

# Annual Governance Report

Brent Teaching Primary Care Trust

Audit 2008/09

Date **10 June 2009**

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Ladies and Gentlemen

**2008/09 Annual Governance Report**

I am pleased to present my report on the results of my audit work for 2008/09.

A draft of the report was discussed and agreed with the Director of Finance on 1 June 2009.

The report sets out the key issues that you should consider before I complete the audit.

It asks you to:

- consider the matters raised in the report before approving the financial statements;
- take note of the matters referred to in Appendix 2;
- approve the letter of representation on behalf of the Primary Care Trust before I issue my opinion and conclusion (Appendix 3).

Yours faithfully

Andrea White  
District Auditor  
10 June 2009

# Key messages

This report summarises the findings from our 2008/09 audit which is complete. It includes the messages arising from my audit of your financial statements and the results of the work I have undertaken to assess your arrangements to secure value for money in your use of resources.

<b>Financial Statements</b>	<b>Results</b>	<b>Page</b>
Unqualified audit opinion	Yes	7
Financial statements free from material error	Yes	7
Adequate internal control environment	Yes	10
<b>Value for money</b>	<b>Results</b>	<b>Page</b>
Adequate arrangements to secure value for money	No	11

## Audit opinion

- 1 I have completed my audit work and I propose to give an unqualified audit opinion on the financial statements by the due date on 12 June 2009.

## Financial statements

- 2 The financial statements submitted for audit were complete and supported by good working papers in line with our expectations.
- 3 We only identified trivial presentation errors during the course of our audit. These have been reported to officers and have been amended in the revised financial statements that will be presented to the Board for approval. None of these affect the PCT's financial position as presented in the draft financial statements.

## Value for money

- 4 I propose to issue a qualified value for money conclusion on arrangements for securing economy, efficiency and effectiveness in respect of the PCT's arrangements for commissioning and procurement. My assessment is based on the weaknesses identified in our Better Commissioning study and under the World Class Commissioning (WCC) Framework Assessment both of which identified a number of significant weaknesses in the PCT's arrangements for commissioning and procurement.
- 5 At the time of the assessment, the WCC assessment panel recognised that the PCT had had many successes after a period of difficulty and that the PCT had a clear vision

## Key messages

and a good understanding of the health needs of the population. With strong leadership in place, the WCC report recognised that the PCT is currently on an upward trajectory. Since then the PCT has developed a Commissioning Strategy Plan which, has been commended by NHS London. It has and taken positive action to address the issues raised in the WCC report and, although I recognise the significant improvements that have been made, these were not in place for a substantial part of the year under assessment.

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## Audit fees

- 6 In my original audit plan, the estimated fee for the opinion audit was based on my best estimate at the time and agreed at £141,000 as part of a total audit fee of £211,000. I have contained the audit fee for the opinion within the total you have already agreed.

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# Next steps

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**This report identifies the key messages that you should consider before I issue my financial statements opinion, value for money conclusion, and audit closure certificate. It includes only matters of governance interest that have come to my attention in performing my audit. My audit is not designed to identify all matters that might be relevant to you.**

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**7** I ask the Audit Committee to:

- consider the matters raised in the report before approving the financial statements;
- take note of the matters referred to in Appendix 2;
- approve the letter of representation on behalf of the PCT before I issue my opinion and conclusion (Appendix 3).

# Financial statements and statement on internal control

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**The Primary Care Trust's financial statements and statement on internal control are important means by which the PCT accounts for its stewardship of public funds. As Directors you have final responsibility for these statements. It is important that you consider my findings before you adopt the financial statements and the statement on internal control.**

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## Opinion on the financial statements

- 8** I have completed my audit work and I propose to issue an audit report including an unqualified opinion on the financial statements. Appendix 1 contains a copy of my draft audit report.

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## Errors in the financial statements

- 9** Only trivial presentation errors were found which have been reported to officers. The financial statements have been amended by PCT officers to correct the errors found.

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## Letter of representation

- 10** Before I issue my opinion, auditing standards require me to obtain appropriate written representations from you and management about your financial statements and governance arrangements. Appendix 3 contains the draft letter of representation I seek to obtain from you.

