



West Lothian Council

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

23 September 2020

A meeting of West Lothian Council will be held within the **Webex Virtual Meeting Room** on **Tuesday 29 September 2020 at 10:00am**.

For Chief Executive

BUSINESS

Public Session

1. Apologies for Absence
2. Declarations of Interest - Members should declare any financial and non-financial interests they have in the items of business for consideration at the meeting, identifying the relevant agenda item and the nature of their interest
3. Order of Business, including notice of urgent business, declarations of interest in any urgent business and consideration of reports for information.

The Chair will invite members to identify any such reports they wish to have fully considered, which failing they will be taken as read and their recommendations approved.

4. Confirm Draft Minutes of Meeting of West Lothian Council held on Tuesday 17 March 2020 (herewith)

Public Items for Decision

5. Election Business
6. West Lothian Annual Accounts :-
 - (a) Annual Audit Report to Members and the Controller of Audit –

- year ended 31 March 2020 - Report by Head of Finance and Property Services (herewith)
- (b) Annual Audit Report to Members and the Controller of Audit – year ended 31 March 2020 - Report by Ernst & Young LLP (herewith)
- (c) West Lothian Council - Annual Accounts Year Ended 31st March 2020 (herewith)
7. Review of Decision Making Arrangements - Webcasting and Recording of Meetings - Report by Governance Manager and Head of Corporate Services (herewith)
8. Notice of Motion - Flooding in Pyothall Court, Broxburn - submitted by Councillor Janet Campbell (herewith)
9. Notice of Motion - Blended Working - submitted by Councillor Janet Campbell (herewith)
10. Notice of Motion - Whitburn Academy - submitted by Councillor David Dodds (herewith)
11. Notice of Motion - Third Sector - submitted by Councillor Kirsteen Sullivan (herewith)
12. Notice of Motion - Waspi Women - submitted by Councillor Kirsteen Sullivan (herewith)
13. Notice of Motion - Pandemic Response - submitted by Councillor Lawrence Fitzpatrick (herewith)
14. Notice of Motion - Pandemic Costs - submitted by Councillor Lawrence Fitzpatrick (herewith)
15. Notice of Motion - Mr Andy Mount, Livingston - submitted by Councillor Lawrence Fitzpatrick (herewith)
16. Notice of Motion - Speed Reduction Measures - submitted by Councillor Bruce Fairbairn (herewith)
17. Notice of Motion - Nuclear Free - submitted by Councillor Frank Anderson (herewith)
18. Notice of Motion - Internal Market - submitted by Councillor Frank Anderson (herewith)
19. Notice of Motion - Local Authority Lottery - submitted by Councillor Frank Anderson (herewith)
20. Notice of Motion - Wnter Service Planning - submitted by Councillor Frank Anderson (herewith)

Public Items for Information

21. Treasury Management Annual Report 2019/20 - Report by Head of Finance and Property Services (herewith)
22. Documents for Execution
23. Appeal on dualling of A801 - Question to Executive Councillor for Development & Transport - submitted by Councillor Stuart Borrowman (herewith)
24. Pandemic Costs - Question to Leader of the Council - submitted by Councillor Damian Timson (herewith)

NOTE **For further information please contact Val Johnston, Tel No.01506 281604 or email val.johnston@westlothian.gov.uk**

CODE OF CONDUCT AND DECLARATIONS OF INTEREST

This form is to help members. It is not a substitute for declaring interests at the meeting.

Members should look at every item and consider if they have an interest. If members have an interest they must consider if they have to declare it. If members declare an interest they must consider if they have to withdraw.

NAME	MEETING	DATE

AGENDA ITEM NO.	FINANCIAL (F) OR NON- FINANCIAL INTEREST (NF)	DETAIL ON THE REASON FOR YOUR DECLARATION (e.g. I am Chairperson of the Association)	REMAIN OR WITHDRAW

The objective test is whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your discussion or decision making in your role as a councillor.

Other key terminology appears on the reverse.

If you require assistance, please ask as early as possible. Contact Julie Whitelaw, Monitoring Officer, 01506 281626, julie.whitelaw@westlothian.gov.uk, James Millar, Governance Manager, 01506 281695, james.millar@westlothian.gov.uk, Carol Johnston, Chief Solicitor, 01506 281626, carol.johnston@westlothian.gov.uk, Committee Services Team, 01506 281604, 01506 281621, committee.services@westlothian.gov.uk

SUMMARY OF KEY TERMINOLOGY FROM REVISED CODE

The objective test

“...whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your discussion or decision making in your role as a councillor”

The General Exclusions

- As a council tax payer or rate payer or in relation to the council's public services which are offered to the public generally, as a recipient or non-recipient of those services
- In relation to setting the council tax.
- In relation to matters affecting councillors' remuneration, allowances, expenses, support services and pension.
- As a council house tenant, unless the matter is solely or mainly about your own tenancy, or you are in arrears of rent.

Particular Dispensations

- As a member of an outside body, either appointed by the council or later approved by the council
- Specific dispensation granted by Standards Commission
- Applies to positions on certain other public bodies (IJB, SEStran, City Region Deal)
- Allows participation, usually requires declaration but not always
- Does not apply to quasi-judicial or regulatory business

The Specific Exclusions

- As a member of an outside body, either appointed by the council or later approved by the council
- The position must be registered by you
- Not all outside bodies are covered and you should take advice if you are in any doubt.
- Allows participation, always requires declaration
- Does not apply to quasi-judicial or regulatory business

Categories of “other persons” for financial and non-financial interests of other people

- Spouse, a civil partner or a cohabitee
- Close relative, close friend or close associate
- Employer or a partner in a firm
- A body (or subsidiary or parent of a body) in which you are a remunerated member or director
- Someone from whom you have received a registrable gift or registrable hospitality
- Someone from whom you have received registrable election expenses

MINUTE of MEETING of the WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, on 17 MARCH 2020.

Present – Provost Tom Kerr (Chair), Councillors Alison Adamson, Frank Anderson, Stuart Borrowman, William Boyle, Janet Campbell, Tom Conn, David Dodds, Angela Doran, Lawrence Fitzpatrick, Peter Heggie, Peter Johnston, Charles Kennedy, Sarah King, John McGinty, Andrew McGuire, Dom McGuire, Andre Miller, Cathy Muldoon, George Paul, Kirsteen Sullivan, David Tait and Damian Timson

Apologies – Councillors Diane Calder, Harry Cartmill, Pauline Clark, Robert De Bold, Jim Dickson, Bruce Fairbairn, Chris Horne, Carl John, Dave King and Moira Shemilt

1. DECLARATIONS OF INTEREST

Councillor Janet Campbell declared an interest in that she was an NHS Lothian employee.

2. ORDER OF BUSINESS

1. The Provost advised Council that Transport Scotland, who had been due to attend the meeting to present on the A720 Sheriffhall Roundabout project, had submitted apologies to the meeting.
2. The Provost ruled in terms of Standing Order 11 that he would allow the Chief Executive to say a few words to Council on the preparations the council was making in relation to the Covid-19 pandemic.

3. STATEMENT BY THE CHIEF EXECUTIVE ON COVID-19

The Chief Executive provided Council with an update with regards to the plans that were being put in place by the Council in relation to the Covid-19 pandemic.

He explained that the situation was highly dynamic and was changing each day and that substantial planning was taking place. A full time co-ordination team had been established and the Corporate Management Team was meeting on a daily basis to develop the council's plans, determine a response and co-ordinate action and communications.

Arrangements were also in place to ensure that all political group leaders were being briefed in detail each week and were being included in all staff briefings. In the meantime if individual elected members continued to have any questions in relation to the council's response they were to contact the Chief Executive's office direct.

All non-essential meetings had been cancelled, however formal committee meetings would continue in the meantime. Those attending would be asked to sit further apart than normal, however those showing symptoms of the virus were not expected to attend council meetings and were being asked to comply with the NHS guidelines.

Finally advice had been provided by Cosla which suggested that all surgeries and any unnecessary appointments with constituents should be cancelled unless these could be conducted remotely. Corporate Communications meantime would be available to elected members to communicate this advice to constituents.

Decision

To note the update from the Chief Executive in relation to the plans for dealing with Covid-19

4. MINUTES:-

- a) The Council approved the minute of its meeting held on 28 January 2020;
- b) The Council approved the minute of its special meeting held on 18 February 2020;
- c) The Council approved the minute of its special meeting held on 28 February 2020;
- d) The Council noted correspondence arising from previous decisions;
- e) The Council noted the minute of the West Lothian Leisure Advisory Committee held on 28 November 2019;
- f) The Council noted the minute of the Governance and Risk Committee held on 28 October 2019;
- g) The Council noted the minute of the Education (Quality Assurance) Committee held on 14 January 2020; and
- h) The Council noted the minute of the Performance Committee held on 6 January 2020

5. ELECTION BUSINESS

The Council noted the following changes to those bodies/committees contained in the Scheme of Administration :-

- Councillor Tom Conn to replace Councillor Harry Cartmill on the West Lothian Leisure Board of Directors;
- Councillor Andrew McGuire to replace Councillor Tom Conn on Culture and Leisure Policy Development and Scrutiny Panel;
- Councillor Andrew McGuire to replace Councillor Tom Conn on West Lothian Leisure Advisory Committee;

- Councillor Janet Campbell to replace Councillor Peter Johnston on Partnership and Resources Policy Development and Scrutiny Panel;
- Councillor Janet Campbell to replace Councillor Peter Johnston on Council Executive;
- Councillor Moira Shemilt to replace Councillor David Tait on Voluntary Organisations Policy Development and Scrutiny Panel; and
- Councillor Pauline Clark to replace Councillor Janet Campbell on Health and Care Policy Development and Scrutiny Panel.

Decision

To agree the membership changes proposed.

7. CLIMATE EMERGENCY WORKING GROUP RECOMMENDATIONS - REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT AND REGENERATION

The Council considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration presenting recommendations from the Cross-Party Climate Emergency Working Group.

It was recommended that West Lothian Council :-

1. Notes the contents of the report; and
2. Agrees the recommendations and proposals put forward by the Cross-Party Climate Emergency Working Group which was set out in Appendix 2 attached to the report.

Motion

To approve the terms of the report.

- Moved by Councillor Lawrence Fitzpatrick and seconded by Councillor Kirsteen Sullivan

Amendment

“You may never know what results come of your actions, but if you do nothing, there will be no results.

The SNP Group, having fully participated in the Climate Emergency Working Group, are disappointed to have reached this stage without having any structure in place to drive the ambition of this Council to not only declare a Climate Emergency but to deliver the policies which will make a contribution to achieving our targets.

The proposals within this report only state “report to PDSP”, with no specific PDSP, either being mentioned or having the ability to “govern” the strategy if it straddles more than one PDSP eg Procurement.

The SNP Group are dismayed at the tokenism displayed by the Labour Group at the recent Budget meeting. Having argued against setting any governance procedures as it was “too early”, they then allocated a token balancing figure for one year of £802k, plucked from thin air, as a Climate Emergency Fund.

The SNP Group proposes that Council recognises the serious threat of Climate Change and that a proper governance scheme is paramount and has to be established as a priority.

Council therefore agrees to :

Call for the current review of PDSP remits as per decision of Council Executive, 20 August 2019.

(This decided how officers should proceed, one was for officers to bring forward proposals for retaining nine PDSP’s by adjusting PDSP remits to include modernisation and digital transformation; revising and updating all PDSP remits to reflect the services now delivered by the Council; including rebranding the Voluntary Organisations PDSP to give recognition to its wider role in the community)

Come to P&R PDSP in April and then to Council in May and that the report looks at the option of creating a specific PDSP with the remit of Climate Action. The new PDSP membership to comprise of 2 Labour, 2 Conservative and 2 SNP members and appropriate members from our community. The Chair and Vice Chair should rotate yearly between the Conservative Group and the SNP Group and the first meeting should be held in June. There will be no responsibility allowance for the Chair.”

- Moved by Councillor Frank Anderson and seconded by Councillor Janet Campbell.

A roll vote was taken. The result was as follow :-

Motion

Alison Adamson
Stuart Borrowman
Tom Conn
David Dodds
Angela Doran
Lawrence Fitzpatrick
Peter Heggie
Charles Kennedy
Tom Kerr
John McGinty
Andrew McGuire
Dom McGuire

Amendment

Frank Anderson
Willie Boyle
Janet Campbell
Peter Johnston
Sarah King
Andrew Miller
David Tait

Cathy Muldoon
George Paul
Kirsteen Sullivan
Damian Timson

Decision

Following a vote the motion was successful by 16 votes to 7 and it was agreed accordingly.

8. APPOINTMENT OF A LAY MEMBER TO THE AUDIT COMMITTEE -
REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

The Council considered a report (copies of which had been circulated) by the Head of Finance and Property Services advising of the outcome of the recruitment panel convened to identify a preferred candidate to be appointed as a lay member of the Audit Committee.

It was recommended that the Council appoints the preferred candidate, Moira Glencorse, as lay member of the Audit Committee.

Decision

To approve the terms of the report

9. APPOINTMENT OF A LAY MEMBER TO THE GOVERNANCE AND
RISK COMMITTEE - REPORT BY HEAD OF FINANCE AND PROPERTY
SERVICES

The Council considered a report (copies of which had been circulated) by the Governance Manager to seek the appointment of a lay member to the Governance and Risk Committee

It was recommended that the Council appoints the preferred candidate, Robert Armstrong, as lay member of the Governance and Risk Committee.

Decision

To approve the terms of the report

10. DOCUMENTS FOR EXECUTION

The Chief Solicitor presented 160 documents for execution.

11. CLOSING REMARKS

The Provost announced to Council that Councillor Peter Johnston would be stepping down as an elected member after serving 34 years on both the district council and West Lothian Council.

The Provost then invited Councillors Frank Anderson, Lawrence Fitzpatrick and Damian Timson, in their capacity as political group leaders to speak about their time working with Peter. They each then took the opportunity to speak about their admiration for Peter's dedication in respect of all his efforts on behalf of the council and his constituents.

Councillors John McGinty, Cathy Muldoon and Andrew Miller also spoke of their admiration for Councillor Peter Johnston.

Councillor Peter Johnston took the opportunity to respond to all the comments from his colleagues across the Chambers and recorded a special note of thanks to Councillor Frank Anderson, the support staff in the SNP Office, his family, colleagues at Forrestbank Community Centre and Ladywell Community Council.

The tribute to Councillor Peter Johnston concluded with the presentation of an engraved miner's lamp.

DATA LABEL: PUBLIC



WEST LOTHIAN COUNCIL

REPORT TO MEMBERS AND THE CONTROLLER OF AUDIT ON THE 2019/20 AUDIT

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

To advise Council of the outcome of the 2019/20 Audit and to provide a summary of the key points arising from the Auditor's Annual Report.

B. RECOMMENDATION

It is recommended that Council:

1. Notes Ernst and Young LLP's 2019/20 Annual Audit Report;
2. Approves for signature the audited Annual Accounts for 2019/20;
3. Refers the Auditor's Report and the 2019/20 Annual Accounts to the Audit Committee for information and scrutiny.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Being honest, open and accountable, making best use of resources, working in partnership
II	Policy and Legal (including Strategic Environmental Assessment, Health or Risk Assessment)	The Auditor's Report is presented to Council in accordance with the Local Government (Scotland) Act 1973.
III	Implications for Scheme of Delegations to Officers	None.
IV	Impact on Performance and Performance Indicators	None
V	Relevance to Single Outcome Agreement	None.
VI	Resources - (Financial, Staffing and Property)	There are no resource issues that require to be drawn to the Council's attention.
VII	Consideration at PDSP	Not applicable.
VIII	Consultations	Consultation with appropriate council officers on the Audit Report and the Annual Accounts.

D. TERMS OF REPORT

D.1 INTRODUCTION

The report by Ernst and Young LLP on the 2019/20 audit is addressed to Members of the Council, is simultaneously forwarded to the Controller of Audit and forms part of the audit process. The Auditor's report covers four sections: an executive summary, financial statements audit, wider scope dimensions and appendices.

The unaudited Annual Accounts for the year ended 31 March 2020 were considered by the Audit Committee on 22 June 2020, thus achieving the statutory deadline of 30 June for submission to the council's auditors. These Accounts were the subject of the General Fund Revenue Outturn report to the Council Executive on 23 June 2020. The external audit of the Accounts and the signing of the Independent Auditor's Report will be completed by the target date of 30 September 2020 following approval of the Accounts.

As a result of Ernst and Young LLP audit findings, there were two changes to the figures from the unaudited accounts. These changes are in respect of Lothian Pension Fund liability valuations and the PFI liabilities to reflect the most recent indexation. These adjustments to the unaudited accounts did not impact on the 2019/20 revenue out-turn figures as reported to the Council Executive on 23 June 2020.

No actions points have arisen from the audit.

D.2 KEY MESSAGES IN THE ERNST AND YOUNG LLP REPORT

The Auditor intends to issue an unqualified audit opinion on the financial statements and on the nine charitable trusts administered by the council.

As a result of the financial and operational pressures faced by the council in responding to Covid-19, the Auditor placed additional emphasis on management's assessment of going concern and particularly the need to report on the impact of financial pressures on the council's future financial sustainability. The council concluded that there are no material uncertainties around its going concern status and enhanced the disclosures around its future financial position in the financial statements to reflect the impact of Covid-19.

The Auditor has included an emphasis of matter in their audit opinion to draw attention to these disclosures. An emphasis of matter indicates the significant uncertainty which, although properly disclosed in the council's annual accounts, the auditor considers is significant or important enough to mention in their report.

The Annual Governance Statement reflects the requirements of the Delivering Good Governance Framework, and the key changes in governance arrangements that were required as a result of changes to working practices due to Covid-19.

The summary of the key conclusions set out in the Auditor's executive summary in relation to Wider scope and Best Value outcomes from the 2019/20 audit are as follows, all of which have been rated in terms of red / amber / green:

Wider Scope: Financial Sustainability	Amber	<p>The council continues to demonstrate good practice in forward financial planning. All savings required in the medium term financial plan to 2022/23 have been identified.</p> <p>The assessment of amber reflects the challenge facing all local authorities and the significant level of risk and uncertainty outside the council's control which could impact on the delivery of savings, which has been exacerbated by Covid-19.</p>
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Financial Management	Green	The council demonstrates good financial control of the in-year budget, including understanding the impact of Covid-19 in early 2020/21. The Auditor identified no control deficiencies and a robust environment with no identifiable weakening of the financial management arrangements subsequent to the year end.
Governance and Transparency	Green	The key features of good governance at the council are in place and operating effectively The council responded quickly to ensure that governance arrangements were appropriate and operating effectively during the lockdown period caused by the global pandemic.
Value for Money	Green	The council's arrangements for performance monitoring, improvement and self-assessment have continued through the global pandemic. The council has a culture of improvement and a commitment to self- assessment of performance to ensure that services remain focussed on improvement. Council services continue to perform well compared to other councils

D.3 SUMMARY OF 2019/20 REPORT

The main body of the report is divided into the following sections.

- Financial statements audit;
- Wider scope dimension
 - Financial sustainability;
 - Financial management;
 - Governance and transparency;
 - Value for money;
 - Best Value.

D.3.1 Financial Statements Audit

There are no qualifications to the Independent Auditor's Report in relation to the council's Accounts.

There were two audit differences identified in relation to the valuation of Lothian Pension Fund liabilities and the PPP and DBFM Schools indexation of contracts during the audit.

1. The impact of the McCloud Judgement and impact of the Goodwin judgement on the council's LGPS liability valuation (£8.7 million)
2. The impact of updated indexation on the PFI Liabilities (£0.5 million)

The overall impact of the audit differences was to reduce net liabilities as at 31 March 2020 by £8.2 million in the consolidated balance sheet in relation to the adjustments. The differences did not impact on the 2019/20 revenue out-turn figures as reported to the Council Executive on 23 June 2020.

The Auditor has also given an unqualified audit opinion on the 2019/20 financial statements of those charities registered by the council and audited under the provisions of The Charities Accounts (Scotland) Regulations 2006.

D.3.2 Financial Sustainability

The Auditor is required to review the council's medium to long term financial sustainability and assess if the council is planning effectively to continue to deliver its services.

Within their report the Auditor concluded that:

- The council continues to demonstrate good practice in forward financial planning. All savings required in the medium term financial plan to 2022/23 have been identified.
- As in previous years, the amber assessment reflects the ongoing challenge facing all local authorities, the significant level of risk and uncertainty outside the council's control which could impact its ability to deliver savings, and the need for continued member and officer focus in delivering challenging levels of savings. The Auditor comments that these factors have been significantly exacerbated by Covid-19, including a current estimated £4.3 million shortfall in the council's 2020/21 forecast outturn position. Noting that financial pressures of this scale will require ongoing monitoring and reassessment of possible required mitigating actions for the foreseeable future.
- The council continues to implement robust processes, control and governance around financial planning and a strong track record of delivering planned savings to achieve balanced budgets.
- Council's early planning arrangements for its next medium term financial plan (MTFP) have been deferred to 2021 as management focuses on the more immediate impact and actions arising from the impact of Covid-19. The Auditor acknowledges the next MTFP will be prepared under unprecedented circumstances as immediate financial pressures collide with transformational changes to the way of life for service users and the corresponding impact on how the council needs to operate.

The Auditor expresses the view that the council continues to make good progress in longer term financial planning, significant risks and uncertainties, largely outside its control, continue to impact the overall risk profile for financial sustainability. The assessment of amber reflects this ongoing challenge.

D.3.3 Financial Management

The report highlights the operating performance of the council in 2019/20, the reserves and balances held by the council and the investment and performance in relation to the capital budget.

The Auditor's report concludes that the council demonstrated good financial control of the in-year budget and that financial reporting was clear and consistent throughout the year. The importance of good financial control is understood across the council, with no identified control deficiencies and a robust environment with a strong understanding of the council's position. This has been supplemented by additional period three monitoring report in early 2020/21 to gain an early understanding of the impact of Covid-19

The Auditor has identified that the council currently has balances towards the lower end of target reserves in comparison to local authorities across Scotland, but acknowledges that the level should be sufficient to reasonably mitigate the risks around delivery of the council's medium term financial plan, given the council has a track record of delivering savings and addressing budget gaps in year to minimise any requirement to drawn down from uncommitted reserves.

On an annual basis, as part of the budget setting process, management considers if the level of uncommitted reserves remains appropriate and includes recommendations in the budget report for consideration by elected members. Taking account of clear financial planning arrangements, sound financial management and the level of other reserves, the Head of Finance and Property Services believes the level of uncommitted reserves is appropriate. The level of uncommitted reserves will continue to be reviewed as part of the revenue budget setting process and will continue to be subject to a specific recommendation in the annual revenue budget report enabling elected members to decide on this matter on an annual basis.

D.3.4 Governance and Transparency

Governance and transparency are concerned with the effectiveness of scrutiny and governance arrangements, leadership and transparent reporting of financial and performance information. Primarily the Auditor considers this through the Local Code of Corporate Governance, the Audit Committee and its Assurance Statement, assessment of the council's approach to Risk Management, Openness and Transparency and National Fraud Initiative.

Within their report the Auditor has concluded that:

- The key features of good governance at the council are in place and operating effectively, noting that the council acted quickly to ensure governance arrangements were appropriate and operating effectively during the lockdown period caused by the global pandemic.
- The council has arrangements in place to appropriately scrutinise arrangements across its Group, in particular where financial support is being provided to entities in financial difficulty.
- Throughout 2019/20 the council has continued to monitor potential scenarios of EU withdrawal and the possible impact on the council through its Brexit Working Group, established in 2018. The Auditor notes the council continues to liaise with the Scottish Resilience Partnership and community planning partners.

The Auditor states he is satisfied that the council is demonstrating the required level of scrutiny and governance over entities within the council's group, including demonstrating rigour around the use of public funds for private bodies.

D.3.5 Value for Money

The Auditor concludes that the council's arrangements for performance monitoring, improvement and self-assessment have continued through the global pandemic and that the council has a culture of improvement and a commitment to self-assessment of its performance to ensure that services remain focussed on improvement.

The Auditor notes that the council services continue to perform well compared to other councils.

D.3.6 Best Value

The Auditor states he has drawn upon his wider scope and other work to conclude on the council's approach to Best Value and notes through work undertaken in the year that the council has a number of key characteristics of Best Value in place, including effective performance monitoring and robust governance arrangements.

In light of the council's focus on responding to and recovery from the pandemic that he has deferred some of the Best Value work until 2020/21.

E. CONCLUSION

The Auditor has provided an unqualified opinion on the council's financial statements for 2019/20 and has made no recommendations for action following the audit and I would like to place on record my thanks to everyone involved.

In conclusion, this is the fourth year that the audit has been carried out by Ernst and Young LLP for West Lothian Council. Following debrief in January 2020 with Ernst and Young and the council's finance team, we constructively reviewed the previous year's audit process to support efficiencies in the current year of audit.

Ernst and Young continue to advance key elements of audit testing to earlier in the year, to reduce the burden of the audit on the finance and audit team over the summer period. The council utilises Ernst and Young software to streamline the data transfer process and facilitate online queries and reporting.

Despite the unprecedented circumstances of the lockdown and home working resulting from the global pandemic, both council officers and auditors have worked together professionally and constructively to ensure timely preparation of the accounts. The council will continue to review the experience each year to identify areas of learning and improvement for future years.

F. BACKGROUND REFERENCES

2019/20 Audited Annual Accounts for West Lothian Council
Ernst and Young LLP - 2019/20 Annual Audit Report to Members and the Controller of Audit

Appendices/Attachments: Ernst and Young LLP – 2019/20 Annual Audit Report to Members and the Controller of Audit

Contact Person: Donald.forrest@westlothian.gov.uk - Tel No. 01506 281294

Donald Forrest
Head of Finance and Property Services
29 September 2020

West Lothian Council

**Annual Audit Report to Members
and the Controller of Audit - year
ended 31 March 2020**

29 September 2020



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About this report

This report has been prepared in accordance with Terms of Appointment Letter from Audit Scotland dated 31 May 2016 through which the Accounts Commission has appointed us as external auditor of West Lothian Council (the Council) for financial years 2016/17 to 2021/22. We undertake our audit in accordance with the Local Government (Scotland) Act 1973 and our responsibilities as set out within Audit Scotland's Code of Audit Practice. This report is for the benefit of the Council and is made available to the Accounts Commission, the Controller of Audit and Audit Scotland. This report has not been designed to be of benefit to anyone except the recipients. In preparing this report we have not taken into account the interests, needs or circumstances of anyone apart from the recipients, even though we may have been aware that others might read this report.

Any party other than the Recipients that obtains access to this report or a copy (under the Freedom of Information Act 2000, the Freedom of Information (Scotland) Act 2002, through a Recipient's Publication Scheme or otherwise) and chooses to rely on this report (or any part of it) does so at its own risk. To the fullest extent permitted by law, Ernst & Young LLP does not assume any responsibility and will not accept any liability in respect of this report to any party other than the Recipients

Complaints

If at any time you would like to discuss with us how our service to you could be improved, or if you are dissatisfied with the service you are receiving, you may take the issue up with Stephen Reid who is our partner responsible for services under appointment by Audit Scotland, telephone 0131 777 2839, email sreid2@uk.ey.com. If you prefer an alternative route, please contact Hywell Ball, our Managing Partner, 1 More London Place, London SE1 2AF. We undertake to look into any complaint carefully and promptly and to do all we can to explain the position to you. Should you remain dissatisfied with any aspect of our service, or with how your complaint has been handled, you can refer the matter to Diane McGiffen, Audit Scotland, 4th Floor, 102 West Port, Edinburgh, EH3 9DN. Alternatively you may of course take matters up with our professional institute. We can provide further information on how you may contact our professional institute.

Executive Summary: Key Conclusions from our 2019/20 audit

We intend to issue an unqualified audit opinion on the Council and Group 2019/20 financial statements.

We have continued to update our risk assessment in response to the global pandemic, and as a result placed additional focus on:

- the adequacy of the Council's disclosures in relation to the pandemic; and
- management's assessment of going concern and the financial impact of Covid-19 on its future financial position.

Financial Statements

We have concluded our audit of the Council's financial statements for the year ended 31 March 2020. Two adjustments were required to be made and there are no unadjusted differences that we are required to communicate. The draft financial statements and supporting working papers were provided in time and were of a good quality, in line with previous years. We worked with management to update and make enhancements to the Management Commentary, Annual Governance Statement and notes to the financial statements, in particular to reflect the implications of the Covid-19 global pandemic on the financial statements, the Council's governance arrangements and future plans.

We concluded that the other information subject to audit, including the applicable parts of the Remuneration Report and the Annual Governance Statement were appropriate. We were satisfied that the Annual Governance Statement reflects the requirements of the *Delivering Good Governance Framework*, and the key changes in governance arrangements that were required as a result of changes to working practices due to Covid-19.

Going Concern

Management is required to conclude on the going concern basis of preparation of the financial statements. As a result of the financial and operational pressures faced by the Council to respond to Covid-19, we placed additional emphasis on management's assessment of going concern, and particularly the need to report on the impact of financial pressures on the Council and its future financial sustainability.

The Council has concluded that there are no material uncertainties around its going concern status, however it has enhanced the disclosures around its future financial position in the financial statements to reflect the impact of Covid-19. We have included an emphasis of matter in our audit opinion to draw the readers' attention to these disclosures. Our audit opinion is not modified in respect of going concern.

Wider Scope and Best Value

We summarise the conclusions we reached in response to our work on the wider scope dimensions below.

Our wider scope audit work, and the judgements and conclusions reached in these areas, contribute to our overall assessment and assurance on the Council's achievement of Best Value. Our work will continue to focus on specific aspects of Best Value over our audit appointment period to ensure we cover all required areas.

In light of the Council's focus on responding to and recovery from the pandemic, we have agreed to defer some of our initially planned work in this area until 2020/21.

<p>Financial Sustainability</p> <p>The Council continues to demonstrate good practice in forward financial planning. All savings required in the medium term financial plan to 2022/23 have been identified.</p> <p>As in previous years, our assessment of amber reflects the ongoing challenge facing all local authorities, the significant level of risk and uncertainty outside the Council's control which could impact its ability to deliver savings, which has been significantly exacerbated by Covid-19, including a currently estimated £4.3 million shortfall in the Council's 2021 budget forecast.</p> <p>AMBER</p>	<p>Governance and Transparency</p> <p>The key features of good governance are in place and operating effectively. The Council responded quickly to ensure that governance arrangements were appropriate and operating effectively during the lockdown period caused by the global pandemic.</p> <p>The Council has arrangements in place to appropriately scrutinise activities across its Group, in particular where financial support is being provided to entities in financial difficulty.</p> <p>GREEN</p>
<p>Financial Management</p> <p>The Council continues to demonstrate good financial control of the in-year budget, including understanding the impact of Covid-19 in early 2020/21.</p> <p>Our interactions with the finance team through the year identified no material financial control deficiencies and a robust environment. We did not identify any weakening of the financial management arrangements subsequent to the yearend.</p> <p>GREEN</p>	<p>Value for Money</p> <p>The Council's arrangements for performance monitoring, improvement and self-assessment have continued through the global pandemic. The Council has a culture of improvement and a commitment to self-assessment of its performance to ensure that services remain focussed on improvement.</p> <p>Council services continue to perform well compared to other councils.</p> <p>GREEN</p>

Introduction

As a result of the impact of Covid-19, Audit Scotland and the Accounts Commission agreed to extend our appointment as external auditor of the Council by at least 12 months, to 2021/22.

