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Mr Ben Smith
S151 Officer
City & County of Swansea Pension Fund
Civic Centre
Oystermouth Road
Swansea
SA1 3SN

Reference: JH11/NG

Date issued: 3 April 2018

Dear Ben

City & County of Swansea Pension Fund – 2017-18 - audit enquiries to those charged with governance and management

In my 2018 Audit Plan I noted that International Standards on Auditing (UK&I) state that I am responsible for obtaining reasonable assurance that the financial statements taken as a whole are free from material misstatement, whether caused by fraud or error. I set out the respective responsibilities of auditors, management and those charged with governance. I also advised that I would be writing to both management and those charged with governance to explain these responsibilities further and make enquiries of how the responsibilities have been discharged.

This letter formally seeks documented consideration and understanding on a number of governance areas that impact on my audit of your financial statements. These considerations are relevant to both the management and 'those charged with governance' of the City & County of Swansea Pension Fund (the Fund).

I have set out below the areas of governance on which I am seeking views.

1. Management processes in relation to:
 - undertaking an assessment of the risk that the financial statements may be materially misstated due to fraud;
 - identifying and responding to risks of fraud in the organisation;
 - communication to employees of views on business practice and ethical behaviour; and
 - communication to those charged with governance the processes for identifying and responding to fraud.
2. Management's awareness of any actual or alleged instances of fraud.
3. How management gain assurance that all relevant laws and regulations have been complied with.
4. Whether there is any potential litigation or claims that would affect the financial statements.

5. Management processes to identify, authorise, approve, account for and disclose related party transactions and relationships.

The information you provide will inform our understanding of the Fund and its business processes and support our work in providing an audit opinion on your 2017-18 financial statements.

I would be grateful if you could complete the attached table in **Appendix 1**, which should be formally considered and communicated to us on behalf of both management and those charged with governance (the Council) by 31 July 2018. In the meantime, if you have queries, please contact Geraint Norman on 07810 056 683 or by e-mail at geraint.norman@audit.wales.

Yours sincerely



John Herniman
Engagement Director

cc Mr Phil Roberts, Chief Executive

Appendix 1

International Standard for Auditing (UK and Ireland) 240 – The auditor’s responsibilities relating to fraud in an audit of financial statements

Background

Under the ISA, the primary responsibility for preventing and detecting fraud rests with both management and ‘those charged with governance’, which for the City & County of Swansea Pension Fund (the Fund) is the ‘full Council’. This includes fraud that could impact on the accuracy of the annual accounts. The ISA requires us, as external auditors, to obtain an understanding of how the Council exercises oversight of management’s processes for identifying and responding to the risks of fraud and the internal controls established to mitigate them.

What is ‘fraud’ in the context of the ISA? The ISA views fraud as either:

- the intentional misappropriation of the UHB’s assets (cash, property, etc); or
- the intentional manipulation or misstatement of the financial statements.

What are we required to do?

We have to obtain evidence of how management and those charged with governance are discharging their responsibilities if we are to properly discharge our responsibilities under ISA240. We are therefore making requests from both management and the Council:

Enquiries of management	
Question	Response
1. What is management’s assessment of the risk that the financial statements may be materially misstated due to fraud and what are the principal reasons?	The assessed risk is :Low/Minimal: <ul style="list-style-type: none">• Continuity of staff• Appropriate segregation of duties in each role.• Internal audit reviews in year.• Review by S151 Officer & Interim Deputy S151 Officer
2. How can management assure the Council that it has not been inappropriately influenced by external pressures?	<ul style="list-style-type: none">• Independence of Monitoring Officer and S151 officer

