

SHIRE OF KOJONUP



Audit Committee Agenda

3rd February 2015

TO: AUDIT COMMITTEE MEMBERS

NOTICE is given that a meeting of the Audit Committee will be held in Reception Lounge, Administration Building, 93 Albany Highway, Kojonup on Wednesday, 3 February 2016 commencing at 9:00am.

Your attendance is respectfully requested.


.....
RICK MITCHELL-COLLINS
CHIEF EXECUTIVE OFFICER

28 January 2016

SHIRE OF KOJONUP
AGENDA FOR THE AUDIT COMMITTEE MEETING
TO BE HELD ON 3 JANUARY 2016

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A G E N D A

1 DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS

As this is the Committee's first meeting held since the local government elections, the Manager Corporate Services shall declare the meeting open at _____ am and alert the meeting of the procedures for emergencies including evacuation, designated exits and muster points.

2 ATTENDANCE, APOLOGIES & LEAVE OF ABSENCE

Members

Mr D Prasser-Jones

Cr Jill Mathwin

Cr Judith Warland

Cr Ian Pedler

Cr Ned Radford

Staff (Observers)

Mr Anthony Middleton Manager of Corporate Services

Mrs Heather Marland Senior Finance Officer

Ms Heather Sheppard Senior Projects Officer (from 10:30am)

Mr Russell Harrison (Auditor) by telephone at 10:00am.

APOLOGIES

3 ELECTION OF PRESIDING MEMBER

ELECTION OF PRESIDING MEMBER (2 year term)

NOTE: Nomination for Presiding member must be made in writing to the CEO at any time prior to the meeting and during the meeting up until the election. The Councillor nominated must accept the nomination either orally or in writing.

The election of Presiding member will be carried out in accordance with the *Local Government Act 1995 Section 2.6(3), Schedule 2.3 & 4.1* and the *Local Government (Constitution) Regulations 1998*.

Nominations to be called for the position of Committee Presiding Member.

The Manager Corporate Services will announce that nominations for the position of Presiding Member would close in one minute's time. The Manager Corporate Services then declares that nominations for the position of Presiding Member are closed.

Nominations Received:
was declared elected.
to assume the Chair and preside over the remainder of the meeting.

4 PUBLIC QUESTION TIME

5 SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

6 APPLICATIONS FOR LEAVE OF ABSENCE

7 CONFIRMATION OF MINUTES

AUDIT COMMITTEE MEETING held 4 August 2015

AUDIT COMMITTEE DECISION

/16 Moved , seconded that the Minutes of the Audit Committee Meeting held on 4 August 2015 be confirmed as a true record.

CARRIED/LOST /

8 DECLARATIONS OF INTEREST

9 AUDIT COMMITTEE TIMETABLE

As a guide and subject to availability, each Audit Committee agenda for each quarter will contain the following (**list to be expanded at the suggestion of members**):

1st Quarter (January – March)

- Committee Status Report
- Compliance Audit Return
- Review of Risk Registers

2nd Quarter (April – June)

- Committee Status Report
- Review of Risk Registers
- Fees & Charges Review
- Business Continuity Plan Review

3rd Quarter (July – September)

- Committee Status Report
- Interim Audit Report
- Financial Management Review (each 4 years – 2014, 2018...)
- Review of Risk Registers

4th Quarter (October – December)

- Committee Status Report
- Audit Report & Management Letter
- Annual Financial Report
- Annual Report
- Risk, Legal Compliance & Internal Controls review (each 2 years – 2014, 2016...)
- Review of Risk Registers

OFFICER COMMENT

The above list will remain at the commencement of each Committee Agenda to act as a timetable and enable members to add to the items to be considered.

