



NOTICE OF MEETING

Dear Committee Members

I respectfully advise that the AUDIT AND RISK COMMITTEE MEETING will be held in Council Chambers, York Town Hall, York on Tuesday, 10 September 2024, commencing at 3:00pm.

MEETING AGENDA ATTACHED

Chris Linnell

CHRIS LINNELL
CHIEF EXECUTIVE OFFICER
Date: 5 September 2024

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MISSION STATEMENT
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1 OPENING

1.1 Declaration of Opening

1.2 Acknowledgement/Disclaimer

The Presiding Member advises the following:

“The York Shire Council acknowledges the Ballardong people of the Noongar Nation who are the Traditional Owners of this country and recognise their continuing connection to land, water, sky and culture. We pay our respects to all these people and their Elders past, present and emerging.

This meeting is being recorded on a digital audio and visual device to assist with minute taking purposes. The public is reminded that in accordance with Section 6.16 of the Shire of York Local Government (Council Meetings) Local Law 2016 that nobody shall use any visual or vocal recording device or instrument to record the proceedings of Council without the written permission of the presiding member.

I wish to draw attention to the Disclaimer Notice contained within the agenda document and advise members of the public that any decisions made at the meeting today, can be revoked, pursuant to the Local Government Act 1995.

Therefore members of the public should not rely on any decisions until formal notification in writing by Council has been received. Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.”

1.3 Attendance Via Electronic Means

1.4 Standing Orders

1.5 Announcement of Visitors

1.6 Declarations of Interest that Might Cause a Conflict

Councillors, Members and Staff are reminded of the requirements of s5.65 of the Local Government Act 1995, to disclose any interest during the meeting when the matter is discussed and also of the requirement to disclose an interest affecting impartiality under the Shire of York’s Code of Conduct.

Name	Item No & Title	Nature of Interest (and extent, where appropriate)

1.7 Declaration of Financial Interests

A declaration under this section requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision making procedure relating to the matter the subject of the declaration.

Other members may allow participation of the declarant if the member further discloses the extent of the interest and the other members decide that the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.

Name	Item No & Title	Nature of Interest (and extent, where appropriate)
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1.8 Disclosure of Interests that may affect Impartiality

Councillors, Members and Staff are required (Code of Conduct), in addition to declaring any financial interest, to declare any interest that might cause a conflict. The member/employee is also encouraged to disclose the nature of the interest. The member/employee must consider the nature and extent of the interest and whether it will affect their impartiality. If the member/employee declares that their impartiality will not be affected then they may participate in the decision making process.

Name	Item No & Title	Nature of Interest (and extent, where appropriate)

2 ATTENDANCE

2.1 Members

2.2 Staff

2.3 Apologies

2.4 Leave of Absence Previously Approved

2.5 Number of People in the Gallery at Commencement of Meeting

3 QUESTIONS FROM PREVIOUS MEETINGS

4 PUBLIC QUESTION TIME

Public Question Time is conducted in accordance with the Act and Regulations. In addition to this the Shire’s *Local Government (Council Meetings) Local Law 2016* states –

6.7 Other procedures for question time for the public

- (1) A member of the public who wishes to ask a question during question time must identify themselves and register with a Council Officer immediately prior to the meeting.
- (2) A question may be taken on notice by the Council for later response.
- (3) When a question is taken on notice the CEO is to ensure that—
 - (a) a response is given to the member of the public in writing; and
 - (b) a summary of the response is included in the agenda of the next meeting of the Council.
- (4) Where a question relating to a matter in which a relevant person has an interest is directed to the relevant person, the relevant person is to—
 - (a) declare that he or she has an interest in the matter; and
 - (b) allow another person to respond to the question.

- (5) Each member of the public with a question is entitled to ask up to 2 questions before other members of the public will be invited to ask their questions.
- (6) Where a member of the public provides written questions then the Presiding Member may elect for the questions to be responded to as normal business correspondence.
- (7) The Presiding Member may decide that a public question shall not be responded to where—
 - (a) the same or similar question was asked at a previous meeting, a response was provided and the member of the public is directed to the minutes of the meeting at which the response was provided;
 - (b) the member of the public uses public question time to make a statement, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the statement as a question; or
 - (c) the member of the public asks a question that is offensive or defamatory in nature, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the question in a manner that is not offensive or defamatory.
- (8) A member of the public shall have 2 minutes to submit a question.
- (9) The Council, by resolution, may agree to extend public question time.
- (10) Where any questions remain unasked at the end of public question time they may be submitted to the CEO who will reply in writing and include the questions and answers in the agenda for the next ordinary Council meeting.
- (11) Where an answer to a question is given at a meeting, a summary of the question and the answer is to be included in the minutes.

