## Audit, Governance and Standards Committee 21st March 2024

#### **Financial Compliance Report**

Relevant Portfolio Holder		Councillor Luke Court,					
		Finance and Enabling Portfolio Holder					
Portfolio Hol	lder Consulted	Yes					
Relevant He	ead of Service	Bernard Ofori-Atta					
Report	Job Title: Head of Finance	e & Customer Services					
Author	Contact email: Bernrad.of	ori-atta@bromsgroveandredditch.gov.uk					
Wards Affect	eted	All					
Ward Councillor(s) consulted		No					
Relevant Str	rategic Purpose(s)	All					
Non-Key De	cision						
If you have	any questions about this re	eport, please contact the report author in advance of					
	the meeting.						
This report contains exempt information as defined in Paragraph(s) 3 of Part I							
of Schedule	of Schedule 12A to the Local Government Act 1972, as amended. Appendix A contains exempt information						

### 1. **RECOMMENDATIONS**

The Audit, Governance and Standards Committee RECOMMEND that:

- 1) Progress on the 2020/21 Audit process be noted.
- 2) Any areas of concern within this key compliance report are raised with Executive.

#### 2. BACKGROUND

- 2.1 From a Governance point of view, the financial frame work under which the Council works is set out in the Constitution. In addition to this there are legislative reporting requirements which set out what needs to be done and by when. The Accounting Policies report which was tabled at the Audit, Standards and Governance Committee on the 23<sup>rd</sup> March 2023 set out the Financial Governance Framework, and associated references to key documentation, that the Council, it's Member and Officers work to. This are (in summary):
  - The Budget and Policy Framework Procedure Rules. These set out: The
    framework for Executive Decisions, Decisions outside the budget or policy framework,
    Urgent Decisions outside of the Budget or Policy Framework, Virement rules, In-year
    changes to policy framework and, Call-in of decisions outside the budget or policy
    framework. These rules set out how decisions can be made, by whom and how they
    can be challenged

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- **Financial Procedure Rules** which are set out in Part 14 of the Constitution. These "operational policies" run to 36 pages and set out how the organisation financially runs it's "day to day" business.
- **Finance Protocols** which set out requirements and expectations of the Finance Team and Services in terms of financial administration and demarcation of duties.
- 2.2 One of the legislative reporting requirements the Council has not achieved is the delivery of the 2020/21 Statement of Accounts. As such, the Council was issued with a Section 24 Statement. Bromsgrove District Council (BDC) were also issued with a Section 24 Statement for the same non delivery of the 2020/21 accounts which is understandable given that officers support both Councils via a shared service.
- 2.3 As reported in previous Audit, Governance and Standards Committee meetings in January, March, May, July, September, November and January draft 2020/21 accounts will be presented to the Council's External Auditors once they have completed their work on the data take on balances. An update on this work is contained in this report.
- 2.4 The 2023/4 budget was approved at Council on the 27th February 2023. An update on the 2024/5 Medium Term Financial Plan process is contained in this report.

#### **Legislative Requirements**

- 2.5 The previous section sets out how the Council works, however equally important are the Central Government Legislative Requirements to which we deliver to and are compared to other Councils across the Council. This section lists those key deliverables.
- 2.6 The following are key legislative deliverables, which were circulated by the Government in December 2023 for the period December 2023, through the 2024/5 financial year. Delivery against these requirements will be set out in the final column of the table.

Form	Code	Description	Proposed Dispatch	Deadline	Proposed Publication	Position
Capital Payments & Receipts - Q3	CPR3	Cumulative capital expenditure and receipts for Q1, Q2 and Q3 2023-24	15-Dec-23	19-Jan-24	15-Feb-24	Delivered 26/1/24
Non Domestic Rates Forecast	NNDR1	Billing authority forecasts of the amount of non-domestic rates to be collected in the 2024-25	15-Dec-23	31-Jan-24	21-Feb-24	Delivered 9/2/24 (Civica issue)
Council Tax & NDR Collection - Q3	QRC3	Quarterly return of how much council tax and non- domestic rates are collected in Q3 2023-24	15-Dec-23	12-Jan-24	14-Feb-24	Delivered 15/2/24 (Civica issue)
Quarterly Borrowing & Lending - Q3	QB3	Local authority borrowing and investments from all local authorities to the end of Q3 2023-24	15-Dec-23	08-Jan-24	15-Feb-24	Delivered 17/1/24

