



Agenda

Audit And Risk Management Committee Meeting

Tuesday, 8 November 2022

Date:	Tuesday 8 November 2022
Time:	9:00am
Location:	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow
Distribution Date:	Thursday 03 November 2022



Shire of Ashburton
Audit And Risk Management Committee Meeting

Please be advised an Audit And Risk Management Committee Meeting will be held at 9:00am on Tuesday 8 November 2022 at Council Chambers, Onslow Shire Complex, Second Avenue, Onslow.

A handwritten signature in black ink that reads "Kenn Donohoe".

Kenn Donohoe
Chief Executive Officer
03 November 2022

Disclaimer

The recommendations contained in the agenda are subject to confirmation by Council. The Shire of Ashburton warns anyone who has an application lodged with Council must obtain, and should only rely on, written confirmation of the outcomes of the application following the Council meeting, and any conditions attaching to the decision made by Council in respect of the application. No responsibility whatsoever is implied, or accepted, by the Shire of Ashburton for any act, omission, statement, or intimation occurring during a Council meeting.

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1 Declaration Of Opening

The Presiding Member declared the meeting open at [enter time](#).

1.1 Acknowledgement Of Country

As representatives of the Shire of Ashburton Council, we respectfully acknowledge the local Indigenous people, the traditional custodians of this land where we are meeting upon today and pay our respects to them and all their elders both past, present and emerging.

2 Announcement Of Visitors

The Presiding Member welcomed members of the public to the gallery.

3 Attendance

3.1 Present

Elected Members:	Cr K White Cr M Lynch Cr R De Pledge Cr M Gallanagh Cr L Rumble JP Cr J Richardson Cr A Smith Cr T Mladenovic	Shire President (Presiding Member) Onslow Ward Deputy Shire President Tom Price Ward Ashburton Ward Pannawonica Ward Paraburdoo Ward Tableland Ward Tom Price Ward Tom Price Ward
Employees:	K Donohoe C McGurk T Dayman S Kane J Bray A Furfaro	Chief Executive Officer Director Projects and Procurement Acting Director Corporate Services Acting Director Infrastructure Services Manager Governance Governance Officer
Guests:	Enter names	
Members of Public:	There were enter number members of the public in attendance at the commencement of the meeting.	
Members of media:	There were enter number members of the media in attendance at the commencement of the meeting.	

3.2 Apologies

To be informed at the meeting.

3.3 Approved Leave Of Absence

Cr A Sullivan Paraburdoo Ward

4 Declaration By Members

4.1 Due Consideration By Councillors To The Agenda

Councillors will be requested to note they have given due consideration to all matters contained in this agenda.

4.2 Declaration Of Interest

A member who has an Impartiality, Proximity or Financial interest in any matter to be discussed at this meeting must disclose the nature of the interest either in a written notice, given to the Chief Executive Officer, prior to the meeting, or at the meeting immediately before the matter is discussed.

A member who makes a disclosure in respect to an interest must not preside at the part of the meeting which deals with the matter, or participate in, or be present during any discussion or decision-making process relative to the matter, unless the disclosing member is permitted to do so under Section 5.68 or Section 5.69 of the *Local Government Act 1995*.

The following declarations of interest are disclosed –

To be advised at the meeting.

5 Public Agenda Items

5.1 Audit and Risk Management Committee Terms of Reference

File Reference	GV32
Applicant or Proponent(s)	
Author	J Bray, Manager Governance
Authorising Officer	T Dayman, Acting Director Corporate Services
Previous Meeting Reference	Nil
Disclosure(s) of interest	Author – Nil
	Authorising Officer – Nil
Attachments	<ol style="list-style-type: none"> 1. Draft Audit and Risk Management Committee Terms of Reference ⇒ 2. Current Audit and Risk Management Committee Terms of Reference ⇒

1. Report Purpose

Council is required to consider the draft Audit and Risk Management Committee (Committee) Terms of Reference.

The purpose of this report is to present a revised Terms of Reference to provide clarity on the role of the Committee.

Council is requested to adopt the revised Committee Terms of Reference.

2. Background

In accordance with section 7.1A of the *Local Government Act 1995* (the Act), the local government must establish an audit committee. It is good governance to have an adopted and regularly reviewed Terms of Reference which provides clear responsibilities and guidance on meeting requirements.