Purpose of this report

In accordance with the Local Government (Scotland) Act 1973, the Accounts Commission appointed EY as the external auditor of West Lothian Council ("the Council"). Our appointment term has been extended by a further 12 months, to financial year 2021/22. We undertake our audit in accordance with the Code of Audit Practice (the Code), issued by Audit Scotland in May 2016; Auditing Standards and guidance issued by the Financial Reporting Council; relevant legislation; and other guidance issued by Audit Scotland.

This Annual Audit Report is designed to summarise the key findings and conclusions from our audit work. It is addressed to both members of the Council and the Controller of Audit, and presented to those charged with governance. This report is provided to Audit Scotland and will be published on their website.

We draw your attention to the fact that our audit was not designed to identify all matters that may be relevant to the Council. Our views on internal control and governance arrangements have been based solely on the audit procedures performed in respect of the audit of the financial statements and the other procedures performed in fulfilling our Annual Audit Plan.

A key objective of our audit reporting is to add value by supporting the improvement of the use of public money. We aim to achieve this through sharing our insights from our audit work, our observations around where the Council employs best practice and where practices can be improved. We use these insights to form our audit recommendations to support the Council in improving its practices around financial management and control, as well as around key aspects of the wider scope dimensions of audit. Such areas we have identified are highlighted throughout this report together with our judgements and conclusions regarding arrangements, and where relevant recommendations and actions agreed with management. We also report on the progress made by management in implementing previously agreed recommendations.

Our independence

We confirm that we have undertaken client and engagement continuance procedures, which include our assessment of our continuing independence to act as your external auditor.

Scope and Responsibilities

The Code sets out the responsibilities of both the Council and the auditor (summarised in Appendix A). We outlined these in our Annual Audit Plan, which was presented to the Council's Audit Committee on 22 June 2020.

The ongoing disruption to the delivery of health and social care as a result of the Covid-19 has a pervasive impact upon the financial statements.

The financial statements have been updated to reflect the impact of Covid-19 on the Council's financial position and performance.

The impact of the Covid-19 Pandemic

We conducted our planning in accordance with Audit Scotland's Code of Audit Practice in February 2020, and were due to present our Annual Audit Plan to the Council's audit committee in March 2020, before its cancellation as a result of the declaration of the global Covid-19 pandemic and the resulting lockdown arrangements. We supplemented our Annual Audit Plan, presented to the Audit Committee in June 2020, with an addendum outlining the main anticipated areas of impact on the audit following our reassessment of all audit planning and risk assessments.

The impact occurred late in the financial year, and as a result there were minimal changes in the anticipated financial results for 2019/20. There were no material additional transaction streams before 31 March 2020 which required new accounting policies or treatments.

Our Annual Audit Report - addendum summarised the key changes to our audit risk assessment, mainly being the increased risk around the valuation of property, plant and equipment and our subsequent classification of this as a significant risk to the financial statements. We also outlined a number of areas of the financial statements impacted by Covid-19, including:

- **Management Commentary**
The Scottish Government revised some of the content requirements of the management commentary to ensure that it can be streamlined to focus on the headline financial results for the year, financial position and risks. There is an expectation that future risks will include those arising from Covid-19.
- **Governance Statement**
The Governance Statement requirement to capture how the control environment has changed during the period and what steps were taken to maintain a robust control environment during the disruption. This required to include how key governance functions continued to operate, such as key committee meetings and the delivery of internal audit's programme of work.
- **Accounting estimates and judgements**
Additional disclosures required throughout the financial statements to reflect the additional risks facing the Council and how these have impacted the key judgements and estimates made in preparation of the financial statements.
- **Events after the balance sheet date**
Significant events after the balance sheet date require to be disclosed within the financial statements.

Adaption to remote working

As we outlined in the Annual Audit Plan addendum, shared with the audit committee in June 2020, our audit fieldwork was completed remotely as a result of the Scottish Government’s lockdown restrictions. The key impacts included:

- In some areas of the audit additional work was required to assess the format of evidence provided and, where necessary, supplementary procedures were performed to validate the authenticity of evidence.
- All contact with the Chief Finance Officer and Council finance team was conducted via virtual meetings, with screen sharing as required. The majority of audit information required was already established for electronic sharing through existing arrangements.

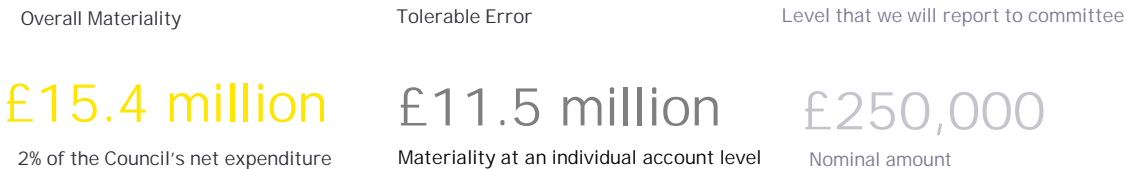
Both the audit team and Council finance team worked in conjunction to ensure the additional impact of these working arrangements were minimised as far as possible. We would take this opportunity to thank the full team for their co-operation and support throughout this period.

Our review and reassessment of materiality

We remain satisfied that the values reported to you in our Annual Audit Plan for planning materiality, performance materiality and our audit threshold for reporting differences remain appropriate.

Our Annual Audit Plan explained that our audit procedures would be performed using a materiality of £15.4 million. We considered whether any change to our materiality was required in light of Covid-19 and we remained satisfied that the materiality values reported within our Annual Audit Plan were appropriate.

Our evaluation requires professional judgement and so takes into account qualitative as well as quantitative considerations. Factors which we consider include the perspectives and expectations of users of the financial statements as well as our risk assessment as to the likelihood of material misstatements arising in the financial statements.



As outlined in our Annual Audit Plan, based on considerations around the expectations of financial statement users and qualitative factors, we apply lower materiality levels to the audit of the Remuneration Report and Related Party Transactions.

Financial statement audit

We are responsible for conducting an audit of the Council's financial statements. We provide an opinion as to:

- whether they give a true and fair view of the financial position of the Council as at 31 March 2020 and its expenditure and income for the year then ended; and
- whether they have been properly prepared in accordance with the Local Government (Scotland) Act 1973 and the 2018/19 Code of Practice on Local Authority Accounting in the United Kingdom.

We also review and report on the consistency of the other information prepared and published along with the financial statements. Our findings are summarised in Section 2 of this report.

Wider Scope audit

Our responsibilities extend beyond the audit of the financial statements. The Code requires auditors to provide judgements and conclusions on the four dimensions of wider scope public audit:

- Financial management;
- Financial sustainability;
- Governance and transparency; and
- Value for money.

Our findings are summarised in Section 3 of this report.

Best Value

Our wider scope audit work, and the judgements and conclusions reached in these areas, contribute to our overall assessment and assurance on the Council's achievement of Best Value. We outline our findings and assessment for 2020/21 on page 35.

In light of the Council's focus on responding to and recovery from the pandemic, we have agreed to defer some of our work in this area until 2020/21. This supports our focus on the audit of the financial statements and most immediately impacted aspects of the wider scope audit in 2019/20.

Financial Statements audit

Introduction

The annual financial statements provide the Council with an opportunity to demonstrate accountability for the resources that it has the power to direct, and report on its overall performance in the application of those resources during the year.

This section of our report summarises the audit work undertaken to support our audit opinion, including our conclusions in response to the significant and other risks identified in our Annual Audit Plan.

The plan highlighted one area that we identified as a fraud risk relating to the risk of fraud in revenue and expenditure recognition, including through management override of controls. This assessment was not changed as a result of the impact of Covid-19.

Compliance with Regulation

The Regulations were amended to allow the Council to delay preparation of the financial statements.

The draft financial statements were submitted for audit in line with planned timescales. The inspection notice was published in accordance with requirements.

The Local Authority Accounts (Scotland) Regulations 2014 set out the statutory requirements on the Council to prepare financial statements, ensure their availability for public inspection and consideration by the Council or a committee with an audit or governance remit. Despite the pandemic, the Council complied with the regulations and the normal timescale concerning preparation, publication and approval of its annual accounts. We received the unaudited financial statements on 25 June 2020, in line with planned timescales.

The inspection notice was published by the Council on 11 June 2020, in line with the requirements of the Regulations. No objections were received in relation to the financial statements.

Preparation of the Financial Statements

As we outline on page 6, the main areas of the financial statements impacted by disclosure requirements related to Covid-19. Otherwise the format of the unaudited financial statements remained materially consistent with the prior year, the main adjustments reflecting the impact of Covid-19 and the related utilisation of Scottish Government revised requirements for disclosures, in particular in the Management Commentary.

The unaudited financial statements prepared by management were to a good standard and were materially compliant with the Code and required disclosures. As part of the audit process, we worked with management and the finance team to make amendments and enhancements to the presentation. Compared to previous years there were more extensive changes made to the financial statements before their finalisation. This reflects the continuing change to circumstances driving disclosure, such as developing risks and arrangements around Covid-19, additional information becoming available in respect of the valuation of key judgements and estimates in the financial statements, and agreement between management and the audit team on key disclosure requirements around areas of specific focus in 2019/20.

The financial statements continue to be prepared with a robust internal process, including quality assurance checks prior to being submitted for audit.

Group financial statements

The Council has identified and accounted for the following interests in other entities within its group financial statements:

- West Lothian Leisure;
- West Lothian Recycling Ltd;
- Lothian Valuation Joint Board; and
- West Lothian Integration Joint Board.

No matters were identified as a result of our review of the group consolidation arrangements within the financial statements. West Lothian Integration Joint Board is the only entity in scope for our group audit arrangements. All required audit work was provided by the IJB audit team to the Council audit team in line with timeframes agreed and with no exceptions or reportable matters noted.

Audit outcomes

We identified no unadjusted audit differences arising from the audit. Three adjustments were processed as part of the audit, all relating to updates to the Local Government Pension Scheme net liability valuation following updated information being made available after the unaudited financial statements were published. These are outlined in Appendix E.

Our overall audit opinion is summarised on the following page.

Our audit opinion

Element of opinion

Basis of our opinion

Conclusions

Financial statements

- Truth and fairness of the state of affairs of the Council at 31 March 2020 and its expenditure and income for the year then ended
- Financial statements in accordance with the relevant financial reporting framework

We report on the outcomes of our audit procedures to respond to our assessed risk of misstatements, including significant risks within this section of our report. We did not identify any areas of material misstatement.

We are satisfied that accounting policies are appropriate and estimates are reasonable

We have considered the financial statements against Code requirements, and additional guidance issued by CIPFA and Audit Scotland.

We intend to issue an unqualified audit opinion on the 2019/20 financial statements for:

- The Council and its Group; and
- the Trust Funds.

Going concern

- We are required to conclude and report on the appropriateness of the use of the going concern basis of accounting

We conduct core financial statements audit work, including management's assessment of the appropriateness of the going concern basis

Wider scope procedures including the forecasts are considered as part of our work on financial sustainability.

In accordance with the work reported on page 17, our audit opinion is unqualified in this respect.

Other information

- We are required to consider whether the other information in the financial statements is materially inconsistent with other knowledge obtained during the audit

We conduct a range of substantive procedures on the financial statements.

Our conclusion draws upon review of committee minutes and papers, regular discussions with management, our understanding of the Council and the sector and our participation in the Local Area Network with other scrutiny bodies.

We are satisfied that the other information in the accounts meets the core requirements set out in the Code of Practice on Local Authority Accounting.

Matters prescribed by the Accounts Commission

- Audited part of Remuneration Report has been properly prepared.
- Management Commentary / Annual Governance Statement are consistent with the financial statements and have been properly prepared.

Our procedures include:

- Agreeing the format of the reports to regulations and agreeing the disclosures to underlying accounting records, including to the underlying partner's accounting records.
- Reviewing the content of narrative disclosures to information known to us.
- Our assessment of the Annual Governance Statement against the *Delivering Good Governance* Code.

We intend to issue an unqualified opinion.

Matters on which we are required to report by exception

We are required to report on whether:

- there has been a failure to achieve a prescribed financial objective,
- adequate accounting records have been kept,
- financial statements and the audited part of the Remuneration Report are not in agreement with the accounting records, or
- we have not received the information we require.

We have no matters to report.

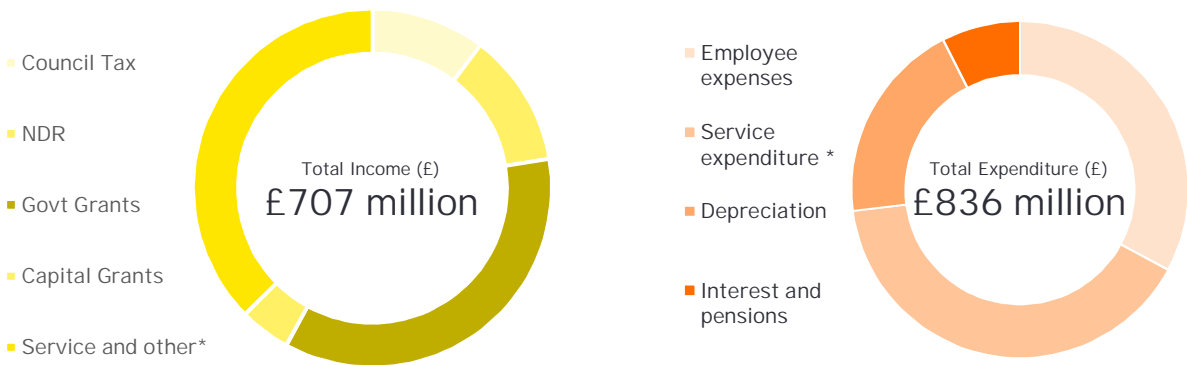
Significant and fraud audit risks

Risk of Fraud in income and expenditure recognition

As we outlined in our Annual Audit Plan, ISA (UK) 240 requires us to assume that fraud risk from income recognition is a significant risk. In the public sector, we extend our consideration to the risk of material misstatement by manipulation of expenditure.

In our audit planning, we rebutted the risk of improper recognition of core grant funding income from the Scottish Government, as well as in respect of council tax and non-domestic rate income because there is no judgement in respect of these income streams. We also rebut the risk around payroll expenditure recognition. We have outlined below how our assessment impacts our testing strategy on the Council's financial statements.

Exhibit 1: Key components of the Council's income and expenditure



Source: 2018/19 Financial Statements: Comprehensive Income and Expenditure Statement

We undertake specific, additional procedures for income and expenditure streams where we identified a fraud risk. For 2019/20 our work included:

- Review and challenge management's accounting estimates on revenue or expenditure recognition for evidence of bias.
- Review transaction listings for individually material transactions as well as unusual items to agree to supporting documentation and third party evidence. Test a representative sample of transactions across the remaining income and expenditure population to ensure coverage of testing across all balances.
- Review and test revenue recognised around the financial yearend through manual journals and credit notes raised after yearend.
- Search for material payments and receipts received after year end and ensured these had been accounted for in the correct period.
- Review of additional revenue streams and cut off testing for additional income received as a result of the Covid-19 pandemic.

Our Audit of Other Income and Expenditure

We undertook walkthroughs in respect of the processes management has established to account for material income and expenditure streams. We obtained data downloads from the Council's financial ledger to allow us to trace key transactions from initiation to recording in the financial statements.

Other audit procedures: non-significant risk areas:

Our audit work on other non-significant accounts identified no audit misstatements. We did not identify any areas of significant estimation or judgement as part of our audit work in these areas.

Council tax income: We established detailed expectations of income based on properties and rates and compared to actual income in the year. We audited the reconciliation between the financial statements and the relevant feeder system.

Non Domestic Rates: We established expectations of income to be collected by the billing authority and agreed the reconciliation between the general ledger and the feeder system. We also audit the Council's NDR grant return to the Scottish Government to ensure that reliefs have been applied appropriately.

Non ring-fenced grant income: We substantively tested these balances to grant confirmation letters from third parties.

Interest income: We agreed balances to bank statements and other third party reports.

Employee expenses: We establish expectations of payroll costs in the year based on staff numbers and salary movements, and compared our expectations to actual results and investigated variances. Our bespoke data analysers provided analysis of all payroll transactions in the year, from which we investigated and corroborated material and unusual transactions.

Depreciation, amortisation & impairment: We undertook testing of these balances in conjunction with our work on property, plant and equipment. We considered the appropriateness of useful lives of assets and recalculated depreciation charged in the year.

Pension costs: We have outlined our consideration of the valuation of pension assets and liabilities held by the Council on page 16. In respect of all pension transactions impacting the CIES we have agreed these journals to the underlying IAS 19 report prepared by the Council's actuary.

Risk of Misstatement due to Fraud or Error

Our Annual Audit Plan recognised that under ISA (UK) 240, management is considered to be in a unique position to perpetrate fraud in financial reporting because of its ability to manipulate accounting records directly or indirectly by overriding controls that otherwise appear to be operating effectively. We respond to this risk on every engagement.

Risk of Fraud

We considered the risk of fraud, enquired with management about their assessment of the risks of fraud and the controls to address those risks. We also updated and developed our understanding of the oversight of those charged with governance over management's processes over fraud.

Testing on Journal Entries

We tested the appropriateness of manual journal entries recorded in the general ledger and other adjustments made in the preparation of the financial statements.

We obtained a full list of journals posted to the general ledger during the year, and used our bespoke data analysers to identify any unusual journal types or amounts based on our identified risk areas for the audit. We evaluated the business rationale for any significant unusual transactions.

In particular, we reviewed property, plant and equipment expenditure to ensure it fulfils the accounting requirements to be capitalised. We also tested Housing Revenue Account expenditure to ensure funds were not being used to meet General Fund expenditure.

Judgements and Estimates

Management disclose their assessment of the critical accounting judgements and key estimates in the financial statements. We reviewed each significant accounting estimate for evidence of management bias, including retrospective consideration of management's prior year estimates.

We identified and considered the appropriateness of key accounting estimates, including provisions, and their susceptibility to bias.

Accounting Policies

We considered the consistency and application of accounting policies, and the overall presentation of financial information. We consider the accounting policies adopted by the Council to be appropriate. There were no significant accounting practices which materially depart from what is acceptable under IFRS or the Code.

Our conclusions

- Our testing has not identified any material misstatements relating to revenue and expenditure recognition. We did not identify any areas of significant estimation or judgement as part of our audit work in these areas where we disagreed with management over the accounting treatment.
- We have not identified any material weaknesses in the design and implementation of controls around journal processing. We did not identify any instances of evidence of management override of controls.
- There was no disagreement during the course of the audit over any accounting treatment or disclosure and we encountered no significant difficulties in the audit.

Valuation of Property, Plant and Equipment and related PPP / PFI contracts

The Council's property, plant and equipment (PPE) portfolio totals over £1.6bn of assets. The valuation of these assets requires expertise and judgement. In our Annual Audit Plan - addendum we reported that the Royal Institute of Chartered Surveyors (RICS) issued guidance highlighting that the uncertain impact of Covid-19 on markets may cause valuers to conclude that there is a material uncertainty in the valuation of assets at 31 March 2020.

As a result we increased our risk assessment around the valuation of property, plant and equipment from inherent to significant. To address the increased risk, we used our internal specialists to examine the work performed by Council valuers, including the assessment of assets not subject to valuation in 2019/20.

Our work focused on the following key areas of judgement:

- Considered the work performed by the Council's valuers, including the adequacy of the scope of the work performed, their professional capabilities and the results of their work.
- Sample tested key asset information used by the valuers in performing their valuation (e.g. floor plans to support valuations based on price per square metre).
- Reviewed management's assessment of assets not subject to valuation in 2019/20 to confirm that no indicators that earlier revaluation was required to prevent material misstatement of each class of asset.

The Council holds PFI liabilities and assets amounting to £150 million. For all existing PFI schemes we reviewed the existing contracts and inquired with management outside the finance team to ensure there were no material changes to the arrangements that should be accounted for. We tested the accounting entries made in the year to supporting schedules and contracts.

Our conclusions

- We have not identified any material weaknesses in the valuation process or judgements used by the Council's valuer in the assets re-valued in 2019/20. No audit adjustments were identified through the course of our work by our specialist valuers.
- As anticipated, the valuations completed in 2019/20 were subject to material uncertainties in line with RICS guidance. While this does not mean the valuation cannot be relied upon, the Council has included the uncertainty in its disclosures around key estimates and judgements in the financial statements. We are satisfied that the disclosures made in the financial statements are appropriate and sufficient to explain the uncertainty to the reader of the financial statements.
- We concluded that management has undertaken sufficient procedures to identify any assets which should be revalued before their cycle valuation date.

Valuation of pension liabilities

The Council's net pension liability, measured as the sum of the present value of the long term payments due to members as they retire against the Council's share of the Lothian Pension Fund investments, is a material balance in the Council financial statements. At 31 March 2020 the net liability totalled £234 million.

Accounting for this scheme involves significant estimation and judgement and therefore management engages an actuary to undertake the calculations on their behalf. The information disclosed is based on the IAS 19 report issued to the Council by the actuary. ISAs (UK and Ireland) 500 and 540 require us to undertake procedures on the use of management experts and the assumptions underlying fair value estimates. We highlighted in our Audit Plan Report - addendum the increased likelihood of significant movements in both the valuations of the pension assets and liabilities due to the impact of Covid-19 on investment assets and actuarial assumptions.

Our audit work focused on the following areas of judgement within these balances:

- The reasonableness of the underlying assumptions used by the Council's actuary, including those associated with recent developments in relation to the equalisation case judgements known as the McCloud and Goodwin rulings.
- Ensuring the information supplied to the actuary in relation to the Council was complete and accurate and that the accounting entries and disclosures made in the financial statements were consistent with the actuary's report.
- The findings of the appointed auditor of the Lothian Pension Fund to obtain assurances over the information supplied to the actuary in relation to the Council, in particular in relation to the valuation of the Pension Fund assets at 31 March 2020.

Our conclusions

- The assumptions used by the actuary have been reviewed by both PWC, through its nationally contracted role to consider the outputs of actuaries provided to local government bodies, and our EY actuarial team who have both concluded that the assumptions and methodology used are considered to be appropriate.
- We have assessed the approach taken by the actuaries to account for the estimated impact of the recent consultation around the McCloud judgement and Goodwin ruling. Due to the timing of information provided these were not accounted for in the unaudited financial statements and, as such, have been included in the schedule of adjusted differences at Appendix E.
- The auditor of the Lothian Pension Fund reported no material differences in the valuation of assets held by the Fund. However, it reported a material uncertainty in relation to the valuation of complex investments at 31 March 2020, specifically investment properties. As a result the Council has reported the same uncertainty in its own financial statements for its share of the Fund's assets.

National loans fund accounting

Guidance provided in 2018/19 by Audit Scotland set out the accounting practices for administering a loans fund based on changes to legislation. This was subsequently clarified following challenge by a number of local authority bodies to reflect legal guidance which clarifies that pre-2016 advances may be repaid under the same revised prudent approach as advances made from 1 April 2016.

In our 2018/19 Annual Audit Report we reported that no changes to the loans fund repayments for pre-2016 loans were made in the year but that the Council planned to do so going forward. A reprofiling was subsequently approved by the Council in September 2019 to take effect from 2019/20.

As part of our 2018/19 financial statements audit we discussed the requirements for adjustments to repayments with management and the requirement that they comply with the Prudential Code and other statutory guidance. As part of our 2019/20 audit we:

- Reviewed the paper provided by management outlining the changes and its assessment of compliance with all statutory requirements.
- Agreed the underlying accounting transactions to the paper to ensure they reflect the principle under which the repayments have been approved.

Our conclusions

- We agreed the financial statement transactions posted in the financial year in relation to Loans Fund accounting to the proposed approach presented by management and approved by the Council in September 2019.
- We confirmed that the proposed reprofiling met the established requirements of the Prudential Code for local government as a prudent repayment of borrowing.

Going concern

The rationale for going concern remains the same, but we placed increased focus on management's assertion of going concern and disclosures relating to financial sustainability as a result of the uncertainty and unprecedented budget pressures caused by Covid-19.

Our audit opinion will include an emphasis of matter to draw attention to the Council's disclosures in relation to the impact of Covid-19 on its future financial position.

International Auditing Standard 570 Going Concern, as applied by Practice Note 10: *Audit of financial statements of public sector bodies in the United Kingdom*, requires auditors to undertake sufficient and appropriate audit procedures to consider whether there is a material uncertainty on going concern that requires reporting by management within the financial statements, and within the auditor's report.

We are required to review and challenge management's assessment of going concern, including testing of the adequacy of the supporting evidence and the appropriateness of related disclosures. In light of the unprecedented nature of Covid-19, its impact on the funding of public sector entities and uncertainty over the form and extent of government support, we placed increased focus on management's assertion regarding the going concern basis of preparation in the financial statements, and particularly the need to report on the impact of financial pressures on the Council and Group, and its financial sustainability.

Management's going concern assessment reported that:

- In accordance with the CIPFA Code of Local Government Accounting, the Council shall prepare its financial statements on a going concern basis unless informed by the relevant national body of the intention for dissolution without transfer of services or function to another entity.
- The Council has significant access to cash to support the cost of delivering services, with balances more than sufficient to cover a plausible downturn in Council income from variable sources.
- Management noted the Council had £2.9 million in its general reserve, above the £2 million minimum required by its reserves policy. The Council also had other useable reserves in committed funds which could be reallocated as necessary. Additionally, management was continuing to review other mitigating actions to address the forecast budget deficit in 2020/21.

On this basis the Council concluded that there are no material uncertainties around its going concern status.

Our conclusions

- We reviewed and challenged the going concern assessment provided by management. We verified the assessment to supporting information, including key Council reports and finance treasury management forecasts of future cash balances. We concur with management's assessment that there are no material uncertainties in relation to the going concern of the Council, or of the wider Group where they are material to the consolidated financial statements.
- We worked with management to enhance the disclosures in the financial statements in relation to the impact of Covid-19 on the Council's future financial performance.
- Given the significance of the impact of Covid-19 to the Council both in 2019/20 and going forward, we included an emphasis of matter in our audit opinion to draw the reader's attention to the relevant disclosures. Our opinion is not modified in this respect.

Looking ahead

The implementation of IFRS 16 has been delayed until 1 April 2022 following the impact of Covid-19 on local government and to ensure other areas of financial management are prioritised.

Prior to this management had demonstrated progress in undertaking work to understand and disclose the impact of the change on the Council's financial statements.

IFRS 16 – Leases and Other changes

IFRS 16 Leases was issued by the IASB in 2016. Its main impact is to remove (for lessees) the traditional distinction between finance leases and operating leases. Finance leases have effectively been accounted for as acquisitions (with the asset on the balance sheet, together with a liability to pay for the asset acquired). In contrast, operating leases have been treated as “pay as you go” arrangements, with rentals expensed in the year they are paid. IFRS 16 requires all substantial leases to be accounted for using the acquisition approach, recognising the rights acquired to use an asset.

As we outlined in our 2019/20 Annual Audit Plan, implementation of IFRS 16 was due to be included in the Code of Practice on Local Authority Accounting in the United Kingdom (the Code) for 2020/21 and work was therefore necessary to prepare information required to enable the Council to fully assess their leasing position and ensure compliance with the standard from 1 April 2020.

As part of the consideration of the impact of Covid-19 on local government, CIPFA confirmed the implementation of the standard was to be delayed to 1 April 2021.

As outlined in our 2019 Annual Audit Report, full compliance with the revised standard is likely to require a detailed review of existing lease and other contract documentation prior to the implementation date in order to identify:

- all leases which need to be accounted for;
- the costs and lease term which apply to the lease; and
- the value of the asset and liability to be recognised as at 1 April
- where a lease has previously been accounted for as an operating lease.

Before the delay in implementation was confirmed we discussed progress made in preparing for the implementation of *IFRS 16 Leases* standard with the finance team over the course of our 2019/20 audit and were satisfied robust arrangements were being established to assess the impact of the changes for inclusion in the financial statements.

We will continue to assess the Council's progress, including the results of its impact assessment, including the accuracy and completeness of disclosures required in the 2020/21 financial statements.

CIPFA/LAASAC Code for 2020/21

Changes have been made to the CIPFA/LAASAC Code on local authority accounting in the United Kingdom for 2020/21. These changes include:

We will continue to work with management to proactively agree any material changes to financial statement accounting and related disclosures following amendments to the underlying CIPFA code.

- Implementation and emphasis of IFRS amendments relating to the application of materiality, and the requirement to avoid obscuring material information;
- Implementation of Amendments to IAS 19 – Plan Amendment, Curtailment or Settlement; with guidance on initial proxy assessment of quantitative materiality;
- Reflection of legislative amendments for England, Wales and Scotland;
- Amendments to reporting by pension funds to align with presentation practices under the Pensions SORP; and
- Amendments relating to financial instruments.

The 2020/21 Code also includes agreed reporting text for the implementation of the deferred *IFRS 16 Leases* standard. This appendix will apply from 1 April 2021 and it will allow local authority financial statement preparers to make effective preparations for the implementation of the standard in the 2021/22 financial year.

It is important that management performs its own assessment of the impact in advance of preparation of the 2020/21 financial statements.

Best Value and Wider Scope dimensions

Our wider scope audit work, and the judgements and conclusions reached in these areas, contribute to the overall assessment and assurance on the achievement of Best Value.

Introduction

We are required to reach conclusions in relation to the effectiveness and appropriateness of the Council's arrangements for the four wider scope audit dimensions. We also draw upon these assessments and other work to form conclusions on the Council's ability to demonstrate Best Value in its activities. In undertaking our work in respect of the wider scope audit dimensions, we also integrate our assessment of the Accounts Commission's five Strategic Audit Priorities.

In doing so, we draw upon conclusions expressed by the Council's internal auditors, and the other scrutiny bodies that we work with on the Local Area Network including Education Scotland and the Care Inspectorate. We also consider national reports and guidance from regulators and Audit Scotland. As the appointed auditor, we are the LAN Lead. The LAN has determined, in agreement with the Council, that no separate scrutiny plan has been necessary since the 2019/20 plan published in September 2019.

We particularly considered if any action was required subsequent to the development of Covid-19. LAN members agreed it was most appropriate to continue to hold the next LAN meeting in line with the usual cycle. This would allow for fuller consideration of the impact on the Council.

For each of the dimensions, we have applied a RAG rating, which represents our assessment on the adequacy of the Council's arrangements throughout the year, as well as the overall pace of improvement and future risk associated with each dimension.

The wider scope dimensions

Financial Sustainability: Considers the medium and longer term outlook to determine if planning is effective to support service delivery. This will focus on the arrangements to develop viable and sustainable financial plans.

Financial Management: Considers the effectiveness of financial management arrangements, including whether there is sufficient financial capacity and resources, sound budgetary processes and whether the control environment and internal controls are operating effectively.

Governance and Transparency: Is concerned with the effectiveness of scrutiny and governance arrangements, leadership and decision making, and transparent reporting of financial and performance information.

Value for Money: Considers whether value for money can be demonstrated in the use of resources. This includes the extent to which there is an alignment between spend, outputs and outcomes delivered and that there is a clear focus on improvement.

Financial Sustainability

The Council continues to demonstrate good practice in forward financial planning. All savings required in the medium term financial plan to 2022/23 have been identified. The Council's early planning arrangements for its next medium term financial plan have been deferred to 2021/22 as management focuses on the more immediate impact and actions arising from the impact of Covid-19.

As in previous years, our assessment of amber reflects the ongoing challenge facing all local authorities, the significant level of risk and uncertainty outside the Council's control which could impact its ability to deliver savings, and the need for continued member and officer focus in delivering challenging levels of savings. These factors have been significantly exacerbated by Covid-19, including a currently estimated £4.3 million shortfall in the Council's 2021 budget forecast. Financial pressures of this scale will require ongoing monitoring and reassessment of possible required mitigating actions for the foreseeable future.

