

Informing the audit risk assessment for Warwickshire County Council 2021/22

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Purpose

The purpose of this report is to contribute towards the effective two-way communication between Warwickshire County Council's external auditors and the Audit and Standards Committee, as 'those charged with governance'. The report covers some important areas of the auditor risk assessment where we are required to make inquiries of the Audit and Standards Committee under auditing standards.

Background

Under International Standards on Auditing (UK), (ISA(UK)) auditors have specific responsibilities to communicate with the Audit and Standards Committee. ISA(UK) emphasise the importance of two-way communication between the auditor and the Audit and Standards Committee and also specify matters that should be communicated.

This two-way communication assists both the auditor and the Audit and Standards Committee in understanding matters relating to the audit and developing a constructive working relationship. It also enables the auditor to obtain information relevant to the audit from the Audit and Standards Committee and supports the Audit and Standards Committee in fulfilling its responsibilities in relation to the financial reporting process.

Communication

As part of our risk assessment procedures we are required to obtain an understanding of management processes and the County Council's oversight of the following areas:

- General Enquiries of Management
- Fraud,
- Laws and Regulations,
- Related Parties,
- Going Concern, and
- Accounting Estimates.

Purpose

This report includes a series of questions on each of these areas and the response we have received from Warwickshire Council Council's management. The Audit and Standards Committee should consider whether these responses are consistent with its understanding and whether there are any further comments it wishes to make.

General Enquiries of Management

Question	Management response
<p>1. What do you regard as the key events or issues that will have a significant impact on the financial statements for 2021/22?</p>	<p>The effects of the Covid-19, the global economic and security situation and the growing inflationary risk will potentially impact investment fund values, which in turn will potentially impact on asset values and the net pension liability. The inflationary risk is already impacting on the cost of capital investment and, more generally, the cost of providing services. This effect will be managed through our risk reserves in 2021/22 and the impact over the medium term formed part of the 2022-27 Medium Term Financial Strategy (MTFS) and will be a consideration in future annual MTFS refreshes.</p> <p>During 2021/22 the authority has incurred material additional costs providing support to vulnerable people whilst the Covid-19 pandemic continues and has invested in the recovery of the Warwickshire economy. The 2021/22 in-year financial impact of Covid-19 response and recovery will be met from additional government grants, whilst the creation of the Warwickshire Property and Development Group (WPDG) and the Warwickshire Recovery and Investment Fund (WRIF) will mean a step change in our level of borrowing over the medium term. During 2021/22 we have continued to report separately to management, on a monthly basis, any spend or income impacts which are Covid and non-Covid related so we can understand the impact of Covid on our reserves and the MTFS.</p> <p>Over the medium term our priorities will be updated to reflect the need to support recovery and those most adversely impacted by the pandemic across Warwickshire. The extent of these impacts will be determined by the pace of economic recovery locally, nationally and internationally from the pandemic and the levels of longer term support needed for vulnerable individuals and communities.</p>
<p>2. Have you considered the appropriateness of the accounting policies adopted by Warwickshire County Council?</p> <p>Have there been any events or transactions that may cause you to change or adopt new accounting policies? If so, what are they?</p>	<p>Our accounting policies are reviewed annually to ensure they are relevant and complete. Audit and Standards Committee, on 20 November 2020, approved a new policy for Group Accounts and amended our leasing policy to be consistent with the new accounting standard for leases.</p> <p>We will not be preparing Group Accounts in 2021/22 as the level of activity of WPDG is currently not sufficiently material to require consolidation. We are in a position to implement the new Leasing Standard IFRS16, pending a national decision on whether the implementation date is to remain at 1 April 2022 or be deferred for a further year.</p>

General Enquiries of Management

Question	Management response
3. Is there any use of financial instruments, including derivatives? If so, please explain	<p>Yes. The County Council's financial instruments consist of investments with fund managers, building societies, banks and other local authorities, cash and cash equivalents, short term debtors and creditors and borrowings with the Public Works Loan Board. In 2021/22 we have:</p> <ul style="list-style-type: none"> • Loaned monies to Coventry & Warwickshire Reinvestment Trust (CWRT) as part of the Government backed CBILs loan scheme to give access to local businesses to loan facilities during the pandemic • Made non-treasury loans to WPDG to provide cashflow capacity during the set-up phase • Agreed the first loan from the WRIF • Continued the non-treasury loan to Educaterers <p>We do not make use of derivatives directly, however some funds invested in through fund managers could make use of derivatives to achieve their overall objectives.</p>
4. Are you aware of any significant transaction outside the normal course of business? If so, what are they?	<p>We are not aware of any significant transactions outside the normal course of business. The Pandemic has led to the introduction of a range of additional services being introduced on a temporary basis. These have all been funded from additional Government grant received to support Covid-response and/or temporary use of our cash balances.</p>
5. Are you aware of any changes in circumstances that would lead to impairment of non-current assets? If so, what are they?	<p>We are not aware of any changes in circumstances that would impair our non-current assets.</p>
6. Are you aware of any guarantee contracts? If so, please provide further details	<p>We are not aware of any contracts where WCC guarantees the performance of third parties. As part of the preparation of the statement of accounts we will assess whether there are any guarantees we need to be aware of and have disclose appropriately.</p>
7. Are you aware of the existence of loss contingencies and/or un-asserted claims that may affect the financial statements? If so, please provide further details	<p>We are not aware of any loss contingencies and/or unasserted claims that would be material to the financial statements.</p>