**Key areas of judgement and audit risk**

11 In planning our audit we identified specific risks and areas of judgement that we have considered as part of our audit. Our findings are set out in Table 1.

**Table 1 Key areas of judgement and audit risk**

Issue or risk	Finding
<p>The Department of Health brought forward the deadline for submission of the draft accounts to 23 April 2009. This reduced the timeframe available to produce the accounts.</p>	<p>The PCT produced a detailed closedown plan. The draft accounts were submitted in advance of the Department of Health deadline and were presented for audit accompanied by good supporting working papers.</p>
<p>The financial controller responsible for the final accounts closedown in 2007/08 has left and been replaced by an interim appointment new to the organisation.</p>	<p>The PCT appointed an Assistant Director of Financial Accounting &amp; Governance who put in place procedures to ensure proper closedown arrangements were performed.</p>
<p>In 2007/08 many financial system controls were weak which meant that we were unable to gain assurance from controls testing. There remained a risk that controls testing would not provide adequate assurance.</p>	<p>The PCT has strengthened its system of internal controls. Internal Audit has undertaken work in 2008/09 that has resulted in substantial assurance in the PCTs system of internal controls.</p> <p>This year, our controls testing was targeted on the general ledger, accounts payable, accounts receivable and dental payment systems.</p> <p>Our audit assurance has been gained from a combination of controls assurance and more detailed testing to verify the material figures in the accounts.</p>

## Financial statements and statement on internal control

<p>The current economic climate increases the likelihood of impairments occurring to PCT fixed assets and financial instruments.</p>	<p>Impairments of £9.4 million have been recognised by the PCT as a result of the fall in land and building values in London. I have reviewed the basis of the calculation and am satisfied that the value of the PCT's tangible fixed assets has been made in accordance with appropriate financial reporting standards.</p> <p>The PCT has considered the impairment of its financial instruments and have determined that no impairments are required. I have reviewed the balances in detail and am satisfied that the value of the PCT's financial instruments has been made in accordance with appropriate financial reporting standards..</p>
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### Accounting practice and financial reporting

12 I consider the qualitative aspects of your financial reporting. Table 2 contains the matters I want to raise with you.

**Table 2 Accounting practice and financial reporting**

Issue or risk	Finding
Accounting policies	<p>The draft accounts submitted for audit included adjustments to revalue fixed assets for impairment calculated in line with indices provided by HM Treasury. These adjustments meet the requirements of guidance issued by the Department of Health on 15 April 2009.</p> <p>Although the impairment of fixed assets had been correctly treated in the draft accounts, our audit work identified that the accounting policies note had not been updated to reflect the treatment adopted in the PCT's balance sheet. This has been amended in the revised financial statements which are to be presented to the Board for approval.</p>
Provider full cost recovery duty	<p>The PCT did not recover the full costs in relation to its provider functions, as required by the Department of Health. The PCT under recovered its costs by £311,000. This is disclosed in note 2.3 of the financial statements.</p>

Better Payment Practice Code	<p>The Better Payment Practice Code requires the PCT to aim to pay all valid invoices by the due date or within 30 days of receipt of a valid invoice, whichever is later.</p> <p>The PCT's method of calculating its performance against the Better Payment Practice Code is inconsistent with the Manual for Accounts and therefore no reliance can be placed on the figures reported. This is disclosed in note 6.1 of the financial statements.</p> <p>The error was corrected during 2008/09 and therefore the 2009/10 figures should be reported in line with the requirements of the Manual for Accounts.</p>
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### Recommendation

**R1** Establish arrangements to take appropriate action during the year to ensure full recovery of provider costs.

**R2** Undertake data quality checks to ensure that records maintained in respect of the Better Payment Practice meets the requirements of the Manual for Accounts and have been calculated correctly.

- 13** The PCT submitted its financial statements to the Department of Health on 22 April 2009, ahead of the deadline of 23 April. The statements were submitted for audit on the same day accompanied by good supporting working papers.
- 14** As noted above, only trivial errors were noted in the financial statements and these have all been amended in the revised version to be presented to the Board for approval.

