

SUPPLEMENT TO THE AGENDA FOR

Audit and Governance Committee

Tuesday 26 November 2013**10.00 am****The Council Chamber, Brockington, 35 Hafod Road, Hereford,
HR1 1SH**

(In accordance with Section 100 B (4) (b) of the Local Government Act 1972, as amended, it is proposed to ask the Chairman of the meeting to agree that these items should be considered as a matter of urgency.)

	Pages
7. ANNUAL AUDIT LETTER 2012/13	3 - 20
To consider and note the external auditor's statutory Annual Audit Letter for 2012/13.	
8. REVIEW OF THE COUNCIL'S ARRANGEMENTS FOR SECURING FINANCIAL RESILIENCE	21 - 64
To note the external auditor's review of the Council's arrangements for securing financial resilience.	



MEETING:	AUDIT AND GOVERNANCE COMMITTEE
DATE:	26 NOVEMBER 2013
TITLE OF REPORT:	ANNUAL AUDIT LETTER 2012/13
REPORT BY:	CHIEF FINANCE OFFICER

Wards Affected

County-wide

Purpose

To consider and note the external auditor's statutory Annual Audit Letter for 2012/13 which sets out:

- a. auditing the 2012/13 accounts and Whole of Government Accounts submission (Section two); and
- b. assessing the Council's arrangements for securing economy, efficiency and effectiveness in its use of resources (Section three)

The Letter is intended to communicate key messages to the Council and external stakeholders.

Recommendation(s)

THAT: the Audit & Governance Committee discuss and take note of the content of the Annual Audit Letter (AAL) for 2012/13 attached to this report.

Key Points Summary

- The external auditors have highlighted four key issues for the council to focus on in the coming year; the financial position, adult social care, waste disposal and safeguarding children
- The external auditors issued an unqualified opinion on the statement of accounts for 2012/13
- A qualified 'except for' conclusion was issued in respect of the council's arrangements for securing economy, efficiency and effectiveness in its use of resources as a result of the Ofsted judgment on arrangements for safeguarding children
- An unqualified opinion has been given on the council's Whole of Government Accounts submission

Alternative Options

1. This is a report reflecting the statutory Annual Audit Letter process and therefore no alternative options are outlined.

Reasons for Recommendations

2. The Code of Audit Practice in Local Government Bodies requires the external auditor to make a report to those charged with governance that summarises the conclusions they have drawn from their audit work and their opinion on the financial statements and value for money.

Key Considerations

3. The external auditors have highlighted four key issues for the council to focus on in the coming year; the financial position, adult social care, waste disposal and safeguarding children.
4. The Letter highlights the financial risks faced by the council and the relatively low level of reserves and the need to address the forecast deficit in 2013/14. For future years the council needs to consider its future role.
5. The Letter sets out the budget issues within adult social care, including the failure to deliver ambitious savings targets. It acknowledges that the council has taken steps to strengthen its budget setting process, but further work needs to be done.
6. The Letter also sets out the issues that the council is considering in relation to the joint waste PFI contract with Worcestershire County Council.
7. The final key issue addressed in the report is the safeguarding assessment arising out of the Ofsted inspection in September 2012. It acknowledges that the council has made several significant changes to address the issues but there is still much to do.
8. The Committee is required to consider the external auditors findings before adopting the financial statement and its annual governance statement. The external auditor's Annual Audit Letter (AAL) confirms that the external auditor presented their report to the Audit and Governance Committee on 25th September 2013 and issued an unqualified opinion on 27th September 2013.
9. Another key part of the attached document is the external auditor's requirement to indicate if the council has put in place proper arrangements for securing economy, efficiency and effectiveness in its use of resources. This is the statutory 'value for money' conclusion. The external auditor concluded that in all significant respects the council put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ended 31 March 2013 except for the arrangements to safeguard children.

Financial Implications

10. None arising directly from this report.

Legal Implications

11. This report has no legal implications.

Risk Management

12. The Audit & Governance Committee has responsibility for corporate governance and will monitor progress made by management in addressing any issues identified in the external auditor's Annual Audit Letter for 2012/13. Risk is mitigated by delivering the action plan's recommendations.

Consultees

13. None.

Appendices

14. Annual Audit Letter 2012/13.

Background Papers

15. None identified.



The Annual Audit Letter for Herefordshire County Council

Year ended 31 March 2013

22 October 2013

Phil Jones

Director

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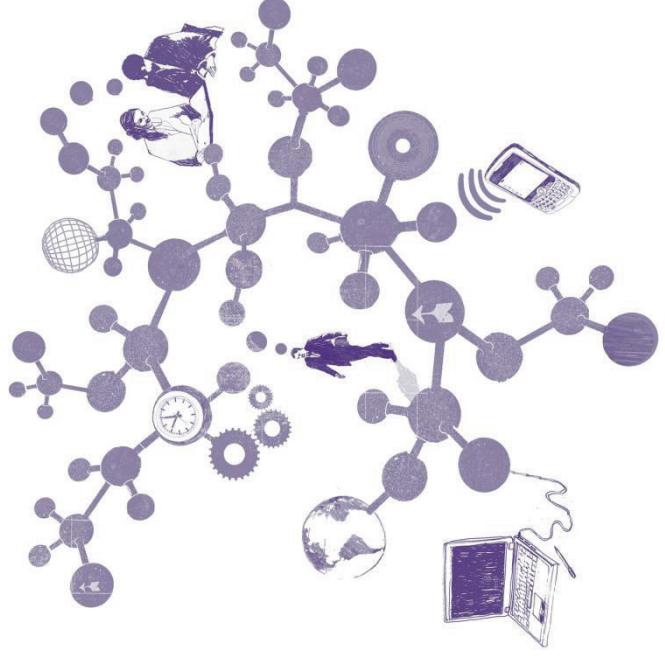
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Section 1: Executive summary

01. Executive summary

02. Audit of the accounts

03. Value for Money

Executive summary

Purpose of this Letter

Our Annual Audit Letter ('Letter') summarises the key findings arising from the following work that we have carried out at Herefordshire Council ('the Council') for the year ended 31 March 2013:

- auditing the 2012/13 accounts and Whole of Government Accounts submission (Section two)
- assessing the Council's arrangements for securing economy, efficiency and effectiveness in its use of resources (Section three)

The Letter is intended to communicate key messages to the Council and external stakeholders, including members of the public. We reported the detailed findings from our audit work to those charged with governance in the Audit Findings Report on 20 September 2013.

Responsibilities of the external auditors and the Council

This Letter has been prepared in the context of the Statement of Responsibilities of Auditors and Audited Bodies issued by the Audit Commission (www.audit-commission.gov.uk).

The Council is responsible for preparing and publishing its accounts, accompanied by an Annual Governance Statement. It is also responsible for putting in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources (Value for Money).

Our annual work programme, which includes nationally prescribed and locally determined work, has been undertaken in accordance with the Audit Plan that we issued on 5 March 2013 and was conducted in accordance with the Audit Commission's Code of Audit Practice ('the Code'), International Standards on Auditing (UK and Ireland) and other guidance issued by the Audit Commission.

Audit conclusions

The audit conclusions which we have provided in relation to 2012/13 are as follows:

- an unqualified opinion on the accounts which give a true and fair view of the Council's financial position as at 31 March 2013 and its income and expenditure for the year
- a qualified "except for" conclusion in respect of the Council's arrangements for securing economy, efficiency and effectiveness in its use of resources as a result of the fact the Council's arrangements to safeguard children were judged inadequate by Ofsted in October 2012.
- an unqualified opinion on the Council's Whole of Government Accounts submission

We cannot formally conclude the audit and issue an audit certificate until we have completed our consideration of matters brought to our attention by local authority electors. However we are satisfied that these matters do not have a material effect on the financial statements or a significant impact on our value for money conclusion.

Key Issues for the Council

Key areas for Council attention

We highlight here four key issues from the audit perspective which we believe the Council will continue to need to focus on in the coming year.

Financial Position

The Council faces some significant financial risks which need to be addressed urgently. The Council is all too aware of the current and future challenges, such as an ageing population and significant reductions in central government funding which will only increase the current pressures on budgets. However the Council's reserves are much lower than other similar councils and some of its programme of savings has been identified relatively late. Useable reserves have fallen from £29.3 million in 2008/09 to £19.7 million in 2012/13 and of this balance £5.5 million relates to school reserves. This gives the Council less headroom.

The Council made a deficit of £1.4 million in 2012/13, caused mainly by the continued overspending on Adult Social Care of £5.9 million. The financial position would have been worse were it not for some one off mitigations, such as income from the sale of West Mercia Supplies (£0.85 million). Early in 2013/14, the Council discovered that it had counted grant income of £3.8m twice. The response was to call a Special Council Meeting to address the issue which necessitated further savings to be made in 2013/14. The Council consequently needs to tighten the controls over the budget setting process to prevent such problems re-occurring

Reports to the October Cabinet forecast a £3.9 million overspend in 2013/14 mainly due to a projected overspending of £4.3 million in the Adults Wellbeing Directorate. If the predicted overspend crystallises, the Council's general fund balance will fall well below the Council's own target level of £4.5 million and therefore additional savings will need to be made in 2014/15 to replenish the balance. This will impose further financial pressures in 2014/15 in addition to the £12 million savings already required. It is therefore vital that the Council draws up a plan to address the forecast deficit. Looking ahead, the Council needs urgently to reconsider its future role and what it wants to deliver as a Council; and where further savings can be made to ensure the sustainable delivery of statutory services.