General Enquiries of Management

Question	Management response
<p>8. Other than in house solicitors, can you provide details of those solicitors utilised by Warwickshire County Council during the year. Please indicate where they are working on open litigation or contingencies from prior years?</p>	<p>We use:</p> <ul style="list-style-type: none"> • Solicitors for our insurers on personal injury claims, breach of UK GDPR claims, pot hole claims etc. • External solicitors where there is a need or desire to take legal advice on major projects (for example tax advice on economic initiatives and major projects, corporate structures with implications for tax or liability, or advice and capacity on large scale procurements where additional resource is needed) and on specialist areas such as immigration. These are exceptions to the general position of using the in house team • Solicitors for our insurers on pot hole or other insurance claims, and occasionally for land development or disposal of land activity (not a contingency or claim). • Counsel on litigation/tribunal matters where in house advocates cannot be used. • On occasion, solicitors for specialist tax, finance, banking and regulated activities and consumer credit issues (not a contingency or a claim)
<p>9. Have any of the Warwickshire County Council's service providers reported any items of fraud, non-compliance with laws and regulations or uncorrected misstatements which would affect the financial statements? If so, please provide further details</p>	<p>None that we are aware of.</p>
<p>10. Can you provide details of other advisors consulted during the year and the issue on which they were consulted?</p>	<ul style="list-style-type: none"> • Treasury management consultants on market movements, PWLB and CIPFA consultations, Treasury Management Strategy and Investment Strategies and forecasting as part of an ongoing service contract • Various Counsel on various matters where required (i.e. employment advice, legal interpretation of contracts/legislation etc) • Specialist advisors on the development of the Authority's new risk framework and approach to risk management • Various subject matter experts to support the Authority's change programme • Property, legal and subject matter experts to support the business cases for the creation and operation of WRIF and WPDG • Specialist advisors to support the valuations in the Statement of Accounts including actuarial support and property valuations. • Solicitors for insurers on various insurance matters, to provide tax, commercial, corporate, property or

Fraud

Matters in relation to fraud

ISA (UK) 240 covers auditors responsibilities relating to fraud in an audit of financial statements.

The primary responsibility to prevent and detect fraud rests with both the Audit and Standards Committee and management. Management, with the oversight of the Audit and Standards Committee, needs to ensure a strong emphasis on fraud prevention and deterrence and encourage a culture of honest and ethical behaviour. As part of its oversight, the Audit and Standards Committee should consider the potential for override of controls and inappropriate influence over the financial reporting process.

As Warwickshire County Council's external auditor, we are responsible for obtaining reasonable assurance that the financial statements are free from material misstatement due to fraud or error. We are required to maintain professional scepticism throughout the audit, considering the potential for management override of controls.

As part of our audit risk assessment procedures we are required to consider risks of fraud. This includes considering the arrangements management has put in place with regard to fraud risks including:

- assessment that the financial statements could be materially misstated due to fraud,
- process for identifying and responding to risks of fraud, including any identified specific risks,
- communication with the Audit and Standards Committee regarding its processes for identifying and responding to risks of fraud, and
- communication to employees regarding business practices and ethical behaviour.

We need to understand how the Audit and Standards Committee oversees the above processes. We are also required to make inquiries of both management and the Audit and Standards Committee as to their knowledge of any actual, suspected or alleged fraud. These areas have been set out in the fraud risk assessment questions below together with responses from Warwickshire County Council's management.

Fraud risk assessment

Question	Management response
<p>1. Has Warwickshire County Council assessed the risk of material misstatement in the financial statements due to fraud?</p> <p>How has the process of identifying and responding to the risk of fraud been undertaken and what are the results of this process?</p> <p>How do the Warwickshire County Council's risk management processes link to financial reporting?</p>	<p>We have adopted the CIPFA Code of Practice for Managing the Risk of Fraud and Corruption and this is reflected in our anti-fraud policy.</p> <p>Our process for identifying and responding to the risk of fraud is undertaken via the Preventing Fraud, Bribery and Corruption Framework and the Council's Whistleblowing policy. We have reviewed fraud risk using the results of national studies and local experience. Awareness of the most significant fraud areas has been promoted through the staff magazine Working for Warwickshire, the intranet and Yammer. We have also promoted a specific fraud awareness online training module which is available to all staff. On the basis of these policies and frameworks we have assessed the risk of material misstatement due to fraud as low.</p> <p>All reports to decision-makers and those charged with governance include a financial implications section that is signed-off in advance by the senior managers in the Finance Service.</p> <p>Significant risks are actively managed by Corporate Board through the Strategic Risk register, using a consistent approach to financial risk assessment, and are reported to Members on a quarterly basis alongside the financial monitoring information. Furthermore, Council requires that Corporate Board take the key strategic risks and any mitigating action needed into account as part of preparing the annual MTFs refresh.</p>
<p>2. What have you determined to be the classes of accounts, transactions and disclosures most at risk to fraud?</p>	<p>Some of the key fraud risk areas were identified and highlighted in the fraud awareness raising articles on the intranet. These were Procurement Fraud and Social Care Fraud. These were covered along with fraud methods which were Cyber Fraud, Social Engineering and Insider Fraud. The need for fraud awareness on these issues has been highlighted on the Intranet and Yammer and in Working for Warwickshire. Our Fraud Awareness Week in November 2021 covered the following themes: Raising awareness of fraud - what is fraud? What does a fraudster look like? How private is your personal information? Anti-money laundering - making sure crime doesn't pay and How we are fighting fraud. This was publicised through the intranet and the Working For Warwickshire online magazine:</p> <p>https://w4w.warwickshire.gov.uk/issue-84-26-november-2021/news-round-up-1/raising-awareness-of-fraud-spot-the-signs</p> <p>https://warwickshiregovuk.sharepoint.com/SitePages/Fraud-Awareness-Week.aspx</p> <p>https://web.yammer.com/main/threads/evJfdHlwZSI6llRocmVhZCIsImkljoiMTA1MzExMTU2NiYzOTFwNCJ9?search=fraud</p> <p>https://w4w.warwickshire.gov.uk/issue-4-16-april-2020/welcome/fraud-and-scams-be-vigilant</p> <p>https://w4w.warwickshire.gov.uk/issue-43-29-january-2021/news-round-up-1/fraud-awareness-week</p>

