

Mrs Colette Kane LGA 106 University St, Belfast BT7 1EU

28 November 2022

Adrian McCreesh Chief Executive Mid Ulster District Council Ballyronan Road Magherafelt BT45 6EN

Dear Adrian,

MID ULSTER DISTRICT COUNCIL: IMPROVEMENT AUDIT AND ASSESSMENT – FINAL AUDIT AND ASSESSMENT REPORT 2022-23

I have now certified the improvement audit for the Council with a standard, unqualified opinion. In terms of the audit assessment, I have concluded that I am unable to assess whether Council is likely to comply with Part 12 of the Local Government Act (Northern Ireland) 2014 (the Act) during 2022-23. This is due to the changing landscape and refocusing of priorities as a result of the Covid-19 pandemic and the ongoing cost of living crisis, that has impacted on the ability to rely on past trends in councils' performance to assess the likelihood of future compliance with Part 12 of the Act. No statutory recommendations will be made to the Department this year in respect of the Council nor is there a requirement for a special inspection.

The report sets out the findings and conclusions from our work, it includes the audit and assessment certificate as an Annex. I also attach a copy of the original certificate I have signed. Our audit and assessment procedures may not have brought to light all areas in which improvements could be made and our findings should not be seen as comprehensive in this respect. Responsibility for determining whether they should be implemented, and the effects of such implementation, necessarily rests with management.

This letter and attachments have been copied to the Department for Communities as the legislation requires. I would like to thank you and your staff for the assistance and cooperation we received throughout the audit.

Yours sincerely,

Colette Kane

Local Government Auditor

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Audit and assessment of Mid Ulster District Council's performance improvement arrangements

Certificate of Compliance

I certify that I have audited Mid Ulster District Council's (the Council) assessment of its performance for 2021-22 and its improvement plan for 2022-23 in accordance with section 93 of the Local Government Act (Northern Ireland) 2014 (the Act) and the Code of Audit Practice for local government bodies.

I also certify that I have performed an improvement assessment for 2022-23 at the Council in accordance with Section 94 of the Act and the Code of Audit Practice.

This is a report to comply with the requirement of section 95(2) of the Act.

Respective responsibilities of the Council and the Local Government Auditor

Under the Act, the Council has a general duty to make arrangements to secure continuous improvement in the exercise of its functions and to set improvement objectives for each financial year. The Council is required to gather information to assess improvements in its services and to issue a report annually on its performance against indicators and standards which it has set itself or which have been set for it by Government departments.

The Act requires the Council to publish a self-assessment before 30 September in the financial year following that to which the information relates, or by any other such date as the Department for Communities (the Department) may specify by order. The Act also requires that the Council has regard to any guidance issued by the Department in publishing its assessment.

As the Council's auditor, I am required by the Act to determine and report each year on whether:

- The Council has discharged its duties in relation to improvement planning, published the required improvement information and the extent to which the Council has acted in accordance with the Department's guidance in relation to those duties; and
- The Council is likely to comply with the requirements of Part 12 of the Act.

Scope of the audit and assessment

For the audit I am not required to form a view on the completeness or accuracy of information or whether the improvement plan published by the Council can be achieved. My audits of the Council's improvement plan and assessment of performance, therefore, comprised a review of the Council's publications to ascertain whether they included elements prescribed in legislation. I also assessed whether the arrangements for publishing the documents complied with the requirements of the legislation, and that the Council had regard to statutory guidance in preparing and publishing them.

For the improvement assessment I am required to form a view on whether the Council is likely to comply with the requirements of Part 12 of the Act, informed by:

- a forward looking assessment of the Council's likelihood to comply with its duty to make arrangements to secure continuous improvement; and
- a retrospective assessment of whether the Council has achieved its planned improvements to inform a view as to its track record of improvement.

My assessment of the Council's improvement responsibilities and arrangements, therefore, comprised a review of certain improvement arrangements within the Council, along with information gathered from my improvement audit.

The work I have carried out in order to report and make recommendations in accordance with sections 93 to 95 of the Act cannot solely be relied upon to identify all weaknesses or opportunities for improvement.