	<ul style="list-style-type: none">• Direct reporting channels to Cabinet/Council Regulators• Direct reporting channels to CEO• Statutory Chief Officers are equal members of CMT.
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Enquiries of management	
Question	Response
3. Are management aware of any organisational pressure to meet revenue and capital budgets or other financial constraints?	<ul style="list-style-type: none"> • Yes – the entire public sector in Wales is subject to significant constraint in terms of likely future real terms resource availability. The Council has published three year medium term financial plan looking for savings in the region of £69m. • This is considered a statement of projected fact/expectation. • There is no pressure to achieve a certain outcome beyond that which would be reasonably expected , There is an appropriate management and Executive action to contain spending to within a balanced budget position . • The Pension Fund is part of the Wales Pension Partnership project, a projected outcome of which shall be reduced operational fees
4. What processes are employed to identify and respond to the risks of fraud more generally and specific risks of misstatement in the financial statements?	<ul style="list-style-type: none"> • Management review of all accounting statements. • Internal audit function. • Breaches reporting • The Pensions Regulator • NFI screening and Atmos mortality screening • Review by Pension Fund Committee and Audit Committee • Consistency/experience of staff working on financial statements both in terms of central

	<p>consolidation but also individually as professionals so sufficient segregation of duties and professional oversight/check.</p> <ul style="list-style-type: none"> • Review by S151 officer & Interim Deputy S151 Officer
5. How has management communicated expectations of ethical governance and standards of conduct and behaviour to all relevant parties, and when?	<ul style="list-style-type: none"> • Separate, but complementary Staff and Member Codes of Conduct are published and well publicised on the intranet
6. What arrangements are in place to report about fraud to those charged with governance?	<ul style="list-style-type: none"> • Right of Chief Internal Auditor and/or S151 to report to Audit Committee. • Audit Committee/ Pension Fund Committee/ Local Pension Board • Right of Chief Internal Auditor and S151 officer to report directly to CEO on any material concern. • Whistleblowing Policy • Material individual concerns communicated by S151 to relevant member of CMT. • Escalation to The Pension Regulator

Enquiries of the Council	
Question	Response
1. How does the Council, in its role as those charged with governance, exercise oversight of management's processes for identifying and responding to the risks of fraud within the Council and the internal control that management has established to mitigate those risks?	<ul style="list-style-type: none"> • Provision of a well resourced Internal Audit section. • Audit Committee. • Independent Audit Committee Chair. • Pension Fund Committee • Local Pension Board • Pension Regulator
2. Has the Council knowledge of any actual, suspected or alleged fraud since 1 April 2017?	No material items - ongoing investigations of a range of cases is "normal business" and shared with internal/external audit as necessary

<p>3. Has the Council any suspicion that fraud may be occurring within the Fund?</p>	<p>No material cases – again “normal business” is such that there are isolated risks in an organisation of this scale. There is a resourced corporate fraud team under the Chief Internal Auditor to review and report on individual cases</p>
<p>4. Is the Council satisfied that internal controls, including segregation of duties, exist and work effectively? If ‘yes’, please provide details. If ‘no’ what are the risk areas?</p>	<ul style="list-style-type: none"> • Yes. • Financial Procedure Rules. • Oracle Workflow rules requiring separate sign off of transactions above threshold levels. • Segregation of administration functions and finance functions

Enquiries of the Council	
Question	Response
5. How do you encourage staff to report their concerns about fraud and what concerns about fraud are staff expected to report?	<ul style="list-style-type: none"> • Anti fraud and corruption policy • Disciplinary Policy • Whistleblowing Policy • Fraud/Whistleblowing hotline/intranet/online forms • Pensions Regulator hotline
6. From a fraud and corruption perspective, what are considered by the Council to be high risk posts within the organisation and how are the risks relating to these posts identified, assessed and managed?	<ul style="list-style-type: none"> • Chief Officer and Head of Service Posts • A range of other senior posts • Finance posts above Grade 10 • Full DBS checks on high risk posts
7. Is the Council aware of any related party relationships or transactions that could give rise to instances of fraud and how does the Audit Committee mitigate the risks associated with fraud related to related party relationships and transactions?	No (save that Swansea Council is an employer within the fund)
8. Is the Council aware of any entries made in the accounting records of the Fund that it believes or suspects are false or intentionally misleading?	No
9. Is the Council aware of any organisational, or management pressure to meet revenue and capital budgets or other financial constraints?	<ul style="list-style-type: none"> • Yes – the entire public sector in Wales is subject to significant constraint in terms of likely future real terms resource availability. The Council has published three year medium term financial plan looking for savings in the region of £69m. • This is considered a statement of projected fact/expectation. • There is no pressure to achieve a certain outcome beyond that which would be reasonably expected.