Fraud risk assessment

Question	Management response
<p>3. Are you aware of any instances of actual, suspected or alleged fraud, errors or other irregularities either within Warwickshire County Council as a whole, or within specific departments since 1 April 2022? If so, please provide details</p>	<p>We are not aware of any instances of actual, suspected or alleged fraud that would have a material impact on the accounts. There is one instance of potential fraud currently being investigated. Risk issues are reported at a strategic level in quarterly monitoring reports. Fraud issues are reported to the relevant senior management and to the Audit & Standards Committee as appropriate. Control issues, fraud, risks and errors captured through the planned internal audit activity and through investigations are reported to management and reported in summary to the Audit & Standards Committee.</p> <p>We have not experienced any significant governance failures during the last year and our arrangements continue to be regarded as fit for purpose in accordance with the governance framework.</p> <p>Any major governance challenges are reflected in the organisation’s strategic and service risk registers, which highlight actions being taken to address these challenges going forward.</p> <p>A prime purpose of the governance framework is to minimise the occurrence of strategic risks and to ensure that any such risks arising are highlighted so that appropriate mitigating action can be taken. We are satisfied that the challenges identified are addressed by council plans that the actions identified in those plans will address the issues highlighted in our review of effectiveness.</p> <p>The Code of Conduct and Council Policies require matters to be reported to the Monitoring Officer. Monitoring Officer reports to a bi-monthly statutory officers meeting those matters which are required to be disclosed. Monitoring officer has statutory duties in terms of review and investigation.</p>
<p>4. As a management team, how do you communicate risk issues (including fraud) to those charged with governance?</p>	<p>There is always a risk of fraud in such a large and complex organisation. However, the governance and control environment, supported by the preventing fraud, bribery and corruption framework helps to mitigate the risk both in terms of the likelihood and impact.</p> <p>We have no particular concerns of areas or locations at risk of fraud that would not be identified through our frameworks.</p>

Fraud risk assessment

Question	Management response
<p>5. Have you identified any specific fraud risks? If so, please provide details</p> <p>Do you have any concerns there are areas that are at risk of fraud?</p> <p>Are there particular locations within Warwickshire County Council where fraud is more likely to occur?</p>	<p>There is always a risk of fraud in such a large and complex organisation. However, the governance and control environment, supported by the preventing fraud, bribery and corruption framework helps to mitigate the risk both in terms of the likelihood and impact.</p> <p>We have no particular concerns of areas or locations at risk of fraud that would not be identified through our frameworks</p>
<p>6. What processes do Warwickshire County Council have in place to identify and respond to risks of fraud?</p>	<p>Preventing Fraud, Bribery and Corruption framework – published on the intranet outlines policies and procedures including the escalation procedure if required.</p> <p>We also participate in the National Fraud Initiative to ensure any risks of fraud are identified through partnership and data sharing arrangements.</p>

Fraud risk assessment

Question	Management response
<p>7. How do you assess the overall control environment for Warwickshire County Council, including:</p> <ul style="list-style-type: none"> the existence of internal controls, including segregation of duties; and the process for reviewing the effectiveness the system of internal control? <p>If internal controls are not in place or not effective where are the risk areas and what mitigating actions have been taken?</p> <p>What other controls are in place to help prevent, deter or detect fraud?</p> <p>Are there any areas where there is a potential for override of controls or inappropriate influence over the financial reporting process (for example because of undue pressure to achieve financial targets)? If so, please provide details</p>	<p>Our approach is set out in the Annual Governance Statement – which is reviewed by Audit & Standards Committee and approved by Council following lengthy consultation with senior managers across the organisation.</p> <p>Independent assurance is provided through Internal Audit reviews.</p> <p>External Audit provide an Annual Audit Letter to the Committee highlighting any areas of concern and recommendations following the annual audit of accounts.</p> <p>Procedures and processes are designed to minimise the potential for the override of controls. Financial reporting involves a broad spectrum of individuals with differing roles and responsibilities, and this spectrum of input minimises the risk of inappropriate influence over financial reporting.</p>
<p>8. Are there any areas where there is potential for misreporting? If so, please provide details</p>	<p>We have not identified any areas where there is a potential for misreporting.</p>

Fraud risk assessment

Question	Management response
<p>9. How does Warwickshire County Council communicate and encourage ethical behaviours and business processes of it's staff and contractors?</p> <p>How do you encourage staff to report their concerns about fraud?</p> <p>What concerns are staff expected to report about fraud? Have any significant issues been reported? If so, please provide details</p>	<ul style="list-style-type: none">• Staff Code of Conduct, Member Code of Conduct and Contracts Standing Orders – reviewed regularly and as and when required where there are major changes to structures and/or legislation etc.• Fraud Awareness Week and Do the Right Thing Week• Staff Register of interests and additional declarations for Members and senior officers• Register of gifts and hospitality• On-line fraud awareness training• Workers who are not employees of the County Council are required to sign a “code of conduct for workers” <p>We have put in place proper governance arrangements for overseeing what we do. These arrangements are intended to make sure that we do the right things, in the right way, for the right people, in a timely, open and accountable manner. These arrangements consist of all the systems, processes, culture and values which direct and control the way we work and through which we account to, engage with and lead our communities.</p> <p>We have approved and adopted a Code of Corporate Governance, which is consistent with the principles of the CIPFA/SOLACE Framework Delivering Good Governance in Local Government (2016). Further information is on our website: http://www.Warwickshire.gov.uk/corporategovernance</p> <p>We have a whistleblowing policy in place with an emphasis on behaviours, governance and the employee code of conduct. We also have a Fraud Hotline.</p> <p>Employees are encouraged to report all concerns and that these will then be dealt with as appropriate. This is covered by council intranet page “What should I do if I suspect fraud”.</p> <p>No significant issues have been reported.</p>

