

Certification of claims and returns - annual report

Vale of White Horse District Council

Audit 2009/10

The Audit Commission is an independent watchdog, driving economy, efficiency and effectiveness in local public services to deliver better outcomes for everyone.

Our work across local government, health, housing, community safety and fire and rescue services means that we have a unique perspective. We promote value for money for taxpayers, auditing the £200 billion spent by 11,000 local public bodies.

As a force for improvement, we work in partnership to assess local public services and make practical recommendations for promoting a better quality of life for local people.

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Summary

This report summarises the findings from certifying 2009/10 claims. It includes the messages arising from my assessment of your arrangements for preparing claims and returns and information on claims that I amended or qualified.

Certification of claims and returns

- 1** Funding from government grant-paying departments is an important income stream for Vale of White Horse District Council (the Council). The Council needs to manage claiming this income carefully and spend the income within the conditions set by the government departments.
- 2** Section 28 of the Audit Commission Act 1998 requires auditors to certify specific claims and returns. The Audit Commission and the relevant government departments agree on the work required. The Audit Commission sets out the checks in certification instructions for each claim and return. Auditors charge a fee to cover the full cost of certifying claims and returns. The fee reflects the work required for each claim or return.
- 3** The Audit Commission does not certify claims and returns below £125,000. For specific claims and returns between £125,000 and £500,000 the Audit Commission asks auditors to do limited tests, checking the entries to underlying records.
- 4** For specific claims and returns over £500,000 the Audit Commission has set what has to be done. Auditors assess the control environment for preparing the claim or return. Where they can rely on the control environment, they undertake limited tests to agree the claim or return entries to underlying records but do not undertake any testing of the eligibility of spending or data. Where auditors cannot rely on the control environment, they undertake all the tests in the certification instruction and use their assessment of the control environment to inform decisions on the testing required. This means auditors will charge lower audit fees for certification work if the control environment is strong.
- 5** The exception to this is the Housing Benefit claim, where the Department for Works and Pensions (DWP) specifies testing under the 'HBCOUNT' methodology, where some testing is carried out on each element of benefit awarded, plus a number of tests relating to parameters, software, and system reconciliations.

6 Councils are responsible for compiling grant claims and returns under the requirements and timescale set by the grant paying departments. It is important for councils to manage this properly by:

- putting in place a satisfactory control environment over each claim and return; and
- showing how they meet the conditions for each claim or return.

7 The Audit Commission has published a statement summarising its certification arrangements and the respective responsibilities of grant-paying bodies, councils and auditors. Claims and returns may be amended where a council and auditor agree it is necessary. The auditor's certificate may refer to a qualification letter where there is a disagreement or uncertainty or the council has not complied with the grant or return conditions. More detail on certification arrangements is in the Audit Commission's 'Statement of Responsibilities in Relation to Claims and Returns' at www.audit-commission.gov.uk/pbr.

Significant findings

8 In 2009/10, my audit team certified three claims or returns with a total value of £71.8 million. One of these is prepared by Council officers, and two by Capita on behalf of the Council. Of these, my team carried out a limited review of one claim and one return, and reviewed one claim under the HBCOUNT methodology. Appendix 1 contains a summary of the work done on 2009/10 claims.

9 If figures are wrong on claims presented to us to audit I either agree an amendment with the Council officers or if needed issue a qualification letter. Last year the Housing and Council tax Benefit claim was amended for errors.

10 I also issued a qualification letter on this claim to the grant-paying body. Details of the issues leading to qualification are given below. The qualification letter is included at Appendix 2.

11 The Department for Works and Pensions has accepted the findings of the qualification letter and the resultant impact on subsidy. However, the Council still has the opportunity to submit mitigation to DWP which may impact on this.

Certification fees

12 The fees I charged for grant certification work in 2009/10 were £44,638 (£9,534 of which related to additional work on the 2008/09 housing benefit claim) and in 2008/09 £30,661. These fees are based on time taken to complete the grant claims. Full information on fees charged for each claim is shown in Appendix 1.

Findings

Control environment

13 There were two claims or returns over £500k where I relied on the control environment to reduce the work I carried out. These were the National Non-Domestic Rates Return, which is prepared by Capita on behalf of the Council and the Disabled Facilities Grant prepared by Council officers.

