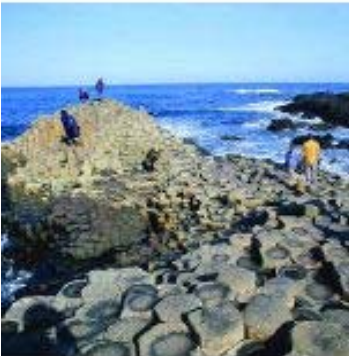




Northern Ireland Audit Office

# Annual Audit Letter

Issued by the Local Government Auditor  
5<sup>th</sup> February 2010



## Belfast City Council

Year to 31 March 2009

## Introduction

The Department of the Environment may, with the consent of the Comptroller and Auditor General for Northern Ireland, designate persons who are members of the staff of the Northern Ireland Audit Office as local government auditors (Article 4(3) of the Local Government (Northern Ireland) Order 2005). For the year ending 31 March 2009 I have been designated the local government auditor for the Council.

As an auditor independent of the audited body I seek to examine that the body has managed its affairs having regard to a combination of economy, efficiency and effectiveness and that public money is properly spent or in the case of income properly accounted for.

## Status and Availability of this Annual Audit Letter

This Annual Audit Letter is issued under Article 13 of the Local Government (Accounts and Audit) Regulations (Northern Ireland) 2006. The Regulations require the local government body to publish this Annual Audit Letter as soon as reasonably possible. The local government auditor will place a copy of this Annual Audit Letter on the NIAO website at [www.niauditoffice.gov.uk](http://www.niauditoffice.gov.uk).

The Audit Letter is addressed to members and prepared for the sole use of the audited body; no responsibility is taken by auditors to any member or officer in their individual capacity, or to any third party.

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# Audit of Accounts

- 1 As your statutory appointed auditor I reported my audit opinion on the Statement of Accounts on 28 October 2009. I gave an unqualified opinion on your accounts.
- 2 The Local Government (Northern Ireland) Order 2005 requires that in auditing accounts a local government auditor must by examination of the accounts or otherwise satisfy himself that:
  - they are prepared in accordance with regulations;
  - they fully comply with the requirements of all other statutory provisions applicable to the accounts;
  - proper practices have been observed in the compilation of the accounts; and
  - the body whose accounts are being audited has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources.

## *Matters arising from the final accounts audit*

- 3 The published accounts are an essential means by which the Council reports its stewardship of the public funds at its disposal and its financial performance in the use of those resources. The Council's annual accounts were signed by the Chief Financial Officer on 16 June 2009 and members of the Strategic Policy and Resources Committee approved the accounts on 19 June 2009 which was within the statutory guidelines which requires this to be completed by 30 June. Following a number of minor and material adjustments from the audit the accounts were authorised for issue by the Chief Financial Officer on 28<sup>th</sup> October 2009.
- 4 The most significant adjustments to the accounts made as a result of our audit findings were :
  - Pension provision was reduced by £624k as a result of the incorrect MVA factor being used to calculate the provision.
  - Loan interest has been increased by £252k as a result of accruing for the interest for the period February and March 2009.
  - Both the VAT Account and other debtors were adjusted by £524k.

- Both Assets under construction and buildings were amended by £8.4m as a result of correcting for the contribution to the Grove Leisure Centre.
- Expenditure on the landfill provision was amended by £1.4m and the landfill provision was discounted resulting in a further reduction of £572k in the provision.
- The above landfill provision movement resulted in reducing the Renewal and Repairs reserve by £2.8m and increasing the District Fund by £2.8m.
- Expenditure was increased by £244k as a result of grossing up the general grant figure.
- Both the Bank Account and VAT account were amended by £696k.
- Following discussions at audit, the legal provision was reduced by £430k.
- Additional funding of £710k to clear the deficit of the Gas Pension Fund.
- A sinking fund was established to meet the future costs of repaying loans.
- The District Fund, Note 3 and the Statement of Total Recognised Gains and Losses were amended by £1.6m to reflect pension movements.
- An analysis of the amounts in the cashflow were amended.
- The District Fund and Note 3 were amended by £1.4m to reflect loan interest paid to the loans pool.

