

## **Report of the Treasurer**

### **Arrangements for Appointment of External Auditors**

#### **Purpose of report**

1. To approve arrangements for the appointment of external auditors following the conclusion of the 2022/23 audit year.
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#### **Recommendation**

***It is recommended that the Authority continues to “opt in” to Public Sector Audit Appointments Ltd (PSAA) for the procurement of future external audit provision (Option 3).***

#### **Background**

2. Under the provisions of The Local Audit and Accountability Act 2014 and the Local Audit (Appointing Person) Regulations 2015 the fire Authority is able to independently appoint its own External Auditor. However, like almost every other local authority, the fire Authority opted to join the sector led arrangements administered through PSAA.
3. The present contracts come to an end after the 2022/23 Audit year and it is now necessary to consider future arrangements.
4. The relevant regulations require that a decision to opt in must be made by the members of the Authority meeting as a whole.
5. The arguments for and against the various options are unchanged from those last considered by the Fire Authority in December 2016.

#### **Options for local appointment of External Auditors**

6. There are three broad options open to the Authority under the Local Audit and Accountability Act 2014 (the Act):

##### **Option 1 - To make a stand-alone appointment**

7. In order to make a stand-alone appointment the Authority will need to set up an Auditor Panel. The members of the panel must be wholly or a majority of independent members as defined by the Act. Independent members for this purpose are independent appointees, this excludes current and former Authority Members (or officers) and their close families and friends. This means that Authority Members will not have a majority input to assessing bids and choosing which firm of accountants to award a contract for the Authority's external audit. A

new independent auditor panel established by the Authority will be responsible for selecting the auditor.

***Advantages/benefits***

- Setting up an auditor panel allows the Authority to take maximum advantage of the new local appointment regime and have local input to the decision.

***Disadvantages/risks***

- There will be costs associated with the recruitment and servicing of the Auditor Panel, running the bidding exercise and negotiating the contract; in addition, on-going expenses and allowances will be incurred.
- The Authority will not be able to take advantage of reduced fees that may be available through joint or national procurement contracts.
- The assessment of bids and decision on awarding contracts will be taken by independent appointees and not solely by Authority Members.
- The Authority does not have the capacity to undertake such a procurement exercise and manage the consequential arrangements without incurring additional cost.

**Option 2 - Set up a Joint Auditor Panel / local joint procurement arrangements**

8. The Act enables the Authority to join with others to establish a joint auditor panel. Again this will need to be constituted of wholly or a majority of independent appointees (members). Further legal advice will be required on the exact constitution of such a panel, having regard to the obligations of each authority under the Act, and the Authority's requirement to liaise with other local authorities to assess the appetite for such an arrangement.

***Advantages/benefits***

- The costs of setting up the panel, running the bidding exercise and negotiating the contract will be shared across a number of authorities.
- There is greater opportunity for negotiating some economies of scale by being able to offer a larger combined contract value to the firms.

***Disadvantages/risks***

- The decision making body will be further removed from local input. There will be potentially no input from Authority Members where a wholly independent auditor panel is used or limited input where only one Authority Member is appointed to the joint panel to represent the Authority.

- The choice of auditor could be complicated where individual authorities have independence issues. An independence issue occurs where the auditor has recently or is currently carrying out work such as consultancy or advisory work for the Authority. Where this occurs, some auditors may be prevented from being appointed by the terms of their professional standards. There is a risk that if the joint auditor panel choose a firm that is conflicted for this Authority, then a separate appointment, with all the attendant costs and loss of economies possible through joint procurement, may still be required.
- It also requires a willing partner or partners of sufficient size to give the exercise a chance of being financially favourable. Indications are that most of our potential partners are opting for 3 below.

### **Option 3 – Continue to Opt-in to a Sector Led Body (PSAA)**

9. On 22 July 2016, the LGA confirmed that Public Service Appointments Ltd (PSAA) had been approved by the Government to become the body which is authorised to make future audit appointments on behalf of principal local authorities.

#### ***Advantages/benefits***

- The costs of setting up the appointment arrangements and negotiating fees would be shared across all opt-in authorities.
- 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.
- Any conflicts at individual authorities would be managed by the Sector Led Body who would have a number of contracted firms to call upon.
- The Authority would not need to set up an Auditor Panel and therefore locally appointed independent members would not be required. Instead, a separate body would be set up to act in the collective interests of the 'opt-in' authorities.

#### ***Disadvantages/risks***

- Individual Authority Members will have less opportunity for direct involvement in the appointment process other than through the LGA and/or stakeholder representative groups.
- In order for the Sector Led Body to be viable and to be placed in the strongest possible negotiating position, authorities would be required to indicate their intention to opt-in before final contract prices are known.

## Financial Implications

10. The cost of establishing a local or joint Auditor Panel outlined in options 1 and 2 above would need to be estimated and included in the Authority's budget from 2017/18. This would include the cost of recruiting independent appointees (members), servicing the Panel, running a bidding and tender evaluation process, letting a contract and any agreed payments to Panel members.
11. Opting-in to a national Sector Led Body provides maximum opportunity to limit the extent of any increases by entering into a large scale collective procurement arrangement and would remove the costs of establishing an auditor panel. There will be no fee to join the sector led arrangements.
12. The audit fees that opted-in bodies will be charged by the sector led body will cover the costs of appointing auditors. The LGA believes that audit fees achieved through block contracts will be lower than the costs that individual authorities will be able to negotiate.

## Conclusion/Summary

13. In practice it would appear that Option 2 is not feasible as there are unlikely to be any partners, therefore it is a choice between Option 1 and Option 3, and on balance the benefits of Option 3 outweigh Option 1
14. The Authority should therefore "opt-in" to the PSAA arrangements.

## Next Steps

15. Authorities that wish to "opt in" to the PSAA arrangements have been asked to confirm this to PSAA by 11<sup>th</sup> March 2022.

## Corporate Considerations

<b>Resource Implications</b> (identify any financial, legal, property or human resources issues)	As set out in report
<b>Strategic Policy Links</b> (identify how proposals link in with current priorities and policy framework and if they do not, identify any potential implications).	n/a
<b>Risk Management / Health &amp; Safety</b> (identify any risks, the proposed control measures and risk evaluation scores).	n/a

<b>Consultation</b> (identify any public or other consultation that has been carried out on this matter)	n/a
<b>Equalities</b> (has an Equalities Impact Assessment been completed? If not, why not?)	n/a

Appendix 1: Letter from PSAA

Appendix 2 “opt In” pro-forma