Adult Social Care

For several years the Adult Social Care budget has been overspent and the overspends have continued to rise each year, in part due to the practice of adding undelivered savings from one year into the budget for the following year. In 2012/13 the budget was overspent by £5.9m. The main reason for the overspend was the failure to deliver very ambitious savings targets. Review of the undelivered savings schemes shows that some schemes were unrealistic or were cost avoidance schemes which would only reduce additional demand for services. This indicates that the scrutiny and sign off process in relation to proposed savings schemes, particularly in relation to Adult Social Care, should be improved in order to ensure savings are delivered by the directorate.

The final budget outturn in 2012/13 was an improvement on that forecast to Cabinet earlier in the year, due in part to action taken to reduce expenditure but also due to the fact that the in-year forecast was inflated by client costs which were no longer valid. A lot of work has been undertaken to cleanse data contained in these forecasts but further improvement is needed.

Key Issues for the Council

The Council also needs to establish a working commitment accounting system in Adult Social Care so that managers have a better understanding of the financial consequence of decisions made; a point made by external auditors four years ago.

The Council has taken steps to strengthen its budget setting processes in Adult Social Care following previous external audit criticisms that it was unrealistic. The Council now appears to be giving greater priority to carrying out the reforms to Adult Social Care delivery needed to achieve a balanced budget but this will take some time to deliver. When compared to similar councils, expenditure on older people is less than average per head of those over 65, but expenditure per head of adults aged between 18-64 is consistently in the highest 20% of councils for adults with mental health needs, learning disabilities and physical disabilities. This needs to be examined further.

The Council is also taking steps to ensure greater stability in senior management in this key area. Capacity and stability in management has remained an issue across the Council but this area has been particularly affected. Adult Social Care remains a vital area for Members to closely monitor

Waste Disposal

The Worcestershire and Herefordshire Waste PFI contract with Mercia Waste was set up in December 1998. It was predominantly based around a residual waste facility for which planning permission was subsequently not granted. Since 1998, refurbishment and development of existing services has taken place as well as the Councils attempting to secure planning permission for a residual waste facility. In February 2012 the Councils agreed parameters, including financial ones, which must be met before a variation is approved. In July 2012 permission was granted to Mercia Waste for a residual waste facility in Hartlebury. There are now complex issues for the two Councils to consider in relation to;

- achieving value for money from the contract and potential variations or any alternative waste disposal provision;
- considering the impact of PFI credits and changes to the government policies on landfill
- taking into account, and balancing, the views and interests of taxpayers; and
- ensuring any variation is within the legal powers of the Councils

We understand that the Council is in the process of considering these issues.

Safeguarding Children

An unannounced inspection by Ofsted of the Council's arrangements to safeguard children was carried out in September 2012 and these arrangements were assessed overall as "inadequate" across all three Ofsted review categories. An improvement notice was issued by the Parliamentary Under Secretary of State in February. The Council drew up an improvement plan in October and set up a multi agency Improvement Board with an independent Chairman.

The Council has made several significant changes to address the issues set out in the Ofsted report and there has been regular reporting on progress against the Improvement Plan, including a report to Cabinet in September. However there is still much to do, not least in addressing the large number of temporary staff employed in key posts. The Council has stated that it hopes to achieve an adequate assessment in 2014/15 year.

Acknowledgements

This Letter has been agreed with the Chief Finance Officer and will be presented to the Audit and Governance Committee in November 2013.

We would like record our appreciation for the assistance and co-operation provided to us during our audit by the Council's staff.

Section 2: Audit of the accounts

01. Executive summary

02. Audit of the accounts

03. Value for Money

Audit of the accounts

Audit of the accounts

The key findings of our audit of the accounts are summarised below:

Preparation of the accounts

The Council presented us with draft accounts on 28 June 2013. In last year's Annual Audit Letter to the Council, the external auditors reported significant concerns in relation to the quality of working papers and speed of response to audit queries. Although the quality of the accompanying working papers and responsiveness have improved this year, the Council still has some way to go to match the standard consistently achieved by the best councils locally in this area. We will continue to work with Hoople and the Council to ensure continued improvement in this important area, including sharing some positive examples we found in Hoople and elsewhere.

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Annual Governance Statement

We concluded that the Annual Governance Statement was consistent with our knowledge and complied with all relevant guidance. There is some scope to further develop the Statement against best practice such as including action plans for the significant controls issues raised.

Conclusion

Prior to giving our opinion on the accounts, we are required to report significant matters arising from the audit to 'those charged with governance' (defined as the Audit and Governance Committee at the Council). We presented our report to the Audit and Governance Committee on 25 September 2013.

We issued an unqualified opinion on the Council's 2012/13 accounts on 27 September 2013. Our opinion confirms that the accounts give a true and fair view of the Council's financial position and of the income and expenditure recorded by the Council.

Issues arising from the audit of the accounts

The draft accounts were of a good quality helped by a robust quality review process. This was a clear improvement on the previous year. We identified some adjustments to the accounts presented to audit which Officers have agreed to adjust for. None of these adjustments affected the Balance Sheet or the cost of services in the Comprehensive Income and Expenditure Statement. We also requested some adjustments to improve the presentation of the accounts.

Section 3: Value for Money

01. Executive summary

02. Audit of the accounts

03. Value for Money

Value for Money

Scope of work

The Code describes the Council's responsibilities to put in place proper arrangements to:

- secure economy, efficiency and effectiveness in its use of resources
- ensure proper stewardship and governance
- review regularly the adequacy and effectiveness of these arrangements.

We are required to give a VFM conclusion based on the following two criteria specified by the Audit Commission which support our reporting responsibilities under the Code:

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The Council has proper arrangements in place for securing financial resilience. The Council has robust systems and processes to manage effectively financial risks and opportunities, and to secure a stable financial position that enables it to continue to operate for the foreseeable future.

The Council has proper arrangements for challenging how it secures economy, efficiency and effectiveness. The Council is prioritising its resources within tighter budgets, for example by achieving cost reductions and by improving efficiency and productivity.

Key findings

Securing financial resilience

We have undertaken a review which considered the Council's arrangements against the three expected characteristics of proper arrangements as defined by the Audit Commission:

- financial governance
- financial planning
- financial control.

Our overall conclusion is that the Council faces very significant financial risks, particularly in relation to Adult Social Care where a large overspend of £5.9 million occurred in 2012/13 and a further overspend of over £4 million is forecast in 2013/14. If the forecast overspend in 2013/14 transpires, this will put additional pressure on the Council's balances, which are already comparatively low. It has proper arrangements in place for securing financial resilience and in particular it has strengthened budget setting and monitoring arrangements. Further details are provided in our Financial Resilience report.

Challenging economy, efficiency and effectiveness

We have reviewed whether the Council has prioritised its resources to take account of the tighter constraints it is required to operate within and whether it has achieved cost reductions and improved productivity and efficiencies.

Our overall conclusion is that although there has been some success in delivering savings over the last two years, the Council still faces significant challenges due to Adult Social Care not delivering its savings targets and not keeping within budget. In addition the Council received an inadequate assessment from Ofsted last October in relation to its arrangements to safeguard children. It has subsequently been working hard through its Improvement Board to address the issues raised.

Overall VFM conclusion

On the basis of our work, and having regard to the guidance on the specified criteria published by the Audit Commission, we are satisfied that in all significant respects the Council put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ending 31 March 2013 except for the arrangements to safeguard children.

Appendices

Appendix A: Reports issued and fees

We confirm below the fee charged for the audit and that there were no fees for the provision of non-audit services.

	Per Audit plan £	Actual fees £
Audit Fee	164,803	164,803
Indicative grant certification fee	10,600	To be confirmed
Total fees	175,403	175,403

Fees for other services	
Service	Fees £
None	Nil

Reports issued

Report	Date issued
Audit Plan	5 March 2013
Audit Findings Report	20 September 2013
VfM – Financial Resilience Report	10 October 2013
Annual Audit Letter	22 October 2013



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MEETING:	AUDIT AND GOVERNANCE COMMITTEE
MEETING DATE:	26 NOVEMBER 2013
TITLE OF REPORT:	REVIEW OF THE COUNCIL'S ARRANGEMENTS FOR SECURING FINANCIAL RESILIENCE
REPORT BY:	CHIEF FINANCE OFFICER

1. Classification

Open

2. Key Decision

This is not an executive decision.

3. Wards Affected

County-wide

4. Purpose

- 4.1 As part of the work to support their Value for Money Conclusion the external auditors have reviewed the Council's arrangements for securing financial resilience. Audit and Governance Committee are asked to note the report.

5. Recommendation(s)

THAT: the report be noted.

6. Alternative Options

- 6.1 There are no Alternative Options.

7. Reasons for Recommendations

- 7.1 The external auditors are required to produce a report on the financial resilience of the Council as part of their work programme.

8. Key Considerations

8.1 The auditors reviewed the financial resilience of the council by looking at;

- Key indicators of financial performance
- Its approach to strategic financial planning
- Its approach to financial governance; and
- Its approach to financial control

8.2 Their overall conclusion is that the council faces very significant financial risks which need to be responded to urgently.

8.3 The Council's reserves have been falling for several years and it has lower reserves than other similar councils and is at its target reserves level for the General Fund reserve. Therefore, a significant general fund overspend in 2013/14 would be a real challenge for the Council at a time when further reductions are expected to central government funding. It is important that the Council draws up plans to address the forecast deficit in 2013/14.

8.4 The Council now appears to be giving greater priority to carrying out the reforms to Adult Social Care delivery needed to achieve a balanced budget but this will take some time to deliver. It is also taking steps to ensure greater stability in senior management in this key area. Capacity and stability in management has remained an issue across the Council but this area has been particularly affected. In the longer run, the Council faces some difficult decisions about the future role of the Council in order that high priority statutory services such as social care can be delivered.

