would be available in due course. She commented, however, that given the recent 'Rotherham' judgement the focus of scrutiny had, perhaps, necessarily been on children and safeguarding related matters

- In response to specific questioning, reference was made to the reasons for the increase in the number of contract waivers within the context of the compliance with Contract Procedure Rules. It was noted that following the introduction of improved processes, these matters were now being picked up. The Risk and Governance Manager commented that as part of the Annual Governance Statement, Service Directors were being asked to look at reducing the number of waivers issued and to undertake 'smarter' procurement. No examples of the number of waivers was available at the meeting but these would be made available. Arising out of this discussion, the Chief Executive commented that she received a quarterly report as part of the performance management process.
- Arising out of the above, the Service Director Legal Services made reference to the review currently being undertaken of Contract Standing Orders. He explained that contract waivers were always challenged and evidenced to ensure compliance with those Standing Orders
- There was a discussion of the impact of Future Council particularly in relation to the role of Internal Audit and to the implications of changed structures, new and changed systems and the increase in workloads for many managers which had impacted upon their ability to maintain reasonable and effective controls in some areas of activity. Reference was also made in this respect to the change in risk appetite that was required. The Head of Internal Audit and Corporate Anti-Fraud stated that his service was alert to such issues
- Reference was made to the need to ensure openness and comprehensive stakeholder engagement and in this respect particular mention was made to the current position with regard to Sheffield City Region and the wider Yorkshire Region devolution discussions particularly in view of the impact this could have on Barnsley and the Council in particular in terms of the possible loss of assets. It was suggested that this matter should be addressed within the Authority's Risk Register and in response, the Audit and Risk Manager stated that this would be addressed within the next register review which was due for consideration by this Committee in December 2017
- The Risk and Governance Manager referred to a typographical error within item 2 of Appendix one which he stated should state 'open' rather than 'closed'
- It was noted that one of the Independent Members who was unable to attend the meeting this afternoon had submitted a series of questions. The Risk and Governance Manager stated that responses would be provided for all Members of the Committee

RECOMMENDED TO FULL COUNCIL ON THE 28th SEPTEMBER, 2017 that the final Annual Governance Statement 2016/17 be approved and adopted.

30. APPOINTMENT OF EXTERNAL AUDITOR

The Executive Director Core Services submitted a report updating the Committee of the current position with regard to the appointment of the Authority's External Auditors from 2018/19 onwards.

The report outlined the background to the appointment of External Auditors from 2018/19 onwards and of the three options that were considered by the Committee at its meeting on the 18th January, 2017 when it had been agreed to choose option 3, namely, that the Authority opt in to a sector led procurement scheme where an Appointed Person appoint the external auditory on the Authority's behalf.

It was noted that on the 14th August, 2017 the Public Sector Audit Appointments Ltd had informed the Authority of their provisional decision by means of a consultation process allowing for any objections regarding matters of auditor independence and any conflicts of interest to be fed back.

The provisional appointed auditor for the five year period commencing from 2018/19 was Grant Thornton (UK) LLP. The Section 151 officer and other members of the Senior Management Team had no objection to this appointment although the overall impact of any potential objection across the national arena was unknown.

It was noted that the final decision as to the appointed auditor would be reported to the Committee upon the conclusion of the consultation process.

RESOLVED that the current position with regard to the appointment of Auditor for the Authority for the five year period commencing in 2018/19 be noted.

31. INTERNAL AUDIT ANNUAL REPORT

Further to Minute 8 of the meeting held on the 14th June. 2017 The Head of Internal Audit and Corporate Anti-Fraud presented an oral report indicating that based upon the work undertake to date together with management's implementation of recommendations and the agreed annual programme of risk based audit coverage he was able to provide an adequate assurance opinion for 2016/17. He indicated that his opinion had not changed since the submission of his interim report in June.

RESOLVED that the positive opinion of the Head of Internal Audit and Corporate Anti-Fraud for 2016/17 be noted.

32. HEALTH, SAFETY AND EMERGENCY RESILIENCE REPORT 2016/2017 (CAB.6.9.2017/12)

The Executive Director Core Services submitted a report which was submitted to Cabinet on the 6th September, 2017 presenting issues raised in the 2016/17 Health, Safety and Emergency Resilience Report and providing a comprehensive overview of health, safety and emergency resilience activities and performance within the Authority.

The report, which was presented by Mr S Dobby Head of Corporate Health, Safety and Emergency Resilience was submitted in accordance with the recently revised Audit Committee Terms of Reference and Work Programme.