The overall impact of these amendments resulted in the District Fund Reserve balance being increased by £2,279k.

## ***Financial standing***

- 5 The Council continues to have adequate financial management arrangements overall.
- 6 As a measure of prudence, a council should retain a sufficient balance in its District Fund to cover unexpected revenue expenditure or an unexpected drop in income in the foreseeable future. In recent years relevant examples of these include unforeseen costs associated with employment issues and reduced rates income from that estimated by Land & Property Services at the start of the year.
- 7 The district fund balance at £5,350k represents 3.8% of the net operating expenditure. As such the District Fund balance in my view is too low and hence the Council's financial standing would appear to be a matter of concern. The average for the 26 Councils as at 31 March 2009 is 8.5%, based on the accounts presented for audit, (12.9% as at 31 March 2008).
- 8 It should be noted that the Council's accounts do not reflect debtors of unpaid rates at 31 March 2009. These are carried by the Land and Property Services (an agency of the Department of Finance and Personnel) in their Statement of Rate Levy and Collection. The Council is therefore vulnerable to later adjustment in respect of uncollectible rates. The Statement of Rate Levy and Collection was the subject of a Public Accounts Committee hearing on 18 September 2008 and report on 6 November 2008.
- 9 The "final penny product" finalisation adjustment for the year was for the most part included in the accounts prior to audit certification. It should be noted that when the estimates for the year were prepared they were based on an "estimated penny product" and thus when final figures are received from Land and Property Services this can lead to additional funds or clawback adjustment.

## ***District fund spending and balances***

- 10 While the overall financial position remains stable, as outlined in paragraph 7 the District Fund balance should be increased. The Council decreased by £995k the District Fund in 2008-09, leaving the District Fund balance at £5,350k as at March 2009.
- 11 It is important that in preparing accounts the Council includes for all known liabilities and provisions in relation to committed events. In this regard preparation of the 2010-11 estimates and the accounts for 2009-10 and 2010-11 should include consideration of such topics as the outworking of single status, revenue contributions to capital in relation to any unfinanced capital expenditure and the early departure of staff not transferring to the new Council following RPA. I would also consider that Councils take into account the need for the new Council to have an opening working capital position and thus discussion through the Transition Committee and any advice from the Department should be taken into account. In this regard the Department of the Environment issued Circular LG20/09 on 7 December 2009.

12 The District Fund surplus should be viewed in the context of unfunded capital expenditure noted at paragraph 14.

13 In addition, the Council has the following earmarked reserves :

<b>Funds</b>	<b>Balance at 31 March 2009</b>
Renewal & Repairs Fund – to meet future landfill closure costs	£11,805,061
Capital Receipts Reserve	£860,000
City Investment Fund	£4,385,110
Sinking Fund – being accumulated to meet future repayment of £3 million of interest only external loans	£2,205,000

### ***Capital Programme***

14 The Council has Fixed Assets totalling £637m with loans outstanding of £10.6m from the loans pool. As at 31 March 2009 the Council has not yet secured funding for £12.4m of its Fixed Assets. The Council plans to fund this expenditure from loans.

15 The Statement of Accounts reports a future capital programme totalling £106m. I understand that the Council plans to fund most of this programme via loans, and also with capital grants of approximately £18m.

16 As the Council moves towards RPA in May 2011 this leaves two financial years (2009-10 and 2010-11) in which to fully account for the financing of capital expenditure not met from grants or loans.

### ***Annual Governance Statement***

17 The Local Government (Accounts and Audit) (Amendment) Regulations (Northern Ireland) 2006 and DOE Circular No: LG/04/08 required Councils to conduct a review at least once in a financial year of the effectiveness of its governance framework (including its system of internal control) and then approve an Annual Governance Statement.

- 18 The Annual Governance Statement was approved by the Chairman of the Strategic Policy and Resources Committee on behalf of Strategic Policy and Resources Committee on 19 June 2009, the Chief Financial Officer on 16 June 2009 and the Chief Executive on 18 June 2009. My opinion on the accounts includes the Annual Governance Statement. I am required to report if the Governance Statement is inconsistent with the guidance provided by DOE or if disclosures in the Statement are inconsistent with my understanding of the Council.

