

Annual Audit Letter

London Borough of Brent

Audit 2009/10

DRAFT

The Audit Commission is an independent watchdog, driving economy, efficiency and effectiveness in local public services to deliver better outcomes for everyone.

Our work across local government, health, housing, community safety and fire and rescue services means that we have a unique perspective. We promote value for money for taxpayers, auditing the £200 billion spent by 11,000 local public bodies.

As a force for improvement, we work in partnership to assess local public services and make practical recommendations for promoting a better quality of life for local people.

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Key messages

This report summarises my findings from the 2009/10 audit. My audit comprises two elements:

- **the audit of your financial statements (pages 5 to 8); and**
- **my assessment of your arrangements to achieve value for money in your use of resources (pages 9 to 14).**

I have included only significant recommendations in this report. The Council has accepted these recommendations.

Audit opinion and financial statements

1 I issued an unqualified opinion on the Council's financial statements on 30 September 2010.

2 The financial statements presented for audit were complete, but required one material amendment and several other minor amendments. The Chair of the Audit Committee considered and approved the amendments on 30 September 2010.

3 I experienced problems completing my work in the Housing, Adult and Social Care and Children and Families departments. This meant I spent more time than planned resolving audit queries and completing my audit work in these areas. This resulted in an additional audit fee being charged.

Pension Fund

4 My audit opinion on the financial statements included an unqualified opinion on the Pension Fund's financial statements. The statements presented for audit contained no material errors.

5 I experienced problems auditing investments because of incomplete supporting working papers and audit trails that were difficult to follow in some areas. This resulted in an additional audit fee being charged.

Value for money

6 I issued an unqualified value for money conclusion on 30 September 2010 stating the Council had proper arrangements in place to secure economy, efficiency and effectiveness in the use of resources.

7 I reviewed the Council's arrangements and responsibilities in respect of Copland Community School, following allegations of financial mismanagement and undue patronage thought to be occurring at the School. I reported my findings to management and the Council's Audit Committee in September 2010. In my report I make recommendations to improve the Council's risk management, internal control and performance management of foundation schools.

Audit fees

8 I raised additional fees of £15,000 and £3,000 on the Council's main and pension fund audit of financial statements respectively, as detailed in paragraphs 3 and 5 above and at Appendix 1.

9 I have also charged a total fee of £35,500 for my investigation into the Council's arrangements and responsibilities in respect of Copland Community School.

Current and future challenges

10 The economic downturn and cuts to public spending, including those announced in the Government's Comprehensive Spending Review in October 2010, continue to create challenges for local government bodies. The Council has demonstrated good management of its finances in the past. However, to achieve the level of savings and efficiencies required, new ways of delivering services and improving efficiency will be needed.

11 The Council has recognised the level of change needed and has implemented its 'One Council' Improvement and Efficiency programme designed to deliver efficiency savings in excess of £50 million over a 2 year period. It is an ambitious programme requiring strong leadership and effective management. My initial review of the programme found good progress had been made in establishing robust arrangements and obtaining the expertise needed to identify and drive through change. The challenge now is for the Council to deliver the programme in a shorter than planned timescale whilst maintaining the capacity to deliver good quality services.

12 The government's cancellation of the Building Schools for the Future programme means a loss of £80 million of capital investment in the borough's schools. The Council now needs to establish how it will address the need for improvements to school buildings and the need for more school places.

13 All councils will be required to implement International Financial Reporting Standards (IFRS) in 2010/11. Although the Council has made good progress in some key areas in planning for this change, focus on this area needs to be maintained to ensure implementation is completed within appropriate timescales.

Financial statements and annual governance statement

The Council's financial statements and annual governance statement are an important means by which the Council accounts for its stewardship of public funds.

I gave an unqualified opinion on the Council's 2009/10 financial statements on 30 September 2010, the statutory target date.

Overall conclusion from the audit

14 I issued an unqualified opinion on the Council's financial statements on 30 September 2010.

15 I reported the following key issues in my Annual Governance Report which I presented to members of the Audit Committee on 29 September 2010:

- bad debts written off of £12.7 million, a material error, was misallocated between income and expenditure in the Collection Fund Statement;
- the accounting for the Housing Private Finance Initiative (PFI) did not take account of assets being delivered on a phased basis. This resulted in numerous non material amendments required to correct the error;
- the Council amended the financial statements for agreed adjustments, which had no impact on the available revenue reserves; and
- the Council chose not to amend one error, relating to a reconciling difference between main accounting records and housing records. If this item were adjusted it would increase the reported deficit by £192,000.