The report indicated that 2016/17 had seen improvements in the Council's health, safety and emergency resilience performance and the implications of challenges faced in delivery of these services and maintenance of this performance. In particular, positive indicators (with comparisons to the previous year) showed:

- There had been a decrease in the number of reported accidents , 151 compared to the previous year of 159 accompanied by an increase in the reporting rate to around 100%
- There had been a decrease in specified major injuries 0 (2)
- 96% of audits showed a satisfactory level of compliance with the governance arrangements for health and safety
- There had been a decrease in days lost due to accidents 323 (721)
- There had been a reduction in recordable accidents under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013and these were favourable when compared to national statistics:
    - 14 (27)
    - 14 (25) – over three day injuries
    - 7 (20) over seven day injuries
    - 0 (2) major injuries
- An improvement in compliance with requirements to develop risk assessments to 74% (66%) which was 77% corporately and 69% for schools
- A decrease in the number of employer's liability claims to 23 (33) with 11 (14) related to accidents and 12 (19) to work related ill health

There were some negative indicators:

- An increase in reports of violence and aggression reported to 205 (200)
- An under reporting of near miss accidents

The report then went on to outline

- a number of opportunities for improvement together with proposals of how these would be addressed
- the current context of the service provision of the Health, Safety and Emergency Resilience Service
- an overview of the content of the Health, Safety and Emergency Resilience Report for 2016/17

In the ensuing discussion, the following matters were raised:

- the use of volunteers and the difficulties associated with this were outlined. Arising out of this, reference was made to the mutual aid arrangements in

place from other South Yorkshire authorities and from authorities from a wider area in the event of larger scale emergency incidents

- it was noted that violence was prevalent and an increasing issue within schools and additional information on the various types of violence could be reported in future. It was important to note, however, that some schools were better than others at reporting incidents. The problems of gathering information in relation to academies was outlined
- the difficulties of assessing 'near miss incidents' was highlighted. It was reported, however, that for an authority the size of Barnsley, statistically, 2,500 near miss incidents could be anticipated. The Service was working hard on tackling under reporting via training and the dissemination of information
- in relation to accident analysis, reference was made to the reduction in staffing as a consequence of the Future Council initiative and the calculation of incident rates. Information on this could be provided if required
- additional more detailed information and proposed actions in response to incidents raised was included within the Service work programme and further information could be included in future reports. The Chief Executive reported that performance management reports were submitted to Senior Management Team on a quarterly basis and that Cabinet had oversight of these issues
- it was noted that information on Work related Ill-health was only available from 1993 when such information had started to be collected

RESOLVED that the Authority's Health, Safety and Emergency Resilience performance report for 2016/17 be noted and that Mr S Dobby, Head of Service, be thanked for attending the meeting and for answering members questions.

33. INFORMATION GOVERNANCE PERFORMANCE - QUARTER 1 2017/18

The Executive Director Communities and Head of IT (Service Management) submitted a joint report providing details of the Council's position in relation to the number of information security breaches and cyber incidents that had been reported and investigated during Quarter 1 of the 2017/18 financial year.

The report which was the second submitted in accordance with the recently revised Audit Committee Terms of Reference and Work Programme was presented by Mr D Robinson (Service Director IT).

In summary:

- in relation to Information Security Incidents
    - there had been 52 throughout the quarter of which 46 had required further investigation and 6 required third party involvement. Following initial investigation 6 had been found to be unsubstantiated and 14 were undergoing further investigation
    - there had been a spike in the number of reported incidents during the last 2 years which could partly be attributed to increased awareness following the introduction of appropriate mandatory training and regular staff communication

- details of the actual incidents and weaknesses subject to internal investigation were detailed by Directorate, Business Unit and type
- the highest number of incidents fell within the 'disclosed in error' category and largely related to emails sent to the wrong recipient/contact group
- two incidents had been reported and investigated by the Information Commissioner but no action was to be taken against the council. The number of reported incidents to date had prompted an ICO consensual audit which would take place between the 17th – 19th October, 2017 which would focus on Records Management, Training and Awareness and Freedom of Information requests and any recommendations for action would be received in January 2018

- in relation to Cyber incidents
  - information was provided for the first quarter with comparisons to quarters 2 – 4 of 2016/17
  - there had been an increase in the number of phishing emails received. This had followed increased education across the Council and an increased threat globally
  - the service was actively involved in raising awareness of cyber incidents by means of a variety of initiatives. The Security Team had recently used phishing campaigns intended for IT Services and Elected Members an initiative suggested during a National Cyber Security Conference aimed at increasing the learning across organisations

In response to questioning, the following matters were raised:

