

Merri-bek City Council Audit and Risk Committee

Performance Report 2022- 2023



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Message from the Audit and Risk Committee Chair

I am pleased to present this report which outlines the Audit and Risk committee's achievements throughout the 2022 -2023 period. I would like to thank Councillors, fellow independent members and Council staff for their valuable contribution and support. This report reflects Merri-bek City Council's commitment to continuous improvement in governance and risk management practices and showcases the progress made throughout the year. We hope that this report will provide insight into the committee's work and highlight our pledge to continuous improvement.

John Watson

Audit and Risk Committee Chair

Merri-bek City Council

1. Introduction

The Merri-bek City Council Audit and Risk Committee (the Committee) has continued to undertake its role in providing independent advice to the Council and management of Merri-bek City Council (Council) throughout the period 1 July 2022 to 30 June 2023 as covered by this report.

Pursuant to 53(2) of the Local Government Act 2020 (the Act), the Committee does not have any delegated powers, including executive powers, management functions, or delegated financial responsibility. The Committee's role is to advise the Council on how to best fulfil its responsibilities and facilitate decision making by providing a forum for improving communications between the Council members and senior management, finance, risk and compliance managers, internal and external auditors.

The Committee assists Council with discharging its responsibilities under the Act including:

- monitoring the compliance of Council policies and procedures with:
 - > the overarching governance principles;
 - > the Act and the regulations and any Ministerial directions; and
 - > other relevant laws and regulations;
- monitoring internal controls;
- monitoring Council financial and performance reporting;
- monitoring and provide advice on risk management and fraud prevention systems and controls;
- overseeing internal audit function;
- overseeing external audit functions and
- monitoring related party transactions.

To fulfil its role, some of the key activities undertaken by the Committee during this period were to:

- review the draft Financial Statements and recommend their adoption to Council
- review the Annual Performance Statement and recommend its adoption to Council
- monitor compliance obligations and challenge the existence and effectiveness of accounting and financial systems and other systems of internal control and business risk management
- review the audit plans, results, and effectiveness of the organisation through the Internal Audit Program

Overall, through its work, the Committee's aim is to add to the credibility of Council by promoting ethical standards. Under the guidance of the Committee Chair, Mr John Watson, strategic and operational risk issues were considered and mitigated.

In fulfilling its responsibilities, the Committee has provided input and advice in relation to the Internal Audits completed by contracted Internal Auditors, Crowe Australasia (Crowe) for Council during the reporting period.

During the year, Crowe made an annual declaration of independence to the Committee, declaring that they had maintained and would continue to maintain their independence.

2. Audit and Risk Committee membership

The Committee is comprised of seven people appointed by Council, with three members being Councillors and four members being independent of Council. The membership of the Committee during the reporting period is set out below:

2.1 Council representatives

Mayor Angelica Panopoulos Councillor Mark Riley Councillor Adam Pulford

2.2 Independent members

Mr John Watson (Chairperson) Ms Lisa Tripodi Mr Jeff Rigby Ms Marilyn Kearney

3. Meetings and attendance

A total of four meetings were held during the reporting period. Committee members maintained very good attendance throughout the year as shown in Table 1.

The four meetings were held on:

- 6 September 2022
- 20 December 2022
- 14 March 2023
- 6 June 2023

A summary of committee attendance is displayed in table 1.

Table 1 – Membership, meeting dates and attendance

Member	Role	6/09/2022	20/12/2022	14/3/2023	6/6/2023
John Watson	Independent Chair	~	~	~	~
Lisa Tripodi	Independent Member	~	~	~	~
Jeff Rigby	Independent Member	~	~	~	~
Marilyn Kearney	Independent Member	~	~	~	¥
Mayor Angelica Panopoulos	Council Member	~	~	~	~
Cr Mark Riley	Council Member	~	~	Х	~
Cr Adam Pulford	Council Member	~	0	~	Х

<u>Key</u>

 \checkmark = In attendance

X = Apology

O = not required

Representatives for the Victorian Auditor General's Office (External Auditors), RSD Audit attended most meetings. Representatives from Crowe the internal audit contractor for the period, attended all four meetings.