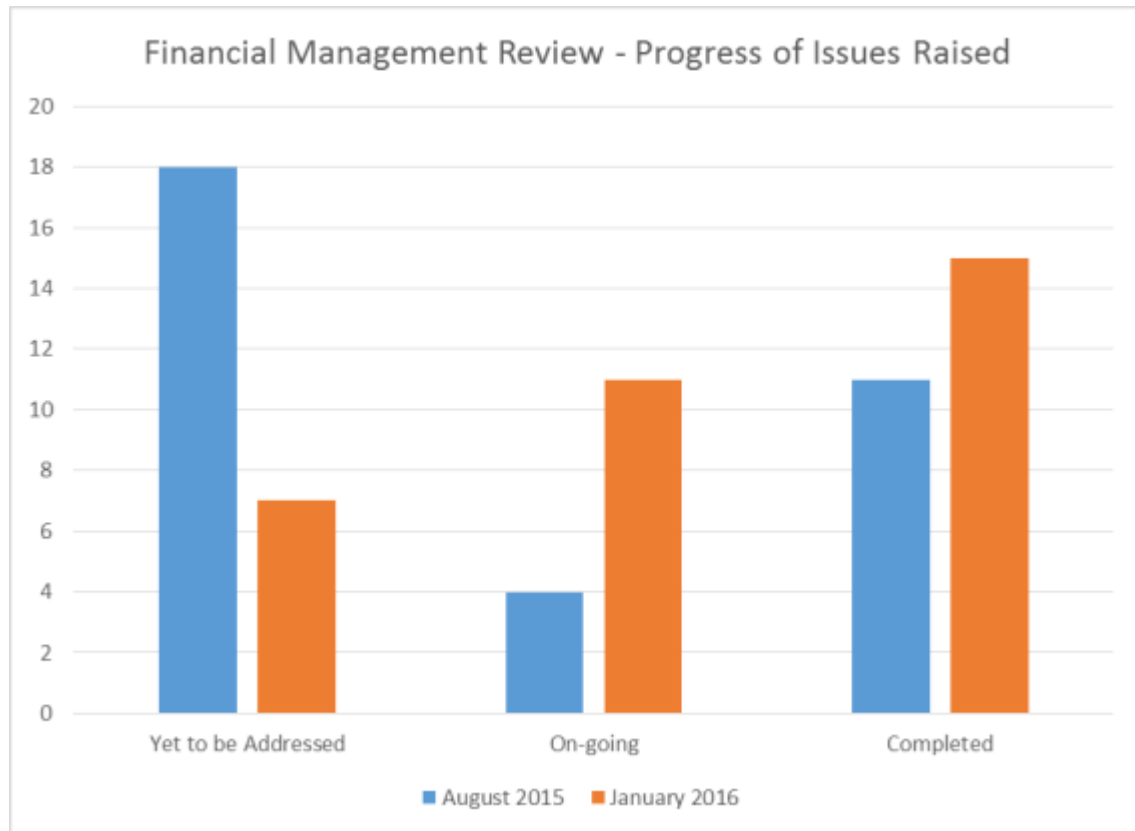
For noting only (or additions).

10 REPORTS**10.1 STATUS REPORTS****10.1.1 COMMITTEE STATUS REPORT**

Date	Item Number & Title	Issue	Response	Status
16 September 2014	9.3 Fuel Cards	That fuel cards be considered whilst compiling the credit card policy.	Credit Card Policy has been adopted by the Council. Further investigation required into Fuel cards.	Ongoing
16 September 2014	11. Committee Membership	To investigate inclusion of an additional community member onto the audit committee (6th Member).	To be considered by the Committee and/or Council	Ongoing
3 February 2015	9.3. 2013/2014 Annual Financial Report	The Manager of Corporate Services will provide further detail on sick, annual and long service leave liabilities and the provision made for these liabilities.	Discussion can be held at the meeting	
3 February 2015	9.5. Risk Registers	The Committee enquired if the registers could include a column titled "Incidents" to give a practical focus to the risk registers.		
4 August 2015	9.1 Audit Contract	Any new audit contract should include major project, roads to recovery and Springhaven Lodge acquittals	Purchasing process currently underway.	Ongoing
4 August 2015	9.1 Tendering & Performance Audits	The Committee queried the selection criteria used in tenders and requested that a Draft Council Policy be brought to a future Committee meeting		

10.1.2 FINANCIAL MANAGEMENT REVIEW 2015 STATUS REPORT

A full copy of the Financial Management Review has previously been circulated and is available for Committee members if required. The review raised thirty three (33) matters and the status of their implementation is as follows:



10.2 MEETING WITH AUDITOR

Legislation specifies that a local government is required to meet with its auditor at least once in every year. This may be either in person or via telephone.