16 2009/10 was the first year changes were introduced in respect of accounting for PFI arrangements, a new reporting standard for Service Concession Arrangements. Overall, the Council met the reporting requirements, prepared good working papers and obtained expert advice where appropriate.

17 I experienced problems completing my work in the Housing, Adult and Social Care and Children and Families departments. In these areas the Council was slow providing supporting documentation and responding to audit queries. This meant I spent more time than planned completing my audit work which resulted in an additional audit fee of £15,000 being charged.

Overall conclusion from the pension fund audit

18 My audit opinion on the financial statements included an unqualified opinion on the Pension Fund's financial statements. The statements presented for audit contained no material errors.

19 I reported the following key issues in my Annual Governance Report which I presented to members of the Audit Committee on 29 September 2010:

- the financial statements presented for audit did not include all the disclosures required by the Pension Fund Statement of Recommended Practice (PF SORP). These largely related to detailed disclosures required for investments held at year end; and
- not all investment values included in the financial statements agreed to year-end custodian and fund manager reports. The adjusted values decreased the surplus reported in the Fund Account by £783,000.

20 I experienced problems auditing investments because of incomplete working papers and audit trails that were difficult to follow in some areas. This resulted in an additional fee of £3,000 being raised.

Whole of Government Accounts

21 The Council filed its whole of government accounts (WGA) return on 13 August 2010 after the 30 July 2010 deadline. The Council informed Communities and Local Government (CLG) department that the delay was due to number of reporting changes introduced this year and staff capacity. I certified the WGA consolidation pack on the 11 October 2010, after the deadline of 1 October 2010. This was a result of the late completion of financial statements and the number of the amendments identified by the audit.

Financial Audit

22 I have summarised the findings from my Annual Governance Reports below.

Table 1: **Summary of findings from Annual Governance Reports**

Detail	Council audit	Pension Fund audit
<i>Financial statements</i>		
Unqualified audit opinion	Yes	Yes
Financial statements free from material error or mis-statements	No	Yes
Adequate internal control environment	Yes	Yes
Adequate arrangements for	Yes	Yes

Detail	Council audit	Pension Fund audit
securing value for money		
<i>Whole of Government Accounts</i>		
Certified consolidation pack by deadline	No	n/a
Consolidation pack free from material mis-statements	No	n/a

Source: Annual Governance Reports: September 2009/10

Recommendation

R1 Improve year end financial reporting arrangements across the Council.

Significant weaknesses in internal control

23 I did not identify any significant weaknesses in your internal control arrangements.

Legal matters and completion of the audit

24 In my 2007/08 and 2008/09 Annual Audit Letters, I explained that I could not formally close these audits until I had completed my consideration of two outstanding matters:

- the Council's involvement in London Authorities Mutual Limited (LAML); and
- my investigation into issues raised in respect of Copland Community School.

25 I have now dealt with these matters and I closed the 2007/08 and 2008/09 audits, together with the 2009/10 audit on 30 September 2010.

London Authorities Mutual Limited (LAML)

26 The Council and some other London Boroughs established a mutual insurance company, London Authorities Mutual Limited (LAML) to provide insurance to all the participating authorities, in order to achieve cost savings and improve risk management. The Council's investment in LAML amounted to £261,000. It also provided a guarantee of £609,000.

27 The Council initially anticipated there would be a gap between LAML being ready to provide insurance and the Council's previous insurance arrangements ending. The Council therefore initiated a tender exercise for

insurance cover. Risk Management Partners Limited (RMPL) tendered for the contract but Brent abandoned the procurement exercise and instead awarded the contract directly to LAML.

28 RMPL initiated legal proceedings against the Council contending that the decision to set up and participate in LAML was not within the Council's legal powers. The High Court and subsequently the Court of Appeal decided against the Council. I am satisfied that the Council sought and considered legal advice before entering into its investment in LAML, and has taken appropriate action in light of the Court's decision. LAML has now been liquidated and the Council is recovering the sums paid to the company. Overall, I am satisfied that there has been no material loss to the Council.