I noted no Governance Statement matters in my report but paragraphs 24 to 26 of this Audit Letter includes matters I considered.

### ***Internal Audit***

- 19 The Local Government (Accounts and Audit) (Amendment) Regulations (NI) 2006 also required Councils to maintain an adequate and effective system of internal audit and to conduct a review at least once in a financial year of the effectiveness of its system of internal audit. The Council has a dedicated Audit, Governance and Risk Services Department. The Council reviewed the effectiveness of its system of internal audit and the findings of the review were considered by the Strategic Policy and Resources Committee on 19 June 2009.

### ***Revaluation of Land and Buildings – 2008-09 Accounts***

- 20 The Council operates a rolling programme for its revaluation of land and buildings with approximately 25% of these assets being revalued each year and the remainder are indexed in line with construction costs and land value inflation indices. The accounting for these revaluations was examined as part of the audit, and no issues were identified.

### ***Transition to International Financial Reporting Standards (IFRS)***

- 21 In central government, International Financial Reporting Standards (IFRS) apply to the 2009-10 accounts and the Central Government 2008-09 accounts were prepared for the last time on the UK Financial Reporting Standard basis. In preparation for the change the 2008-09 accounts of Central Government have been prepared again on a shadow IFRS basis in September 2009 with an audit review to be undertaken before the end of December 2009.

- 22 For Local Government the change to IFRS will take place a year later (i.e. from 2010-11). The Chartered Institute of Public Finance Accountancy (CIPFA) issued a Local Authority Accounting Panel (LAAP) Bulletin 80 in March 2009 on the implementation of IFRS. This included a Project Plan with key steps and dates. The DoE commissioned CIPFA (NI) to provide training and support to local government bodies in Northern Ireland to help take forward IFRS issues. A series of training days will be held in late 2009 and early 2010. A new IFRS - based Code of Practice on Local Authority Accounting which will apply to local authority accounts from 1 April 2010 is being developed by CIPFA. As was the case in Central Government, Councils will be required to re-state their final UK Financial Reporting Standard based accounts (2009-10) on an IFRS basis and have this subject to audit review.

# Council Performance

## *Scope of my audit*

- 23 My audit is conducted in accordance with a Code of Audit Practice (the Code) issued by the Chief Local Government Auditor. The Code prescribes the standards, procedures and techniques which comprise a local government audit. The Code notes that due to the special accountabilities attached to public money and the conduct of public business:

*“the scope of auditors’ work is extended to cover not only the audit of financial statements but also aspects of corporate governance and arrangements to secure the economic, efficient and effective use of resources.”*

- 24 Throughout the public sector the economic, efficient and effective use of resources is known as Value for Money (VFM). More particularly in the context of the Local Government (Best Value) Act (Northern Ireland) 2002 “a council shall make arrangements for continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness”. Part of the way Councils monitors this is by benchmarking aspects of its financial data against other Councils and this information is also provided to the Department of the Environment.
- 25 A review of the council’s corporate governance and VFM arrangements for 2008-09 was carried out separately from the audit of the accounts. The finding from the review was included in my audit file and a summary report, prepared for me, was copied to the Chief Executive. I used this information, together with information obtained during the course of the audit of the accounts, to examine the Governance Statement.
- 26 The Council noted the following in its Governance Statement as significant governance issues:

“Following the introduction of the Corporate Manslaughter Act, in 2008 the Council has reviewed its health and safety function and has appointed a Corporate Health and Safety Manager, with enhanced responsibilities, however, further work needs to be undertaken to implement a Health and Safety assurance framework and to implement actions arising from a corporate review of health and safety management arrangements.

The risk to the Council of being unable to comply with the targets of the Northern Ireland Landfill Allowance Scheme (NILAS) is still a significant issue. We are continuing to take all appropriate measures to address this risk and in particular to highlight the need for residual waste treatment facilities to be in place in accordance with the Waste Plan timetable. Without this there is a greater risk that the Council would exceed its allowance and the targets would not be met, this situation could result in substantial fines.