Mr Russell Harrison will be in attendance via telephone at 10:00am to discuss the audit, financial ratios and answer any questions that the Committee may have.

10.3 ANNUAL FINANCIAL REPORT – 2014/2015

AUTHOR: Anthony Middleton – Manager Corporate Services
DATE: Wednesday, 27 January 2016
FILE NO: FM.AUD.2 & FM.FNR.1
ATTACHMENT: 10.3.1 Financial Report for the year ending 30 June 2015
10.3.2 Management Letter
10.3.3 DRAFT Annual Report

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to:

- Consider the 2014/2015 Annual Financial Report (including Audit report) and make recommendation to the Council; and
- To consider the matters raised in the Auditors Management Letter.

BACKGROUND

A local government is to prepare an annual report for each financial year. The report is a record of the Shire's activities for the financial year and is part of the accountability principles established for local government.

COMMENT

The annual financial report and auditors management letter is attached for the consideration of the Committee.

The points raised in the management letter will be added to item 9.1 in future Committee Agendas to ensure members can track progress on the actions taken.

CONSULTATION

Auditors

STATUTORY REQUIREMENTS

Section 5.26 to 5.33; 5.53 & 5.54 - Local Government Act 1995

Regulation 51(2) of the Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS

There are no policy implications for this report.

FINANCIAL IMPLICATIONS

This item reports on the financial position of the Shire as at 30 June 2015. The recommendation does not in itself have a financial implication.

STRATEGIC/CORPORATE IMPLICATIONSCommunity Strategic Plan 2013-2023

Outcomes:

- G1 – Being Well Governed

Corporate Business Plan 2013-2017

Objectives:

- G1.2 – Maintain a structured forward planning process in accordance with legislation and community aspirations.
- G1.4 – Maintain robust systems and controls.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications for this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION**That:**

- 1. It be recommended to the Council that the 2014/2015 Annual Financial Report as attached be adopted; and**
- 2. The matters raised in the Management Letter be noted and included in the Committee Status Report (item 10.1) of future Audit Committee Agendas.**

AUDIT COMMITTEE DECISION

/16 Moved Cr , seconded Cr

CARRIED/LOST /

10.4 AUDITOR – METHOD OF APPOINTMENT

AUTHOR: Anthony Middleton – Manager Corporate Services
DATE: Wednesday, 27 January 2016
FILE NO: FM.AUD.2 & FM.FNR.1

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to consider the method of appointing an auditor for the financial year 2015/2016 and beyond.

BACKGROUND

The current contract with Russell Harrison (Lincolns Accountants and Business Advisors, Albany) expires at the conclusion of the 2014/2015 financial year audit.

COMMENT

There are several options available for the purchase of audit services, such as:

- 1) Negotiate a new contract with the existing provider;
- 2) Request quotations from a select group of providers; or
- 3) Call public tenders for the provision of audit services.

Option 1

The Staff, Council and Audit Committee, have a good working relationship with the current provider and there is no reason that this can't continue into the future with a new contract. A new contract would include the tidying up of certain areas of the contract, such as audit deadlines to fit in with new requirements for Springhaven Lodge compliance and fixing prices for additional scope work (as per the Committee's request from 4 August 2015).

Option 2

Requesting quotations from additional service providers allows the comparison of price and experience to be undertaken. The Shire has recently used Moore Stephens (previously UHY Haines Norton) for tasks such as the Financial Management Review and the preparation of our long term financial plan. Moore Stephens are local government specialists and calling quotes allows the comparison to be made with our existing auditor.

Option 3

The calling of public tenders has the same benefits of Option 2, however, casts the net wider from a supplier perspective. It should also be noted that going to tender will incur greater costs (advertising, etc.) and will be more time consuming than obtaining quotes.

It is recommended that Option 2 be pursued.

CONSULTATION

Nil.

