Planning Report to the Corporate Affairs and Audit Committee for year ending 31 March 2014

July 2014

Contents

I am delighted to present this planning report for the 2013/14 audit of Middlesbrough Council. This report sets out our audit approach and the more significant areas where we will focus our attention this year.

David Wilkinson, Audit Partner

The big picture

We have set out below an overview of the key developments at the Council and the more significant matters we have considered in developing this Audit Plan. We consider these matters as part of our audit risk assessment and this determines where we will focus our work. Details of the impact of these matters on our approach are set out in this Audit Plan.

Relevant developments

- The environment the Council finds itself in provides the Council with a significant challenge to continue to deliver services in a reduced financial envelope.
- There have been significant changes amongst senior members of the Council's Leadership team, including a newly appointed Chief Executive, a change in the Monitoring Officer and a change in the relationship between the Council's section 151 officer and the top level of management within the Council.
- Subtle changes have been made to the Code of Practice on local Authority Accounting, including in respect of the valuation of Property, Plant and Equipment, which we have discussed with key members of the Council's finance function.
- The Audit Commission has determined that there will be a fee rebate for 2013/14. The Council will also see a reduction in the grants to be certified in the current year. External certification is no longer required for the NNDR return.

General Fund net expenditure

£140.402m budgeted

£140.402m Projected

£nil Outturn variance against budget

General Fund reserve (£m)

£6.0m 31/3/13

£6.0m 31/3/14

Capital expenditure

£24.1m Capital additions

£8.3m Revenue Expenditure Funded from Capital Under Statute

Key developments in financial reporting requirements

- Changes to the Code requirements include the classification, recognition, measurement and disclosure of post-employment benefits.
- New guidance on the accounting entries required from the localisation of business rates, affecting the collection fund, with additional responsibilities falling on the Council in respect of the risks of appeals and the rewards of business rate growth.
- Clarification regarding the frequency of revaluations for properties. This amends previous guidance to permit valuations to be carried out on a rolling basis only if revaluation of the class of assets is completed within a short period and provided that revaluations are kept up to date.
- Other smaller changes to presentation and disclosure matters in the financial statements.
- The national Council Tax Benefit scheme has been replaced by a local Council Tax Reduction scheme, which the Council implemented from the start of the year.

Significant audit risks

- Recognition of grant income
- Valuation of Property, Plant and Equipment
- Adequacy of Related Party Disclosures
- Management override of key controls, as presumed by auditing standards

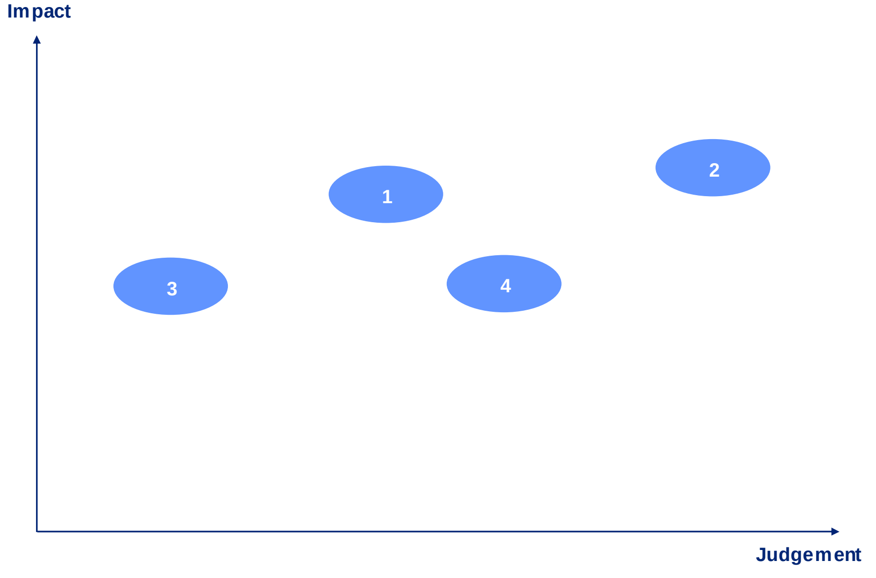
A reminder of our conclusions in 2012/13

Our audit opinion and audit adjustments

In September 2013, we issued the Council with an unmodified audit opinion on the financial statements. A number of adjustments were made to the draft financial statements, including the processing of a Prior Period Adjustment (PPA) in respect of the valuation of Property, Plant and Equipment.

Identified significant risks for 2013/14

Key areas of audit focus for 2013/14



Key

1 – Revenue recognition

2 – Valuation of PPE

3 – Disclosure of Related Party Transactions

4 – Management override of controls

Our significant risks for 2013/14 are presented in the graph above.

These risks are similar to those raised in our planning report for 2012/13, and have been identified on the basis of our understanding of the Council, its objectives and the environment in which it operates.

Further details on each of the identified significant risks are presented later in this report.

Value for Money conclusion

We have identified a significant risk in relation to the Value for Money conclusion, in that the section 151 officer does not sit on the Chief Executive's Management Team. We have already undertaken a governance review which considered this and reported in March 2014, and will use this to inform our procedures in this area.

A second risk has been identified in relation to the Council's future financial planning and resilience.

We have considered the criteria specified by the Audit Commission as well as other factors directly affecting the Council, and concluded that there are no other significant risks to report on.

We will perform additional procedures as part of our review in support of our VfM conclusion.

The big picture

Our audit quality promise

Our audit quality promise

Our new quality standard

The quality of our audit delivery is of great importance to us. In order to ensure we deliver an excellent service to you, we have developed our audit quality promise. Key aspects of this delivery are:

- how we communicate with you throughout the year;
- what insight we bring around the quality of your control environment, systems and audit risk areas; and
- how we ensure that our team is delivering the best quality audit at every level.

This section sets out our commitments to management, officers and members in these areas and we will actively seek feedback on how we have performed against them.

From discussions with you and our experience with other Councils, we know that you value an integrated audit approach which encompasses the main financial statements audit, value for money conclusion and certification of relevant grants and returns. Our Audit Quality promise takes this into account. The key individuals that form part of our audit team for 2013/14 are consistent with the team in previous years. We have supplemented them as necessary with skilled, experienced and knowledgeable individuals to ensure timely and effective delivery of our audit. We pledge to take the same approach in future years with a consistent audit team, drawing on expertise as necessary to supplement our core team.

Our commitment to you

Communication

We believe that regular face to face communication is essential to delivering quality and insight through our audit. We have set out below our planned communications schedule for both the audit period and throughout the year.

Year round communication

We will be in regular contact with Martin Padfield to ensure we remain up to date with the developing issues at the Council through the year, and will discuss , in advance, any papers we wish to present to a meeting of the Corporate Affairs and Audit Committee.

Senior members of the audit team will attend meetings of the Corporate Affairs and Audit Committee as scheduled.

We will meet quarterly with Mike Robinson, Tony Parkinson and Paul Slocombe.