Fraud risk assessment

Question	Management response
<p>10. From a fraud and corruption perspective, what are considered to be high-risk posts?</p> <p>How are the risks relating to these posts identified, assessed and managed?</p>	<p>High risk posts are all posts capable of having significant individual influence/control over resources in the absence of adequate controls and division of duties. Risks are managed through general controls such as division of duties, procedures to manage resources, reporting requirements, IT security arrangements, training and professional qualification requirements, risk based internal auditing activity planning, and whistleblowing procedures.</p>
<p>11. Are you aware of any related party relationships or transactions that could give rise to instances of fraud? If so, please provide details</p> <p>How do you mitigate the risks associated with fraud related to related party relationships and transactions?</p>	<p>We are not aware of any related party relationships or transactions that could give rise to instances of fraud.</p> <p>We have a Register of Interests and senior officer and Member additional declarations are completed annually.</p> <p>All staff and Members are required to declare any interests with related parties that could impact on their role within WCC and also ongoing in any involvement in the procurement of services or where that relationship may have other effects on their work.</p> <p>As part of the National Fraud Initiative we review where an employee is a company director and payments have been made to that company by the Council as part of reviewing whether all necessary declarations have been made.</p>
<p>12. What arrangements are in place to report fraud issues and risks to the Audit and Standards Committee?</p> <p>How does the Audit and Standards Committee exercise oversight over management's processes for identifying and responding to risks of fraud and breaches of internal control?</p> <p>What has been the outcome of these arrangements so far this year?</p>	<p>Terms of Reference for Audit & Standard Committee – extract from Constitution</p> <p>https://warwickshireintranet.moderngov.co.uk/documents/s1400/Section%207%20Responsibilities%20of%20the%20Audit%20and%20Standards%20Committee.pdf</p> <p>Reporting on fraud is incorporated into the regular Internal Audit reporting to the Audit & Standards Committee.</p>

Fraud risk assessment

Question	Management response
13. Are you aware of any whistle blowing potential or complaints by potential whistle blowers? If so, what has been your response?	<ul style="list-style-type: none">- We are aware of one employment tribunal claim which includes an allegation by the Claimant that he was prejudiced due to whistleblowing activity. This is not considered to be a viable claim and no formal disclosure was made under the policy prior to the claim.- We are aware of two other complainants (one employment one social care) who may consider themselves to have a whistleblowing complaint. Neither of these are considered to meet the statutory definition- One claimant in an employment dispute has indicated that they consider themselves to have matters that they wish to disclose under whistleblowing procedure but have so far refused to inform the Council of the detail of the potential disclosure.
14. Have any reports been made under the Bribery Act? If so, please provide details	No

Law and regulations

Matters in relation to laws and regulations

ISA (UK) 250 requires us to consider the impact of laws and regulations in an audit of the financial statements.

Management, with the oversight of the Audit and Standards Committee, is responsible for ensuring that Warwickshire County Council's operations are conducted in accordance with laws and regulations, including those that determine amounts in the financial statements.

As auditor, we are responsible for obtaining reasonable assurance that the financial statements are free from material misstatement due to fraud or error, taking into account the appropriate legal and regulatory framework. As part of our risk assessment procedures we are required to make inquiries of management and the Audit and Standards Committee as to whether the body is in compliance with laws and regulations. Where we become aware of non-compliance or suspected non-compliance we need to gain an understanding of the non-compliance and the possible effect on the financial statements.

Risk assessment questions have been set out below together with responses from management.

Impact of laws and regulations

Question	Management response
<p>1. How does management gain assurance that all relevant laws and regulations have been complied with?</p> <p>What arrangements does Warwickshire County Council have in place to prevent and detect non-compliance with laws and regulations?</p> <p>Are you aware of any changes to the County Council’s regulatory environment that may have a significant impact on the County Council’s financial statements?</p>	<p>Our Constitution sets out the framework to ensure that all officers, key post holders and Members are able to fulfil their responsibilities in accordance with legislative requirements so that we are efficient, transparent, accountable to our citizens and compliant with the law. Roles and responsibilities for individual Members, the Council, Cabinet and senior officers, along with the delegation of statutory powers and executive functions, standing orders, codes of conduct and protocols on member / officer relations are documented. http://www.warwickshire.gov.uk/constitution</p> <p>A formal induction programme for members is undertaken following each quadrennial election which covers the legal principles governing decision-making and the code of conduct.</p> <p>All our reports to member bodies receive financial and legal checks prior to submission to ensure they comply with regulatory requirements.</p> <p>Each year Cabinet receives the Local Government and Social Care Ombudsman (LGSCO) annual review letter which contains a summary of statistics on the complaints made about the Council for the year ended 31 March.</p> <p>We are registered as a data controller under the Data Protection Act as we collect and process personal information and we have a named Data Protection Officer. We have General Data Protection Regulation (GDPR) compliant procedures that explain how we use and share information and processes to deal with reporting any breaches. All staff complete information compliance e-learning as part of our induction processes.</p> <p>We have consistent governance arrangements for our trading companies and wholly owned companies:-</p> <ul style="list-style-type: none"> • We have shareholder agreement with each company which governs our relationship with the company and sets out which decisions require shareholder approval; • Annual General Meetings are held to ensure the Council is fully informed of the company’s performance; and • Directors of each company have received “conflict of interest” awareness training and we actively monitor the risk of potential conflicts.

