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Adrian McCreesh
Chief Executive
Mid Ulster District Council
Ballyronan Road
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25 February 2022

Dear Adrian,

Mid Ulster District Council: - Section 95 of the Local Government Act 2014 Improvement Audit and Assessment

The Local Government Auditor has now certified the improvement audit for the Council with a standard, unqualified opinion. In terms of the 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 2021-22 due to the impact of the COVID-19 pandemic on Council services. No statutory recommendations have been made to the Department this year in respect of the Council nor is there a requirement for a special inspection. I attach a copy of our final audit and assessment report.

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 signed by the Local Government Auditor.

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,

Karen Beattie
Audit Manager

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 2020-21 and its improvement plan for 2021-22 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 2021-22 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

In light of the impact of COVID-19 on Council services I have been unable to assess whether the Council has discharged its duties under Part 12 of the Act and has acted in accordance with the Department for Communities' guidance sufficiently during 2021-22.

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
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25 February 2022

Mid Ulster District Council

Audit and Assessment Report 2021-22

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



25 February 2022

Contents	Page
1. Key Messages	3
2. Audit Scope	5
3. Audit Findings	6
4. Annexes	8

We have prepared this report for sole use of the Mid Ulster District Council and the Department for Communities. 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 was likely to comply with Part 12 of the Local Government Act (Northern Ireland) 2014 (the Act) during 2021-22 due to the impact of the COVID-19 pandemic on normal services.
Statutory recommendations	The LGA made no statutory recommendations
Proposals for improvement	The LGA made one new proposal for improvement

This report summaries the work of the Local Government Auditor (LGA) on the 2021-22 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 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 2020-21 and its 2021-22 improvement plan, and has acted in accordance with the Guidance.

Audit Assessment

The LGA has assessed whether the 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'.

In normal circumstances this work would have been undertaken in time for this report to be issued by 30 November 2021. However, this was impacted in delays in completing the previous period's report when legislative changes were required to clarify the performance improvement arrangements before work could be concluded.

In light of the impact of the COVID-19 pandemic on council services, the LGA has concluded that she is unable to reach an opinion on whether the Council was likely to have complied with its performance improvement responsibilities for 2021-22.

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 one proposal 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 March 2022 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.

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 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.

Due to the impact of COVID-19, legislation was amended so that councils were not required to produce a Performance Improvement Plan for 2020-21, and thus there was no requirement to set self-imposed objectives for that year. As a result of this councils did not have to perform a self-assessment of self-imposed objectives in their 2020-21 self-assessment report, nonetheless the report was still required to note outturn performance on the statutory indicators and how the general duty to improve was taken forward during the year.

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 March 2022, 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	The detailed observations section of this report highlights an example of incorrect performance improvement information being published.	<p>Appropriate validation procedures should be put in place for all information reported.</p> <p>The Council continues to use Microsoft Excel for all performance improvement data recording, from identification to measurement and monitoring. This is however, a very labour-intensive method of collating performance information, and is more susceptible to human error in terms of its robustness and accuracy.</p> <p>An electronic performance management system would be a more efficient way of capturing the growing central repository of</p>

Thematic area	Issue	Proposal for improvement
		<p>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.</p> <p>Pending the implementation of any such system, data input to or extracted from excel (or other sources) should be checked for accuracy prior to publication.</p>

4. Annexes



Annex A – Audit and Assessment Certificate

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

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Scope of the audit and assessment

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Other matters

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

COLETTE KANE
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25 February 2022

Annex B – Detailed observations

Thematic area	Observations
General duty to improve	<p>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.</p> <p>The Council has 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 8 step approach to managing performance and is in line with the guidance definition of 'improvement framework'.</p> <p>Quarterly performance reports are prepared for the Chief Executive, Senior Management Team, and Policy and Resources Committee.</p>
Governance arrangements	<p>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.</p> <p>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.</p>

Thematic area	Observations
	<p>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.</p> <p>A proposal for improvement raised in the 2016-17 performance improvement audit and assessment suggested that the Council consider using the internal audit function 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. This was scheduled by Internal Audit for 2020-21, however this was not undertaken as a result of the pressures owing to COVID-19. This remains a point of good practice.</p>
Improvement objectives	<p>For 2021-22 performance improvement year, a new set of objectives was created. The Council has clearly detailed the rationale for selecting each of the four new objectives within the Performance Improvement Plan. To optimise clarity and transparency, it would be helpful going forward for the Council to provide a brief explanation to communicate to citizens why previous objectives have not been rolled forward.</p> <p>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 set 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.</p> <p>For each improvement objective, the Council sets out:</p> <ul style="list-style-type: none"> • Why have we chosen this Improvement Objective? • Actions – What are we going to do? (Including Activities and Outcomes) • How will we know? • 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

Thematic area	Observations
	<ul style="list-style-type: none"> • Link to Corporate Plan Theme • Performance Improvement Aspects which this improvement objective aims to deliver against <p>The outcomes of each objective are clearly documented within the performance improvement plan and each of the objectives are robust, deliverable, and demonstrable. 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.</p>
Consultation	<p>An internal process involving Heads of Service and Senior Management identified emerging objectives and improvement projects for 2021-22 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.</p> <p>The Council undertook a consultation exercise from 11 March 2021 until 22 April 2021 (6 weeks) 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.</p> <p>The Consultation process was conducted in line with the Council's consultation policy.</p>
Improvement plan	<p>The Council published its Performance Improvement Plan in July 2021 covering 2021-22 and 2022-23. It is available in electronic format on the Council's website and other formats upon request. Going forward, to enhance citizen engagement, the Council may wish to consider posting the finalised performance improvement plan, or links to it, on social media or other communication platforms.</p> <p>The Council has published both the Corporate Performance Improvement Plan 2021-22 and the Annual Assessment 2020-21 in an unprotected word format which can be easily amended by a user. We appreciate that reports have been published in a Word Document format for accessibility purposes, however the Council should consider how to ensure, going forward, that reports are published in an accessible format whilst still ensuring that the content is protected and restricted for editing.</p>