Audit opinion

Improvement planning and publication of improvement information

As a result of my audit, I believe the Council has discharged its duties in connection with (1) improvement planning and (2) publication of improvement information in accordance with section 92 of the Act and has acted in accordance with the Department for Communities' guidance sufficiently.

Improvement assessment

Councils continue to operate in a challenging environment with focus on recovery from the Covid-19 pandemic and the ongoing cost of living crisis, impacting both on performance and the way in which services are delivered. This changing landscape and refocusing of priorities has impacted my ability to rely on past trends in councils' performance to assess the likelihood of future compliance with Part 12 of the Act. In light of this, I am unable to reach an opinion on whether the Council is likely to discharge its duties under Part 12 of the Act and act in accordance with the Department for Communities' guidance sufficiently during 2022-23.

I have not conducted an assessment to determine whether the Council is likely to comply with the requirements of Part 12 of the Act in subsequent years. I will keep the need for this under review as arrangements become more fully established.

Other matters

I have no recommendations to make under section 95(2) of the Local Government (Northern Ireland) Act 2014.

I am not minded to carry out a special inspection under section 95(2) of the Act.

Colette Kane Local Government Auditor Northern Ireland Audit Office 106 University Street BELFAST BT7 1EU

Colette Kane

28th November 2022



Audit and Assessment Report 2022-23

Report to the Council and the Department for Communities under Section 95 of the Local Government (Northern Ireland) Act 2014

Mid Ulster District Council

xx November 2022



Contents

1.	KEY MESSAGES	1
	AUDIT SCOPE	
	AUDIT FINDINGS	
	ANNEXES	

We have prepared this report for Mid Ulster District Council and the Department for Communities sole use. You must not disclose it to any third party, quote or refer to it, without our written consent and we assume no responsibility to any other person.

1. Key Messages

Summary of the audit

Audit outcome	Status
Audit opinion	Unqualified opinion
Audit assessment	The LGA has concluded that she is unable to assess whether Council is likely to comply with Part 12 of the Local Government Act (Northern Ireland) 2014 (the Act) during 2022-23
Statutory recommendations	The LGA made no statutory recommendations
Proposals for improvement	The LGA made two proposals for improvement

This report summarises the work of the Local Government Auditor (LGA) on the 2022-23 performance improvement audit and assessment undertaken on Mid Ulster District Council. We would like to thank the Chief Executive and his staff, particularly the Performance Improvement Manager for their assistance during this work.

We consider that we comply with the Financial Reporting Council (FRC) ethical standards and that, in our professional judgment, we are independent and our objectivity is not compromised.

Audit Opinion

The LGA has certified the performance arrangements with an unqualified audit opinion, without modification. She certifies an improvement audit and improvement assessment has been conducted. The LGA also states that, as a result, she believes that the Mid Ulster District Council (the Council) has discharged its performance improvement and reporting duties, including its assessment of performance for 2021-22 and its 2022-23 improvement plan, and has acted in accordance with the Guidance.

Audit Assessment

The LGA has assessed whether Mid Ulster District Council (the Council) is likely to comply with its performance improvement responsibilities under Part 12 of the Local Government Act (Northern Ireland) 2014 (the Act). This is called the 'improvement assessment'.

Councils continue to operate in a challenging environment with focus on recovery from the Covid-19 pandemic and the ongoing cost of living crisis, impacting both on performance and the way in which services are delivered. This changing landscape and refocusing of priorities has impacted on the ability to rely on past trends in councils' performance to assess the likelihood of future compliance with Part 12 of the Act. In light of this, the LGA has concluded that she is unable to reach an opinion on whether the Council is likely to have complied with its performance improvement responsibilities for 2022-23.

The LGA did not exercise her discretion to assess and report whether the council is likely to comply with these arrangements in future years.

Audit Findings

During the audit and assessment we identified no issues requiring a formal recommendation under the Act. We made two proposals for improvement (see Section 3). These represent good practice which should assist the Council in meeting its responsibilities for performance improvement. Detailed observations on thematic areas are provided in Annex B.

Status of the Audit

The LGA's audit and assessment work on the Council's performance improvement arrangements is now concluded. By 31 March 2023 she will publish an Annual Improvement Report on the Council on the NIAO website, making it publicly available. This will summarise the key outcomes in this report.

The LGA did not undertake any Special Inspections under the Act in the current year.