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Medium Term Financial Planning

The Council's Medium Term Financial Plan currently runs through to 2022/23, in line with its Corporate Plan approved in 2018. The most recent Council budget approval, in February 2020 and prior to the impact of Covid-19 on the Council's financial performance, identified a £31.7 million revenue budget gap over the three years from 2020/21 to 2022/23. As part of its financial planning the Council approved savings over this period to cover 100% of the budget gap, including the £12.4 million savings required in 2020/21.

The Council has a strong track record of delivering planned savings to achieve balanced budgets. However, the planned savings through to 2023 will bring cumulative savings required from 2007 to £151 million.

Impact of Covid-19

The Council's most recent financial update report, prepared for the four months to July 2020/21, forecast a net overspend of £4.3 million for the financial year. This is made up of a £9.6 million budget variance, the largest items being:

- £3 million overspend in education;
- £1.5 million overspend in IJB social policy;
- £1.5 million overspend in operational services; and
- £1.1 million reduction in forecast Council tax income.

These negative variances, all largely attributable to additional costs and reduced income related to Covid-19, have been partially offset by additional resources from the Council's share of 'Barnett consequentials' (£5.2 million) and the earmarking of £0.9 million from the Council's general reserves.

Appraisal of options - 2020/21 financial plans and mitigations

In its most recent budget update, management reported that officers are liaising with COSLA and will continue to lobby the Scottish Government to provide additional resources to the Council to fully fund the financial implications of Covid-19. In conjunction with these efforts, officers have undertaken work to identify options available to manage the remaining net cost pressures. The potential options identified include:

- potential national flexibilities;
- further use of Council reserves and otherwise allocated balances;
- restrictions on planned expenditure, including recruitment; and
- revisions to service delivery and additional savings.

Management has committed to provide further updates on the financial position and range of options to Council Executive in October 2020.

Focus on outcomes - delivery of savings

Savings are agreed at a detailed service level and support provided through the Council's finance team. Each service has dedicated support from the Financial Management Unit to consider the financial impact of planned actions and ensure financial planning is robust. All savings plans are subject to review to ensure they support the delivery of the Medium Term Financial Plan (MTFP) as well as the delivery of the service specific plans and objectives.

Throughout the year the Council monitors the risks around delivery of savings, which are in turn reported to Council Executive on a routine basis. Heads of Service are required to assess the risk of delivery of savings on a red, amber or green basis, together with current status and possible blockers to delivery. The Council's most up to date assessment of savings planned through the remainder of the MTFP period identified savings categorised 42% green and 58% amber, with no red rated savings. 2020/21 savings are categorised as 86% (£10.4 million) green, and 14% (£1.7 million) amber.

Longer term planning, risks and uncertainties around the MTFP

As in previous years, while we have concluded that the Council's arrangements around medium and longer term financial planning remain robust, our assessment of amber reflects the scale of ongoing challenge facing the Council.

There are a number of areas, before the impact of Covid-19, where management has recognised significant uncertainties in areas largely outside of its control that could materially impact its delivery of financial plans, balanced budgets and the underlying required savings. These include the risks around accuracy of assumptions in existing financial plans, such as around inflation, pay awards and demographic drivers of income and expenditure. There also remains significant uncertainty around the potential impact of the end of the EU withdrawal transition phase on 31 December 2020. Future government funding continues to be a significant source of uncertainty that impacts a large part of the Council's income.

There also remains significant risk around the assumptions in relation to the Council's financial position in terms of Covid-19, including a high risk that further currently unidentified costs will continue to be incurred during financial year 2020/21. There will be a substantial increase in the cost of service delivery, particularly where social distancing measures have to be implemented. In particular management has identified the learning estate remobilisation plan, social care provision and homelessness as areas with significant risk of additional required expenditure.

In this context, rigorous, timely and accurate financial monitoring, reporting and options appraisal has never been more important to the Council. While our view is that the Council continues to implement robust processes, controls and governance around financial planning, the significance and materiality of these identified risks and uncertainties continue to drive our risk assessment for the Council around financial sustainability.

In 2018/19 we reported that despite the uncertainty around the economy, and public sector funding more specifically, initial work had been undertaken by officers regarding the revenue financial planning period beyond the current approved MTFP. Further development of the next MTFP through to 2028 was planned in 2020, however given the pressure on resource and increased financial planning uncertainty around Covid-19 this has been deferred to 2021/22. The next MTFP will be prepared under unprecedented circumstances as immediate financial pressures collide with transformational changes to the way of life for service users and the corresponding impact on how the Council needs to operate. As this planning process develops, there will be a need for widespread engagement with stakeholders and comprehensive reassessment of plans and priorities.

Financial Management

The Council continues to demonstrate good financial control of the in-year budget, including understanding the impact of Covid-19 in early 2020/21. Financial reporting was clear and consistent throughout the year and subsequent to the financial yearend.

The importance of good financial control is clearly understood across the Council. Our interactions with finance through the year identified no material financial control deficiencies and a robust environment. We did not identify any weakening of the financial management arrangements subsequent to the yearend as the established control environment evolved to reflect the remote working requirements.

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Financial control environment

Although our audit was not designed to express an opinion on the effectiveness of internal control, we consider the environment through the course of the audit and have not noted, based on the audit work undertaken, any significant deficiencies in internal control. As part of our audit risk assessment we considered internal audit's review of finance and related functions in the Council through the year and noted no significant matters impacting our view of the control environment.

Financial regulations are comprehensive, covering financial management and planning; risk management and control of resources; and systems and procedures. They are available publicly on the Council's website and subject to routine periodic review and updating.

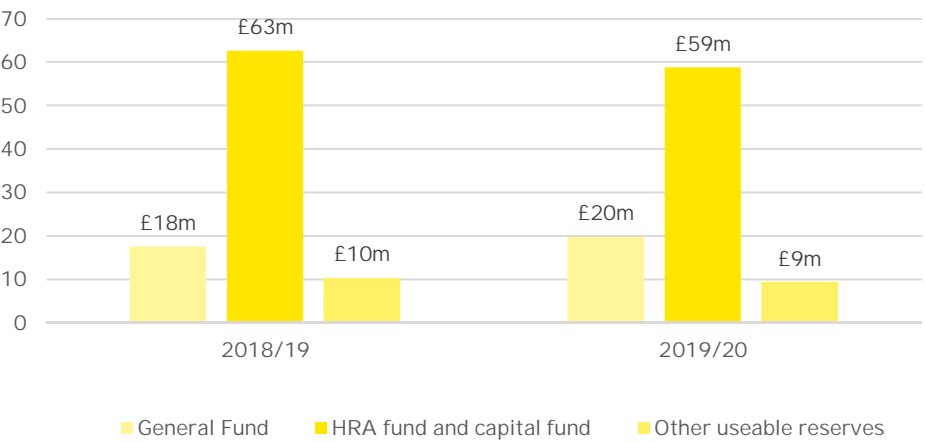
The Council's section 95 officer is the Head of Finance and Property Services. We are satisfied that the Council adheres to the principles laid out within CIPFA's Statement on the role of the Chief Financial Officer in Local Government. In our view there is evidence that the Council continues to have sufficient financial skills, capacity and capability.

Our experience through the 2019/20 audit has not indicated any issues with the capacity or capability of the finance team following its previous restructures. While the impact of Covid-19 was minimal on the 2019/20 financial management arrangements due to the timing of the lockdown, we considered the impact on the finance team throughout our yearend audit. We did not identify any significant changes to the key processes and controls in place across the finance function, with all controls evolving to support remote working without being altered in their purpose or robustness. While there were significant additional pressures on the finance team after the yearend, information related to the audit and financial statements was provided in a timely manner. We will continue to monitor the financial management arrangements and the impact on the finance team going forward, particularly in 2020/21 as the impact of changes due to Covid-19 continues to evolve.

Financial monitoring and outturn

The Council's financial monitoring arrangements in 2019/20 were consistent with previous years, however have been supplemented in early 2020/21 with additional monitoring. This included a period three monitoring report to better maintain an understanding of the impact of Covid-19 on the Council's arrangements. The key measure of the Council's financial performance in the year is the movement in the Council's usable reserves, which reduced by £2.6 million in 2019/20, mainly due to a £3.8 million reduction in the capital fund to support planned capital expenditure.

Exhibit 3: The Council's cash backed reserves reduced by £2.6 million in 2019/20



Source: West Lothian Council 2019/20 Financial Statements

Council reserve levels and strategy

As part of the annual revenue budget setting process, the Council approves the minimum reserves to be held as uncommitted general funds. For 2019/20 it was concluded that the uncommitted balance be maintained at a minimum of £2 million. While we understand this to be one of the lower minimum reserves across Scotland, we recognise this level has been assessed as appropriate by the Head of Finance and Property Services given the Council has an approved medium term financial strategy underpinned by clear financial planning arrangements and a number of other earmarked reserves which could be reallocated if necessary.

We note that the additional £0.9 million held at 31 March 2020 above the minimum reserve has now been allocated to cover potential overspends in 2020/21 related to the impact of Covid-19, as outlined in the financial sustainability section of our report.

Capital programme

The Council spent £70.3 million on capital expenditure in 2019/20, a slight overspend of £0.5 million against a budget of £69.8 million. Acceleration of planned expenditure from the general fund of £6.5 million was mostly offset by slippage in the planned HRA activity in the year.

This activity forms part of the Council's overall capital strategy approved through to 2027/28. The strategy is subject to annual review, update and re-approval by the Council to reflect actual expenditure incurred in the year and any slippage or changes in priorities. The plan is designed to support the Council in its overall strategic objectives.

Arrangements to prevent fraud and corruption

The consideration of financial management also includes evaluating the Council's arrangements for fraud and corruption. CIPFA's *Code of Practice on Fraud and Corruption* notes that leaders of public bodies have a responsibility to embed effective standards for countering fraud and corruption in their organisations. The Council has a counter-fraud team as part of its Audit, Risk and Counter Fraud Unit. The Council draws upon national publications to highlight fraud risks, including both the Audit Committee and Governance and Risk Committee's consideration in 2019 of Audit Scotland's publication *Safeguarding Public Money: are you getting it right?* The Council's policies and procedures are in relation to fraud and corruption are subject to routine review, update and approval by the appropriate officers and committees.

We reported in our Annual Audit Plan that the effectiveness and appropriateness of the Council's arrangements for the prevention and detection of fraud and corruption in the procurement function will be an area of focus for the 2019/20 audit. Given the circumstances around the impact of Covid-19 we agreed, in conjunction with management, to defer our targeted consideration to 2020/21.

Audit Scotland National Fraud Initiative (NFI) programme

NFI is a counter-fraud exercise co-ordinated by Audit Scotland and overseen by the Cabinet Office to identify fraud and error. The NFI exercise produces data matches by comparing a range of information held on public bodies' systems to identify potential fraud or error. In June 2019 we submitted an assessment of the Council's participation in the exercise to Audit Scotland, concluding that the Council has actively participated in the NFI exercise and that it is well embedded within the Council's proactive counter fraud workstream. A follow up review was completed in February 2020, with no further matters to report.

CIPFA financial management code

Throughout the year we have discussed with management the planned implementation of the CIPFA Financial Management Code, published in October 2019 and designed to support good practice in financial management and assist in demonstrating the local authority's financial sustainability. There is a requirement of full compliance with the code by financial year 2021/22.

Management has conducted a preliminary assessment of its forecast compliance and concluded that the existing processes at the Council meets the requirements. A full assessment is due to be completed in 2020/21, which we will review as part of our financial management audit arrangements.

Governance and Transparency



The key features of good governance at the Council are in place and operating effectively. The Council responded quickly to ensure that governance arrangements were appropriate and operating effectively during the lockdown period caused by the global pandemic. We were satisfied that Council members continued to have access to sufficient information as a result of the implementation of virtual meetings, and regular briefings to all members.

The Council has arrangements to appropriately scrutinise arrangements across its Group, in particular where financial support is being provided to entities in financial difficulty.

Local Code of Corporate Governance

Under the CIPFA framework for *Delivering Good Governance in Local Government*, the Council uses the Annual Governance Statement to report on its assessment of the effectiveness of the governance framework throughout the financial year, and key areas of improvement for 2019/20. The governance statement for 2019/20 concluded that “Although there are areas where improvement can be made, based on the governance framework, arrangements and review already described, the council and the West Lothian community can be assured that the council’s corporate governance standards have been substantially met in 2019/20.”

The Annual Governance Statement included a detailed summary of the impact of Covid-19 on governance arrangements and how management has responded to ensure adequate governance arrangements remained in place, particularly through the initial lockdown period. This included reference to the statutory mechanisms available to the Council, both through new and existing legislation, and where the Council took advantage of these mechanisms. In the main the Council continued under existing arrangements with minimal utilisation of extraordinary measures.

We reviewed the Annual Governance Statement against the required guidance and we were satisfied that it was consistent with both the governance framework and key findings from relevant audit activity. As part of the audit process we worked with management to further enhance the disclosures, in particular in relation to how governance arrangements were maintained during the revised operating period as a result of Covid-19 and the scrutiny arrangements around other bodies within the Council’s wider Group.

Arrangements were quickly developed to ensure that the Council was kept informed of the impact of Covid-19, and that key governance arrangements could continue during the lockdown.

Covid-19 Governance arrangements

Like all other public bodies in Scotland, the Council moved to revised governance arrangements at the beginning of the UK lockdown period. Council and committee meetings scheduled from the end of March through July 2020 were initially cancelled as a result of the pandemic, however a number then went ahead remotely, including the Audit and Governance and Risk Committees. Risks associated with the pandemic were considered by the Council Corporate Management Team and reported to the Council's Governance and Risk Committee accordingly during the lockdown period. There are both new risks relating to Covid-19 (related to the delivery of critical services) and existing risks which are now considered higher risks.

The Chief Internal Auditor has concluded that governance arrangements are adequate and that improvements have been made during 2019/20.

Current high risks include:

- Council tax – failure to achieve budgeted income
- West Lothian Leisure failure to achieve financial plan
- Pandemic – failure to maintain critical services

Assurance Statement

Based on the work completed in the year, the Council's Audit, Risk and Counter Fraud manager concluded that "the framework of governance, risk management and control is sound." The internal audit work planned for the year 2019/20 was completed in line with planned deadlines with no delay resulting from the impact of Covid-19.

Openness and transparency

The Council has clear arrangements to ensure that members of the public can attend council and committee meetings as observers in usual circumstances, and agendas and papers are available in advance of each meeting. While these arrangements were temporarily removed as a result of meetings being held remotely due to the pandemic, minutes of meetings, including key decisions, are publicly available as well after the meetings. Public access to meetings via audio broadcasting has been secured from 26 May 2020.

EU withdrawal

Throughout 2019/20 the Council has continued to monitor potential scenarios of EU withdrawal and the possible impact on the Council through its Brexit Working Group, established in 2018. The Council is maintaining a Brexit risks log, including a risk rating for all risks identified. Updates have been provided through the quarterly horizon scan update report to the Partnership and Resources PDSP and to the Governance and Risk Committee throughout the year.

As the 31 December 2020 deadline for the end of the transition period approaches, it is expected that increasing focus is given to implementing plans to mitigate identified risks. The Council also continues to liaise with the Scottish Resilience Partnership and community planning partners, such as NHS Lothian. Our reporting mirrors the position in last year's audit where the deadline for the UK's withdrawal was approaching. We will continue to monitor how the Council monitors and responds to developments while focus is also required on matters related to the pandemic.

The Council's governance arrangements include scrutiny of arrangements within its consolidated group.

Group Governance arrangements

In our role as auditor for the Council we consider the governance arrangements at the Council to monitor and scrutinise the wider group as appropriate, in particular where there is the possibility for a financial or operational impact on the Council's services.

The Integration Scheme which governs the working arrangements for the West Lothian Integration Joint Board was due to be updated in 2019/20 by the Board's partners, the Council and NHS Lothian. The Council has reported in its Governance Statement that work was started on this but had to be delayed due to the impact of Covid-19 and prioritisation on immediate delivery of services. Management has confirmed that both partners approved the delay with no impact on the IJB, and will update the scheme in 2020/21 for submission to the Scottish Ministers for approval.

West Lothian Leisure has been significantly impacted by the pandemic with leisure centres closed through the start of 2020/21, with a corresponding financial impact. A reprofiling of the West Lothian Leisure (WLL) management fee payments from the Council was agreed by management and reported to Council Executive in May 2020 to support WLL's cash flow whilst facilities remained closed. In addition, the Council has included £500,000 contingency in its 2020/21 outturn forecast to reflect additional anticipated support that may be required in the year. As a result of its financial difficulty WLL has disclosed in its 2019/20 financial statements that financial support has been confirmed by the Council to 31 March 2021. As outlined on page 5 of our report, WLL is immaterial to the consolidation of the Council's Group financial statements, and as such its financial position does not impact the going concern conclusions around the Group financial statements.

The financial position and possible impact on support required by the Council has been reported to the Council's Executive group by the Head of Finance and Property Services, most recently in August 2020. We are satisfied that the Council is demonstrating the required level of scrutiny and governance over entities within the Council's Group, including demonstrating rigour around the use of public funds for private bodies.

Value for Money

The Council's arrangements for performance monitoring, improvement and self-assessment have continued through the global pandemic. The Council has a culture of improvement and a commitment to self-assessment of its performance to ensure that services remain focussed on improvement.

Council services continue to perform well compared to other councils.

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Performance Management framework

In previous years we have reported that the Council approved its Corporate Plan through to 2022/23, and its underlying corporate strategies and service management plans. To more effectively monitor performance, the Council also agreed targeted outcomes and target performance levels through to 2022/23 as the main KPIs to support its vision.

The Council monitors its performance against its plans and performance indicators throughout the year. Quarterly updates are provided by management to PDSP, and are made available for public information as part of the committee papers on the Council's website. These reports outline the full set of performance indicators included by the Council in its corporate plan, and the current performance of each indicator against target summarised through a 'RAG' rating system.

Impact of Covid-19

The Council's overall performance management framework remains in place and operating despite the impact of Covid-19 on the management priorities and additional urgent business requiring prioritisation at committees. There were two minor changes to planned performance reporting arrangements with management implementing alternate arrangements to mitigate the impact:

- Performance reporting to policy development and scrutiny panels temporarily ceased due to urgent business for consideration over the summer but has now resumed, with the most recent performance reporting being presented to Partnership and Resources PDSP on 18 September 2020.
- The Council adopted a new self-assessment framework in 2017/18, as part of the new three year West Lothian Assessment Model (WLAM) cycle covering 2017-20. All services complete a WLAM and attend an officer-led scrutiny panel at least once during a three-year improvement cycle. The WLAM programme report 2017/20 was not taken to Performance Committee on 25 May as scheduled due to the meeting's cancellation due to Covid-19. It will be presented to the next meeting of the committee when it is arranged.

Accountability and delivery of improved outcomes - Performance Reporting

The most recent performance update was submitted to Partnership and Resources PDSP in September 2020 in relation to quarter one of the 2020/21 financial year. Out of 62 indicators reported, 40 were green (2018/19: 39), 7 amber (2018/19: 7) and 10 were red (2018/19: 13), with 5 unknown as performance is measured more intermittently. For the red rated performance indicators, 7 were materially affected by the impact of Covid-19 specifically. All red rated PI's included additional information in relation to the nature of the performance and the corrective action being planned by management to address performance.

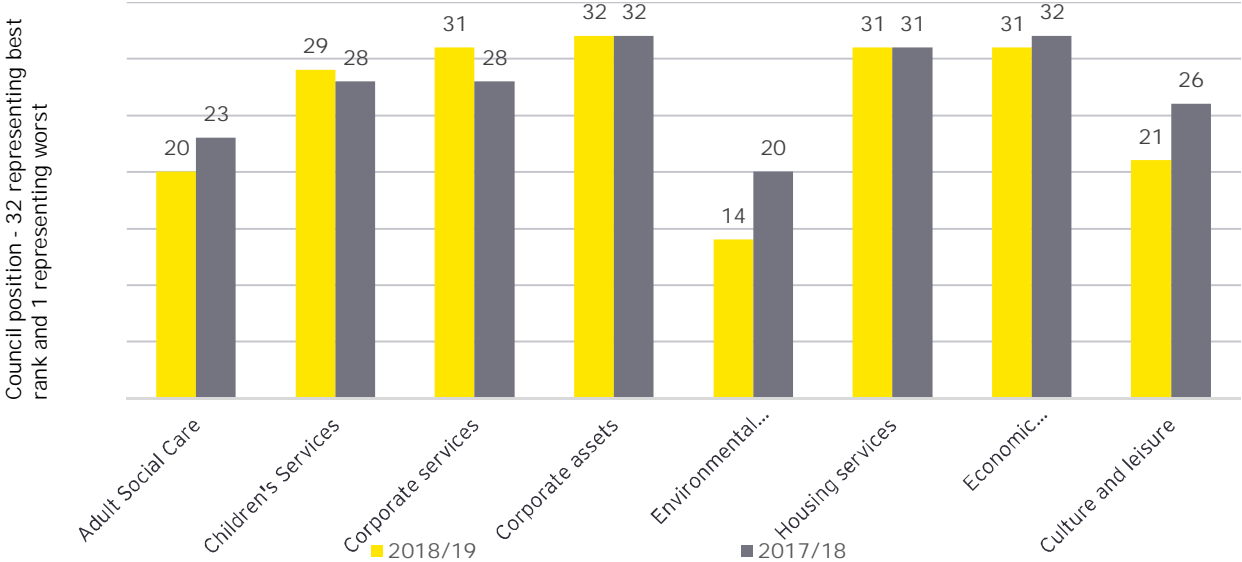
We reported in 2018/19 that most of the red rated PI's relate to the following areas:

- Sickness absence; overall this has moved to green, with varied performance across services.
- Addressing customer service inquiries; this has been impacted in 2020/21 quarter one by the Council only addressing urgent queries due to the impact of Covid-19.
- Addressing complaints; a number of these have moved to amber or green however performance remains mixed by service.

In all cases we continue to observe mitigating action being taken, or where direct and immediate action was less achievable, how the Council manages the process and underlying risk through its existing policies and procedures.

The Council Partnership and Resources PDSP considered the Council's performance against the LGBF for 2018/19 in September 2020. Information in relation to the LGPF is published on the Council website and progress against corporate strategies will continue to be monitored by Partnership and Resources PDSP in December. The Council continues to perform well against peers for a number of core services.

Exhibit 6: Council services generally perform well against other councils in Scotland



Source: West Lothian Council Analysis of LGBF results 2018/19

Statutory Performance Indicators

The Accounts Commission has a statutory responsibility to define the performance information that councils must publish. The Council has a responsibility, under the duty of Best Value, to report performance to the public. The Accounts Commission issued a revised 2018 Statutory Performance Information Direction in December 2018 which recognises the role and effectiveness of the LGBF, but continues to require councils to report its:

- performance in improving local public services provided by the Council (on its own and with its partners and communities), and progress against agreed desired outcomes;
- own assessment and independent audit assessments of how it is performing against its duty of Best Value, and how it plans to improve these assessments; and
- how it (with its partners where appropriate) has engaged with and responded to its diverse communities.

The Council is required to meet the requirements of the revised Statutory Performance Information Direction, for which 2019/20 is the first year. The Council continues to report a range of performance information to stakeholders and the public to demonstrate the relative value and effectiveness of Council services. This includes reporting of the most recently available LGBF results to the relevant committees and to the public. Information reported covers the quality and effectiveness of local services and progress in outcomes, as well as efficiency information. Due to the timing of much of the relevant reporting, most of the reporting on the period impacted by the revised Statutory Performance Information is yet to be concluded. We will continue to monitor and consider the adequacy of reporting against the revised requirements in 2020/21.

Local Development Plan (LDP) and the Winchburgh development

The Council approved its local development plan in September 2018. The LDP “builds on the spatial strategy set out in previous local plans for West Lothian and comprises a written statement setting out planning policies and proposals and proposal maps”. A key part of the Council’s strategic development and local development plan is the development of the Winchburgh project, which is one of several core development areas and has received government funding. The LDP outlines the key areas of development required in Winchburgh, including significant additional planned housing, improved employed and retail and public services.

Activity on the project is continuing, with updates being provided to the Council Executive, most recently in June 2020. The forecast project cost of £60.7 million remains slightly under the approved budget. The project milestones have been updated to take account of advice on the likely timescales indicated on easing of lockdown procedures, and socially distancing measures required on construction sites, which have increased the programme to compensate for the alterations in working processes. The key assumption included in the report was the ability to restart work in July 2020. We will continue to monitor the status of this project and the arrangements for reporting and scrutinising as it continues through to 2024.

Best Value

We have drawn upon our wider scope and other work to conclude on the Council's approach to Best Value. We note through work undertaken in the year that the Council has a number of key characteristics of Best Value in place, including effective performance monitoring and robust governance arrangements.

In light of the Council's focus on responding to and recovery from the pandemic, we have agreed to defer some of our work in this area until 2020/21, to ensure focus on the financial statements and most immediately impacted aspects of the wider scope audit in 2019/20.

Forming our judgement

As auditor to the Council, we are required to comment on how effectively, in our view, the Council demonstrates that it meets its Best Value responsibilities. In forming this judgement, we draw upon the work conducted in response to our wider scope responsibilities as outlined in this report. We also draw upon the work we complete around the Best Value coverage areas outlined on the following page of this report, and our wider understanding of the Council's arrangements through the year.

Looking ahead

The Council has correctly focused on the immediate impact and required work resulting from the global pandemic, and we have concluded that, where we have considered through our work carried in the year, its arrangements around Best Value remain appropriate through the financial year.

As the immediate impact of Covid-19 transitions to assessing its longer term impact on the Council, its service users and wider public as well as other public bodies, it is important that the Council continues to reassess its own arrangements for Best Value in this changing environment. This should include both the Council's delivery of Best Value as services and priorities evolve and its own internal arrangements for ensuring its priorities are focused correctly and monitored and reported. Our Best Value work planned for the remainder of our appointment period, as outlined on the following page, will be undertaken through this lens.

Future best value audit work

In our Annual Audit Plan presented to the Council's Audit Committee in June 2020, we outlined our planned areas of focus for our Best Value audit work in 2019/20. Following the impact of Covid-19 on the Council and the subsequent pressures it has placed on management, the finance team and wider officers across the Council, we agreed with management and Audit Scotland to defer our work in these areas until future years. This allowed management to focus on key operational priorities during the lockdown and recovery period, and allowed our audit to prioritise the financial statements audit requirements to ensure we were flexible and pragmatic in the current circumstances.

We outlined on the previous page the sources from which our conclusion around the Best Value arrangements at the Council this year were formed. Below is a summary of our planned Best Value work over our initial five year appointment period with the Council. Following the deferral of planned work this year and the extension of our appointment by Audit Scotland to include the 2021/22 financial year audit at least, we will engage in discussions with management and Audit Scotland to agree a re-profiled schedule of work for the next two years, which we will report to the Council's Audit Committee in March 2021.

Five year Best Value Audit Coverage						
	16/17	17/18	18/19	19/20	20/21	21/22
Vision and Leadership		1		2		
Sound Governance and Accountability	1	1			3	
Effective Use of Resources		1	1			
Partnership and collaborative working	1				3	
Community responsiveness	1			2	3	
Sustainability					3	
Fairness and equality				2		
Performance outcomes and improvement	1	1	1			

1 - Best Value work completed in first three years of our audit appointment.

2 - Best value work planned in 2019/20 and subsequently deferred.

3 - Best value work indicatively planned in 2020/21 to be re-profiled across next two financial years in conjunction with delayed 2019/20 audit work.

4 Appendices

A – Code of Audit Practice: responsibilities

B – Independence and audit quality

C – Required communications with the Audit Committee

D – Action plan, including follow up of prior year recommendations

E – Adjusted errors identified during the audit

F – Timing and deliverables of the audit

Appendix A: Code of Audit Practice Responsibilities

Audited Body's Responsibilities

Corporate Governance	<p>Each body, through its chief executive or accountable officer, is responsible for establishing arrangements to ensure the proper conduct of its affairs including the legality of activities and transactions, and for monitoring the adequacy and effectiveness of these arrangements. Audited bodies should involve those charged with governance (including audit, risk and governance committees or equivalent) in monitoring these arrangements.</p>
Financial Statements and related reports	<p>Audited bodies must prepare an annual report and accounts containing financial statements and other related reports. They have responsibility for:</p> <ul style="list-style-type: none"> • preparing financial statements which give a true and fair view of their financial position and their expenditure and income, in accordance with the applicable financial reporting framework and relevant legislation. • maintaining accounting records and working papers that have been prepared to an acceptable professional standard and support their financial statements and related reports disclosures. • ensuring the regularity of transactions, by putting in place systems of internal control to ensure that they are in accordance with the appropriate authority. • maintaining proper accounting records. • preparing and publishing, along with their financial statements, an annual governance statement, management commentary (or equivalent) and a remuneration report that are consistent with the disclosures made in the financial statements. Management commentary should be fair, balanced and understandable and also clearly address the longer-term financial sustainability of the body. • Management, with the oversight of those charged with governance, should communicate clearly and concisely relevant information to users about the entity and its financial performance, including providing adequate disclosures in accordance with the applicable financial reporting framework. <p>Audited bodies are responsible for developing and implementing effective systems of internal control as well as financial, operational and compliance controls. These systems should support the achievement of their objectives and safeguard and secure value for money from the public funds at their disposal. They are also responsible for establishing effective and appropriate internal audit and risk-management functions.</p>
Standards of conduct / prevention and detection of fraud and error	<p>Audited bodies are responsible for establishing arrangements for the prevention and detection of fraud, error and irregularities, bribery and corruption and also to ensure that their affairs are managed in accordance with proper standards of conduct by putting proper arrangements in place.</p>
Standards of conduct / prevention and detection of fraud and error	<p>Audited bodies are responsible for putting in place proper arrangements to ensure that their financial position is soundly based having regard to:</p> <ul style="list-style-type: none"> • such financial monitoring and reporting arrangements as may be specified • compliance with any statutory financial requirements and achievement of financial targets • balances and reserves, including strategies about levels and their future use • how they plan to deal with uncertainty in the medium and longer term • the impact of planned future policies and foreseeable developments on their financial position.
Best Value	<p>Local authority bodies have a statutory duty, under the Local Government (Scotland) Act 1973 and associated statutory guidance, to make arrangements to secure best value through the continuous improvement in the performance of their functions.</p>

Appendix B: Independence and audit quality

Professional ethical standards, and the Terms of our Appointment, require us to communicate all significant facts and matters that have a bearing on EY's objectivity and independence as auditor of the IJB.

Matters that we are required to communicate

The FRC Ethical Standard requires that we provide details of all relationships between Ernst & Young (EY), its directors and senior management and affiliates, and you, including all services provided by us and our network to you, and other services provided to other known connected parties that we consider may reasonably be thought to bear on our integrity or objectivity, including those that could compromise independence and the related safeguards that are in place and why they address the threats.

There are no relationships from 1 April 2019 to the date of this report, which we consider may reasonably be thought to bear on our independence and objectivity.

Confirmations

We confirm that there are no changes in our assessment of independence since our confirmation in our Annual Audit Plan, dated March 2020.

We complied with the Financial Reporting Council's Ethical Standards and the requirements of Audit Scotland's Terms of Appointment. In our professional judgement the firm is independent and the objectivity of the audit engagement partner and audit staff has not been compromised within the meaning of regulatory and professional requirements.