In these meetings we will discuss the latest Council developments, and in-year performance. We will also provide any updates on our findings to date, and any relevant regulatory / technical updates.

During the main audit period

During the audit period we will work closely with Martin Padfield and the Strategic Resources team. We will ensure we summarise our findings and discuss any emerging issues on the financial statement audit.

We will work with Ian Wright as our key point of contact for the Value for Money conclusion.

We will hold a close meeting with management to discuss the contents of our report to the Corporate Affairs and Audit Committee.

We will work with Paul Slocombe to ensure he is up to date with our findings and the insights we will seek to raise.

We will maintain regular contact with Elaine Stuart during our testing of the Housing Benefit subsidy claim.

Open feedback process

We will carry out debrief meetings with the Corporate Affairs and Audit Committee Chair, Paul Slocombe and Martin Padfield to discuss how we have delivered against the commitments on both sides, as set out in this document, and any other aspects of our delivery.

We will respond to this feedback with agreed actions and timescales.

We will also seek direct feedback through regular meetings during the year.

Responding to queries and requests

We will always endeavour to respond to queries and requests within 24 hours and to give definitive timescales for delivery or their resolution.

We will proactively set up meetings to discuss any technical accounting or regulatory developments, which could have a significant impact on the Council, as soon as we become aware.

We will make ourselves available to discuss issues as they arise, in advance of the year end to smooth the closedown and accounts production processes.

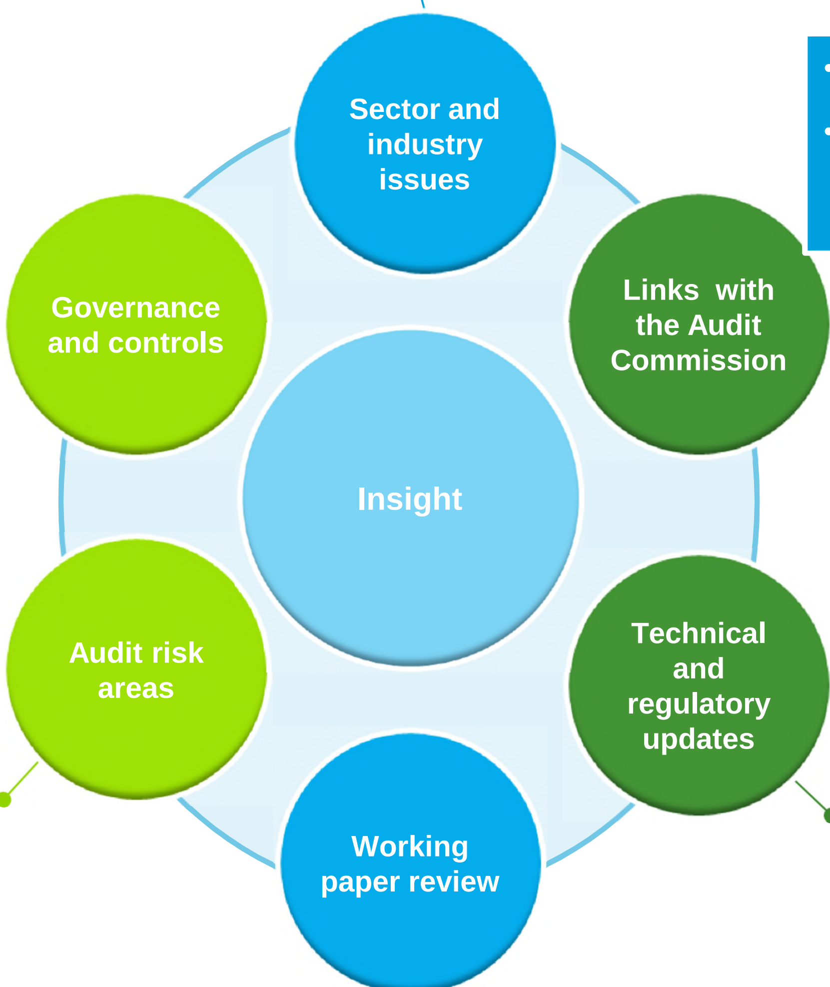
Bringing you insight

Audit Quality Promise

We have summarised below some of the ways we have and continue to provide the Council with insight during 2014

Sharing knowledge of sector developments, for example:

- We have attached at Appendix 5 a summary of our research into the state of local public services
- We will discuss relevant Deloitte publications with senior staff to raise awareness of sector issues
- We will discuss future emerging Local Government issues with key officers as they arise to help with the Council's future plans



- Feedback comments from our VFM conclusion work.
- We have facilitated a meeting with key officers to help ensure sound governance arrangements exist

- Share emerging issues with officers
- Open discussion over the emerging regulatory environment

Risk based journal analysis covering period end postings utilising our data analytics.

We will discuss the Council's future plans for changes to key financial systems to aid their smooth implementation.

- Early discussion of Code changes, their expected impact on the Council and proposed response
- Early review of draft financial statements
- Invitations to relevant public sector seminars

- Open and early communication with Martin Padfield to discuss audit requirements and Council provision of information to improve efficiency

Changes in your Statement of Accounts

Changes in your Statement of Accounts

New reporting requirements

Audit Reporting

We welcome this opportunity to set out for the Corporate Affairs and Audit Committee a summary of the latest developments in financial reporting which will impact this year end.

Change in Code of Practice on Local Authority Accounting requirements	Impact on Middlesbrough Council
• Post-employment benefits: changes have been made to Code requirements in respect of the classification, recognition, measurement and disclosure requirements introduced as a result of amendments to the relevant accounting standard.	• This is relevant to the Council and will require a number of changes to the calculation and presentation of entries. The Council should liaise with its actuary to ensure the relevant information can be provided.
• Accounting for business rates retention: the Code provides guidance on the accounting requirements arising from the localisation of business rates in England from 1 April 2013.	• This is relevant to the Council and will require a change in the form of accounting for the 2013/14 Statement of Accounts.
• Dedicated Schools Grant (DSG) – there is a change in the disclosures for DSG.	• This is relevant to the Council, but takes the form of a minor disclosure adjustment.
• Presentation of Financial Statements: the Code makes amendments to the format of the Comprehensive Income and Expenditure Statement. This is in respect of items that are potentially re-classifiable to Surplus or Deficit on the Provision of Services at a future time. Where authorities have these types of transactions, the items listed in Other Comprehensive Income and Expenditure must be grouped into those items that: a) will not be reclassified subsequently to the Surplus or Deficit on the Provision of Services; and b) will be reclassified subsequently to the Surplus or Deficit on the Provision of Services when specific conditions are met.	• Where local authorities do not have such transactions, no change is needed to the format of the Comprehensive Income and Expenditure Statement. However CIPFA recommends in such circumstances that authorities clarify in their summary of significant accounting policies that, where this is the case, they do not have such transactions and have therefore not grouped the items in Other Comprehensive Income and Expenditure into amounts that may be re-classifiable and amounts that are not. We will discuss the applicability of this change with the Council.