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### Internal control environment

- 15** I have considered aspects of your internal control environment relevant to our audit. My review and assessment of the PCTs material systems selected for testing found that generally the key controls operated effectively. However, my audit work identified weaknesses in the following areas:
- Manual journals - staff are able to raise, input and authorise journals; some journals are not supported by adequate documentation; and some hard copy journals were missing or misfiled.
  - Accounts receivable segregation of duties - the officer raising invoices and posting receipts to the cash ledger is the same person.
  - Fixed asset register - the fixed asset register is maintained on a spreadsheet and does not contain sufficient information on individual assets that will be required in future periods under international financial reporting requirements.
- 16** I have performed additional substantive audit procedures in the above areas to gain assurance that the financial statements are not materially misstated.

## Financial statements and statement on internal control

Recommendation	
<b>R3</b>	Evidence preparation and review of journals and ensure supporting documentation is readily available.
<b>R4</b>	Establish arrangements for segregation of duties in the accounts receivable function.
<b>R5</b>	Establish a process for ensuring that the fixed asset register contains sufficient information to meet International Financial Reporting Standard (IFRS) requirements that will be introduced from 2009/10.

**17** I have not provided a comprehensive statement of all weaknesses which may exist in internal controls, or of all improvements which may be made. I have reported only those matters which have come to my attention because of the audit procedures I have performed.

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# Value for money

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**I am required to conclude whether the Primary Care Trust put in place adequate corporate arrangements for securing economy, efficiency and effectiveness in its use of resources. This is known as the value for money conclusion. My conclusion is informed by my work on the scored use of resources judgement.**

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## Value for money conclusion

- 18** I assess your arrangements to secure economy, efficiency and effectiveness in your use of resources against criteria specified by the Audit Commission. My work relating to the value for money conclusion is complete subject to final independent review procedures. My conclusions on each of the areas are set out in Appendix 4.
- 19** I propose to issue a qualified value for money conclusion on arrangements for securing economy, efficiency and effectiveness in respect of the PCT's arrangements for commissioning and procurement. My assessment is based on the weaknesses identified in our Better Commissioning study and under the World Class Commissioning (WCC) Framework Assessment both of which identified a number of significant weaknesses in the PCT's arrangements for commissioning and procurement.
- 20** At the time of the assessment, the WCC assessment panel recognised that the PCT had had many successes after a period of difficulty and that the PCT had a clear vision and a good understanding of the health needs of the population. With strong leadership in place, the WCC report recognised that the PCT is currently on an upward trajectory. Since then the PCT has developed a Commissioning Strategy Plan which, has been commended by NHS London. It has and taken positive action to address the issues raised in the WCC report and, although I recognise the significant improvements that have been made, these were not in place for a substantial part of the year under assessment.
- 21** Appendix 1 contains the wording of my draft report.

# Appendix 1 – Independent auditor’s report to the Board of Directors of Brent Teaching Primary Care Trust

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## **Opinion on the financial statements**

I have audited the financial statements of Brent Teaching Primary Care Trust for the year ended 31 March 2009 under the Audit Commission Act 1998. The financial statements comprise the Operating Cost Statement, the Balance Sheet, the Cash Flow Statement, the Statement of Recognised Gains and Losses and the related notes. These financial statements have been prepared in accordance with the accounting policies directed by the Secretary of State with the consent of the Treasury as relevant to the National Health Service set out within them. I have also audited the information in the Remuneration Report that is described as having been audited.

This report is made solely to the Board of Directors of Brent Teaching Primary Care Trust in accordance with Part II of the Audit Commission Act 1998 and for no other purpose, as set out in paragraph 49 of the Statement of Responsibilities of Auditors and of Audited Bodies prepared by the Audit Commission.

## **Respective responsibilities of Directors and auditor**

The Directors’ responsibilities for preparing the financial statements in accordance with directions made by the Secretary of State are set out in the Statement of Directors’ Responsibilities. The Chief Executive’s responsibility, as Accountable Officer, for ensuring the regularity of financial transactions is set out in the Statement of the Chief Executive’s Responsibilities.

My responsibility is to audit the financial statements in accordance with relevant legal and regulatory requirements and International Standards on Auditing (UK and Ireland).