4.1 Written Questions – Current Agenda

4.2 Public Question Time

5 APPLICATIONS FOR LEAVE OF ABSENCE

6 PRESENTATIONS

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Audit and Risk Committee Meeting - 11 June 2024

Confirmation

That the minutes of the Audit and Risk Committee Meeting held on 11 June 2024 be confirmed as a correct record of proceedings.

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

9 OFFICER'S REPORTS

9.1 UPDATE ON THE FINDINGS IDENTIFIED DURING THE 2022/23 AUDIT

File Number:	4.0463, 4.4175
Author:	Codey Redmond, Finance Manager
Authoriser:	Alina Behan, Executive Manager Corporate & Community Services
Previously before Council:	26 March 2024 (100324)
Disclosure of Interest:	Nil
Appendices:	Nil

NATURE OF COUNCIL'S ROLE IN THE MATTER

Executive

PURPOSE OF REPORT

This report presents an Update on the Findings Identified During the 2022/23 Audit to the Audit and Risk Committee (ARC) for consideration and, if satisfactory, recommendation to Council for noting and acceptance.

BACKGROUND

On 3 May 2023, an entrance meeting for the 2022/23 annual financial audit was held between the Chair of the ARC, Shire Officers and the Office of the Auditor General (OAG).

Due to the late completion of the 2021/22 annual financial audit, it was agreed with the OAG that the Interim and Final audits would be combined for the 2022/23 financial year. The OAG commenced requesting items for the Interim Audit in April 2023, with the Interim Audit scheduled to be conducted between 16 October 2023 to 27 October 2023 and the Final Audit between 13 November 2023 and 24 November 2023.

The OAG provided the Management Letter, Audit Opinion, and signed copies of the Shire's Annual Financial Statements on Friday 15 March 2024 at the exit meeting held between the Chair of the ARC, Members of the ARC, Shire Officers and the OAG. The feedback and recommendations to Management form the basis for new or amended procedures to be implemented.

At its March 2024, the ARC recommended that Council accept the actions taken and residual risk for twelve (12) Items and requested the Chief Executive Officer to report back on progress against the remaining ten (10) Findings (Resolution 100324).

COMMENTS AND DETAILS

Staff have been working towards implementing processes and procedures to address the Findings with further details provided below:

TABLE 1.

FINDING	COMMENT	STATUS / TIMEFRAME
Untimely preparation and	Due to staff turnover there is still work with reconciliations to be completed, with the last	Bank reconciliations for 2022/23 financial

review of bank reconciliations	complete reconciliation being November 2023. Templates and procedures have been put in place for reconciling and work is being done to catchup with reconciliations being done monthly going forward.	year are to be completed by December 2024.
Depreciation of assets	The depreciation calculations are undertaken in accordance with Australian Accounting Standards. Errors that resulted in a misstatement of the depreciation have been found and corrected. Asset reconciliation and depreciation is being performed monthly and is up to date. All assets depreciation rates will be adjusted on an ad hoc basis with a full review done annually in conjunction with the budget.	This is now resolved.
Audit readiness and quality of financial and supporting documentation	The Shire can demonstrate that it commenced collecting the information requested in April 2023. Prior to onsite testing, the majority of the samples required had been collected and transmitted. There were numerous instances where audit documents were transmitted, only to be subsequently re-requested by the audit team. This pattern persisted even after the audit recommenced in January 2024, with information submitted being immediately demanded again by the OAG. It is worth noting that OAG Officers frequently failed to provide adequate time for thorough responses from Shire staff. This will be thoroughly discussed at the Exit Interview. The splitting of the former Senior Finance Role into two positions - Senior Finance, and Rates and Debtors has allowed the Senior Finance Officer to prioritise auditors' requests and has freed up the Finance Manager to concentrate on budget preparation. The abbreviated interim audit was completed in July 2024 due to timing issues, and the Shire was able to provide all requested samples to the external audit firm, Nexia in a timely manner.	The 2023/24 Audit will be conducted over eight (8) days in October 2024.
Untimely preparation and review of the property, plant and equipment reconciliation	As at July 2024 asset reconciliations are up to date and are reviewed monthly.	This is now resolved.
Asset revaluations	Assets subject to revaluation have been examined and all variances accounted for.	This is now resolved.
Monitoring of grants income and expenses	Historically an excel workbook has been used for the Grants Register where every Responsible Officer is required to add any new grants and update any other relevant information. The Senior Finance Officer would update income and expenditure monthly and email the register to all staff each month for review and update. Progress can be tested during Interim and Final Audits for 2024/25.	The workbook has been superseded by Government Frameworks' IPR software, Cascade, which is being implemented from the beginning of the 2024/25 financial year.