The Council still considers that despite actions undertaken in the past year the need to implement effective governance of all projects still remains a significant issue, in particular to fully manage the resource requirements of large projects, for example, the Titanic Signature Project, North Foreshore and Connswater Greenway. The Council is now working with experts in this field to determine how best this risk can be managed.

There are concerns that the extreme volatility of the current economic climate impacts negatively on the Council's finances and our ability to deliver services, in particular in the following areas:

- Reduction in external income streams including Building Control, Business Improvement Section and Information Services Belfast
- Rising debt level as a consequence of customers finding it difficult to make payments including commercial waste customers or council tenants
- A collapsing or redundant market to purchase recyclables leads to a reduction in income
- High utility costs; and the potential for a reduction of income if attendance at our facilities is not maintained.

The review of public administration (RPA) is seen as a major issue for the Council."....."The Council has already put in place necessary governance and accountability frameworks to support the effective implementation of the RPA process including, for example, the designation of the Strategic Policy and Resources Committee as the Council's RPA Transition Committee who are responsible for providing overall political direction to the process. The Council's Chief Officers' Management Team has been designated as the RPA Transition Management Team and is responsible for coordinating and managing RPA implementation. Necessary project management and support structures are in place; with a high level RPA implementation (transition) plan developed which sets out the key strands of work required and the delivery timetable."

27 I will keep the above issues under review as part of my 2009-10 audit.

There were no significant matters arising from the corporate governance and VFM arrangements review.

## **Absenteeism**

- 28** The Chief Local Government Auditor may, in accordance with the Local Government (Northern Ireland) Order 2005, undertake and publish studies which examine the provision of services by local government bodies. A study of absenteeism in Northern Ireland councils was completed in respect of 2007-08 and published in January 2009. Similar absenteeism reviews had been undertaken for several years by the Chief Local Government Auditor. This data enabled the 2007-08 report to address absenteeism performance beyond that year for each council, and for the sector as a whole.
- 29** A 2008-09 absenteeism study was published in December 2009. In this the Chief Local Government Auditor analysed absenteeism for each council over the three year period (2006-07, 2007-08 and 2008-09) and derived an average annual absenteeism rate for this period. This analysis counters the impact of annual fluctuations in absenteeism which would distort the findings, particularly within smaller councils.
- 30** The Chief Local Government Auditor recommends that councils monitor their absenteeism regularly as part of an ongoing process of absenteeism management. To facilitate this I attach Annex A which contains the most recent absenteeism rates for your Council. This includes annual rates of absenteeism for the last six years and the three-yearly absenteeism rate for the period ending 31 March 2009 which was included in the Chief Local Government Auditor's 2008-09 report.
- 31** The 2008-09 absenteeism figure for the Council is 11.22 days. This represents an improvement of 2.69 days on the previous year.
- 32** Whilst Belfast City Council's three-year absenteeism rate has improved by 2.73 days from 16.11 days in 2003-06 to 13.38 days in 2006-09 it is still slightly higher than the Northern Ireland average of 13.31 for this latter three year period.

## ***Waste Minimisation and Recycling***

- 33 The DoE, as Allocating Authority under the Waste and Emissions Trading Act 2003, allocates Biodegradable Municipal Waste (BMW) allowances to district councils for the amount of waste which can be sent to landfill. The Council's allowance for the year was 97,033 tonnes and the volume of waste disposed of to landfill was 85,586 tonnes.
- 34 The Landfill Allowance Scheme (NI) Regulations 2004 place a statutory responsibility on district councils, in each scheme year, to landfill only the quantity of BMW they have allowances for. To exceed this may result in financial penalties of £150 per tonne of exceeded allowance (Landfill Allowance Scheme (Amendment) Regulations (Northern Ireland) SR 2005/588).
- 35 While there is some provision for the re-allocation of allowances, the Council needs to give careful consideration as to the risk of incurring penalties under the scheme.

## ***Payment of invoices***

- 36 In November 2008 the Minister at the Department of Finance and Personnel reduced the target for the payment of invoices by the public sector from 30 days to 10 days. This was to assist small business in the changed financial circumstances prevailing, thus assisting businesses with their cash flow.
- 37 While district councils have not yet been formally required to comply the Council is encouraged to review its arrangements in this regard and to have in place steps for measurement against such a target.