Thematic area	Observations															
	<p>The improvement objectives outlined in the Plan are based around themes set out in the Council’s Corporate Plan 2021-22 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.</p> <p>A summary of the Council’s consultation process, together with information on how citizens and stakeholders may propose new objectives during the year are included, in addition to the governance arrangements in place for the Performance Improvement Plan. The results from the consultation however have been inaccurately reported in the Council’s Performance Improvement Plan for 2021-22. Along with other performance data, it is important that consultation results are validated prior to publication.</p> <table><tr><th>Improvement Objective</th><th>Results reported in PIP – Agreement Rate</th><th>Actual Results – Agreement Rate</th></tr><tr><td>IO 1</td><td>98%</td><td>91%</td></tr><tr><td>IO 2</td><td>98%</td><td>82%</td></tr><tr><td>IO 3</td><td>94%</td><td>94%</td></tr><tr><td>IO 4</td><td>94%</td><td>89%</td></tr></table> <p>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.</p> <p>The planned benefits promote the transparency and meaningfulness of the Council’s commitment to continuously improve its functions.</p> <p>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.</p>	Improvement Objective	Results reported in PIP – Agreement Rate	Actual Results – Agreement Rate	IO 1	98%	91%	IO 2	98%	82%	IO 3	94%	94%	IO 4	94%	89%
Improvement Objective	Results reported in PIP – Agreement Rate	Actual Results – Agreement Rate														
IO 1	98%	91%														
IO 2	98%	82%														
IO 3	94%	94%														
IO 4	94%	89%														
Arrangements to improve	The Council is required to establish arrangements to deliver on its improvement objectives, statutory indicators and its general duty to improve each year.															

Thematic area	Observations
	<p>The projects underlying 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.</p> <p>In addition, Members and Officers at full council and committee meetings with a strategy / policy and oversight focus receive regular updated from senior management on how these established arrangements to improve are progressing.</p>
Collection, use and publication of performance information	<p>In September 2021, the Council published the 'Annual Self-Assessment Report 2020-21' which includes:</p> <ul style="list-style-type: none"> • its performance in discharging the general duty to secure continuous improvement in 2020-21; • results of its 2020-21 statutory performance standards compared with the same standards in the prior year; and • results of its 2020-21 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. <p>As a result of the pandemic the Department for Communities confirmed in June 2020 that it did not expect Councils to publish a performance plan for the 2020-21 financial year. There was no requirement of an assessment of performance against improvement objectives in the Council's Annual Self-Assessment Report for 2020-21.</p> <p>The 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 the main impact of COVID-19 on each of the Councils services & facilities.</p> <p>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. 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.</p> <p>The Council have recognised in the Annual Self-Assessment the impact of the pandemic on many services means that the performance of statutory indicators in 2020-21 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.</p>

Thematic area	Observations
	<p>The report includes a comparison of its performance statutory indicators against the other ten councils. The issue of benchmarking with other councils is part of the work plan for the Performance Improvement Working Group and it is expected that progress on this issue will continue to be made to allow a broader range of functions to be compared. However, we note that delays to this process were faced as a result of COVID-19.</p> <p>The Council achieved four out of seven statutory performance standards. For each statutory indicator 'not achieved' the Council has included an action plan. The action plan for statutory indicator P2 (Average processing time for Local planning applications from date valid to decision or withdraw within an average of 15 weeks) is not specific in how this will be improved going forward ("Moving forward it is proposed to monitor performance via Team leads and Head of Service"). Action plans need to be specific and sufficiently detailed if they are to assist the Council in rectifying performance moving forward.</p> <p>The Council uses 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. There have been examples identified in the 2020-21 Annual Self-Assessment where incorrect information has been published. For example, the quarterly results for statutory indicator P1 (Time to process major planning applications from date valid to decision or withdrawn) have been incorrectly reported for Q2 and Q3 as 74.2 weeks and 86.4 weeks respectively. The data validated by the Department of Infrastructure reported 34.2 weeks for Q2 and 74.1 weeks for Q3.</p> <p>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.</p> <p>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.</p>
Demonstrating a track record of improvement	<p>For each of the statutory indicators, the Council have reported five years of results which have been presented in a combination of line graphs and bar charts to effectively communicate the improvements over time. The Council has 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.</p>

Thematic area	Observations
	<p>The majority of statutory indicators have seen a slight decline in performance from 2019-20 however the Council continued to meet four out of seven targets. Indicator ED 1 (The number of jobs promoted through business start-up) was significantly impacted by the pandemic and this has been detailed in the analysis.</p> <p>Of the self-imposed indicators and standards, two have seen improvement from the previous year and one remained in line with the prior year which is positive taking into consideration the impact of the pandemic.</p> <p>The Council has established four new improvement objectives for 2021-22 and 2022-23 which will assist the Council in demonstrating a record of improvement across the two years and future years.</p> <p>Although there was some evidence of a track record of improvement, in light of the impact of COVID-19 on Council services we have been unable to place reliance on this trend information, in forming an assessment of whether the Council has discharged its duties under Part 12 of the Act and has acted in accordance with the Department for Communities' guidance sufficiently during 2021-22.</p>