

The Auditor General for Wales' Audit Certificate and report is to be completed by the auditor acting on behalf of the Auditor General. It MUST NOT be completed by the Clerk/RFO, the Chair or the internal auditor.

Audited and certified returns are sent back to the body for publication and display of the accounting statements, Annual Governance Statement and the Auditor General for Wales' certificate and report.

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Accounting statements 2020-21 for:

Name of body:

HERBRANDSTON COMMUNITY COUNCIL

	Year ending		Notes and guidance for completion
	31 March 2020 (A)	31 March 2021 (B)	
Please round all figures to nearest £. Do not leave any boxes blank and report all balances. All figures must agree to the underlying financial records for the relevant year.			
Statement of income and expenditure/receipts and payments			
1. Balances brought forward	3716	3077	Total balances and reserves at the beginning of the year as recorded in the financial records. Must agree to line 7 of the previous year.
2. (+) Income from local taxation/levy	5000	5500	Total amount of income received/receivable in the year from local taxation (precept) or levy/contribution from principal bodies.
3. (+) Total other receipts	98	5371	Total income or receipts recorded in the cashbook minus amounts included in line 2. Includes support, discretionary and revenue grants.
4. (-) Staff costs	800	1000	Total expenditure or payments made to and on behalf of all employees. Include salaries and wages, PAYE and NI (employees and employers), pension contributions and related expenses eg. termination costs.
5. (-) Loan interest/capital repayments	NIL	NIL	Total expenditure or payments of capital and interest made during the year on external borrowing (if any).
6. (-) Total other payments	4937	7453	Total expenditure or payments as recorded in the cashbook minus staff costs (line 4) and loan interest/capital repayments (line 5).
7. (=) Balances carried forward	3077	5495	Total balances and reserves at the end of the year. Must equal (1+2+3) = (4+5+6).
Statement of balances			
8. (+) Debtors	NIL	NIL	Income and expenditure accounts only: Enter the value of debts owed to the body at the year-end.
9. (+) Total cash and investments	3077	5495	All accounts: The sum of all current and deposit bank accounts, cash holdings and investments held at 31 March. This must agree with the reconciled cashbook balance as per the bank reconciliation.
10. (-) Creditors	NIL	NIL	Income and expenditure accounts only: Enter the value of monies owed by the body (except borrowing) at the year-end.
11. (=) Balances carried forward	3077	5495	Total balances should equal line 7 above: Enter the total of (8+9-10).
12. Total fixed assets and long-term assets	10831	10831	The asset and investment register value of all fixed assets and any other long-term assets held as at 31 March.
13. Total borrowing	NIL	NIL	The outstanding capital balance as at 31 March of all loans from third parties (including FWLB).
14. Trust funds disclosure note	Yes	No	The body acts as sole trustee for and is responsible for managing (a) trust fund(s)/assets (readers should note that the figures above do not include any trust transactions).
15.	✓	✓	

We acknowledge as the members of the Council/Board/Committee, our responsibility for ensuring that there is a sound system of internal control, including the preparation of the accounting statements. We confirm, to the best of our knowledge and belief, with respect to the accounting statements for the year ended 31 March 2021, that:

		Agreed?	YES means that the Council/Board/Committee	PG. 161
		Yes/No		
1.	<p>We have put in place arrangements for:</p> <ul style="list-style-type: none"> • effective financial management during the year; and • the preparation and approval of the accounting statements. 	✓	Properly sets its budget and manages its money and prepares and approves its accounting statements as prescribed by law.	6, 12
2.	<p>We have maintained an adequate system of internal control, including measures designed to prevent and detect fraud and corruption, and reviewed its effectiveness.</p>	✓	Made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.	6, 7
3.	<p>We have taken all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and codes of practice that could have a significant financial effect on the ability of the Council/Board/ Committee to conduct its business or on its finances.</p>	✓	Has only done things that it has the legal power to do and has conformed to codes of practice and standards in the way it has done so.	6
4.	<p>We have provided proper opportunity for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit (Wales) Regulations 2014.</p>	✓	Has given all persons interested the opportunity to inspect the body's accounts as set out in the notice of audit.	6, 23
5.	<p>We have carried out an assessment of the risks facing the Council/Board/Committee and taken appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.</p>	✓	Considered the financial and other risks it faces in the operation of the body and has dealt with them properly.	6, 9
6.	<p>We have maintained an adequate and effective system of internal audit of the accounting records and control systems throughout the year and have received a report from the internal auditor.</p>	✓	Arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether these meet the needs of the body.	6, 8
7.	<p>We have considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on the Council/Board/Committee and, where appropriate, have included them on the accounting statements.</p>	✓	Disclosed everything it should have about its business during the year including events taking place after the year-end if relevant.	6
8.	<p>We have taken appropriate action on all matters raised in previous reports from internal and external audit.</p>	✓	Considered and taken appropriate action to address issues/weaknesses brought to its attention by both the internal and external auditors.	6, 8, 23
9.	<p>Trust funds – in our capacity as trustee, we have:</p> <ul style="list-style-type: none"> • discharged our responsibility in relation to the accountability for the fund(s) including financial reporting and, if required, independent examination or audit. 	Yes/No	Has met all of its responsibilities where it is a sole managing trustee of a local trust or trusts.	3, 6

* Please provide explanations to the external auditor on a separate sheet for each "no" response given, and describe what action is being taken to address the weaknesses identified.