8.5 The actions which the external auditors consider as necessary are:

- Develop a plan to address the forecast deficit in 2013/14.
- Continue to improve the forecasting of the outturn of Adult Social Care expenditure.
- Further develop the review of the budget setting process.
- Continue to monitor progress on the transformation of the delivery of Adult Social Care.
- Challenge savings plans before including them in the programme and then monitor delivery closely.
- Ensure commitment accounting in Adult Social Care is delivered.
- Continue to reshape the Council's priorities to ensure that key services can be sustainably delivered in the future.
- Develop a contingency in the budget or reserve to deal with undelivered savings.

9. Community Impact

9.1 There is no community impact arising from this report

10. Equality and Human Rights

10.1 The content of the report has not direct impact on equality or human rights.

11. Financial Implications

11.1 There are no financial implications arising from this report

Further information on the subject of this Report is available from
Peter Robinson: Chief Finance Officer on Tel (01432) 383519

12. Legal Implications

12.1 This report has no legal implications.

13. Risk Management

13.1 The Audit & Governance Committee has responsibility for corporate governance and will monitor progress made by management in addressing any issues identified in the external auditor's report.

14. Consultees

14.1 S151 Officer

15. Appendices

15.1 Grant Thornton – Review of the Council's Arrangements for Securing Financial Resilience

Audit Findings Action Plan

16. Background Papers

16.1 Audit Findings for Herefordshire Council presented to Audit & Governance Committee on 25 September 2013

The Annual Audit Letter for the year ended 31 March 2013



Herefordshire Council Review of the Council's Arrangements for Securing Financial Resilience

Year ended 31 March 2013
November 2013

Phil Jones

Director

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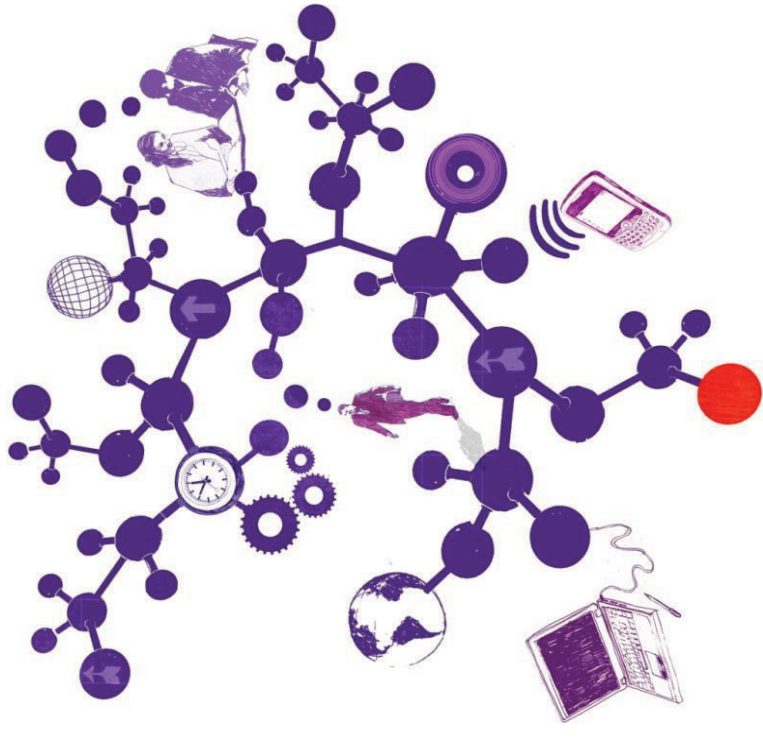
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The contents of this report relate only to the matters which have come to our attention, which we believe need to be reported to you as part of our audit process. It is not a comprehensive record of all the relevant matters, which may be subject to change, and in particular we cannot be held responsible to you for reporting all of the risks which may affect the Council or any weaknesses in your internal controls. This report has been prepared solely for your benefit and should not be quoted in whole or in part without our prior written consent. We do not accept any responsibility for any loss occasioned to any third party acting, or refraining from acting on the basis of the content of this report, as this report was not prepared for, nor intended for, any other purpose.

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1 Executive Summary

2 Key Indicators

3 Strategic Financial Planning

4 Financial Governance

5 Financial Control

Appendix - Key indicators of financial performance

Executive Summary

Our approach

Value for Money Conclusion

Our work supporting our Value for Money (VfM) conclusion, as part of the statutory external audit, includes a review to determine if the Council has proper arrangements in place for securing financial resilience.

In so doing we have considered whether the Council has robust financial systems and processes in place to manage its financial risks and opportunities, and to secure a stable financial position that enables it to continue to operate for the foreseeable future. We have carried out our work in discussion and agreement with officers and completed it in such a way as to minimise disruption to them.

The definition of foreseeable future for the purposes of this financial resilience review is 12 months from the date of this report.

We have reviewed the financial resilience of the Council by looking at:

- Key indicators of financial performance;
- Its approach to strategic financial planning;
- Its approach to financial governance; and
- Its approach to financial control.

Further detail on each of these areas is provided in the sections of the report that follow.

Our overall conclusion is that the Council faces some very significant financial risks which need to be responded to urgently.

We have used a red/amber/green (RAG) rating with the following definitions.



Executive Summary

National and Local Context

National Context

The Chancellor of the Exchequer announced the current Spending Review (SR10) to Parliament on 20 October 2010. SR10 represented the largest reductions in public spending since the 1920s. Revenue funding to local government was to reduce by 19% by 2014-15 (excluding schools, fire and police). After allowing for inflation, this equates to a 28% reduction in real terms with local government facing some of the largest cuts in the public sector. In addition, local government funding reductions were frontloaded, with 8% cash reductions in 2011-12. This followed a period of sustained growth in local government spending, which increased by 45% during the period 1997 to 2007.

The Chancellor of the Exchequer, in his Autumn Statement in November 2011, announced further public spending reductions of 0.9% in real terms in both 2015-16 and 2016-17. In his Autumn Statement on 5 December 2012, the Chancellor reinforced austerity measures announcing a further £6.6bn of savings during 2013-14 and 2014-15. Whilst health and schools will be continue to be protected in line with the Government's policy set out in SR10, local government will continue to face significant funding reductions. The Department for Communities and Local Government will contribute £470m of these additional savings, £445m of which will come from local authority funding during 2014-15, with local authorities being exempt from additional savings in 2013-14. In his March 2013 Budget the Chancellor announced further departmental 1% savings during each of 2013-14 and 2014-15. The NHS and schools remain protected, but police and local government will need to find an additional 0.5% over both years.

The next spending round period, 2015-16, was announced by the Chancellor on 26 June 2013. Local government will face a further 10% funding reduction for this period.

These funding reductions come at a time when demographic and recession based factors are increasing demand for some services, and there is a decreasing demand for some services, such as car parking, where customers pay a fee or charge.

Financial austerity is expected to continue until at least 2017.

Local Context

Herefordshire has a population of 183,600 which has grown by 5% since 2001. It is largely rural by area and is one of the least densely populated areas in England. Its population is ageing and the proportion of the population over 65 is 21% compared to the national average of 17% and this is projected to grow with the number of people over 85 expected to more than double to 12,200 by 2031. Its population has an average income above the national and regional average and is on the whole better educated. Expenditure at the Council is just below the average of similar authorities in the Audit Commission's profile. The Council's reserves have been falling for several years and it has lower reserves than other similar councils and is at its target reserves level for the General Fund reserve. The Council has struggled to make savings especially in Adult Social Care and this has contributed to the Council overspending in 2012/13 and forecasting a £4 million overspend in 2013/14.

Executive Summary

Overview of Arrangements

Risk area	Summary observations	High level risk assessment
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Key Indicators of Performance

Review against key performance indicators show that the Council is in a mixed position. Our review of indicators of liquidity and borrowing rated the Council as amber. However the indicator for reserves was rated red. The level of reserves has been falling for the last few years and is comparatively very low to similar councils. The projected 2013/14 overspend will, if realised, be a significant challenge when further reductions are expected to central government funding. The debt to long term assets ratio is higher than the similar authorities. The Council's indicators for schools balances and sickness absence were rated green.



Strategic Financial Planning

The Council agreed a budget for 2013/14 in February 2013 and at the same time revised its medium term financial plan and incorporated the revisions arising from the latest local government settlement. Due to an error identified in the initial budget by finance staff (a £3.8m DoH grant was double-counted) a revised budget was taken to Council in May which increased the savings required to be made in 2013/14. Consequently the Council needs to tighten the controls over budget setting to prevent a re-occurrence.



In developing its budget plans the Council considered and employed a range of initiatives, including service redesign and alternative methods of provision.

Executive Summary

Overview of Arrangements

Risk area	Summary observations	High level risk assessment
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The Council has improved governance arrangements in place in response to the worsening financial environment. There is now the discipline of monthly financial reporting and challenge meetings chaired by the Section 151 Officer with subsequent reporting to Cabinet. As a result the Council's financial environment and financial performance is better understood at all levels of the organisation.

Financial Governance

In previous years the Council has had a track record of delivering the overall net expenditure at or close to budget but with an underlying and growing problem of overspending of Adult Social Care Services budget. The overspend in 2012/13 in Adult Social care was £5.9 million and this caused the Council to overspend overall by £1.4 million. Fundamentally this was caused by an unrealistic budget being set for this service and in particular unrealistic assumptions on the impact of savings schemes. Whereas the Council achieved around 67% of savings planned (slightly less than in 2011/12), the majority of non delivery was related to Adult Social Care and this made a significant contribution to the overspend in this service area. The Council has taken action to make the budget more realistic and engaged consultants to review this area last year which resulted in zero-basing the budget and putting significant extra money into this area.

Financial Control

The Council needs to continue to improve quality of financial forecasting in Adult Social Care and also establish a working commitment accounting system in this area. The Council has adequate financial controls overall. Finance staff both in the Council and in the Council's jointly owned shared services company, Hoople are experienced and appropriately qualified. The Council has an experienced internal audit service, which makes a positive contribution in ensuring that sound financial systems are in place.

