



Haringey Council

Agenda item:

Audit Committee

On 2 June 2009

Report Title: **Internal Audit Service – Terms of Reference**

Report authorised by: **Chief Financial Officer**

Report of and Contact Officer: Anne Woods, Head of Audit and Risk Management
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Wards(s) affected: **All**

Report for: **Non-key decision**

1. Purpose of the report

1.1 To advise Members of the changes to the Terms of Reference for the Internal Audit Service and provide an updated Terms of reference for approval.

2. State link(s) with Council Plan Priorities and actions and/or other Strategies:

2.1 Audit and Risk Management contribute to the Council priority to deliver excellent, customer focused, cost effective services by reviewing key services and making recommendations for improvement where appropriate. Follow up work is undertaken to ensure that managers implement agreed recommendations and improvements.

2.2 Internal audit forms a key element within the revised Use of Resources assessment and will continue to be part of the CAA from 2009 onwards. Ensuring that internal audit has an agreed, up to date terms of reference ensure that the requirements of the CAA assessment are fulfilled.

3. Recommendations

3.1 That the Audit Committee approves the updated Terms of Reference for the Internal Audit Service.

4. Reason for recommendation(s)

4.1 The Audit Committee is responsible for approving the internal audit terms of reference as part of its own Terms of Reference. In order to facilitate this, the terms of reference for internal audit are reviewed on an annual basis to ensure compliance with relevant

statutory requirements and best practice guidance.

5. Other options considered

5.1 Not applicable

6. Summary

6.1 The internal audit service makes a significant contribution to ensuring the adequacy and effectiveness of internal control throughout the authority. This report provides an updated terms of reference for the internal audit service which ensures that statutory and best practice requirements are fulfilled.

7. Head of Legal Services Comments

7.1 The report clearly outlines the Terms and References we must adhere to in relation to local government internal auditing to comply with the revised Code published by the Chartered Institute of Public Finance and Accountancy (CIPFA) in December 2006. Regular monitoring and updates; as overseen and provided by the Head of Audit and also provided by a Peer to ensure compliance with those Terms of Reference is undertaken throughout the year.

8. Chief Financial Officer Comments

8.1 The Chief Financial Officer notes the contents of this report and has no further comments to make.

9. Head of Procurement Comments

9.1 Not applicable

10. Equalities and Community Cohesion Comments

10.1 This report deals with how internal audit is provided and managed across all areas of the Council. Improvements in managing risks and controls will improve services the Council provides to all sections of the community.

11. Consultation

11.1 No external consultation was required or undertaken in the production of this report. Consultation is undertaken with respective service managers, Assistant Directors and Directors in the production of the annual internal audit plan, risk registers and internal audit reports and follow up programmes, which is in accordance with the terms of reference for internal audit.

12. Service Financial Comments

12.1 There are no direct financial implications arising from this report. The work within internal audit to comply with the terms of reference is part of the contract with Deloitte and Touche which was awarded following a competitive tendering exercise in compliance with EU regulations from 1 April 2007. The costs of this contract are contained and managed within the Audit and Risk Management revenue budget. The remainder of the audit work is undertaken by in-house staff which are funded by the revenue budget.

13. Use of appendices

13.1 Appendix A – Terms of reference

14. Local Government (Access to Information) Act 1985

14.1 List of background documents:

The following background documents were used in production of this report:

- Accounts and Audit (amendment) (England) Regulations 2006.

15. Background

15.1 The Chartered Institute of Public Finance and Accountancy (CIPFA) published their revised Code of Practice for Internal Audit in Local Government (the Code) in December 2006, which updated the 2003 Code of Practice. The Code reflected changes arising from the amendments to the Accounts and Audit Regulations in 2006 and practice relating to corporate governance that emphasise the importance of internal audit to the proper management of organisations.

15.2 The 2006 Code more closely aligns practice with current approaches for auditors, particularly in respect of developments in risk management and planning audit activity. All local authorities must make provision for internal audit in accordance with the Code. The Code applies equally to internal audit services which are provided by in-house audit teams and by external contractors who provide either partial services in support of an in-house team or the whole audit service.

15.3 The Code sets out the definitions and principles (the standards) which establish how a professional internal audit service should operate in the local government context. It provides a framework for measurement, management and monitoring of the function.

15.4 Local government organisations should comply with the requirements set out in the Code. Haringey tests internal audit's compliance with the Code as part of the annual independent review of the effectiveness of internal audit. A separate report is provided to the Audit Committee detailing the process and outcome of this review.

15.5 One of the requirements of the Code is for Internal Audit to have in place formally defined Terms of Reference (TOR) for its services which are consistent with the Code. In Haringey, The Audit Committee reviews and approves the TOR for Internal Audit services on an annual basis to ensure that they comply with relevant statutory requirements.