Impact of laws and regulations

Question	Management response
	<p>Assurance is managed by ensuring we have the appropriate people in roles and that the necessary induction has taken place. In addition, we operate general controls such as division of duties, procedures to manage resources, reporting requirements, IT security arrangements, training and professional qualification requirements, risk based internal auditing activity planning, and whistleblowing procedures.</p> <p>3rd line of defence – internal audit reviews, e.g. pensions administration.</p> <p>We are not aware of any changes. Governance issues and local government challenges from new legislation, funding and other pressures are set out at section 5 of the Annual Governance statement.</p> <p>We recognise that the final resolution of the McCloud pensions case is still to be determined. Our final accounts working papers set out our proposed accounting treatment on this issue. There is no change to the accounting treatment adopted last year.</p> <p>We undertake monthly financial reporting to Directorate Management Teams and Corporate Board, where the financial challenge identifies any issues. Separately we have bi-monthly statutory officers meetings, that all legal and finance senior managers input to, where such issues, if they exist, are raised. Our Monitoring Officer receives weekly reports to alert them to any regulatory issues.</p> <p>Services that are subject to statutory and regulatory regimes (i.e. health and safety/construction/public health/trading standards) liaise closely with legal and have their own reporting processes.</p> <p>Any Local Government and Social Care Ombudsman determinations that are adverse are reported to members and remedial actions followed. None are significant or likely to effect accounts for this year.</p>

Impact of laws and regulations

Question	Management response
<p>2. How is the Audit and Standards Committee provided with assurance that all relevant laws and regulations have been complied with?</p>	<ul style="list-style-type: none"> • Regular reporting to committee on all matters covered by forward plan and audit workplan. • Through the Annual Governance Statement and through the planning and reporting of a risk based programme of internal audit work each year. • Attendance by the Monitoring Officer or Deputy Monitoring Officer and S151 or Deputy S151 as well as Tier 3 Managers for Finance and Audit. Other Assistant Directors attend as required. This ensures the Committee can ask the questions they feel important to ensure that they have assurance of compliance. <p>Audit & Standards approve draft Contract Standing Orders and must recommend them for approval to Council – this allows them to be robustly challenge officers regarding the compliance with regulations regarding spend.</p> <p>Separately, any key decision is also required to follow constitutional Key Decision procedure which ensures Member involvement and oversight.</p>
<p>3. Have there been any instances of non-compliance or suspected non-compliance with laws and regulation since 1 April 2021 with an on-going impact on the 2021/22 financial statements? If so, please provide details</p>	<p>We are not aware of any instances on non-compliance or suspected non-compliance.</p>
<p>4. Are there any actual or potential litigation or claims that would affect the financial statements? If so, please provide details</p>	<p>We are not aware of any actual or potential litigation or claims that would affect the financial statements.</p>

Impact of laws and regulations

Question	Management response
<p>5. What arrangements does Warwickshire County Council have in place to identify, evaluate and account for litigation or claims?</p>	<p>We undertake monthly financial reporting to Directorate Management Teams and Corporate Board, where the financial challenge identifies any issues. Separately we have bi-monthly statutory officers meetings, that all legal and finance senior managers input to, where such issues, if they exist, are raised.</p> <p>Constitutionally, commencing litigation requires delegated authority of the Chief Executive or their nominee. Responses to formal claims are routed via Legal and all appropriate senior managers (including the Monitoring Officer and S151 Officer) are alerted.</p> <p>Employment settlements and other proceedings not conducted by the insurers are subject to approval via a vires arrangement by the Monitoring Officer in consultation with the S151 Officer.</p>
<p>6. Have there been any reports from other regulatory bodies, such as HM Revenues and Customs, which indicate non-compliance? If so, please provide details</p>	<p>We underwent a routine tax inspection by HMRC (covering VAT and PAYE) during 2020/21. This has now been completed and no significant issues were identified. The inspection has been officially closed.</p> <p>In September 2021 CQC and Ofsted performed a joint inspection of the effectiveness of SEND arrangements in the local area of Warwickshire. The inspection identified some weaknesses and a written statement of action, in response, was approved by Cabinet in December 2021. Resources to implement the action plan were agreed at the same time and implementation is now underway.</p> <p>An OFSTED inspection of Children’s Services was undertaken in December 2021. This reported in February 2021 and gave the Authority a rating of “Good”.</p> <p>HMICFS carried out a full inspection of Warwickshire Fire and Rescue Service in February-March 2021. The report detailing the inspection findings was released on 12 January 2022. WFRS has been graded as requiring improvement in all areas. The detailed inspection report identifies 41 Areas for Improvement. An action plan has been approved and £1.550m over two years was agreed as part of the Council’s budget decision on 8th February 2022 to fund the improvement activity required. A further visit by HMICFRS to WFRS is expected in March 2022.</p>

Related Parties

Matters in relation to Related Parties

Warwickshire County Council are required to disclose transactions with bodies/individuals that would be classed as related parties. These may include:

- bodies that directly, or indirectly through one or more intermediaries, control, or are controlled by Warwickshire County Council;
- associates;
- joint ventures;
- a body that has an interest in the authority that gives it significant influence over the Warwickshire County Council;
- key management personnel, and close members of the family of key management personnel, and
- post-employment benefit plans (pension fund) for the benefit of employees of the Warwickshire County Council, or of any body that is a related party of the Warwickshire County Council.

A disclosure is required if a transaction (or series of transactions) is material on either side, i.e. if a transaction is immaterial from the Warwickshire County Council's perspective but material from a related party viewpoint then the Warwickshire County Council must disclose it.

ISA (UK) 550 requires us to review your procedures for identifying related party transactions and obtain an understanding of the controls that you have established to identify such transactions. We will also carry out testing to ensure the related party transaction disclosures you make in the financial statements are complete and accurate.