Changes in your Statement of Accounts (continued)

New reporting requirements

Change in Code of Practice on Local Authority Accounting requirements	Impact on Middlesbrough District Council
• Revaluation of properties - Clarification regarding the frequency of revaluations for Property, Plant and Equipment which amends previous guidance to permit valuations to be carried out on a rolling basis only if revaluation of the class of assets is completed within a short period and provided that revaluations are kept up to date.	• This is relevant to the Council, and management should consider the current frequency with which they revalue their assets. Deloitte have engaged in early discussions with key officers to raise awareness and review the appropriateness of management's plans.
• The Carbon Reduction Commitment (CRC) Energy Efficiency scheme – The Code has been updated for changes in the scheme applicable to 2013/14. In particular, as 2013/14 is the end of the introductory phase, there is no option to carry forward allowances for use in respect of emissions in 2014/15 as any remaining unused allowances at the end of the introductory phase become invalid. Guidance on any allowances purchased prospectively for 2014/15 is pending.	• This is not expected to be relevant to the Council.
• Service Concession Arrangements (PFI and PPP Arrangements) – updates to ensure that provisions adequately reflect the grantor arrangements, particularly in relation to assets under construction and intangible assets.	• This is not relevant to the Council.

Scope of work and approach

This section sets out our planned scoping for the audit of the Council's financial statements, as well as in relation to our other responsibilities as your external auditors. We confirm the extent to which reliance will be placed on internal controls and how this decision has been reached.

Scope of work and approach

We have five key areas of responsibility under the Audit Commission's Code of Audit Practice

Financial statements

We will conduct our audit in accordance with International Standards on Auditing (UK and Ireland) ("ISA (UK and Ireland)") as adopted by the UK Auditing Practices Board ("APB") and the Audit Commission's Code of Audit Practice. The Council will prepare its accounts under the Code of Local Authority Accounting. There are no significant changes in respect of the scope of our work in relation to this area of responsibility.

Assurance report on the Whole of Government Accounts return

Whole of Government Accounts (WGA) are commercial-style accounts covering the whole of the public sector and include some 1,700 separate bodies. We expect to perform similar procedures on the Council's consolidation pack as in prior years, to confirm the pack is consistent with the accounts and that intra-government balances have been accurately identified.

Value for Money conclusion

We are required to satisfy ourselves that the Council has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources.

Our conclusion is given in respect of two criteria:

- Whether the organisation has proper arrangement s in place for securing financial resilience
- Whether the organisation has proper arrangements for challenging how it secures economy, efficiency and effectiveness.

In discharging this responsibility, we take into account our work on the Annual Governance Statement and the work of regulators.

Annual Governance Statement

We are required to consider the completeness of the disclosures in the Annual Governance Statement in meeting the relevant requirements and identify any inconsistencies between the disclosures and the information that we are aware of from our work on the financial statements and other work.

We will also review reports from regulatory bodies and any related action plans developed by the Council.

Grants

Under Section 28 of the Audit Commission Act 1998, the Commission is responsible for making arrangements for certifying claims and returns in respect of grants or subsidies made or paid by any Minister of the Crown or a Public Authority to a Local Authority.

The appointed auditor carries out work on individual claims and returns as an agent of the Commission under certification arrangements made by the Commission which comprise certification instructions which the auditor must follow.

We produced an annual report summarising our work in respect of grants which was discussed at the Audit and Governance Committee meeting on 25 March 2014.

The most significant of the grants we certify relates to the Council's claim from the Department of Work and Pensions for Housing Benefit Subsidy. In previous years, this certification process included providing the Council with assurance over the processing of Council Tax Benefit claims as well. Following the replacement of Council Tax Benefit with a local Council Tax Reduction scheme, our certification does not cover these elements of Council income and expenditure. Members may wish to consider the level of assurance they gain over these balances.

Scope of work and approach (continued)

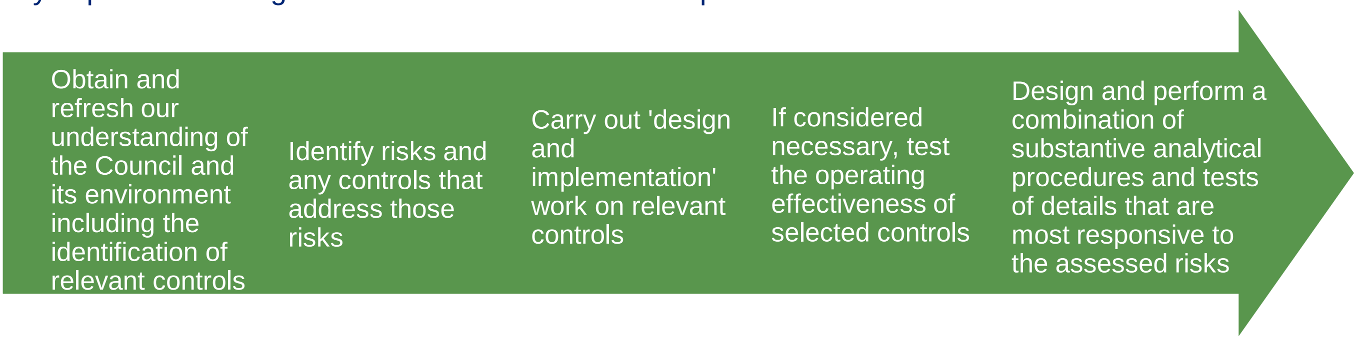
Independence

We confirm we are independent of the Council. We will reconfirm our independence and objectivity to the Corporate Affairs and Audit Committee or the year ended 31 March 2014 in our final report to the Committee. Appendix 1 sets out proposed fees for the year.

Approach to controls testing

As set out in "Briefing on audit matters" included as Appendix 6, our risk assessment procedures will include obtaining an understanding of controls considered to be ‘relevant to the audit’. This involves evaluating the design of the controls and determining whether they have been implemented (“D & I”).

We will consider the results of our procedures in respect of the Council’s controls and the extent of any impact our findings have on our substantive audit procedures.



Scoping of material account balances, classes of transactions and disclosures

We perform an assessment of risk which includes considering the size, composition and qualitative factors related to account balances, classes of transactions and disclosure. This enables us to determine the scope of further audit procedures to address the risk of material misstatement. We will report to you any significant findings from our scoping work.

Liaison with internal audit

We continue to rely on the work of the Internal Audit function to inform our risk assessment. The Auditing Standards Board has issued a revised version of ISA (UK and Ireland) 610 “Using the work of internal auditors”. This prohibits use of internal audit to provide direct assistance to the audit. Our current approach to the use of the work of Internal Audit has been designed to be compatible with the new requirements, and will not change the existing scope of Internal or External Audit’s work. However, this will prevent us from further increasing the extent of our use of Internal Audit’s work in future.

We plan to hold discussions with the Head of Internal Audit to understand the work they have performed in the year and any weaknesses they have identified in the control environment, so we can assess their impact and plan our audit response.

