

Report to	South Downs National Park Authority
Date	31 January 2017
By	Head of Business Services
Title of Report	Future Audit Arrangements

Recommendations: The Authority is recommended to

- 1) Accept Public Sector Audit Appointments Ltd (PSAA's) invitation to become an opted in authority for the purposes of the appointment of a local auditor ; and**
- 2) Authorise the Chief Executive to notify PSAA of the Authority's acceptance of the invitation in accordance with PSAA's notification requirements and to publish any notices required as part of the local auditor appointment process.**

1. Summary and Background

- 1.1 The Local Audit and Accountability Act 2014 (the Act) brought to a close the Audit Commission and established transitional arrangements for the appointment of external auditors and the setting of audit fees for all local government and NHS bodies in England.
- 1.2 At a meeting on 5 July 2016, the Governance Committee considered a report outlining three options for the future audit arrangements; Making a stand-alone arrangement, setting up a Joint Auditor Panel with local joint procurement arrangements, or opting in to a sector led body. The Governance Committee supported the preferred option of opting in to a Sector Led Body and has recommended this course of action to the Authority.
- 1.3 At the point of the previous report all that was required from SDNPA was an "expression of interest" in the sector led option. This was given and it is now time for interested parties to make a firm commitment to the process to allow the procurement to begin.

2. Recommended Option

- 2.1 By virtue of section 7 of the Act, the NPA is required to appoint a local auditor to audit its accounts for a financial year not later than 31 December in the preceding year. Such an appointment can be for more than one year but the maximum term of the appointment is five years. The first financial year subject to the new auditing arrangements will be the financial year 18/19. The Act and the Local Audit (Appointing Person) Regulations 2015 (the Regulations) enable authorities to choose to allow another body (specified by the Secretary of State) to make the local auditor appointment to the authority. Once a specified appointing person makes a local auditor appointment, the opted in authority must, within 28 days of being notified of the appointment, publish a notice containing specified details of the appointment.
- 2.2 The Local Government Association (LGA) have been working on developing a Sector Led Body and will be managing this process through Public Sector Audit Appointments Ltd (PSAA), a not for profit organisation set up by LGA to manage the transition. PSAA manage the current audit contracts in England for NHS and Local Government. PSAA has been specified by the Secretary of State as an appointing person for the purposes of the legislation. The LGA supports the appointing person arrangements and has encouraged as

many principal bodies as possible to opt in, to provide certainty about the volume of work included in the procurement exercise and to secure the best possible prices

- 2.2 A full description of all three options and the advantages and disadvantages of each is included in the detail of the report to Governance Committee, which is listed as a background document to this report. The advantages and disadvantages of the recommended option are recapped as follows;

Advantages/benefits

- 2.3 The costs of setting up the appointment arrangements and negotiating fees would be shared across all opt-in authorities
- 2.4 By offering large contract values the firms would be able to offer better rates and lower fees than are likely to result from local negotiation. SDNPA have contacted PSAA directly and have received assurances that the scale fees will take into account organisations with a turnover of c£10m.
- 2.5 Any conflicts at individual authorities would be managed by PSAA who would have a number of contracted firms to call upon.
- 2.6 PSAA will monitor contract delivery and ensure compliance with contractual, audit quality and independence requirements;
- 2.7 There will be no need for the NPA to establish alternative appointment processes locally, including the need to set up and manage an 'auditor panel' (although the Authority may still have an auditor panel with a restricted remit if it wishes);

Disadvantages/Risks

- 2.8 Individual elected members will have less opportunity for direct involvement in the appointment process other than through LGA and/or stakeholder representative groups. PSAA has said that it "will try to be flexible about changing [the authority's] auditor during the five-year appointing period if there is good reason, for example where new joint working arrangements are put in place".
- 2.9 In order for the sector led body to be visible and to be placed in the strongest possible negotiating position the sector led body will need Councils and other Authorities to indicate their intention to opt-in before final contract prices are known.