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Quarterly Revenue Update - Quarters 3 & 4	QRU3	Quarter 1 to 3 2023-24 data and forecast end year local authority revenue expenditure update.	15-Dec-23	26-Jan-24	07-Mar-24	Delivered 19/2/24
Council Tax Requirement/ Parish Council Tax	CTR1/2/3/4	Information on council tax levels set by local authorities in 2024-25 and Council tax levels for 2024-25 set by parishes.	02/02/2024 (tbc)	11-Mar-24	21-Mar-24	Delivered 26/2/24
of which: Parish council tax	-	-	-	11-Mar-24	08-May-24	Delivered 27/2/24
Revenue Account Budget	RA	Local authority revenue expenditure and financing for 2024-25 Budget	16-Feb-24	05-Apr-24	20-Jun-24	
Capital Estimates Return	CER	Capital forecast for 2024-25	23-Feb-24	22-Mar-24	13-Jun-24	
Non Domestic Rates Outturn- unaudited	NNDR3	Collects information from all billing authority on the amount of non-domestic rates collected in 2023-24-provisional data	28-Mar-24	30-Apr-24	10-Jul-24	
Non Domestic Rates Outturn- audited	NNDR3	Collects information from all billing authority on the amount of non-domestic rates collected in 2023-24-final data	n/a	30-Sep-24	15-Nov-24	
Quarterly Borrowing & Lending - Q4	QB4	Local authority borrowing and investments from all local authorities to the end of Q4 2023-24	22-Mar-24	05-Apr-24	13-Jun-24	
Capital payments & receipts Q4 and provisional outturn	CPR4	Cumulative capital expenditure and receipts for Q1, Q2, Q3, and Q4 2023-24. Expanded collection, used as provisional outturn.	22-Mar-24	19-Apr-24	13-Jun-24	
Council Tax & NDR Collection - Q4	QRC4	Annual data of levels of council tax and non-domestic rates collected by local authorities in 2023-24 and Q4 2023-24	12-Apr-24	03-May-24	19-Jun-24	
Capital Outturn Return	COR	Final capital outturn figures for 2023-24	26-Apr-24	26-Jul-24	10-Oct-24	
Revenue Outturn suite - provisional	RO	Local authority revenue expenditure and financing for 2023-24 Outturn (provisional)	26-Apr-24	28-Jun-24	29-Aug-24	
Revenue Outturn suite - certified	RO	Local authority revenue expenditure and financing for 2023-24 Outturn (final)	n/a	11-Oct-24	12-Dec-24	
Exit payments	-	Local authority exit payments 2023-24	03-May-24	07-Jun-24	18-Jul-24	
Quarterly Borrowing & Lending - Q1	QB1	Local authority borrowing and investments from all local authorities to the end of Q1 2024-25	24-Jun-24	05-Jul-24	08-Aug-24	