Executive Summary

Next Steps

Area of review	Key points for consideration	Responsibility	Timescale	Management response
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Financial Control For several years the Adult Social Care budget has been overspent and the overspends have continued to rise each year, in part due to the practice of adding undelivered savings from one year into the budget for the following year. In 2012/13 the budget was overspent by £5.9m and this contributed to the Council overspending by £1.4m overall. The main reason for the overspend was the failure to deliver very ambitious savings targets. Review of the undelivered savings schemes shows that some schemes were unrealistic or were cost avoidance schemes which would only reduce additional demand for services. This indicates that the scrutiny and sign off process in relation to proposed savings schemes, particularly in relation to Adult Social Care, should be improved in order to ensure savings are delivered by the directorate.

The final budget outturn in 2012/13 for the Adult Social Care and the Council was an improvement on that forecast to Cabinet earlier in the year, due in part to action taken to reduce expenditure but also due to the fact that the in-year forecast in Adult Social Care was inflated by client costs which were no longer valid. A lot of work has been undertaken to cleanse data contained in these forecasts but further improvement is needed. The Council also needs to establish a working commitment accounting system in Adult Social Care so that managers have a better understanding of the financial consequence of decisions made; a point made by external auditors four years ago.

The Council has strengthened its budget setting processes for 2013/14 following previous external audit criticisms including the use of zero-based budgeting. However early in 2013/14, the Council discovered that it had counted grant income of £3.8m twice. The response was swift and appropriate from the Section 151 Officer and a Special Council Meeting was called to address the issue. He asked Internal Audit to investigate the issue and their report attributed the problems to human error.

The Council consequently needs to tighten the controls over the budget setting process to prevent such problems re-occurring. In 2013/14 Adult Social Care is currently forecasting a deficit of over £4m, which is a smaller deficit than previous years, but will still put a significant strain on the Council's finances

Executive Summary

Next Steps

Area of review	Key points for consideration	Responsibility	Timescale	Management response
Financial Control	<p>The Council's reserves have been falling for several years and it has lower reserves than other similar councils and is at its target reserves level for the General Fund reserve. Therefore, a significant general fund overspend in 2013/14 (£3.9 million is currently forecast across the Council) will be a real challenge for the Council at a time when further reductions are expected to central government funding. It is important that the Council draws up plans to address the forecast deficit in 2013/14.</p> <p>The Council now appears to be giving greater priority to carrying out the reforms to Adult Social Care delivery needed to achieve a balanced budget but this will take some time to deliver. It is also taking steps to ensure greater stability in senior management in this key area. Capacity and stability in management has remained an issue across the Council but this area has been particularly affected. In the longer run, the Council faces some difficult decisions about the future role of the Council in order that high priority statutory services such as social care can be delivered.</p> <p>The actions which we consider are necessary are:</p> <ul style="list-style-type: none">• Develop a plan to address the forecast deficit in 2013/14• Continue to improve the forecasting of the outturn of Adult Social Care expenditure.• Further develop the review of the budget setting process.• Continue to monitor progress on the transformation of the delivery of Adult Social Care• Challenge savings plans before including them in the programme and then monitor delivery closely• Ensure commitment accounting in Adult Social Care is delivered• Continue to reshape the Council's priorities to ensure that key services can be sustainably delivered in the future.• Develop a contingency in the budget or reserve to deal with undelivered savings			

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Appendix - Key indicators of financial performance

Key Indicators

Introduction

This section of the report includes analysis of key indicators of financial performance, benchmarked where this data is available. These indicators include:

- Working capital ratio
- Long term borrowing to tax revenue
- Long term borrowing to long term assets
- Sickness absence levels
- Useable Reserves: Gross Revenue Expenditure
- Schools Reserves - Balances to DSG allocations

We have used the Audit Commission's nearest neighbours benchmarking group comprising the following authorities:

Rutland County Council
Central Bedfordshire Council
East Riding of Yorkshire Council
North Somerset Council
Shropshire Council
Bath and North East Somerset
Cornwall Council
Northumberland Council
City of York Council
Cheshire West & Chester Council
Wiltshire Council
Cheshire East Council
North Lincolnshire Council
Herefordshire Council
Isle Of Wight Council

Key Indicators

Overview of performance

Area of focus	Summary observations	Assessment
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Liquidity

The working capital ratio gives an indication of whether a council has enough current assets to cover its immediate liabilities. The Council's working capital ratio was 0.83 at 31 March 2012). Comparative information on liquidity from the Council's statistical nearest neighbours (up to 2011/12) shows the Council's ratio below the average of similar councils. However the Council's current liabilities include £12m of LOBOs which are very unlikely to be called in the short term but are required to be treated as a current liability under the Accounting Code of Practice.



Amber

Borrowing

The Council's borrowing at 31 March 2013 was £157m with £32m of this being due within 12 months (but this includes LOBOs of £12m). Even though borrowing appears lower than the average when looked at against tax revenue, it is higher when looked at in relation to long term assets. When recognising PFI and Finance Lease Liabilities this indebtedness increases by over £28m. This remains below the authorised external debt figure. Some of the PFI liability relates to Whitcross school which has recently moved to academy status. Currently the school makes a contribution towards the gap between the unitary charge the Council must pay and the PFI credits it receives from government but this still leaves a shortfall..



Amber

In 2012/13 the Council received £3.085m of PFI credits from relevant sponsoring Government Departments in order to finance PFI liabilities. This is now a significant income stream and the Council will need to ensure it continues to meet all the relevant conditions and is able to remain confident that such Government Department commitments are guaranteed for the foreseeable future.

Workforce

In 2011/12 for Herefordshire Council the average working days lost to sickness absence was 5.25 per full time equivalent member of staff. This was lower than the average across the public sector (8.00 days). The latest information for Herefordshire for 2012/13 shows an increase to 6.09 which is still lower than the public sector average. The Council has plans in place to continue to improve this performance and performance is regularly monitored including at Cabinet.



Green

Key Indicators

Overview of performance

Area of focus	Summary observations	Assessment
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Reserve Balances

The General Fund Reserve balance reduced to £4.6 m which is only slightly over the target minimum reserve level which is held for unforeseen events such as litigation or natural disasters. If the projected overspend for 2013/14 transpires, this will reduce the General Fund Reserve balance to well under the target level and this will need to be replenished. Earmarked Reserves including revenue grants carried forward to pay for specific future commitments and schools balances increased by £13.4m to £13.9m. Reserves have gradually been reducing for several years at the Council. In 2009-10 total reserves were £24.6 million compared to £18.5 million at 31 March 2013.



Red

When compared to the Audit Commission nearest neighbour benchmark group, total useable reserves for the Council was the second lowest in terms of balances held compared to gross revenue expenditure at the 2011-12 year end. The comparative data is not yet available for 2012-13.

Schools Balances

It is accepted that there will be some unspent Direct Schools Grant at each year end which will be transferred to reserves but expects councils to ensure that the funding is spent on the current cohort wherever possible. The latest available data published by the Audit Commission, for 2011-12, shows that the Council had higher reserves to its statistical nearest neighbour benchmark group in relation to year end balances held. The School Reserves level at 31 March 2013 has decreased from £5.8m to £5.3m. This remains at an acceptable level and provides evidence that funds are being spent on the education of the current cohort of pupils and not held in reserves for significant future projects. The Council confirms that no schools are in a deficit position.



Green

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Strategic Financial Planning

Key characteristics of good strategic financial planning

In conducting our review of strategic financial planning we have assessed the Council's performance against the following indicators:

- Focus on achievement of corporate priorities is evident through the financial planning process. The MTFP focuses resources on priorities.
- The MTFP includes outcome measures, scenario planning, benchmarking, resource planning and details on partnership working. Targets have been set for future periods in respect of reserve balances, prudential indicators etc.
- Annual financial plans follow the longer term financial strategy.
- There is regular review of the MTFP and the assumptions made within it. The Council responds to changing circumstances and manages its financial risks.
- The Council has performed stress testing on its model using a range of economic assumptions including CSR.
- The MTFP is linked to and is consistent with other key strategies, including workforce.
- KPIs can be derived for future periods from the information included within the MTFP.

Strategic Financial Planning

Medium Term Financial Strategy

Area of focus	Summary observations	Assessment
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Focus of the MTFP

The Council has a Medium Term Financial Strategy (MTFS) for the period 2013/14 to 2016/17. This was approved by Council in February 2013.

A key component of the MTFS is the projection of balances going forward and a general fund balance of at least £4.5m should be retained to meet future pressures. The Council is budgeting in 2013/14 to add £2 million to the General Reserve balance. The Medium Term Financial strategy reflects the key themes of the Council's revised corporate strategy such as the agenda to encourage business and employment in the area and protecting vulnerable people.



Amber

Adequacy of planning assumptions

The Council has a mixed track record of achieving its budget and its cost savings requirements.

The Council's focus remains on a MTFS which is regularly revisited in terms of assumptions as new information becomes available to mitigate against uncertainties in the level of future funding to be received from Government and impact on savings required. The Medium Term Financial Strategy has been unrealistic in its assumptions on the reduction in Adult Social care expenditure.

The Council's Medium Term Financial Strategy does not explicitly show scenario planning or modelling, although this has been considered in developing the plan.



Amber

Scope of the MTFP and links to annual planning

The Council has produced a detailed budget for 2013/14 to underpin the MTFP and attempt to deliver financial stability and investment opportunities. This annual budget links to the Corporate Plan and other strategies.

Budget proposals were scrutinised by the Overview and Scrutiny Committee. There is scope to improve the clarity of presentation of transfers to and from reserves in budget statements to Members.



