

Issued by the Local Government Auditor
15 March 2010



Newry and Mourne 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.

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 25 June 2009 and members of the Audit Committee approved the accounts on 25 June 2009 which was within the statutory guidelines which requires this to be completed by 30 June. Following two major adjustments, which had no impact on the District Fund balance, the accounts were authorised for issue by the Chief Financial Officer on 27 October 2009.
- 4 The most significant adjustments made as a result of our audit findings were:
 - Impairments of land and buildings of £7,137,365 were added to service expenditure on the face of the Income and Expenditure account; and
 - £537,157 difference between historic and revalued depreciation was transferred to the Revaluation Reserve from the Capital Adjustment Account.

These 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 is less than recommended to cover unforeseen expenditure and should not be allowed to go into a deficit. The District Fund Balance at the start of the year was £1,537,286 and after the deficit of £1,021,794 in the year, the balance has reduced to £515,492. This represents 1.7% of the net operating expenditure. 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). DOE have issued guidance on financing of council expenditure (circular LG 20/09). This guidance recommended the District Fund Balance to be a minimum of 5% to 7.5% of net operating expenditure for the year.
- 8 The District Fund Balance at 31 March 2009 does not equate necessarily to a disposable reserve. Note 11 of the accounts records unfunded capital expenditure of £1.5m. The £1.5m has increased by £0.5m during 2008-09. Some of this capital expenditure has, in effect, been covered by the District Fund although the council has taken no formal decision to provide funding from that source and record this in the accounts. Officers have indicated that the deficit will be funded in 2009-10 by a combination of loans, grants receivable or revenue contributions if necessary. Only when this is achieved can the District Fund be seen as a disposable reserve and a true measure of the excess funds that the council has accumulated.
- 9 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.
- 10 The "final penny product" finalisation adjustment for the year of £512,840 was reflected in the year end 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

- 11 The Council decreased by £1,022k the District Fund in 2008-09, leaving the District Fund balance at £515k as at March 2009. The decrease was largely due to the increase in vehicle fuel, heating oil and electricity costs of £302k, non-budgeted spend of £223k for voluntary contributions and a shortfall in rates income of £579k.
- 12 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.
- 13 The District Fund surplus should be viewed in the context of unfunded capital expenditure noted at paragraph 8.
- 14 In addition, the Council has the following earmarked reserves :

Funds	Balance at 31 March 2009	Balance at 31 March 2008
Capital Fund	£0	£1,482,182
Renewal & Repairs Fund	£526,788	£496,969
Capital Receipts Reserve	£0	£0

- 15 Monies in the year were transferred from the Capital Fund account to finance capital expenditure.

Capital Programme

- 16 The Council has Fixed Assets totalling £82m with loans outstanding of £21.7m. As at 31 March 2009 the Council has not yet secured funding for £1.5m of its Fixed Assets. The Council plans to fund this expenditure from future loans. Should loans or other sources of funding not be available the shortfall would have to be made up from the surplus in the District Fund.

- 17 The Statement of Accounts reports a future capital programme totalling £364k, spread over 18 separate schemes, most of which are all small schemes. I understand that the Council plans to fund this programme via loans and capital grants. 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

- 18 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.
- 19 The Annual Governance Statement was approved by the Audit Committee Chairman on behalf of the Audit Committee on 25 June 2009 and the Chief Executive on 25 June 2009. My opinion on the accounts includes a review of 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

- 20 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 reviewed the effectiveness of its system of internal audit and the findings of the review were considered by the Audit Committee on 25 June 2009. The Council has contracted out its internal audit to a private sector firm for 2009-10.

Revaluation of Land and Buildings – 2008-09 Accounts

- 21 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 revaluations was examined and the following issues were identified.
- Impairments of land and buildings of £7,137,365 were added to service expenditure on the face of the Income and Expenditure account; and
 - £537,157 difference between historic and revalued depreciation was transferred to the Revaluation Reserve from the Capital Adjustment Account.

These amendments have no effect on the District Fund balance.

Transition to International Financial Reporting Standards (IFRS)

- 22** 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.
- 23** 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

- 24 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.”

- 25 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.
- 26 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.
- 27 The Council noted the following in its June 2009 Governance Statement as significant governance issues.
- “During the year, there were a number of circumstances reported/uncovered, which resulted in financial loss to the Council. In all cases corrective actions and/or additional controls were implemented to decrease the likelihood that there would be a re-occurrence.
 - Two occurrences of financial loss due to theft have occurred in the one department in a relatively short period of time. Actions have been taken in both cases and the Department concerned is kept under review through the risk management process.
 - There is also a need that project-reporting structures within the District Development Department be brought up to an acceptable standard. This has been an issue over a protracted time period, and issues continue to arise due to lack of adequate reporting and control mechanisms. While recommendations have been provided and progress is being made, at the date of this report a robust, tried and tested system is not yet in place.”

- 28 From reviewing the significant governance issues disclosed in the Annual Governance Statement above, I note the following:

Fraud re the purchase of canteen supplies

Poor Internal Control procedures over the purchase of goods for the canteen and a lack of high level monitoring on a regular basis of canteen purchases resulted in a fraud occurring with estimated loss of £3,600. I recommended that written procedures be put in place for all canteen purchases and the purchase of canteen supplies should be monitored on a regular basis.

