



# Annual Audit Letter

Issued by the Local Government Auditor  
26 February 2010



## Magherafelt District 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 1<sup>st</sup> 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:
  - (a) they are prepared in accordance with regulations;
  - (b) they fully comply with the requirements of all other statutory provisions applicable to the accounts;
  - (c) proper practices have been observed in the compilation of the accounts; and
  - (d) 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 30<sup>th</sup> June 2009 and members of the Council approved the accounts on 30<sup>th</sup> June 2009 which was within the statutory guidelines which requires this to be completed by 30 June. Following material adjustments from the audit the accounts were authorised for issue by the Chief Financial Officer on 30<sup>th</sup> September 2009.
- 4 The most significant adjustments to the accounts made as a result of our audit findings during our audit were:
  - Downward revaluations of buildings of £1,213,847 were reallocated from specific service headings to the exceptional item on the face of the Income and Expenditure Account. A further £1,240,353 of downward revaluations were identified and added to the exceptional item.
  - The gain on revaluation reserve was written down by the difference of £309,407 between depreciation actually charged and historical cost depreciation.

These amendments reflect technical adjustments which arise from the need to separately account for the land and buildings elements of each asset re-valued instead of accounting for each asset as a composite asset comprising both a land and buildings element. The amendments have no effect on the district fund balance.

### ***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 £598k represents 5.2% of the net operating expenditure. As such the Council's financial standing would appear to be adequate. 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). The district fund balance should not be allowed to go into deficit.
- 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, in common with all other district councils, 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 of £164,500 was notified to the Council before the accounts were finalised and included in the accounts. 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 The Council increased by £414,637 the District Fund in 2008-09, leaving the District Fund balance at £597,763 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. I would also consider that councils take into account the need for the new Council to have an opening capital position and thus discussion through the Transition Committee and any advice from the Department should be taken into account.
- 12 The District Fund surplus should be viewed in the context of unfunded capital expenditure noted at paragraph 15.
- 13 In addition, the Council has the following earmarked reserves :

<b>Funds</b>	<b>Balance at 31 March 2009</b>
Capital Fund	£3,788,755
Renewal & Repairs Fund	£13,003
Capital Receipts Reserve	£15,236

- 14 The Capital Fund account is mainly used for defraying capital expenditure. Note 19 of the accounts at 31 March 2009 records that there was a provision of £4.9m to close the landfill site. The Council's Capital Fund has a balance of £3.7m. I have asked the Council to ensure that it has sufficient funds in place to cover the costs of closure and aftercare costs when landfill site is being closed.

## ***Capital Programme***

- 15 The Council has Fixed Assets totalling £29.3m with loans outstanding of £nil. This is the only Council in Northern Ireland to be debt free in relation to capital expenditure. The Statement of Accounts reports no future capital commitments. However since the year end the Council has embarked on refurbishment of the leisure centre in Magherafelt. I am advised that the Council intends to apply the monies in the Capital Fund (with Departmental approval) in the short term to enable it to finance the refurbishment of the leisure centre and then to replenish the Capital Fund to at least the level of the closure cost of the landfill site (£3.2m) over the remaining useful life of the site, which is currently estimated to be at least five years. I remain in discussion with the Council in relation to this matter.

## ***Annual Governance Statement***

- 16 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.
- 17 The authorised Committee of the Council approved the Annual Governance Statement on 30th June 2009 and the Statement was accordingly signed by the Chairperson of the Committee and the Chief Executive on 30th June 2009. My opinion on the accounts includes reference to 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.

## ***Internal Audit***

- 18 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 their system of internal audit. The Council's internal audit service is provided in-house.

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

- 19 The Council instructed the District Valuer to revalue the Council's land and buildings at 1 April 2008 for the 2008-09 accounts. The accounting for these revaluations was examined as part of the audit and a number of issues were identified (see paragraph 4 above).

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

- 20 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 June 2009. In preparation for the change the 2008-09 accounts of Central Government will be prepared again on a shadow IFRS basis in September 2009 with an audit review to be undertaken before the end of December 2009.
- 21 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*

22 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.”*

23 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”. One way the Council 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.

24 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.

25 I noted the following issues from the corporate governance and VFM arrangements review:

- The Council’s Corporate and Operational Risk Registers were scheduled for review and updated Registers are to be produced during 2009-10.
- The Council had not yet prepared suitable documented business continuity plans and tested their implementation.
- The Council had not yet adopted the updated 2003 Code of Conduct issued by the Local Government Staff Commission for its Officers.
- The Council had yet to consider the provision of more detailed advice on the acceptance of gifts and hospitality, by the way of a standalone policy and had not yet introduced an appropriate hospitality register.

- The Council had yet to establish a suitable register for the recording of pecuniary interests, with appropriate periodic reminders provided to staff and members on their responsibility to declare relevant interests. This register should be established as it is a legal requirement for pecuniary interests to be recorded in a separate book.
- The Council has refrained from adopting a formally documented whistleblowing policy. In my opinion this decision should be reconsidered as the implementation of a formal whistleblowing policy would be in line with best practice and be consistent with the Public Interest Disclosure (NI) Order 1998.
- The Council had yet to give consideration to the provision of regular formal financial reports to elected Members.
- The Council did not have a current documented corporate or business plan in place during 2008-09. A review of the Council's Corporate Plan was scheduled for 2009-10. In my opinion the Council should also consider the introduction of formally documented Business Plans feeding from the Corporate Plan.
- The Council's system of internal audit is not designed to fully reflect CIPFA's Code of Practice for Internal Audit in Local Government in the United Kingdom which the Department of Environment, in its circular LG/04/08, recently referred to as a source of appropriate professional guidance containing proper practices in relation to internal control.