16. CIPFA Code of Practice

16.1 The Code states that the purpose, authority and responsibility of Internal Audit must be formally defined by the organisation in terms of reference consistent with it.

16.2 The Code states that the Terms of Reference should:

- a) Establish the responsibilities and objectives of Internal Audit;
- b) Establish the organisational independence of Internal Audit;
- c) Establish the accountability, reporting lines and relationships between the Head of Audit and those charged with governance, together with those to whom the Head of audit may report;
- d) Recognise the Internal audit's remit extends to the entire control environment of the organisation;
- e) Identify Internal Audit's contribution to the review of the effectiveness of the control environment;
- f) Require and enable to Head of Audit to deliver an annual audit opinion;
- g) Define the role of Internal Audit in any fraud-related or consultancy work;
- h) Explain how Internal Audit's resource requirements will be assessed; and
- i) Establish Internal Audit's right of access to all records, assets, personnel and premises, including those of partner organisations.

17. Terms of Reference.

17.1 The updated Terms of Reference for Haringey's Internal Audit service are attached at Appendix A. The Terms of Reference have been written with due regard to the Code of Practice and cover all the required elements listed at paragraph 6.2 of this report. During 2008/09, no changes were made to the CIPFA Code of Practice, therefore the Terms of Reference are still compliant with the Code. The Terms of Reference have been updated to incorporate changes:

- in terminology – changing the Statement of Internal Control to the Annual Governance Statement; and
- where updates in the Council's Constitution have required changes to references.

17.2 The revised Terms of Reference will be communicated across the Council by including them as part of the Audit and Risk Management pages on the Council's intranet site (Harinet).

17.3 The Terms of Reference will be reviewed on an annual basis, or in response to any changes to the Code or other statutory or local requirements, and presented to the Audit Committee for formal approval.

Introduction

The Terms of Reference for Internal Audit describe the purpose, authority and principal responsibilities of the Council's Internal Audit function.

Internal Audit is responsible for conducting an independent appraisal of all the Council's activities, financial and otherwise. It is not an extension of, nor a substitute for, good management. Internal Audit is responsible for giving assurance to the Council and the s151 Officer on all internal control arrangements. It also assists management by evaluating and reporting to them the effectiveness of the controls for which they are responsible. It remains the duty of management, not Internal Audit, to operate an adequate system of internal control. It is for management to determine whether or not to accept audit recommendations and to recognise and accept the risks of not taking action.

Scope and Objectives

Internal Audit is an independent appraisal function established by the management of an organisation for the review of the internal control system as a service to the organisation. All the council's activities, funded from whatever source, fall within the remit of the internal audit service.

The scope of Internal Audit allows for unrestricted access to all officers, records and premises deemed necessary in the course of the audit. This right of access is included in the Council's Constitution (Part Four, Section I, paragraph 5.56). In addition, where necessary, the Head of Audit and Risk Management has authority to report to any body of the Council matters which are considered to adversely affect the efficient/proper use of the Council's resources. There are no limitations on internal audit's scope of areas for review.

It is not within the remit of Internal Audit to question the appropriateness of policy decisions. However, Internal Audit is required to examine the arrangements by which such decisions are made, monitored and reviewed.

Internal Audit may also conduct any special reviews requested by the Council, Audit Committee or the s151 Officer, provided such reviews do not compromise its objectivity, independence or achievement of the approved audit plan.

Responsibilities

Internal Audit is responsible for:

- agreeing an audit strategy with the Audit Committee;
- agreeing an annual audit plan with the Audit Committee and carrying out the agreed work in line with appropriate professional standards;
- providing assurances on a risk based approach, advice, opinions and making recommendations to improve processes and systems where appropriate;
- following up recommendations made to evaluate action taken;

- assisting line management to investigate all frauds and financial irregularities, whilst acknowledging that managing the risk of fraud and corruption is the primary responsibility of management;
- reporting to the Audit Committee and the s151 Officer any significant business risks, serious control weaknesses, significant fraud or other major control breakdown;
- complying with requests for information from the s151 Officer, Audit Committee, or the council's External Auditors;
- liaising with External Audit and other external bodies as appropriate;
- maintaining effective communication with the council's managers;
- offering advisory services without assuming management responsibility or jeopardising achievement of the audit plan;
- providing performance measures to demonstrate effectiveness of the Internal Audit service;
- producing an annual report for the Audit Committee, giving an opinion of the Council's control environment;
- contributing to the production of the Council's Annual Governance Statement; and
- helping to keep the Audit Committee informed of perceived best practice.

Standards

Internal Audit adopts standards established by The Chartered Institute of Public Finance and Accountancy (CIPFA) in undertaking its work. In particular, CIPFA has issued the Code of Practices for Internal Audit in Local Government 2006 which sets out the duties and responsibilities of internal auditors in local authorities. Internal Audit will follow the guidance in this document as 'proper practice' in the provision of the Internal Audit Service to the Council.