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	1	1				
Quarterly Revenue Update - Q1	QRU1	Q1 2024-25 data and forecast end year local authority revenue expenditure update	28-Jun-24	02-Aug-24	12-Sep-24	
Capital Payments & Receipts - Q1	CPR1	Cumulative capital expenditure and receipts for Q1 2024-25	21-Jun-24	19-Jul-24	08-Aug-24	
Council Tax & NDR Collection - Q1	QRC1	Quarterly return of how much council tax and non- domestic rates are collected in Q1 2024-25	21-Jun-24	05-Jul-24	14-Aug-24	
Local Government Pension Funds	SF3	Collect information on income and expenditure on local government pension schemes for 2023-24	05-Jul-24	13-Sep-24	23-Oct-24	
Council Tax Base/ Supplementary	СТВ	Information about the 2024 council tax base for each billing authority.	20-Sep-24	11-Oct-24	06-Nov-24	
Quarterly Borrowing & Lending - Q2	QB2	Local authority borrowing and investments from all local authorities to the end of Q2 2024-25	23-Sep-24	04-Oct-24	14-Nov-24	
Quarterly Revenue Update - Q2	QRU2	Quarter 1 & 2 2024-25 data and forecast end year local authority revenue expenditure update	20-Sep-24	25-Oct-24	05-Dec-24	
Capital Payments & Receipts - Q2	CPR2	Cumulative capital expenditure and receipts for Q1 and Q2 2024-25	20-Sep-24	20-Oct-24	14-Nov-24	
Council Tax & NDR Collection - Q2	QRC2	Quarterly return of how much council tax and non- domestic rates are collected in Q2 2024-25	20-Sep-24	04-Oct-24	20-Nov-24	
Capital Payments & Receipts - Q3	CPR3	Cumulative capital expenditure and receipts for Q1, Q2 and Q3 2024-25	13-Dec-24	17-Jan-25	13-Feb-25	
Non Domestic Rates Forecast	NNDR1	Billing authority forecasts of the amount of non-domestic rates to be collected in the 2025-26	13-Dec-24	31-Jan-25	19-Feb-25	
Quarterly Revenue Update - Quarters 3 & 4	QRU3	Quarter 1 to 3 2024-25 data and forecast end year local authority revenue expenditure update.	13-Dec-24	24-Jan-25	06-Mar-25	
Quarterly Borrowing & Lending - Q3	QB3	Local authority borrowing and investments from all local authorities to the end of Q3 2024-25	13-Dec-24	06-Jan-25	13-Feb-25	
Council Tax & NDR Collection - Q3	QRC3	Quarterly return of how much council tax and non- domestic rates are collected in Q3 2024-25	13-Dec-24	10-Jan-25	12-Feb-25	
Council Tax Requirement/ Parish Council Tax	CTR1/2/3/4	Information on council tax levels set by local authorities in 2025-26. Council tax levels for 2025- 26 set by parishes	Early Feb 2025	12-Mar-25	20-Mar-25	

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of which: Parish council tax	-	-	Early Feb 2025	12-Mar-25	07-May-25	
Revenue Account Budget	RA	Local authority revenue expenditure and financing for 2025-26 Budget	14-Feb-25	04-Apr-25	19-Jun-25	
Capital Estimates Return	CER	Capital forecast for 2025-26	21-Feb-25	21-Mar-25	12-Jun-25	
Monthly Borrowing & Lending	МВ	Monthly sample used to provide an estimate of the level of net borrowing by local authorities to go into the ONS/HMT monthly publication Public Sector Finance Statistics	5 working days before 1st working day of the month	Day 5 of each month	for quarter months only, see QB1, QB2, QB3, QB4 dates	
Local Government Finance Statistics	LGFS33	Annual compilation of finance data collected from local authorities covering out-turn data for 2022-23	N/A	N/A	Spring 2024	

Pooling of Housing Capital Receipts - 23/4 Delivered

2.7 In wider sets of deliverables (outside the 2024/5 DLUHC Listing) we have the following returns that have been delivered:

## Budget

- Delivered by 11<sup>th</sup> March in preceding financial year 2024/5 Budget and MTFP delivered 26<sup>th</sup> Feb 2024
- o Council Tax Base Yearly 2024/25 delivered in 9th January 2024
- o Council Tax Resolution Yearly 2024/5 delivered in 26th February 2024
- Council Tax Billing Yearly (2 weeks before 1<sup>st</sup> DD is due to be taken) Bills distributed in March 2024

#### Policies

- Treasury and Asset Management Strategies
  - Strategies are part of the MTFP 2024/5 Strategy Approved 26<sup>tht</sup> Feb
     2024
  - Half Yearly Report
    - 23/4 Report delivered in Q3 Monitoring Report 18 March 24
  - Yearly Outturn Report
    - 2022/23 Draft Report delivered in September 23
- o Council Tax Support Scheme Yearly -
  - 24/5 Approved on 9th January 2024.
- Minimum Revenue Provision yearly Approved as part of the 2024/5 to 2026/7 Medium Term Financial Plan in February 2024.
- Financial Monitoring delivered quarterly to Executive Q1 23/4 went to Executive in October, Q2 went in November 2023. Q3 will be presented in March.
- Risk Management Delivered quarterly to this Committee (Q3 delivered today)
- Savings Report Delivered quarterly to this Committee (Q3 delivered Jan23)
- Financial Controls (still in development)

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- Clearance of suspense accounts See the chart at the end of this Report for progress.
- Bank Reconciliation linked to above point although a separate stream assessing/clearing 2023/4 and prior year items.
- Over £500 spending.
  - Updated to January 2024.