Plant recovery cost base rate and indirect/overhead cost allocation rate	Recoveries and allocations are setup in the system and are being performed monthly.	A full review of costing is scheduled for October 2024 with the assistance of consultants from Moore.
Works in progress for capital projects	Tracking of capital projects completion by the Projects team allows the Finance team to ensure proper capitalisation occurs on project completion.	This has been implemented at the beginning of the 2024/25 financial year.
No asset addition forms	Asset acquisition and disposal forms have been created and implemented from 1 July 2024 for the 2024/25 financial year.	This is now resolved.
Assets with no depreciation	Assets subject to revaluation have been examined and all variances accounted for. This is now resolved. This has highlighted the need for a thorough review of all asset classes regarding the capturing of asset information, naming and classification.	Review of assets with no depreciation for the 2022/23 financial year is to be completed by December 2024.

OPTIONS

Not applicable

IMPLICATIONS TO CONSIDER

Consultative

Executive Leadership Team

Moore Australia

Strategic

Strategic Community Plan 2020-2030

Goal 5: Strong Leadership and Governance

To have effective and responsive leadership and governance, where a sense of collective purpose and shared direction combine to work together.

Policy Related

G17 Integrated Planning and Reporting - Planning

G19 Risk Assessment and Management

Financial

There are no direct financial implications relating to the risk assessment of the Audit Findings.

Legal and Statutory

Section 7.12A of the *Local Government Act 1995* is applicable and states:

“7.12A. Duties of local government with respect to audits

(1) *A local government is to do everything in its power to —*

- (a) *assist the auditor of the local government to conduct an audit and carry out the auditor's other duties under this Act in respect of the local government; and*
- (b) *ensure that audits are conducted successfully and expeditiously.*
- (2) *Without limiting the generality of subsection (1), a local government is to meet with the auditor of the local government at least once in every year.*
- (3) *A local government must —*
 - (aa) *examine an audit report received by the local government; and*
 - (a) *determine if any matters raised by the audit report, require action to be taken by the local government; and*
 - (b) *ensure that appropriate action is taken in respect of those matters.*
- (4) *A local government must —*
 - (a) *prepare a report addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and*
 - (b) *give a copy of that report to the Minister within 3 months after the audit report is received by the local government.*
- (5) *Within 14 days after a local government gives a report to the Minister under subsection (4)(b), the CEO must publish a copy of the report on the local government's official website."*

The *Local Government (Audit) Regulations 1996* provides the legislative framework for the conduct of audits in local government and the role of the ARC in considering the results of those audits.

Risk Related

Failure to undertake the actions documented in the report could result in financial risk for the Shire.

Workforce

The workload required to complete the 2022/23 audit has been significant which has affected and will continue to affect operational capacity across multiple directorates into the near future.

VOTING REQUIREMENTS

Absolute Majority: No

RECOMMENDATION

That, with regard to the Update on the Findings Identified During the 2022/23 Audit, the Audit and Risk Committee recommends that Council:

- 1. Receives the status update on progress towards the remaining ten (10) Findings as detailed in this report, noting those which are resolved or the intended timeframe for completion.**
- 2. Requests the Chief Executive Officer to provide an update on the Findings identified during the 2022/23 Audit to the Audit and Risk Committee at its March 2025 meeting.**

9.2 RISK MANAGEMENT UPDATE AS AT SEPTEMBER 2024

File Number:	4.4274
Author:	Anneke Birleson, Manager Governance & People
Authoriser:	Chris Linnell, Chief Executive Officer
Previously before Council:	28 June 2022 (020622) 27 September 2022 (100922) 20 December 2022 (141222) 21 March 2023 (420323) 19 December 2023 (121223) 26 March 2024 (100324)
Disclosure of Interest:	Nil
Appendices:	1. Draft Strategic Risk Register - Snapshot - Confidential 2. Draft Strategic Risk Register - Detailed Snapshot - Confidential 3. Draft Strategic Risk Progress Dashboard ↓

NATURE OF COUNCIL'S ROLE IN THE MATTER

Executive

PURPOSE OF REPORT

This report provides the Audit and Risk Committee (ARC) with an update regarding progress on the Shire's Risk Management.

