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Dear Gavin

Management processes and arrangements

Further to your letter of 11 April 2014, please find the council's response to your questions, below.

1) Management processes in relation to fraud and error

Management discharges its responsibilities through systems of internal control. These controls are designed, amongst other things, to prevent any material mis-statement in the financial statements and to ensure that appropriate action is taken in the event of actual or suspected fraud occurring. The system of control and specific activities include:

- a corporate framework of standards, regulations, and rules for example the council's Constitution, Schemes of Delegation, and Finance and Contract Procedure Rules
- Codes of Conduct for members and officers
- Counter fraud and related policies which clearly outline to staff the council's commitment to the elimination of fraud and the steps that they should take in the event of fraud being suspected
- Register of members' interests, gifts and hospitality
- Register of officers' interests, gifts and hospitality.
- comprehensive budgetary control systems and regular budget and performance reporting arrangements

- analytical review of the financial statements themselves
- administrative procedures (including the segregation of duties) and management supervision
- commissioning internal audit services from Veritau, this work includes reporting on the council's systems for financial accounting and financial management as part of its annual risk based internal audit plan.
- the provision of dedicated counter fraud services by Veritau who undertake proactive work to identify possible fraud and investigate all suspected cases of fraud which are identified (in accordance with an annual counter fraud plan).
- participation in the Audit Commission's National Fraud Initiative and investigation of potential benefit fraud cases identified by the Department for Work and Pensions (DWP)
- joint working protocols and arrangements with the DWP and the police to support the investigation of suspected fraud
- the provision of fraud awareness training for all relevant staff
- staff induction processes
- fraud awareness measures for example articles in staff newsletters and on the intranet
- publication of successful prosecutions through the local press
- provision of advice and guidance to managers to assist them in the prevention and detection of possible fraud.

The council's counter fraud policies and annual counter fraud plan cover the following main areas:

- creation of a council wide anti-fraud culture
- arrangements to deter and prevent fraud
- measures taken to detect fraud
- investigation of suspected cases of fraud
- application of appropriate sanctions and the recovery of losses due to fraud.

Details of the counter fraud work undertaken by Veritau during the year, and the outcome of investigations into suspected fraud have been reported to the Audit and Governance Committee. Regular reports to the

Committee on other counter fraud activities have also been made during the year.

2) Compliance with laws and regulations

The Monitoring Officer has a specific responsibility to ensure that the council operates lawfully. The council also has comprehensive arrangements in place to ensure that risks are managed and all relevant laws and regulations have been complied with.

The council has developed and implemented a system of assurances based on:

- objective setting – whereby the council’s strategic objectives are identified and assigned to individual directors or assistant directors
- risk assessment – whereby each director or assistant director identifies and prioritises the risks related to achieving those strategic objectives
- a Local Code of Corporate Governance – which is consistent with the principles of the CIPFA/SOLACE “Delivering Good Governance in Local Government” Framework and the council’s business model
- Annual Governance Statement – which sets out the council’s governance framework. The key elements of the governance framework consists of strategic planning processes, political and managerial structures and processes, management and decision making processes, policies and guidance, financial management, compliance arrangements, risk management, internal audit, counter fraud activities, performance management, consultation and communication methods and partnership working arrangements. A review of the governance framework is undertaken as part of the process to prepare the Annual Governance Statement. All significant governance issues are highlighted in the published Annual Governance Statement.

The council’s Cabinet is responsible for decision making within the policy and budget framework set by full Council. The corporate management team (CMT) has responsibility for implementing council policies and decisions, providing advice to members and for co-ordinating the use of resources and the work of the council’s directorates. The Cabinet and CMT monitor and review council activities to ensure corporate compliance with governance, legal and financial requirements.

Specific policies, regulations and written guidance exist to support the council's corporate governance arrangements. The Officer Governance Group is responsible for monitoring the effectiveness of these arrangements and for the maintenance of appropriate systems of assurance. Assurance is obtained from the work of internal and external audit, inspection agencies and other relevant bodies.

The Audit and Governance Committee acts as the responsible body charged with governance on behalf of the council. In doing so the Committee provides independent assurance on the adequacy of the risk management framework and the associated control environment, and independent scrutiny of the council's financial and non-financial performance to the extent that it affects the council's exposure to risk. It also oversees the council's financial reporting processes and approves the Statement of Accounts.