The following deliverables, prior to December 2023 are still to be delivered:

- Closure
  - o Draft Accounts for 2020/21, 2021/22 and 2022/23.
  - 2020/21 Audit dependent on clearance of opening eFin to TechOne balances.
- Government Returns
  - VAT Monthly
    - Still to be delivered for 20/21 dependent on closure of accounts, discussions ongoing with HMRC.
  - Revenue Outturn Reports July
    - Still to be delivered for 20/21 and 21/22 dependent on closure of accounts
  - o Whole of Government Accounts Returns August
    - Still to be delivered for 20/21, 21/22 and 22/23 dependent on closure of accounts
- 2.8 The key returns that have still not been delivered are the Revenue and Capital Outturn forms for 2020/21 and 2021/22 and the VAT returns. Although the Government now allow these returns to be completed based on estimates, the level of uncertainty due to the Cash Receipting means these cannot be completed until the External Auditors sign off the Councils take on balances and the Council provides the draft accounts to Audit for each Council.

#### **Update on the Statement of Accounts**

- 2.9 The key Closure deliverables for each financial year are set out below:
  - Closure 2020/21
    - Agreement of Treatment of Take on Balances The Council has supplied a reconciliation of the Closing Balances on eFin to the Opening Balances on TechOne (this was originally to be delivered by the Auditors independently but changed following review in January as reported to this Committee in January). The Auditors confirmed receipt in February and a meeting is taking place on the 18<sup>th</sup> March to take the process forward.
    - Provision of Draft 2020/21 Accounts to Audit. This is dependent on the External Auditors confirmation that they have approved both Council's take-on balances work. To date only limited high level testing has taken place although significant work has been undertaken.
    - Sign Off of 20/21 Accounts to be confirmed with the External Auditors
  - Closure 2021/22

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- Updated Outturn position still to be provided.
- Draft Accounts ready for Auditors (without any 2020/21 Audit Adjustments) estimated May 2024.
- o Audit of Accounts following Audit of 2020/21 Accounts.
- Sign-off of the Accounts to be confirmed with External Auditors (and dependent on what is agreed with the DLUHC cutoff decision).
- Closure 2022/23
  - Budget Manager Closure Training tool place in late March with 83 staff attended closure training.
  - o Draft Provisional Outturn Report Executive Report delivered in October 2023.
  - 2022/23 draft Revenue Outturn and Capital Outturn Reports presented to DLUHC.
  - Draft 2022/23 Accounts to Audit TBC (following External Auditors sign off 21/22 Accounts)
  - Sign off of the Accounts to be confirmed with External Auditors.
- Value for Money Opinions for 2021/22 and 2022/23. External Auditors delivered their joint Value for Money Opinions in November 2023:
  - S24 Recommendation still in place and extended for 2021/2 and 2022/3 Accounts.
  - 5 of the 6 2020/21 Key Recommendations either delivered or now linked to Improvement Recommendations.
  - 9 of 13 2020/21 Improvement Recommendations either fully or partially delivered.
  - One new Key Recommendation linked to Workforce Strategy.
  - Ten updated Improvement Recommendations.
- 2.10 As reported in the July and September reports, DLUHC have stated that they are moving to rectify these backlogs by changing how audits are performed over the medium term. DLUHC are concerned that the most time should be spent on auditing more recent accounts, so scopes of audits will be reduced (still to be confirmed) however Auditors will still be expected to serve S114 and other Statutory Recommendations. The governments' view is that Audits will be given statutory deadlines for completion as follows:
  - All accounts up to 2022/23 to be completed by the 30<sup>th</sup> September 2024.
  - Year ended 31 March 2024: 31 May 2025.
  - Year ended 31 March 2025: 31 March 2026.
  - Year ended 31 March 2026: 31 January 2027.
  - Year ended 31 March 2027: 30 November 2027.
  - Year ended 31 March 2028: 30 November 2028.
- 2.11 There are two consultations that came out with the Governments updated guidance, which was released on the 8<sup>th</sup> February, that need to be completed by early March. These consultations are for DLUHC, the National Audit Office, and the Financial Reporting Council (FRC). Following seminars on the 12<sup>th</sup> and 28<sup>th</sup> February Auditors now need to set out the real issues with their opinion on a Council's Accounts especially

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"running out of time" to deliver an Audit, as it is still far from clear on sanctions that will be used against Councils if all accounts up to 2022/3 are not audited by the 30<sup>th</sup> September and the impact this will have on reputation of the sector and future years audits. **Appendix A** sets out the Council's responses to these two consultations.