Management of information and personal data

During the course of our audit we have access to personal data to support our audit testing. We have established processes to hold this data securely within encrypted files and to destroy it where relevant at the conclusion of our audit. We can confirm that we have discharged those responsibilities communicated to you in accordance with the requirements of the General Data Protection Regulations (GDPR) and the Data Protection Act 2018.

Other matters

Sustainability and Climate Change

Councils have begun to address the issue of climate change and sustainability, with individual councils at varying stages of progress. If councils are to link climate change and sustainable action to their performance objectives or even as part of their wider continuous improvement arrangements in future years, it will be necessary to consider arrangements to improve, including ensuring adequate resourcing and gathering of accurate data.

2. Audit Scope

Part 12 of the Act provides all councils with a general duty to make arrangements to secure continuous improvement in the exercise of their functions. It sets out:

- a number of council responsibilities under a performance framework; and
- key responsibilities for the LGA.

The Department for Communities (the Department) has published 'Guidance for Local Government Performance Improvement 2016' (the Guidance) which the Act requires councils and the LGA to follow. Further guidance to clarify the requirements of the general duty to improve was issued by the Department during 2019.

The improvement audit and assessment work is planned and conducted in accordance with the Audit Strategy issued to the Council, the LGA's Code of Audit Practice for Local Government Bodies in Northern Ireland and the Statement of Responsibilities.

The improvement audit

Each year the LGA has to report whether each council has discharged its duties in relation to improvement planning, the publication of improvement information and the extent to which each council has acted in accordance with the Department's Guidance. The procedures conducted in undertaking this work are referred to as an "improvement audit". During the course of this work the LGA may make statutory recommendations under section 95 of the Act.

The improvement assessment

The LGA also has to assess annually whether a council is likely to comply with the requirements of Part 12 of the Act, including consideration of the arrangements to secure continuous improvement in that year. This is called the 'improvement assessment'. She also has the discretion to assess and report whether a council is likely to comply with these arrangements in future years.

The annual improvement report on the Council

The Act requires the LGA to summarise all of her work (in relation to her responsibilities under the Act) at the Council, in an 'annual improvement

report'. This will be published on the NIAO website by 31 March 2023, making it publicly available.

Special inspections

The LGA may also, in some circumstances, carry out special inspections which will be reported to the Council and the Department, and which she may publish.

3. Audit Findings

This section outlines key observations in the form of proposals for improvement, arising from following thematic areas of the Council's audit and assessment:

- General duty to improve;
- Governance arrangements;
- Improvement objectives;
- Consultation;
- Improvement plan;
- Arrangements to improve
- Collection, use and publication of performance information; and
- Demonstrating a track record of improvement.

These are not formal recommendations, which are more significant matters which require action to be taken by the Council in order to comply with the Act or Guidance. Proposals for improvement include matters which, if accepted, will assist the Council in meeting its performance improvement responsibilities. The LGA may follow up how key proposals have been addressed in subsequent years. We recommend however that the Council's Audit Committee track progress on all proposals for improvement.

Our procedures were limited to those considered necessary for the effective performance of the audit and assessment. Therefore, the LGA's observations should not be regarded as a comprehensive statement of all weaknesses which exist, or all improvements which could be made.

Detailed observations for the thematic areas can be found at Annex B.

Thematic area	Issue	Proposal for improvement
Collection, use and publication of performance information	Council continues to use a Microsoft Excel based system to identify, measure and monitor performance improvement. This however, is a very labour intensive method of collating performance information. An electronic performance management system would be a more efficient way of capturing the growing central repository of performance information. It would also provide a platform to demonstrate the alignment and interdependencies across the Business Planning and Performance Management Framework, create capacity for further analysis of the information and focus on key improvement areas across the organisation.	Council should consider procuring an electronic performance management system.
Collection, use and publication of performance information	The use of Microsoft Excel for collection and reporting of performance information data, as referred to above, can be susceptible to human error and instances of this have been identified in the past.	Council should ensure there is a strong quality review process and appropriate validation of performance information. Internal Audit could be used to assist with this.