Whole of Government Accounts (WGA)

Auditors appointed by the Audit Commission have a statutory duty under the Code of Audit Practice to review and report on the Council’s whole of government accounts return. We will consider the referral instructions from the National Audit Office and undertake appropriate audit procedures on the WGA return accordingly.

Significant audit risks

This section sets out our comments regarding the significant audit risks identified. We explain the nature of the risk itself, how these risks will be addressed by our audit work and any related presentational and/or disclosure matters within the financial statements.

Risk assessment is at the heart of our integrated audit approach as it is only with proper identification of the most significant audit risks, that we are able to provide the highest quality assurance in the most efficient and effective manner.

We perform an assessment of risk which includes considering the size, composition and qualitative factors relating to account balances, classes of transactions and disclosures. This enables us to determine the scope of further audit procedures to address the risk of material misstatement. We will report to you any significant findings from our scoping work.

For the Council's 2013/14 financial statements, we have estimated materiality at the planning stage to be **£3,948k** based on forecast expenditure for the year. We will report to the Corporate Affairs and Audit Committee on all unadjusted misstatements greater than **£197k** and other adjustments that are qualitatively material.

1. Revenue recognition

We consider a significant risk exists in relation to the early recognition of grant income where conditions exist

We have identified the early recognition of grant income as a significant risk on the grounds that:

- The Code of Practice on Local Authority Accounting states that grant income cannot be recognised until all conditions associated with it have been met;
- Many financially significant grants contain detailed conditions restricting their recognition which management needs to asses;
- Management makes key judgements as to whether the grant conditions have been met, and these judgements could be prone to bias; and,
- Recognising income in an incorrect period would be a method by which management may seek to improve the financial performance of the Council in order to present a more favourable year end position.

ISA240 requirements

International Standards of Auditing (UK and Ireland) 240 – *The auditor's responsibility to consider fraud in an audit of financial statements* requires us to presume that there is a risk of fraud with respect to the recognition of revenue.

This is because of the significance of revenue transactions to the financial statements.

We have assessed the Council's different income streams and targeted our significant risk against the types of revenue we believe are most prone to material misstatement.

This consideration is made before we consider the adequacy of the controls management has put in place to mitigate the risk.

Our approach

- We will test the design and implementation of controls management has put in place to ensure grant income is recognised in the correct period and not before any conditions on the grants use have been met.
- We will conduct detailed substantive testing of both the revenue and capital grant income recognised by the Council in the year to determine the appropriateness of recognising the income.
- We will also perform procedures to test the completeness of grant income, using data from independent sources to ensure all grants the Council is scheduled to receive have been recognised.

2. Valuation of PPE and Investment Property

We consider a significant risk exists in relation to the valuation of PPE and Investment Property assets owing to the prevailing conditions in the property market at this time.

We have considered the nature of the Property, Plant and Equipment (PPE) balance and concluded that a significant risk exists in relation to the valuation of Land and Buildings. This is because:

- The Council holds significant amounts of Land and Buildings (£270m net book value as at 31/3/13);
- Whilst the property market is recovering, there remain uncertainties around the valuation of a number of assets;
- We have identified significant adjustments to the carrying value of both PPE and Investment Properties in previous audits; and
- Effective valuations require the use of expert knowledge to maintain materially accurate valuations, and the assessment of market values are inherently judgemental.

Impact on the Council

The value of Property, Plant and Equipment is held on the Council's Balance Sheet, with revaluation gains recognised in the Revaluation Reserve, and losses recognised in the Revaluation Reserve, such that there is a balance for that asset, and then in the Comprehensive Income and Expenditure Statement as an impairment.

Changes to the value of Investment Properties are recognised in the Comprehensive Income and Expenditure Statement on revaluation.

Changes in value do not affect the Council's "bottom line", as statutory overrides reverse impairments to the Capital Adjustment Account, meaning the Council would not have to raise council tax to fund impairment losses.

However, where an impairment is caused by the reduced service potential of an asset (rather than a change in market value), the Council could face charges to repair the building and restore the asset so it is fit for use.

Our approach

- We will test the design and implementation of controls management has put in place to ensure PPE and Investment Properties are materially fairly stated in the Balance Sheet.
- We have held early discussions with key members of the finance team to address this risk in advance of the year end.
- We will consult with our specialist valuation colleagues where we consider it necessary, and review the changes in valuation trends in the wider area to determine the reasonableness of the carrying values of both PPE and Investment Properties.
- We will also test the disclosure of these balances in the accounts, particularly with reference to the disclosures of valuation methodologies and the dates of valuations.

3. Adequacy of disclosures of related party transactions

The Council are required to disclose transactions with various related parties

We have identified the adequacy of disclosures of related party transactions as a significant risk.

As a result of our audit in 2012/13, the Council made a number of amendments to the related party disclosures note in the 2012/13 accounts. These amendments were necessary to ensure the accounts achieved fair presentation and complied with the Code of Practice on Local Authority Accounting.

We also raised a recommendation in our ISA260 report on the 2012/13 audit to improve the level of information the Council holds around the interests of senior officers.

Impact on the Council

The disclosure of related party transactions provides important information to the user of the accounts on the nature of transactions between the Council and connected organisations. Disclosures are also required for transactions with bodies related to senior officers.

The disclosure is a key method by which the Council can be held to account for significant transactions which have occurred during the year.

It is inevitable that the Council will engage with related parties in order to deliver services. However, where controls exist to demonstrate the transactions were undertaken at arms length, disclosure can be made to this effect.

Our approach

- We will review the controls management has in place for collecting the information required for the disclosure, and ensuring it is complete and accurate;
- We will review the records collected by management from annual returns from members and senior officers, and consider them against our knowledge;
- We will review external data sources including Companies House records to identify further relationships which may exist and require disclosure; and
- We will consider the qualitative aspects of the disclosure note, against the requirements of the Code of Practice and also review the appropriateness of the disclosures made by management.

4. Management override of controls

In accordance with International Standards on Auditing (ISA 240), we presume that there is a risk of fraud as a result of Management override of controls.

Our approach

- We will consider those significant accounting estimates, which may be subject to Management bias, as set out in the other risks described in this section.
- We will also perform focussed work on the testing of journals, using data analytics to profile the journal population and focus our testing on higher risk journals; significant accounting estimates, and any unusual transactions, including those with related parties.
- We will use enhanced data analytics to provide support and enable more targeted testing of items which bear the characteristics of a risk.

Data Analytics

We will use Data Analytics tools to drill down into balances and undertake more focussed testing, more appropriate to the account balance or class of transaction. Analytics enables us to undertake sample testing in a risk-focused and user-friendly way.

We are embedding data Analytics technology in all our testing. This provides audit teams on the ground with a range of tools to understand trends in data and highlight areas of audit interest, allowing for more focussed and meaningful testing of risk areas.