STATUTORY REQUIREMENTS

The Local Government Act 1995 and Audit Regulations provide that –

1. on the recommendation of the audit committee a local government is to from time to time appoint, by absolute majority, a person to be its auditor;
2. the local government may appoint one or more persons as its auditor;
3. the local government's auditor is to be a person who is –
 - a. a registered company auditor; or
 - b. an auditor approved by the Minister;
4. a person may not be appointed as a local government auditor if that person is –
 - a. a councillor or employee of the local government;
 - b. in debt to the local government for more than \$5,000;
 - c. a councillor or employee of a regional local government in which the local government is a participant;
 - d. a member of an incorporated association formed by the local government; or
 - e. a class of persons as prescribed in the Regulations;
5. an auditor is not to be appointed for more than five years; and
6. the appointment of a person as an auditor is to be made by agreement in writing and is to include –
 - a. the objectives of the audit;
 - b. the scope of the audit;
 - c. a plan for the audit;
 - d. details of the remuneration and expenses to be paid to the auditor; and
 - e. the method to be used by the local government to communicate with, and supply information to, the auditor.

The Committee should undertake a proper selection and appointment process as part of appointing or reappointing an auditor. If reappointment is being considered, the process should include the review of key issues as in Point i. to v. above.

It is important to realise that the Act specifies that it is a named person(s) that is appointed as auditor, not the company or 'the partners' of the company which employs the person. Therefore, when the audit report is received it must be signed by the person(s) appointed as the auditor; it cannot be the generic signature identifying the firm.

POLICY IMPLICATIONS

There are no policy implications for this report.

FINANCIAL IMPLICATIONS

This item does not in itself have a financial implication. The provision of audit services is budgeted for each financial year and the extent of any change will not be known until quotes or tenders are received.

STRATEGIC/CORPORATE IMPLICATIONSCommunity Strategic Plan 2013 – 2023

Outcomes:

- G1 – Being Well Governed

Corporate Business Plan 2013 – 2017

Objectives:

- G1.2 Maintain a structured forward planning process in accordance with legislation and community aspirations
- G1.4 Maintain robust systems and controls

RISK MANAGEMENT IMPLICATIONS

The audit process is a primary risk minimization tool to assist with legislative compliance, accountability and standardisation amongst the industry. The choice of the right auditor and a suitable working relationship with the auditor is paramount.

ASSET MANAGEMENT PLAN IMPLICATIONS

There are no asset management implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That it be recommended to the Council that quotations be obtained from three (3) suitable auditing firms for the conduct of the Shire of Kojonup's Audit in accordance with the *Local Government Act 1995* and other relevant legislation.

AUDIT COMMITTEE DECISION

/16 Moved Cr , seconded Cr

CARRIED/LOST /

10.5 COMPLIANCE AUDIT RETURN 2015

AUTHOR: Anthony Middleton – Manager Corporate Services
DATE: Wednesday, 27 January 2016
FILE NO: CM.REP.1
ATTACHMENT: 10.5 Compliance Audit Return

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to recommend to the Council the adoption of the Compliance Audit Return for 2015.

BACKGROUND

Local Government (Audit) Regulation 14 requires a local government to carry out a compliance audit for each calendar year.

COMMENT

The completion of the Compliance Audit Return is mandatory for each local government. The return has been completed following a review of processes and documentation for each activity/area in which compliance is being assessed against the *Local Government Act 1995* and its associated regulations. The return is to be adopted by the Council and submitted to the Department of Local Government and Communities by 31 March each year.

A recent change to Regulation 14 requires that the local government's Audit Committee now review the return and report the results of that review to the Council prior to adoption and submission to the Department.

CONSULTATION

Nil.

STATUTORY REQUIREMENTS

The Local Government Audit Regulations 1996, Regulation 14 states:

- “(1) a local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.
- (3A) the local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.
- (3) After the audit committee has reported to the council under sub regulation (3A), the compliance audit return is to be —
 - (a) presented to the council at a meeting of the council; and
 - (b) adopted by the council; and

- (c) recorded in the minutes of the meeting at which it is adopted.”