Voluntary contributions

The 2007-08 Annual Audit letter highlighted two voluntary contribution payments of £250,000 and £100,000, where Council procedures were not adhered to. It is disappointing to note that in 2008-09, a similar instance has occurred in administering voluntary contributions. I recommended again that in all instances relating to voluntary contribution payments, Council procedures are adhered to in that the application should be completed and submitted by each organization prior to a decision being made by Council.

- 29 I noted the following additional issues from the corporate governance and VFM arrangements review:

- A Treasury Management Policy has not been documented.

Absenteeism

- 30 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.
- 31 A 2008-09 absenteeism study was published in December 2009. In this report, 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.
- 32 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.
- 33 The 2008-09 absenteeism figure for the Council is 13.8 days. This represents an improvement of 0.86 days on the previous year.
- 34 Whilst Newry & Mourne District Council's three-year absenteeism rate has improved by 4.58 days from 19.05 days in 2003-06 to 14.47 days in 2006-09 it is still higher than the Northern Ireland average of 13.22 for this latter three year period.

Waste Minimisation and Recycling

- 35 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 33,518 tonnes and the volume of waste disposed of to landfill was 25,061 tonnes.

- 36 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).
- 37 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

- 38 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.
- 39 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

- 40 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, the Council agreed to proceed with an equality impact assessment regarding the re-naming of Patrick Street Play Park in 2001 as Raymond McCreesh Play Park.

Other Audit Work

Joint Committee

- 41 The Council is a member of the Southern Waste Management Partnership (SWaMP2008) Joint Committee which is established for the purposes of managing waste. During the year the Council advanced £32,980 towards funding the expenditure of the Joint Committee.
- 42 The Joint Committee is a partnership of eight 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 £552,253.

- 43 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.
- 44 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)

- 45 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.
- 46 The 2008-09 DPP audit, comprising expenditure of £143,271, was completed in June 2009.

Grant Claims

- 47 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

- 48 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.
- 49 It is currently anticipated that a new council, incorporating Newry & Mourne District Council and Down District 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

- 50 This Audit Letter has been discussed and agreed with the Chief Executive and Director of Finance.
- 51 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.

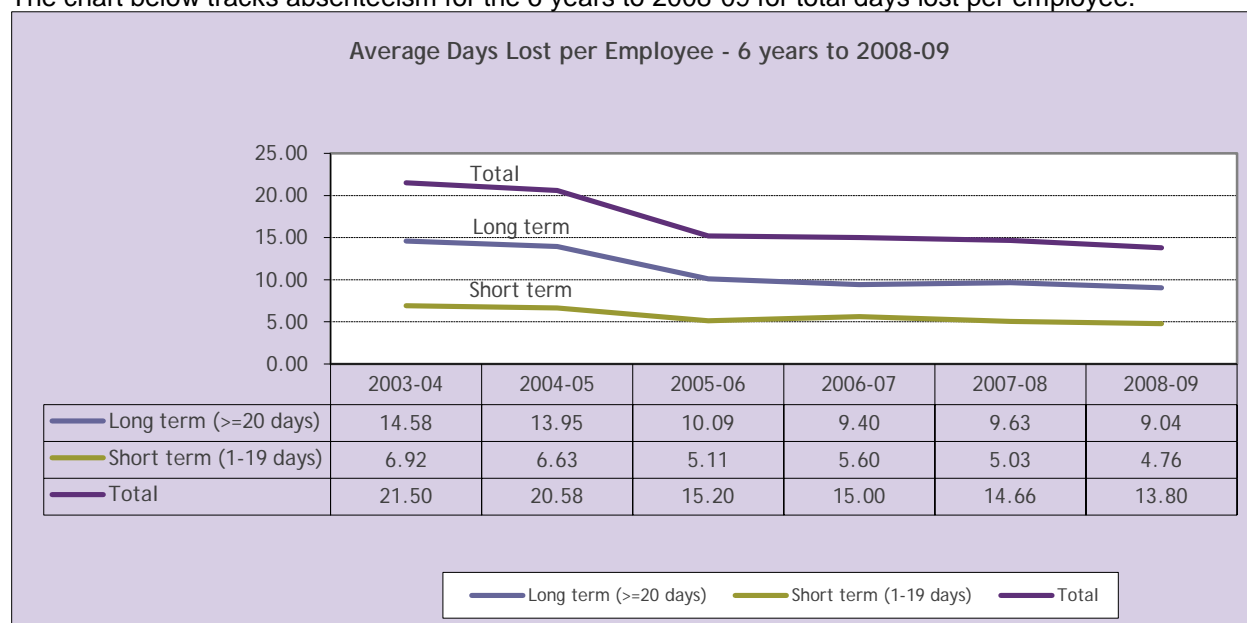
Alfred Knox

Local Government Auditor

Newry & Mourne District 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*

	Newry	NI Councils	Variance	Variance %
Average total days lost per employee	13.80	12.43	1.37	11%

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

	Newry	NI Councils	Variance	Variance %
Average total days lost per employee	14.47	13.31	1.16	9%

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