We will use Data Analytics to give us insight into your annual financials. We will also use Data Analytics to identify high risk journals for our testing the specific identified risk of Management override of controls.

Data Analytics tools will help us to deliver audits in faster, better way.

Value for money conclusion

Value for money conclusion

Our work will focus on the extent to which the Council has proper arrangements in place to secure value for money

Scope

Under the Code of Audit Practice 2010 we are required to include in our audit report a conclusion on whether Middlesbrough Council has put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources - this conclusion is known as the "VFM conclusion".

Specified criteria for auditors' VFM conclusion	Focus of the criteria for 2014
The organisation has proper arrangements in place for securing financial resilience.	The organisation has robust systems and processes to manage financial risks and opportunities effectively, and to secure a stable financial position that enables it to continue to operate for the foreseeable future.
The organisation has proper arrangements for challenging how it secures economy, efficiency and effectiveness.	The organisation is prioritising its resources within tighter budgets, for example by achieving cost reductions and by improving efficiency and productivity.

Approach to our work

We draw sources of assurance relating to our VFM responsibilities from:

- the audited body's system of internal control as reported on in its Annual Governance Statement;
- the results of the work of the Commission, other inspectorates and review agencies to the extent that the results come to our attention and have an impact on our responsibilities;
- any work mandated by the Commission – of which there was none in 2014; and
- any other locally determined risk-based VFM work that auditors consider necessary to discharge their responsibilities.

Preliminary assessment

Our preliminary assessment has identified two significant risks in relation to our VFM responsibilities. These risks are discussed in more detail on the following page. This preliminary view is based on the undertaking of a risk assessment, which involves consideration of common risk factors for local authorities identified by the Audit Commission, concluding on whether they represent actual risks for the purpose of our VFM conclusion on Middlesbrough Council.

We have undertaken this preliminary work through review of relevant documentation, including Executive and committee papers, and discussion with officers as necessary. We will update our detailed risk assessment to take account of further financial and performance information for 2013/14, and through our consideration of what has been reported in the Annual Governance Statement, matters reported by regulators and other matters which have come to our attention from our work carried out in relation to our other Code responsibilities.

VfM Risk – s151 officer and CMT

The Council's s151 officer no longer sits on CMT, the senior officers decision making body.

This issue is raised as a significant risk as the Audit Commission's guidance specifies that such arrangements are not in accordance with the CIPFA Statement on the Role of the Section 151 officer in Local Government, which may be an indicator of weaknesses in the Council's arrangements for providing Value for Money.

Deloitte were approached by Council senior officers in summer 2013 to consider this matter, and undertook additional procedures in this area.

A separate report was prepared and presented to the Audit and Governance Committee in March 2014 based on the findings from our inquiries.

We continue to work with officers to help them implement our recommendations and review their changing arrangements for adequacy.

Impact on the Council

Strategic Financial Management needs to be at the heart of a Council in order to enable appropriate advice to be provided to officers in a timely manner to aid decision making.

Where a Council designs its senior management structure so that the s151 officer is not part of the senior officers' decision making body, the Council is required to disclose this fact in its Annual Governance Statement, together with an assessment of how the arrangements they have implemented deliver the same impact.

We are required as auditors to review the prepared Annual Governance Statement for compliance with relevant guidance, for completeness, and for consistency with our wider knowledge of the Council. We report by exception any areas the statement does not adequately reflect the arrangements in place at the Council.

Our approach

The work undertaken involved reviewing the high level management structures in place at the Council, as well as reviewing the processes behind a selection of decisions made. We also analysed the position of the section 151 officer against the criteria set out by the CIPFA Statement.

We concluded that whilst the Council's arrangements did not comply with the CIPFA Statement, alternative arrangements had been implemented and were developing to ensure adequate information flows between Directors and the s151 officer.

Our report contained a number of recommendations in this area. As part of our VfM procedures, we will assess the progress the Council has made on implementing them.

We will also assess the adequacy of disclosures made by the Council in its Annual Governance Statement in relation to the position of s151 officer within the Council's Leadership Team.

VfM Risk – Financial resilience

The Council faces a significant challenge to reform to ensure it continues to operate effectively with reduced resources

We have identified a significant risk in relation to financial resilience at the Council.

Like other public bodies, Councils face a significant challenge due to the reduced level of financial resources they have available. In order to ensure they have the ability to deliver services effectively in the future, Councils need to align their medium term financial plans with their savings and budgetary reduction proposals.

The scale of funding reductions means there are no longer any easy solutions, as reductions are required on top of reductions made in previous years.

Councils need to undertake effective medium term financial planning to ensure they will be able to meet the service need. Without effective medium term planning, Councils may find themselves with either insufficient financial resources to deliver services, or an inappropriate mix of non-financial resources, and be unable to deliver against their objectives.

Impact on the Council

The Council's Transformation Programme is its key method of delivering the change needed to ensure the Council is in an appropriate position to deliver services in the future.

In order to be accurate and effective, the Council should ensure its medium term financial planning models adequately reflect the goals of the Transformation Programme, and are sufficiently well linked to update the medium term financial plan on the basis of achievement of savings and service redesign.

The transformation programme and medium term financial plan should work together to support the strategic vision for the Council, enabling the Council to be capable of achieving its long term goals.

Our approach

- We will review the Councils medium term financial planning documents against the transformation programme, to ensure savings programmes are reflected in the future shape of the Council;
- We will review the Council's reserve position and how future financial plans incorporate the level of reserves into medium term decision making;
- We will review a sample of savings plans for 2014/15 to assess the appraisal and approval process, and ensure savings are reflected in the future plans of the Council, and that the Council retains the capacity to deliver services in future years; and
- We will conduct high level interviews with senior officers of the Council to understand the processes in place to ensure the Council is able to meet the future financial challenges it faces.

Grants and returns

Grants

Our work will focus on the certification of the grants in scope as per our contract with the Audit Commission

Scope

Under Section 28 of the Audit Commission Act 1998, the Commission is responsible for making arrangements for certifying claims and returns in respect of grants or subsidies made or paid by any Minister of the Crown or a Public Authority to a Local Authority. The Commission, rather than its appointed auditors, has the responsibility for making certification arrangements. The appointed auditor carries out work on individual claims and returns as an agent of the Commission under certification arrangements made by the Commission which comprise certification instructions which the auditor must follow.

The respective responsibilities of the grant paying body, authorities, the Audit Commission and appointed auditors in relation to claims and returns are set out in the 'General Certification Instructions' produced by the Audit Commission.

Auditors appointed by the Audit Commission are required to:

- review the information contained in a claim or return and to express a conclusion whether the claim or return is: i) in accordance with the underlying records; or ii) is fairly stated and in accordance with the relevant terms and conditions;
- examine the claim or return and related accounts and records of the Local Authority in accordance with the specific grant certification instructions;
- direct our work to those matters that, in the appointed auditor's view, significantly affect the claim or return;
- plan and complete our work in a timely fashion so that deadlines are met; and
- complete the appointed auditor's certificate, qualified as necessary, in accordance with the general guidance in the grant certification instructions.