Prior to the introduction of Infocouncil, the Terms of Reference were included in section 6 of the Committee agenda template (refer to Attachment 2).

As part of the Risk Management Internal Audit conducted in April 2021, the following was identified:

“Review the current Audit and Risk Management Committee Terms of Reference to include risk management responsibilities and to align with better practice principles.”

3. Comments

A comprehensive review of the current Committee Terms of Reference has been undertaken. The current Terms of Reference only detail the purpose and responsibilities of the Committee.

As part of the review and to align to best practice, the Terms of Reference has expanded to include provisions relating to:

- Delegation – no delegated powers are proposed to be provided to the Committee,
- Membership – no change is proposed to the membership (ie. all elected members are appointed members of the Committee,
- Quorum – in accordance with the *Local Government Act 1995*,
- Meetings – sets out how the Presiding Member and Deputy Presiding Member are elected to the Committee and how and when meetings will be scheduled, and
- Reporting – clarifying that the Committee reports to Council on any recommendations it makes.

The purpose and roles and responsibilities has been amended to provide clarity. Clear Terms of Reference assist the Committee to run efficiently and effectively, which in turn helps the community understand the purpose, structure and function of the Committee.

The Terms of Reference have been removed from the Committee agenda template to allow for ease of review and amendment. The revised Terms of Reference will be made available on the Shire's website.

In the future, the Terms of Reference will be submitted to the Committee for review biennially following each local government ordinary election.

4. Implications To Consider

4.1 Consultation

Nil

4.2 Strategic Community Plan

Shire of Ashburton Strategic Community Plan 2022-2032

Strategic Objective	4. Performance - We will lead the organisation, and create the culture, to deliver demonstrated performance excellence to the community.
Strategic Outcome	4.6 Visionary community leadership with sound, diligent and accountable governance
Strategy	3 Deliver best practice governance and risk management.

4.3 Council Policy

Nil

4.4 Financial

Current Financial Year

Nil

Future Financial Year(s)

Nil

4.5 Legislative

Section 7.1A of the *Local Government Act 1995* requires a local government to establish an audit committee.

Regulation 16 of the *Local Government Act 1995* prescribes the functions of an audit committee.

4.6 Risk Management

Risk has been assessed against the Shire of Ashburton Risk Management Framework.

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Compliance	Elected members are unclear on the roles and responsibilities of the Committee.	Unlikely (2)	Minor (2)	Low (1-4)	Adopt the revised Audit and Risk Management Committee Terms of Reference.

Based on the inherent risk rating and risk treatments, the residual risk to the Shire is considered to be low.

5. Voting Requirements

Simple Majority

Officer Recommendation

That with respect to the Audit and Risk Management Committee Terms of Reference, the Committee recommends that Council, adopts the revised terms of reference as detailed in Attachment 1.

5.2 Audit Log Status Update

File Reference	CM52
Applicant or Proponent(s)	
Author	J Bray, Manager Governance
Authorising Officer	T Dayman, Acting Director Corporate Services
Previous Meeting Reference	Ordinary Council Meeting 9 August 2022 - Item 9.3 – 116/2022
Disclosure(s) of interest	Author – Nil
	Authorising Officer – Nil
Attachments	1. Audit Log as at 2 November 2022 ⇒

1. Report Purpose

Council is required to review the Audit Log actions.

The purpose of this report is to provide Council oversight of the implementation of actions resulting from internal audits and external reviews.

Council is requested to receive the Audit Log status updates.

2. Background

The Chief Executive Officer (CEO) is required to ensure adequate systems and processes are established for the effective management and control of the Shire.

Internal audits and external reviews are examples of methods Council may use to ensure sound management of the Shire is occurring.

Following the finalisation of an internal audit and/or external review, recommendations are included in the Audit Log to ensure progress monitored and recorded.

3. Comments

The Shire of Ashburton has previously undertaken internal audits and external reviews of financial and other processes and systems.

This report provides an update on the implementation of the recommendations from those audits and reviews.

A progress update is provided to the Audit and Risk Management Committee to ensure oversight of the implementation of recommendations as a result of an internal audit and/or external review. Full details of the outstanding actions as shown in Attachment 1.

Internal Audits

A summary of the progress on the implementation of internal audit recommendations is provided in the following table. Please note: the recommendations from the three internal audits listed on the current Audit and Risk Management Committee have been included in the totals.