Internal Audit's work will be performed with due professional care, in accordance with appropriate professional auditing practice and the standards laid down in the Code of Practice.

In achieving its objectives the internal audit service will develop and implement an audit strategy that assesses the institution's arrangements for risk management, control and governance and for achieving value for money.

The Head of Audit and Risk Management is responsible for implementing measures to monitor the effectiveness of the service and compliance with standards. In addition, the Audit Committee should consider and approve the performance measures used by internal audit, and should also review the independent assessment of internal audit's effectiveness.

Approach

Internal Audit employs a risk-based, systematic and disciplined approach to evaluating and improving the effectiveness of risk management, control and governance processes by assessing the:

- identification and management of business risks;
- soundness, adequacy and application of the internal control systems;

- reliability and integrity of financial and operational information;
- effectiveness and efficiency of operations;
- safeguarding of assets from fraud, irregularity or corruption; and
- compliance with laws, regulations, contracts and established policies, procedures and good practice.

The Head of Audit and Risk Management will manage the provision of the Internal Audit service to the Council by:

- Preparing a rolling strategic audit plan for the Council's key financial systems and a risk-based annual audit plan for agreement by the Audit Committee;
- Ensuring audit work is supervised, recorded and reported;
- Preparing an annual report on the work of internal audit for submission to the Audit Committee, giving an overall opinion on the reliability of the system of internal control.

Independence

Internal Audit has no executive role, nor does it have any responsibility for the development, implementation or operation of systems. However, it may provide advice on risk management, control and governance, value for money and related matters, subject to resource constraints and the need to maintain objectivity. Where internal audit is asked to provide any services in a consultancy role, this should be made clear in the project brief.

For day-to-day administrative and budgetary purposes, the Head of Audit and Risk Management reports to the s151 Officer. The Head of Audit and Risk Management reports to the Audit Committee, and has direct access to the Chief Executive and Chair of the Audit Committee.

Within the Council, responsibility for risk management, control and governance assignments, and value for money rests fully with management, who should ensure that appropriate and adequate arrangements exist without reliance on Internal Audit. The roles and responsibilities of managers are set out in the Council's Constitution (Part 4, Section I). To preserve the objectivity and impartiality of the internal auditors' professional judgement, responsibility for implementing audit recommendations rests with management.

Access

There are no limitations in Internal Audit's right of access to council officers, records, information, or premises which it considers necessary to fulfil its responsibilities. These rights of access are set out in the Council's Constitution (Part Four, Section I, paragraph 5.56).

The Head of Audit and Risk Management has a right of direct access to the Chief Executive and the Chair of the Audit Committee. In turn, Internal Audit agrees to comply with any requests from the external auditors and other relevant external bodies for access to any information, files or working papers obtained or prepared during audit work that they need to discharge their responsibilities.

Where key services are to be provided to the Council by other contractors or through a partnership, in order for internal audit to form an opinion on the controls operating, a right of access to relevant information and documents should be included in contracts or agreements concerned.

Internal Audit provides the internal audit service for Homes for Haringey (HfH) and has a formal Service Level Agreement (SLA) setting out the terms of reference and access rights for the service. The SLA is reviewed and formally agreed on an annual basis with HfH.

Reporting

All audits will be the subject of formal reports. Internal audit has an agreed reporting protocol which defines the timescales and distribution processes for all reports including system reviews, establishment audits and investigations into financial irregularities. Managers are required to respond to each audit report, stating their proposed action with a timetable for implementing agreed recommendations. A summary of all audit reports issued is provided to Audit Committee members on a monthly basis, with a summary report presented on a quarterly basis to the Council's Audit Committee. In addition the Audit Committee will monitor the implementation of audit recommendations.

The Head of Audit and Risk Management is required to give an annual opinion to the s151 Officer and the Audit Committee, on the adequacy and effectiveness of the whole internal control system within the Council, and the extent to which it can be relied on. The Head of Audit and Risk Management gives an opinion on whether the control arrangements, including those for economy, efficiency and effectiveness, are adequate and properly applied.

Any serious weaknesses, significant fraud or major accounting breakdown discovered during the normal course of audit work will be reported to the relevant Director or Assistant Chief Executive and, if necessary, to the Chair of the Audit Committee and the Council's external auditors.

Resources

Haringey Council has taken the decision to provide the majority of its internal audit service via an external private sector company, alongside a small in-house service, in order to provide a cost-effective service.

The Council is committed to procuring and providing a service that meets recommended best practice standards and ensuring that internal audit resources are sufficient to meet its responsibilities and achieve its objectives. The resources and staffing requirements of the Internal Audit Section will be kept under review by the Head of Audit and Risk Management, bearing in mind the resource requirements identified in the strategic and annual audit plans.

Liaison

Internal Audit will liaise with the Council's external auditors to minimise the risk of duplication of audit work and enhance the level of service it provides to the organisation.