These responsibilities do not place on the appointed auditor a responsibility to either:

- identify every error in a claim or return;
- or maximise the authority's entitlement to income under it.

Non-certification of NNDR3 return for 2013/14

From 2013/14 the NNDR3 return is no longer subject to external certification. In previous years we have placed reliance on the certification of this claim which has reduced the quantum of testing required on non-domestic rates in the main audit. The absence of the NNDR3 certification will therefore have the effect of increasing the work required around domestic rates to support our main audit opinion. We have agreed an additional fee of £1,750 with the Chief Finance Officer in respect of this.

Housing Benefit claim

A local Council Tax Reduction scheme has replaced the national Council Tax Benefit scheme from 1st April 2013. The funding receivable from the government in respect of this is not subject to external certification.

We continue to plan our approach to the Housing Benefit Subsidy certification and are in contact with officers to ensure appropriate progress is made to meet the deadlines required.

Responsibility statement

Purpose of our report and responsibility statement

Our report is designed to help you meet your governance duties

What we report

Our report is designed to establish our respective responsibilities in relation to the financial statement audit, to agree our audit plan and to take the opportunity to ask you questions at the planning stage of our audit. We enhance this reporting with observations arising from our audit work and our Insight Plan performed to date which are designed to help the Corporate Affairs and Audit Committee discharge its governance duties. Our report includes:

- Our audit plan, including key audit judgements and the planned scope and timing of our audit
- Key regulatory and corporate governance updates, relevant to you

What we don't report

- As you will be aware, our audit is not designed to identify all matters that may be relevant to the Committee.
- Also, there will be further information you need to discharge your governance responsibilities, such as matters reported on by Management or by other specialist advisers.
- Finally, the views on internal controls and business risk assessment in our final report should not be taken as comprehensive or as an opinion on effectiveness since they will be based solely on the audit procedures performed in the audit of the financial statements and the other procedures performed in fulfilling our audit plan.

Other relevant communications

- This report should be read alongside the supplementary "Briefing on audit matters" which we have included as Appendix 6 to this report.
- We will update you if there are any significant changes to the audit plan.

We welcome the opportunity to discuss our report with you and receive your feedback.

Deloitte LLP

Chartered Accountants

Newcastle Upon Tyne

July 2014

This report has been prepared for the Corporate Affairs and Audit Committee, as a body, and we therefore accept responsibility to you alone for its contents. We accept no duty, responsibility or liability to any other parties, since this report has not been prepared, and is not intended, for any other purpose. Except where required by law or regulation, it should not be made available to any other parties without our prior written consent.

Appendices

Appendix 1: Independence and fees

We confirm we are independent of Middlesbrough Council

As part of our obligations under International Standards on Auditing (UK & Ireland) we are required to report to you on the matters listed below:

Independence confirmation	We confirm we are independent of Middlesbrough Council and will reconfirm our independence and objectivity to the Corporate Affairs and Audit Committee for the year ended 31 March 2014 in our final report to the Committee.
Fees	Our audit fees are set by the Audit Commission in line with national scale fees. Details of the non-audit services fees proposed for the period have been presented separately on the following page.
Non-audit services	In our opinion there are no inconsistencies between APB Revised Ethical Standards for Auditors and the company's policy for the supply of non-audit services or any apparent breach of that policy. We continue to review our independence and ensure that appropriate safeguards are in place including, but not limited to, the rotation of senior partners and professional staff and the involvement of additional partners and professional staff to carry out reviews of the work performed and to otherwise advise as necessary.

Appendix 1: Independence and fees (continued)

We have set out below our audit fees for 2013/14

The table below details our proposed audit fees and non-audit fees for the year ending 31 March 2014 for those services for which we have been engaged or proposed for as at the date of this report.

	Current year £'000	Prior year £'000
Fees payable in respect of our work under the Code of Audit Practice in respect of Middlesbrough Council's annual accounts, assurance report on the Whole of Government accounts and the value of money conclusion (note 1)	159	152
Fees payable for the certification of grant claims (note 2)	17	23
Total fees payable in respect of our role as Appointed Auditor	**176**	**175**
Non audit fees (note 3)	57	27

Note 1:

From 2013/14 the NNDR3 return is no longer subject to external certification. In previous years we have placed reliance on the certification of this claim which has reduced the quantum of testing required on non-domestic rates in the main audit. The absence of the NNDR3 certification will therefore have the effect of increasing the work required around domestic rates to support our main audit opinion. We understand the Audit Commission are considering whether a fee adjustment should be made for this. The increased fee in the current year represents an extension agreed with the Council and the Audit Commission to address the Value for Money risk raised above.

Note 2:

The scale fee for 2013/14 is based on actual certification fees for 2011/12 adjusted to reflect the absence of NNDR3 certification and the exclusion of Council Tax Benefit from the Housing Benefit subsidy certification work. The Commission accept that grants work varies year on year and the work in 2011/12 may not be representative of the work required in 2013/14 and hence an adjustment may be required once the 2013/14 work is complete.

Note 3:

Non audit fees in the current year include fees in relation to work reviewing the Council's estates strategy conducted by colleagues from Deloitte Real Estate, work undertaking a review of Digital City, and in respect of additional work performed to support our Governance Review. In the previous year, this included work on an additional grant claim outside the scope of the Audit Commission's Code of Audit Practice and a review of Digital City, which has continued in 2013/14.

Appendix 2: Fraud: responsibilities and representations

As auditors, we obtain reasonable, but not absolute, assurance that the financial statements as a whole are free from material misstatement, whether caused by fraud or error.

Characteristics

- Misstatements in the financial statements can arise from either fraud or error. The distinguishing factor between fraud and error is whether the underlying action that results in the misstatement of the financial statements is intentional or unintentional.
- Two types of intentional misstatements are relevant to us as auditors – misstatements resulting from fraudulent financial reporting and misstatements resulting from misappropriation of assets.

Responsibilities

Your responsibilities

- The primary responsibility for the prevention and detection of fraud rests with Management and those charged with governance, including establishing and maintaining internal controls over the reliability of financial reporting, effectiveness and efficiency of operations and compliance with applicable laws and regulations.

Our responsibilities

- We are required to obtain representations from your Management regarding internal controls, assessment of risk and any known or suspected fraud or misstatement.
- As auditors, we obtain reasonable, but not absolute, assurance that the financial statements as a whole are free from material misstatement, whether caused by fraud or error.
- As set out in Section 2 above we have identified the risk of fraud in revenue recognition and management override of controls as a key audit risk for the Council.

Our responsibilities and those of the Council are explained in the Audit Commission's publication, 'The responsibilities of Auditors and of Audited Bodies – Local Government' issued March 2010.

Appendix 2: Fraud: responsibilities and representations (continued)

We make enquiries of Management, internal audit and the Corporate Affairs and Audit Committee regarding fraud.