I report to you my opinion as to whether the financial statements give a true and fair view in accordance with the accounting policies directed by the Secretary of State as being relevant to the National Health Service in England. I report whether the financial statements and the part of the Remuneration Report to be audited have been properly prepared in accordance with the accounting policies directed by the Secretary of State as being relevant to the National Health Service in England. I report to you whether, in my opinion, the information which comprises the commentary on the financial performance

## Appendix 1 – Independent auditor’s report to the Board of Directors of Brent Teaching Primary Care Trust

included within the Operational and Financial Review, included in the Annual Report, is consistent with the financial statements. I also report whether in all material respects the expenditure and income have been applied to the purposes intended by Parliament and the financial transactions conform to the authorities which govern them.

I review whether the Directors' Statement on Internal Control reflects compliance with the Department of Health's requirements, set out in 'Guidance on Completing the Statement on Internal Control 2008/09', issued on 25 February 2009. I report if it does not meet the requirements specified by the Department of Health or if the statement is misleading or inconsistent with other information I am aware of from my audit of the financial statements. I am not required to consider, nor have I considered, whether the Directors' Statement on Internal Control covers all risks and controls. Neither am I required to form an opinion on the effectiveness of the Trust's corporate governance procedures or its risk and control procedures.

I read the other information contained in the Annual Report and consider whether it is consistent with the audited financial statements. This other information comprises the Foreword, the unaudited part of the Remuneration Report, the Chairman's Statement and the remaining elements of the Operating and Financial Review. I consider the implications for my report if I become aware of any apparent misstatements or material inconsistencies with the financial statements. My responsibilities do not extend to any other information.

### **Basis of audit opinion**

I conducted my audit in accordance with the Audit Commission Act 1998, the Code of Audit Practice issued by the Audit Commission and International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures in the financial statements and the part of the Remuneration Report to be audited. It also includes an assessment of the significant estimates and judgments made by the Directors in the preparation of the financial statements, and of whether the accounting policies are appropriate to the Trust's circumstances, consistently applied and adequately disclosed.

I planned and performed my audit so as to obtain all the information and explanations which I considered necessary in order to provide me with sufficient evidence to give reasonable assurance that:

- the financial statements are free from material misstatement, whether caused by fraud or other irregularity or error;
- the financial statements and the part of the Remuneration Report to be audited have been properly prepared; and
- in all material respects the expenditure and income have been applied to the purposes intended by Parliament and the financial transactions conform to the authorities which govern them.

## **Appendix 1 – Independent auditor’s report to the Board of Directors of Brent Teaching Primary Care Trust**

In forming my opinion I also evaluated the overall adequacy of the presentation of information in the financial statements and the part of the Remuneration Report to be audited.

### **Opinion**

In my opinion:

- the financial statements give a true and fair view, in accordance with the accounting policies directed by the Secretary of State as being relevant to the National Health Service in England, of the state of the Trust’s affairs as at 31 March 2009 and of its net operating costs for the year then ended;
- the part of the Remuneration Report to be audited has been properly prepared in accordance with the accounting policies directed by the Secretary of State as being relevant to the National Health Service in England;
- in all material respects the expenditure and income have been applied to the purposes intended by Parliament and the financial transactions conform to the authorities which govern them; and
- information which comprises the commentary on the financial performance included within the Operational and Financial Review, included within the Annual Report, is consistent with the financial statements.

### **Conclusion on arrangements for securing economy, efficiency and effectiveness in the use of resources**

#### **Directors’ Responsibilities**

The Directors are responsible for putting in place proper arrangements to secure economy, efficiency and effectiveness in the Trust’s use of resources, to ensure proper stewardship and governance and regularly to review the adequacy and effectiveness of these arrangements.

#### **Auditor’s Responsibilities**

I am required by the Audit Commission Act 1998 to be satisfied that proper arrangements have been made by the Trust for securing economy, efficiency and effectiveness in its use of resources. The Code of Audit Practice issued by the Audit Commission requires me to report to you my conclusion in relation to proper arrangements, having regard to the Use of Resources Guidance issued by the Audit Commission. I report if significant matters have come to my attention which prevent me from concluding that the Trust has made such proper arrangements. I am not required to consider, nor have I considered, whether all aspects of the Trust’s arrangements for securing economy, efficiency and effectiveness in its use of resources are operating effectively.