- the recent phishing campaign had largely been successful and a number of Councillors had identified the suspicious email that had been sent out
- it was suggested that nothing should be included within an email that the author wouldn't want to divulge in the event of an FOI request
- the Authority was investing heavily in measures to prevent phishing emails being received by staff and elected members. It was noted that approximately 80% of all emails were currently blocked before reaching the intended recipient. It was also noted that those sending out such emails were adopting more sophisticated methods of trying to access the council systems and that everyone had to be increasingly vigilant to the treat of attack
- it was suggested that any recommendations for action should include measurable targets
- it was noted that a recent report to Cabinet had approved mandatory training for all Elected Members. Arising out of this it was noted that in response to poor attendance at training events, mandatory training was to be provided for managers
- the Head of Internal Audit felt that given the increasing sophistication of cyber-attacks it was only a matter of time until there was some kind of Information Security breach, what was important, therefore, was to ensure a rapid, thorough and appropriate response to such incidents
- in response to detailed questioning, the Service Director IT reported that the majority of the Council's IT systems were connected to the Internet and that it

was impossible to segregate the Email infrastructure from the rest of the IT system
- in relation to paperless meetings in particular, it was noted that confidential papers would only be sent via encrypted email. In addition, no-one could access confidential information via the Council's systems without a device provided by the Authority. It was important, however, to ensure that any systems in place did not discourage people from using it

RESOLVED that the report be received and Mr D Robinson be thanked for attending the meeting and for answering Members questions.

34. SICKNESS ABSENCE - 2016/17

The Service Director Human Resources and Business Support submitted a report on the current position with regard to sickness absence for the financial year 2016/17 and providing a comparison and summary for the whole of the financial year 2016/17 and the previous financial year 2015/16.

The report indicated the following:

- The number of days lost per employee was 8.24 days which was an improvement on the overall days lost for 2014/15 (10.4) and 2015/16 (8.77) which, whilst still above the target of 7 days was a step in the right direction. There was a need to improve further in order to achieve the Council's future performance indicator target of 6 days
- The Council's absence rate was still above the national rate of 4.3 days (2016 data)
- Comparative data across the Yorkshire Region for Local Authorities for 2016/17 indicated that North Yorkshire County Council had the lowest figure at 6.36 days compared to Sheffield with the highest at 12.16 days. Rotherham's figure was 10.97 days with Doncaster's being 9.9 days lost.
- An analysis of absence by type was provided with figures for each Directorate
- Details of the way in which the Authority managed sickness absence was outlined and details of good practice where Directorates and Services were proactively addressing sickness absence was detailed. The report also outlined areas where the Implementation of the Managing Attendance Policy required improvement
- The Authority had introduced a number of Wellbeing Initiatives and details of these were outlined

In the ensuing discussion, the following matters were raised:

- One of the key areas for absence was due to mental health issues including stress, anxiety and depression and the reasons for this were highlighted. It was noted that whilst some was work related, most was in connection with life outside work which then manifested itself within the workplace – issues such as illness, bereavement, childcare and looking after elderly relatives (which was becoming an increasingly difficult area). The Authority attempted to

address issues at an early stage and health awareness sessions had been particularly successful

- It was difficult to say why the other South Yorkshire Authorities had more staff absence than Barnsley
- The reasons for higher sickness within one service area which had recently been incorporated within the remit of the Council was outlined. It was noted that issues had been addressed and that absence levels within this area had reduced significantly
- In response to specific questioning, information was provided on the way in which managers recorded sickness absence of their employees, on the robustness of the system in place and the ways in which this was tested to ensure compliance with all council procedures and policies
- There was a discussion of employees dismissed on ill health grounds and whether or not they could access their pension. The Service Director commented that dismissal on sickness grounds was not age related but related to the type of illness. Within 2016/17 there had been 14 terminations due to long term sickness of which three had been able to access their pension. This could, of course, change if at some later date the former employees' condition worsened.

RESOLVED that the report be received and that Mrs A Brown be thanked for attending the meeting and for answering Members questions.

35. WORKSHOP MEETING - ARRANGEMENTS

The Committee was requested to consider:

(a) a request from a Member to change the date of the Workshop meeting due to it being scheduled to be held during the half term holidays. In addition; and
(b) The arrangements and topics for discussion at the Workshop meeting scheduled to be held on Wednesday 1st November, 2017.

It was noted that, given the difficulty in arranging an alternative date, the Member requesting the change had agreed to meet the Chair following the Worksop meeting to discuss issues raised.

The Executive Director Core Services reported that issues currently identified for discussion included:

- A review of the Terms of Reference and Self-Assessment
- Training review
- Review of Working arrangements – following the previous review of the Terms of Reference
- Audit Committee Annual Report

The Chair stated that any member wishing to add an item for discussion should either contact himself of the Executive Director Core Services.

RESOLVED that the report be received.

36. AUDIT COMMITTEE WORK PLAN 2017/18

The Committee received a report providing the indicative work plan for the Committee for its proposed scheduled meetings for the remainder of the 2017/18 Municipal Year.

RESOLVED that the core work plan for 2017/18 meetings of the Audit Committee be approved and reviewed on a regular basis.

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Chair