14 I was able to do this because the preparers are experienced and there were only minor errors in previous claims. Also good working papers are produced.

15 Due to application of the HBCOUNT methodology, I could not rely on the control environment to limit work on the Housing and Council Tax Benefit Claim. Housing benefit is a complex scheme to administer, and there have been errors in the claim in past years.

16 The Council has been working with Capita to reduce the level of errors in the housing and council tax benefit claim, but these are not yet delivering real improvements in the level of local authority error. I have included this in the qualification letter.

Specific claims

17 Housing and Council Tax Benefit

18 The Housing and Council Tax Benefit claim was both amended and qualified. The adjustments were made because:

- non HRA properties (mainly for homeless people) were incorrectly classified as B&B rather than as short term leasing; and
- water rates paid as part of rental for Non HRA properties was not correctly treated when calculating benefits.

19 I was able to agree adjustments to the claim as the entire population where the errors had been made could be identified and checked. The adjustments resulted in £4,830 additional subsidy payable to the Council.

20 For the third year, I also issued a qualification letter on this claim, as it was not possible (even with additional work) to agree an adjustment to the claim.

21 The areas where the claim was qualified were:

- Chief officer's certificate - one of the requirements of the claim is for the adequacy of the system for awarding benefits and claiming subsidy. Whilst the Council is working with Capita to improve benefit payment and subsidy accuracy, this had not delivered real improvements for the 2009/10 claim.
- Underpayment of benefit to claimants on non statutory amounts of maternity pay.
- Classification of rent allowance overpayments - overpayments resulting from errors in the benefits section had wrongly been shown on the claim as being due to claimants.
- Miscalculation of benefit awarded for claimants in receipt of statutory retirement pension.
- Classification of council tax overpayments - overpayments resulting from errors in the benefits section or due to technical adjustments had wrongly been shown on the claim as being due to claimants.

22 DWP has accepted the findings of the audit in full. The impact of the errors noted in the qualification letter amounted to £31,775. The Council was already very close to the limits set by DWP for errors that can be made by benefit sections, and may as a result lose subsidy on this type of error. Subject to consideration of any mitigation put forward by the Council, DWP is now seeking to recover subsidy paid to the Council of £90,532.

23 This is the second year the level of errors has caused the Council to exceed thresholds for allowable errors (last year it exceeded the upper limit and lost all subsidy on these overpayments). Whilst the Council has a contract agreement with Capita for benefit administration, which includes provision for recovery of lost subsidy due to Capita's actions or inaction, it remains the responsibility of the Council to administer benefit payments accurately and to claim subsidy appropriately.

Recommendations

R1 Reduce the general level of benefit errors, including reducing the amount of local authority error to well below the Government threshold.

R2 Improve the accuracy of benefit classifications for subsidy purposes

Appendix 1 Summary of 2009/10 certified claims

Table 1: Claims and returns above £500,000

Service	Claim	Value £	Adequate control environment	Amended	Qualification letter	Audit Fee 2008/09 £	Audit Fee 2009/10 £
Capita	National non domestic rates return	53,278,060	Yes	No	No	2,420	1,087
Capita	Housing and council tax benefit	27,170,312	HBCOUNT	Yes	Yes	27,480	33,328 9,534 (08/09)
Finance	Disabled facilities	510,000	Yes	No	No	558	689

Appendix 2 Housing Benefit Qualification letter

Qualification letter issued 26 November 2010

Our reference AC/31571035/MPF720A/MOB/SODC10/3/AO

Your reference

Date 26 November 2010

Department for Work and Pensions

Housing Benefits Unit

Room 512

Norcross

BLACKPOOL

FY5 3TA

Dear Sir / Madam

Vale of White Horse District Council

Housing Benefit & Council Tax Benefit claim for the year ended 31 March
2010 (Form MPF720A)

Qualification Letter referred to in the Auditor's Certificate dated 27
November 2010

Details of the matters giving rise to my qualification of the above claim are
set out in the Appendix to this letter.

The factual content of my qualification has been agreed with officers of the
Authority.

No amendments have been made to the claim for the issues raised in this
qualification letter unless otherwise indicated in the letter.