Amber

Strategic Financial Planning

Medium Term Financial Strategy

Area of focus	Summary observations	Assessment
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Review processes

The MTFS is kept under regular review to reflect changes in assumptions and corporate strategy. Although the budget was unrealistic for Adult Social Care, the Council is starting to address this by the injection of additional budget in 2013/14 and it is reviewing the need to add additional budget in 2014/15. The Council has introduced the discipline of monthly directorate reporting and challenge meetings for each directorate chaired by the Section 151 Officer where progress on savings is also reviewed. Cabinet also receive summary reports from these meetings.



Amber

Responsiveness of the Plan

The Council overspent in 2012/13 by £1.4 million as a result of a £5.9m overspend in Adult Social Care. A major reason for overspend in Adult Social Care was non delivery of savings. Elsewhere in the Council spend was generally well contained within budget and planned savings were broadly delivered.

The Council has improved its budget monitoring arrangements and through revenue budget monitoring, and reporting to the Cabinet, the Council is able to monitor the performance of services against budgets and respond to significant cost pressures and issues identified.

In developing its updated MTFS the Council has challenged service delivery and developed strategies in line with its vision set out in its Corporate Strategy. This has included some use of :

- Service redesign
- Improving business processes to reduce bureaucracy and red tape
- Reductions in corporate services in response to the changing shape of the organisation
- Aligning service delivery and the neighbourhood agenda, reducing tiers of management and introducing new ways of working
- Alternative methods of service provision ;and
- Sharing services with other public bodies.



Amber

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Appendix - Key indicators of financial performance

Financial Governance

Key characteristics of effective financial governance

In conducting our review of financial governance we have assessed the Council's performance against the following indicators:

Understanding

- There is a clear understanding of the financial environment the Council is operating within:
 - Regular reporting to Members. Reports include detail of action planning and variance analysis etc.
 - Actions have been taken to address key risk areas.
 - Officers and managers understand the financial implications of current and alternative policies, programmes and activities.

Engagement






- There is engagement with stakeholders including budget consultations.

Monitoring and review

- There are comprehensive policies and procedures in place for Members, Officers and budget holders which clearly outline responsibilities.
- Number of internal and external recommendations overdue for implementation.
- Committees and Cabinet regularly review performance and it is subject to appropriate levels of scrutiny.
- There are effective recovery plans in place (if required).

Financial Governance

Understanding and engagement

Area of focus	Summary observations	Assessment
Understanding the Financial Environment	<p>The Council has an improving understanding of its financial environment at all levels. The Cabinet and Directorate Heads are informed to enable effective business planning. Members are kept up to date.</p>	 Amber
Executive and Member Engagement	<p>This approach has required considerable engagement through various work-streams to develop budget proposals. There is member engagement in drawing up savings proposals .</p> <p>The Overview and Scrutiny Committee reviews proposals and provide challenge, before final proposals are issued to Council. The Council engages its residents, inviting them to contribute and has received a good level of response and this has influenced the new corporate plan. For the future the focus of public engagement may need to shift more into views of potential areas of disinvestment and improved efficiency.</p>	 Amber
Overview for controls over key cost categories	<p>There is now improved monitoring of savings schemes including RAG rating focussed on the key milestones. A summary position statement is also provided to Cabinet which is an improvement on previous years.</p> <p>Revenue budget monitoring is reported to the Cabinet throughout the year and provides members with performance information regarding the delivery of savings and actions required going forward.</p>	 Amber
Budget reporting: revenue and capital	<p>Revenue monitoring reports to Cabinet compare results against plan. Mitigations for any issues identified are reported within these reports. The Council has recently enhanced the quality of its financial reporting at all levels in the Council including reporting to Cabinet.</p>	 Amber
Adequacy of other Committee/ Cabinet Reporting	<p>Revenue budget monitoring is now reported to the Cabinet throughout the year and provides a further level of challenge, alongside reviewing any impact on service performance.</p>	 Green

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Financial Control

Key characteristics of effective financial control

In conducting our review of financial control we have assessed the Council's performance against the following indicators:

Budget setting and budget monitoring

- Budgets are robust and prepared in a timely fashion.
- Budgets are monitored at an officer, member and Cabinet level and officers are held accountable for budgetary performance.
- Financial forecasting is well-developed and forecasts are subject to regular review.

Savings Plans

- Processes for identifying, delivering and monitoring savings plan schemes are robust, well thought through and effective.

Financial Systems

- Key financial systems have received satisfactory reports from internal and external audit.
- Financial systems are adequate for future needs.

Finance Department




- The capacity and capability of the Finance Department is fit for purpose.

Internal Control

- There is an effective internal audit which has the proper profile within the organisation. Agreed Internal Audit recommendations are routinely implemented in a timely manner.
- There is an assurance framework in place which is used effectively by the Council and business risks are managed and controlled.





Financial Control

Internal arrangements

Area of focus	Summary observations	Assessment
<p>Budget setting and monitoring - revenue and capital</p>	<p>In previous years the Council has had a track record of delivering the overall net expenditure at or close to budget but with an underlying and growing problem of overspending of Adult Social Care Services budget. The overspend in 2012/13 in Adult Social care was £5.9 million and this caused the Council to overspend overall by £1.4 million. Fundamentally this was caused by an unrealistic budget being set for this service-a point backed up by a recent consultants report- and in particular unrealistic assumptions on the impact of savings schemes. Whereas the Council achieved around 67% of savings planned (slightly less than in 2011/12), the majority of non delivery was Adult Social Care related and this made a significant contribution to the overspend in this service area. The Council has taken action to make the Adult Social Care budget more realistic including the using consultants to review this area, zero-basing on current known activity and putting significant extra money into this area in 2013/14 and 2014/15.</p> <p>The Council has improved its process for monitoring budgets at all levels.</p> <p>The Council has a good understanding of its relative costs and performance.</p> <p>Treasury management is adequately managed with good levels of information provided to Members.</p>	<p style="text-align: right;"> Amber</p>
<p>Performance against Savings Plans</p>	<p>The Council has a mixed track record of achieving savings targets and meeting its budget . Budgets have been delivered generally in all areas of the Council apart from Adult Social Care where there was a very significant non delivery of savings. The monitoring of savings, especially at Member level, has recently improved following external audit recommendations.</p>	<p style="text-align: right;"> Amber</p>
<p>Key Financial Accounting Systems</p>	<p>The Council has generally sound financial systems to deliver effective financial reporting. However there have been continued financial control issues in Adult Social Care and this has not been helped by the continued delays in the establishment of a working commitment accounting system, which was initially raised by external auditors over four years ago. There is also scope to review the suite of controls over journals.</p>	<p style="text-align: right;"> Green</p>

Financial Control

Internal and external assurances

Area of focus	Summary observations	Assessment
Finance Department Resourcing	<p>The Council has experienced managers and staff within the Finance Department both in the retained staff and in its shared service company Hoople but capacity is limited and there is significant reliance on a few key individuals.</p> <p>The 2012/13 financial statements process went much more smoothly with improvements in both working papers supporting the accounts and in particular the initial quality checking of the statement of accounts. There remains considerable scope to improve the quality of working papers and speed of response to audit queries in order to compare to the better councils in the West Midlands.</p>	 Amber
Internal audit arrangements	<p>The Council has an experienced internal audit function provided by a combination of KPMG and Hoople staff. The Internal Audit team is now carrying out a greater proportion of value-added assignments to assist departmental management.</p> <p>Internal Audit plans are approved by the Audit and Governance Committee annually. Progress reports are monitored by the Audit and Governance Committee through their very regular meetings.</p> <p>Internal Audit provide reports on their reviews of the Council's financial systems by 31 March to provide assurance to finance officers in advance of the production of the financial statements.</p>	 Green
External audit arrangements	<p>External audit are provided with regular updates through regular meetings with the Chief Financial Officer and senior finance staff, where detailed explanation of the Council's revenue and capital position are provided together with any emerging risks.</p> <p>A clear 'no surprises' culture is in place at the Council and no formal reporting actions have needed to be taken by external audit.</p>	 Green
Assurance framework/ risk management	<p>The Council has a basic risk management strategy in place to monitor the achievement of its objectives. There is no dedicated risk or insurance officer.</p> <p>The final 2012/13 Annual Governance Statement (AGS) reflected fairly the overall assurance framework in place and is produced in line with requirements from CIPFA/SOLACE "Delivering Good Governance in Local Government Framework". However there is scope to further develop this statement in comparison to good practice such as action planning for the significant risks identified in the statement.</p>	 Amber