- 2.12 The Council is now on the latest version of TechOne although because Redditch and Bromsgrove are still the only Council's on Cash Receipting, when the weekly updates come in they have do additional checks to ensure the functionality is working as expected. The Council will now update to the latest version of TechOne every summer.
- 2.13 Once the External Auditors sign off the data take on balances the draft 2020/21 Accounts will be submitted. The Council has not submitted them yet as if the External Auditors have issues with the data take on balances and the draft accounts had been submitted then this could lead to qualified accounts.
- 2.14 Work is under way on the 2021/22 Accounts although they cannot be finalised until the audit of the 2020/21 Accounts is complete. The key driver is the clearance of the cash receipting suspense accounts which is expected was delivered by end of December to the required materiality level.

#### Update on the Budget and ongoing Monitoring

- 2.15 The Councils 2024/25 Budget was approved on the 26<sup>th</sup> February 2024 at Council. Budgets will be loaded onto TechOne in March.
- 2.16 Quarter One 2023/4 financial and performance monitoring went to Executive in October and the Quarter Two Monitoring went to Executive in November. The financial monitoring for Quarter 2 was delivered for the first time directly from the TechOne system with budget managers data input onto it and not into spreadsheets. Quarter Three Monitoring will be delivered to Executive in March.
- 2.17 To increase capacity, a number of the finance posts presently covered by Agency have been advertised internally and externally. Interviews for these posts took place on the 25<sup>th</sup> and 26<sup>th</sup> of January and 5 offers have been accepted to date.

#### **Compliance Items**

2.20 There are a number of areas where compliance will be measured going forwards. Compliance to process and timetable is a key underlying theme of the Draft External Audit Report 2020/21. These items are being measured to improve how we work and change behaviours. This will lead to an improved financial health/knowledge across both Councils. Not all these measures can be put in place instantly but there should be the full suite by the middle of the summer (Debt indicators depend on the clearing of suspense and the updating of the bank reconciliations).

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#### **Training:**

- Closure Training took place in March with 83 attending.
- Mandatory Budget Manager Training (including the use of TechOne) took place in September 2023 – upskilling budget managers with the tools to input their forecasts directly onto TechOne.
- Mandatory Financial Awareness Training for managers took place in August and September.
- Payments Purchase Order Training takes place monthly.

#### **Treasury Management**

 The Half Yearly 2023/4 Treasury Management Report will be presented to Executive on the 18<sup>th</sup> March.

## Audit VFM Report Requirements (From the draft 2021/2 and 22/3 Reports)

- More Budget Consultation.
- Wider savings monitoring will be undertaken by this Committee quarterly.
- Capital and its deliverability will be reviewed as part of the Budget Tranche 2.
- Benchmarking is now incorporated into the budget process (using LG Futures data).
- The Internal Audit Service will be externally assessed in early 2024.
- The Council will seek and independent Audit Committee member and ensure the Committee remains apolitical in nature.
- The whistleblowing policy will be updated before the end of the financial year.
- Procurement and contract rules will be updated by the end of the financial year (to reflect changes to legislation happening in April 2024.
- Performance Indicators will be reviewed and updated following Strategic Priority setting sessions.

The Council is still to run sessions to assess its "risk appetite".

#### **Errors:**

- Non delivery of GPC Card Data (monthly basis) still to be started.
- Mis-coding on TechOne per month by Service Area will begin once the cash receipting suspense has been cleared.

#### **Procurement:**

- The new 'No Compliance No Order' process has been live since April 2023.
- The number of contracts in place is growing regularly. We hope that eventually we get to the place where the number of orders coming to procurement for approval as contracts are not in place are minimal.
- Council in July approved an increase of the Key Decision Level from £50k to £200k.
   Finance and Performance Monitoring Reports now set out:
  - All contracts requiring renewal over the next year that are over the present £200k threshold and these are placed on the forward plan.