Additional disclosure notes*

The following information is provided to assist the reader to understand the accounting statement and in the Annual Governance Statement.

1. Expenditure under S137 Local Government Act 1972 and S2 Local Government Act 2000

Section 137(1) of the 1972 Act permits the Council to spend on activities for which it has no other specific powers if the Council considers that the expenditure is in the interests of, and will bring direct benefit to, the area or any part of it, or all or some of its inhabitants, providing that the benefit is commensurate with the expenditure. Section 137(3) also permits the Council to incur expenditure for certain charitable and other purposes. The maximum expenditure that can be incurred under both section 137(1) and (3) for the financial year 2020-21 was £8.32 per elector.

In 2020-21, the Council made payments totalling £ 56.57 under section 137. These payments are included within 'Other payments' in the Accounting Statement.

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* Include here any additional disclosures the Council considers necessary to aid the reader's understanding of the accounting statement and/or the annual governance statement.

Council/Committee approval and certification

The Council/Committee is responsible for the preparation of the accounting statements and the annual governance statement in accordance with the requirements of the Public Audit (Wales) Act 2004 (the Act) and the Accounts and Audit (Wales) Regulations 2014.

Certification by the RFO I certify that the accounting statements contained in this Annual Return presents fairly the financial position of the Council/Board/ Committee, and its income and expenditure, or properly presents receipts and payments, as the case may be, for the year ended 31 March 2021.	Approval by the Council/Board/Committee I confirm that these accounting statements and Annual Governance Statement were approved by the Council/Board/Committee under minute reference:
RFO signature: <u>D. M. Davies</u> Name: <u>DIANE DAVIES</u> Date: <u>4/5/21</u>	Minute ref: <u>4th MAY 2021</u> <u>FIN MATTERS</u> Chair signature: <u>M. G. G. G.</u> <u>30/21</u> Name: <u>MODESTO GALDO.</u> Date: <u>4/5/21</u>

Auditor General for Wales' Audit Certificate and report

I report in respect of my audit of the accounts under section 13 of the Act, whether any matters that come to my attention give cause for concern that relevant legislation and regulatory requirements have not been met. My audit has been conducted in accordance with guidance issued by the Auditor General for Wales.

I certify that I have completed the audit of the Annual Return for the year ended 31 March 2021 of:

HERBRANDSTON COMMUNITY COUNCIL



Auditor General's report

Audit opinion [Except for the matters reported below]* On the basis of my review, in my opinion no matters have come to my attention giving cause for concern that in any material respect, the information reported in this Annual Return: <ul style="list-style-type: none"> • has not been prepared in accordance with proper practices; • that relevant legislation and regulatory requirements have not been met; • is not consistent with the Council's/Committee's governance arrangements; and * that the Council/Committee does not have proper arrangements in place to secure economy, efficiency and effectiveness in its use of resources.
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Auditor General for Wales' Audit Certificate and report

I report in respect of my audit of the accounts under section 13 of the Act, whether any matters that come to my attention give cause for concern that relevant legislation and regulatory requirements have not been met. My audit has been conducted in accordance with guidance issued by the Auditor General for Wales.

I certify that I have completed the audit of the Annual Return for the year ended 31 March 2021 of:

Herbrandston Community Council

Auditor General's report

Audit opinion - Qualified

Except for the matters reported below in my Basis of Qualification, in my opinion no matters have come to my attention giving cause for concern that in any material respect, the information reported in this Annual Return:

- has not been prepared in accordance with proper practices;
- that relevant legislation and regulatory requirements have not been met;
- is not consistent with the Council's/Committee's governance arrangements; and
- that the Council/Committee does not have proper arrangements in place to secure economy, efficiency and effectiveness in its use of resources.

Basis of Qualification

In its Annual Governance Statement, the Council asserts that it has complied with relevant legislation. However:

- The Council does not operate PAYE as it is required to do under the Income Tax (Earnings and Pensions) Act 2003.
- The Council has not provided its Clerk with a written contract or a written statement of the specified terms of employment under S.1 of the Employment Rights Act 1996 (ERA) within two months of starting employment.