The Audit and Governance Committee's terms of reference include the requirement to monitor the effective development and operation of risk management and corporate governance as well as to consider the council's compliance with its own and other relevant published regulations, controls, operational standards and codes of practice. The Committee is also responsible for keeping under review the council's Financial Regulations, Contract Procedure Rules, working protocols and codes of conduct and behaviour.

The Audit and Governance Committee receives assurance from management through the:

- receipt and approval of the annual counter fraud plan
- receipt and regular update reports from the Head of Internal Audit detailing the results of internal audit and counter fraud work, including the audit of the financial accounting and financial management of the organisation
- receipt of the annual report of the Head of Internal Audit which provides an overall opinion on the council's control environment including the arrangements to prevent and detect fraud.

I am not aware of any instances of non-compliance with relevant laws or regulations that would affect the financial statements.

3) Litigation or claims

All known claims or liabilities known have been properly accounted for and provision made, where appropriate, including potential Business Rate appeals.

4) Related party transactions

On an annual basis all senior managers and elected members are asked to provide details of any interests they hold in other companies, transactions with the Council, employment by any other organisation and membership of any outside bodies. These forms are reviewed and subsequently queried with officers and members as appropriate to ensure that a full disclosure is made in the Statement of Accounts.

Signed by the Director of Customer and Business Support Services on behalf of management

Ian Floyd

30 July 2014

Appendix 1

No	Question	Response
1	<p>Are you aware of any instances of actual, suspected or alleged fraud, either within City of York Council as a whole or within your department during the period 1 April 2013 – 31 March 2014?</p>	<p>Yes. Records of all suspected fraud, and outcomes of any investigation are maintained by Veritau, on behalf of the council.</p>
2	<p>Do you suspect fraud may be occurring, either within City of York Council or within your department?</p> <ul style="list-style-type: none"> • Have you identified any specific fraud risks within City of York Council/your department? • Do you have any concerns that there are areas within your department or City of York Council that are at risk of fraud? • Are there particular locations within City of York Council where fraud is more likely to occur? 	<p>Yes. On an annual basis, the council undertakes a risk assessment of service areas, and identifies areas where there are potential fraud risks. This is used to prioritise counter fraud activity. Please refer to the latest fraud risk assessment presented to the Audit and Governance Committee in February 2014.</p>
3	<p>Are you satisfied that internal controls, including segregation of duties, exist and work effectively?</p> <ul style="list-style-type: none"> • If not where are the risk areas? • What other controls are in place to help prevent, deter or detect fraud? 	<p>Yes. A summary of controls and other arrangements are set out in response to question 1, above.</p>
4	<p>How do you encourage staff to report their concerns about fraud?</p> <ul style="list-style-type: none"> • What concerns about fraud are staff expected to report? 	<p>The council has effective whistleblowing arrangements in place. A confidential reporting line is available through Veritau, the council's counter fraud provider. The council expects all non-trivial matters to be reported.</p>
5	<p>From a fraud and corruption perspective, what are considered to be high risk posts within your area of responsibility?</p> <ul style="list-style-type: none"> • How are the risks relating to these posts identified, assessed and managed? 	<p>The control environment that operates within the Council ensures that appropriate systems are in place to ensure separation of duties and authorisation of contracts and expenditure. Therefore no individual posts are considered high risk.</p>

6	<p>Are you aware of any related party relationships or transactions that could give rise to instances of fraud?</p> <ul style="list-style-type: none"> • How do you mitigate the risks associated with fraud related to related party relationships and transactions? 	<p>A full review of related party relationships has been undertaken and no issues have been identified as being of concern.</p>
7	<p>Are you aware of any entries made in the accounting records of City of York Council that you believe or suspect are false or intentionally misleading?</p> <ul style="list-style-type: none"> • Are there particular balances where fraud is more likely to occur? • Are you aware of any assets, liabilities or transactions that you believe were improperly included or omitted from the accounts of City of York Council? • Could a false accounting entry escape detection? If so, how? • Are there any external fraud risk factors which are high risk of fraud? 	<p>No. The final accounts have been prepared in accordance with proper practice. Detailed working papers are available and an analytical review completed.</p>
8	<p>Are you aware of any organisational, or management pressure to meet financial or operating targets?</p> <ul style="list-style-type: none"> • Are you aware of any inappropriate organisational or management pressure being applied, or incentives offered, to you or colleagues to meet financial or operating targets? 	<p>No. The Council reports its financial position to Cabinet on a regular basis which has highlighted areas of concern and actions being taken to mitigate those areas.</p>