Copland Community School

29 In April 2009 I received allegations of financial mismanagement and undue patronage thought to be occurring at Copland Community School.

30 In the context of my responsibilities as auditor of the Council (I am not the auditor of the School) I made enquiries at the Council. I found the Council had also received a copy of the allegations and that it had asked its internal auditors to carry out a detailed investigation. I satisfied myself that the scope of the Council's investigation covered all aspects of the allegations. I subsequently focussed my investigation on whether the Council had suitable arrangements in place to carry out its responsibilities for the School, and whether those arrangements worked properly in practice.

31 I reported my findings to management and the Council's Audit Committee in September 2010. In my report I concluded that even though foundation schools have a high level of autonomy, the Council retains a responsibility over the proper administration of schools' affairs. This includes ensuring that satisfactory systems of internal control are in place and there is an effective internal audit.

32 I found there were some key weaknesses in the Council's arrangements and how they were applied. I recommended that the Council should improve its risk management, internal control and performance management of foundation schools.

Recommendation

R2 Strengthen risk management, internal control and performance management arrangements in respect of foundation schools.

Value for money

I considered whether the Council is managing and using its money, time and people to deliver value for money.

I assessed your performance against the criteria specified by the Audit Commission and have reported the outcome as the value for money (VFM) conclusion.

2009/10 use of resources assessments

33 At the end of May 2010, the Commission wrote to all chief executives to inform them that following the government's announcement, work on Comprehensive Areas Assessment (CAA) would cease with immediate effect and the Commission would no longer issue scores for its use of resources assessments.

34 However, I am still required by the Code of Audit Practice to issue a value for money conclusion. I have therefore used the results of the work completed on the use of resources assessment up to the end of May to inform my 2009/10 conclusion.

35 I report the significant findings from the work I have carried out to support the VFM conclusion.

VFM conclusion

36 I assessed your arrangements to achieve economy, efficiency and effectiveness in your use of money, time and people against criteria specified by the Audit Commission. The Audit Commission specifies each year, which Key Lines of Enquiry (KLOE) are the relevant criteria for the VFM conclusion at each type of audited body.

37 This is a summary of my findings.

Table 2: **VFM assessment**

Criteria	Adequate arrangements?
Managing finances	
Planning for financial health	Yes
Understanding costs and achieving efficiencies	Yes
Financial reporting	Yes
Governing the business	
Commissioning and procurement	Yes
Use of information	Yes
Risk management and internal control	Yes
Managing resources	
Natural resources	Not assessed in 2009/10
Strategic asset management	Yes
Workforce	Yes

38 I issued an unqualified conclusion stating that the Council had satisfactory arrangements to secure economy, efficiency and effectiveness in the use of its resources.

39 To reach this conclusion, I used my review of arrangements in 2008/09 as a baseline and concentrated on the areas where the Council could demonstrate improved outcomes.

40 This year I concluded that the Council has strong evidence of value for money outcomes across many of its services. I set out some examples of the arrangements and outcomes identified during my review.

Managing finances

41 The Council continues to successfully manage its finances to deliver value for money for residents.

42 The Council has an integrated financial, service and corporate planning process covering the medium to long term. Stakeholders are consulted on financial planning issues, for example a consultation exercise is undertaken on the annual budget.

43 In 2009/10 the Council managed its budget, controlled overspending and maintained balances in line with the medium term financial strategy. The Council has a good understanding of its costs. Benchmarking has been used to identify high cost areas and to help target where efficiencies can be made.

44 The Council's financial monitoring and reporting is relevant, timely and supports strategic decision making. The Council's accounts generally comply with statutory requirements and reports are published in line with statutory requirements. The Council could improve arrangements supporting the preparation of its accounts to ensure there is a consistent high standard across the Council.

Governing the business

45 Overall, the Council has adequate arrangements to govern the business and deliver better outcomes for residents.

46 The Council is developing a corporate approach to procurement as part of its wider transformation programme. Service users are involved in some areas of commissioning, such as family and home care, but this is not yet consistent across the Council.