3. Invitation to Become an Opted In Authority

- 3.1 PSAA has formally invited the NPA to become opted-in authority to the national auditor appointment arrangements it is developing in its role as a specified appointing person. A copy of the invitation is reproduced at **Appendix I**. The length of the compulsory appointing period is the five consecutive financial years commencing 1 April 2018.
- 3.2 A decision to become an opted-in authority must be taken by the NPA and cannot be delegated to a Committee or Officer.
- 3.3 A form of notice of acceptance was enclosed with the invitation to opt in. The notice of acceptance must be sent by email to be received before 5pm on Thursday 9 March 2017. The NPA would become an opted in authority for the five year period on the date the notice is received by PSAA.

4. Governance Committee Considerations

- 4.1 The Committee noted the lodging of an expression of interest on behalf of SDNPA to the Local Government Association in relation to the setting up of a national Sector-Led Body to make the necessary arrangements for the engagement of external auditors.
- 4.2 The Committee recommended to the Authority to approve the preferred option of opting into a sector led body (option 3 to report [GOV/10/16](#))

6. Other Implications

Implication	Yes*/No
Will further decisions be required by another committee/full authority?	No
Does the proposal raise any Resource implications?	The resource implications of the preferred option are not likely to be significant
How does the proposal represent Value for Money?	The current external audit arrangements deliver excellent value for money for the Authority. However those arrangements will not be available from 2018-19 and a national framework contract is likely to be the next best option
Are there any Social Value implications arising from the proposal?	The organisation procuring the framework would be responsible for ensuring the process is compliant with the Social Value Act. In reality, the provision of external audit to public authorities is so tightly regulated that the scope for this is likely to be very limited.
Has due regard been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010?	PSAA will be managing the local auditor procurement process which will involve consideration of equality implications. Officers will seek confirmation from PSAA that due regard shall be taken of the Authority's equality duty.
Are there any Human Rights implications arising from the proposal?	There are no human rights implications in this paper
Are there any Crime & Disorder implications arising from the proposal?	An effective external audit process mitigates against the risk of certain types of criminal activity.
Are there any Health & Safety implications arising from the proposal?	No
Are there any Sustainability implications based on the 5 principles set out in the SDNPA Sustainability Strategy: 1. Living within environmental limits 2. Ensuring a strong healthy and just society 3. Achieving a sustainable economy 4. Promoting good governance 5. Using sound science responsibly	No

*[If 'Yes' please explain – if a lengthy explanation is required this may need to become a separate paragraph]

7. Risks Associated with the Proposed Decision

7.1 The current proposal does not carry any significant risk to the Authority

ALAN BROUGH
Head of Business Services
South Downs National Park Authority

Contact Officer:	Alan Brough
Tel:	01730 819202
email:	Alan.brough@southdowns.gov.uk
Appendices	I. Invitation to Participate
SDNPA Consultees	Chief Executive; Director of Countryside Policy and Management; Director of Planning; Chief Finance Officer; Monitoring Officer; Legal Services
External Consultees	None
Background Documents	Report to Governance Committee – Report GOV10/16 Agenda Item 10 (5 July 2016) Future Audit Arrangements

27 October 2016

Email: appointingperson@psaa.co.uk

Trevor Beattie
South Downs National Park Authority
Hatton House
Bepton Road
Midhurst West Sussex GU29 9LU

Copied to: Nigel Manvell, Chief Finance Officer (interim), South Downs National Park Authority

Dear Mr Beattie

Invitation to opt into the national scheme for auditor appointments

As you know the external auditor for the audit of the accounts for 2018/19 has to be appointed before the end of 2017. That may seem a long way away, but as there is now a choice about how to make that appointment, a decision on your authority's approach will be needed soon.

We are pleased that the Secretary of State has expressed his confidence in us by giving us the role of appointing local auditors under a national scheme. This is one choice open to your authority. We issued a prospectus about the scheme in July 2016, available to download on the [appointing person](#) page of our website, with other information you may find helpful.

The timetable we have outlined for appointing auditors under the scheme means we now need to issue a formal invitation to opt into these arrangements. The covering email provides the formal invitation, along with a form of acceptance of our invitation for you to use if your authority decides to join the national scheme. We believe the case for doing so is compelling. To help with your decision we have prepared the additional information attached to this letter.