Senior management representatives from Council also attended each Committee meeting. These included the Chief Executive Officer, Director Business Transformation, Chief Financial Officer and Manager Governance and Strategy. In addition, there was attendance by other Directors when there were Department related items on the Agenda. A summary attendance by regular attendees is shown in table 2.

Regular Attendee	Role	6/09/2022	20/12/2022	14/3/2023	6/6/2023
Phil Delahunty	Engagement Leader, RSD Audit until December 2022 (auditor for VAGO)	~	Х	0	0
Josh Porker	Principal, RSD Audit from December 2022 (auditor for VAGO)	0	0	~	•
Blessing Muncan	Team leader RSD Audit (auditor for VAGO)	Х	Х	~	0
Martin Thompson	Partner, Crowe	v	~	~	¥
Lynda Cooper	Senior Manager, Crowe	~	Х	Х	0
Cathy Henderson	Chief Executive Officer	~	~	~	~
Anita Curnow	Director City Infrastructure	~	v	~	~
Sue Vujcevic	Director Business Transformation	~	~	~	*
Eamonn Fennessy	Director Community	v	~	~	Х
Joseph Tabacco	Director Place and Environment	~	~	~	~
Yvonne Callanan	Manager Governance and Strategy	~	~	~	~
Simon Rennie	Chief Financial Officer	Ο	~	Ο	0
Jemma Wightman	Chief Financial Officer (from May 2023)	v	0	~	*
Glenn Johnston	Acting Unit Manager Finance	0	v	0	0
Robert Raiskums	Manager Information Technology	~	~	~	v
Brian Harris	Manager People and Safety	~	~	~	~
Trisha Love	Manager Organisational Performance	0	0	~	0
Sophie Barison	Unit Manager Integrity, Risk and Resilience	~	~	~	*

Table 2 – Regular Attendees, meeting dates and attendance

Key

✓ = In attendance

X = Apology

O = not required

4. Internal Audit

4.1 Internal audit contract

A key responsibility of the Committee is to monitor Council's internal audit program. The internal audit function of Council is supported by the engagement of independent Internal Audit professionals to provide analysis and recommendations aimed at improving Council's governance, risk, and management controls. Representatives from Crowe attended each Committee meeting and presented the audit results for each audit they had undertaken, responded to questions, and provided and welcomed advice from the Committee. Crowe is Council's internal auditor until September 2024 when an extension option will be considered.

4.2 Internal Audit plan 2022-23

A three year Strategic Internal Audit Plan rolling plan is in place. The Committee reviews the plan annually and the following 2022-23 Internal Audit plan below (table 3) was approved by the committee in June 2022. The committee monitors the delivery of the plan at each meeting.

Internal audit project	Jul. 22	Aug. 22	Sept. 22	Oct. 22	Nov. 22	Dec. 22	Jan. 23	Feb 23	Mar. 23	Apr. 23	May 23
Internal Audit Support											
Development of three year strategic internal audit rolling plan											
Annual review of SIAP											
Preparation and attendance and Audit and Risk Committee											
Annual Internal Audit Program											
Conflict of Interest											
Child Safe Standards											
Cyber Security - Essential 8											
Follow Up											
Immunisation management											
Payroll											
Procurement (above threshold)/Tendering											
Public Health & Wellbeing Act Compliance											

Table 3 – Internal audit plan

Key

Audit field work and report writing

Denotes Audit Committee Meeting to which the Internal Audit Report was presented

Final internal audit reports were reviewed and discussed by the Committee at each of the 4 meetings. The status of Internal and External Audit recommendations was reported to the Committee at each committee meeting and off track audit actions were explained and extensions requested.

In addition to the above 8 audits, in October 2022 a further two audits were completed. A Safety Process Audit was completed to utilise the 'Capacity to Respond' audit not utilised in 2021-22 year and an additional audit was completed by BDO (in addition to the above internal audit plan) who were appointed to complete an end- to-end review of payroll processes and internal controls.

4.3 Internal audit reports reviewed

At the completion of each audit, Crowe issue an audit report. The report contains an unbiased assessment of the effectiveness of Council's processes. It includes an overall audit rating, audit findings, and a list of recommendations.

A total of 12 internal audits reports were presented to the Audit and Risk Committee during the reporting period (the Management of Contaminated Land audit and the Cash Handling audit were completed late 2021-22 and presented in September 2022).