## **Absenteeism**

- 26 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.
- 27 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.

- 28 The Chief Local Government Auditor recommended 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 will be included in the Chief Local Government Auditor's 2008-09 report.
- 29 The 2008-09 absenteeism figure for the Council is 6.84 days. This represents a decrease of 1.56 days on the previous year.
- 30 Magherafelt District Council's three-year absenteeism rate has decreased by 2.19 days from 9.44 days in 2003-06 to 7.25 days in 2006-09 and is the lowest of the 26 councils.

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

- 31 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 15,326 tonnes and the volume of waste disposed of to landfill was 9,438 tonnes.
- 32 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).
- 33 The Council should continue to give careful consideration to the risk of incurring penalties under the scheme.

### ***Payment of invoices***

- 34 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.
- 35 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**

- 36 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.

## **Other Audit Work**

### **Joint Committee**

- 37 The Council is a member of the North West Regional Waste Management Group (NWRWMG) Joint Committee which is established for the purposes of managing waste. During the year the Council advanced a contribution towards funding the expenditure of the Joint Committee.
- 38 The Joint Committee is a partnership of seven 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. The NWRWMG was set up as a joint committee from May 2008 for the purpose of procuring waste infrastructure for the treatment of residual waste.
- 39 For 2008-09 the funding of the NWRWMG is included in the statement of accounts of Derry City Council but it is anticipated that separate accounts will be prepared for 2009-10.
- 40 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)**

- 41 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.
- 42 The 2008-09 DPP audit, comprising expenditure of £101,862, was completed in June 2009.

## Grant Claims

- 43 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

- 44 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.
- 45 It is currently anticipated that a new council, incorporating Magherafelt, Cookstown and Dungannon 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

- 46 This Audit Letter has been discussed and agreed with the Chief Executive and Director of Finance and Administration.
- 47 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.

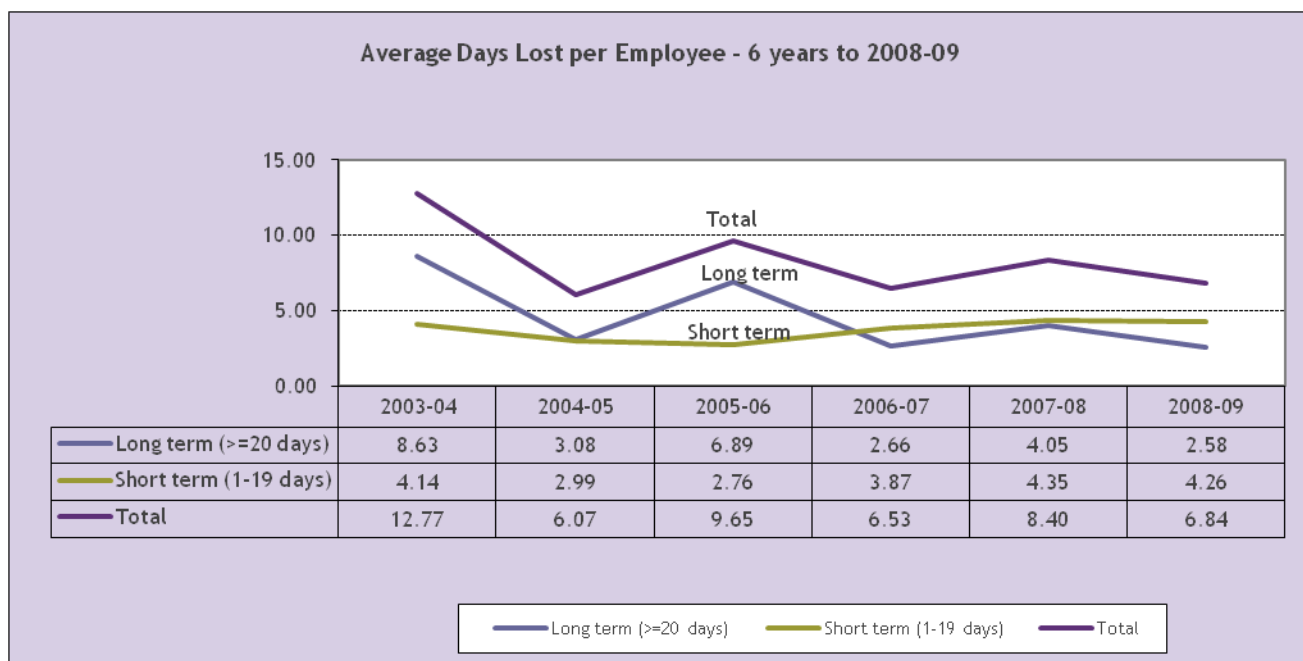
**ALFRED KNOX**

Local Government Auditor

## Magherafelt District 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\*

	Magherafelt	NI Councils	Variance	Variance %
Average total days lost per employee	6.84	12.43	-5.59	-45%

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

	Magherafelt	NI Councils	Variance	Variance %
Average total days lost per employee	7.25	13.31	-6.06	-46%

\* 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.