I need to highlight two things:

- we need to receive your formal acceptance of this invitation by 9 March 2017; and
- the relevant regulations require that, except for a body that is a corporation sole (a police and crime commissioner), the decision to accept the invitation and to opt in needs to be made by the members of the authority meeting as a whole. We appreciate this will need to be built into your decision making timetable.

If you have any other questions not covered by our information, do not hesitate to contact us by email at appointingperson@psaa.co.uk.

Yours sincerely



Jon Hayes, Chief Officer

Appointing an external auditor

Information on the national scheme

Public Sector Audit Appointments Limited (PSAA)

We are a not-for-profit company established by the Local Government Association (LGA). We administer the current audit contracts, let by the Audit Commission before it closed.

We have the support of the LGA, which has worked to secure the option for principal local government and police bodies to appoint auditors through a dedicated sector-led national procurement body. We have established an advisory panel, drawn from representative groups of local government and police bodies, to give access to your views on the design and operation of the scheme.

The national scheme for appointing local auditors

We have been specified by the Secretary of State for Communities and Local Government as the appointing person for principal local government bodies. This means that we will make auditor appointments to principal local government bodies that choose to opt into the national appointment arrangements we will operate for audits of the accounts from 2018/19. These arrangements are sometimes described as the 'sector-led body' option, and our thinking for this scheme was set out in a prospectus circulated to you in July. The prospectus is available on the [appointing person](#) page of our website.

We will appoint an auditor for all opted-in authorities for each of the five financial years beginning from 1 April 2018, unless the Secretary of State chooses to terminate our role as the appointing person beforehand. He or she may only do so after first consulting opted-in authorities and the LGA.

What the appointing person scheme will offer

We are committed to making sure the national scheme will be an excellent option for auditor appointments for you.

We intend to run the scheme in a way that will save time and resources for local government bodies. We think that a collective procurement, which we will carry out on behalf of all opted-in authorities, will enable us to secure the best prices, keeping the cost of audit as low as possible for the bodies who choose to opt in, without compromising on audit quality.

Our current role means we have a unique experience and understanding of auditor procurement and the local public audit market.

Using the scheme will avoid the need for you to:

- establish an audit panel with independent members;
- manage your own auditor procurement and cover its costs;
- monitor the independence of your appointed auditor for the duration of the appointment;
- deal with the replacement of any auditor if required; and
- manage the contract with your auditor.

Our scheme will endeavour to appoint the same auditors to other opted-in bodies that are involved in formal collaboration or joint working initiatives, if you consider that a common auditor will enhance efficiency and value for money.

We will also try to be flexible about changing your auditor during the five-year appointing period if there is good reason, for example where new joint working arrangements are put in place.

Securing a high level of acceptances to the opt-in invitation will provide the best opportunity for us to achieve the most competitive prices from audit firms. The LGA has previously sought expressions of interest in the appointing person arrangements, and received positive responses from over 270 relevant authorities. We ultimately hope to achieve participation from the vast majority of eligible authorities.

High quality audits

The Local Audit and Accountability Act 2014 provides that firms must be registered as local public auditors with one of the chartered accountancy institutes acting in the capacity of a Recognised Supervisory Body (RSB). The quality of registered firms' work will be subject to scrutiny by both the RSB and the Financial Reporting Council (FRC), under arrangements set out in the Act.

We will:

- only contract with audit firms that have a proven track record in undertaking public audit work;
- include obligations in relation to maintaining and continuously improving quality in our contract terms and in the quality criteria in our tender evaluation;
- ensure that firms maintain the appropriate registration and will liaise closely with RSBs and the FRC to ensure that any quality concerns are detected at an early stage; and
- take a close interest in your feedback and in the rigour and effectiveness of firms' own quality assurance arrangements.

We will also liaise with the National Audit Office to help ensure that guidance to auditors is updated as necessary.

Procurement strategy

In developing our procurement strategy for the contracts with audit firms, we will have input from the advisory panel we have established. The panel will assist PSAA in developing arrangements for the national scheme, provide feedback to us on proposals as they develop, and helping us maintain effective channels of communication. We think it is particularly important to understand your preferences and priorities, to ensure we develop a strategy that reflects your needs within the constraints set out in legislation and in professional requirements.