	<p>There is an appropriate management and Executive action plan to contain spending to within a balanced budget position.</p> <ul style="list-style-type: none">• The Pension Fund is part of the Wales Pension Partnership project, a projected outcome of which shall be reduced operational fees
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International Standard for Auditing (UK and Ireland) 250 – Consideration of laws and regulations in an audit of financial statements Background

Under the ISA, in the UK and Ireland, the primary responsibility for ensuring that the entity's operations are conducted in accordance with laws and regulations and the responsibility for the prevention and detection of non-compliance rests with management and the Council (as 'those charged with governance'). The ISA requires us, as external auditors, to obtain an understanding of how the Council gains assurance that all relevant laws and regulations have been complied with.

What are we required to do?

We have to obtain evidence of how management and those charged with governance are discharging their responsibilities, if we are to properly discharge our responsibilities under ISA 250. We are therefore making requests from both management and the Council:

Enquiries of management	
Question	Response
1. How have you gained assurance that all relevant laws and regulations have been complied with?	The Council Constitution specifies specific officer delegation in respect of proper officer arrangements for <ul style="list-style-type: none"> • procurement, contracting, • entering into legal agreements etc. • Legal and finance sign off required • Financial procedure rules • The Pension Regulator
2. Are there any potential litigations or claims that would affect the financial statements?	Potentially yes - given the extent of the investment portfolio, there may be an ongoing corporate action in which we could be affected but not directly involved in the litigation.
Enquiries of the Council	
Question	Response
1. How does the Council, in its role as those charged with governance, exercise oversight of management's processes to ensure that all relevant laws and regulations have been complied with?	All formal reports to Pension Fund Committee/Council require legal, access to services and finance sign off

2. Is the Council aware of any non-compliance with relevant laws and regulations?	No
3. If there have been instances of non-compliance what are they, and what oversight has the Council had to ensure that action taken by management to address and gaps in control?	Not applicable

International Standard for Auditing (UK and Ireland) 550 – Related parties

Background

The nature of related party relationships and transactions may, in some circumstances, give rise to higher risks of material misstatement of the financial statements than transactions with unrelated parties. For example:

- Related parties may operate through an extensive and complex range of relationships and structures, with a corresponding increase in the complexity of related party transactions.
- Information systems may be ineffective at identifying or summarising transactions and outstanding balances between an entity and its related parties.
- Related party transactions may not be conducted under normal market terms and conditions; for example, some related party transactions may be conducted with no exchange of consideration.

Because related parties are not independent of each other, many financial reporting frameworks establish specific accounting and disclosure requirements for related party relationships, transactions and balances to enable users of the financial statements to understand their nature and actual or potential effects on the financial statements. An understanding of the entity's related party relationships and transactions is relevant to the auditor's evaluation of whether one or more fraud risk factors are present as required by ISA (UK and Ireland) 240, because fraud may be more easily committed through related parties.

What are we required to do?

Where the applicable financial reporting framework establishes requirements for related parties, the auditor has a responsibility to perform audit procedures to identify, assess and respond to the risks of material misstatement arising from the entity's failure to appropriately account for or disclose related party relationships, transactions or balances in accordance with the requirements of the framework. We are therefore making requests from both management and the Council:

Enquiries of management	
Question	Response
1. What controls are in place to identify, authorise, approve, account for and disclose related party transactions and relationships?	Material transaction parties are regular and known and appropriate disclosures are made in the financial statements. Contracted relationships are subject to the Council's CPRs and OJEU regulation where applicable
2. Confirm that you have: <ul style="list-style-type: none"> disclosed to the auditor the identity of the entity's related parties and all the related party relationships and transactions of which you are aware; and appropriately accounted for and disclosed such relationships and transactions in accordance with the requirements of the framework. 	Yes Yes
Enquiries of the Council	
Question	Response
1. How does the Council, in its role as those charged with governance, exercise oversight of management's processes to identify, authorise, approve, account for and disclose related party transactions and relationships?	This is delegated to the S151 officer through control processes. Necessary and appropriate disclosures are made in the statement of accounts which is reviewed by Audit Committee and approved by Council.