We consider that our independence in this context is a matter which you should review, as well as us. It is important that management and members of the IJB consider the facts known collectively to you and come to a view. If you would like to discuss any matters concerning our independence, we will be pleased to do this at the meeting of the Council on 29 September 2020.

Audit Fees

	2019/20	2018/19
Component of fee:		
Total agreed auditor remuneration *	£193,580	£189,170
Audit fee in respect of s106 Trust Fund	£9,700	£4,120
Audit Scotland fixed charges:		
Pooled costs	£18,940	£18,340
Performance audit and best value	£102,100	£100,990
Audit support costs	£11,700	£11,880
Total fee	£336,020	£324,500

* The expected fee for each body, which for 2019/20 has been set centrally by Audit Scotland, assumes that it has sound governance arrangements in place and operating effectively throughout the year, prepares comprehensive and accurate draft financial statements and supporting schedules, and meets the agreed timetable for the audit. It also assumes there is no major change in respect of the scope of work in the year and an unqualified audit opinion resulting from the audit.

This year, material additional audit work was required to address the risks related to Covid-19. In particular there was a significant impact on the financial statement disclosures, the risk around valuation of property plant and equipment and the valuation of the Council's share of assets and liabilities in the Lothian Pension Fund. We are discussing the final fee for the 2019/20 audit with management and will report this to the Audit Committee and Council when finalised in our 2020/21 Annual Audit Plan.

Matters that we are required to communicate

International Standard on Quality Control (UK and Ireland) 1 (ISQC1) requires that a system of quality control is established, as part of financial audit procedures, to provide reasonable assurance that professional standards and regulatory and legal requirements are being complied with and that the independent auditor's report or opinion is appropriate in the circumstances.

The EY 2019 UK Transparency Report can be accessed on our website at https://www.ey.com/en_uk/who-we-are/transparency-report-2019. This material is published to provide a timely and relevant source of information about EY in general, and our audit business in particular. This includes our inaugural Audit Quality Report.

The disclosures are extensive. For example, they explain our outlook and how we are structured and governed, including the role of our Independent Non-Executives and how we apply the requirements of the UK's Audit Firm Governance Code. We refer to the quality of our audits and our commitment to recruiting, developing and diversifying our people and talent pool. We also explain how we manage our risks and remain innovative and technologically advanced in what we do and how we do it.

Maintaining high audit quality across all of our engagements is of paramount importance to us. Our transformational Audit Quality Programme continues and is a part of the global EY Sustainable Audit Quality Programme (SAQ).

Our Audit Quality Board (AOB) continues to oversee all matters relating to audit quality and sets the agenda for the Audit Quality programme. The AOB meets monthly and also holds an annual strategy session. The AOB reports to the EY UK Board. The AOB receives regular updates on regulatory matters, results of internal and external reviews, results of root cause analysis, resourcing, the SAQ programme and pursuit approvals, as well as a comprehensive dashboard on quality measures.

Our Audit Quality Support Team (AQST), which started within the SAQ programme, reviews 40 to 50 audits each audit cycle providing challenge and guidance to the engagement teams. These are in-depth reviews carried out by experienced auditors independent of the audit team. AQST reviews enhance the quality of both the audit under review and other audits on which team members apply the lessons learned. The AQST has now become a business-as-usual function.

Audit Quality Framework / Annual Audit Quality Report

Audit Scotland's Appointments and Assurance Team are responsible for applying the new Audit Quality Framework across all financial audits and performance and Best Value audits. This covers the quality of audit work undertaken by Audit Scotland staff and appointed firms. The team are independent of audit delivery and provide assurance on audit quality to the Auditor General and the Accounts Commission.

We support Audit Scotland in their commitment to reporting on audit quality through responding to requests for information and providing the results of internal quality reviews undertaken in respect of relevant public sector audits in Scotland.

The most recent audit quality report which covers our work at the IJB since appointment can be found at: <https://www.audit-scotland.gov.uk/report/quality-of-public-audit-in-scotland-annual-report-201920>.

Appendix C: Required communications

Required communication	Our reporting to you
<p>Terms of engagement / Our responsibilities</p> <p>Confirmation by the audit, risk and governance committee of acceptance of terms of engagement as written in the engagement letter signed by both parties.</p> <p>Our responsibilities are as set out in our engagement letter.</p>	<p>Audit Scotland Terms of Appointment letter – audit to be undertaken in accordance with the Code of Audit Practice</p>
<p>Planning and audit approach</p> <p>Communication of the planned scope and timing of the audit, any limitations and the significant risks identified.</p>	<p>Annual Audit Plan</p>
<p>Significant findings from the audit</p> <ul style="list-style-type: none"> Our view about the significant qualitative aspects of accounting practices including accounting policies, accounting estimates and financial statement disclosures Significant difficulties, if any, encountered during the audit Significant matters, if any, arising from the audit that were discussed with management Written representations that we are seeking Expected modifications to the audit report Other matters if any, significant to the oversight of the financial reporting process 	<p>Annual Audit Plan</p> <p>Annual Audit Report</p>
<p>Going concern</p> <p>Events or conditions identified that may cast significant doubt on the entity's ability to continue as a going concern, including:</p> <ul style="list-style-type: none"> Whether the events or conditions constitute a material uncertainty Whether the use of the going concern assumption is appropriate in the preparation and presentation of the financial statements The adequacy of related disclosures in the financial statements 	<p>Annual Audit Report</p>
<p>Misstatements</p> <ul style="list-style-type: none"> Uncorrected misstatements and their effect on our audit opinion, unless prohibited by law or regulation The effect of uncorrected misstatements related to prior periods A request that any uncorrected misstatement be corrected Corrected misstatements that are significant Material misstatements corrected by management 	<p>Annual Audit Report</p>
<p>Fraud</p> <ul style="list-style-type: none"> Enquiries of the audit, risk and governance committee to determine whether they have knowledge of any actual, suspected or alleged fraud affecting the entity Any fraud that we have identified or information we have obtained that indicates that a fraud may exist A discussion of any other matters related to fraud 	<p>Annual Audit Report</p>
<p>Consideration of laws and regulations</p> <ul style="list-style-type: none"> Audit findings regarding non-compliance where the non-compliance is material and believed to be intentional. This communication is subject to compliance with legislation on tipping off Enquiry of the audit, risk and governance committee into possible instances of non-compliance with laws and regulations that may have a material effect on the financial statements and that the Committee may be aware of 	<p>Annual Audit Report (to be issued on completion of audit work) or as occurring if material.</p>

Required communication	Our reporting to you
<p>Related parties</p> <p>Significant matters arising during the audit in connection with the entity's related parties including, when applicable:</p> <ul style="list-style-type: none"> • Non-disclosure by management • Inappropriate authorisation and approval of transactions • Disagreement over disclosures • Non-compliance with laws and regulations • Difficulty in identifying the party that ultimately controls the entity 	<p>No significant matters have been identified.</p>
<p>Independence</p> <p>Communication of all significant facts and matters that bear on EY's, and all individuals involved in the audit, objectivity and independence</p> <p>Communication of key elements of the audit engagement partner's consideration of independence and objectivity such as:</p> <ul style="list-style-type: none"> • The principal threats • Safeguards adopted and their effectiveness • An overall assessment of threats and safeguards • Information about the general policies and process within the firm to maintain objectivity and independence 	<p>Annual Audit Plan</p> <p>This Annual Audit Report – Appendix B</p>
<p>Internal controls</p> <p>Significant deficiencies in internal controls identified during the audit</p>	<p>This Annual Audit Report – no significant deficiencies reported</p>
<p>Subsequent events</p> <p>Where appropriate, asking the audit, risk and governance committee whether any subsequent events have occurred that might affect the financial statements.</p>	<p>We have asked management and those charged with governance. We have no matters to report.</p>
<p>Material inconsistencies</p> <p>Material inconsistencies or misstatements of fact identified in other information which management has refused to revise</p>	<p>This Annual Audit Report</p>
<p>Group audits</p> <ul style="list-style-type: none"> • An overview of the type of work to be performed on the financial information of the components • An overview of the nature of the group audit team's planned involvement in the work to be performed by the component auditors on the financial information of significant components • Instances where the group audit team's evaluation of the work of a component auditor gave rise to a concern about the quality of that auditor's work • Any limitations on the group audit, for example, where the group engagement team's access to information may have been restricted • Fraud or suspected fraud involving group management, component management, employees who have significant roles in group-wide controls or others where the fraud resulted in a material misstatement of the group financial statements 	<p>Annual Audit Plan</p> <p>This Annual Audit Report</p>

Appendix D: Action Plan

We include an action plan to summarise specific recommendations included elsewhere within this Annual Audit Report. We grade these findings according to our consideration of their priority for the Council or management to action.

Classification of recommendations		
Grade 1: Key risks and / or significant deficiencies which are critical to the achievement of strategic objectives. Consequently management needs to address and seek resolution urgently.	Grade 2: Risks or potential weaknesses which impact on individual objectives, or impact the operation of a single process, and so require prompt but not immediate action by management.	Grade 3: Less significant issues and / or areas for improvement which we consider merit attention but do not require to be prioritised by management.
We have no specific recommendations identified through the course of our work in 2019/20 requiring inclusion in our action plan. We have outlined through this report where previous recommendations have been addressed by management, and where we will continue to monitor areas of focus going forward in 2020/21.		

Appendix E: Adjusted errors identified during the audit

This appendix sets out the significant adjustments processed in the financial statements finalisation. There were no unadjusted audit differences identified above our reporting threshold.

Adjusted differences			
No.	Description	Income and Expenditure Impact	Balance Sheet Impact
1	Impact of consultation on addressing costs of McCloud judgement & impact of Goodwin judgement on the Council's LGPS liability valuation at 31 March 2020	Cr Actuarial (gains)/losses on pension assets & liabilities £(8,717,000)	Dr Pension Liability £8,717,000
2	Impact of updating PFI liabilities to reflect most recent indexation levels	Cr Expenditure £(553,000)	Dr Financial Liabilities - PPP & DBFM Schools £553,000

Appendix F: Timing and deliverables of the audit

Meeting Date - 29 September 2020
Item No,6b

We have delivered our audit in accordance with the timeline set by the Council, in accordance with the annual audit planning guidance from Audit Scotland. Below is a timetable showing the key stages of the audit and the deliverables through the 2019/20 audit cycle, including the remaining areas of work with completion deadlines subsequent to this report.

JAN	Audit Activity	Deliverable	Timing
FEB	<ul style="list-style-type: none"> Onsite fieldwork, documentation and walkthrough of key accounting processes Scoping of wider scope work for year 	Annual Audit Plan	28 March 2020
MAR	<ul style="list-style-type: none"> Review progress of NFI exercise 	Submit NFI Questionnaire	28 February 2020
APR	<ul style="list-style-type: none"> Review of current issues impacting the Council Review of reported frauds 	Quarterly current issue return submission	Quarterly
MAY		Quarterly fraud return submission	Quarterly
JUN	<ul style="list-style-type: none"> Reassessment of audit planning and risks due to Covid-19 	Annual Audit Plan - addendum	22 June 2020
JUL	<ul style="list-style-type: none"> Education Maintenance Allowance (EMA) grant claim testing Wider scope work underway 	Certified EMA return	31 July 2020
AUG		Liaison on Best Value Follow up Assessments	30 August 2020
SEP	<ul style="list-style-type: none"> Submit Council dataset return to Audit Scotland 	Return for financial overview	18 May 2020
OCT	<ul style="list-style-type: none"> Year-end substantive audit fieldwork on unaudited financial statements Conclude on results of audit procedures Issue opinion on the Council's financial statements 	Whole of Government Accounts assurance statement to NAO (as required)	TBD – due 30 September 2020
NOV		Certify Annual Financial Statements	29 September 2020
DEC		Issue Annual Audit Report	
	<ul style="list-style-type: none"> Completion of Non-Domestic Rates return testing 	Certified Non-Domestic Rates return	TBD – due for submission 9 October 2020
	<ul style="list-style-type: none"> Completion of Housing Benefits claim testing 	Certified Housing Benefit subsidy claim	TBD – Audit Scotland deadline 28 February 2021

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West Lothian Council

Annual Accounts

Year ended 31 March 2020

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Accounts of West Lothian Council for the year ended 31 March 2020, prepared pursuant to Section 105 of the Local Government (Scotland) Act 1973 and in accordance with the terms of the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom.

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INDEPENDENT AUDITOR'S REPORT

Independent auditor's report to the members of West Lothian Council and the Accounts Commission

Report on the audit of the financial statements

Opinion on financial statements

We certify that we have audited the financial statements in the annual accounts of West Lothian Council (the Council) and its group for the year ended 31 March 2020 under Part VII of the Local Government (Scotland) Act 1973. The financial statements comprise group and council-only Comprehensive Income and Expenditure Statements, Movement in Reserves Statements, Balance Sheets, and Cash-Flow Statements, the council-only Housing Revenue Account Income and Expenditure Statement, the Housing Revenue Account Disclosures, the Council Tax Account, and the Non-domestic Rate Account, and notes to the financial statements, including a summary of significant accounting policies. The financial reporting framework that has been applied in their preparation is applicable law and International Financial Reporting Standards (IFRSs) as adopted by the European Union, and as interpreted and adapted by the Code of Practice on Local Authority Accounting in the United Kingdom 2019/20 (the 2019/20 Code).

In our opinion the accompanying financial statements:

- give a true and fair view in accordance with applicable law and the 2019/20 Code of the state of affairs of the council and its group as at 31 March 2020 and of the income and expenditure of the council and its group for the year then ended;
- have been properly prepared in accordance with IFRSs as adopted by the European Union, as interpreted and adapted by the 2019/20 Code; and
- have been prepared in accordance with the requirements of the Local Government (Scotland) Act 1973, The Local Authority Accounts (Scotland) Regulations 2014, and the Local Government in Scotland Act 2003.

Basis for opinion

We conducted our audit in accordance with applicable law and International Standards on Auditing (UK) (ISAs (UK)), as required by the Code of Audit Practice approved by the Accounts Commission for Scotland. Our responsibilities under those standards are further described in the auditor's responsibilities for the audit of the financial statements section of our report. We were appointed by the Accounts Commission on 26 July 2016. The period of total uninterrupted appointment is four years. We are independent of the Council and its group in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK including the Financial Reporting Council's Ethical Standard, and we have fulfilled our other ethical responsibilities in accordance with these requirements. Non-audit services prohibited by the Ethical Standard were not provided to the Council. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Emphasis of matter – Disclosure in relation to the effects of Covid-19

We draw attention to Note 1 and Note 32 in the financial statements, which describe the economic consequences the authority is facing as a result of Covid-19 which is impacting financial and operation position and performance during 2020/21 and beyond.

Our opinion is not modified in respect of these matters.

Conclusions relating to going concern basis of accounting

We have nothing to report in respect of the following matters in relation to which the ISAs (UK) require us to report to you where:

- the use of the going concern basis of accounting in the preparation of the financial statements is not appropriate; or
- the Head of Finance and Property Services has not disclosed in the financial statements any identified material uncertainties that may cast significant doubt about the council's ability to continue to adopt the going concern basis of accounting for a period of at least twelve months from the date when the financial statements are authorised for issue.

Risks of material misstatement

We have reported in a separate Annual Audit Report, which is available from the [Audit Scotland website](#), the most significant assessed risks of material misstatement that we identified and our conclusions thereon.

INDEPENDENT AUDITOR'S REPORT

Independent auditor's report to the members of West Lothian Council and the Accounts Commission (continued)

Responsibilities of the Head of Finance and Property Services and Audit Committee for the financial statements

As explained more fully in the Statement of Responsibilities, Head of Finance and Property Services is responsible for the preparation of financial statements that give a true and fair view in accordance with the financial reporting framework, and for such internal control as the Head of Finance and Property Services determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Head of Finance and Property Services is responsible for assessing the Council's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless deemed inappropriate.

The Audit Committee is responsible for overseeing the financial reporting process.

Auditor's responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, intentional omissions, misrepresentations, or the override of internal control. The capability of the audit to detect fraud and other irregularities depends on factors such as the skilfulness of the perpetrator, the frequency and extent of manipulation, the degree of collusion involved, the relative size of individual amounts manipulated, and the seniority of those individuals involved. We therefore design and perform audit procedures which respond to the assessed risks of material misstatement due to fraud.

A further description of the auditor's responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website www.frc.org.uk/auditorsresponsibilities. This description forms part of our auditor's report.

Other information in the annual accounts

The Head of Finance and Property Services is responsible for the other information in the annual accounts. The other information comprises the information other than the financial statements, the audited part of the Remuneration Report, and our auditor's report thereon. Our opinion on the financial statements does not cover the other information and we do not express any form of assurance conclusion thereon except on matters prescribed by the Accounts Commission to the extent explicitly stated later in this report.

In connection with our audit of the financial statements, our responsibility is to read all the other information in the annual accounts and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated. If we identify such material inconsistencies or apparent material misstatements, we are required to determine whether there is a material misstatement in the financial statements or a material misstatement of the other information. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact.

We have nothing to report in this regard.

Report on other requirements

Opinions on matters prescribed by the Accounts Commission

In our opinion, the audited part of the Remuneration Report has been properly prepared in accordance with The Local Authority Accounts (Scotland) Regulations 2014.

INDEPENDENT AUDITOR'S REPORT

Independent auditor's report to the members of West Lothian Council and the Accounts Commission (continued)

In our opinion, based on the work undertaken in the course of the audit:

- the information given in the Management Commentary for the financial year for which the financial statements are prepared is consistent with the financial statements and that report has been prepared in accordance with statutory guidance issued under the Local Government in Scotland Act 2003; and
- the information given in the Annual Governance Statement for the financial year for which the financial statements are prepared is consistent with the financial statements and that report has been prepared in accordance with the Delivering Good Governance in Local Government: Framework (2016).

Matters on which we are required to report by exception

We are required by the Accounts Commission to report to you if, in our opinion:

- adequate accounting records have not been kept; or
- the financial statements and the audited part of the Remuneration Report are not in agreement with the accounting records; or
- we have not received all the information and explanations we require for our audit; or
- there has been a failure to achieve a prescribed financial objective.

We have nothing to report in respect of these matters.

Conclusions on wider scope responsibilities

In addition to our responsibilities for the annual accounts, our conclusions on the wider scope responsibilities specified in the Code of Audit Practice, including those in respect of Best Value, are set out in our Annual Audit Report.

Use of our report

This report is made solely to the parties to whom it is addressed in accordance with Part VII of the Local Government (Scotland) Act 1973 and for no other purpose. In accordance with paragraph 120 of the Code of Audit Practice, we do not undertake to have responsibilities to members or officers, in their individual capacities, or to third parties.

Stephen Reid, for and on behalf of Ernst & Young LLP
Ernst & Young LLP
Atria One,
144 Morrison Street,
Edinburgh,
EH3 8EX

September 2020

MANAGEMENT COMMENTARY

1. Introduction

The Management Commentary outlines the key messages of the council's planning and performance for the year 2019/20 and how this has supported the delivery of the council's corporate priorities. The commentary also looks forward outlining future work and ongoing developments. In addition, key risks and uncertainties are set out that will need to be managed to best meet the needs of the West Lothian population going forward. A key aspect of this is the emergence of Covid-19 in the first quarter of 2020 which is having a significant impact on the delivery of council services.

2. The Council

West Lothian Council lies at the heart of central Scotland. It sits astride the M8 and M9 motorways and contains a mixture of small rural and urban communities, including towns such as Livingston, Broxburn, Bathgate, Whitburn, Armadale and Linlithgow. It borders the City of Edinburgh, Falkirk, North Lanarkshire, South Lanarkshire and the Scottish Borders.

The council provides a diverse range of essential services, such as:

- Education
- Social Care Services
- Housing
- Environmental Health
- Planning
- Economic Development
- Waste Management
- Highways
- Transport

The quality and effectiveness of these services relies on the commitment, dedication and ability of the council's 6,726 (Full Time Equivalent) employees, who on a daily basis make a difference to the lives of our customers. West Lothian has a total population of over 182,000, which accounts for 3.3% of the total population of Scotland.

Located in the central belt of Scotland, West Lothian is less than 30 miles from Edinburgh and Glasgow which makes it an attractive investment location for many businesses.

With a growing younger population and a large increase in the older population, West Lothian is fairly unique in Scotland. The latest estimates are that West Lothian's population will grow to over 203,000 by 2041. While West Lothian has one of the fastest growing and youngest populations in Scotland it is also forecast to have the highest population growth in the over 75 age group in Scotland (120% increase by 2041). Growth in the population of West Lothian will mean more demand for all services including waste collection, schools and support for older and vulnerable people in our communities.

The ten year capital investment programme approved in February 2018, and subsequently updated in February 2019 and 2020, supports the delivery of essential council services and will invest over £191 million in maintaining and improving the school estate over the period 2020/21 to 2027/28. In line with the council's established approach to capital financial planning and budgeting, and following the approval of the capital plan at the same meeting as the annual revenue budget and treasury plan early in the calendar year, both the general services and housing capital programmes are reviewed after the financial year end to incorporate accelerated spend and slippage from the previous financial year. The updated capital programmes are considered and approved by the last Council Executive before the summer recess. This year's review was undertaken in May/early June and therefore included detailed consideration of timescales and projects in relation to the implications arising from the pandemic. Both capital programmes were updated, recognising the potential ongoing impact of the pandemic. The programmes will continue to be monitored, in line with established budgetary control processes, to identify at as early a stage as possible any further impacts arising from Covid-19.

The council is proud of its school estate which is one of the best in Scotland in terms of condition and suitability. The council has, over a number of years, invested considerable sums to ensure school pupils have the best possible environment to learn and develop. During 2019/20, the first phase of works to reconfigure and extend Ogilvie Additional Support Needs school was completed as part of the planned investment of a further £19.8 million in additional supports needs schools from 2020/21 onwards.

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Land remediation and preparation works have also been progressed this year in relation to the delivery of new Denominational and Non-Denominational secondary schools and a new primary school in Winchburgh. The Winchburgh Core Development Area will represent the largest single education expansion investment undertaken by the council. The land remediation and preparation works were completed by Winchburgh Developments on 31 July 2020. The contract between West Lothian Council and Hub South East and their tier one contractor, Morrison Construction Scotland Ltd, was closed on 28 July 2020. We are currently in the contractor's mobilisation period, and they commenced on site on 17 August 2020. The construction will be completed for all three schools in October 2022, and will be operationally available from January 2023.

The council is committed to a plan for 3,000 new homes for West Lothian before 2022. This will include the building and purchasing of new affordable housing supply. Expenditure on the New Housing Supply Programme amounted to £12.6 million in 2019/20. There were 314 new build council house completions during the financial year across West Lothian, with the largest of the new build projects, Kirkhill in Broxburn, completing the remaining 71 houses on the site and concluding the project.

The new build sites at Drumshoreland in Pumpherstoun, the former Vion development in Broxburn, and Deans South and Almondvale Stadium in Livingston have all completed during 2019/20, with only one handover remaining to complete the site at Wester Inch in Bathgate. Construction works are progressing across a range of locations, with further handovers expected in Livingston, Bathgate and West Calder in 2020/21. A total of 35 houses were purchased through the Open Market Acquisition Scheme, with Scottish Government grant funding continuing to be available to support the scheme. In addition, a further two houses were procured through mortgage to rent.

The Housing Capital Programme includes planned expenditure to support both the new build programme and continued investment in housing infrastructure to ensure that homes are suitable for 21st century living.

The council is committed to partnership working as a key to improving the quality of life for local people. Providing seamless services is at the heart of the council's ethos and this can clearly be demonstrated by an active Community Planning Partnership and other partnership arrangements such as the West Lothian Community Safety Unit Partnership with Police Scotland.

The Public Bodies (Joint Working) (Scotland) Act 2014 established the framework for the integration of health and social care in Scotland. A health and social care partnership in the form of the West Lothian Integration Joint Board (IJB) is in place in West Lothian. The arrangements require the delegation of relevant functions and resources by the council and NHS Lothian to the West Lothian IJB. The level of resources associated with council functions delegated to the IJB in 2019/20 was £69.4 million (2018/19 £63.8 million).

The central location, infrastructure and range of industrial, commercial and office properties, along with the support of the council's Enterprise Centre, property and business advisors, ensure that new businesses are attracted to invest and locate in the area and that existing businesses have opportunities to expand.

West Lothian has three country parks, Almondell and Calderwood, Beecraigs and Polkemmet. The area boasts a range of outdoor activities from golf courses and horse-riding to a renowned skate park, while the council's partners West Lothian Leisure Ltd. provide leisure, arts, sports and swimming facilities across the area.

3. Assessment of the Impact of Covid-19

Covid-19 has had a significant impact on the council, at a local, national and global level - impacting on service provision, the workforce and supply chains.

Service Provision

Changes to service provision have been required to ensure that the council follows and supports the restrictions which are necessary to suppress the spread of Covid-19 and ensure the safety the public and staff. This includes, but is not limited to:

- Closure of Day Centres, a Family Centre and changes to residential respite care for adults and older people. Special phone numbers and email addresses have been set up to ensure that anyone who needs help can contact the relevant professionals.
- Closure of Council Information Service offices, Libraries (e-book/magazine lending service available) and Community Centres (except to support essential voluntary work e.g. food banks, or to facilitate other essential services e.g. blood donation sessions). Essential services (e.g. Advice Shop) are available via telephone/email. Crisis grants and emergency cash are still available.
- Registration - remote registration for deaths in place seven days a week. Registration for births and marriages suspended
- Housing - essential repairs only being carried out.
- All planning applications and payments are being requested to be made online
- Taxi and Private Hire Car Drivers renewal applications must be lodged online

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It has been necessary to design and deliver new services and solutions at pace, including:

- A virtual support hub which works with provides support and assistance to vulnerable people in partnership with the third sector and others.
- Working with partners in the third sector (consortium made of 26 third sector organisations) to ensure access to food for those facing hardship.
- Assisting businesses to access the financial support available to them.

Council Workforce

- There has been ongoing engagement with Trade Unions in developing and implementing HR policies which allowed staff to work safely and provide support to managers and their teams in these new ways of working. This has included local discussions on policies, guidance and communication with staff.
- Guidance and advice, and communication are standing items on the agenda of the Corporate Management Team.
- Ongoing engagement with partners through local and national forums to ensure that the council is aware of the latest national guidance from appropriate bodies, such as Health Protection Scotland, COSLA, and the Scottish Government.
- Guidance and advice to staff is available on areas such Working from Home, Use of Pool and Personal Vehicles, Wellbeing, Visits to Customers, and Frequently Asked Questions covering areas including Key Workers, Safety, Pay and Terms & Conditions, Leave Arrangements, Childcare, Working from Home, Agency Workers, Redeployment, and Absence. This is available on the council intranet site. All staff have been signposted to this via a global email (weekly update on what the council is doing). Managers have also been cascading this information and guidance to their teams via appropriate channels and have been provided with guidance on tools which can be used to safely communicate with their teams, including video conferencing and Whats App. Staff have been kept informed through a weekly newsletter, which has included advice on wellbeing and how to access the Employee Assistance Scheme.
- Staff have been reallocated within services to support the delivery of essential services, e.g. Grounds maintenance and street cleaning staff supported waste collection services
- Staff at Council Information Services Offices which have been closed have been supporting the Contact Centre, and also supporting the councils contact with the Shielded Group
- Staff from Economic Development and Regeneration, Performance and Improvement Service and others are supporting the council's response to supporting the Shielding Group.
- A redeployment process is now in place to allow any identified workforce pressures/gaps to be matched to potential staff available. Staff have been redeployed as required to support delivery of essential services, especially waste collections and supporting vulnerable people. A corporate process was put in place to facilitate redeployment where a service need had been identified.
- Departure from existing policy and procedure on redeployment of staff approved on 26 March 2020.
- There has been a transformational shift to remote service delivery and remote working where it has been possible to do this. The council has been able to support remote working where the role allows remote working. Additional capacity was added in early March with over 1200 staff being supported to work from home.
- Relaxation of recruitment policy and procedure in relation to references and PVG checks during lockdown.
- Essential services which cannot be delivered remotely or through alternative channels had working arrangements reviewed and revised to allow them to be delivered safely for staff and clients.
- The impact of Covid-19 on absence levels (as both a result of sickness or a requirement to isolate) has been monitored. This has assisted in ensuring ongoing availability of sufficient staff for delivery of essential services. Even with a reduction in the number of infections in the community, as restrictions ease, this remains an area which could impact on the council, particularly as the Test and Protect program is rolled out.

Supply Chains

- There is a log of emergency powers and actions taken in relation to contracts and procurement.
- Emergency procurement has been undertaken for items in short supply that were required urgently (e.g. soap, sanitisers, paper towels and toilet rolls) from any source.
- In early April negotiations with contractors over level of payment and provision of services during the emergency period, through individual Heads of Services and controlled by Head of Corporate Services under Contracts Standing Orders.
- A decision was taken to allow PPE and hygiene supplies to be procured from non-approved suppliers, and ordering was co-ordinated. There was ongoing engagement with partners in health and government in relation to PPE for health and social care staff.

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- Work done on supply chain resilience in relation to leaving the EU without a deal had identified critical suppliers and mitigation measures.
- New ways of delivering services could impact on our demands from suppliers – this is being considered on an ongoing basis as part of recovery planning.
- Building suppliers/contractors going out of business and resultant delay to work on site which could lead to failure to deliver the capital programme of property investment.

Plans for Recovery

Covid-19 has had a significant impact on the council at a local, national and global level. The council will continue to work with its partners to mitigate risk as Scotland progresses through the route map and focuses on recovery and renewal.

It is likely to be some time before a new normal prevails. A number of the new services established in the emergency response are likely to have to continue for some time. The council will also have to consider how to deliver services safely as society adjusts to living with Covid-19. The challenge of delivering these requirements is being addressed through a process to ensure a measured programme to address the risks that exist or emerge and build in flexibility and resilience.

Services have put in place recovery plans detailing the arrangement for being services back safely in line with the Scottish Government Route Map. This includes mapping service activity to the Scottish Government route map and developing individual recovery and renewal plans for external customer facing activity. A report on Covid-19 Recovery and Renewal was approved by Council Executive on 18 August 2020.

Recovery plans include:

- Key issues with service delivery (including additional resources in use or required)
- Identify the actions needed to restore full service provision (including whether possible/desirable under different circumstances)
- Timelines
- Staffing and Cost Implications
- Any Governance Issues
- Enabling services
- Opportunities for renewal (redesign of services to deliver a better service/more efficiently)

Plans focus on capturing key issues to be considered in the reintroduction of services whilst at the same time identifying opportunities for service design and renewal. Where service renewal is identified it includes considerations for changes both in 2020/21 and beyond.

This continues to be a complex and changing situation and the recovery arrangements which are being put in place will continue to be monitored and reviewed on an ongoing basis to ensure that they are fit for purpose.

4. Corporate Strategy

The Corporate Plan sets West Lothian Council's strategic direction and identifies priorities for the period to 2022/23. These priorities are the focus for all council services, as the council, its partners and local communities work together to deliver better services for West Lothian.