In order to secure the best prices we are minded to let audit contracts:

- for 5 years;
- in 2 large contract areas nationally, with 3 or 4 contract lots per area, depending on the number of bodies that opt in; and
- to a number of firms in each contract area to help us manage independence issues.

The value of each contract will depend on the prices bid, with the firms offering the best value being awarded larger amounts of work. By having contracts with a number of firms, we will be able to manage issues of independence and avoid dominance of the market by one or two firms. Limiting the national volume of work available to any one firm will encourage competition and ensure the plurality of provision.

Auditor appointments and independence

Auditors must be independent of the bodies they audit, to enable them to carry out their work with objectivity and credibility, and in a way that commands public confidence.

We plan to take great care to ensure that every auditor appointment passes this test. We will also monitor significant proposals for auditors to carry out consultancy or other non-audit work, to protect the independence of auditor appointments.

We will consult you on the appointment of your auditor, most likely from September 2017. To make the most effective allocation of appointments, it will help us to know about:

- any potential constraints on the appointment of your auditor because of a lack of independence, for example as a result of consultancy work awarded to a particular firm;
- any joint working or collaboration arrangements that you think should influence the appointment; and
- other local factors you think are relevant to making the appointment.

We will ask you for this information after you have opted in.

Auditor appointments for the audit of the accounts of the 2018/19 financial year must be made by 31 December 2017.

Fee scales

We will ensure that fee levels are carefully managed by securing competitive prices from firms and by minimising our own costs. Any surplus funds will be returned to scheme members under our articles of association and our memorandum of understanding with the Department for Communities and Local Government and the LGA.

Our costs for setting up and managing the scheme will need to be covered by audit fees. We expect our annual operating costs will be lower than our current costs because we expect to employ a smaller team to manage the scheme. We are intending to fund an element of the costs of establishing the scheme, including the costs of procuring audit contracts, from local government's share of our current deferred income. We think this is appropriate because the new scheme will be available to all relevant principal local government bodies.

PSAA will pool scheme costs and charge fees to audited bodies in accordance with a fair scale of fees which has regard to size, complexity and audit risk, most likely as evidenced by audit fees for 2016/17. Pooling means that everyone in the scheme will benefit from the most competitive prices. Fees will reflect the number of scheme participants – the greater the level of participation, the better the value represented by our scale fees.

Scale fees will be determined by the prices achieved in the auditor procurement that PSAA will need to undertake during the early part of 2017. Contracts are likely to be awarded at the end of June 2017, and at this point the overall cost and therefore the level of fees required will be clear. We expect to consult on the proposed scale of fees in autumn 2017 and to publish the fees applicable for 2018/19 in March 2018.

Opting in

The closing date for opting in is 9 March 2017. We have allowed more than the minimum eight week notice period required, because the formal approval process for most eligible bodies, except police and crime commissioners, is a decision made by the members of an authority meeting as a whole.

We will confirm receipt of all opt-in notices. A full list of authorities who opt in will be published on our website. Once we have received an opt-in notice, we will write to you to request information on any joint working arrangements relevant to your auditor appointment, and any potential independence matters that would prevent us appointing a particular firm.

If you decide not to accept the invitation to opt in by the closing date, you may subsequently make a request to opt in, but only after 1 April 2018. The earliest an auditor appointment can be made for authorities that opt in after the closing date is therefore for the audit of the accounts for 2019/20. We are required to consider such requests, and agree to them unless there are reasonable grounds for their refusal.

Timetable

In summary, we expect the timetable for the new arrangements to be:

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| • Invitation to opt in issued | 27 October 2016 |
| • Closing date for receipt of notices to opt in | 9 March 2017 |
| • Contract notice published | 20 February 2017 |
| • Award audit contracts | By end of June 2017 |
| • Consult on and make auditor appointments | By end of December 2017 |
| • Consult on and publish scale fees | By end of March 2018 |

Enquiries

We publish frequently asked questions on our [website](#). We are keen to receive feedback from local bodies on our plans. Please email your feedback or questions to: appointingperson@psaa.co.uk.

If you would like to discuss a particular issue with us, please send an email to the above address, and we will make arrangements either to telephone or meet you.