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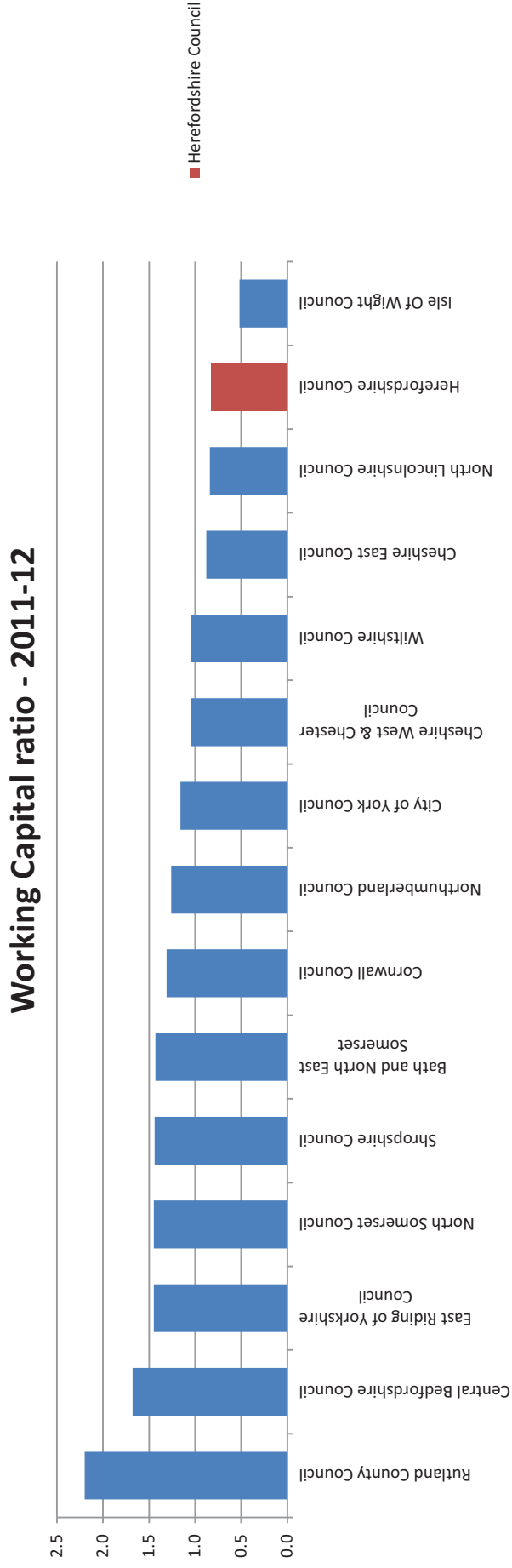
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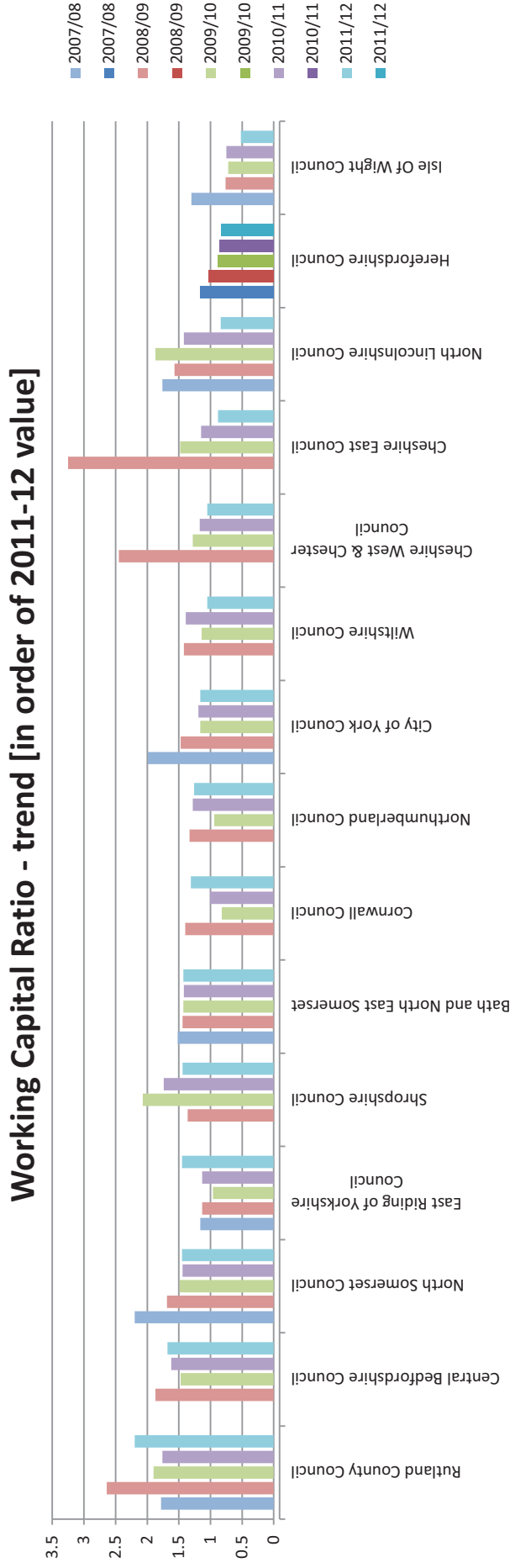
Key Indicators of Financial Performance