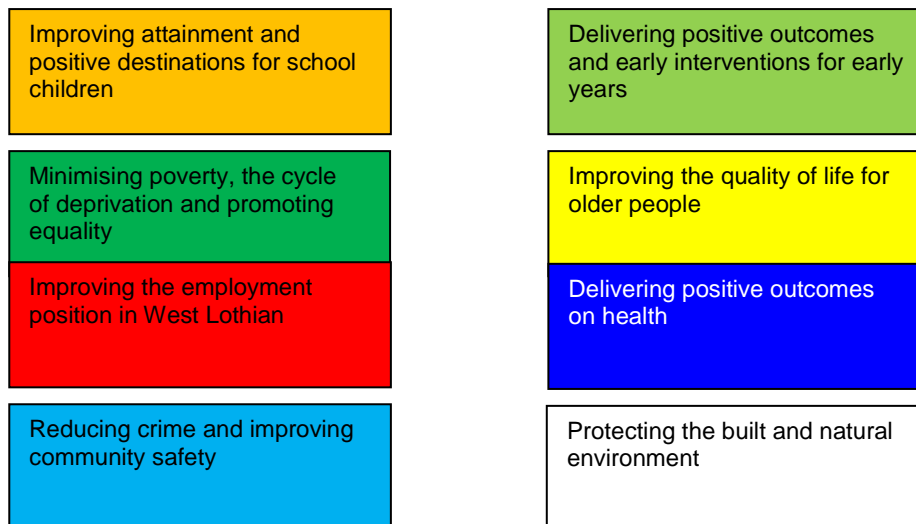
The most recent performance results confirm that the council continued to perform well in key priority areas, such as educational attainment, housing and tenancy management and mitigating the impact of poverty in West Lothian.

The council's Corporate Plan can be accessed using the following link

https://www.westlothian.gov.uk/media/19574/West-Lothian-Council-Corporate-Plan-2018---2023/pdf/West_Lothian_Council_Corporate_Plan_2018-2023.pdf

The council's overall aim is to improve the quality of life for people in West Lothian. The Corporate Plan contains eight key priorities that aim to make a lasting and sustainable impact on the local area and improve the lives of residents in West Lothian. This reflects the public consultation exercise (Transforming Your Council) undertaken in autumn 2017. The TYC consultation focused on three key areas – taxation, priorities and areas for budget savings. The consultation received over 45,000 comments that helped shape and inform the corporate and financial plans. Feedback received showed strong support for the council's eight priorities shown on page 8:

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The council has an integrated set of strategies designed to support the delivery of the council's priorities and also to contribute to the Strategic Outcomes of the West Lothian Community Planning Partnership.

Corporate Strategies support the delivery of the Corporate Plan priorities by achieving specific, linked outcomes. These strategies capture cross-cutting activity that will affect all, or a significant proportion of, council services within the corporate planning period.

The council produces a Factfile on an annual basis which provides an essential guide to the council's performance in relation to the eight priorities. The most recent publication can be found on the council's website: <https://www.westlothian.gov.uk/article/43519/Annual-Report-Factfile->

5. Budget Strategy and Budget Setting

Covid-19 implications will be a key consideration for the council in the ongoing review and update of the currently approved budget plans for future years. In line with the council's integrated approach to corporate and financial planning, the 2020/21 budgets for general services revenue, the general services capital programme, along with the 2020/21 treasury management plan, were approved by full Council on 28 February 2020. The housing revenue account (HRA), and the housing capital programme were approved by full council on 18 February 2020.

Approval of the medium term revenue financial plan for the period 2020/21 to 2022/23 ensured that the council complied with Audit Scotland, CIPFA and the Accounts Commission best practice which states that public bodies should focus on their medium to long term financial sustainability through having a financial strategy supported by detailed plans covering a minimum of three years. The budget plans included the allocation of £7.8 million of one off resources over the three year period for investment in priority areas including supporting voluntary organisations, climate change and job creation. Budget savings of £31.8 million were also agreed by Council, as part of a balanced three year budget. The approved savings cover all service areas and include saving measures such as service redesign, integration and modernisation, channel shift and digital transformation, income and concessions, partnership working, revised delivery models and service standards, empowering communities and reducing facilities, revised assessment and eligibility for care and a revised scheme of devolved school management. Officers continue to monitor announcements and other information to review and refine currently agreed budget assumptions.

The annual general services and housing revenue budgets form part of the council's integrated approach to financial strategy, corporate planning, delivery of outcomes and performance monitoring. The activity budget links the council's activities, resources and outcomes and is a core element of the council's financial strategy and annual management plans. The 2020/21 activity budget is published on the council's intranet <https://intranet.westlothian.gov.uk/article/50367/Activity-Budget-20202021>. The council's budget setting process is subject to statutory, regulatory and governance requirements. The Local Government Finance Act 1992 section 93(2) requires councils to formally agree council tax levels before 11 March each year, and the Housing (Scotland) Act 1987 requires the housing budget and rent increases to be reported to Council each year for approval.

The long term general services capital programme supports the delivery of the council's eight Corporate Plan priorities. The programme also takes into consideration comments received during budget consultations where there was support for the effective and efficient management of our assets and reducing energy use. It is important that resources are prioritised on an ongoing basis to ensure investment has the maximum impact on the core assets necessary to sustain existing service delivery. A five year housing capital strategy and ten year general services capital investment strategy was approved by Council on 13 February 2018, along with the Corporate Asset Management Strategy on 19 March 2019. These financial investment plans were updated on 28 February 2020.

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The Prudential Code requires councils to approve, on an annual basis, a defined set of prudential indicators, covering both general fund and housing capital investment, at the same council meeting that approves the revenue budget for the forthcoming year.

The key objective of the Prudential Code is to ensure that the capital investment plans are affordable, sustainable and prudent in the long term. The Code's prudential indicators are designed to support and record local decision making and are required to be approved and monitored by the Council. In doing so, the council is fulfilling its duty to ensure that spending plans are affordable, prudent and sustainable and also confirming that the treasury management function operates in accordance with the requirements of the CIPFA Treasury Management in the Public Services Code of Practice. It is assessed that the council's revenue, capital and treasury financial plans are in compliance with the Prudential Code.

The CIPFA Financial Management Code was published in October 2019 and reported to the council's Partnership and Resources Policy Development and Scrutiny Panel on 7 February 2020. The report can be accessed as follows <https://coins.westlothian.gov.uk/coins/submissiondocuments.asp?submissionid=45059>. It is intended by CIPFA that this will have the same scope as the CIPFA Prudential Code. The code is designed to support good practice in financial management and assist in demonstrating the local authority's financial sustainability. There is a requirement of full compliance with the code by financial year 2021/22. The council has begun assessing its compliance against the Code and considers itself to be in a strong position to comply from the start of its formal implementation. It will continue to monitor assessment against any future guidance.

Since the council's budget plans were approved in February 2020, the Covid-19 pandemic has become a very significant operational and financial challenge for local government. As well as directly dealing with the impact of the virus and protecting communities, councils must continue to deliver a wide range of services which are all being impacted by the current situation.

While the full financial implications resulting from Covid-19 remain uncertain, they will be significant. Taking account of this, COSLA and all 32 local authorities in Scotland have been working together to capture the financial implications resulting from Covid-19. This will be an ongoing process across the council's revenue and capital plans to ensure that a clear understanding is obtained over time of the financial implications and these can be considered as part of ongoing work to update financial planning assumptions.

The council has a Corporate Transformation Programme Team (CTPT) in place to support the implementation of the council's corporate and financial plans through ensuring delivery of service changes and budget saving measures. The team report to a Deputy Chief Executive and are focused on facilitating transformational change throughout the council, whilst working with enabler services to ensure the council continues to have a balanced budget over the medium to long term. The CTPT provides and builds internal council capacity to support ongoing modernisation reflecting the challenges facing local government. The performance of the team is assessed through the successful completion of saving projects and the implementation of agreed budget saving measures.

The CTPT have helped support the development, approval and implementation of a number of significant and complex projects during 2019/20. A key aspect of the CTPT will become the continued research and feasibility of future transformation opportunities and initiatives taking account of the implications of Covid-19, and potential transformation suggestions for the period beyond 2022/23. They will undertake scanning and benchmarking exercises to identify potential opportunities for change in areas such as, but not limited to, charging, commercial management, volunteers and effective and efficient use of assets.

6. Performance Overview

West Lothian Council has a strong approach to performance management, with clear standards for reporting meaningful performance information to different stakeholders. This approach provides a range of management and public data about our corporate and service performance and critically, has a performance framework, aligned to our eight priorities (in the Corporate Plan), that tracks the measurable impact of council services and investment in the agreed outcomes for West Lothian.

The performance management approach is comprehensive and consistently applied throughout all services. Key principles help identify the measures of performance that will inform decision making and operational planning and support evaluations of the relative value of the services we provide. A clear performance framework requires a balanced set of indicators for services and processes that track the overall impact and quality of services through measures of efficiency, effectiveness and satisfaction with the service. Moreover, the performance management approach defines robust tracking and monitoring processes to manage performance effectively whilst also supporting target setting and benchmarking that enables timely, appropriate interventions.

A range of information is published on corporate and council service performance:

<https://www.westlothian.gov.uk/article/33035/Performance->

and on comparative performance:

<https://www.westlothian.gov.uk/benchmarking>

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The council has operated a cyclical corporate programme of self-assessment since 2003/04 to evaluate achievement in services and support improvement across the organisation. There are two recognised programmes of self-assessment and both are based on the same framework: The European Foundation for Quality Management. Our schools use Validated Self Evaluation (VSE) and all other services use the West Lothian Assessment Model (WLAM). The results of the WLAM process are reported to the Performance Committee and the results of the VSE are reported to the Education (Quality Assurance) Committee. The papers and agendas for these committees are available on the council's COINS system <https://coins.westlothian.gov.uk/coins/>.

External scrutiny is also used to improve service performance and challenge practice against the best in class in the public, private and third sectors. The council retained Customer Service Excellence (CSE) following external assessment in 2019/20. The council was the first Scottish local authority to be assessed by EFQM at international level and were highly commended at the EFQM Global Excellence Awards 2019/20. Following the assessment the council is now recognised in the EFQM Global Excellence Index as a Gold Leading Organisation for Excellence in the Public sector and was Highly Commended in Adding Value for Customers.

A range of performance information is published on all council services, this includes:

- **Customer satisfaction with the service:**

We consult with customers on the quality of services that they receive from the council and this information is used to identify ways to improve our services. Seven consistent indicators of customer satisfaction are measured by every service and analysed and compared to demonstrate that the council is providing high quality customer-focused services to customers. Our consultation approaches and customer results are also validated and improved through assessment processes such as; the self-assessment programmes, EFQM and Customer Service Excellence assessment.

- **How we perform against service standards:**

Service standards are the promises that the council makes to our customers about the quality of the service that we will deliver. The standards set out what customers accessing our services can expect regarding customer service, timeliness and overall quality. We monitor our performance against the standards with customer satisfaction results and the measurable aspects of service provision, such as time taken to deliver services and the number of complaints received or upheld. Telling people how our services are performing is important. It helps the council to demonstrate that we are open and honest with the public and that we are working to improve the value and impact of our services for the people living, working and learning in West Lothian.

- **The efficiency of the service:**

The council has a responsibility to achieve value for money and report our performance to the public, explaining how efficiently we deliver services and how this compares to others. Efficiency indicators are in place to help measure the value of our services and these will generally focus on how efficiently services and processes are delivered. This can be calculated by what goes into a process (e.g. inputs such as cost, staff and other resources) and the output of that process, including any waste or repeat work, amount of resources (time, cost, people, etc.). For comparative purposes, there are also indicators tracking the unit cost of services and processes or the total cost of the service based on population or users.

There are long and short-term measures of performance that indicate how services and processes contribute to council priorities. These are aligned with the council's key corporate strategies and plans and ensure that the key services and processes of the council are measured, monitored, reported and improved.

Benchmarking is an improvement process that allows West Lothian Council to compare our performance with other organisations, such as other Scottish Local Authorities. Benchmarking is used to identify how we are doing and what we can learn from the high performance and good practice of others. Performance management is the way that West Lothian Council measures achievement in key activities and processes. It enables the council to track the progress made in achieving outcomes and priorities and to demonstrate that services are delivered efficiently and effectively.

- **The impact of the service:**

The council has set challenging outcomes and priorities for West Lothian with our Community Planning Partners. Services' contribution to achieving those outcomes and the corporate priorities is determined through measurement of the key activities and processes that they deliver. The outcomes a service achieves are assessed through a set of measures developed in line with the council's performance framework. Service performance measures demonstrate performance across a range of areas including customer satisfaction, quality of services, efficiency of services and effectiveness of key processes.

In 2019/20 the council continued to perform well in key priority areas for West Lothian. This included; improving attainment and positive destinations, minimising poverty through effective housing and tenancy management and welfare support for the most deprived in our community and delivering high quality and technology-enabled personalised care at home for older people.

The council will continue to target improvement in performance service processes and waiting times in customer services. We will target reductions in the cost of providing a range of services through transformation and digitisation activities.

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7. Financial Performance Review

The financial performance review outlines the key financial issues affecting the council during the year and the overall financial position of the council.

7.1 Financial Ratios

The following ratios assist evaluation of the council's financial sustainability and affordability of financial plans.

Council Tax	2019/20	2018/19	Notes on Ratios
In-year collection rate	96.6%	96.4%	This shows the % of council tax collected during the financial year that relates to bills issued for that year. It does not include collection of funding relating to previous financial years.
Target for year	96.5%	96.3%	
Council tax income as a percentage of overall funding	20.5%	20.3%	This shows the proportion of total funding that is derived from council tax. The percentage increased in 2019/20 as a result of the Budget strategy to increase council tax by 3% in real terms (4.79% in cash terms) for 2019/20, including increased council tax from additional house completions in year.
Debt and Borrowing – Prudence			
Capital Financing Requirement (£'000)	721,714	722,712	The capital financing requirement represents the underlying need to borrow to fund expenditure on assets. The council continues to invest in its assets, and in particular building new council houses. The council's borrowing requirement decreased slightly in 2019/20 as only the Housing Capital Programme used borrowing as a source of funding. In 2019/20, General Services had a nil borrowing advance whilst still making an annual statutory repayment of debt.
Debt and Borrowing – Affordability			
Financing costs to net revenue stream – General Fund	6.4%	7.1%	These ratios show the proportion of total revenue funding that is used to meet financing costs. The ratios exclude any voluntary repayments of debt made during the year. For General Fund the percentage decreased as the revenue budget continued to grow, mainly as a result of increased ring fenced Scottish Government, whilst debt servicing costs largely remained static. This means that annual debt servicing costs became a lower percentage of the total revenue stream. For HRA the percentage decreased to reflect the largely static debt servicing costs and increased rental income. These percentages are deemed to be affordable as outlined in the 2019/20 treasury plan and approved indicators.
Financing costs to net revenue stream – HRA	27.0%	29.5%	

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7.2 Financial Outturn

Net expenditure on General Services is met from government grants and council tax. In 2019/20 government grants accounted for 79.5% (79.7% 2018/19) of the council's external funding with the remaining 20.5% (20.3% 2018/19) from council tax. The in-year collection rate for council tax in 2019/20 was 96.6% (96.4% 2018/19).

In 2019/20 the council incurred net expenditure of £501.0 million (£511.5 million 2018/19) against a budget of £504.5 million (£512.1 million 2018/19), utilising 99.3% (99.9% 2018/19) of available budget.

The Expenditure and Funding Analysis (EFA), Note 5 on page 55, shows how the annual net expenditure is used, how it is funded from resources and how expenditure is allocated for decision making purposes between the council's services.

The figures in the first column of the EFA detail the financial position before the application of accounting entries such as depreciation, pensions and accumulating absences in line with the council's monitoring procedures throughout the year.

As shown in the EFA, the General Fund recorded a net surplus for the year of £2.2 million. This was made up as follows:-

Service Expenditure	2019/20 Budget £'000	2019/20 Actual £'000	Variance £'000
Education, Planning, Economic Development and Regeneration			
Schools, Education Support	240,407	239,018	(1,389)
Planning, Economic Development and Regeneration	5,538	5,118	(420)
Corporate, Operational and Housing			
Operational Services	72,887	74,053	1,166
Housing, Customer and Building	9,507	9,670	163
Corporate Services	16,229	16,209	(20)
Social Policy			
IJB – Adult and Elderly Services	69,438	69,438	-
Non- IJB – Children's Services	34,539	33,638	(901)
Chief Executive, Finance and Property	42,964	42,204	(760)
Joint Boards	1,154	1,154	-
NET SERVICE EXPENDITURE	492,663	490,502	(2,161)
Non-Service Expenditure			
Pensions, NDR Relief and Benefit Payments	11,795	10,448	(1,347)
TOTAL EXPENDITURE	504,458	500,950	(3,508)
FUNDING			
Scottish Government Grant	(321,078)	(321,078)	-
Council Tax	(82,608)	(82,830)	(222)
TOTAL FUNDING	(403,686)	(403,908)	(222)
NET OUTTURN POSITION	100,772	97,042	(3,730)
Expenditure Funded from Committed General Fund Balance	(100,772)	(99,248)	1,524
Surplus for the year	-	(2,206)	(2,206)

The 2019/20 net budget underspend was £3.7 million. This was largely due to one-off underspends in Social Policy and Education, partially offset by recurring pressures within Operational Services and Housing, Customer and Building Services. In addition, there was an underspend in non-service expenditure mainly due to savings in treasury and there was higher than budgeted income from Council Tax.

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The main areas of variance in 2019/20 were as follows:

- Social Policy had a one-off underspend of £0.9 million largely due to reduced costs in Foster and Kinship Care and External Placements for Children. The underspend in these areas reflects accelerated progress towards achieving approved 2020/21 savings.
- Underspend by £1.4 million within Education following a review of budget model assumptions for 2019/20. This reflected that the budget model agreed in February 2019 included a number of elements of funding and costs within the Education budget which were still subject to agreement and confirmation at Scottish level at the time the budget was approved, in particular the increase in employers' superannuation costs, demographic projections and the final teachers' pay award.
- Operational Services overspent by around £1.2 million mainly due to higher than budgeted staffing costs from overtime as a result of sickness absence levels in both Facilities Management and Recycling and waste services.
- Additional costs from homelessness and homelessness transport as a result of ongoing demand for temporary accommodation contributed to the overspend in Housing, Customer & Building Services. Management action continues to be implemented to reduce expenditure in line with recurring budget.
- School transport contracts were within budget, taking account of one-off resources provided to mitigate the pressure. Management action progresses to reduce expenditure on an ongoing basis.
- One off windfall of £0.5 million from the appeals process for Non Domestic Rates (NDR) and the Business Rates Incentivisation Scheme.
- Treasury savings of £0.9 million were generated from the reprofiling of the loans fund principal, this was partially offset by £0.3 million for winter maintenance during 2019/20, with the remaining £0.6 million retained in the General Fund Balance for projects and investment agreed by West Lothian Council on 28 February 2020.
- There was an over recovery in council tax income largely due to the outcome of a comprehensive review of the level of exemptions and discounts in place.

Areas with recurring pressures and key demand led areas of the budget will continue to be closely monitored during 2020/21. Overspend risks will be highlighted as part of the established monitoring process to ensure action is taken to mitigate pressures. In addition, as reported to Council Executive on 18 August 2020, there is currently an estimated 2020/21 revenue budget pressure resulting largely from the impact of Covid-19 of £4.334 million. This takes account of additional Scottish Government funding received to date to help manage Covid-19 related pressures. It was agreed that officers should continue to monitor the financial impact of the current pandemic and continue to engage with Scottish Government and COSLA around further government funding for the council to fund the significant additional costs being incurred by the council. In light of this, Council Executive agreed that that the £1 million over and above the minimum approved uncommitted General Fund balance of £2 million should be ear-marked for managing the projected 2020/21 overspend.

The following table reconciles the outturn report to column 1 of Note 5 Expenditure and Funding Analysis (EFA)

	Outturn Report	Depreciation	Pensions	Employee Statutory Adjustment	EFA Column 1 Note 5
	£'000	£'000	£'000	£'000	£'000
Net Cost of Services	500,950	(107,920)	(25,723)	(691)	366,616
Other Income and Expenditure	(503,156)	107,920	25,723	691	(368,822)
Surplus on Provision of Services	(2,206)	-	-	-	(2,206)

The net surplus of £2.2 million increases the General Fund balance to £19.9 million at 31 March 2020. Existing commitments against the balance are £16.9 million, including a Modernisation Fund of £1.5 million, developer contributions from HRA of £5.1 million and time limited projects of £1.1 million. Time limited projects are investments in specific programmes or activities for a short period of time typically to support transformational change or focus on a particular area to generate future financial and non-financial benefits. Full details of the commitments against the General Fund Balance are detailed in Note 34 on page 82.

The council has a provision of £0.4 million for the settlement of claims for back pay arising from equal pay claims. As the council's equal pay claims are largely settled, the remaining provision is considered sufficient to meet the requirements of any final claims.

The council has a Modernisation Fund which can be used to assist in funding potential termination costs for staff or other costs associated with modernisation and change within the council. From 2010/11 to date £18.6 million has been paid from the Modernisation Fund. As at 31 March 2020, the balance of the Modernisation Fund is £1.5 million (£0.6 million as at 31 March 2019).

MANAGEMENT COMMENTARY

Included in the Comprehensive Income and Expenditure Statement is £0.5 million (£3.5 million 2018/19) of expenditure in relation to the cost of agreed employee exit packages payable to 21 staff (100 staff during 2018/19) as part of the council's strategy to balance the budget.

During the normal fixed assets revaluation cycle, garage sites and lockups, cemetery buildings, hostels, libraries, visitor centres, public conveniences, travelling peoples' sites, village halls, grazing land, clubhouses, cinemas, muster rooms, sports centres and swimming pools were revalued. As a result, £39.9 million was charged to the Comprehensive Income and Expenditure Account, of which, £39.3 million relates to impairment on council dwellings. The revaluation charge has no impact on the General Fund Balance carried forward.

7.3 Revenue Budget – Housing 2019/20

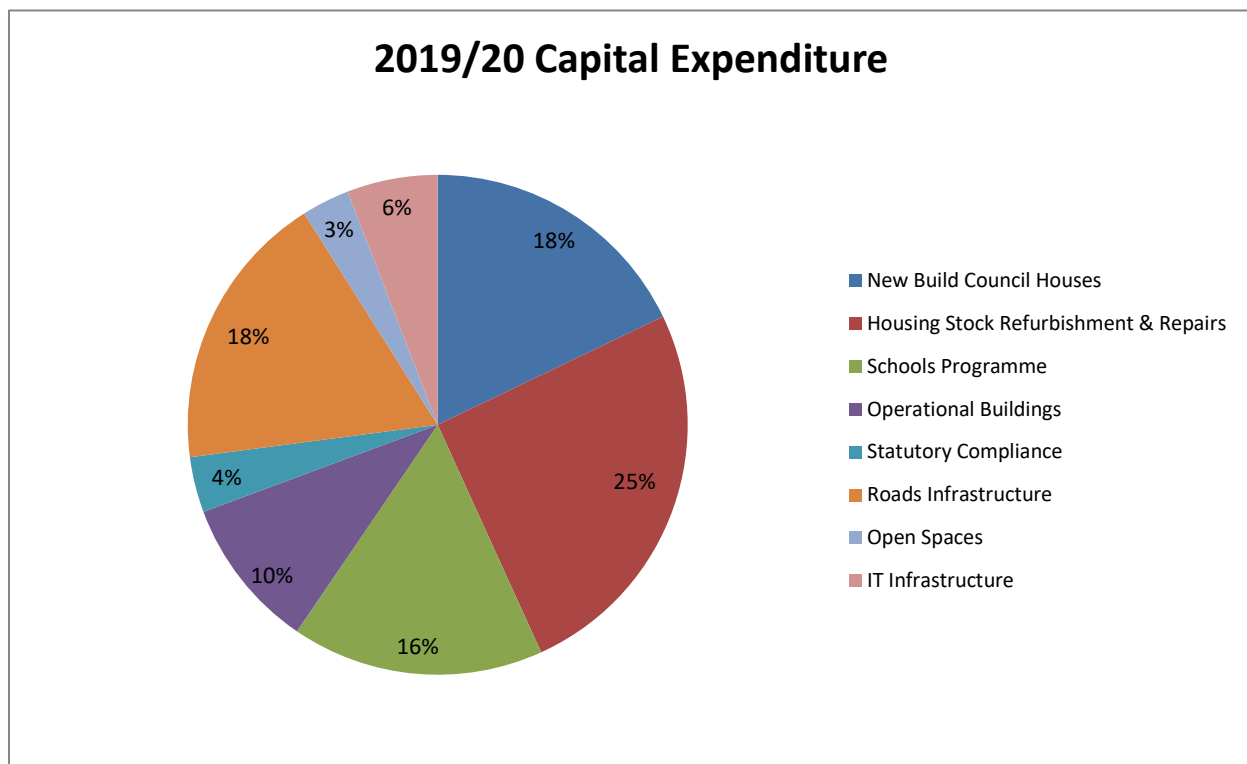
Statement 9 (page 86) the HRA – Income and Expenditure Statement includes depreciation and impairment on housing assets. The deficit for the year is £43 million (£44 million 2018/19). Statement 10 (page 87) the Statement of Movement on the HRA Balance adjusts this deficit as a result of amounts which are required by statute to be debited or credited to the HRA Balance for the year, the net credit for these items is £43 million (£44 million 2018/19). The overall position was breakeven for the year, which maintains the HRA balance carried forward at £0.9 million (£0.9 million 2018/19).

7.4 Capital Budget 2019/20

Under the provisions of the CIPFA Prudential Code for Capital Finance in Local Authorities, councils can decide locally on capital investment strategy on the basis that spending plans must be affordable, prudent, sustainable and meet Best Value requirements. Compliance with these criteria is demonstrated by defined prudential indicators.

Based on approved indicators, the council was able to demonstrate the affordability of capital plans. The capital financing requirement for 2019/20 was £721.7 million (£722.7 million 2018/19), £474 million (£486.5 million 2018/19) for general services and £247.7 million (£236.2 million 2018/19) for Housing Revenue Account. External debt levels were £706.7 million during 2019/20 (£710.4 million 2018/19).

7.5 Capital Programme 2019/20



The General Fund and Housing Revenue Account capital outturns are detailed in the following table:-

	2019/20			2018/19		
	Budget £'000	Actual £'000	Over/(Under) Spend £'000	Budget £'000	Actual £'000	Over/(Under) Spend £'000
Capital Programme						
General Services	33,389	39,957	6,568	29,431	28,723	(708)
Housing Revenue Account	36,398	30,393	(6,005)	42,019	40,447	(1,572)
Total Capital Expenditure	69,787	70,350	563	71,450	69,170	(2,280)

MANAGEMENT COMMENTARY

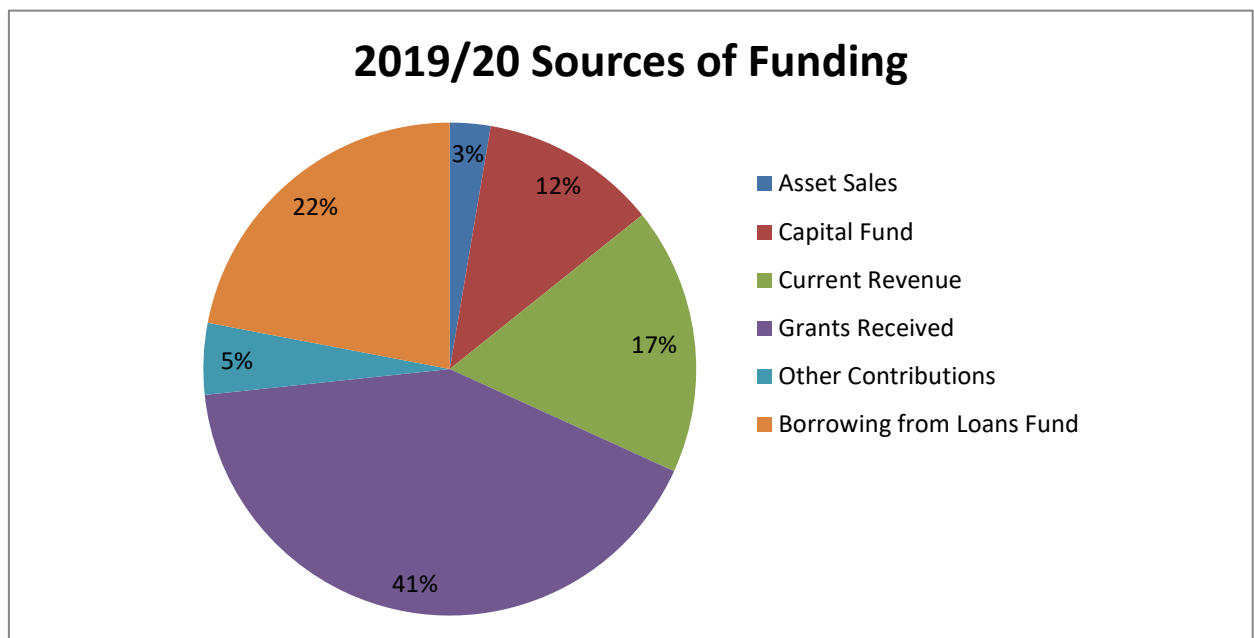
The 2019/20 General Services capital programme had a budget of £33.4 million and the final outturn for 2019/20 was £40 million. The variance of expenditure compared to budget for the year was £6.6 million due to accelerated spending on various projects across asset categories.

The HRA capital programme had a budget of £36.4 million and actual expenditure of £30.4 million resulting in a net variance of £6 million. This was mainly due to minor slippage on the New Build Programme.

The total council capital expenditure was funded as follows:-

Sources of Funding	2019/20 £000	2018/19 £000
Asset sales and contributions from third parties / funds	42,535	31,131
Revenue contributions to capital	12,343	9,108
Borrowing	15,472	28,931
Total Funding	70,350	69,170

Total debt outstanding at 31 March 2020 (2019) was £623.1 million (£623.4 million). The details of the debt outstanding are shown in note 15.3.



7.6 PPP and DBFM Contracts

As part of the funding arrangements for the delivery of the New West Calder High School, the council entered into a Design, Build, Finance and Maintain Agreement (DBFM), supported by the Scottish Government Schools for the Future programme. The project financially closed in December 2016, with construction completion and handover occurring on the 29 June 2018.

The PPP and DBFM contracts are assessed under International Financial Reporting Standards (IFRS) which looks at aspects of control of an asset, such as specifying services and the price paid for these services. The net value of all PPP and DBFM assets in the balance sheet at 31 March 2020 is £133.9 million (£150 million as at 31 March 2019).

The outstanding liabilities on the PPP and DBFM contracts are £85.4 million (£89.2 million 2018/19) of which £3.7 million (£3.2 million 2018/19) is shown under current liabilities and £81.7 million (£86 million 2018/19) under long term liabilities.

Details of the annual costs of these contracts are shown in note 35.

MANAGEMENT COMMENTARY

7.7 Significant Trading Operations (STO)

The Local Government in Scotland Act 2003 introduced the requirement to maintain and disclose significant trading operations. Consequently, a trading account has been prepared for the council's only significant trading operation, Economic Development Properties, in accordance with guidance issued by CIPFA/LASAAC.

During 2019/20 the STO achieved an in-year surplus of £1.5 million (£0.8 million 2018/19).

In the three years to 31 March 2020 the trading account sustained a statutory aggregate surplus of £0.3 million, therefore achieving the statutory financial requirement to breakeven over a three year period.

Note 29 provides further detail.

7.8 Pension Reserve and IAS19

The pensions accounting standard IAS 19 is fully adopted in the accounts and details are available in Statement 8 note 1 on accounting policies. The requirement to recognise the council's share of the net liabilities of the Lothian Pension Fund (LPF) in the balance sheet has resulted in a negative Pension Reserve of £225.4 million at 31 March 2020 (£279.7 million at 31 March 2019).