	Audit Title and nmittee Meeting Date eport was Presented	Summary of Findings
1	Management of Contaminated Land 6 September 2022	Crowe Australasia completed a Management of Contaminated Land audit and found that the current controls in place to manage contaminated land maintained by Council needed strengthening. Findings were identified which related to: - Contaminated land register - Policy and guidelines improvement - Defining management roles and responsibilities - A centralised register for statutory obligations
2	Cash Handling 6 September 2022	Crowe Australasia completed a Cash Handling audit and found that the current controls in place over the cash handling practices maintained by Council needed to be strengthened. Findings were identified which relate to: - Cash Handling Operating Procedures - Pathways system user access - End of day Cash Count - Cash discrepancies - Audit Process - End of day Procedures - Petty Cash - Physical security
3	Management of Conflict of Interest 6 September 2022	Crowe Australasia completed a Management of Conflict-of-Interest audit and found that the current controls in place over the management of conflict of interest needed strengthening. Findings were identified which related to: - Training and Awareness - Sports Ground Seasonal Tenancy Allocations - Roads Unit - Management Reporting and Review
4	Safety Process 20 December 2022	Crowe Australasia completed a Safety Process Standards audit and found that the current controls in place over safety processes maintained by Council needed strengthening. Findings were identified which related to: - Heavy Vehicle Safety Framework - Workplace Audit and Inspection Program - Suitability of Traffic Management Plans - Review of Safe Work Procedures - Monitoring of work sites
5	Child Safe Standards 20 December 2022	Crowe Australasia completed a Child Safe Standards audit and found that the current controls in place over the management of child safe practices need strengthening. Findings were identified which related to: - Governance practices - Child Safety and Wellbeing Policy and Procedures

Table 4 – 2022/23 Internal Audits completed and summary of findings

		Turining and Automation
		- Training and Awareness
		- Incident reporting
		- Monitoring and Evaluation
6	Cyber Security –	Crowe Australasia completed a Cyber Security audit and concluded that the
	Essential 8	current controls in place over cyber security practices can be further
	20 December 2022	strengthened. Findings were identified which related to:
	20 December 2022	- Restricting administrative privileges
		- Patch Operating Systems
		 Improvement opportunities in cyber security governance
		- Multi-factor authentication
		- Patch applications
		- Application control
7	Follow Up	Crowe Australasia completed a Follow up of closed action items and concluded
	14 March 2023	that of 38 recommendations only 2 required further action.
8	Immunisation	Crowe Australasia completed an Immunisation Management audit and were
-	Management	satisfied with the current controls in place. Findings were identified which related
	_	to:
	14 March 2023	- Informed consent process
		- Customer Service feedback
		- Management reporting
		- Strategic planning
		- Staff training
9	Payroll Management	Crowe Australasia completed a Payroll Management audit and concluded that
	6 June 2023	the current controls in place over the payroll function need to be strengthened.
	6 June 2023	- Findings were identified which related to:
		- Policies and procedures
		- Termination and Manual entry processes
		- Segregation of Duties
		- Payroll Checklists
		- Reporting
10	Payroll End- to-End	BDO completed an End-to-End Payroll Review and identified areas for
	Review	improvement including:
	6 June 2023	- Access to payroll shared folder and iChris system
		- Access to the online banking system
		Policies and proceduresPayroll team structure and capability
		- Team Dynamics
		- Change Management
		 High volume of cumbersome manual procedures
		- Shared payroll email address
		- Education and training
		-
11	Procurement (above	Crowe Australasia completed a Procurement – above the threshold/tendering
	the threshold) and	audit and concluded that the current controls in place would benefit from further
	management of	strengthening. Findings were identified which related to:
	Panels	- Conflict of Interest
	6 June 2023	- Tender threshold non-compliance reporting
L		- Tender evaluation process
12	Public Health &	Crowe Australasia completed a Public Health & Wellbeing Act Compliance audit
12	Wellbeing Act	and concluded that the current controls in place can be further strengthened.
1	Compliance	
		Findings were identified which related to:
L	l	1

6 June 2023	-	Operating Framework
	-	Peer Review Process
	-	Management of Conflict of Interest
	-	Annual Inspections
	-	Follow-up Inspections
	-	Customer Complaints
	-	Management Reporting

4.4 Implementation of audit recommendations

The Committee continued to encourage management to implement Internal Audit recommendations in a timely manner to ensure that better practices and controls in Council's services are achieved.