4. Annexes

Annex A - Audit and Assessment Certificate

Audit and assessment of Mid Ulster District Council's performance improvement arrangements

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 The Council has discharged its duties in relation to improvement planning, published the required improvement information and the extent to which the Council has acted in accordance with the Department's guidance in relation to those duties; and • The Council is likely to comply with the requirements of Part 12 of the Act.

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Colette Kane

Local Government Auditor Northern Ireland Audit Office 106 University Street BELFAST BT7 1EU

Colette Kane

28th November 2022

Annex B - Detailed observations

Thematic area	Observations
General duty to improve	The Council's arrangements to secure continuous improvement (including community planning, corporate planning, Service Plans and its Performance Improvement Framework and processes within) incorporate the seven aspects of improvement into its assessments of functions and services. The Council held workshops with Senior Management and Heads of Service to identify current and future issues for Mid Ulster citizens that the Council should focus on. The Council engaged with the public through its community planning consultation process to strengthen its understanding of community needs and what its citizens and stakeholders want. Key improvement areas designated by the Council within its Performance Improvement Plan include Infrastructure and Economic Growth which are aligned to its Community Plan outcomes. The Council have a Corporate Management and Improvement Policy last reviewed in December 2019 which aims to explain the framework to managers, employees, members, partners and the public to demonstrate the Council's commitment to continuous improvement. The Council had also developed "A Guide to Developing Engaging and Performing in Mid Ulster District Council – Managing Performance Toolkit (DEP)." This is based around Deming's PDCA cycle and is a continuous quality improvement model. This aids the implementation of the Council's eight step approach to managing performance and is in line with the guidance definition of 'improvement framework'. Quarterly performance reports are prepared for the Chief Executive, Senior Management Team, and Policy and Resources Committee.

Thematic area	Observations
Governance arrangements	The Council's governance arrangements support effective decision making and oversight, relating to its responsibility for continuous improvement in its functions and it continues to develop these.
	Responsibility for delivering performance improvement objectives rests with established project teams under the direction of a Senior Responsible Officer appointed by the Chief Executive's Directorate. The team looks after the corporate planning and service delivery and improvement planning processes alongside performance management and improvement.
	The Council has assigned responsibility for scrutiny of its performance improvement framework to the Policy and Resources Committee. The Audit Committee oversight role has developed to include quarterly monitoring of the activity of the Policy and Resources Committee, specifically in respect of the scrutiny of the Council's Performance Improvement Plans and Reports, and this is a standing item on the agenda for reporting. The Policy and Resources Committee Terms of Reference have been updated to reflect performance improvement responsibilities.
	A proposal for improvement raised in the 2016-17 performance improvement audit and assessment suggested that the Council consider that the internal audit function be used to provide assurance on the integrity and operation of the Council's performance framework and identify areas for improvement. The Council should also consider using internal audit to obtain independent validation of data collected for published self-imposed KPIs and standards. There was no internal audit review on performance improvement was undertaken in 2020-21 or 2021-22, and whilst this was understandable given the impact of the pandemic, having regular internal audit coverage of performance improvement arrangements remains a point of good practice. This is referred to in section 3.

Thematic area	Observations
Improvement objectives	The Council have clearly detailed the rationale for selecting each of the four objectives within the Performance Improvement Plan and have provided results from the consultation to support the selection of each objective held in April 2022. On review of the consultation commentary the Council concluded that outcomes did not warrant the removal, amendment to or addition to the objectives proposed going forward for 2022-23.
	The improvement objectives set all meet at least one of the seven criteria required by legislation and relate to the functions and services identified for improvement sent out in the 10-year Community Plan and the Council's Corporate Plan (2020-2024) themes and outcomes. The objectives were selected on the basis of a range of factors including an analysis of available statutory, corporate and service performance measures, information from performance reports, as well as engagement with elected Members, the Senior Management Team, Heads of Service and consultation with citizens.
	 For each improvement objective, the Council sets out: Why have we chosen this Improvement Objective? Actions – What are we going to do? (Including Activities and Outcomes) How will we know? (What we delivered and Achievement) Visible improvements residents, businesses or visitors expect to see Partnerships – Who do we need to work with? Link to District Community Plan Themes and Outcomes Link to Corporate Plan Theme Performance Improvement Aspects which this improvement objective aims to deliver against
	The outcomes of each objective are clearly documented within the performance improvement plan and each of the objectives are robust, deliverable, and demonstrable.