Related Parties

Question	Management response
<p>1. Have there been any changes in the related parties including those disclosed in Warwickshire County Council’s 2020/21 financial statements? If so please summarise:</p> <ul style="list-style-type: none"> • the nature of the relationship between these related parties and Warwickshire County Council • whether Warwickshire County Council has entered into or plans to enter into any transactions with these related parties • the type and purpose of these transactions 	<p>WPDG – Approval to set up the company and to the first annual business plan was agreed by Cabinet in January 2021. The company was incorporated on 29 March 2021. In January and March 2022 the establishment of two subsidiary companies for the delivery of estate management services and site-specific developments were agreed by Cabinet. In January 2022 the WPDG Business Plan for 2022 was agreed and in March 2022 the first site development plan and associated loan was approved. The independent Board, the Managing Director and the Finance Director are now in place.</p> <p>CWRT – CWRT already operates the CBILS loan arrangement set up to provide businesses operating in Warwickshire with access to loans during the pandemic. CWRT has recently been appointed to operate the Local and Community Enterprise Fund element of the WRIF on behalf of the Council. CWRT is the lender and is a registered and approved commercial lending body.</p>
<p>2. What controls does Warwickshire County Council have in place to identify, account for and disclose related party transactions and relationships?</p>	<p>As part of the closedown of accounts a number of processes are in place to determine any related parties and the nature of the relationships that exist for both the authority and staff. As part of these governance arrangements, we request register of interests declarations are made by all Members and senior officers in addition to those that all staff are required to complete to declare any interest or relationships that exist which may affect the authority. We also canvass annually Legal Services and key finance and management staff to identify any partnerships or other related parties and ensure the appropriate disclosures are reported in the financial statements. Key codes of conduct outline responsibilities of those parties in recording and identifying those related parties and interests appropriately.</p>

Related Parties

Question	Management response
3. What controls are in place to authorise and approve significant transactions and arrangements with related parties?	<p>Any significant transactions and arrangements with related parties outside of the budgetary framework would require approval in line with financial regulations and the Constitution.</p> <p>For loans provided to WPDG and the WRIF the governance arrangements for the approval of transactions was set out in the reports to Cabinet that approved the two bodies. This includes recommendations from a Governance Group/Investment Panel of senior officers, supported by independent advisors a required, and approval by Cabinet. The limits of the overall transactions with these bodies are set out in the Treasury Management Strategy, Investment Strategy and the approved capital programme.</p>
4. What controls are in place to authorise and approve significant transactions outside of the normal course of business?	<p>Any significant transactions and arrangements outside of the normal course of business would be outside of the budgetary framework would require approval in line with financial regulations and the Constitution.</p> <p>For loans provided to WPDG and the WRIF outside of the overall transaction limits set out in the Treasury Management Strategy, Investment Strategy and the approved capital programme would require approval by full Council.</p>

Going Concern

Matters in relation to Going Concern

The audit approach for going concern is based on the requirements of ISA (UK) 570, as interpreted by Practice Note 10: Audit of financial statements and regularity of public sector bodies in the United Kingdom (Revised 2020). It also takes into account the National Audit Office's Supplementary Guidance Note (SGN) 01: Going Concern – Auditors' responsibilities for local public bodies.

Practice Note 10 confirms that in many (but not all) public sector bodies, the use of the going concern basis of accounting is not a matter of significant focus of the auditor's time and resources because the applicable financial reporting frameworks envisage that the going concern basis for accounting will apply where the body's services will continue to be delivered by the public sector. In such cases, a material uncertainty related to going concern is unlikely to exist.

For this reason, a straightforward and standardised approach to compliance with ISA (UK) 570 will often be appropriate for public sector bodies. This will be a proportionate approach to going concern based on the body's circumstances and the applicable financial reporting framework. In line with Practice Note 10, the auditor's assessment of going concern should take account of the statutory nature of the body and the fact that the financial reporting framework for local government bodies presume going concern in the event of anticipated continuation of provision of the services provided by the body. Therefore, the public sector auditor applies a 'continued provision of service approach', unless there is clear evidence to the contrary. This would also apply even where those services are planned to transfer to another body, as in such circumstances, the underlying services will continue.

For many public sector bodies, the financial sustainability of the body and the services it provides are more likely to be of significant public interest than the application of the going concern basis of accounting. Financial sustainability is a key component of value for money work and it is through such work that it will be considered.

Going Concern

Question	Management response
<p>1. What processes and controls does management have in place to identify events and / or conditions which may indicate that the statutory services being provided by Warwickshire County Council will no longer continue?</p>	<p>All savings options brought forward for consideration require a pro forma to be completed that includes:</p> <ul style="list-style-type: none">• If the delivery of the savings proposal would require a policy change, including whether there will be a need for consultation with service users and a Cabinet/Council decision prior to implementation• How the proposal will be delivered• How the proposal will impact on users of the service• The key risks associated with delivery of the proposal <p>All savings proposals (either collectively or individually) for a service require an Equality Impact Assessment (EqIA) screening form to be completed. Where an equalities issue is identified a full EqIA is required. All EqIAs are reviewed by Legal prior to the final budget proposals being presented to Members for consideration. This process enables the potential impact on statutory services to be assessed prior to any decision being made.</p> <p>Report authors are expected to engage appropriately with legal staff and, like finance, legal have a final sign off of all Member reports in case anything slips through at an earlier stage.</p> <p>We are of the opinion that our processes and controls would identify events and/or conditions which may indicate that the statutory services being provided by Warwickshire County Council would no longer continue prior to any decision being made.</p>
<p>2. Are management aware of any factors which may mean for Warwickshire County Council that either statutory services will no longer be provided or that funding for statutory services will be discontinued? If so, what are they?</p>	<p>We are not aware of any factors which may mean either statutory services will no longer be provided or that funding for statutory services will be discontinued.</p>