In order to monitor progress of audit actions, an Audit Actions progress report is provided to the Committee at each meeting. The report records the recommendations from Internal Audits completed by Crowe as well any External Audits completed by VAGO. The report outlines the number of open, closed and off-track actions. In most cases the organisation was able to implement audit actions in a timely manner. Any exceptions were highlighted and explained to the committee in the Audit Actions progress report.

The total number of new recommendations raised by Crowe and BDO during 2022/23 was 107 – many of these recommendations contained multiple sections.

5. External Audit

In August 2021 the Victorian Auditor General's Office (VAGO) appointed RSD Audit to complete external audits of Merri-bek City Council. Phil Delahunty assumed the lead role as Partner of RSD Audit for the Audit and Risk Committee meetings from August 2021 until December 2022 at which time Josh Porker replaced him.

RSD Audit's approach focuses on key financial reporting risks. This involves understanding of significant financial reporting processes and a combination of internal control testing and substantive audit procedures to assess the residual risk of material error.

The VAGO Closing Report 30 June 2022 and Final Management Letter 2021/22 was presented to the Committee at its meeting of 6 September 2022.

6. Oversight of annual financial reports

During the year, the Audit and Risk Committee considered the accounts for the year ended 30 June 2022 in the meeting held 6 September 2022. This work was undertaken by the Committee in a timely manner so that final clearance of all financial statements was received within the deadline imposed under the Local Government Act.

7. Duties and responsibilities

Annual Assessment against the Committee Charter

The Committee are required to undertake an annual assessment of its performance against the Audit and Risk Committee Charter and incorporate this into the Annual Committee Performance Report in accordance with the Charter and section 54(4a) of the Local Government Act 2020. The 2022-23 work plan is aligned to the 2021 Audit and Risk Committee Charter.

In the reporting period, the Committee dealt with all matters scheduled for consideration in the 2022-23 work plan with the exception of Assessing adequacy of Council process to manage insurable risk, which has been delayed from the 6 June 2023 to 5 September 2023 meeting so that the outcome of the insurance renewal process (which is finalised on 30 June 2023) can be reported to the committee.

The review of the Audit and Risk Performance Report 2022-23 was brought forward (from the September 2023 meeting) to enable the Chair to present to a Councillor Briefing and to align the presentation of the 2023-24 Strategic Internal Audit Plan prior to the commencement of the new financial year as required by the Charter.

Appendix 1 shows the 2022-23 workplan with exceptions highlighted in blue.

8. Overall assessment of Merri-bek City Council's risk, control and compliance framework

The Committee's overall assessment is that Council has continued to maintain a strong internal control environment and its management of strategic and operational risk, financial and compliance is effective. The organisation has continued to work well with the committee and has demonstrated a high level of commitment to being open to audit findings, genuine in addressing any issues or improvement opportunities, and consistent in the fulfilment of its commitments.

It is the independent view of the Committee that the governance culture of Merri-bek City Council is supporting the development of a robust risk, control and compliance framework which continues to strengthen and adapt to changes in Merri-bek City Council's operations.

APPENDIX 1– COMMITTEE ASSESSMENT AGAINST THE CHARTER

Merri-bek City Council Audit and Risk Committee Work Plan 2022-2023

Action	Frequency	Audit and Risk Committee Charter Reference	Title of Report / Section of Agenda where action is addressed	6 September 2022	20 December 2022	14 March 2023	6 June 2023
Assess Council's policy framework and procedures to ensure: - the embedding of the governance principles - the strengthening of Council's policy	Quarterly	4.1.3	Committee Work Plan				
framework - policies are reviewed as per schedule							
Business Transformation				V			
City Infrastructure					V		
Community						\checkmark	
Place and Environment							V
Monitor Council processes for compliance of Council policies and procedures	Quarterly	4.1.1	Committee Work Plan	V	V	V	V
Review Register of Delegations	Annually	4.1.3	Committee Work Plan				V