We will make the following inquiries regarding fraud:

Management	Internal Audit	The Corporate Affairs and Audit Committee
Management's assessment of the risk that the financial statements may be materially misstated due to fraud including the nature, extent and frequency of such assessments. Management's process for identifying and responding to the risks of fraud in the entity. Management's communication, if any, to those charged with governance regarding its processes for identifying and responding to the risks of fraud in the entity. Management's communication, if any, to employees regarding its views on business practices and ethical behaviour. Whether Management has knowledge of any actual, suspected or alleged fraud affecting the entity.	Whether internal audit has knowledge of any actual, suspected or alleged fraud affecting the entity, to obtain their views about the risks of fraud, and to obtain status reports on fraud cases during 2013/14.	How the committee exercises oversight of Management's processes for identifying and responding to the risks of fraud in the entity and the internal control that Management has established to mitigate these risks. Whether the committee has knowledge of any actual, suspected or alleged fraud affecting the entity.

We will request the following to be stated in the representation letter signed on behalf of the Committee:

- We acknowledge our responsibilities for the design, implementation and maintenance of internal control to prevent and detect fraud and error.
- We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.
- [We are not aware of any fraud or suspected fraud / We have disclosed to you all information in relation to fraud or suspected fraud that we are aware of and] that affects the entity or group and involves:

  (i) Management;

  (ii) employees who have significant roles in internal control; or

  (iii) others where the fraud could have a material effect on the financial statements.
- We have disclosed to you all information in relation to allegations of fraud, or suspected fraud, affecting the entity's financial statements communicated by employees, former employees, analysts, regulators or others.

Appendix 3: Your audit team

A senior team, with continuity from last year, that incorporates specialists to perform audit work over grants and also provide insight and add value to the Council. Our team is selected from our group of public sector specialists.

David Wilkinson
Engagement Partner

Nicky Cooke
Director

Alistair Ross
Assistant Manager

Other specialists

Richard Spence
Director – Deloitte Real Estate

Maree-Louise Kernick
Director - IT

Appendix 4: Timetable

Set out below is the approximate expected timing of our reporting and communication with Management and those charged with governance.

Planning	Interim audit	Year end fieldwork	Reporting	Post reporting
Planning meetings to • perform risk assessment • agree on key judgemental accounting issues • prepare the audit plan Review of relevant internal audit work Update understanding of systems, controls and developments in the business	Update discussions of key audit and business risks and testing of controls to mitigate significant risks Document and test design and implementation of key controls Performance of work in support of value for money conclusion Present audit plan to Corporate Affairs and Audit Committee	Performance of substantive testing Finalisation of work in support of value for money conclusion Review of annual accounts Audit close meeting	Audit 'close meeting' with Management Final Corporate Affairs and Audit Committee meeting Issuance of • audit report and opinion • value for money conclusion • opinion on the WGA return	Audit feedback meeting Issue of annual audit letter
Mar 2014	**April - June 2014**	**July – Aug 2014**	**Sept 2014**	**Sept – Oct 2014**

Ongoing communication and feedback

Appendix 5: State of local public services

We summarise the outcome of our research which provides further context for our audit

During the spring and summer of 2013, Deloitte conducted detailed research to answer a simple question: what is the state of the UK state? As part of the research, we commissioned IPSOS MORI to capture the attitudes of people that run local public services. The results provide a snapshot of local services during a period of profound change.

We have summarised the key messages in relation to local public services below.

Overall

Overall chief executives told us that they feel their organisations are coping well and responding effectively to the challenging circumstances.

They also said that while the depth and speed of change has been difficult for staff, morale is holding up, although future cuts create understandable concerns.

Link between local economies and local services has moved up the agenda

Combined with cuts, the recession has put the health of local economies high on the agenda. Weak economic growth and unemployment has increased pressure on the local public sector as demand for spending has increased. This concern was a clear theme, particularly at a time when cuts are reducing capacity to provide. One police respondent reported that while crime was down overall, shoplifting for food has increased.

Local public service executives fear the impact of welfare reforms

Our research suggests that public service leaders are particularly concerned about the fallout from welfare reform. Some wondered if central government has assessed whether savings on welfare spending will be counterbalanced by increased demand on local services. This was particularly a concern for directors in childrens services where interviewees described rises in child protection cases. Many expressed concerns that cuts will affect their ability to invest in preventative services.

The people in our local public services are focused on opportunities – not just challenges

Our research showed that local public service executives see the current climate as an opportunity to refocus their services on residents' needs and outcomes, as well as to use creativity rather than resources to solve problems. One police respondent told us that in the past, additional finance would have been used to deliver change – but now, the force explores service redesign. On balance, interviewees felt that the opportunities of the coming five years outweigh the challenges.

Appendix 5: State of local public services (continued)

The game has changed – so have leadership priorities

When interview responses were collated, a striking trend emerged: organisational leaders are focused on their people and how they can be empowered to rise to their organisation's challenges. Public value is a notably important issue; a number of executives mentioned values – such as caring, fair and trusted – as being central to the public service ethos. At a time of public sector headcount reductions, interviewees spoke of the importance of attracting staff with the right skills.

A new public services landscape has brought a new set of risks

A number of interviewees told us about the advantages of public sector partnerships in delivering joined-up services, transferring knowledge and generating savings. Most thought that partnerships with the private and third sectors were also beneficial. They thought that cross-sector working brought specific benefits, including exposure to new ideas and new delivery models, efficiency and quality from private sector and local knowledge and niche services from the third sector. But many also recognised that commissioning and partnerships outside the public sector brought new, critical risks that needed to be managed.

Appendix 6: Briefing on Audit matters

Published for Those Charged With Governance

This document is intended to assist those charged with governance to understand the major aspects of our audit approach, including explaining the key concepts behind the Deloitte Audit methodology including audit objectives and materiality.

Further, it describes the safeguards developed by Deloitte to counter threats to our independence and objectivity.

This document will only be reissued if significant changes to any of those matters highlighted above occur.

We will usually communicate our audit planning information and the findings from the audit separately. Where we issue separate reports these should be read in conjunction with this "Briefing on audit matters".

Approach and scope of the audit

Primary audit objectives	We conduct our audit in accordance with International Standards on Auditing (UK & Ireland) as adopted by the UK Financial Reporting Council ("FRC") and the Code of Audit Practice as established by the Audit Commission. Our statutory audit objectives are: • to express an opinion in true and fair view terms to the members on the financial statements; • to express an opinion as to whether the accounts have been properly prepared in accordance with the Code of Practice on Local Authority Accounting; • To express an opinion as to whether the entity has put in place appropriate systems and processes to secure value for money in its use of resources; and • to express an opinion as to whether the Annual Governance Statement, is consistent with the financial statements and our knowledge of the Council.
Other reporting objectives	Our reporting objectives are to: • present significant reporting findings to those charged with governance. This will highlight key judgements, important accounting policies and estimates and the application of new reporting requirements, as well as significant control observations; and • provide timely and constructive letters of recommendation to management. This will include key business process improvements and significant controls weaknesses identified during our audit.