Internal Audit	Total Recommendations	Not Started	In Progress	Completed
Review of 2019 FMR	4	0	4	0
Procurement Systems and Controls	23	2	14	7
Risk Management Practices	19	8	8	3
Grants Management	11	10	1	0
Records Management 2021	15	6	8	1
Records Management 2022	32	22	9	1
Cybersecurity	23	22	1	0
Business Continuity	26	25	1	0
Building Permits	26	26	0	0
Total	179	121	46	12

Two recommendations have been completed since last reported to the Audit and Risk Management Committee on 9 August 2022.

Financial Audits

A summary of the progress on the implementation of financial audit recommendations is provided in the following table.

Financial Year Ended	Total Recommendations	Not Started	In Progress	Completed
30 June 2021	Not received	Not received	Not received	Not received
30 June 2020	5	4	0	1
30 June 2019	4	2	0	2
30 June 2018	1	1	0	0
30 June 2017	1	1	0	0
30 June 2016	1	1	0	0
Total	12	9	0	3

Three recommendations have been completed since last reported to the Audit and Risk Management Committee on 9 August 2022.

Resourcing issues have prevented satisfactory progress of addressing the recommendations from these audits and reviews from occurring.

4. Implications To Consider

4.1 Consultation

The relevant members of the Executive Leadership Team and Middle Management Group were consulted on the progress of the outstanding actions on the Audit Log.

Moore Australia has been provided updates to the Audit Log and verified evidence provided to close actions.

4.2 Strategic Community Plan

Shire of Ashburton Strategic Community Plan 2022-2032

Strategic Objective	4. Performance - We will lead the organisation, and create the culture, to deliver demonstrated performance excellence to the community.
Strategic Outcome	4.6 Visionary community leadership with sound, diligent and accountable governance
Strategy	3 Deliver best practice governance and risk management.

4.3 Council Policy

Nil

4.4 Financial

Current Financial Year

Nil

Future Financial Year(s)

Nil

4.5 Legislative

In accordance with regulation 17 of the *Local Government (Audit) Regulations 1996*, the CEO is to review the appropriate and effectiveness of a local government’s systems and procedures in relation to:

- Risk management,
- Internal control, and
- Legislative compliance.

The CEO is to report to the Audit and Risk Management Committee, the results of each review.

4.6 Risk Management

Risk has been assessed against the Shire of Ashburton Risk Management Framework.

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Compliance	Compliance failures if areas identified for improvement are not addressed.	Possible (3)	Major (4)	High (10-16)	Implement process improvements as a result of internal audits/external reviews and provide regular progress reporting to the Audit and Risk Management Committee.

Based on the inherent risk rating and risk treatments, the residual risk to the Shire is considered to be high.

5. Voting Requirements

Simple Majority

Officer Recommendation

That with respect to the Audit Log Status Update, Audit and Risk Management Committee recommends Council, receives the Audit Log.

5.3 Internal Audit Report - Cybersecurity

File Reference	CM52
Applicant or Proponent(s)	
Author	J Bray, Manager Governance
Authorising Officer	T Dayman, Acting Director Corporate Services
Previous Meeting Reference	Nil
Disclosure(s) of interest	Author – Nil
	Authorising Officer – Nil
Attachments	1. Internal Audit Report - Cybersecurity - 1 November 2022 - Confidential

1. Report Purpose

Council is required to review the Internal Audit Report on Cybersecurity.

The purpose of this report is to provide the Council oversight of the internal audit conducted and the related findings.

Council is requested to receive the Internal Audit Report on Cybersecurity.

2. Background

An internal audit on the Shire of Ashburton's systems in relation to cybersecurity risks was included in the 2021/2022 internal audit program.

Moore Australia (WA) Pty Ltd were engaged to conduct the audits included in the internal audit program.

3. Comments

The internal audit was completed in July 2022 and identified a total of eight (8) findings, three (3) high-risk matters and five (5) medium-risk matters. Full details of the findings are available in the confidential attachment.

All matters identified will be addressed in accordance with the agreed action by the target completion date.

All findings from the internal audit will be included in the Internal Audit Log. Progress on the actions will be provided at each Audit and Risk Management Committee meeting.

4. Implications To Consider

4.1 Consultation

Moore Australia (WA) Pty Ltd was engaged to conduct the review.