The deficit has reduced mainly as a result of a combination of the investment returns being significantly lower than expected, particularly in the last two months of the accounting period due to Covid-19, which has served to worsen the balance sheet position. The effect of which has been offset by a higher net discount rate which serves to reduce the value placed on the obligations. Corporate bond yields are at a level similar to that of 31 March 2019; however inflation expectations are significantly lower.

The negative reserve does not impact on the council's available resources. The figures presented in the actuary's valuation are prepared only for the purposes of IAS19 and have no validity in other circumstances. In particular, they are not relevant for calculations undertaken for funding purposes, and have no impact on the employers' pension contribution rate.

7.9 Other Reserves

The following table details the usable reserves held by the council for the five year period 2015/16 to 2019/20.

Fund	2015/16 £'000	2016/17 £'000	2017/18 £'000	2018/19 £'000	2019/20 £'000
Committed General Fund	23,539	23,187	21,805	15,290	16,875
Uncommitted General Fund	2,070	2,075	2,101	2,373	2,994
HRA Fund	926	926	926	926	926
Capital Fund	88,214	65,527	58,963	61,713	57,917
Insurance Fund	13,715	11,835	10,125	10,391	9,317
Total	128,464	103,550	93,920	90,693	88,029

The reduction in the Capital Fund of £3.8 million from 2018/19 is a result of the planned usage of the fund to supplement the capital programme. The 2019/20 capital investment programme and treasury management plan agreed and acknowledge the use of the council's capital fund to support investment in General Services assets of £40 million as outlined in section 6.5 of this commentary.

Following an actuarial review of the Insurance Fund, West Lothian Council, at its meeting on 24 September 2019, agreed that the identified surplus of £1.4 million within the fund would be considered as part of the budget strategy for 2020/21 to 2022/23. The one-off use of the Insurance Fund £1.4 million was approved to provide resources and considered as part of the budget strategy report to Council on 28 February 2020.

As part of the annual revenue budget setting process, the Head of Finance and Property Services assesses and reflects on the appropriateness of the unallocated general fund balance. The review is undertaken each year, and for 2019/20, was considered in the revenue budget report to the Council on 19 February 2019. It was concluded that, in order to ensure that sufficient funds are held in reserve to deal with the financial consequences of uncertain future events, that the uncommitted balance be maintained at a minimum of £2 million. This level is assessed as appropriate as the council has an approved medium term financial strategy which is underpinned by clear financial planning arrangements, sound financial management and a number of other earmarked reserves.

Details of the committed General Fund balance are shown in note 34 on page 82.

MANAGEMENT COMMENTARY

7.10 Group Accounts

Local authorities are required to consider their interests in all types of entity, including companies, joint ventures and statutory bodies such as Valuation Boards. Where they have a material interest in such entities, authorities are required to prepare a full set of group accounts in addition to their own council's accounts. The council has a number of non-consolidation interests in other entities, full details of which are shown on pages 97 and 98. For the purposes of consolidation and incorporation with the Group Accounts the council had one subsidiary company during 2019/20, West Lothian Leisure (WLL).

The Covid-19 pandemic resulted in WLL closing all facilities to the public on 20 March 2020 which has had a significant and unprecedented, negative impact on WLL's financial position. The majority of those facilities only re-opened on 14 September 2020.

West Lothian Council provided additional support measures to WLL during this time. A reprofiling of the WLL management fee for 2020/21 was reported to Council Executive on 26 May 2020 and agreed under SO31 arrangements. In addition, on 18 August 2020 Council Executive agreed that the Head of Finance and Property Services would issue a letter of comfort to WLL. The letter confirms that the council will continue to undertake cash flow management with WLL, to allow it to meet its everyday cash liabilities in respect of the financial year 2020/21.

WLL's auditor provided an unqualified audit report on their 2019/20 financial statements.

Lothian Valuation Joint Board is deemed to be an associate under group accounts guidance.

The council has joint venture relationships with a 50% holding in West Lothian Recycling Ltd and a joint venture in relation to the health and social care partnership in the form of the West Lothian Integration Joint Board (IJB).

West Lothian Recycling Ltd was wound up effective from 10 October 2019 and from 2020/21 will no longer form part of the Group Accounts.

In terms of West Lothian IJB, Covid-19 represents an unprecedented challenge for the delivery of health and social care services and while the financial impact in 2019/20 was not material, it is clear there will be significant additional costs resulting in 2020/21. Taking account of this integration authorities have submitted Local Mobilisation Plans detailing how they are responding to the resulting impact on care services. These plans and associated financial cost estimates are being closely reviewed with regular updates being provided to the Scottish Government. These updates take account of both modelled costs for the year and the tracking of actual costs as they are being incurred. Regular updates on the financial implications reflected in the Mobilisation Plan cost updates are also reported to the Board and Council. The IJB has a statutory responsibility in relation to the strategic planning of future health and social care delivery. The implications arising from Covid-19 on delivery of care services and current strategic planning and commissioning plans is being kept under close review.

The council, along with NHS Lothian, have a statutory duty under the Public Bodies (Joint Working) (Scotland) Act 2014 to review the integration scheme every five years. An integration scheme represents an important governance document, not only for the West Lothian Integration Joint Board, but for the partner health board and local authority.

The first review of the integration scheme was scheduled to have been completed in June 2020. The process was started and a timetable was agreed by the council and NHS Lothian. Due to the intervention of the Covid-19 emergency the process could not be progressed after the council and health board prioritised resources for tackling the pandemic and it has been formally abandoned. The current Integration Scheme will remain in place until the review process is completed and changes are approved by the Ministers. The operation of the West Lothian Integration Joint Board will not be affected and will continue under the current Integration Scheme. There remains significant uncertainty around the ongoing implications of Covid-19 and a revised timetable for reviewing the scheme will be set by the council and NHS Lothian in light of prevailing and predicted pandemic circumstances.

8. Risk and Uncertainty

At present, there are no confirmed Scottish Government budget allocations for local government beyond 2020/21. The uncertainty around the financial implications of Covid-19 will be a significant risk for local government and the wider economy going forward. Taking account of the Covid-19 pandemic, a Summer Budget Bill Revision was laid before the Scottish Parliament in May 2020 and sets out the detail of the budget measures taken by Scottish Ministers in response to Covid-19. The Scottish Government response to Covid-19 will be ongoing and any further budget changes will be detailed in the proposed Autumn and Spring Budget Revisions later in the financial year.

MANAGEMENT COMMENTARY

The council's approved financial plan is based on a number of short, medium and long term financial assumptions which are subject to significant risks and uncertainties. Whilst acknowledging that the council's planning assumptions are subject to uncertainty due to the planning time horizon, there are a number of risks, uncertainties and potential cost pressures that could impact on the council's ability to balance the revenue budget. In particular it is uncertain what proportion of the overall Scottish funding envelope will be allocated to local government, especially with an increasing risk in relation to the performance of the wider UK and Scottish economy. There are two fundamental areas of risk associated with the wider economy and resulting public sector funding:

- The Covid-19 pandemic has resulted in radical changes to council working practices with home working becoming the default position for many staff who are able to do so. A key objective for the council arising from Covid-19 has been to support staff to work as safely as possible during the pandemic and ensure compliance with social distancing guidelines and other requirements to reduce the risk of transmission of the virus. Remote working tools and ongoing engagement with staff to help them stay connected to work colleagues has also been a key priority during the period. Covid-19 is having an impact on the delivery of many council functions and will increase the prospect of an economic downturn which coupled with increased demands on council services will place increasing pressure on the council's ability to deliver a balanced budget. Additional risks have also been identified, for example in relation to impact on income collection (e.g. Council Tax, Planning income) and the council's ability to successfully deliver its Anti-Poverty Strategy. The implications of Covid-19 are being closely monitored with regular updates on the position and proposed actions reported to Council Executive.
- If the UK Government is not able to agree a trade deal with the European Union there is a risk that this could exacerbate any economic downturn caused by the Covid-19 pandemic, further impacting on the council's ability to deliver a balanced budget, and causing further demand for welfare advice and a further increase in Scottish welfare fund and housing benefits payments.
- The council published a detailed contingency plan for a No Deal UK Exit on 10 October 2019. The purpose of the plan was to present the arrangements in place at West Lothian Council to identify, monitor and respond to potential issues arising following a No Deal EU Exit. The plan highlights the steps the council will take to mitigate the potential impacts, in the event of no deal. The aims of the plan are to ensure that in the period of up to 6 months, council arrangements are focussed on maintaining the delivery of critical services, maintaining normal service delivery as much as possible, identifying, protecting and supporting those who become vulnerable as a result of leaving the EU and to work closely with partners during planning and response. The plan was developed by the EU Exit Working Group who also meet regularly to review the risks and controls in place. The working group reviewed the contingency plan at the end of June 2020 and the EU exit risk register was reviewed and updated in July 2020. Monthly meetings of the EU Exit Working Group recommenced from 26 August 2020, in preparation for the UK's EU exit transition period coming to an end at 31 December 2020.

Other key risks in relation to funding and overall financial planning assumptions include:

- More ring fencing of grant funding, constraining how local authorities allocate their resources to deliver local priorities.
- General Economic uncertainty, where economic growth is not in line with forecasts due to worldwide market conditions including the impact of leaving the EU, and how this can impact on public spending levels, especially as the overall Scottish funding envelope is now highly contingent on economic performance.
- The council's ability to meet its statutory homeless duty and maintain spend on housing need within budget. One of the council's mitigating measures relates to the new build housing programme and it is anticipated that there will be a significant number of secondary lets which will be allocated to homeless applicants.
- Increases to pay award, employers' National Insurance and pension contributions above the rates assumed in the council's financial plan. Although there is an agreed pay settlements for 2020/21, there is a risk associated with the pay costs for the final two years of the approved plan
- Increase in costs in demand led services is greater than financial planning assumptions. Continued and accelerated increases, greater than forecasts, will create additional pressures.
- Actual inflation being higher than assumed, in particular for areas where contract prices have still to be agreed.
- Actual pupil numbers exceeding forecasts, requiring more teachers to be employed.
- House building assumptions of 900 per year are not realised resulting in changes to council tax and school demographic assumptions.
- Policy changes by the UK or Scottish governments which restrict the council's flexibility to decide how to deliver services locally.
- Full delivery of approved budget reduction measures, although good progress has been made to date in implementing savings.

MANAGEMENT COMMENTARY

9. Future Work and Ongoing Developments

West Lothian Council approved an updated medium term financial plan for the period 2020/21 to 2022/23 at the Council meeting of 28 February 2020. In order to maintain a balanced budget for 2020/21 to 2022/23 the council is required to deliver total budget savings of £31.7 million.

The updated financial plan highlighted a number of risks over the period that will be closely monitored. In addition, an assessment of the risk to deliverability of each of the proposed budget saving measures was included in the budget report to assist councillors in the scrutiny aspect of their budget setting role. There will be further regular monitoring of progress towards the deliverability of approved savings over the three year period and this will take account of any implications resulting from Covid-19.

Whilst the council has an approved medium term financial plan, the council continues to face unprecedented challenges, including the impact of Covid-19, in delivering essential services whilst resources are constrained. The 2020/21 to 2022/23 financial plan assists elected members and officers in effectively focusing on medium to long term sustainability and meets best practice requirements to ensure budgets are balanced, priority outcomes are met and performance is maintained or improved for key areas of service delivery.

The approved financial plan recognises that to ensure the council has balanced budgets going forward, fundamental changes are required to some services which contribute less to council priorities and the introduction of new models of service delivery are necessary in some areas. The council's Corporate Transformation Programme Team will help facilitate transformational change in the council and to assist with fully delivering approved budget reduction measures, helping to mitigate the risk of non-delivery of savings.

The council has an established risk based approach to budget monitoring which ensures that effective action is taken to manage risks. During 2020/21, officers will continue to provide updates on risks as part of the quarterly budget monitoring to Council Executive. The Audit, Risk and Counter Fraud Manager also monitors and oversees financial and non-financial risks through updates provided by managers on the Pentana System. Regular updates are provided to the Officer Governance and Risk Board and to elected members and the public through the Governance and Risk Committee. Reports and minutes for the Governance and Risk Committee are available on COINS, the council's committee information system <https://coins.westlothian.gov.uk/coins/>.

The council has made good progress in securing its ongoing financial sustainability through the approval of the corporate plan, the 2020/21 to 2022/23 revenue plan and the long term capital investment programme. The revenue plans provide a medium term framework for the continued delivery of balanced budgets however officers continue to undertake work on financial planning and delivery of savings. This will take account of funding and cost implications resulting from Covid-19.

Over recent months substantial work has been undertaken to identify the estimated additional costs of Covid-19. While there remains uncertainty around Covid-19 implications going forward, an update to Council Executive on 18 August 2020 forecast a revenue budget overspend of £4.334 million taking account of additional Covid-19 costs and additional Scottish Government funding received to date. This position will continue to be closely monitored during 2020/21 with further updates provided to Council Executive as part of the overall monitoring arrangements in place.

The nature of medium to long term financial planning means that identifying expenditure and funding growth for future years is challenging and uncertain under any circumstances and Covid-19 only increases uncertainty at this point in time. However, it is widely acknowledged by bodies such as Audit Scotland and CIPFA that a short term budgeting process is not conducive to achieving the aims consistent with planning to meet future service delivery demands and prioritising resources to achieve this and therefore the objective will be to further review and develop the medium term financial plan during 2020/21 to take account of the implications of Covid-19 and other key risks.

MANAGEMENT COMMENTARY

Donald Forrest CPFA
Head of Finance and Property Services

Graham Hope
Chief Executive

Councillor Lawrence Fitzpatrick
Leader of the Council

29 September 2020

STATEMENT OF RESPONSIBILITIES**STATEMENT 1****THE AUTHORITY'S RESPONSIBILITIES**

The authority is required to:

- make arrangements for the proper administration of its financial affairs and to secure that the proper officer of the authority has the responsibility for the administration of those affairs (section 95 of the Local Government (Scotland) Act 1973). In this authority, that officer is the Head of Finance and Property Services;
- manage its affairs to secure economic, efficient and effective use of resources and safeguard its assets;
- ensure the Annual Accounts are prepared in accordance with legislation (The Local Authority Accounts (Scotland) Regulations 2014), and so far as is compatible with that legislation, in accordance with proper accounting practices (section 12 of the Local Government in Scotland Act 2003);
- approve the Annual Accounts for signature.

I confirm that these Annual Accounts were approved for signature by West Lothian Council at its meeting on 29 September 2020.

Signed on behalf of West Lothian Council

Councillor Lawrence Fitzpatrick
Leader of the Council
29 September 2020

THE HEAD OF FINANCE AND PROPERTY SERVICES' RESPONSIBILITIES

The Head of Finance and Property Services is responsible for the preparation of the authority's Annual Accounts in accordance with proper practices as required by legislation and as set out in the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom (the Accounting Code).

In preparing the Annual Accounts the Head of Finance and Property Services, has:

- selected suitable accounting policies and then applied them consistently;
- made judgements and estimates that were reasonable and prudent;
- complied with legislation;
- complied with the local authority Accounting Code (in so far as it is compatible with legislation).

The Head of Finance and Property Services has also:

- kept adequate accounting records which were up to date;
- taken reasonable steps for the prevention and detection of fraud and other irregularities;

I certify that the financial statements give a true and fair view of the financial position of the local authority (and its group) at the reporting date and the transactions of the local authority (and its group) for the year ended 31 March 2020.

Donald Forrest CPFA
Head of Finance and Property Services
29 September 2020

ANNUAL GOVERNANCE STATEMENT**STATEMENT 2****1. Executive Summary**

- 1.1 The corporate governance framework comprises the systems, processes, culture and values by which the council is directed and controlled and engages with and is accountable to the West Lothian community. The council's governing bodies (full council and committees), individual councillors and members of staff must try to achieve its objectives while acting in the public interest at all times. That implies primary consideration of the benefits for society, which should result in positive outcomes for stakeholders.
- 1.2 The council, through all of its members, has overall responsibility for good governance arrangements. In practice, the council entrusts the delivery of those tasks to committees and to appropriate council officers but subject to scrutiny arrangements and receiving evidence-based assurance on the framework's effectiveness and completeness.
- 1.3 The council's Corporate Plan 2018/19 to 2022/23 cements the place of corporate governance as an "enabler". Along with risk management, financial planning and modernisation/improvement it is an essential back-office corporate service necessary to assist setting goals and priorities, monitoring achievement and reporting corporate priorities and outcomes. The Corporate Plan acknowledges the wide understanding that good governance promotes good decisions.
- 1.4 The conclusion and assurance in this statement is based on:-
- the annual statutory review of the system of internal control by the Audit Risk & Counter Fraud Manager (6.4)
 - annual compliance statements and other reports produced by the Monitoring Officer in relation to significant council policies and procedures (7.6)
 - the newly-populated evidence-based Local Code of Corporate Governance (5.7)
 - the progress made on areas of governance concern (13.1)
- 1.5 Areas of concern where work is required have been identified (14) and the full impact of the Covid-19 pandemic is not yet known (15.12). However, the council and the West Lothian community can be assured that the council's corporate governance standards have been substantially met in 2019/20 (16.1).
- 1.6 The statement is presented in these sections:-
1. Executive Summary
 2. Political structure and administration
 3. Management structure
 4. Decision-making and scrutiny arrangements
 5. Local Code of Corporate Governance
 6. System of internal control
 7. Annual compliance statements
 8. Audit Committee
 9. Governance & Risk Committee
 10. Other internal scrutiny arrangements
 11. Officer roles and activity
 12. External scrutiny
 13. Past and current governance issues
 14. Governance issues ahead
 15. Covid-19
 16. Conclusion and assurance

2. Political structure and administration

- 2.1 West Lothian Council is a council of nine electoral wards and 33 councillors. A casual vacancy arose on 3 April 2020. The by election is presently scheduled to take place on Thursday 5 November 2020. The current 32 councillors are made up of 12 SNP members, 12 Labour members, 7 Conservative members and 1 Independent member. The Provost and Leader of the Council were elected in May 2017 and remain in position. A minority Labour administration was established then and remains in place. The council's committee structure was re-established in June 2017 and has remained largely intact since then.
- 2.2 The leadership positions comprise the Provost, the Council Leader, eight Executive Councillors (portfolio holders in relation to council services) and chairs and vice-chairs of other committees. Senior councillor payments are agreed each year. The statutory annual report for 2019/20 on elected members' remuneration, allowances, expenses and training was reported to Council Executive on 26 May 2020.

ANNUAL GOVERNANCE STATEMENT**STATEMENT 2****3. Management structure**

- 3.1 The council's services are managed through its Executive Management Team (Chief Executive, three Depute Chief Executives and the Head of Finance & Property Services). Those officers and seven Heads of Service form the Corporate Management Team. The Governance Manager attends Corporate Management team meetings. Each service has a Senior Management Team and managers and teams within its structure. The service management structure is shown below. The Depute Chief Executive responsible for the Health & Social Care Partnership retired and a permanent replacement was appointed with effect from 30 September 2019 after a successful cooperative appointment process amongst council, health board and the West Lothian Integration Joint Board. Two Heads of Service positions had been held by officers on an acting basis and were filled on a permanent basis during the year.

The service management structure is as follows.



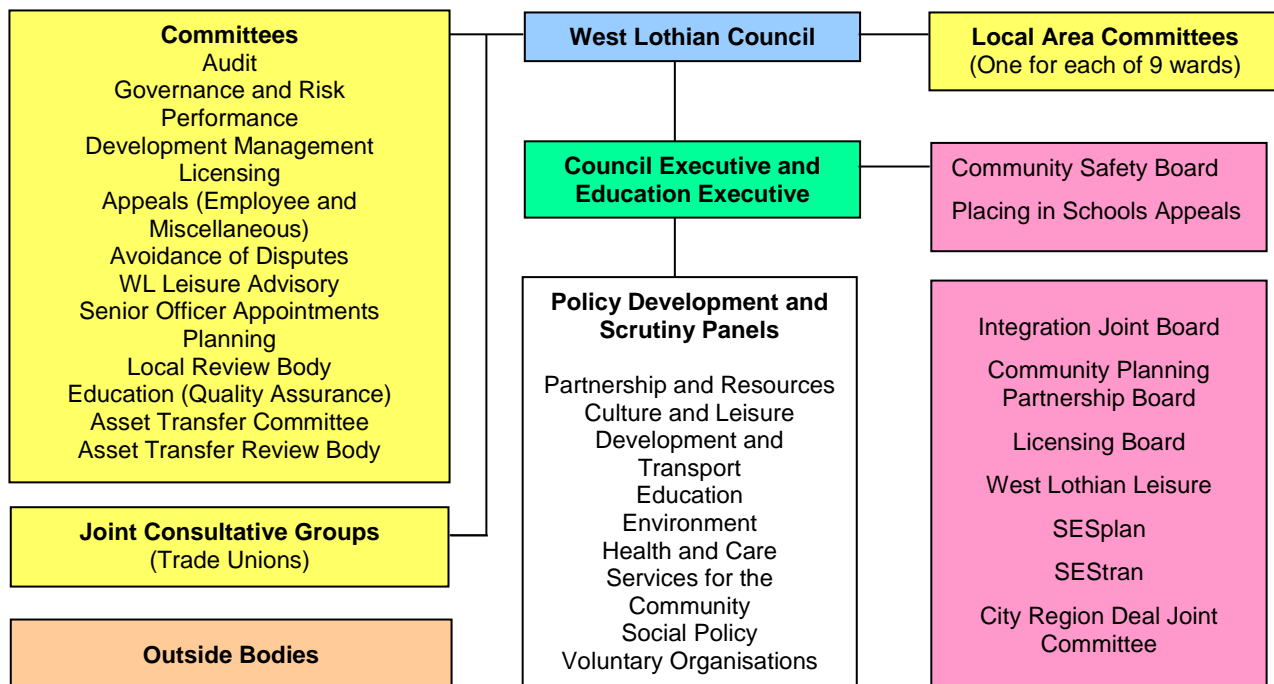
- 3.2 Internal cross-service working is enabled by a hierarchy, refreshed each year, of Executive Boards, Project Boards and Working Groups. They all have defined remits and membership.
- 3.3 The council in February 2018 established a Corporate Transformation Team, made up of senior council officers seconded from across its service areas and managed by a Depute Chief Executive. The team's contribution and structure were reviewed and in 2019/20 it was embedded in the council's management arrangements, with permanent appointments made, to help take forward the ongoing transformation of council services and delivery of budget reduction measures. It has been diverted temporarily in March 2020 to new tasks as the Covid-19 Resilience Team.

4. Decision-making and scrutiny arrangements

- 4.1 The council has a well-established framework of committees and working groups set out in the Scheme of Administration. Standing Orders for the Regulation of Meetings and the Scheme of Administration can only be changed at a meeting of full council. The committee structure is supported by a complementary Scheme of Delegations to Officers which sets out the responsibilities and decision-making powers delegated to officers. That too is part of Standing Orders and is updated every three months to reflect changes agreed by council and its committees.
- 4.2 A wide-ranging review of decision-making arrangements has been ongoing since February 2018 with members' involvement. It has led to a programme of improvements including more flexible arrangements for calling meetings to deal with regulatory and appeals business; a revised format for minutes of meetings; the right for community councils to send representatives to Local Area Committees; the streamlining of dealing with reports brought for information only; and the addition of a non-councillor member to the Governance & Risk Committee. Work remains on a small number of issues. That was delayed due to Covid-19 and is scheduled to be completed in late 2020, with the first of the remaining issues being reported on 18 September 2020.

ANNUAL GOVERNANCE STATEMENT**STATEMENT 2**

- 4.3 The structure in place at the end of 2019/20 is shown below. It consists of two main policy and decision-making committees (Council Executive and Education Executive). Proposed policy changes are considered first at one of nine Policy Development & Scrutiny Panels (PDSPs). There are a number of regulatory and appeals committees. There is one local area committee for each ward to focus ward issues. Scrutiny is carried out through Audit Committee, Governance & Risk Committee, Performance Committee, Education (Quality Assurance) Committee and the nine PDSPs. Full council meets every 8 weeks to deal with reserved matters and political debate and scrutiny.

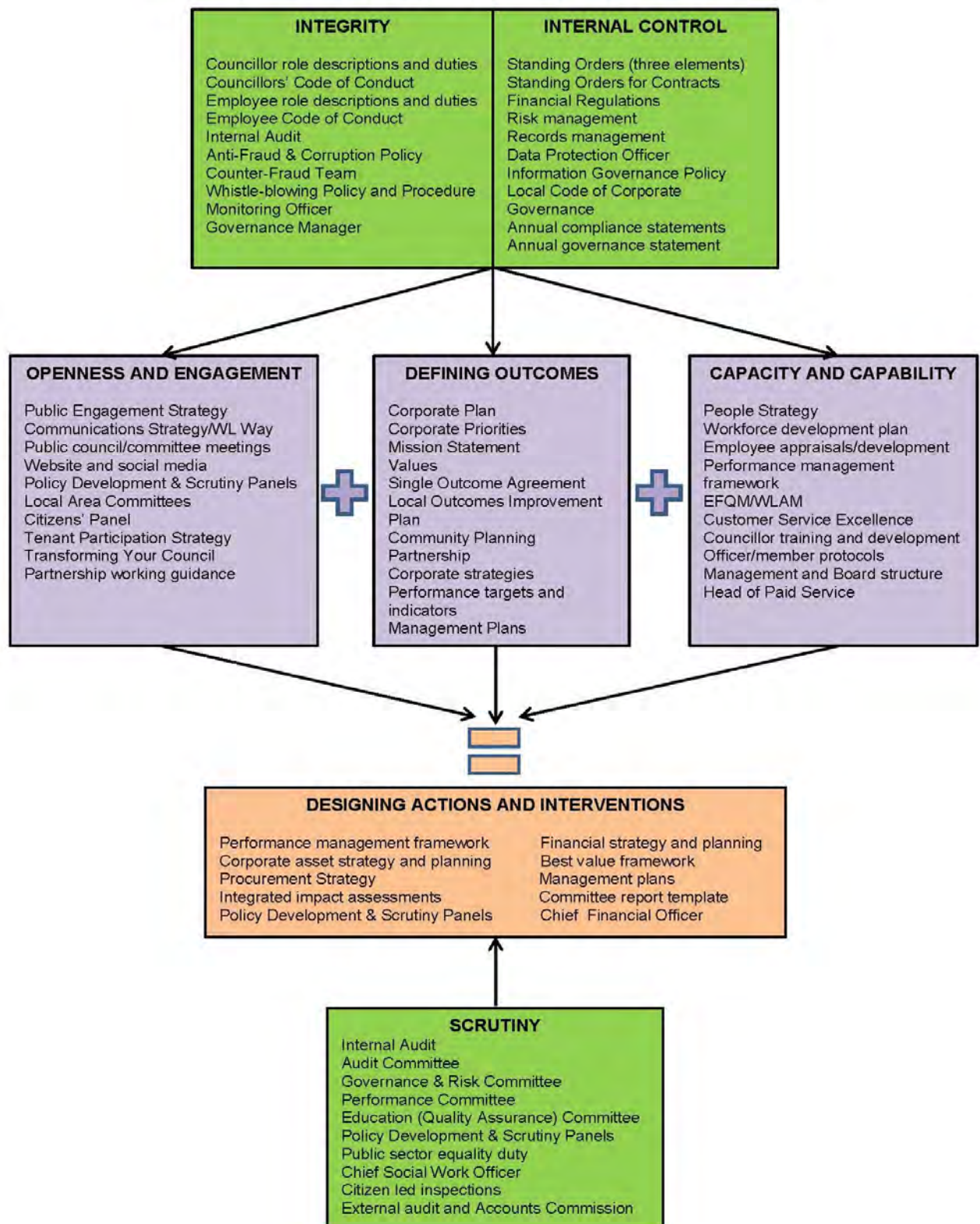
Decision Making Structure**5. Local Code of Corporate Governance**

- 5.1 The council's governance arrangements are monitored and reviewed and reported in accordance with statutory requirements and under a Framework and Guidance for Scotland called "Delivering Good Governance in Local Government", produced by CIPFA/SOLACE in 2016. The current Local Code of Corporate Governance was adopted in April 2018.

- 5.2 The Code adopts the seven over-arching principles from the Framework:-

- Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law
- Ensuring openness and comprehensive stakeholder engagement
- Defining outcomes in terms of sustainable economic, social, and environmental benefits
- Determining the interventions necessary to optimise the achievement of the intended outcomes
- Developing the entity's capacity, including the capability of its leadership and the individuals within it
- Managing risks and performance through robust internal control and strong public financial management
- Implementing good practices in transparency, reporting, and audit to deliver effective accountability

- 5.3 Each of those principles is broken down into sub-principles and then into a hierarchy of separate elements to allow a more focused approach to the evidence-based components of each. The following diagram shows the seven principles and their interaction and a list for each of them of the most significant sources of evidence used to establish corporate governance compliance each year.

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- 5.4 These sources of evidence and the product of scrutiny arrangements are used to assess compliance and performance over the year to determine whether the council exceeds, meets or fails to meet the required standards. Areas of concern are picked out, actions are identified and allocated, and progress is monitored through officer oversight and the Governance & Risk Committee.
- 5.5 The Code is used to inform the drafting and approval of the annual governance statement through the Governance & Risk Board and Governance & Risk Committee. It is reported on in detail to members at Council Executive in the autumn after consideration by the Corporate Management Team. It is then published and examined again by Governance & Risk Committee, with any recommendations from officers and Council Executive. Agreed actions are monitored throughout the rest of the reporting year by officers and committee.

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5.6 The fully-populated Code for 2018/19 was part of the annual report on corporate governance to Council Executive in September 2019. It was included in the ensuing report to Governance & Risk Committee in October 2019. The governance areas of concern were extracted for the committee's attention and progress reported to the committee later in the year.

5.7 Compliance in 2019/20 with the standards in the Code remains high. Under a red/amber/green assessment system there are no "red" scores. There are 208 assessed as "green", representing 81% of the total entries. Comparable figures from previous years under the same Code were 82% and 79%.

6. System of internal control

6.1 A significant part of the governance framework is its system of internal control. It is designed and reviewed to identify risks to the achievement of the council's objectives; to evaluate the likelihood of those risks occurring; to consider the potential impact of the risks; and to manage them effectively. Those controls can never eliminate risk or failure to achieve objectives entirely – they can only provide reasonable and not absolute assurance. The design, development and management of the system of internal control are undertaken by managers within the council.

6.2 It includes financial regulations and a system of management supervision, delegation and accountability, supported by regular information, administrative procedures and segregation of duties. Its key elements include an internal control framework relating to financial processes, procedures and regulations; a comprehensive budgeting and monitoring framework; scrutiny of periodic and annual financial and operational performance reports; performance management information; and project management disciplines.

6.3 Reviewing and reporting to members on the effectiveness of the system of internal control is a statutory requirement carried out by the Audit, Risk & Counter Fraud Manager. Its consideration precedes and informs this statutory annual governance statement which in turn requires approval by the council through the Governance & Risk Committee and incorporation into the annual accounts and financial statements.

6.4 Following his review for 2019/20, reported to Governance & Risk Committee and Audit Committee on 23 June 2020, his conclusion and assurance to members are that the framework of governance, risk management and control is sound. Based on internal audit investigations and reports throughout the year he identified no areas where control was considered to be unsound. He has identified areas where improvements could be made and confirmed that recommendations will be followed up and reported when required. Those conclusions and assurances were accepted by committee.