47 The Council has played a key role in the North West London Alliance to improve services and deliver savings. Through the cumulative buying power of the participating councils better contracts for domiciliary services and residential care, have been negotiated.

48 Data quality arrangements have improved. Management information includes trend and benchmarking data. Performance management includes monitoring of shared targets with partner organisations.

49 The Council promotes and demonstrates the principles of good governance across all staff levels. Strong member development arrangements are in place including cross party work and dedicated officer support.

50 Risk management arrangements are in place and meet minimum standards. Arrangements are not consistent between directorates, and there is scope to increase frequency of reviews and reporting to members.

Recommendation

R3 Embed good procurement practice across the Council.

R4 Embed good risk management arrangements across the Council.

Managing resources

51 The Council continues to manage its resources to deliver better value for money for residents.

52 This year I reviewed the Council's arrangements to manage its workforce for the first time. The Council is developing its workforce effectively to support the achievement of strategic priorities. Recruitment and retention activities have been successful in priority areas. Recruitment has been modernised through, for example, the introduction of an e-recruitment system.

53 The Council's workforce is representative of its local population in relation to gender and race. The 2009 staff survey found 71% of respondents believe Brent is an equal opportunity employer and treat staff with fairness and respect. The Council are developing opportunities for flexible working arrangements.

54 The Council is developing a corporate approach to managing its assets. Since last year, arrangements have been made to ensure all departments buy-in corporate facilities management contracts. Council assets continue to be used well to deliver improved outcomes for the local community. Opportunities are explored to share asset use with partners such as the police and the local Primary Care Trust. Investment in backlog maintenance has reduced the backlog to an insignificant level.

Risk-based performance reviews

55 To support my review of the criteria I undertook the following studies:

- 'One Council' transformation, improvement and efficiency strategy review;
- health inequalities review;
- performance management follow up review; and
- human resources follow up review.

56 I have reported my detailed findings to the Council in separate reports and detailed key findings below.

Improvement and efficiency strategy review

57 My initial review was carried out in March 2010. At that time the improvement and efficiency programme had a medium to high inherent risk being large and complex, with its implementation having a long-term impact on the Council's ability to deliver its core business. The Council has built up a track record of delivering change projects but these are not of a similar size and scale as the One Council improvement and efficiency programme. The Council has recognised the need to invest in high quality project management. It has sought professional help to support and develop its own in-house resources.

58 The Council has also brought forward the target date for achieving cost reductions and savings by two years, increasing the risk of success in a shorter timescale. A key challenge will be ensuring the Council has sufficient capacity to deliver the programme whilst continuing to deliver a high standard of services and dealing with further finance pressures from the recent Comprehensive Spending Review.

59 The programme is challenging, however the Council has made good progress in establishing strong programme management arrangements. I will review progress again later in the year.

Health inequalities review

60 In 2008/09 I conducted a review of the Council and Primary Care Trust's (PCT) arrangements to tackle health inequalities in Brent. I identified some key strengths arrangements and some areas where the achievement of objectives were at risk. My follow up review in 2009/10 assessed how stakeholders were addressing the risks and assessed the arrangements to deliver the health inequalities programme. My overall conclusion is that the Council and PCT are working well together to tackle health inequalities, but significant challenges remain. The key findings were:

- there is a clear strategic commitment from the Council and the PCT to tackle health inequalities;
- the main partnerships have been identified but partnerships with other interested bodies are limited e.g. voluntary sector;
- the existing front line workforce can be used more effectively to tackle health inequalities by;
 - providing timely information on healthy lifestyles; and
 - highlighting services such as smoking cessation;
- an action plan has been developed and adopted by the Council and the PCT to address risks.

61 The Council and PCT are working to address these challenges and recognise that further improvements are needed.

Performance management follow up review

62 In 2008 I reviewed the Council's performance management arrangements. The review focused on:

- the means of how the Council's priorities were translated in to meaningful targets;
- the use of trend analysis and benchmarking;
- the progress on providing the IT infrastructure to support the performance management framework;
- adherence to data protection principles; and
- partnership performance management arrangements.

63 2009/10 I followed up on the recommendations made in my previous report and assessed what progress had been made in completing them. I found that good progress has been made implementing all of the recommendations, with specific actions taken to improve systems and processes. Further improvements can be made by making partnership information available on-line.