The Chief Executive Officer (CEO), Director Corporate Services and ICT team were consulted during the internal audit and in the collation of the final audit internal report.

4.2 Strategic Community Plan

Shire of Ashburton Strategic Community Plan 2022-2032

Strategic Objective	4. Performance - We will lead the organisation, and create the culture, to deliver demonstrated performance excellence to the community.
Strategic Outcome	4.4 Information systems to aid delivery of services to the community are robust, reliable, and secure
Strategy	1 Provide continuous implementation of improvements in Information and Communication Technology solutions to best support the needs of Councillors, employees and, where appropriate, the community.

4.3 Council Policy

Nil

4.4 Financial

Current Financial Year

Costs associated with the implementation of the agreed actions have been identified as minimal and can be met within the current operational budget.

Future Financial Year(s)

Nil

4.5 Legislative

In accordance with regulation 17 of the *Local Government (Audit) Regulations 1996*, the CEO is to review the appropriateness and effectiveness of a local government’s systems and procedures in relation to –

- Risk management,
- Internal control, and
- Legislative compliance.

The CEO is to report to the Audit and Risk Management Committee the results of each review.

4.6 Risk Management

Risk has been assessed against the Shire of Ashburton Risk Management Framework.

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Interruption to service	Cybersecurity attack on the Shire’s systems.	Possible (3)	Major (4)	High (10-16)	Implement process improvements as a result the internal audit and provide regular progress reporting to the Audit and Risk Management Committee.

Based on the inherent risk rating and risk treatments, the residual risk to the Shire is considered to be high.

5. Voting Requirements

Simple Majority

Officer Recommendation

That with respect to Internal Audit Report - Cybersecurity, Council,

1. Receives the Internal Audit Report as detailed in the confidential attachment.
2. Notes the actions detailed in the Internal Audit Report will be included on the Internal Audit Log.

5.4 Internal Audit Report - Business Continuity

File Reference	CM52
Applicant or Proponent(s)	
Author	J Bray, Manager Governance
Authorising Officer	T Dayman, Acting Director Corporate Services
Previous Meeting Reference	Nil
Disclosure(s) of interest	Author – Nil
	Authorising Officer – Nil
Attachments	1. Internal Audit Report - Business Continuity - 1 November 2022 - Confidential

1. Report Purpose

Council is required to review the Internal Audit Report on Business Continuity.

The purpose of this report is to provide the Council oversight of the internal audit conducted and the related findings.

Council is requested to receive the Internal Audit Report on Business Continuity.

2. Background

An internal audit on the Shire of Ashburton's business continuity arrangements was included in the 2021/2022 internal audit program.

Moore Australia (WA) Pty Ltd were engaged to conduct the audits included in the internal audit program.

3. Comments

The internal audit was completed in June 2022 and identified a total of eight (8) findings, three (1) high-risk matters, five (6) medium-risk matters and one (1) low-risk matter. Full details of the findings are available in the confidential attachment.

All matters identified will be addressed in accordance with the agreed action by the target completion date.

All findings from the internal audit will be included in the Internal Audit Log. Progress on the actions will be provided at each Audit and Risk Management Committee meeting.

4. Implications To Consider

4.1 Consultation

Moore Australia (WA) Pty Ltd was engaged to conduct the review.

The Chief Executive Officer (CEO), Director People and Place, Director Corporate Services and Manager Governance were consulted during the internal audit and in the collation of the final audit internal report.

4.2 Strategic Community Plan

Shire of Ashburton Strategic Community Plan 2022-2032

Strategic Objective	4. Performance - We will lead the organisation, and create the culture, to deliver demonstrated performance excellence to the community.
Strategic Outcome	4.6 Visionary community leadership with sound, diligent and accountable governance
Strategy	3 Deliver best practice governance and risk management.

4.3 Council Policy

Nil

4.4 Financial

Current Financial Year

Nil.

Future Financial Year(s)

The Shire proposes to engage a consultant to undertake the work to action the recommendations. Quotes will be sought, and an indicative amount will be submitted as part of the 2022/2023 Annual Budget.

4.5 Legislative

In accordance with regulation 17 of the *Local Government (Audit) Regulations 1996*, the CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to –

- Risk management,
- Internal control, and
- Legislative compliance.

The CEO is to report to the Audit and Risk Management Committee the results of each review.