7. Annual Compliance Statements

7.1 The council's Monitoring Officer arranges the production of annual compliance statements which sit alongside the Code and also inform the drafting and approval of this annual governance statement. They deal with compliance with the law and with the council's most significant corporate policies and procedures. They are prepared after consultation with services and senior officers and take into account oversight by external bodies. They are signed by the responsible senior officer. They are designed to bring to the attention of elected members any incidents of non-compliance which are significant to the council's operations and which are not reported elsewhere in a systematic way. The compliance statements for 2018/19 were reported in full to Council Executive and then Governance & Risk Committee in September and October 2019 as part of the reporting on corporate governance arrangements.

7.2 Separate and stand-alone reporting is carried out annually on the Councillors' Code of Conduct, Freedom of Information and Data Protection, and on Covert Surveillance and Accessing Communications Data. It has been agreed that in 2020/21 and in future years the annual report on the Councillors' Code of Conduct should be reported to full council, to all members, rather than to a committee.

7.3 They cover the following areas of activity:-

- Best Value Framework - Head of Finance & Property Services
- Procurement - Head of Corporate Services
- Fraud and Corruption - Head of Finance & Property Services
- Employee Whistleblowing - Head of Corporate Services
- Discipline and Grievances - Head of Corporate Services
- Occupational Health & Safety - Head of Corporate Services
- Protection of Vulnerable Groups - Head of Corporate Services
- Information Security - Head of Corporate Services
- Public Sector Equality Duty - Head of Corporate Services
- Breaches of the law - Monitoring Officer

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- 7.4 The statements identify issues of concern and issues to be addressed going forward. The statement by the Monitoring Officer is particularly important since the Monitoring Officer is one for the four statutory officer posts charged with ensuring the council's compliance with its statutory duties and responsibilities and reporting on any breaches of the law which are significant to the operation of the council. Not all breaches are material to the council's operations or its finances (for example, complying with FOISA requests within the statutory timescales).
- 7.5 The Monitoring Officer consulted with the Heads of Service, the Governance Manager, the Chief Solicitor and the Audit, Risk and Counter Fraud Manager. She identified a number of instances where improvements to the council's compliance with legislation were required. She highlighted the most significant of those:-
- Failure to review the statutory planning scheme of delegations within the statutory timescale
 - Charging for the provision of planning pre-application advice without any statutory basis yet being in place (noting that the Scottish Government is to legislate to provide that missing statutory authority)
 - Failure to comply with the statutory duty to publish a register of council land for the purposes of community asset transfer (remedied in May 2020)
 - Omission to publish a statutory annual report on the council's duty of candour in relation to providing information where an unintended or unexpected incident appears to have caused harm or death (resolved on 18 August 2020 by its approval at Council Executive)
- 7.6 None of those breaches is considered to present significant risk to the continuing and effective delivery of council services and control. The Monitoring Officer's opinion is that there have been no material or significant breaches of the law by the council in 2019/20 which have or will have a material or significant impact on the operations or finances of the council. She has certified that the council is complying in all material respects with its legal requirements.
- 8. Audit Committee**
- 8.1 Audit Committee operates in compliance with the Public Sector Internal Audit Standards (PSIAS). It undertakes a corporate overview of the council's control environment, develops an anti-fraud culture to ensure the highest standards of probity and public accountability, and evaluates the arrangements in place for securing the economical, efficient and effective management of resources. It considers an annual review of the overall adequacy and effectiveness of the council's control framework. It monitors the independence and effectiveness of the Audit, Risk & Counter Fraud Unit. The organisational status and independence of internal audit is set out in the Internal Audit Charter. The Chair must be appointed from councillors who are not in the ruling administration political group. The majority of members are from outwith that group. The committee includes one non-councillor member recruited for a three-year tenure to bring a different perspective and expertise to the work of the committee. A fresh appointment was made in March 2020 although induction and participation were delayed by the Covid-19 emergency until June 2020.
- 8.2 The committee meets four times each year. It operates through an annual work plan approved by the committee. It carries out an annual self-assessment exercise to identify improvements that might be made. The outcome of internal audit and counter-fraud investigations judged to be significant are reported. Reports are presented and considered in public unless there is clear legal justification for excluding the public. They express an opinion as to whether control is sound, satisfactory or requires improvement. Risk actions arising from internal audit and other audit and inspection reports which remained outstanding were reported to the Governance and Risk Board during the year and to the Audit Committee in June 2019 and January 2020. The external audit annual report for 2018/19 noted the practice of following up outstanding recommendations and noted ongoing good progress in clearing recommendations in a timely manner, and mostly in line with agreed deadlines. There were no relevant actions due by 31 March 2019 which were still outstanding as at January 2020. Reports highlighting more significant areas of concern result in a follow-up reports to the committee as was the case notably in 2019/20 with control of the administration of medication in schools and in relation to dealing with data security breaches.
- 8.3 The committee also deals with reports from the council's external auditors. It receives the External Audit Annual Plan which informs the council of the work to be undertaken in the course of the year, the views of the external auditors on the work of Internal Audit and the extent of additional risk-based external scrutiny through the Local Area Network. The external auditor's annual report on the council's accounts and financial statements are referred to the Governance & Risk Committee and Audit Committee by council after it approves the audited accounts for signature. Any actions identified are noted and are followed up through periodic reporting to committee on progress or completion.
- 8.4 The committee also considers reports issued by the Accounts Commission and/or Audit Scotland in relation to the council or local government as a whole. It can consider those reports from the councillors' perspective and recommend any action which it considers should be taken in response.

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- 9.1 The committee takes a corporate overview of the council's corporate governance and risk management arrangements, develops a culture of good corporate governance and risk awareness, and reviews the council's strategy and systems for the management of risk. It considers reports from the Governance Manager and Audit, Risk & Counter Fraud Manager in relation to matters within its remit.
- 9.2 The committee meets at least four times each year. It operates through a work plan presented and updated at every meeting. The Chair of the committee must be drawn from members who are not in the ruling administration political group. The majority of members are from outwith that group. It carries out an annual self-assessment exercise to identify improvement that might be made. It has received reports from services on their risk management arrangements. It considers a report at every meeting on the council's high risks and on health and safety incident reporting and at every second meeting on strategic risks. It examines ad hoc risk and governance issues, such as cyber-security risks and Brexit. It considers risk reports from the council's external risk advisers. It is charged with approving the annual governance statement after considering the findings of the annual review of the system of internal control. It monitors progress against governance areas of concern.
- 9.3 In March 2020 its membership was formally expanded to include a non-councillor member to bring a different non-councillor perspective to the work of the committee. An appointment to that position was made at the same time although induction and participation were delayed by the Covid-19 emergency until June 2020.

10. Other internal scrutiny arrangements

- 10.1 The council deals with the remainder of its scrutiny function by members in three other places – Policy Development & Scrutiny Panels (PDSPs), Performance Committee and Education (Quality Assurance) Committee. The majority of members on all of these bodies are from outwith the ruling administration political group.
- 10.2 PDSPs are working groups of members and representatives from external community bodies. They consider quarterly performance reports from the service areas included in their remit. Members and external representatives are able to question officers on service performance and make recommendations to them about improvement actions. Members receive information on both service and financial performance measured against agreed indicators and outcomes. Their effectiveness has been improved during the year by the participation of representatives from the Joint Forum of Community Councils, newly-recognised as the umbrella organisation for community councils in West Lothian.
- 10.3 Performance Committee is established to consider the performance of service units against the council's performance appraisal system, the West Lothian Assessment Model (WLAM). Its Chair is an Independent councillor. It receives written reports presented at public committee meetings by senior service managers and can question them and make recommendations to them about improvement actions. The committee also scrutinises quarterly and annual reports on the council's complaints handling policy and performance. It oversees the Citizen Led Inspection Programme, the renewal of which has fallen behind schedule. It considers the results of the local authority benchmarking review carried out annually in conjunction with the Improvement Service.
- 10.4 The Education (Quality Assurance) Committee carries out a scrutiny role solely in relation internal and external schools assessment reports. Its Chair is an Independent councillor. The committee includes non-councillor members appointed by the council in relation to its education function. Representatives from the relevant school's Parent Council are invited to attend and take part in the committee's meetings. It provides a dedicated and specialised forum for scrutiny of performance and inspection results for schools and educational establishments.

11. Officer roles and activity

- 11.1 The council is required by legislation to operate a professional and objective internal audit service. The Audit, Risk and Counter Fraud Unit includes internal audit, an independent appraisal function which examines and evaluates systems of financial and non-financial control. Internal audit operates in accordance with the "Public Sector Internal Audit Standards: Applying the IIA International Standards to the UK Public Sector" (PSIAS). The organisational status and independence of internal audit is also set out in the Internal Audit Charter. An annual audit plan is prepared based on an assessment of risk and is approved by the Audit Committee. Internal audit reports are issued to the committee in relation to the outcome of significant proactive and reactive reports. Reports are issued in the name of the Audit, Risk and Counter Fraud Manager. Financial Regulations state that the internal audit function is free from interference in determining the scope of internal auditing, performing work, and communicating results, and that the Audit, Risk and Counter Fraud Manager has the right of direct access to the Chair of the Audit Committee and the Chief Executive. An interim report is brought to committee during each year to advise of progress towards completion of the Plan. An Internal Audit and Counter Fraud Strategy 2018/19 to 2022/23 was approved in June 2018 as one of the corporate strategies supporting delivery of the Corporate Plan. An annual report on progress against agreed outcomes is made to Audit Committee each year.

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- 11.2 Legislation requires the council to appoint a Chief Financial Officer. That role is to be performed conform to the governance requirements of the CIPFA Statement on the Role of the Chief Financial Officer in Local Government (2016). It sets out the requirement for the Chief Financial Officer to be professionally qualified and sets out the criteria for qualification. The council's Head of Finance & Property Services is the council's Chief Financial Officer. He operates in accordance with the council's Financial Regulations and Treasury Management Plan, and reports regularly to members on revenue and capital budgetary performance and compliance. The role is undertaken in accordance with the relevant statutory rules, guidance and standards. Treasury Management reports and capital asset management strategy reports are made to full council twice each year.
- 11.3 Risk Management is overseen by the Audit, Risk & Counter Fraud Manager. It is embedded at Executive and Corporate Management Team level as well as in service management teams across the council. Management teams monitor, assess and mitigate risk as a matter of routine at their meetings. The process is managed through Pentana. A Risk Management Strategy 2018/19 to 2022/23 was approved in June 2018 as one of the corporate strategies supporting delivery of the Corporate Plan. A revised Risk Management Policy was considered through PDSP and governance & Risk Committee but its approval by Council Executive in March 2020 was delayed due to Covid-19. An annual report on progress against agreed outcomes is made to Governance & Risk Committee each year.
- 11.4 The council's counter fraud activities are managed by the Audit, Risk & Counter Fraud Manager. The service is operated in accordance with the CIPFA Code of Practice on Managing the Risk of Fraud and Corruption (2014). The unit is responsible for the council's whistleblowing hotline and for dealing with information from there and other sources relevant to fraud or corruption. It also administers the council's participation in the National Fraud Initiative. An Internal Audit and Counter Fraud Strategy 2018/19 to 2022/23 was approved in June 2018 as one of the corporate strategies supporting delivery of the Corporate Plan. An annual report on progress against agreed outcomes is made to Audit Committee each year.
- 11.5 Governance and risk management are supervised on the officer side of the council by the Governance & Risk Board. It is chaired by a Depute Chief Executive and its members include the Monitoring Officer, the Audit Risk & Counter Fraud Manager, the Governance Manager, the Chief Solicitor and senior managers from across the council's service areas. It receives reports from officer working groups on risk and corporate governance, and monitors corporate and high risks. Its recommendations are referred to the Corporate Management Team or committee as appropriate. In 2019/20 it assumed oversight of the Information Management Working Group after the introduction of the new Information Governance Policy. It considers the annual report on corporate governance and the compliance statements before they are presented to committee. It provides an effective control and conduit for risk and governance issues and matters of concern.
- 11.6 In addition to performance reporting to members, management teams routinely monitor their performance through Pentana, utilising the high-level performance indicators which are reported publicly as well as lower level management performance indicators. Services are divided into WLAM units which report on an agreed cycle to a panel chaired by the Chief Executive. It considers the evidence presented and allocates a score. The service unit then proceeds to report to the Performance Committee.
- 11.7 As required by statute, the council has appointed a Chief Social Work Officer who has statutory professional responsibility for the oversight of specified social work functions. The Scheme of Delegations states that in relation to those statutory functions the Chief Social Work Officer's decisions are not subject to change by more senior officers, but are, subject to council or committee decisions, final and binding on the council. An annual report is made to members and to the Scottish Government. For the first time in 2019/20 the report was made to full council rather than to a committee.
- 12. External scrutiny**
- 12.1 The external auditors' annual report was considered at council in September 2019. It was referred on to Audit Committee (on the accounting and financial aspects) and Governance & Risk Committee (on its wider-scope audit work) for further scrutiny. The auditors' report identified two low-level actions to be taken in relation to loans fund accounting the need to implement IFRS16 through a prior impact assessment. IFRS16 concerns material operating leases. Implementation of IFRS16 has since been deferred beyond 2019/20. The report highlighted a concern in relation to financial sustainability based on a national assessment of risk to all councils. The council's own financial planning arrangements were described as an example of good practice.
- 12.2 The wider scope audit on Governance and Transparency reported on Audit Committee, risk management, EU withdrawal, openness and transparency, implementation of audit recommendations, National Fraud Initiative (NFI) and Following the Public Pound. In the Key Conclusions the auditors gave an overall "green" assessment of Governance and Transparency, stating that the key features of good governance at the council are in place and operating effectively.

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- 12.3 The external auditors participate in the Local Area Network (LAN), comprising representatives from different scrutiny bodies such as Education Scotland and the Care Inspectorate. The purpose is to agree the council's local scrutiny plan (LSP). The 2018/19 LSP confirmed no scrutiny risks for 2018/19 and the auditors confirmed in September 2019 that the LAN has determined that no separate scrutiny plan for the council has been necessary since that plan was published. The External Audit Plan for 2019/20, reported to Audit Committee on 22 June 2020, confirms that the LAN has concluded that there is no additional planned scrutiny for 2020/21. The external auditors have confirmed they have considered the need for any additional LAN meetings or scrutiny subsequent to the impact of Covid-19, and have agreed at this stage it is not required, and that the next scheduled LAN meeting in 2021 will consider the impact and responses in line with the normal cycle.
- 13. Past and current governance issues**
- 13.1 Issues of concern identified in previous years were aggregated and reported to Governance & Risk Committee in June and October 2019 for monitoring and scrutiny. After those reports to committee there remained a total of 12 issues identified for further work. A further progress report to committee in June 2020 assessed seven of those 12 items as having been completed. Work continues within services on some of them but the initial governance concerns have been addressed. Of the remaining five issues, no progress was made in relation to the review of the Councillors' Code of Conduct due to the Scottish Government and the Standards Commission not having started their formal and public consultation. That is now on hold due to Covid-19. The remaining four issues will be carried over to be added to the issues newly identified in this statement. The four issues were completion of the last elements of the review of decision-making arrangements; the updating of the committee report template; the strengthening of arrangements for recording interests of senior officers; and the scheduling and commencement of reviews to be completed by May 2022 of significant governance documents such as Standing Orders for Contracts and the Officer/Member Protocols. The current arrangements in these four areas are still considered to be fit for purpose and do not pose significant risks to the council. Nevertheless they have been identified as areas for improvement and so should be taken forward for completion as soon as reasonably practicable.
- 13.2 Internal Audit and Counter Fraud investigations identified a number of activities in which control required improvement. Those were reported to committee with actions agreed and timetabled. Investigation reports were summarised in the Internal Audit and Counter Fraud Annual Reports and in the review of the system of internal control. Annual reports on progress and performance against the Internal Audit and Counter Fraud Strategy and Risk Management Strategy in 2018/19 were made in June 2019 to Audit Committee and Governance & Risk Committee respectively. No issues of concern were highlighted or identified. The issue during the year which caused committee the most concern was practice in the administration of medicine in school establishments. A follow-up report was instructed to be brought after improvement actions were taken and the issue was retained in the Internal Audit Annual Plan for further attention. Similarly, the committee instructed follow-up work in relation to information security breach procedures. The committee was most concerned about the effectiveness of the new electronic reporting process and compliance with reporting deadlines. A further report is due in the coming year. With initial concerns addressed the Internal Audit & Counter Fraud Manager confirmed that based on internal audit investigations and reports throughout the year he identified no areas where control was considered to be unsound.
- 13.3 Governance & Risk Committee continued its scrutiny of risk arrangements through standing reports on high risks, health and safety risks, strategic risks, cyber-security and Brexit-related risks. The external auditors were satisfied that arrangements to prepare for EU withdrawal at both the original 29 March date and in advance of 31 October 2019 were appropriate and informed by wider sector involvement.
- 13.4 The membership of Governance & Risk Committee was expanded to allow for a non-councillor appointment as has been the case for Audit Committee for several years. Appointments were made in March 2020 of a non-councillor member to each of Audit Committee and Governance & Risk Committee. Their induction and training was delayed by Covid-19 until June 2020.
- 13.5 The Risk Management Policy has been revised via PDSP and Governance & Risk Committee but its approval at Council Executive has been delayed due to Covid-19.
- 13.6 A variety of changes was made to Standing Orders and the Scheme of Administration as a result of the ongoing review of decision-making arrangements. Financial Regulations were reviewed and approved with revisions in August 2019.
- 13.7 A formal process was established for reporting on Directions issued to the council by the Integration Joint Board to assist in ensuring the council's duty to comply with them is discharged.
- 13.8 The triennial inspection by of the council's control of its investigatory powers was carried out and will be reported to members after the summer break. Recommendations for improvement were made but none were considered to represent any significant weakness.

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- 13.9 In November 2019 a West Lothian councillor was suspended from attending council and committee meetings for three months by the Standards Commission for Scotland after a finding of breaches of the Councillors' Code of Conduct in relation to material posted on social media. Training for elected members on the use of social media and the relevance of the Code of Conduct was delivered during the year.
- 13.10 In relation to community empowerment the recently-established Joint Forum of Community Councils in West Lothian was formally recognised as the umbrella body for community councils. The Joint Forum has been able to send representatives to PDSP meetings to represent the interests of community councils as a whole. The council's policy on Community Choices was approved and implemented. The council progressed in its work in relation to the local governance review led jointly by the Scottish Government and COSLA.
- 14. Governance issues ahead**
- 14.1 Issues of concern from this and previous statements will be carried forward and reported to committee when it approves this statement and later as part of the annual report to Council Executive on corporate governance. Progress will continue to be reported on an interim basis to Governance & Risk Committee.
- 14.2 The ongoing review of the council's decision-making arrangements should be concluded and reported.
- 14.3 Planning work and reporting on the UK's withdrawal from the European Union has resumed after it became clearer at the end of June 2020 that the transition period would not be extended and once the initial Covid-19 emergency has receded. This includes monitoring of the most recent proposed legislation by the UK Government in respect of the withdrawal agreement and the possible impact of ongoing discussions on the council's preparation requirements. The previously-established Working group has resumed meetings. An update report is scheduled for Governance & Risk Committee on 26 October 2020.
- 14.4 The further development and the implementation of community empowerment measures will be significant. Those will include supporting the proposed incorporation into domestic Scots law of the European Charter of Local Self-Government. The council's support for the Member's Bill seeking that to do so was agreed at committee on 18 August 2020 and submitted to the Scottish Parliament Committee carrying out the legislative scrutiny of the Bill.
- 14.5 Actions arising from internal and external audit reports will continue to be monitored through Audit Committee and follow-up reports on previous areas of concern will be made as instructed.
- 14.6 Some of the documents which comprise the system of internal control require to be reviewed before the end of this administrative term. The scheduling of the reviews should be completed with a view to carrying out those reviews in a measured way before the local government elections in May 2022. In particular a complete revision of Standing Orders for Contracts should be undertaken to build last year's update and prepare for the changes flowing from the UK's withdrawal from the European Union. That has been started through the formation of a Working Group and the scheduled initial reporting for 18 September 2020.
- 14.7 Some significant policies require to be reviewed, having slipped past their scheduled review dates, such as Anti-Fraud & Corruption Policy, Recruitment & Selection Policy, Whistleblowing Policy and Procedure and the programme of Citizen Led Inspections.
- 14.8 In light of financial pressures, the council's relationship with West Lothian Leisure will require to be kept under review. A full review of West Lothian Leisure's contribution to securing best value and the continuing effectiveness and fitness for purpose of the ALEO model requires to be carried out in 2020/21 and reported to Council Executive.
- 14.9 The momentum gathered in relation to members' training arrangements should be continued through the Officer Working Group and continuing engagement with members.
- 14.10 The issues brought out in the annual compliance statements should be concluded where still outstanding. Those include now two of the four matters mentioned in the Monitoring Officer's statement. The late publication of the council's Land Register has been addressed and remedied in June 2020. The overdue annual report on the organisational duty of candour was approved on 18 August 2020.
- 14.11 The Councillors' Code of Conduct is overdue for review through the Scottish Government and Parliament this year, and the council will participate in that process and plan for training and education on the revised Code and guidance. Progress is dependent on the Scottish Government and the review has been held back due to the pandemic.

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- 14.12 The council's statutory Records Management Plan is to be updated and revised to reflect new statutory guidance. An Action Plan has been prepared and approved by the Governance & Risk Board.
- 14.13 The impact of the Covid-19 emergency will be assessed and arrangements made for a resumption of full service provision whether that entails a return to pre-Covid-19 arrangements or otherwise. The way in which the council reacted should be reviewed and reported, including its governance approach and issues of concern and for improvement.
- 15. COVID-19**
- 15.1 The most significant Covid-19 risks and Covid-19 related work occurred after the end of the reporting year. However, the council's planning for Covid-19 started in early March 2020 and, with recovery planning, will continue.
- 15.2 The preparation of the annual accounts and this statement has continued in accordance with the normal statutory timescales. Sufficient information has been available to inform this statement and it has not been considered that the assurances given in relation to corporate governance for 2019/20 require to be qualified or restricted as a result of Covid-19.
- 15.3 As stronger guidance and then statutory rules emerged from the UK and Scottish Governments and Parliaments about restrictions on movement, gatherings and business/premises operations a decision was taken on 25 March 2020 to cancel all council and committee meetings until 31 July 2020, with work to be carried out on introducing a platform to enable meetings to take place by remote access. This decision was made in the context of existing provisions in the council's Standing Orders conferring wide emergency powers on officers. No urgent or temporary changes were required to Standing Orders or the committee structure. A web-conferencing platform has been acquired and tested and introduced for council, committee and PDSP meetings. After providing training to members, a restricted calendar of meetings took place in June by remote access, including meetings of regulatory committees where public participation was required. Public access to those meetings was secured by live audio webcasting. On 23 June 2020 a more extensive resumption of meetings was agreed for August, September and October, again by remote participation and webcasting. Arrangements beyond that will be considered at committee on 6 October, in light of circumstances prevailing at that time.
- 15.4 A detailed record has been kept of the use of those powers and relevant members were consulted where required. All such decisions and actions were reported to members and so to the public on 26 May 2020 and 23 June 2020. Committee members have been kept informed throughout of decisions made in the name of committees. All members have had copies of the supporting reports made available to them. Members received frequent and regular email alerts from Corporate Communications covering significant developments and service changes. Members were guided on what they could disclose and discuss publicly and what had to be kept confidential. The council's website and its successful social media accounts were used to convey messages and advice to the public.
- 15.5 The council's reaction and emergency actions were coordinated through meetings of the Corporate Management Team. At the height of Covid-19 activity they were taking place twice each working day, latterly reducing to once per day, then three times each week and latterly twice per week. The Corporate Transformation Team was diverted into supporting services and management as the Covid Resilience Team.
- 15.6 Decisions about ceasing or restricting council services or closing premises were taken at Corporate Management Team meetings with as much planning as possible around prioritised services. The new initiatives required were coordinated there as well, such as the provision of child care services for vulnerable children and children of key workers, shielding, and administration of central government grants and funding.
- 15.7 Emergency coronavirus legislation allowed councils to choose to postpone compliance with statutory duties to publish annual and other reports concerning council functions and services. After careful consideration that power was not exercised. All statutory reporting due to take place during the emergency period will be carried out to normal timescales.
- 15.8 Similarly, the legislation allowed the temporary suspension of statutory duties to make hard copies of certain documents available for physical inspection and copying. That power was exercised in relation to eleven such duties, for example, making committee papers available for inspection, allowing access to planning application files. Those documents can and will be readily available by electronic means. The position will be reviewed in September 2020.

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- 15.9 In accordance with guidance and then regulations, working from home was arranged where feasible, requiring urgent investment in IT and modification of HR policies and procedures. Part of the urgent move to home-working was the speedy adoption of video call and conference platforms. The IT annual compliance statement acknowledges shortcomings in applying risk and privacy impact assessment procedures and confirms those have been addressed.
- 15.10 The estimated financial impact of Covid-19 on the council was first reported to committee on 26 May 2020, which was an early stage in assessing the financial cost to the council. Ongoing costs and consequences have been and will be incorporated into the quarterly budget monitoring reports to PDSP and committee (23 June and 18 August 2020) and in the regular horizon-scanning reports to PDSP.
- 15.11 One significant development in governance terms was the establishment of the Scottish Government-mandated multi-disciplinary Care Home Clinical and Care Professional Oversight Team to coordinate and oversee arrangements in care homes to contain and tackle the coronavirus. The Depute Chief Executive for the Health & Social Care Partnership has responsibilities as a member of the Team along with the council's Chief Social Work Officer. With those responsibilities goes accountability and arrangements will be required to ensure the council is sighted on its role. The establishment of the Group was reported to Council Executive on 23 June 2020. Committee was informed that the sensitivity of these issues calls for close control, monitoring and reporting, and agreed that reports concerning the new arrangements are brought to Council Executive on a quarterly basis.
- 15.12 The short-term and long-term impacts for services and any longer-term changes will be assessed and reported as meetings are restored and business returns to a degree of normality. As is good practice after reacting to any form of business continuity event Council Executive on 26 May instructed a debrief to be conducted of the council's reaction to the emergency and that will include consideration of the decision-making and other governance arrangements during the emergency. Part of that will be a comparison with other councils' arrangements to pick up on examples of better and more effective practice elsewhere. On 22 June 2020 Governance & Risk Committee considered an initial report on the risks and governance aspects of the emergency. Other committees and PDSPs will have their own roles to play in assessing the consequences of Covid-19 on the council and the West Lothian public, and in the recovery phase. On 18 August 2020 Council Executive considered the council's Covid-19 Recovery and Renewal Plan 2020 to set out the measures the council will now put in place in order to start the recovery of council services in line with Scotland's gradual easing of lockdown restrictions. Updates will be provided to Council Executive as work progresses and circumstances change.
- 16. Conclusion and assurance**
- 16.1 Although there are areas where improvement can be made, based on the governance framework, arrangements and review already described, the council and the West Lothian community can be assured that the council's corporate governance standards have been substantially met in 2019/20.

Graham Hope
Chief Executive

Councillor Lawrence Fitzpatrick
Leader of the Council

29 September 2020

REMUNERATION REPORT**STATEMENT 3****1. INTRODUCTION**

In accordance with the Local Authority Accounts (Scotland) Amendment Regulations 2011, West Lothian Council is required to prepare a Remuneration Report to disclose remuneration information and details of West Lothian Council's remuneration policy for "relevant persons". The Regulations define "relevant persons" as senior councillors and senior employees.

Information disclosed in the tables in this report is subject to audit by Ernst & Young LLP to report on whether that information has been properly prepared in accordance with the Local Authority Accounts (Scotland) Regulations 2014 (with the exception of the table in note 4.4). All other sections of the Remuneration Report, including the table in note 4.4, are read and considered to identify any material inconsistencies with the financial statements.

2. COUNCIL LEADER, PROVOST AND SENIOR COUNCILLORS**2.1 Remuneration Policy**

The remuneration of councillors is regulated by the Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2017 (SSI No. 2007/183). The Regulations provide for the grading of councillors for the purposes of remuneration arrangements, as either the Leader of the Council, the Provost, Senior Councillors or Councillors. The Leader of the Council and the Provost cannot be the same person for the purposes of payment of remuneration. A senior councillor is a councillor who holds a significant position of responsibility in the council's political management structure.

The salary that is to be paid to the Leader of the Council is set out in the Regulations. For 2019/20 the salary for the Leader of West Lothian Council was £34,944 (£33,992 2018/19). The Regulations permit the council to remunerate one Provost and set out the maximum salary that may be paid to the Provost. For 2019/20 the salary of the Provost of West Lothian Council was £26,208 (£25,494 2018/19). The council's Scheme of Elected Members Remuneration, Allowances and Reimbursement of Expenses 2019/20 sets the level of payment in accordance with the regulations at the national maximum.

The Regulations also set out the remuneration that may be paid to senior councillors and the total number of senior councillors the council may have. The maximum yearly amount that may be paid to a Senior Councillor is 75 per cent of the total yearly amount payable to the Leader of the Council. The total yearly amount payable by the council for remuneration of all of its Senior Councillors for 2019/20 shall not exceed £305,747 (£297,420 2018/19). The council is able to exercise local flexibility in the determination of the precise number of Senior Councillors and their salary within these maximum limits.

In 2019/20 (2018/19) West Lothian Council had 12 (12) senior councillors and the basic salary paid to these councillors totalled £305,747 (£297,420 2018/19). The Regulations also permit the council to pay contributions or other payments as required to the Local Government Pension Scheme in respect of those councillors who elect to become councillor members of the pension scheme.

The Scheme of Elected Members Remuneration, Allowances and Reimbursement of Expenses which sets out details of the salary parameters for all elected members including the Leader, Provost and Senior Councillors was agreed at a meeting of the Council Executive on 26 March 2019 and is available at: <https://coins.westlothian.gov.uk/coins/submissiondocuments.asp?submissionid=41950>

2.2 Remuneration Policy - Convenors and Vice Convenors for Police and Fire Functions and Joint Boards

In addition to the Senior Councillors of the council the Regulations also set out the remuneration payable to councillors with the responsibility of a convenor or a vice-convenor of a Joint Board. The Regulations require the remuneration to be paid by the council of which the convenor or vice-convenor is a member. The council is also required to pay any pension contributions arising from the convenor or vice-convenor being a member of the Local Government Pension Scheme.

In 2019/20 the amount recharged to Lothian Valuation Joint Board for Councillor A McGuire, in respect of a vice-convenor position was £3,189 (£3,189 2018/19).