POLICY IMPLICATIONS

There are no policy implications for this report.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

STRATEGIC/CORPORATE IMPLICATIONSCommunity Strategic Plan 2013 – 2023

Outcomes:

- G1 – Being Well Governed

Corporate Business Plan 2013 – 2017

Objectives:

- G1.4 Maintain robust systems and controls

RISK MANAGEMENT IMPLICATIONS

Maximising compliance with legislation minimizes the risks to the organization of non-compliance and any associated penalties, damage to image or reputation that may occur.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That it be recommended to the Council that the Compliance Audit Return for 2015, as attached, be adopted.

AUDIT COMMITTEE DECISION

/16 Moved Cr , seconded Cr

CARRIED/LOST /

10.6 BUSINESS CONTINUITY AND DISASTER RECOVERY PLAN - REVIEW

AUTHOR: Heather Sheppard – Senior Project Officer

DATE: 14 December 2015

FILE NO: IT.PLN.2

ATTACHMENTS: 10.6 Business Continuity and Disaster Recovery Plan

DECLARATION OF INTEREST

Nil

SUMMARY

S17 of the Local Government (Audit) Regulations 1996 requires:

- (1) *The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to –
 - a. Risk management; and
 - b. Internal control; and
 - c. Legislative compliance.*
- (2) *The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.*
- (3) *The CEO is to report to the audit committee the results of that review.*

BACKGROUND

Recent changes to the *Local Government Audit Regulations (1996)* require local government CEOs to carry out at least a biennial review of legislative compliance, internal control and risk management and present the results of the review to Council's audit committee. The Audit Committee is to consider the CEO's review and report the results of the review to Council.

While the actual review process to be undertaken by the CEO is not stipulated, some of the matters that would typically be reviewed when considering risk management, internal control and legislative compliance include:

- Reviewing whether the local government has an effective risk management system and that material operating risks to the local government are appropriately considered;
- Reviewing whether the local government has a current and effective business continuity plan (including disaster recovery) which is tested from time to time;
- Assessing the internal processes for determining and managing material operating risks in accordance with the local government's identified tolerance for risk;
- Ascertaining whether fraud risks have been identified, analysed, evaluated, and that there is an appropriate treatment plan which has been implemented and monitored;

- Ensuring the internal controls and financial management systems are in place to mitigate any financial and reputational risk in line with the WA Local Government Accounting Manual; and
- Ensure compliance with the *Local Government Act 1995* and *Regulations*.

COMMENTS AND CURRENT STATUS

- The Business Continuity Plan including Disaster Recovery had been presented to the Audit Committee in March 2015 and adopted by Council on 12th April 2015. As the Plan was completed in December 2014, the annual review is now due.
- The Plan has been reviewed and updated with updated details of insurance, information technology, Kodja Place and new position titles. Also the dates of the review have been entered in the Plan.

CONSULTATION

Manager Corporate Services, IT provider

STATUTORY REQUIREMENTS

Local Government Audit Regulations (1996)

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC/CORPORATE IMPLICATIONS

Corporate Business Plan 2013 – 2017

Outcomes:

- G1.1 – Being Well Governed
- G1.4.1 – Implement organisation wide risk management.

RISK MANAGEMENT IMPLICATIONS

Compliance with *S17 of the Local Government Audit Regulations (1996)*

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the Audit Committee receive the updated Business Continuity and Disaster Recovery Plan 2015 and endorse accordingly prior to being adopted by Council.

AUDIT COMMITTEE DECISION

/16 Moved Cr , seconded Cr

CARRIED/LOST /

10.7 RISK MANAGEMENT PLAN - REVIEW

AUTHOR: Heather Sheppard – Senior Project Officer

DATE: Thursday, 17 September 2015

FILE NO: RM.POL.1

ATTACHMENTS: [10.7.1 Risk Management Plan](#)
[10.7.2 Risk Register – Downgraded Risks](#)
[10.7.3 Risk Register – Updated](#)
[10.7.4 Risk Management Monitoring & Review Activities](#)

DECLARATION OF INTEREST

Nil

SUMMARY

S17 of the Local Government (Audit) Regulations 1996 requires:

- (4) *The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to –
 - a. Risk management; and
 - b. Internal control; and
 - c. Legislative compliance.*
- (5) *The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.*
- (6) *The CEO is to report to the audit committee the results of that review.*

BACKGROUND

Recent changes to the *Local Government Audit Regulations (1996)* require local government CEOs to carry out at least a biennial review of legislative compliance, internal control and risk management and present the results of the review to Council's audit committee. The Audit Committee is to consider the CEO's review and report the results of the review to Council.