## **Conclusion**

I have undertaken my audit in accordance with the Code of Audit Practice. In so doing, I was unable to obtain sufficient appropriate evidence that Brent Teaching Primary Care Trust had adequate arrangements in place for commissioning quality services based on the results of the Department of Health's World Class Commissioning assessment reported in December 2008 and in particular scores for the following competencies which align with the Audit Commission's criteria on commissioning and procuring quality services:

- Competency 2: work collaboratively with community partners;
- Competency 3: engage with public and patients;
- Competency 5: manage knowledge and assess needs;
- Competency 6: prioritise investment;
- Competency 7: stimulate the market; and
- Competency 9: secure procurement skills.

Having regard to the Use of Resources Guidance published by the Audit Commission in May 2008 and updated in February 2009, I am satisfied that, in all significant respects, Brent Teaching Primary Care Trust made proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ending 31 March 2009 except that it did not put into place adequate arrangements for commissioning and procuring quality services and supplies, tailored to local needs, to deliver sustainable outcomes and value for money.

## **Certificate**

I certify that I have completed the audit of the accounts in accordance with the requirements of the Audit Commission Act 1998 and the Code of Audit Practice issued by the Audit Commission.

Andrea White  
District Auditor  
Audit Commission  
1st Floor  
Millbank Tower  
Millbank  
London  
SW1P 4HQ

# Appendix 2 – Adjusted amendments to the accounts

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- 22** During the course of the audit I identified the need for a number of amendments to correct trivial errors within the disclosure notes. None of these have impacted upon the financial position shown by the Operating Cost Statement or Balance Sheet and none need to be brought to your attention individually.

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# Appendix 3 – Draft letter of representation

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To: Andrea White  
District Auditor  
Audit Commission  
1st Floor  
Millbank Tower  
Millbank  
London  
SW1P 4HQ

## **Brent Teaching Primary Care Trust - Audit for the year ended 31 March 2009**

I confirm to the best of my knowledge and belief, having made appropriate enquiries of other directors and staff of Brent Teaching Primary Care Trust, the following representations given to you in connection with your audit of the PCT's financial statements for the year ended 31 March 2009.

### **Compliance with the statutory authorities**

I acknowledge my responsibility under the relevant statutory authorities for preparing the financial statements in accordance with the NHS Manual for Accounts which give a true and fair view of the financial position and financial performance of the PCT and for making accurate representations to you.

### **Uncorrected misstatements**

There are no uncorrected financial misstatements arising from the external audit review.

### **Supporting records**

All the accounting records have been made available to you for the purpose of your audit and all the transactions undertaken by the PCT have been properly reflected and recorded in the accounting records. All other records and related information, including minutes of all Board and Committee meetings, have been made available to you.

### **Irregularities**

I acknowledge my responsibility for the design and implementation of internal control systems to prevent and detect fraud or error.  
There have been no:

## Appendix 3 – Draft letter of representation

- irregularities involving management or employees who have significant roles in the system of internal accounting control;
- irregularities involving other employees that could have a material effect on the financial statements; or
- communications from regulatory agencies concerning non-compliance with, or deficiencies on, financial reporting practices which could have a material effect on the financial statements.

I also confirm that I have disclosed:

- my knowledge of fraud, or suspected fraud, involving either management, employees who have significant roles in internal control or others where fraud could have a material effect on the financial statements; and
- my knowledge of any allegations of fraud, or suspected fraud, affecting the entity's financial statements communicated by employees, former employees, analysts, regulators or others.

### **Law, regulations, contractual arrangements and codes of practice**

There are no instances of non-compliance with laws, regulations and codes of practice, likely to have a significant effect on the finances or operations of the PCT.

In all material respects, the expenditure and income recognised in the financial statements has been applied to purposes intended by Parliament and the financial transactions conform to the authorities which govern them.

The PCT has complied with all aspects of contractual arrangements that could have a material effect on the financial statements in the event of non-compliance. There has been no non-compliance with requirements of regulatory authorities that could have a material effect on the financial statements in the event of non-compliance.

### **Fair Values**

I confirm the reasonableness of the significant assumptions within the financial statements. For the assumption of fair value disclosed in Note 22, I confirm:

- the appropriateness of the measurement method;
- the basis used by management to overcome the presumption under the financial reporting framework;
- the completeness and appropriateness under the financial reporting framework; and
- that subsequent events do not require adjustment to the fair value measurement.