## ***Equality***

- 38 The Council has an established Equality Scheme and Policy and has developed a process for undertaking equalities impact assessments of its strategies so that it understands the likely impact on its diverse population. During the financial year, no impact assessments were carried out.

## Other Audit Work

### Joint Committee

- 39 The Council is a member of the Arc21 Joint Committee which is established for the purposes of managing waste. During the year the Council advanced £191,634 towards funding the expenditure of the Joint Committee.
- 40 The Joint Committee is a partnership of eleven councils established to collaborate in implementing the Waste Management Plan to develop an integrated network of regional waste management facilities which would be cost effective to the public. Total expenditure by the Committee for the year was £27 million. In relation to the Residual Waste Treatment Project, Arc21 expect to be in a position to acquire land and property for the construction of facilities to provide the necessary waste treatment services. Such acquisitions will be subject to independent valuations undertaken by the Land and Property Services Agency of the Department of Finance and Personnel and will be accounted for in the relevant financial year.
- 41 The Joint Committee accounts for its funding by the provision of a statement of accounts which is prepared under the Local Government (Northern Ireland) Order 2005 and subject to statutory audit by a local government auditor.
- 42 The Council also participates in Joint Committees for the purpose of delivering programmes funded by the European Union. Under this arrangement Peace III and INTERREG IVA funding will be available from the Special EU Programmes Body and the Department of Agriculture and Rural Development through to 2013. It is anticipated that a statement of accounts for the Joint Committee will be prepared for 2009-10.

### District Policing Partnership (DPPs)

- 43 Under the Police (Northern Ireland) Act 2000, DPPs have been established by each district council. The Policing Board for Northern Ireland provide a grant equal to three-quarters of approved DPP expenses. The set-up arrangements provide for DPP expenditure to be audited annually by Local Government Auditors.
- 44 The 2008-09 DPP audit, comprising expenditure of £520,947, was completed in June 2009.

## Grant Claims

- 45 The Chief Local Government Auditor in accordance with Article 25 of the Local Government (Northern Ireland) Order 2005 has made arrangements for the certification of local government body grant claims. These arrangements, which are not an audit but a different form of engagement designed to provide reasonable assurance, apply where their application has been agreed with the grant paying body. The key principle is that the certification of grant should be proportionate to the amounts involved and the associated risks. Specifically financial thresholds apply and grants below £25,000 are not examined.

## Looking Ahead

- 46 The Environment Minister in March 2008 announced as part of the Review of Public Administration in Northern Ireland that the current 26 council areas will be rationalised to create 11 new council areas. The Minister also outlined the functions to transfer to local government.
- 47 While Belfast City Council will not be joined with any other Council, it is currently anticipated that the new Council will come into effect in May 2011. In moving towards this the Council participates in a Transition Committee (legislation anticipated to give it a statutory footing) with officers working in a Transition Management Team, to take forward the change process.

## Conclusion

- 48 This Audit Letter has been discussed and agreed with the Chief Executive and Chief Financial Officer.
- 49 The Council has taken a positive and constructive approach to our audit. I would like to take this opportunity to express our appreciation for the Council's assistance and co-operation.

John Buchanan

Local Government Auditor

5<sup>th</sup> February 2010

## Belfast City Council Absenteeism

### Annual Absenteeism

The chart below tracks absenteeism for the 6 years to 2008-09 for total days lost per employee.



### 2008-09 absenteeism compared to Northern Ireland councils as a whole\*

	Belfast	NI Councils	Variance	Variance %
Average total days lost per employee	11.22	12.43	-1.21	-10%

### 3-year absenteeism (2006-09) compared to Northern Ireland councils as a whole\*

	Belfast	NI Councils	Variance	Variance %
Average total days lost per employee	13.38	13.31	0.07	1%

\* The Northern Ireland Council position is derived from figures as at 4th November 2009. Final Figures will be included in the Chief Local Government Auditor's report on Absenteeism in Northern Ireland Councils 2008-09.