4.6 Risk Management

Risk has been assessed against the Shire of Ashburton Risk Management Framework.

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Interruption to service	Insufficient plans in place to mobilise resources in the event of a disruption to service event.	Likely (4)	Moderate (3)	High (10-16)	Implement process improvements as a result the internal audit and provide regular progress reporting to the Audit and Risk Management Committee.

Based on the inherent risk rating and risk treatments, the residual risk to the Shire is considered to be high.

5. Voting Requirements

Simple Majority

Officer Recommendation

That with respect to Internal Audit Report – Business Continuity, Council,

1. Receives the Internal Audit Report as detailed in the confidential attachment.
2. Notes the actions detailed in the Internal Audit Report will be included on the Internal Audit Log.

5.5 Internal Audit Report - Building Permits

File Reference	CM52
Applicant or Proponent(s)	
Author	J Bray, Manager Governance
Authorising Officer	T Dayman, Acting Director Corporate Services
Previous Meeting Reference	Nil
Disclosure(s) of interest	Author – Nil
	Authorising Officer – Nil
Attachments	1. Internal Audit Report - Building Permits 2 November 2022 - Confidential

1. Report Purpose

Council is required to review the Internal Audit Report on Building Permits.

The purpose of this report is to provide the Council oversight of the internal audit conducted and the related findings.

Council is requested to receive the Internal Audit Report on Building Permits.

2. Background

An internal audit on the Shire of Ashburton's processes in relation to the assessment of building and demolition permits was included in the 2021/2022 internal audit program.

Moore Australia (WA) Pty Ltd were engaged to conduct the audits included in the internal audit program.

3. Comments

The internal audit was completed in June 2022 and identified a total of eight (8) findings, two (2) high-risk matters, five (5) medium-risk matters and one (1) low-risk matter. Full details of the findings are available in the confidential attachment.

All matters identified will be addressed in accordance with the agreed action by the target completion date.

All findings from the internal audit will be included in the Internal Audit Log. Progress on the actions will be provided at each Audit and Risk Management Committee meeting.

4. Implications To Consider

4.1 Consultation

Moore Australia (WA) Pty Ltd was engaged to conduct the review.

The Chief Executive Officer (CEO), Director People and Place and Manager Development Services were consulted during the internal audit and in the collation of the final audit internal report.

4.2 Strategic Community Plan

Shire of Ashburton Strategic Community Plan 2022-2032

Strategic Objective	4. Performance - We will lead the organisation, and create the culture, to deliver demonstrated performance excellence to the community.
Strategic Outcome	4.6 Visionary community leadership with sound, diligent and accountable governance
Strategy	3 Deliver best practice governance and risk management.

4.3 Council Policy

Nil

4.4 Financial

Current Financial Year

Nil

Future Financial Year(s)

Nil

4.5 Legislative

In accordance with regulation 17 of the *Local Government (Audit) Regulations 1996*, the CEO is to review the appropriateness and effectiveness of a local government’s systems and procedures in relation to –

- Risk management,
- Internal control, and
- Legislative compliance.

The CEO is to report to the Audit and Risk Management Committee the results of each review.

4.6 Risk Management

Risk has been assessed against the Shire of Ashburton Risk Management Framework.

Theme	Risk	Likelihood	Consequence	Inherent Risk Rating	Risk Treatment
Compliance		Possible (3)	Moderate (3)	Moderate (5-9)	Implement process improvements as a result the internal audit and provide regular progress reporting to the Audit and Risk Management Committee.

Based on the inherent risk rating and risk treatments, the residual risk to the Shire is considered to be medium.

5. Voting Requirements

Simple Majority

Officer Recommendation

That with respect to Internal Audit Report – Building Permits, Council,

1. Receives the Internal Audit Report as detailed in the confidential attachment.
2. Notes the actions detailed in the Internal Audit Report will be included on the Internal Audit Log.

6 New Business Of An Urgent Nature Introduced By Council Decision

To be advised at the meeting.

7 Confidential Agenda Items

Nil

8 Next Meeting

The next Audit And Risk Management Committee will be held at 8:30am on Tuesday 14 February 2023 at Council Chambers, Onslow Shire Complex, Second Avenue, Onslow.

9 Closure Of Meeting

There being no further business, the Presiding Member closed the meeting at [enter time](#).