Other matters arising and recommendations

Contract of employment

S.1 of the Employment Rights Act 1996 (ERA1996), requires the Council to provide its Clerk with a written contract or a written statement of the specified terms of employment under within two months of starting employment. As part of the audit, we sought evidence that the Council had complied with section 1 of ERA 1996. We are satisfied that the Council properly appointed the Clerk and has agreed the salary. However, we are unable to establish if the Clerk has been provided with full terms of employment. In order to ensure clarity of the terms and conditions of employment we recommend that the Council and the Clerk prepare and sign a contract of employment at the earliest opportunity.

PAYE

We note that the Clerk has declared her income on her self assessment tax return and therefore there is no underpayment of tax. However, the Clerk is an office holder and emoluments received, whether described as an honorarium, a salary, a payment towards expenses or a combination of these, are chargeable to tax as employment income and are earnings for Class 1 NIC purposes. PAYE must be operated by the Council on the income the Clerk earns. A Clerk can never be considered self-employed for tax or NIC purposes. This is the same position as for any office or employment; there is no other acceptable tax treatment applicable to Clerks.

Further information regarding the Clerk's employment status for tax purposes can be found at <https://www.gov.uk/hmrc-internal-manuals/employment-income-manual/eim67300>. Failure to operate PAYE exposes the Council to the risk of fines and/or penalty charges being imposed by HM Revenue and Customs for non-payment of tax due on the Clerk's salary.

We recommend that the Council operates PAYE in relation to the Clerk's salary.

There are no further matters I wish to draw to the Council's attention.



Richard Harries, Director, Audit Wales
For and on behalf of the Auditor General for Wales

Date: 10/3/22

Other matters arising and recommendations

I draw the body's attention to the following matters and recommendations which do not affect my audit opinion but should be addressed by the body.

External auditor's name:

External auditor's signature:

Date:

For and on behalf of the Auditor General for Wales

* Delete as appropriate.

Annual internal audit report to:

Name of body:

HERBRANDSTON COMMUNITY COUNCIL

The Council/Board/Committee's internal audit, acting independently and on the basis of an assessment of risk, has included carrying out a selective assessment of compliance with relevant procedures and controls expected to be in operation during the financial year ending 31 March 2021.

The internal audit has been carried out in accordance with the Council/Board/Committee's needs and planned coverage. On the basis of the findings in the areas examined, the internal audit conclusions are summarised

in this table. Set out below are the objectives of internal control and the internal audit conclusions on whether, in all significant respects, the following control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of the Council/Board/Committee.

		Agreed			Outline of work undertaken as part of the internal audit (NR not required if detailed internal audit report presented to body)
		Yes	No	Not covered	
1.	Appropriate books of account have been properly kept throughout the year.	✓			
2.	Financial regulations have been met, payments were supported by invoices, expenditure was approved and VAT was appropriately accounted for.	✓			
3.	The body assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.	✓			

	against the budget was regularly monitored, and reserves were appropriate.	✓		
5.	Expected income was fully received, based on correct prices, properly recorded and promptly banked, and VAT was appropriately accounted for.	✓		
6.	Petty cash payments were properly supported by receipts, expenditure was approved and VAT appropriately accounted for.	✓		
7.	Salaries to employees and allowances to members were paid in accordance with minuted approvals, and PAYE and NI requirements were properly applied.	✓		
8.	Asset and investment registers were complete, accurate, and properly maintained.	✓		

		Agreed?				Outline of work undertaken as part of the internal audit (N/A not required if detailed internal audit report presented to body)
		Yes	No	N/A	Not covered	
9.	Periodic and year-end bank account reconciliations were properly carried out.	✓				
10.	Accounting statements prepared during the year were prepared on the correct accounting basis (receipts and payments/income and expenditure), agreed with the cashbook, were supported by an adequate audit trail from underlying records, and where appropriate, debtors and creditors were properly recorded.	✓				
11.	Trust funds (including charitable trusts). The Council/Board/ Committee has met its responsibilities as a trustee.			✓		

For any risk areas identified by the Council/Board/ Committee that any other risk areas below or on separate sheets if needed adequate controls existed

		Agreed?				Outline of work undertaken as part of the internal audit (N/A not required if detailed internal audit report presented to body)
		Yes	No	N/A	Not covered	
12.						
13.						
14.						

* If the response is 'no', please state the implications and action being taken to address any weakness in control identified (add separate sheets if needed).

** If the response is 'not covered', please state when the most recent internal audit work was done in this area and when it is next planned, or if coverage is not required, internal audit must explain why not.

[My detailed findings and recommendations which I draw to the attention of the Council/Board/Committee are included in my detailed report to the Council/Board/Committee dated .] * Delete if no report prepared.

Internal audit confirmation

I/we confirm that as the Council's internal auditor, I/we have not been involved in a management or administrative role within the body (including preparation of the accounts) or as a member of the body during the financial years 2019-20 and 2020-21. I also confirm that there are no conflicts of interest surrounding my appointment.

Name of person who carried out the internal audit:
Signature of person who carried out the internal audit:

NOREEN. M. HADFIELD
noreenhadfield