While the actual review process to be undertaken by the CEO is not stipulated, some of the matters that would typically be reviewed when considering risk management, internal control and legislative compliance include:

- Reviewing whether the local government has an effective risk management system and that material operating risks to the local government are appropriately considered;
- Reviewing whether the local government has a current and effective business continuity plan (including disaster recovery) which is tested from time to time;
- Assessing the internal processes for determining and managing material operating risks in accordance with the local government's identified tolerance for risk;
- Ascertaining whether fraud risks have been identified, analysed, evaluated, and that there is an appropriate treatment plan which has been implemented and monitored;

- Ensuring the internal controls and financial management systems are in place to mitigate any financial and reputational risk in line with the WA Local Government Accounting Manual; and
- Ensure compliance with the *Local Government Act 1995* and *Regulations*.

COMMENTS AND CURRENT STATUS

The Risk Management Plan and Policy was adopted by Council on 16 September 2014 with a Risk Management Co-ordinator appointed to manage the ongoing Risk Management requirements. The Risk Registers are to be monitored regularly and a report provided to Senior Management team and Audit Committee every quarter.

The Risk Management Plan is due for review and has now been updated with the Monitoring and Review activities completed. Meetings with all divisional staff have been held to review and update the risk ratings within the Risk Registers. In this regard all downgraded Risks have been entered into a separate Register where these risks are to be monitored by routine procedures. The high and extreme risks have decreased significantly due to the treatment plans being completed in most instances.

The Strategic Risk Management checklist is being used by all areas for all new projects/initiatives and has become part of the process and procedure of the Shire. Risk is now included in all Position Descriptions, Agenda items and staff meetings.

CONSULTATION

All staff

STATUTORY REQUIREMENTS

Local Government Audit Regulations (1996)

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC/CORPORATE IMPLICATIONS

Corporate Business Plan 2013 – 2017

Outcomes:

- G1.1 – Being Well Governed
- G1.4.1 – Implement organisation wide risk management.

RISK MANAGEMENT IMPLICATIONS

Compliance with S17 of the *Local Government Audit Regulations (1996)*

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the Audit Committee receive the reviewed Risk Management Plan and Risk Registers and endorse accordingly prior to being adopted by Council.

AUDIT COMMITTEE DECISION

/16 Moved Cr , seconded Cr

CARRIED/LOST /

10.8 RISK REGISTER

Refer also to item 10.6 for specific risk register details and a proposed review of the risk register.

The Risk Management Plan and associated risk registers was adopted by the Council on 16 September 2014. It is therefore appropriate that the Audit Committee will consider the major risks in each area and progress made towards minimising them, each quarter. Areas of concern can then be reported to the Council, through the Committee.

Considering the bulk of information in item 10.6, a summary of the organisations risk process and progress towards minimising our exposure to risk will be provided at the next Committee Meeting:

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 NEW BUSINESS

(of an urgent nature, introduced by a decision of the meeting).

13 NEXT MEETING

The next ordinary meeting will be held on Tuesday, 3 May 2016 at 9:00am

14 CLOSURE

There being no further business to discuss, the Presiding Member thanked the members for their attendance and declared the meeting closed at am.

15 ATTACHMENTS (SEPARATE)

- Item 10.3.1 Financial Report for the year ending 30 June 2015
- Item 10.3.2 Management Letter
- Item 10.3.3 DRAFT Annual Report
- Item 10.5 Compliance Audit Return
- Item 10.6 Business Continuity and Disaster Recovery Plan
- Item 10.7.1 Risk Management Plan
- Item 10.7.2 Risk Register – Downgraded Risks
- Item 10.7.3 Risk Register – Updated
- Item 10.7.4 Risk Management Monitoring & Review Activities