BACKGROUND

The Shire of York's Risk Assessment and Management Policy, in conjunction with the Risk Management Framework, sets out the Shire's approach to the identification, assessment, management and monitoring of risks.

The Shire's Risk Management Objectives are:

1. Optimise the achievement of our vision, experiences, strategies, goals and objectives.
2. Provide transparent and formal oversight of the risk and control environment to enable effective decision making.
3. Enhance risk versus return within our risk appetite.
4. Embed appropriate and effective controls to mitigate risk.
5. Achieve effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.
6. Enhance organisational resilience.
7. Identify and provide for the continuity of critical operations.

It is essential to monitor and review the management of risks as changing circumstances may result in some risks increasing or decreasing in significance. By regularly reviewing the effectiveness and efficiency of controls and appropriateness of treatment/action options selected, it can be determined if the organisation's resources are being put to the best use possible.

COMMENTS AND DETAILS

At its March 2024 meeting the ARC considered the Risk Management Framework and a review of Policy G19 – Risk Management. Council adopted these documents at its Ordinary Meeting, held on 26 March 2024 (Resolution 100324).

The Risk Management Framework was developed to provide a systematic guide to the application of risk management for all Officers. The Framework provides guidance on:

1. Risk Appetite
2. Roles and Responsibilities
3. The Monitoring and Reporting Process
4. Risk Control and Assessment

The Shire of York has identified eight (8) Strategic Risk Categories:

1. Injury or Death
2. Failure/Loss of Infrastructure
3. Theft/Fraud/Misconduct
4. Climate Change/Environmental Damage
5. Failure to Deliver Key Projects
6. Loss of Financial Viability
7. Reputational Damage
8. Failure of Legislative Compliance

Assessment

Each of these Risks have been assessed based on the nine (9) consequences and an overall Risk Rating applied:

1. People
2. Service Interruption
3. Reputational
4. Compliance
5. Property
6. Natural Environment
7. Financial Impact
8. Project-Time
9. Project-Cost

The risk assessments then informed the identification of effective controls to mitigate the risks and risk actions to ensure the controls are in place.

Monitor and Review

To monitor progress the Shire is utilising Government Frameworks' Strategic Planning and Reporting software, Cascade.

The Executive Leadership Team have developed a Risk Plan (Strategic Risk Register) where each Strategic Risk has a set of Controls which in turn have Risk Actions. Each Risk, Action and Control

has a Shire Officer allocated to it and an expected timeline for completion. Officers are required to report on progress at least monthly.

The Draft Strategic Risk Register is presented in two forms, in confidential Appendix 1 and 2. Confidential Appendix 1 is an overview of the strategic risks with the risk assessments and progress, calculated from the risk actions. Confidential Appendix 2 is a more detailed look at the progress made against the risk controls and actions.

In addition to the register, Officers have developed a Dashboard that provides a quick visual overview of progress against each of the eight (8) Strategic Risks. The draft is presented in Appendix 3. As maturity in reporting evolves over the next few months and beyond, the Dashboard will become more meaningful and more data can be presented.

Both the Snapshot and the Dashboard are live tools within Cascade and Officers can drill down on specific items using the charts and tables. An Officer specific Dashboard is in development that focusses on the risk actions allocated to them. This will be the key tool used to report on progress at an operational level.

Risk Working Group

The Shire has previously operated a Risk Working Group (RWG), comprised of key internal stakeholders and risk owners. The purpose of the RWG was to:

1. Oversee and facilitate the Operational Risk Register.
2. Champion risk management within operational areas.
3. Support reporting requirements for risk matters.
4. Analyse and discuss emerging risks, issues and trends.

With recent Workforce Plan changes being implemented and the ongoing success of the Organisational Management Group (OMG), it is proposed the RWG changes form, and the objectives of the group now become the responsibility of the OMG. This not only maintains accountability for those key staff reporting on risk actions but also empowers the Shire's leaders to communicate risk through their teams.

OPTIONS

The ARC has the following options:

Option 1: The ARC could recommend that Council notes the reporting progress made to date, approves the use of the proposed reporting tools, allowing the Chief Executive Officer to determine the final layout and data displayed and requests the Chief Executive Officer to report on progress against the Strategic Risks at the next ARC Meeting in December 2024.