Review report on Gifts, Benefits and Hospitality	Biannually	4.1.3	Committee Work Plan				V
Review report on Councillor Expenses	Biannually	4.1.3	Committee Work Plan				
Review Report on Interstate and Overseas Travel	Biannually	4.1.3	Committee Work Plan				
Review CEO credit card transactions (complete list)	Biannually	4.1.3	Committee Work Plan			V	
Review the Procurement Framework (with a focus on probity and transparency of policies, processes, and procedures).	Annually	4.1.2	Procurement Framework				
Monitor improvements in financial management through a 3-year Financial Management Improvement Plan.	Quarterly	4.1.4	Finance Management	Ø	Ø	V	
Review the CEO Employment Matters Policy and Terms of Reference for CEO Employment Matters Advisory Committee and ensure compliance with the Act	Annually	4.1.5	Committee Work Plan				
Monitor work by the Council to mitigate and plan for climate change risk	Quarterly	4.1.6	Climate Risk & Resilience			V	V
Monitor Council's controls for unusual transactions above acceptable risk	Quarterly	4.2.2	Financial Management				V
Monitor Council's commercial interests including compliance with relevant laws and regulations	Annually	4.3	Committee Work Plan				

Review management reports on any breakdowns in key controls	Quarterly	4.2.1	Risk Management	V	V		\checkmark
Review systems and controls implemented to monitor compliance with legislation and regulations through internal audit and external audit reporting.	Quarterly	4.3.1, 4.3.2	Memorandums of Audit Planning and Audits Completed	V	V	V	
 Review Council's procedures to receive, retain and treat complaints through a report on: Complaints Handling framework and performance; Public Interest Disclosure framework and handling. 	Annually	4.3.3	Risk Management				
An overview of Council's handling of complaints and public interest disclosures	Quarterly	4.3.3	Risk Management	V			V
An overview of Council's handling of accounting, internal accounting controls or auditing matters or other matters likely to affect the Council or its compliance with relevant legislation and regulations.	Quarterly	4.3.3	Financial Management			V	
Obtain assurance that adverse trends are identified and review management's plans to deal with these.	Quarterly	4.3.4	Recent Reports and Publications		V		
Monitor actions arising from Audit and Risk Committee meetings and the Recent Reports and Publications report	Quarterly		Business Actions Progress	V	V		

Review management disclosures in financial reports on the effect of significant compliance issues	Quarterly	4.3.5	Financial Management	V	V	V	V
Committee members will complete Personal Interest Returns.	Biennially	4.3.6	Committee Work Plan		cable in 202 re complete		
Committee members will confirm the understanding of their obligations following the biennial review of the Committee Charter.	Biennially	4.3.6	Committee Work Plan	(Not applicable in 2022-23 because this occurred when the Charter was reviewed and signed in 2021-22)			
Receive assurance that Council has appropriate systems and procedures in place for collecting and analysing information and data to measure performance against the Council Plan through a report on annual Council Plan implementation.	Annually	4.4.1	Committee Work Plan				
Review the process for the management and governance of the use of data, information, and knowledge through a report from the Chief Information Officer. This includes the controls covering the public release of information.	Annually	4.4.2; 4.4.11	Committee Work Plan		V		
Review any changes in accounting policies and procedures and the methods of applying them ensuring they are in accordance with the stated financial	Annually	4.4.3	Financial Management		V		

Recommend to the Council whether the financial report including the performance statement should be approved based on the Committee's assessment of them.	Annually	4.4.9	Finance Management				
Monitor Management Financial and performance reporting	Quarterly	4.4	Finance Management	V	V	V	
Monitor improvement in risk management through a 3-year Risk Management Improvement Plan	Quarterly	4.5.1	Risk Management		Ø		
 Receive an annual risk report, which provides: the risk profile for Council an overview of the Enterprise Risk Management Framework and implementation strategy an overview of the processes for identification and control of risks in accordance with risk appetite an overview of management of each strategic risk An overview of key risks, the status and the effectiveness of the risk management systems, to ensure that identified risks are monitored and new risks are identified, mitigated and reported. Seek assurance that the Business 	Annually	4.5.2; 4.5.3; 4.5.4. 4.5.5	Risk Management				