Working Capital Ratio – 2011/12



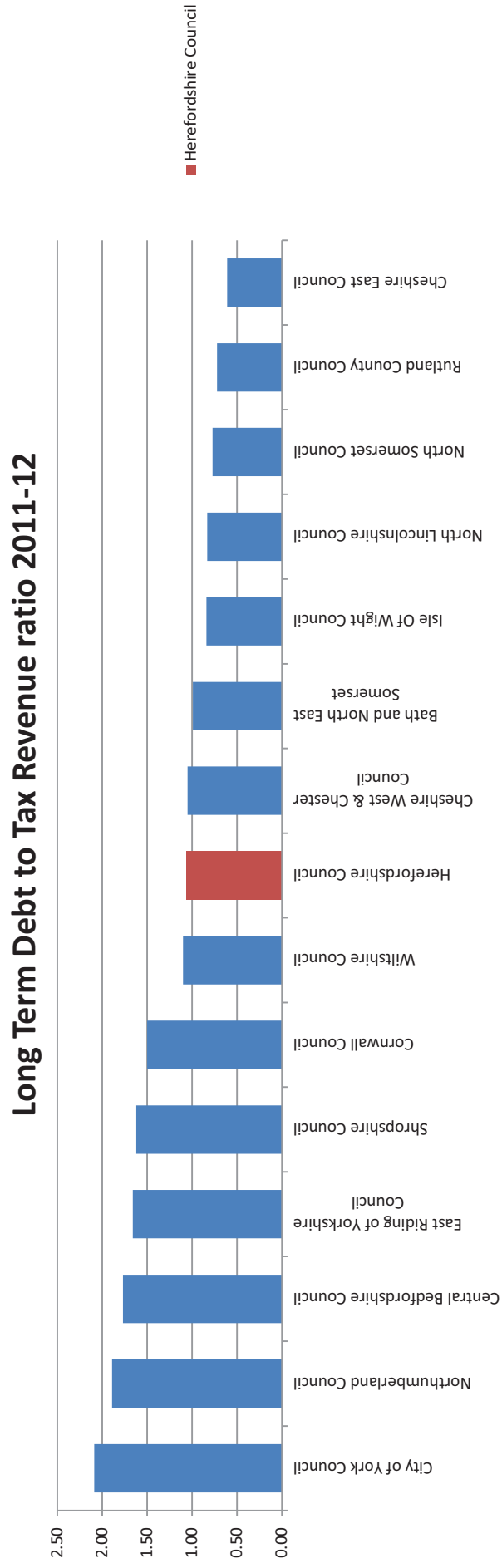
Key Indicators of Financial Performance

Working Capital Ratio – Trend



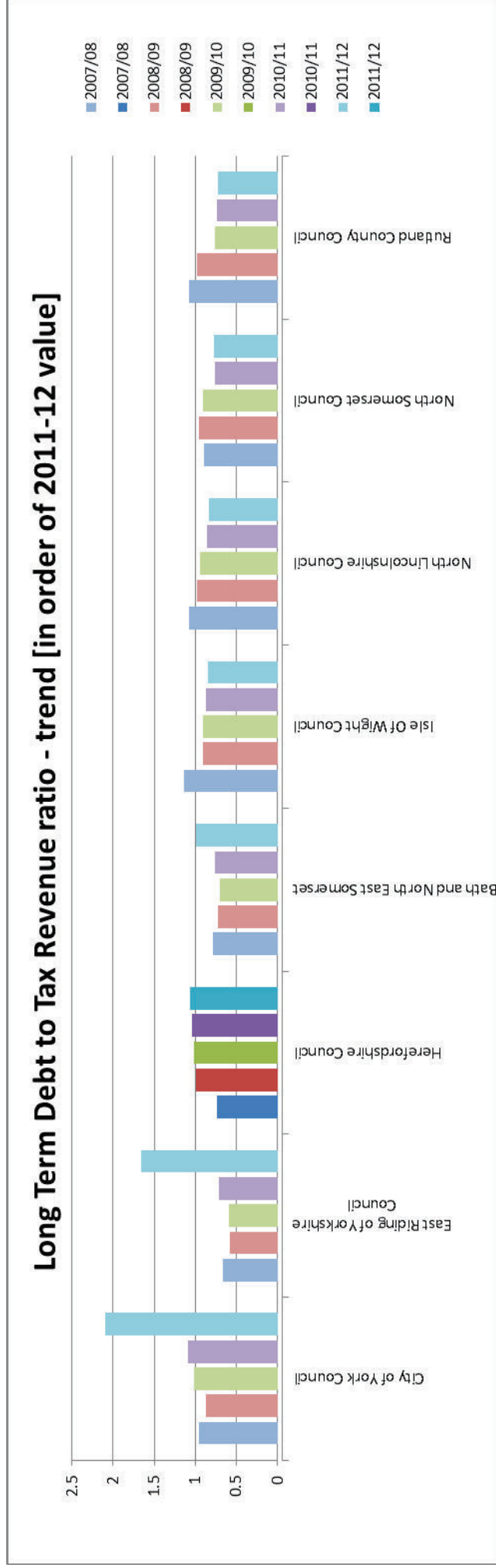
Key Indicators of Financial Performance

Long Term Debt to Tax Ratio – 2011/2012



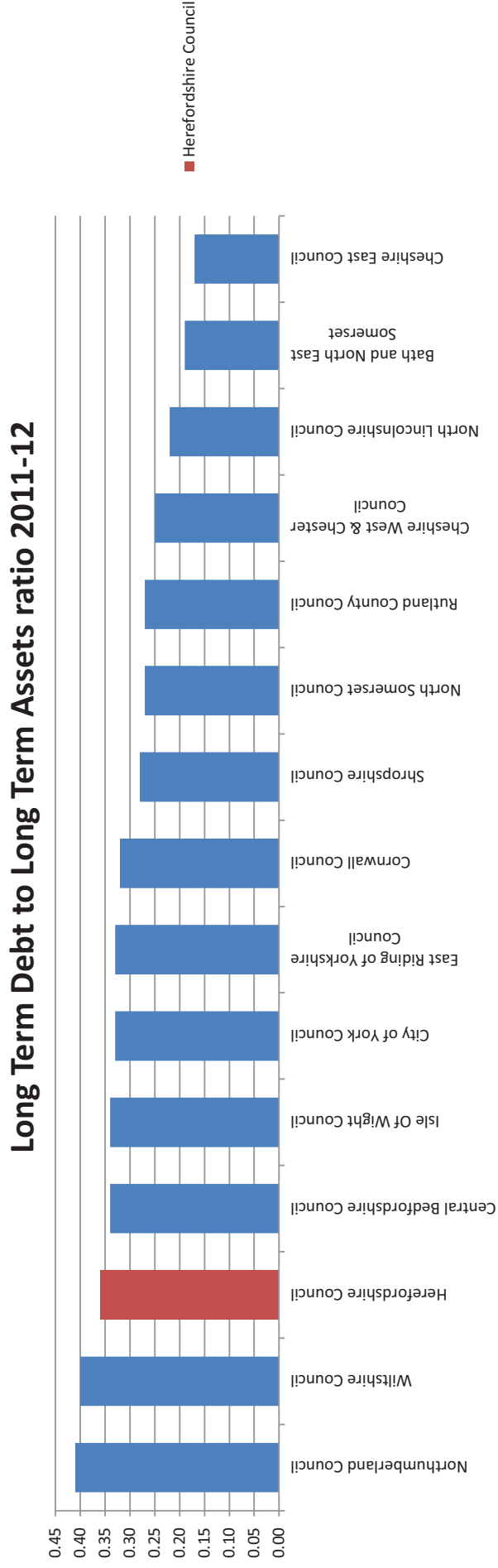
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Long Term Debt to Tax - Trend



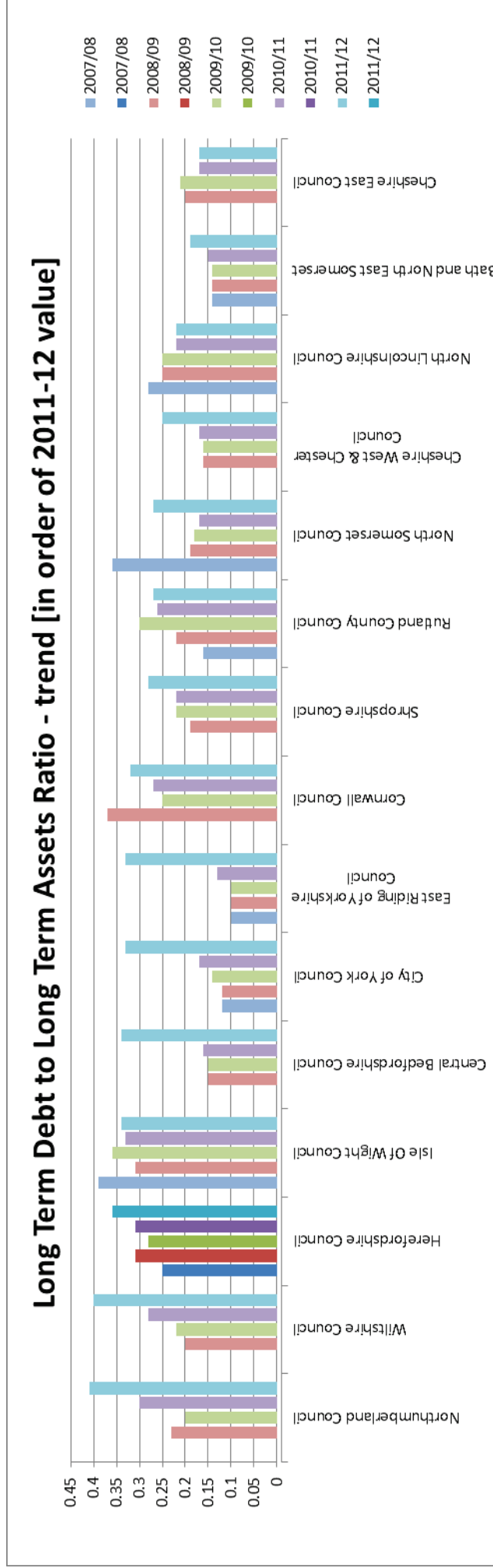
Key Indicators of Financial Performance

Long Term Debt to Long Term Assets – 2011/2012



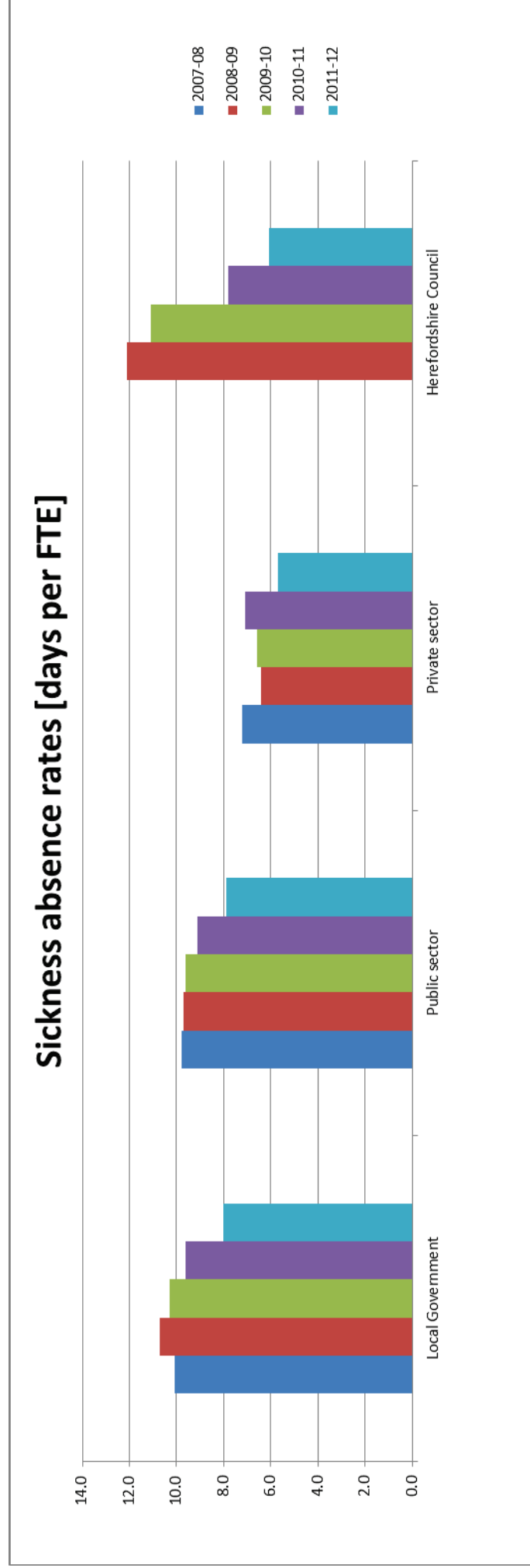
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Long Term Debt to Long Term Assets – Trend