Yours faithfully

Anne Ockleston
Audit Manager

Cross cutting qualification issues

Local Authority's certificate

The claim form certificate has been signed by the Authority confirming that the administrative systems, procedures and key controls for awarding benefits operate effectively and the Authority has taken reasonable steps to prevent and detect fraud. They have provided evidence of how they are doing this by monitoring of work done by their contractor, Capita, and requiring them to improve standards of accuracy. The errors identified this year are consistent with test findings in previous years, suggesting the required improvements are not yet impacting on previously identified issues.

The results of testing where this issue has been identified are recorded in this letter in qualifications against specific cells.

Cell 148: Council tax benefit - Eligible overpayments (current year)

Cell 148: cell total: £103,096

Headline cell 142: £6,015,844

The testing of the initial sample identified 1 eligible overpayment case where the Authority had misclassified LA error overpayments as eligible overpayments. Given the nature of the population and the errors found, an additional random sample of 40 cases was taken from the audit trail supporting cell 148. This additional testing identified 17 further test failures. Of these the Authority misclassified technical excess benefit cases and LA error overpayment cases as eligible overpayments. The results of my testing are set out in the tables below:

Results of testing:

Sample:	Movement/brief note of error:	Original cell total:	Sample error:	Sample value:	Percentage error rate (to one decimal place):	Cell adjustment:	Revised cell total if cell adjustment applied:
		[CT]	[SE]	[SV]	[SE/SV]	[SE/SV times CT]	[RA]
Initial sample –20 (4 cases with cell 148)	cell 148 overstated due to misclassification of 7 LA and 15 technical errors as eligible overpayments	103096	49.72	498.14	10.0	-10290.00	
Additional sample - 40 cases		103096	1521.52	3726.88	40.8	-42089.00	
Combined Sample – 60 cases		103096	1571.24	4225.02	37.2	-38340.00	£64756

Sample:	Movement/brief note of error:	Original cell total:	Sample error:	Sample value:	Percentage error rate (to one decimal place):	Cell adjustment:	Revised cell total if cell adjustment applied:
Adjustment	Cell 147 is understated.	103096	4.68	4225.02	0.1	+114.00	Note: 1
Adjustment	Cell 149 is understated	103096	1566.56	4225.02	37.1	+38226.00	
Total Corresponding adjustment						+38340	

Note 1: Adjustment for the case failure originally noted has been corrected in July 2010. This will therefore be reflected in the subsidy claimed for that year. This reduces the extrapolated impact on cell 149 by £49.72 to £38,176.

The errors ranged from £2.85 to £259.19, and covered periods from 3 to 320 days. Given the nature of the population and the variation in the errors found it is unlikely that even significant additional work will result in an amendment to this cell that will allow me to conclude it is fairly stated.

This is the third year the errors in classification of council tax benefit overpayments have been identified.

Cell 94: Rent Allowance – (after adjustment) £21,350,031**Headline Cell (after adjustment) £21,350,031**

Testing of the initial sample identified:

- 1 cases where benefit had been underpaid as a result of the Authority miscalculating the claimant's maternity pay entitlement;
- 1 cases where an overpayment had been classified as eligible when it was caused by Local Authority error; and
- 1 case where benefit had been overpaid due to an error in calculating SRP.

Each of these error types is dealt with separately below.

Underpaid benefit**Cell 109: Rent Allowance – cases in receipt of SMP****Headline Cell (after adjustment) £21,350,031**

During initial testing we identified 1 case where benefit entitlement had been understated due to miscalculation of Statutory Maternity Pay. We therefore examined the total population within cell 94 in receipt of SMP (28 cases) to determine the extent of the error and its impact on subsidy. This showed that 4 cases were underpaid benefit totalling ££430.74. There were no overpayments.

As there is no eligibility to subsidy for benefit which has not been paid, the 4 underpayments identified do not affect subsidy and have not, therefore, been classified as errors for subsidy purposes.

Cell 109: Rent Allowance – current year eligible overpayments**Cell Total £427821****Headline Cell (after adjustment) £21,350,031**

The testing of the initial sample identified 1 eligible overpayment case where the Authority had misclassified LA error overpayments as eligible overpayments. Given the nature of the population and the errors found, an additional random sample of 40 cases was taken from the audit trail supporting cell 109. This identified a further 7 cases where LA error had been incorrectly classified.