Continuity Plan is in place, current and active (through testing).							
Report on significant litigation and claims	Quarterly	4.5.5	Risk Management	V	V	V	\checkmark
Assess adequacy of Council process to manage insurable risks.	Annually	4.5.6	Risk Management				0
Seek assurance that the Business Continuity Plan is in place, current and active (through testing).	Annually	4.5.7	Risk Management				
Seek assurance that the Disaster Recovery Plan is in place, current and active (through testing).	Annually	4.5.7	Risk Management	V			
 Receive an annual Fraud Risk report, which provides: an overview of fraud risks identified and the action to establish and implement treatment plans. the Fraud and Theft Incident Register (as an attachment); Actions arising from Fraud Reviews; An overview of fraud prevention and detection activities undertaken. 	Annually	4.5.8; 4.5.9; 4.5.10; 4.5.11	Risk Management	V			
CEO reporting to the Committee of all suspected and actual frauds, thefts, and material breaches of legislation.	Quarterly	4.5.9	Section 3B of the agenda	V	V		

To increase staff awareness of activities that amount to Fraud, report on completion rate of Fraud awareness training.	Annually	4.5.11	Risk Management	V			
Review of Internal Audit Contract & Contractor Performance	Annually	4.6.1	Committee Work Plan			V	
Review strategic annual internal audit plan to ensure it addresses key risks through the Annual Internal Audit Plan report.	Annually	4.6.3	Memorandums of Audit Planning and Audits Completed			V	
At the commencement of each meeting, the Chair is to seek assurance that there have been no obstructions to the work by the internal auditor.	Quarterly	4.6.4	Section 3B of the agenda	V	V	V	V
Review and approve Memorandum of Audit Planning	Quarterly	4.6.5	Memorandums of Audit Planning and Audits Completed		Ø	V	
Provide the opportunity for audit committee members to meet with the internal auditors without management being present	Quarterly	4.6.6	Pre-meeting	V	V		
Critically review internal audit reports completed since previous meeting	Quarterly	4.6.7	Memorandums of Audit Planning and Audits Completed	V	Ø	V	Ø
Review internal audit progress against Strategic Annual Internal Audit Plan	Quarterly	4.6.8	Memorandums of Audit Planning and Audits Completed	V		V	V
Review outstanding audit actions	Quarterly	4.6.9	Audit Action Progress Report	V	V	V	V

Follow up reviews on previous audit actions	Annually	4.6.10	Memorandums of Audit Planning and Audits Completed				
External auditor to outline external audit plan, including proposed audit strategies and how they might relate to identified risk areas.	Annually	4.7.1	VAGO			V	
At the commencement of each meeting, the Chair is to seek assurance that there have been no obstructions to the work by the external auditor.	Quarterly	4.7.2	Section 3B of the agenda	V	Ø	V	
Upon completion of external audit, confirm if there have been any significant resolved or unresolved disagreements with management.	As required	4.7.2	Section 3B of the agenda				
Review outcomes of external audit, including findings and recommendations.	Annually	4.7.3	VAGO				V
Review external audit management letters	Annually	4.7.4	VAGO	\checkmark			
Meet with external auditor in absence of management 15 minutes before each meeting (as required).	Quarterly	4.7.5	Pre-Meeting	V	Ø		
Review other VAGO reports for impacts on Council through the Recent Reports and Publications Report.	Quarterly	4.7.6	Recent Reports and Publications	V	Ø	V	

Review the processes for the identification, nature, extent, and reasonableness of related-party transactions.	Annually	4.8.1	Financial Management				
Review of the Committee Charter	Biennially		Committee Work Plan	(Not applicable in 2022-23 because Charter was reviewed in 2021-22)			
Set Committee Meeting schedule	Annually		Committee Work Plan				
Review Committee Work Plan	Annually		Committee Work Plan				
Committee Member Induction	As required						
Assessment of Committee & Committee Member Performance	Biennially		Committee Work Plan				
Performance of the Committee against its Charter	Annually	4.3.8	Committee Work Plan				
Prepare an Audit and Risk Report (describing activities and including findings and recommendations) and provide to the CEO for reporting to Council.	Biannual					V	
Provide Audit and Risk Committee Minutes to Council	Quarterly		Summary of Audit and Risk Committee Minutes		V		