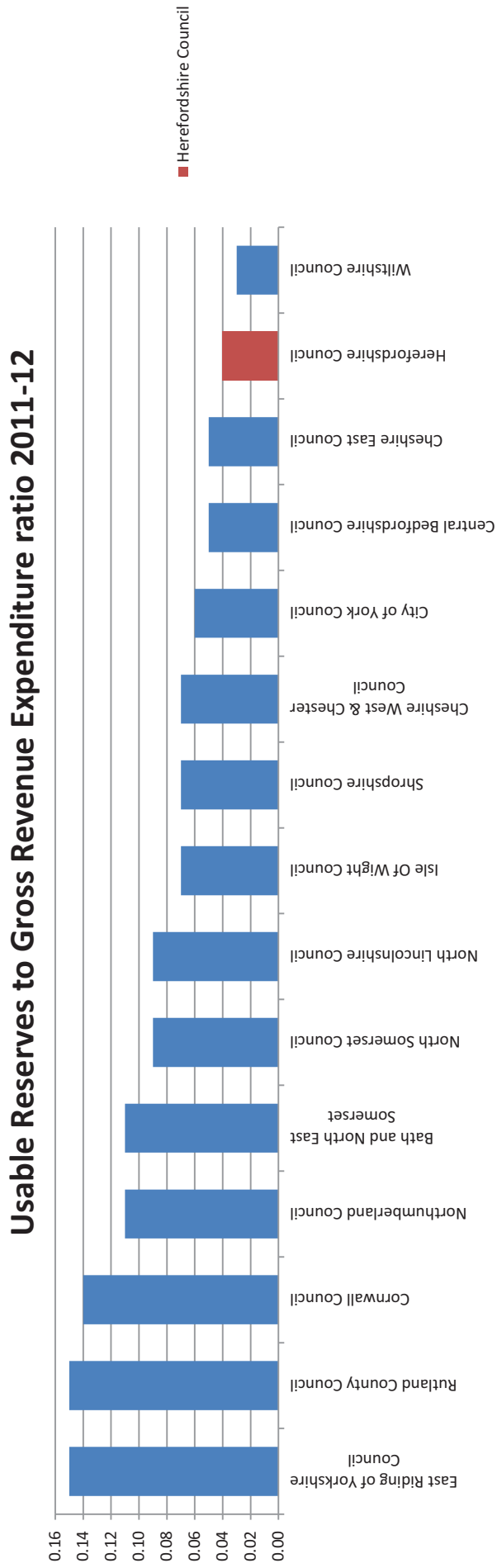
Key Indicators of Financial Performance

Sickness Absence Rates – Trend

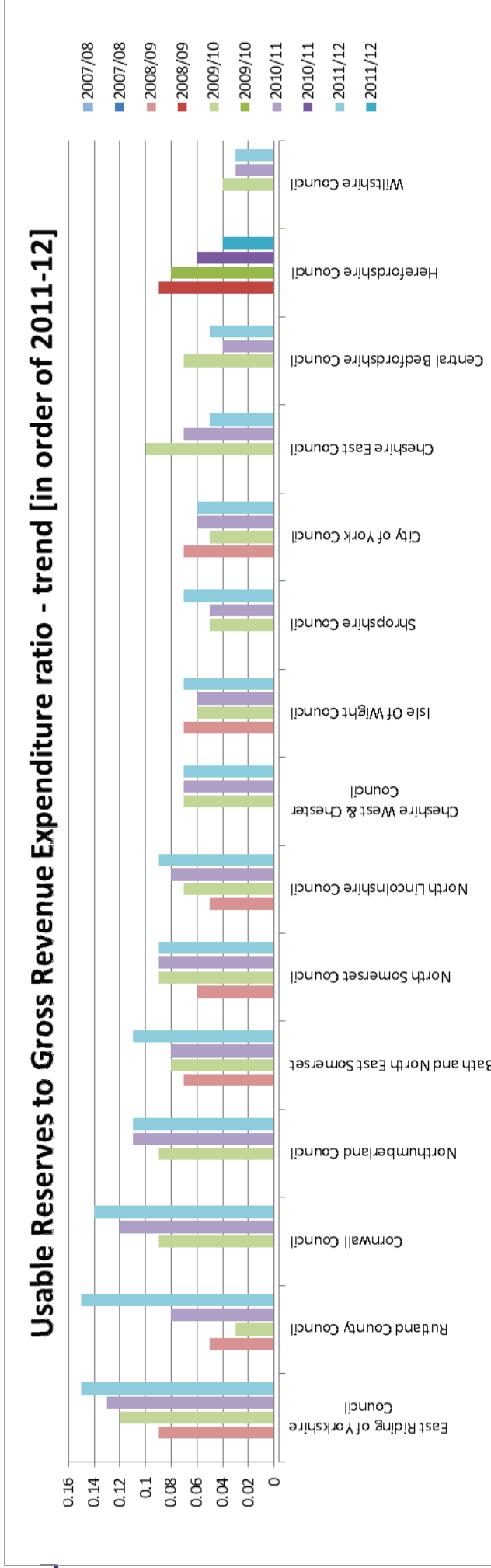


Key Indicators of Financial Performance

Usable Reserves to Gross Revenue Expenditure – 2011/2012

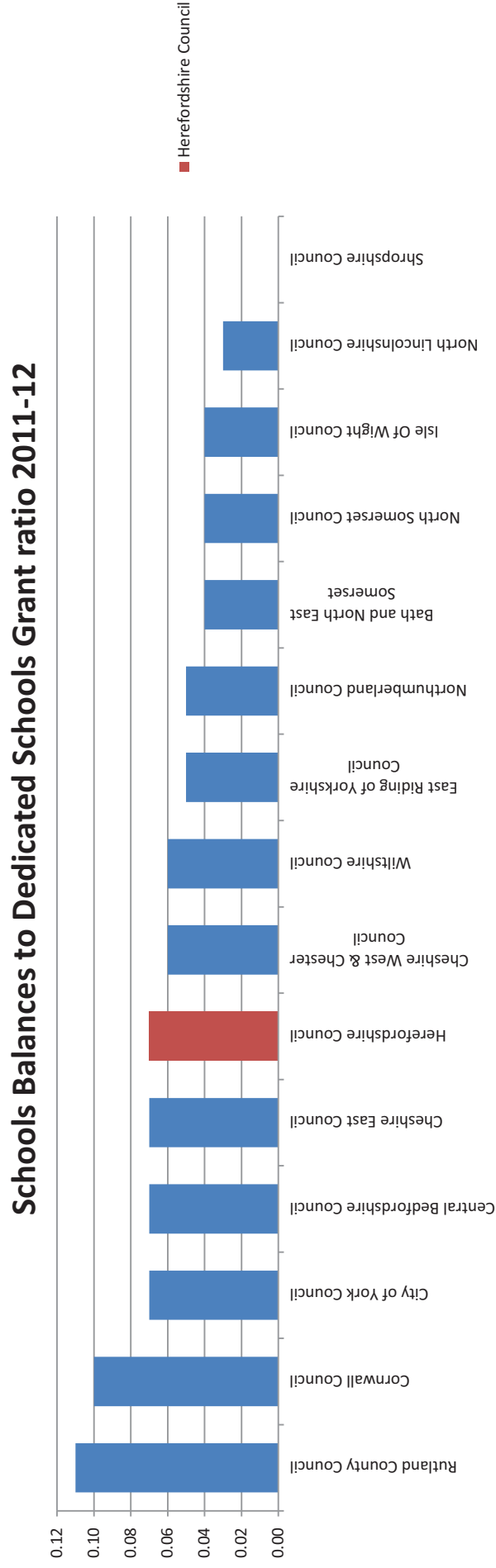


Key Indicators of Financial Performance



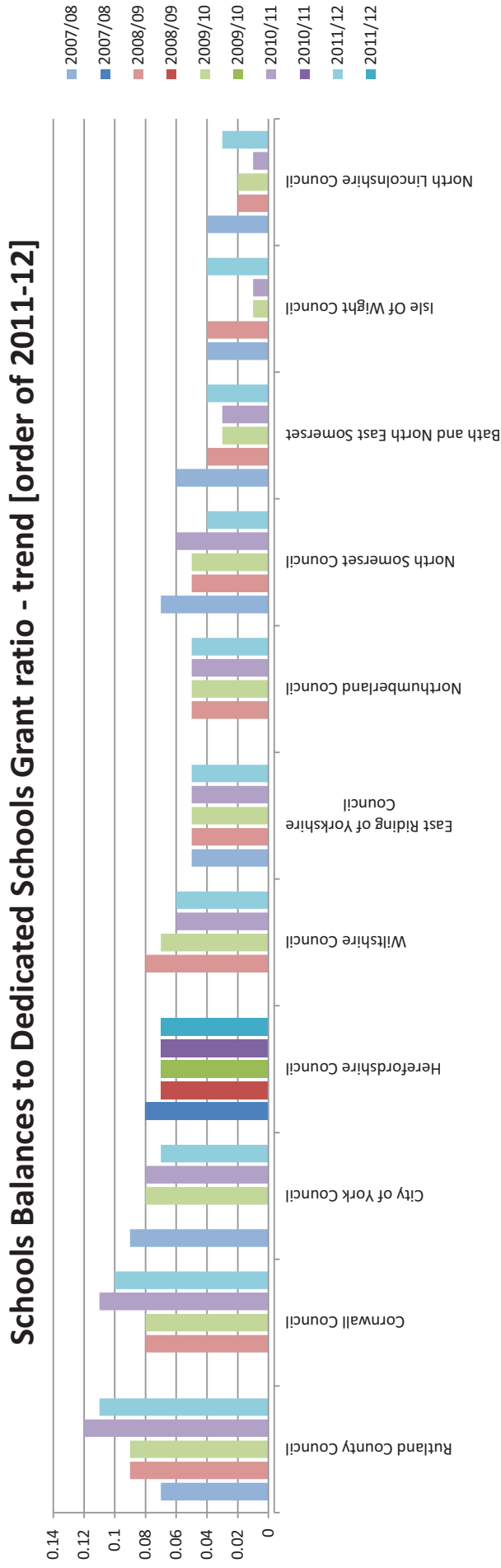
Key Indicators of Financial Performance

Schools Balances to Dedicated Schools Grant – 2011/2012



Key Indicators of Financial Performance

Schools Balances to Dedicated Schools Grant - Trend





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Audit Findings Action Plan – 2012/13 Accounts and VFM Conclusion

Rec No.	Recommendation	Priority	Management response	Implementation date & responsibility
1	Review the full suite of controls over journals to reduce the likelihood of fraud and error	Medium	Agreed	Head of Corporate Finance December 2013
2	Develop a plan to address the forecast deficit in 2013/14	High	This is a high priority for the Council	Chief Finance Officer October 2013
3	Continue to improve the forecasting of the outturn of Adult Social Care expenditure	Medium	Agreed – improved monitoring and review process already introduced	Head of Finance (AWB/CWB) October 2013- March 2014
4	Further develop the review of the budget setting process	Medium	Agreed	Chief Finance Officer/Head of Corporate Finance October 2013
5	Continue to monitor progress on the transformation of the delivery of Adult Social Care	High	Agreed	Director – AWB/Head of Finance (AWB/CWB) October 2013- March 2014
6	Challenge savings plans before including them in the programme and then monitor delivery closely	High	Agreed	Chief Finance Officer/Leadership team
7	Ensure commitment accounting in Adult Social Care is delivered	Medium	Agreed in principle – timescale for delivery to be confirmed as major programme of transformation taking priority at present	Head of Finance (AWB/CWB) Timescale to be agreed

Appendix A

Rec No.	Recommendation	Priority	Management response	Implementation date & responsibility
8	Continue to reshape the Council's priorities to ensure that key services can be sustainably delivered in the future.	High	Agreed.	Chief Executive/Leadership team
9	Develop a contingency in the budget or reserve to deal with undelivered savings	Medium	The council is developing a 3 year financial delivery plan and front loading savings to create a contingency	Chief Finance Officer December 2013
10	The Council needs to ensure it continues to closely monitor the delivery of the Improvement Plan for Safeguarding Children.	High	Agreed.	Director - CWB