The result of my testing is set out in the table below:

Sample:	Movement/brief note of error:	Original cell total:	Sample error:	Sample value:	Percentage error rate (to one decimal place):	Cell adjustment:	Revised cell total if cell adjustment applied:
		[CT]	[SE]	[SV]	[SE/SV]	[SE/SV times CT]	[RA]
Initial sample –20 (4 with entries in cell 109)	cell 109 is overstated due to misclassification of 8 LA error overpayments as eligible	427821	24.06	1102.46	2.2	-9337	
Additional sample - 40 cases		427821	353.13	11790.31	3.0	-12814	

Sample:	Movement/brief note of error:	Original cell total:	Sample error:	Sample value:	Percentage error rate (to one decimal place):	Cell adjustment:	Revised cell total if cell adjustment applied:
Combined Sample – 60 cases		427821	377.19	12892.77	2.9	-12516	£4153.04
Adjustment	Cell 108 is understated.	427821	377.19	12892.77	2.9	+12516	Note: 2
Total Corresponding adjustment	.					+12516	

Note 2: Adjustment for the case failure originally noted has been corrected in July 2010. This will therefore be reflected in the subsidy claimed for 2010/11. This reduces the extrapolated impact on cell 108 by £24 to £12,492.

- The errors ranged from £1.27 to £139.50, and covered periods from 7 to 63 days. Given the nature of the population and the variation in the errors found it is unlikely that even significant additional work will result in an amendment to this cell that will allow me to conclude it is fairly stated.

This is the first year the errors in classification of rent allowance overpayments have been identified.

Cell 94: Rent Allowance – cases in receipt of SRP**Population Total £133,541****Headline Cell (after adjustment) £21,350,031**

The testing of the initial sample identified 1 case where the Authority had miscalculated the impact of SRP on benefit entitlement, generating an undetected overpayment. Given the nature of the population and the errors found, an additional random sample of 40 cases was taken from all cases in receipt of SRP. This identified a further 1 case where incorrect calculation resulted from misstatement of SRP.

The result of my testing is set out in the table below:

Sample:	Movement/brief note of error:	Original cell total:	Sample error:	Sample value:	Percentage error rate (to one decimal place):	Cell adjustment:	Revised cell if cell adjust applied:
		[CT]	[SE]	[SV]	[SE/SV]	[SE/SV times CT]	[RA]
Initial sample –20 (2 with SRP)	SRP calculation resulted in overstatement of benefit entitlement.	1333541	1923.72	9540.61	20.2	-269907	
Additional sample - 40 cases	Impact will be to reduce cells 103 and 231.4 and increase cell 147	1333541	1.92	124622	0.0	-20.54	

Sample:	Movement/brief note of error:	Original cell total:	Sample error:	Sample value:	Percentage error rate (to one decimal place):	Cell adjustment:	Revised cell if cell adjustment applied:
	LA error						
Adjustment	reduction cell 231.4	1333541	1.92	134126.61	0.0	-20	50,063
Adjustment	reduction cell 102/103 (pro rata)	1333541	1923.72	134126.61	1.4	-19125	13219437 (102) 4115563 (103)
Combined Sample –60 cases	total	1333541	1925.64	134126.61	1.4	-19145	
Adjustment	cell 147	1333541	1925.64	134126.61	1.4	+19145	Note: 3
Total Corresponding adjustment	.					+19145	

Note 3: Adjustment for the case failure originally noted has been corrected in July 2010. This will therefore be reflected in the subsidy claimed for 2010/11. This reduces the extrapolated impact on cell 147 by £1923.72 to £17,221.

- The errors were £1.92 and £1923.72, and periods from to 34 to 365 days. Given the nature of the population and the variation in the errors found it is unlikely that even significant additional work will result in an amendment to this cell that will allow me to conclude it is fairly stated.

This is the first year the errors in SRP calculations have been identified.

Appendix 3 Action Plan

Recommendations
Recommendation 1
Reduce the general level of benefit errors, including reducing the amount of local authority error to well below the Government threshold.
Responsibility
Priority
Date
Comments
Recommendation 2
Improve the accuracy of benefit classifications for subsidy purposes.
Responsibility
Priority
Date
Comments

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Audit Commission

1st Floor
Millbank Tower
Millbank
London
SW1P 4HQ

Telephone: 0844 798 3131
Fax: 0844 798 2945
Textphone (minicom): 0844 798 2946