Human resources follow up review

64 I followed up progress since my 2007/08 review which identified further recommendations to improve arrangements.

65 Human resources (HR) has improved since 2008. It is now at the centre of the Council's business transformation plans. HR is proactive at giving early warning of potential workforce problems and suggesting solutions. Councillors and Corporate Management Team (CMT) now receive good

performance information on HR and use this to take decisions. Comparative information on key areas such as sickness absence and employee turnover are regularly reviewed by chief officers. The Council plans to do more useful benchmarking.

66 Overall, HR is now better placed to help deliver the Council's transformation programme.

Approach to local value for money work from 2010/11

67 Given the scale of pressures facing public bodies in the current economic climate, the Audit Commission has been reviewing its work programme for 2010/11 onwards. This review has included discussions with key stakeholders of possible options for a new approach to local value for money (VFM) audit work. The Commission aims to introduce a new, more targeted and better value approach to our local VFM audit work.

68 My work will be based on a reduced number of reporting criteria, specified by the Commission, concentrating on:

- securing financial resilience; and
- prioritising resources within tighter budgets.

69 I will determine a local programme of VFM audit work based on my audit risk assessment, informed by these criteria and my statutory responsibilities. I will no longer be required to provide an annual scored judgement relating to my local VFM audit work. Instead I will report the results of all my local VFM audit work and the key messages for the Council in my annual report to those charged with governance and in my annual audit letter.

Current and future challenges

Financial health

70 The economic downturn and cuts to public spending, including those announced in the Government's Comprehensive Spending Review in October 2010, continue to create challenges for local government bodies. As at 31 August 2010, the Council was projecting a general fund overspend of £5.6 million resulting largely from cost pressures in Children and Families and Adult Social Care. In year action has been taken and directors have been tasked with identifying additional cost savings, focussing on non-essential services. This is in context of a £261.9 million 2009/10 revenue budget, including a planned contribution of £522,000 from reserve balances.

71 The Medium Term Financial Strategy (MTFS) has identified a worst case scenario of £63 million cumulative shortfall over three years to 2013/14, assuming:

- a 2.5% annual reduction in formula grant;
- no increase in Council Tax; and
- savings of £6.7 million a year.

72 In anticipation of further budget pressures, the Council presented a report to the Budget and Finance Overview and Scrutiny committee in July 2010, setting out the impact of a 25% reduction in the government's funding formula. This provided a basis for members to consider further areas for savings and changes in service delivery.

73 The Council has recognised the level of change needed and has implemented its 'One Council' Improvement and Efficiency programme designed to deliver efficiency savings in excess of £50 million over a 2 year period. The programme is expected to contribute to the Council's overall target of cutting costs by 20 per cent over the next four years and addressing a significant portion of the budget deficit in the MTFS.

74 It is an ambitious programme requiring strong leadership and effective management. My initial review of the programme found good progress had been made in establishing robust arrangements and obtaining the expertise needed to identify and drive through change. The challenge now is for the Council to deliver the programme in a shorter than planned timescale whilst maintaining the capacity to deliver good quality services.

International Financial Reporting Standard

75 Local authorities will prepare their Statements of Accounts under the new International Financial Reporting Standard (IFRS) based Code of Practice on Local Authority Accounting from 2010/11. The move to IFRS does not mean wholesale change, but where changes do occur a significant amount of work is needed to assess the impact on the accounts. Much of

that work needs doing now as the 2009/10 accounts will need to be restated to provide the prior year balances in the 2010/11 accounts.

76 I have reviewed progress made by the Council and assessed progress as amber (green - low risk, red - high risk). The Council has assigned officers to the IFRS implementation project, presented progress to the Audit Committee, obtained external advice and made progress in some key areas e.g. leasing. The Council will need to ensure it completes work in accordance with its project plan, enabling early audit review, and ensure implications of International Accounting Standard 16: Property, Plant and Equipment (IAS16) are fully addressed e.g. component accounting.

77 My team will work with the Council's finance team to discuss early accounting views, where required, and share good practice from other councils.

The abolition of the Audit Commission

78 On 13 August 2010 the Secretary of State for Communities and Local Government announced the proposed abolition of the Audit Commission. The proposed abolition will be from 2012/13 at the earliest and is subject to the passage of legislation.