Appendix 6: Briefing on Audit matters (continued)

Materiality

The concept of materiality is fundamental to the preparation of the financial statements and the audit process and applies not only to monetary misstatements but also to disclosure requirements and adherence to appropriate accounting principles and statutory requirements.

"Materiality" is defined in the International Accounting Standards Board's "Framework for the Preparation and Presentation of Financial Statements" in the following terms:

"Information is material if its omission or misstatement could influence the economic decisions of users taken on the basis of the financial statements. Materiality depends on the size of the item or error judged in the particular circumstances of its omission or misstatement. Thus, materiality provides a threshold or cut-off point rather than being a primary qualitative characteristic which information must have if it is to be useful."

We determine materiality based on professional judgment in the context of our knowledge of the audited entity, including consideration of factors such as shareholder expectations, industry developments, financial stability and reporting requirements for the financial statements.

We determine materiality to:
- determine the nature, timing and extent of audit procedures; and
- evaluate the effect of misstatements.

The extent of our procedures is not based on materiality alone but also the quality of systems and controls in preventing material misstatement in the financial statements, and the level at which known and likely misstatements are tolerated by you in the preparation of the financial statements.

Appendix 6: Briefing on Audit matters (continued)

Uncorrected misstatements

In accordance with International Standards on Auditing (UK and Ireland) ("ISAs (UK and Ireland)") we will communicate to you all uncorrected misstatements (including disclosure deficiencies) identified during our audit, other than those which we believe are clearly trivial.

ISAs (UK and Ireland) do not place numeric limits on the meaning of 'clearly trivial'. The Audit Engagement Partner, management and those charged with governance will agree an appropriate limit for 'clearly trivial'. In our report we will report all individual identified uncorrected misstatements in excess of this limit and other identified errors in aggregate.

We will consider identified misstatements in qualitative as well as quantitative terms.

Audit methodology

Our audit methodology takes into account the changing requirements of auditing standards and adopts a risk based approach. We utilise technology in an efficient way to provide maximum value to members and create value for management and the Board whilst minimising a "box ticking" approach.

Our audit methodology is designed to give directors and members the confidence that they deserve.

For controls considered to be 'relevant to the audit' we evaluate the design of the controls and determine whether they have been implemented ("D & I"). The controls that are determined to be relevant to the audit will include those:

- where we plan to obtain assurance through the testing of operating effectiveness;
- relating to identified risks (including the risk of fraud in revenue recognition, unless rebutted and the risk of management override of controls);
- where we consider we are unable to obtain sufficient audit assurance through substantive procedures alone; and
- to enable us to identify and assess the risks of material misstatement of the financial statements and design and perform further audit procedures

Appendix 6: Briefing on Audit matters (continued)

Other requirements of International Standards on Auditing (UK and Ireland)

ISAs (UK and Ireland) require we communicate the following additional matters:

ISA (UK & Ireland)	Matter
ISQC 1	Quality control for firms that perform audits and review of financial statements, and other assurance and related services engagements
240	The auditor's responsibilities to consider fraud in an audit of financial statements
250	Consideration of laws and regulations in an audit of financial statements
265	Communicating deficiencies in internal control to those charged with governance and management
450	Evaluation of misstatements identified during the audit
505	External confirmations
510	Initial audit engagements – opening balances
550	Related parties
560	Subsequent events
570	Going concern
600	Special considerations – audits of group financial statements (including the work of component auditors)
705	Modifications to the opinion in the independent auditor's report
706	Emphasis of matter paragraphs and other matter paragraphs in the independent auditor's report
710	Comparative information – corresponding figures and comparative financial statements
720	Section A: The auditor's responsibilities related to other information in documents containing audited financial statements

Appendix 6: Briefing on Audit matters (continued)

Independence policies and procedures

Important safeguards and procedures have been developed by Deloitte to counter threats or perceived threats to our objectivity, which include the items set out below.

Safeguards and procedures

- Every opinion (not just statutory audit opinions) issued by Deloitte is subject to technical review by a member of our independent Professional Standards Review unit.
- Where appropriate, review and challenge takes place of key decisions by the Second Partner and by the Independent Review Partner, which goes beyond ISAs (UK and Ireland), and ensures the objectivity of our judgement is maintained.
- We report annually to those charged with governance our assessment of objectivity and independence. This report includes a summary of non-audit services provided together with fees receivable.
- There is formal consideration and review of the appropriateness of continuing the audit engagement before accepting reappointment.
- Periodic rotation takes place of the audit engagement partner, the independent review partner and key partners involved in the audit in accordance with our policies and professional and regulatory requirements.
- In accordance with the Ethical Standards issued by the Auditing Practices Board ("APB"), there is an assessment of the level of threat to objectivity and potential safeguards to combat these threats prior to acceptance of any non-audit engagement. This would include particular focus on threats arising from self-interest, self-review, management, advocacy, over-familiarity and intimidation.

In the UK, statutory oversight and regulation of auditors is carried out by the FRC. The Firm's policies and procedures are subject to external monitoring by both the Audit Quality Review Team (AQRT, formerly known as the Audit Inspection Unit), which is part of the FRC's Conduct Division, and the ICAEW's Quality Assurance Department (QAD). The AQRT is charged with monitoring the quality of audits of economically significant entities and the QAD with monitoring statutory compliance of audits for all other entities. Both report to the ICAEW's Audit Registration Committee.

Appendix 6: Briefing on Audit matters (continued)

Independence policies

Our detailed ethical policies' standards and independence policies are issued to all partners and employees who are required to confirm their compliance annually. We are also required to comply with the policies of other relevant professional and regulatory bodies.

Amongst other things, these policies:

- state that no Deloitte partner (or any closely-related person) is allowed to hold a financial interest in any of our UK audited entities;
- require that professional staff may not work on assignments if they (or any closely-related person) have a financial interest in the audited entity or a party to the transaction or if they have a beneficial interest in a trust holding a financial position in the audited entity;
- state that no person in a position to influence the conduct and outcome of the audit (or any closely related persons) should enter into business relationships with UK audited entities or their affiliates;
- prohibit any professional employee from obtaining gifts from audited entities unless the value is clearly insignificant; and
- provide safeguards against potential conflicts of interest.

Remuneration and evaluation policies

Partners are evaluated on roles and responsibilities they take within the firm including their technical ability and their ability to manage risk.

APB Ethical Standards

The APB issued five ethical standards for auditors that apply a 'threats' and 'safeguards' approach.

The five standards cover:

- maintaining integrity, objectivity and independence;
- financial, business, employment and personal relationships between auditors and their audited entities;
- long association of audit partners and other audit team members with audit engagements;
- audit fees, remuneration and evaluation of the audit team, litigation between auditors and their audited entities, and gifts and hospitality received from audited entities; and
- non-audit services provided to audited entities.

Our policies and procedures comply with these standards.