Thematic area	Observations
	Specific measurements and targets have been included for each activity which will allow the Council to determine if they have been achieved and therefore contribute to the overall performance of the objective.
Consultation	An internal process involving Heads of Service and Senior Management identified emerging objectives and improvement projects for 2022-23 which would contribute to achieving the Council's objectives. The proposed objectives were approved by the Policy & Resources Committee prior to consultation. The Council carried out consultation on its improvement objectives with ratepayers, local business representatives, community, voluntary groups, and staff.
	The Council undertook a six week consultation exercise in 2022 on the Council's draft corporate improvement objectives. In order to help raise the profile and transparency of the performance improvement framework, a number of communication channels were used including advertising in local newspapers, on the Council website, through multiple social media platforms and internal staff meetings. The council received 55 responses. The questions within the consultation survey directly related to each improvement objective.
	The consultation process was conducted in line with the Council's consultation policy which was approved in February 2020. The full implementation of the policy and the associated awareness raising of the policy has been impeded by the COVID-19 pandemic. However, the policy was due for review in February 2022 and this would allow for COVID compliant/hybrid consultation mechanisms to be considered in the revised version. The review of the policy on consultation commenced in January 2022. This initial review consisted of internal consultation with senior council officers. The full review however cannot be completed until the impact of the implementation of the Digital Transformation Strategy can be mapped out and progressed. Once any proposed digitally focused public consultation mechanisms are confirmed, then review can be re-

Thematic area	Observations
	prioritised and completed. It is anticipated that the full policy review will be completed by beginning of new business year, though the impact the Digital Strategy is having on the timeliness of the consultation policy review should be noted. With such significant support for the four proposed improvement objectives, together with additional commentary provided, the council concluded that outcomes did not
	warrant the removal, amendment to or addition to the objectives proposed going forward for 2022-23.
Improvement plan	The Council published its Performance Improvement Plan in June 2022 covering 2022-23. It is available in electronic format on the Council's website and other formats upon request. To enhance citizen engagement, it is recommended the performance improvement plan, or links thereto, are posted on social media or other communication platforms going forward.
	The Council have published both the Corporate Performance Improvement Plan 2022-23 and the Annual Assessment 2021-22 in an unprotected word format which is easily amended by the user. Reports have been published in a Word Document format for accessibility purposes however we suggest going forward that reports are published in an accessible format in which content is protected and restricted for editing. This recommendation has been previously raised as part of the 2020-2021 audit.
	The improvement objectives outlined in the Plan are based around themes set out in the Council's Corporate Plan 2020-24 and the 10-year District Community Plan. It identifies a number of areas which the Council will focus on in the two years ahead, with the aim of delivering improvements to benefit residents and service users.
	It was noted through investigation of the underlying data supporting the improvement objectives that some further additional links to both the Community Plan and Corporate

Thematic area	Observations
	Plan themes and priorities have been established but not reported within the Performance Improvement Plan 2022-23. For completeness, we recommend all relevant links between the Community Plan, Corporate Plan and the four improvement objectives in the Performance Improvement Plan should be identified and reported.
	The Plan clearly sets out the basis on which each objective was selected, together with related projects and key actions to contribute to the achievement of the higher-level objectives, the visible improvements residents, businesses, or visitors can expect, and how success will be measured. It also reflects how citizens and other stakeholders within the Council will be better off as a direct result of the improvement process.
	The Plan benefits promotes the transparency and meaningfulness of the Council's commitment to continuously improve its functions.
	The Plan includes a separate section on the statutory imposed performance indicators and standards and provides sufficient information on its arrangements to exercise its functions so that any applicable statutory performance standards are met.
Arrangements to improve	The Council is required to establish arrangements to deliver on its improvement objectives each year.
	The underlying projects in relation to the improvement objectives are supported by delivery plans and budgets for use by operational teams. These are being project managed and have lines of accountability, including risk management, to senior management and Members.
	In addition, Members and Officers at full council and committee meetings with a strategy or policy and oversight focus receive regular updated from senior management on how these established arrangements to improve are progressing.