Going Concern

Question	Management response
<p>3. With regard to the statutory services currently provided by Warwickshire County Council, does Warwickshire County Council expect to continue to deliver them for the foreseeable future, or will they be delivered by related public authorities if there are any plans for Warwickshire County Council to cease to exist?</p>	<p>The statutory basis of local authorities</p> <p>The concept of a going concern assumes that our functions and services will continue in operational existence for the foreseeable future. As local authorities are creatures of statute, any decision to cease operations would require legislation instigated either by the Council or central government. No such process is currently in train. This is consistent with paragraph 3.4.2.23 of the Code of Practice on Local Authority Accounting which confirms that, as authorities cannot be created or dissolved without statutory prescription, they must prepare their financial statements on a going concern basis of accounting.</p> <p>The delivery of services to local communities</p> <p>We have a duty to provide, or enable the provision of, a wide range of services essential to the local community including adult social care, children’s social care and safeguarding, the provision and maintenance of a road network and the provision of a fire and rescue service. The demand for these services is either increasing or remaining constant. Therefore, there is a need/demand for the services we provide to continue to be available to the people of Warwickshire and there is no realistic expectation that this will not continue in the foreseeable future.</p> <p>The revenue raising powers of the local authority</p> <p>Our main funding streams, both now and in the future, are property-based taxes (with limits on our revenue-raising powers arising only at the discretion of central government) and government grants (funded from general taxation revenue). Therefore, our income streams are relatively secure and provide ready access to financial resources. If we were in financial difficulty, experience of other authorities has demonstrated that alternative arrangements might be made by central government either for the continuation of the services or for assistance with the recovery of a deficit over more than one financial year (for example through capitalisation directives). As a result, it would not be appropriate for local authority financial statements to be prepared on anything other than a going concern basis.</p>

Going Concern

Question	Management response
<p>4. Are management satisfied that the financial reporting framework permits Warwickshire County Council to prepare its financial statements on a going concern basis? Are management satisfied that preparing financial statements on a going concern basis will provide a faithful representation of the items in the financial statements?</p>	<p><u>Balanced MTFS</u></p> <p>We have agreed a balanced, sustainable 5-year MTFS based on prudent resource assumptions and with known demand pressures and planned budget reductions over the five year period reflected. This does not include any level of unidentified savings but includes an annual provision of £7.5m to £9.0m for future unknown pressures. Inflation provisions are 4% for pay and 3% for prices in 2022/23 reducing to a 2% annual provision by 2024/25. In addition, for services where we are aware of extraordinary inflationary costs these are also costed as part of the MTFS.</p> <p><u>Adult social care levy</u></p> <p>The approved 2022/23 budget and MTFS is based on taking 2% of the maximum levy allowed in 2022/23 and a 1% levy in each of the next two years. The upfront commitment to maximising the resource base of the Authority in taking the levy improves our financial sustainability at a time of significant fiscal uncertainty and provides the flexibility needed by the Service to manage its resources in the most effective way.</p> <p><u>Special Educational Needs and Disabilities</u></p> <p>The cost of our SEND service is currently overspending the level of High Needs DSG resources provided by the Government. The level of the overspend is a significant financial risk to the sustainability of the Authority. We have a SEND and Inclusion Change Programme in place to tackle the significant pressures on the DSG budget and the Schools Forum agreed to transfer 0.5% of DSG funding for schools to support high needs services in 2021/22 and 2022/23. To ensure our financial resilience is maintained, through the MTFS we have set aside sufficient funding in reserves to create an equal and opposite position to offset the projected deficit until a sustainable solution is in place.</p> <p><u>Financial Decision-making</u></p> <p>All reports to decision-making bodies include a financial implications section. As part of the Authority's governance arrangements this section of reports is signed off by a senior member of the Finance Service. This ensures that appropriate reference to financial resilience and sustainability is reflected in all reports and the impact reflected in the MTFS.</p>

Going Concern

Question	Management response
	<p><u>Prudential Indicators</u></p> <p>We use a range of indicators to report on and control exposure to financial risk from investment decisions. Some of these are indicators which provide insight into performance and risk, others are hard limits which control and limit exposure to risk. These limits, agreed by Council as part of the Investment Strategy each year, ensure we take decisions about investment/borrowing that may impact on our financial sustainability in the long term in a managed and transparent way.</p> <p><u>Cash Flow</u></p> <p>We monitor our cash flow on a daily basis, including maintaining an up to date forecast position for at least the next 18 months. These cash flow forecasts do not indicate any material uncertainty relating to the Council's continuing ability to meet financial obligations.</p> <p><u>Financial Reporting</u></p> <p>We report</p> <ul style="list-style-type: none">• Revenue forecasts to Corporate Board and Directorate Leadership Teams on a monthly basis• Revenue and capital forecasts, reserves and the delivery of savings to Cabinet on a quarterly basis• Treasury Management/cash flow forecasts to Cabinet every six months• Balance sheet forecasting on a quarterly basis within the Finance Service to identify any issues that need to be reported to senior management <p>We are satisfied that the financial reporting framework permits Warwickshire County Council to prepare its financial statements on a going concern basis and that preparing financial statements on a going concern basis will provide a faithful representation of the items in the financial statements.</p>

Accounting estimates

Matters in relation to accounting estimates

ISA (UK) 540 (Revised December 2018) requires auditors to understand and assess a body's internal controls over accounting estimates, including:

- The nature and extent of oversight and governance over management's financial reporting process relevant to accounting estimates;
- How management identifies the need for and applies specialised skills or knowledge related to accounting estimates;
- How the body's risk management process identifies and addresses risks relating to accounting estimates;
- The body's information system as it relates to accounting estimates;
- The body's control activities in relation to accounting estimates; and
- How management reviews the outcomes of previous accounting estimates.