### Assets

The following have been properly recorded and, where appropriate, adequately disclosed in the financial statements:

- losses arising from sale & purchase commitments;
- agreements & options to buy back assets previously sold; and
- assets pledged as collateral.

### Compensating arrangements

There are no formal or informal compensating balancing arrangements with any of our cash and investment accounts.

### Contingent liabilities

There are no other contingent liabilities, other than those that have been properly recorded and disclosed in the financial statements. In particular:

- there is no significant pending or threatened litigation, other than those already disclosed in the financial statements; and
- there are no material commitments or contractual issues, other than those already disclosed in the financial statements; and
- no financial guarantees have been given to third parties.

### Related party transactions

I confirm the completeness of the information disclosed regarding the identification of related parties.

The identity of, and balances and transactions with, related parties have been properly recorded and where appropriate, adequately disclosed in the financial statements

### Post balance sheet events

Since the date of approval of the financial statements by the PCT, no additional significant post balance sheet events have occurred which would require additional adjustment or disclosure in the financial statements.

The PCT has no plans or intentions that may materially alter the carrying value or classification of assets and liabilities reflected in the financial statements.

### Specific representations

I confirm that in relation to the PFI scheme Willesden Healthcare Centre:

- there were no derogations to the original standard PFI contract;

### Appendix 3 – Draft letter of representation

- there have been no significant changes the PFI contract since December 2002; and
- there have been no significant changes to the use of the asset from that anticipated in 2002.

I confirm that in relation to leases with the BHH LIFT Company Ltd;

- there have been no significant changes to the use of the asset from that originally anticipated.

I confirm that this letter has been discussed and agreed by the Audit Committee on 9 June 2009.

Signed on behalf of Brent Teaching Primary Care Trust

Marcia Saunders  
PCT Chair

Mark Easton  
Chief Executive

Chandresh Somani  
Audit Committee Chair

# Appendix 4 – Value for money criteria

<b>KLOE</b>	<b>Met</b>
<b>Managing Finances</b>	
Planning for financial health	<b>Yes</b>
Understanding costs and achieving efficiencies	<b>Yes</b>
Financial reporting	<b>Yes</b>
<b>Governing the business</b>	
Commissioning and procurement	<b>No</b>
Use of information	<b>Yes</b>
Good governance	<b>Yes</b>
Risk management and internal control	<b>Yes</b>
<b>Managing resources</b>	
Strategic asset management	<b>Yes</b>
Workforce	<b>Yes</b>

# Appendix 5 – Action Plan

Page no.	Recommendation	Priority 1 = Low 2 = Med 3 = High	Responsibility	Agreed	Comments	Date
9	R1 Establish arrangements to take appropriate action during the year to ensure full recovery of provider costs.	3	Chief Operating Officer	Yes	Variance will be investigated and corrective action taken on a monthly basis	31/03/09
9	R2 Undertake data quality checks to ensure that records maintained in respect of the Better Payment Practice meets the requirements of the Manual for Accounts and have been calculated correctly.	2	Deputy Director of Finance – Accounting & Governance	Yes	The Accounts Payable function is moving to SBS from 1st September which will ensure numbers counted are more accurate. Checks will be undertaken on first 5 months of data to ensure they are meeting requirements	31/08/09
10	R3 Evidence preparation and review of journals and ensure supporting documentation is readily available.	2	Deputy Director of Finance – Accounting & Governance	Yes	A post month end review will be undertaken to ensure all journals (not reversing) have been correctly completed.	ongoing
10	R4 Establish arrangements for segregation of duties in the accounts receivable function.	2	Deputy Director of Finance – Accounting & Governance	No	Due to the low volume of invoices and the fact the majority are within the NHS no change is proposed until the move to SBS. The Sales ledger clerk is not involved in the bank reconciliation	
10	R5 Establish a process for ensuring that the fixed asset register contains sufficient information to meet International Financial Reporting Standard (IFRS) requirements that will be introduced from 2009/10.	2	Deputy Director of Finance – Accounting & Governance	Yes	The current asset register is being updated to ensure it contains all the necessary information. The DV valuation will provide the necessary splits for IFRS purposes	30/09/09