Thematic area	Observations
Collection, use and publication of performance information	 In September 2022, the Council published the 'Annual Self-Assessment Report 2021-22' which includes: its performance in discharging the general duty to secure continuous improvement in 2021-22 results of its 2021-22 statutory performance standards compared with the same standards in the prior year; and, results of its 2021-22 self-imposed performance standards and indicators relating to its general duty to improve, and where applicable comparisons with
	the same standards in the prior year. This report gives an overview and self-assessment of the performance of the Council during the previous financial year in accordance with its legislative requirements. The Council have also included a section which summarises emerging through COVID-19 restrictions, living with the pandemic and how this impacts the Councils services and facilities.
	The key purpose of the report is to show citizens and other stakeholders how the Council is discharging its duty under legislation to secure continuous improvement as set out in its 2021-22 Performance Improvement Plan. It enables the Council to communicate progress against its improvement objectives and to highlight what visible improvements it has made to its functions and services.
	The Council have recognised in the Annual Self-Assessment the impact of COVID-19 on many services means that the performance of statutory indicators in 2021-22 are not as comparable to previous years, however analysis over time has been added where possible. In future years, year-on-year trend analysis should continue. Detailed narrative has been included for those indicators impacted by COVID-19. The report includes a comparison of its performance statutory indicators against the 10 other councils. The issue of benchmarking with other councils is part of the work plan for the Performance

Thematic area	Observations
	Improvement Working Group (PIWG) and it is expected that progress on this issue will be made to allow a broader range of activities to be compared. However, we note that delays to this process were faced because of the COVID-19 pandemic and while there was an intention to take this issue forward through the PIWG, limited progress has been made on this matter.
	The Council achieved four out of seven statutory performance standards. For each statutory indicator 'not achieved' the Council has included an 'Action Plan'.
	The Council use Microsoft Excel templates to track performance of statutory and self-imposed indicators on a quarterly basis. This, however, is a very labour intensive method of collecting performance information, and is susceptible to human error in terms of the robustness and accuracy of content. We noted examples of discrepancies in the 2020-21 Annual Self Assessment report, and have therefore raised a proposal for improvement this year for the council to consider additional quality review processes for published information.
	As noted in the proposals for improvement, an electronic performance management system would be a more efficient way of capturing the growing central repository of performance information.
	The report also includes a section on the Council's achievement of its self-imposed performance measures based on the corporate plan priorities and commitments during the year.
Demonstrating a track record of improvement	The LGA has concluded that the changing landscape and refocusing of priorities has impacted on her ability to rely on past trends in councils' performance to assess the

Thematic area	Observations
Thematic area	likelihood of future compliance with Part 12 of the Act. Services have been affected by the impact of COVID-19, and cost of living crisis.
	The Council is conscious of the impact of COVID-19 on society but also that its corporate and individual ratepayers are experiencing the negative impacts of increased financial pressures due to high inflation, soaring gas and electricity prices, high fuel costs. It is also conscious of its role in relation to the management of climate change. In relation to statutory indicators, the Council has referenced both the statutory targets and the "Go for It" programme targets in the performance improvement plan and assessment. In its Annual Report, published in August 2022, the Council noted that as we learn to "live with Covid" there is also a need to continue to prevent, contain and manage its impact. In particular it highlighted the benefits of effective collaborations with other district and borough councils and with other public sector organisations and communities to transform services, drive innovation and improve outcomes.
	The Council established four new improvement objectives in 2021 for 2021-22 and 2022-23 which has allowed the Council to demonstrate a record of improvement across the two years and future years. The Council will continue to consult on the four improvement objectives each year to determine continued relevance.
	For each of the statutory indicators, the Council have reported results against 2020-21 and 6 years of results where applicable which have been presented in a combination of line graphs and bar charts to effectively communicate the improvements over time. The Council have also presented other councils' results for the comparison against the current year. An analysis paragraph has been included for each indicator and the Council has included narrative where indicators have been impacted by COVID-19.
	Statutory performance indicators P1, P2, P3 and W1 have shown a decline in performance in the current year in comparison with the prior years and the target set.

Thematic area	Observations
	The other three statutory indicators have shown improvement across the last three years.
	Of the self-imposed indicators and standards, one has seen improvement from the previous year and two remained in line with prior year, which is positive, taking into consideration the impact of the pandemic.