As part of this process auditors also need to obtain an understanding of the role of those charged with governance, which is particularly important where the estimates have high estimation uncertainty, or require significant judgement.

Specifically do Audit and Standards Committee members:

- Understand the characteristics of the methods and models used to make the accounting estimates and the risks related to them;
- Oversee management's process for making accounting estimates, including the use of models, and the monitoring activities undertaken by management; and
- Evaluate how management made the accounting estimates?

We would ask the Audit and Standards Committee to satisfy itself that the arrangements for accounting estimates are adequate.

Accounting Estimates - General Enquiries of Management

Question	Management response
<p>1. What are the classes of transactions, events and conditions, that are significant to the financial statements that give rise to the need for, or changes in, accounting estimate and related disclosures?</p>	<p>The effects of the Covid-19 and the growing inflationary risk has the potential to impact investment fund values, which in turn will potentially impact on asset values and the net pension liability. The Authority will need to consider and report on any impacts within the financial statements. Any accounting estimates and judgements and the consequential disclosures will be made in a way that has appropriate regard to the circumstances.</p> <p>Details of the basis for Level 2 and 3 investments (those where clearly quoted and fully observable valuation data is not available) will be included in the notes to the accounts.</p>
<p>2. How does the Warwickshire County Council's risk management process identify and address risks relating to accounting estimates?</p>	<p>Senior management and the S151 officer consider the risk and judgements of material accounting estimates during the production of the accounts and ensure that the basis for the estimates and the effects of any judgements made and their associated risks are transparently reported.</p>
<p>3. How does management identify the methods, assumptions or source data, and the need for changes in them, in relation to key accounting estimates?</p>	<p>Key management staff engage with the experts, where they are involved, in clearly defining and reviewing the basis and appropriateness of assumptions and source data for use in key accounting estimates used in the financial statements, such as the valuation of property, plant and equipment, financial instruments and pensions liabilities. This is done on an annual basis as the first stage of the preparation for closedown. The discussion and challenge is documented. In other areas, where other key accounting estimates are material, senior finance staff ensure there is a robust system of review and challenge in assuring the appropriateness of methods, assumptions and source data of those estimates. Again the review and challenge process is documented.</p>
<p>4. How do management review the outcomes of previous accounting estimates?</p>	<p>Management review material estimates and variances as part of the hot review of the accounts prior to the publication of the draft accounts. The process is documented and will be used to inform the material judgements and estimates within the financial statements.</p>
<p>5. Were any changes made to the estimation processes in 2021/22 and, if so, what was the reason for these?</p>	<p>No material changes have been made to the estimation process. We will continue to adopt the enhanced the management oversight and review of key estimates and assumptions introduced for the 2020/21 accounts.</p>

Accounting Estimates - General Enquiries of Management

Question	Management response
<p>6. How does management identify the need for and apply specialised skills or knowledge related to accounting estimates?</p>	<p>We use experts for the valuation of property, plant and equipment, pensions liabilities and the valuation of loans as these are material estimates and are recognised as key areas where an in-depth technical knowledge/specialism is required to provide adequate assurance over the validation of assumptions and required specialist knowledge is not readily available in the Authority. Where specialist skills are required we have clear contracting requirements and a documented system of review and challenge.</p>
<p>7. How does the Warwickshire County Council determine what control activities are needed for significant accounting estimates, including the controls at any service providers or management experts?</p>	<p>Where specialist skills are required the contracting requirements set out the assumptions, control activities and the format of the outputs required to enable an effective review and challenge process.</p> <p>Where controls are system driven these are documented and reviewed for appropriateness, with management oversight providing a separate professional view that the controls have been actioned appropriately and therefore that reliance can be placed on the figures.</p>
<p>8. How does management monitor the operation of control activities related to accounting estimates, including the key controls at any service providers or management experts?</p>	<p>We document the review and challenge oversight by senior management. This includes independent verification of estimates and discussions with experts to understand the processes they have used and the reliability of the results.</p>
<p>9. What is the nature and extent of oversight and governance over management's financial reporting process relevant to accounting estimates, including:</p> <ul style="list-style-type: none"> • Management's process for making significant accounting estimates • The methods and models used • The resultant accounting estimates included in the financial statements. 	<p>The nature and extent of the oversight in relation to accounting estimates includes:</p> <ul style="list-style-type: none"> • The agreement of assumptions in advance, including their appropriateness • Verification of the underlying data in advance • The methodology to be used to determine the value of estimates and its appropriateness • Review of the results for reasonableness, including comparative analysis with previous years • Sensitivity of the results to the key assumptions to assess materiality • Senior management sign-off of the outcomes of the quality assurance process

Accounting Estimates - General Enquiries of Management

Question	Management response
10. Are management aware of any transactions, events, conditions (or changes in these) that may give rise to recognition or disclosure of significant accounting estimates that require significant judgement? If so, what are they?	We are not aware of any such transactions.
11. Why are management satisfied that their arrangements for the accounting estimates are reasonable?	Yes, we believe the arrangements are reasonable.
12. How is the Audit and Standards Committee provided with assurance that the arrangements for accounting estimates are adequate ?	<p>We quantify the financial impact of estimation and uncertainty. This is reported to Audit and Standards as part of the Statement of Accounts.</p> <p>We report this risk assessment to Audit and Standards Committee and provide them with the opportunity to consider and comment if it does not align to their understanding of the organisation. To reach this stage the risk assessment has been through an internal assurance process through senior management within the Finance Service and within Legal Services.</p>



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