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- All contracts requiring renewal over the next year that are between £50k and £200k for reference.
- All contracts that are being procured by Bromsgrove over this period that relate to Redditch Services.

#### **Towns Fund Programme:**

- The Council were one of 5% of those Council's receiving funding as part of the Towns Fund Programme that received a "Deep Dive" review of their Governance processes over August and September. The C
- The only areas requiring follow up were updating processes for Subsidy Control rules (as with was State Aid previously) and ensuring Board Members Register of Interest declarations were up to date.
- The Council received confirmation from DLUHC on the 11<sup>th</sup> October that after careful review of the evidence by the Assurance and Compliance Team they were pleased to confirm that the Lead Reviewer feels that all the key requirements have now been satisfactorily met.
- 2.21 Work is ongoing on the clearance of the Cash Receipting suspense accounts. These figures are updated every 2 weeks. The position as at early December is summarised in the table below. As reported to this committee, the Council are working to have cleared the backlog by the end of this calendar year. Present progress, as at the 31<sup>st</sup> December, indicates that there will be small, non-material balances in 2020/21. Note, significant numbers of large items on values over £1,000 are treasury transactions which are undertaken manually.

Row Labels	Number of	Value	Number of	Value	Reconciled	Reconciled	Total Items	Total Value to
	Items under		Items over		Items	value	to Resolve	Resolve
	£1000		£1,000					
20/21 items	5,346	-150,197.64	102	-244,999.61	24,954	11,693,050.58	30,402	11,297,853.33
21/22 Items	27,207	214,783.54	261	4,723,679.65	6,814	-46,132,548.83	34,282	-41,194,085.64
22/23 Items	6,520	-82,541.29	550	140,124,905.14	18,693	-43,885,713.17	25,763	96,156,650.68
23/24 Items	10,501	86,782.18	594	-55,864,203.73	6,032	78,325,213.32	17,127	22,547,791.77
Grand Total	49,574	68,826.79	1,507	88,739,381.45	56,493	1.90	107,574	88,808,210.14

#### Summary

2.22 This report sets out the policies (local and national) that underpins the Council finances and the key deliverables. The significant change highlighted in July and September in proposed the new Government timescales to catch up on Audit delivery has still not been confirmed. Once this takes place the Council and its External Auditors will need to speed up their joint timetable as appropriate. This report is now updated for data as at the end of January and is delivered to each Audit, Governance and Standards Committee at Redditch to updates it on progress against targets and also alert them to any issues and risks.

#### 3. FINANCIAL IMPLICATIONS

3.1 This paper sets out the financial frameworks within which the Council works.

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#### 4. **LEGAL IMPLICATIONS**

4.1 There are no direct legal implications arising as a result of this report, however the frameworks are generally linked to statute or the Council's Constitution.

#### 5. STRATEGIC PURPOSES - IMPLICATIONS

#### Relevant Strategic Purpose

5.1 The Strategic purposes are included in the Council's Corporate Plan and guides the Council's approach to budget making ensuring we focus on the issues and what are most important for the Borough and our communities. Our Financial monitoring and strategies are integrated within all our Strategic Purposes.

## **Climate Change Implications**

5.2 There are no direct climate change implications arising as a result of this report.

## 6. OTHER IMPLICATIONS

#### **Equalities and Diversity Implications**

6.1 There are no direct equalities implications arising as a result of this report.

### **Operational Implications**

6.2 Operational implications have been dealt with as part of the 2023/24 MTFP, quarterly monitoring and the Closedown process.

#### 7. RISK MANAGEMENT

7.1 The financial stability and sustainability of the Council is a core underlying theme of the Council's Risk Management Strategy.

#### 8. BACKGROUND PAPERS

Interim Auditors Annual Report on Redditch Borough Council 2021/22 & 2/22/23 – Audit Governance and Standards Committee November 2023, Council December 2023. Section 24 Report to Audit and Council – November 2022.

Accounting Policies Report – March, June, July, September, November 2023 and January 2024 Audit, Governance and Standards Committee.

Finance Recovery Report – June 2023 and October 2023 – Executive

Programme Management Office Requirements – July 2023 – Executive

Approvals to Spend Report - July 2023 - Executive

#### 9. Appendices

Appendix A - Responses to DLUHC and NAO Closure Consultations (Exempt)