Option 2: The ARC could recommend that Council notes the progress made to date, requests further development of the reporting tools and requests the Chief Executive Officer to present the final reporting tools for approval and report on progress against the Strategic Risks at the next ARC Meeting in December 2024.

Option 1 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

Executive Leadership Team

Strategic

Strategic Community Plan 2020-2030

Goal 5: Strong Leadership and Governance

To have effective and responsive leadership and governance, where a sense of collective purpose and shared direction combine to work together.

Policy Related

G19 Risk Assessment and Management

Financial

Financial implications of the proposed risk mitigation strategies are presented to Council as they emerge and inform the annual budget process.

Legal and Statutory

Regulation 17 of the *Local Government (Audit) Regulations 1996* is applicable and states:

“17. CEO to review certain systems and procedures

- (1) *The CEO is to review the appropriateness and effectiveness of a local government’s systems and procedures in relation to —*
 - (a) *risk management; and*
 - (b) *internal control; and*
 - (c) *legislative compliance.*
- (2) *The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.*
- (3) *The CEO is to report to the audit committee the results of that review.”*

Risk Related

The development and regular update of an organisational Risk Register is a risk management tool.

Workforce

It is proposed that risk mitigation actions are undertaken within current resources. Where additional resources are required, this will be identified and submitted as part of the annual budget process.

VOTING REQUIREMENTS

Absolute Majority: No

RECOMMENDATION

That, with regard to the Risk Management Update as at September 2024, the Audit and Risk Committee recommends that Council:

- 1. Notes the progress made to date in developing reporting methodologies in relation to the Strategic Risk Register.**
- 2. Approves the use of the proposed reporting tools, namely the Draft Strategic Risk Register Snapshot and the Draft Strategic Risk Progress Dashboard.**
- 3. Requests the Chief Executive Officer to present a Risk Management Update, including specific reporting on the Strategic Risk Register, to the Audit and Risk Committee at its December 2024 meeting.**

Audit and Risk Committee Meeting Agenda

STRATEGIC RISK MANAGEMENT PROGRESS OVERVIEW

Date: 09/04/2024



COMPLETION STATUS BY RISK

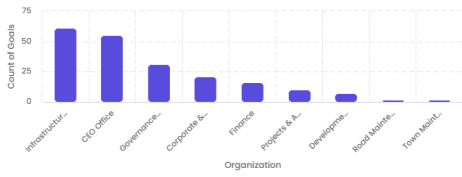
Total Goals 8

12%

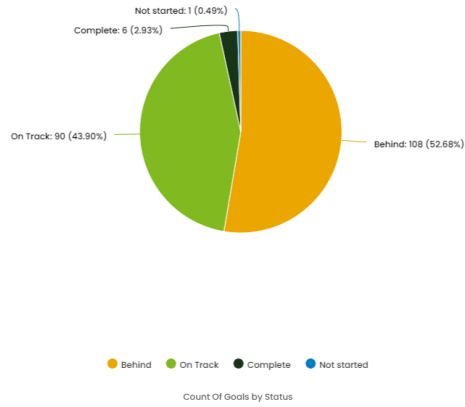
Avg Completion

Title	2023	2024	2025	2026	2027	2028	2029	2030	Percentage completion
INJURY OR DEATH									0%
FAILURE / LOSS OF INFRASTRUCTURE									4%
THEFT / FRAUD / MISCONDUCT									10%
CLIMATE CHANGE / ENVIRONMENTAL DAMAGE									3%
FAILURE TO DELIVER KEY PROJECTS									28%
LOSS OF FINANCIAL VIABILITY									0%
REPUTATIONAL DAMAGE									33%
FAILURE OF LEGISLATIVE COMPLIANCE									17%

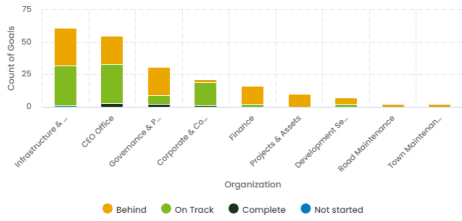
RISK ACTION COUNT BY DEPARTMENT



STATUS OF RISK ACTIONS



STATUS OF RISK ACTIONS BY DEPARTMENT



10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

11 QUESTIONS FROM MEMBERS WITHOUT NOTICE

12 BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

13 CLOSURE