79 My priority is to ensure that my team and I maintain our professional standards and commitment. The Audit Commission's Managing Director of Local Government and Community Safety has written to the Chief Executive to confirm there is no immediate change to the audit arrangements for the Council.

80 The Audit Commission is in discussion with the Department of Communities and Local Government about the proposed legislation and the details that will need to be worked through. The Department is keen that the Audit Commission's in house practice will continue in the future and is looking at how a new stand alone organisation could be formed. I will keep the Council informed about the future audit programme and any changes to audit arrangements.

Future developments

Education

81 In July 2010, the Secretary of State for Education announced the end of the Building Schools for the Future investment programme. In Brent, this affected three schools that had been earmarked for investment. This remains a key risk area for the Council who need to redevelop or build schools in order to meet the demand for places within the Borough.

Civic Centre

82 The Council plans to bring together its services, which are spread across 14 buildings in the borough, in a new civic centre near Wembley Stadium. The plans were approved by the Council's Planning committee on

16 March 2010. Skanska have been recently named as the selected contractor to build the new civic centre. Construction is planned to commence in November 2010. The civic centre, the centrepiece of the regeneration of Wembley, will bring together council departments from the Town Hall, Brent House, Chesterfield House, and Mahatma Ghandi House. It will include a 1,000 capacity community hall, a library, two cafes, a shopping area, and council offices and committee rooms. The successful delivery of this plan is essential to the medium term plans of the Council. The civic centre is planned to be ready for occupation in June 2013.

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Closing remarks

83 I have discussed and agreed this letter with the Chief Executive and the Director of Finance. I will present this letter at the Audit Committee on 16 December 2010 and will provide copies to all committee members.

84 Full detailed findings, conclusions and recommendations in the areas covered by my audit were included in the reports I issued to the Council during the year.

Report	Date issued
Audit Fee Letter	April 2009
Audit Opinion Plan	February 2010
Annual Governance Report	September 2010
Opinion on financial statements	September 2010
Value for Money Conclusion	September 2010
Opinion on Whole of Government Accounts	October 2010
Human resource follow up review	January 2010
Performance management follow up review	March 2010
Improvement and efficiency strategy review	August 2010
Health inequalities review	September 2010

85 The Council has taken a positive and helpful approach to our audit. I wish to thank the Council's staff for their support and co-operation during the audit.

Andrea White
District Auditor

November 2010

Appendix 1 – Audit fees

Council Audit	Actual	Proposed (Note 1)	Variance
Financial statements and annual governance statement	362,000	347,000	15,000
Value for money	123,000	123,000	
Total audit fees	485,000	470,000	15,000
Foundation school arrangements review	12,500	0	12,500
Certification of grant claims	tbc	85,000	

Pension Fund Audit	Actual	Proposed (Note 2)	Variance
Financial statements and related notes	38,000	35,000	3,000

Note 1: The proposed fee is as reported in my 2009/10 Audit Opinion Plan in February 2010.

Note 2: The proposed fee is as reported in my 2010/11 Audit Fee Letter in June 2010 following a review of fee scales for Pension Funds.

tbc = to be confirmed

Appendix 2 – Glossary

Annual governance statement

Governance is about how local government bodies ensure that they are doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner.

It comprises the systems and processes, cultures and values, by which local government bodies are directed and controlled and through which they account to, engage with and where appropriate, lead their communities.

The annual governance statement is a public report by the Council on the extent to which it complies with its own local governance code, including how it has monitored the effectiveness of its governance arrangements in the year, and on any planned changes in the coming period.

Audit opinion

On completion of the audit of the accounts, auditors must give their opinion on the financial statements, including:

- whether they give a true and fair view of the financial position of the audited body and its spending and income for the year in question;
- whether they have been prepared properly, following the relevant accounting rules; and
- for local probation boards and trusts, on the regularity of their spending and income.

Financial statements

The annual accounts and accompanying notes.

Qualified

The auditor has some reservations or concerns.

Unqualified

The auditor does not have any reservations.

Value for money conclusion

The auditor's conclusion on whether the audited body has put in place proper arrangements for securing economy, efficiency and effectiveness in its use of money, people and time.