2.3 Total Councillors Remuneration

The council paid the following salaries, allowances and expenses to all councillors (including the senior councillors above) during the year:-

Type of Remuneration	2019/20 £'000	2018/19 £'000
Salaries	699	680
Allowances	14	11
Expenses	31	32
Total	744	723

The annual return of Councillors' salaries and expenses for 2019/20 is available for any member of the public to view at all Council Information Services Offices and Libraries during normal working hours and is also available on the council's website at <https://www.westlothian.gov.uk/media/3865/Elected-Members-Remuneration-Expenses/pdf/2018-2019-PublicationOfElectedMembersRemuneration.pdf>

REMUNERATION REPORT**STATEMENT 3****2.4 Council Leader, Provost and Senior Councillors Remuneration**

The following table provides details of the remuneration paid to the Council's Senior Councillors and remuneration paid to councillors with the responsibility of a convenor or vice-convenor of a Joint Board during 2019/20:-

Name	Post Title	Total Remuneration 2019/20 £	Total Remuneration 2018/19 £
Council Leader, Provost and Senior Councillor payments			
L Fitzpatrick	Leader of the Council	34,944	33,992
T Kerr	Provost (Civic Leader)	26,208	25,494
H Cartmill	Executive Post - Health and Social Care	25,479	24,785
T Conn	Executive Post - Environment	25,479	24,785
D King	Executive Post - Culture and Leisure (Depute Provost)	25,479	24,785
C Muldoon	Executive Post - Development and Transport	25,479	24,785
C Horne	Chair of Audit Committee	25,479	24,785
D Timson	Chair of Governance and Risk Committee	25,479	24,785
K Sullivan	Executive Post - Voluntary Organisations (Depute Leader)	25,479	24,785
CJ Kennedy	Chair of Development Management Committee	25,479	24,785
A Doran	Executive Post - Social Policy	25,479	24,785
D Dodds	Executive Post - Education	25,479	24,785
G Paul	Executive Post - Services for the Community	25,479	24,785
A McGuire ¹	Lothian Valuation Joint Board	20,659	20,183
P Heggie	Chair of Licensing Committee	25,479	24,785
Total		387,559	377,089

1. West Lothian appointee on Lothian Valuation Joint Board. The amount recharged to Lothian Valuation Joint Board in 2019/20 was £3,189 (£3,189 2018/19) in respect of Councillor A McGuire.

A small number of matters are reserved to full council. Regulatory business and scrutiny are remitted to a number of committees with specific and limited powers. Responsibility for management and operational issues is delegated to council officers.

The main powers to make policy and take significant decisions are held by Council Executive and Education Executive. Education Executive deals with education business. It has 18 councillor members and six non-councillors representing churches, teaching staff and parent councils. Council Executive holds all other significant decision-making powers. It is chaired by the Leader of the Council and has 13 members. The Leader of the Council and eight Executive Councillors have additional responsibilities in relation to defined portfolios of services and also chair Policy Development and Scrutiny Panels, which are working groups which consider new and revised strategies and policies before they are sent for decision at Council Executive or Education Executive.

3. SENIOR EMPLOYEES**3.1 Remuneration Policy**

The salary of senior employees is set by reference to national arrangements. The Scottish Joint Negotiating Committee (SJNC) for Local Authority Services sets the salaries for the Chief Executives of Scottish Local Authorities. Circular CO/150 sets the amount of salary for the Chief Executive of West Lothian Council for the period 2019/20.

The salaries of the Depute Chief Executives are based on the nearest point on the national spinal column for Chief Officers, which equates to 87 per cent of the Chief Executive's salary in three spinal column points. Heads of Service are paid across two pay grades of three spinal column points. These pay grades are based on the nearest point on the national spinal column for Chief Officers which equates to one pay grade of 65 per cent and one of 72 per cent of the Chief Executives salary. Placing on the pay grade for Heads of Service is based on the outcome of a job evaluation exercise.

These pay arrangements were agreed through approval of the Organisational Review Report at a meeting of the Policy, Partnership and Resources Committee on 6 February 2002.

The West Lothian Integration Joint Board was legally established on 21 September 2015. J Forrest was formally appointed as Chief Officer on 16 February 2016 until his retirement on 29 September 2019. A Short was appointed as Chief Officer on 30 September 2019. The Depute Chief Executive / Chief Officer West Lothian Integration Joint Board is a joint appointment and the terms and conditions, including pay for the post, are set by NHS Lothian, who employ the post holder directly.

REMUNERATION REPORT**STATEMENT 3****3.2 Senior Employees Remuneration**

The senior employees included in the table are any local authority employee:

- Who has responsibility for management of the local authority to the extent that the person has power to direct or control the major activities of the council,
- Who holds a post that is politically restricted by reason of section 2(1)(a), (b) or (c) of the Local Government and Housing Act 1989, or
- Whose annual remuneration is £150,000 or more.

The full year equivalent salary has been provided for senior employees who have been in post for part year during 2019/20.

Name and Post Title	Full Year Equivalent Salary £	Total Remuneration 2019/20 £	Total Remuneration 2018/19 £
G Hope¹ Chief Executive	-	140,706	138,605
J Forrest² Depute Chief Executive / Chief Officer West Lothian Integration Joint Board (until 29 September 2019)	107,180	28,505	53,590
A Short³ Depute Chief Executive / Chief Officer West Lothian Integration Joint Board (from 30 September 2019)	96,126	24,429	-
R G Struthers Depute Chief Executive	-	122,975	119,393
E Cook Depute Chief Executive	-	122,975	119,393
D Forrest Head of Finance and Property Services	-	100,557	97,628
J Jack Head of Operational Services	-	93,080	90,369
A Shaw Head of Housing, Customer and Building Services (until 2 December 2018)	90,369	-	69,229
A M Carr Head of Housing, Customer and Building Services (from 3 December 2018)	-	90,886	74,361
C McCorriston Head of Planning, Economic Development and Regeneration	-	93,080	90,369
J Whitelaw Head of Corporate Services	-	93,080	90,369
J Cameron Head of Education (Learning, Policy and Resources)	-	100,557	97,628
D McMaster Head of Education (Curriculum, Quality Improvement and Performance)	-	100,557	97,628
J Kellock Head of Social Policy (until 31 August 2018)	97,628	-	40,012
J MacPherson Head of Social Policy (from 27 August 2018)	-	96,622	79,338
Subsidiary R Strang⁴ Chief Executive, West Lothian Leisure Ltd (until 30 September 2019)	-	135,799	84,110
T P J Dent⁵ Chief Executive, West Lothian Leisure Ltd (from 1 October 2019)	81,399	42,236	-
Total		1,386,044	1,342,022

1. Remuneration includes returning officer payment of £3,173 in 2019/20 (2018/19 £1,997).

2. The Depute Chief Executive/Chief Officer West Lothian Integration Joint Board, J Forrest, was remunerated by the National Health Service (NHS) with West Lothian contributing 50% of his total cost of employment. The total pension contribution paid by WLC in relation to J Forrest in 2019/20 (2018/19) is £2,005 (£7,985). J Forrest retired on 29 September 2019.

REMUNERATION REPORT**STATEMENT 3**

3. A Short was appointed Depute Chief Executive/Chief Officer West Lothian Integration Joint Board on 30 September 2019 and is remunerated by the National Health Service (NHS) with West Lothian contributing 50% of his total cost of employment. The total pension contribution paid by WLC in relation to A Short in 2019/20 is £5,236.
4. The previous Chief Executive of WLL, Robin Strang, retired at the end of September 2019. During 2019/20 WLL paid an amount of £85,792 as an additional payment to the Chief Executive on his retirement. The payment was authorised by the WLL Board in line with the established governance structures in place at WLL. This payment has not been included in the exit packages summary table 3.4.
5. The current Chief Executive of West Lothian Leisure Ltd from 1 October 2019, T P J Dent, is remunerated by the council's subsidiary company, West Lothian Leisure Ltd.
6. There were no compensation payments for loss of employment or annual compensation payments in 2019/20 or 2018/19 for West Lothian Council.

3.3 Employee Information by Pay Band

The number of officers whose remuneration, including benefits, in the year were £50,000 or more is detailed below:-

Remuneration Bands	Number of Employees	
	2019/20	2018/19
£50,000 - £54,999	105	96
£55,000 - £59,999	150	72
£60,000 - £64,999	77	29
£65,000 - £69,999	26	16
£70,000 - £74,999	20	11
£75,000 - £79,999	1	3
£80,000 - £84,999	4	6
£85,000 - £89,999	3	-
£90,000 - £94,999	9	3
£95,000 - £99,999	1	3
£100,000 - £104,999	3	-
£105,000 - £109,999	-	-
£110,000 - £114,999	-	-
£115,000 - £119,999	-	2
£120,000 - £124,999	2	-
£125,000 - £129,999	-	-
£130,000 - £134,999	-	-
£135,000 - £139,999	-	1
£140,000 - £144,999	1	-
Total	402	242

The number of officers whose remuneration, including benefits were £50,000 or more in the year increased by 160 in 2019/20, of which 140 were teachers and 20 were other officers. The increases were largely due to backdated pay awards, which predominantly affected teaching staff. Other reasons included the nationally agreed 2019/20 pay awards, incremental salary progression and voluntary severance.

3.4 Employee Exit Packages

The number of employee exit packages with total cost per band is set out in the table below. There were no compulsory redundancies in 2018/19 or 2019/20.

Exit package Cost Range	Number of employee exit packages agreed		Total cost of employee exit packages in each band	
	2019/20	2018/19	2019/20 £'000	2018/19 £'000
£0 - £20,000	13	42	154	498
£20,001 - £40,000	4	26	118	663
£40,001 - £60,000	1	12	40	593
£60,001 - £80,000	1	8	66	537
£80,001 - £100,000	2	8	171	719
£100,001 - £150,000	-	4	-	487
Total	21	100	549	3,497

REMUNERATION REPORT**STATEMENT 3****4. PENSIONS****4.1 Local Government Pension Scheme Details (LGPS)**

Pension benefits for councillors and local government employees are provided through the Local Government Pension Scheme (LGPS).

Councillors' pension benefits are based on career average pay. The councillor's pay for each year or part year ending 31 March (other than the pay in the final year commencing 1 April) is adjusted by the increase in the cost of living, as measured by the appropriate index (or indices) between the end of that year and the last day of the month in which their membership of the scheme ends. The total of the revalued pay is then divided by the period of membership to calculate the career average pay. This is the value used to calculate the pension benefits.

For local government employees the LGPS changed on 1 April 2015 from a final salary pension scheme to a career average scheme. In the 2015 scheme, normal retirement age for both councillors and employees is equal to the member's state pension age subject to a minimum of 65.

From 1 April 2009 a five tier contribution system was introduced with contributions from scheme members being based on how much pay falls into each tier. This is designed to give more equality between the cost and benefits of scheme membership. Prior to 2009 contribution rates were set at 6% for all non-manual employees.

The members contribution rates for 2019/20 remain at the 2018/19 rates, however the ranges have changed as follows:

Whole time pay	Range 2019/20	Range 2018/19	Contribution rate 2019/20	Contribution rate 2018/19
On earnings up to and including	£21,800	£21,300	5.5%	5.5%
On earnings above	£21,801 and up to £26,700	£21,300 and up to £26,100	7.25%	7.25%
On earnings above	£26,701 and up to £36,600	£26,100 and up to £35,700	8.5%	8.5%
On earnings above	£36,601 and up to £48,800	£35,700 and up to £47,600	9.5%	9.5%
On earnings above	£48,801	£47,600	12.0%	12.0%

If a person works part-time their contribution rate is worked out on the whole-time pay rate for the job, with actual contributions paid on actual pay earned.

The Local Government Pension Scheme changed on 1 April 2015 from a Final Salary to a Career Average Scheme. For each year in the Scheme from 1 April 2015, a scheme member builds up pension at 1/49ths of pensionable pay. The pension is built up in the member's Pension Account which is revalued each scheme year by HM Treasury Revaluation Order which is currently the Consumer Prices Index (CPI).

If an employee was a member of the Scheme prior to 1 April 2015, the benefits built up under the Final Salary arrangement will continue to be worked out on the member's final pay when leaving. For scheme membership up to 31 March 2015, the pension accrues at 1/60th of final pay at leaving. There is no automatic lump sum but annual pension can be swapped for a tax free lump sum. For scheme membership up to 31 March 2009, pension accrues on the basis of 1/80th of the member's final pay at leaving plus an automatic lump sum of 3 times the pension.

The value of the accrued benefits has been calculated on the basis of the age at which the person will first become entitled to receive a pension on retirement without reduction on account of its payment at that age; without exercising any option to commute pension entitlement into a lump sum; and without any adjustment for the effects of future inflation.

The pension figures shown relate to the benefits that the person has accrued as a consequence of their total local government service, and not just their current appointment.

REMUNERATION REPORT**STATEMENT 3****4.2 Pension Benefits Senior Councillors - Local Government Pension Scheme (LGPS)**

The pension entitlements of Senior Councillors for the year to 31 March 2020 are shown in the table below, together with the contribution made by the council to each Senior Councillor's pension during the year.

Name	Post Title	In-year pension contributions		Accrued pension benefits			
		For year to 31 March 2020	For year to 31 March 2019	As at 31 March 2020		Difference from 31 March 2019	
		£	£	Pension £'000	Lump Sum £'000	Pension £'000	Lump Sum £'000
Council Leader, Provost and Senior Councillor contributions							
L Fitzpatrick	Leader of the Council	7,478	7,106	7	2	1	-
T Kerr	Provost (Civic Leader)	5,609	5,510	6	2	-	-
H Cartmill	Executive Post - Health and Social Care	5,452	5,180	4	-	1	-
T Conn	Executive Post - Environment	5,452	5,180	6	2	1	-
C Muldoon	Executive Post - Development and Transport	5,452	5,180	6	2	1	-
C Horne ¹	Chair of Audit Committee	5,452	5,180	2	-	2	-
D Timson ¹	Chair of Governance and Risk Committee	5,452	5,180	2	-	2	-
K Sullivan ¹	Executive Post - Voluntary Organisations (Depute Leader)	5,452	5,180	2	-	2	-
CJ Kennedy ¹	Chair of Development Management Committee	5,452	5,180	2	-	2	-
A Doran ¹	Executive Post - Social Policy	5,452	5,180	2	-	2	-
D Dodds	Executive Post - Education	5,452	5,180	3	-	1	-
P Heggie ¹	Chair of Licensing Committee	5,452	5,180	2	-	2	-
Total		67,607	64,416	44	8	17	-

1. Member was not entitled to pension benefits prior to this year

All senior Councillors, under the age of 75, shown in the tables are members of the LGPS.

The pension figures shown relate to the benefits that the person has accrued as a consequence of their total local government service, including any service with a council subsidiary body, and not just their current appointment.

Councillors A McGuire, D King and G Paul are not members of the LGPS. All Councillors under 75 years of age are eligible for participation in the LGPS.

REMUNERATION REPORT**STATEMENT 3****4.3 Pension Benefits Senior Employees - Local Government Pensions Scheme (LGPS)**

The pension entitlements of Senior Employees who are members of the LGPS for the year to 31 March 2020 are shown in the table below, together with the contribution made by the council to each Senior Employee's pension during the year.

The pension figures shown relate to the benefits that the person has accrued as a consequence of their total local government service, and not just their current appointment.

Name	Post Title	In-year pension contributions		Accrued pension benefits			
		For year to 31 March 2020	For year to 31 March 2019	As at 31 March 2020		Difference from 31 March 2019	
		£	£	Pension £'000	Lump Sum £'000	Pension £'000	Lump Sum £'000
G Hope ¹	Chief Executive	30,790	28,968	68	114	5	3
R G Struthers	Depute Chief Executive	26,317	24,953	55	90	4	2
E Cook	Depute Chief Executive	26,317	24,953	66	-	4	-
D Forrest	Head of Finance and Property Services	21,519	20,404	45	74	3	2
J Jack	Head of Operational Services	19,919	18,887	45	79	3	2
A Shaw	Head of Housing, Customer and Building Services (until 2 December 2018)	-	13,915	-	-	-	-
AM Carr	Head of Housing, Customer and Building Services (from 3 December 2018)	19,450	15,541	47	90	9	16
C McCorriston	Head of Planning, Economic Development and Regeneration	19,919	18,887	45	79	3	2
J Whitelaw	Head of Corporate Services	19,919	18,887	33	43	2	1
J Cameron	Head of Education (Learning, Policy and Resources)	21,519	20,404	75	-	4	-
D McMaster	Head of Education (Curriculum, Quality Improvement and Performance)	21,519	20,404	60	-	4	-
J Kellock	Head of Social Policy (until 31 August 2018)	-	8,362	-	-	-	-
J MacPherson	Head of Social Policy (from 27 August 2018)	20,677	16,582	47	87	9	15
Total		247,865	251,147	586	656	50	43

1. Chief Executive in-year contributions total includes pension benefits for Returning Officer duties.

The McCloud and Goodwin judgements, as outlined in notes 20 (net pension liability) and 32 (post reporting period events), may have an impact the valuation of accrued pension benefits disclosed in notes to the Remuneration Report 4.2 and 4.3 above, as the impact of these rulings is considered and implemented across the Lothian Pension Fund. However, while an estimate on the impact of these rulings has been made at the fund level it is not possible to assess the value of the impact for any specific individual at this stage.

REMUNERATION REPORT**STATEMENT 3****4.4 Facility Time Report 2019/20**

The Trade Union (Facility Time Publication Requirements) Regulations 2017 require the council to collect and publish a range of information on trade union (TU) facility time in respect of its employees who are TU representatives.

The information is summarised in the following table:

		Non-Teacher	Teacher
Number of employees who were relevant union officials during 2019/20		38	14
Number of FTE employees who were relevant union officials during 2019/20		36.37	14
Percentage of time spent on facility time	0%	18	2
	1% - 50%	15	11
	51% - 99%	5	1
	100%	-	-
Percentage of pay bill spend on facility time	Total cost facility time	£188,182	£71,463
	Total pay bill	£135,181,809	£145,708,399
	Percentage of total pay bill on facility time	0.14%	0.05%
Paid trade union activities		0.26%	3.85%

Full details are available at <https://www.westlothian.gov.uk/article/33241/Trade-Unions>

Graham Hope
Chief Executive
29 September 2020

Councillor Lawrence Fitzpatrick
Leader of the Council

COMPREHENSIVE INCOME AND EXPENDITURE STATEMENT**STATEMENT 4****PURPOSE**

The Comprehensive Income and Expenditure Statement shows the accounting cost in the year of providing services in accordance with generally accepted accounting practices, rather than the amount to be funded from taxation (or rents). Authorities raise taxation (and rents) to cover expenditure in accordance with statutory requirements; this may be different from the accounting cost. The taxation position is shown in both the Expenditure and Funding Analysis and the Movement in Reserves Statement.

**COMPREHENSIVE INCOME AND EXPENDITURE STATEMENT
FOR THE YEAR ENDED 31 MARCH 2020**

	Note	2019/20			2018/19		
		Gross Expend £'000	Gross Income £'000	Net Expend £'000	Gross Expend £'000	Gross Income £'000	Net Expend £'000
Schools, Education Support		263,246	19,532	243,714	251,469	14,514	236,955
Planning, Economic Development and Regeneration		11,820	5,657	6,163	13,259	5,163	8,096
Operational Services		83,785	8,118	75,667	87,853	8,763	79,090
Housing, Customer and Building Services		21,352	6,127	15,225	20,794	6,042	14,752
Corporate Services		1,899	599	1,300	2,246	1,068	1,178
Social Policy – IJB, Adult and Elderly Services		166,548	97,110	69,438	154,501	90,668	63,833
Social Policy – non-IJB Children's Services		41,927	4,730	37,197	41,196	4,271	36,925
Chief Executive, Finance and Property		44,275	4,802	39,473	45,253	5,258	39,995
Joint Boards		1,159	5	1,154	1,128	-	1,128
Other Services		50,221	49,382	839	73,573	54,125	19,448
Net Cost of General Fund Services		686,232	196,062	490,170	691,272	189,872	501,400
Housing Revenue Account		85,606	52,536	33,070	83,682	49,381	34,301
Net Cost of Services		771,838	248,598	523,240	774,954	239,253	535,701
Other Operating Expenditure	9	(1,377)	-	(1,377)	(2,252)	-	(2,252)
Finance and Investment Income and Expenditure	10	66,138	32,273	33,865	65,291	32,131	33,160
Taxation and Non-Specific Grant Income	11	-	426,640	(426,640)	-	402,956	(402,956)
Deficit on Provision of Services	5	836,599	707,511	129,088	837,993	674,340	163,653
Items that will not be reclassified to the Deficit on the Provision of Services							
Surplus on revaluation of property, plant and equipment				(26,153)			(32,059)
Remeasurement of the net defined benefit (gain) / loss				(87,046)			34,403
Items that may be reclassified to the Deficit on the Provision of Services				(113,199)			2,344
(Surplus) / Deficit from investments in equity instruments designated at fair value through other comprehensive income				(24)			17
Other Comprehensive Income and Expenditure				(113,223)			2,361
Total Comprehensive Income and Expenditure				15,865			166,014

MOVEMENT IN RESERVES STATEMENT**STATEMENT 5****PURPOSE**

The Movement in Reserves Statement shows the movement from the start of the year to the end on the different reserves held by the authority analysed into 'usable reserves' (i.e. those that can be applied to fund expenditure or reduce local taxation) and other 'unusable' reserves. The Statement shows how the movements in year of the authority's reserves are broken down between gains and losses incurred in accordance with generally accepted accounting practices and the statutory adjustments required to return to the amounts chargeable to council tax (or rents) for the year. The Net Increase/Decrease line shows the Statutory General Fund Balance and Housing Revenue Account Balance Movements in year following those adjustments.

**MOVEMENT IN RESERVES STATEMENT
AS AT 31 MARCH 2020**

	Note	General Fund £'000	Housing Revenue Account £'000	Capital Fund £'000	Insurance Fund £'000	Total Usable Reserves £'000	Unusable Reserves £'000	Total Council Reserves £'000
Balance at 1 April 2018		23,906	926	58,963	10,125	93,920	833,244	927,164
Movement in Reserves during 2018/19								
Total comprehensive income and expenditure		(119,605)	(44,048)	-	-	(163,653)	(2,361)	(166,014)
Adjustments between accounting basis and funding basis under regulations	13	118,391	44,048	(2,013)	-	160,426	(160,426)	-
Net increase (decrease) before transfers to / (from) other statutory funds		(1,214)	-	(2,013)	-	(3,227)	(162,787)	(166,014)
Transfers to / (from) other statutory funds	12	(5,029)	-	4,763	266	-	-	-
Increase (decrease) in year		(6,243)	-	2,750	266	(3,227)	(162,787)	(166,014)
Balance at 31 March 2019		17,663	926	61,713	10,391	90,693	670,457	761,150
General Fund analysed over:								
Amounts Earmarked	34	15,290						
Amounts Uncommitted		2,373						
Total General Fund Balance at 31 March 2019		17,663						
Movement in Reserves during 2019/20								
Total comprehensive income and expenditure		(86,116)	(42,972)	-	-	(129,088)	113,223	(15,865)
Adjustments between accounting basis and funding basis under regulations	13	91,606	42,972	(8,154)	-	126,424	(126,424)	-
Net increase (decrease) before transfers to other statutory funds		5,490	-	(8,154)	-	(2,664)	(13,201)	(15,865)
Transfers (to) / from other statutory funds	12	(3,284)	-	4,358	(1,074)	-	-	-
Increase (decrease) in year		2,206	-	(3,796)	(1,074)	(2,664)	(13,201)	(15,865)
Balance at 31 March 2020		19,869	926	57,917	9,317	88,029	657,256	745,285
General Fund analysed over:								
Amounts Earmarked	34	16,875						
Amounts Uncommitted		2,994						
Total General Fund Balance at 31 March 2020		19,869						

BALANCE SHEET**STATEMENT 6****PURPOSE**

The Balance Sheet shows the value as at the Balance Sheet date of the assets and liabilities recognised by the authority. The net assets of the authority (assets less liabilities) are matched by the reserves held by the authority. Reserves are reported in two categories. The first category of reserves is usable reserves, i.e. those reserves that the authority may use to provide services, subject to the need to maintain a prudent level of reserves and any statutory limitations on their use (for example the Capital Fund that may only be used to fund capital expenditure or repay debt). The second category of reserves is those that the authority is not able to use to provide services. This category of reserves includes reserves that hold unrealised gains and losses (for example the Revaluation Reserve), where amounts would only become available to provide services if the assets are sold; and reserves that hold timing differences shown in the Movement in Reserves Statement line 'Adjustments between accounting basis and funding basis under regulations'.

		As at 31 March 2020 £'000	As at 31 March 2019 £'000
LONG TERM ASSETS	Note		
Property, Plant and Equipment			
- Council Dwelling		383,804	378,305
- Other Land and Buildings		950,037	1,005,036
- Vehicles, Plant, Furniture and Equipment		12,500	14,367
- Infrastructure Assets		238,718	231,995
- Community Assets		567	657
- Assets under construction		13,895	37,403
- Surplus Assets, not yet held for disposal		22,672	22,709
	14.1	1,622,193	1,690,472
Heritage Assets		779	779
Long Term Investments	15.1	574	553
TOTAL LONG TERM ASSETS		1,623,546	1,691,804
CURRENT ASSETS			
Short Term Investments	15.1	91,479	92,401
Inventories		1,346	1,505
Short Term Debtors	16	37,182	33,932
Cash and Cash Equivalents	26	18,016	26,086
Intangible Assets		-	461
TOTAL CURRENT ASSETS		148,023	154,385
CURRENT LIABILITIES			
Short Term Borrowing	15.1	(84,415)	(99,733)
Short Term Creditors	17	(65,342)	(72,788)
Provisions	18	(387)	(953)
Capital Grant Receipts in Advance	33	(30,126)	(21,855)
TOTAL CURRENT LIABILITIES		(180,270)	(195,329)
NET CURRENT LIABILITIES		(32,247)	(40,944)
TOTAL ASSETS LESS CURRENT LIABILITIES		1,591,299	1,650,860
LONG TERM LIABILITIES			
Long Term Creditors	19	(335)	(476)
Long Term Borrowing	15.1	(538,641)	(523,641)
Defined Benefit Scheme Liability	20.3	(225,357)	(279,676)
Other Long Term Liabilities	19	(81,681)	(85,917)
TOTAL LONG TERM LIABILITIES		(846,014)	(889,710)
TOTAL NET ASSETS		745,285	761,150
Financed by:			
USABLE RESERVES			
General Fund Balance	34	19,869	17,663
Housing Revenue Fund Balance		926	926
Capital Fund	21.2	57,917	61,713
Insurance Fund	21.1	9,317	10,391
TOTAL USABLE RESERVES		88,029	90,693
UNUSABLE RESERVES	22	657,256	670,457
TOTAL RESERVES		745,285	761,150

The unaudited accounts were considered by the Audit Committee on 22 June 2020 and the audited accounts were authorised for issue on 29 September 2020.

CASH FLOW STATEMENT**STATEMENT 7****PURPOSE**

The Cash Flow Statement shows the changes in cash and cash equivalents of the authority during the reporting period. The statement shows how the authority generates and uses cash and cash equivalents by classifying cash flows as operating, investing and financing activities. The amount of net cash flows arising from operating activities is a key indicator of the extent to which the operations of the authority are funded by way of taxation and grant income or from the recipients of services provided by the authority. Investing activities represent the extent to which cash outflows have been made for resources which are intended to contribute to the authority's future service delivery. Cash flows arising from financing activities are useful in predicting claims on future cash flows by providers of capital (i.e. borrowing) to the authority.

	Note	2019/20 £'000	2018/19 £'000
Net Deficit on the provision of services		(129,088)	(163,653)
Adjustments to net deficit on the provision of services for non-cash movements	23	193,630	232,011
Net cash flows from Operating Activities		64,542	68,358
Net cash flows from Investing Activities	24	(68,366)	(134,218)
Net cash flows from Financing Activities	25	(4,246)	60,999
Net (decrease) / increase in cash and cash equivalents		(8,070)	(4,861)
Cash and cash equivalents at the beginning of the reporting period		26,086	30,947
Cash and cash equivalents at the end of the reporting period	26	18,016	26,086

NOTES TO THE ANNUAL ACCOUNTS

STATEMENT 8

1. ACCOUNTING POLICIES

General

The council is required to prepare Annual Accounts by the Local Authority Accounts (Scotland) Regulations 2014. Section 12 of the Local Government in Scotland Act 2003 requires they be prepared in accordance with proper accounting practices. These practices primarily comprise the Code of Practice on Local Authority Accounting in the United Kingdom 2019/20 (The Code) supported by International Financial Reporting Standards (IFRS).

The accounting convention adopted in the Annual Accounts is principally historical cost, modified by the revaluation of certain categories of non-current assets and financial instruments.

Basis of Preparation Statement

The council financial statements for 2019/20 have been prepared on a going concern basis. The concept of a going concern assumes that an authority's functions and services will continue in operational existence for the foreseeable future. The provisions in respect of going concern reporting requirements reflect the economic and statutory environment in which local authorities operate. These provisions confirm that, as authorities cannot be created or dissolved without statutory prescription, they must prepare their financial statements on a going concern basis of accounting. In accordance with the CIPFA Code of Local Government Accounting (2019/20), the council is required to prepare its financial statements on a going concern basis unless informed by the relevant national body of the intention for dissolution without transfer of services or function to another entity. The accounts are prepared on the assumption that the council will continue in operational existence for the foreseeable future.

West Lothian Council approved an updated medium term financial plan for the period 2020/21 to 2022/23 at the Council meeting on 28 February 2020. In order to maintain a balanced budget for 2020/21 to 2022/23 the council is required to deliver total budget savings of £31.8 million over this period including £12.2 million in 2020/21, of which 100% were identified in the MTFP. The updated financial plan highlighted a number of risks over the period that continue to be closely monitored.

Following the approval of the medium term financial plan, the council continues to face unprecedented challenges, including the impact of Covid-19, in delivering essential services whilst resources are constrained. Over recent months substantial work has been undertaken to identify the estimated additional costs of Covid-19. While there remains uncertainty around Covid-19 implications going forward, an update to Council Executive on 18 August forecast an additional net cost resulting of £4.334 million. The net financial pressure includes the non-delivery of some savings although the pressures arising from this source have been minimised due to West Lothian Council's proactive approach to financial planning. For future years the Corporate Transformation Programme Team are reviewing what impact the pandemic could have on delivery of the approved savings programme.

In addition to known costs during the lockdown period, there is a high risk that further significant costs will continue to be incurred during financial year 2020/21. The identification of any emerging risks will inform discussions with the Scottish Government over funding. Officers will review and develop plans to allow services to be delivered in line with Government recommendations.

The introduction of safety measures, such as social distancing, is likely to result in further costs. Areas where further expenditure could emerge include school transportation, social care provision and homelessness.

The council's minimum uncommitted general fund balance is £2 million. The uncommitted general fund balance at 31 March 2020 is £2.994 million, providing an opportunity to use some of the balance to support the pandemic response in 2020/21 should it be required. Council Executive agreed on 18 August that the £994,000 over and above the minimum approved balance should be earmarked for managing the projected 2020/21 overspend. Although the council's minimum uncommitted balance is low compared to other authorities in Scotland, the council has a high level of general services committed usable reserves, totalling £84 million at 31 March 2020. The 2020/21 budget approved by the Council included use of one off funding to replace budget saving measures of £157,000 however this will not impact on the budgeted general fund balance at 31 March 2021. The most recent budget monitoring update for 2020/21 forecasts an overspend of £4.334 million. It is anticipated that the council will receive funding from the Scottish Government to address this cost pressure. As the forecast overspend is greater than the general fund balance, should funding not be forthcoming, the council will consider a range of options to balance the budget as outlined in a report to Council Executive on 18 August 2020. The latest budget savings monitoring report forecasts that the council will achieve all of its planned £10.4 million savings for 2020/21. The HRA balance at 31 March 2020 £0.926 million. Should the overspend in 2020/21 be greater than this balance, options, including potential amendment to future year capital investment programmes, will be considered by the Council.

West Lothian Council has a high level of balances of cash short term investments, totalling £18 million at 31 March and £79 million at 31 August. Normally when investments mature they are reinvested for periods up to a year. During the pandemic maturing investments have been retained in highly liquid instruments, such as the overnight bank account or money market funds, to ensure that the funds are available as required. The council's cash flow is monitored weekly by management and the council does not forecast any cash flow shortage through to 30 September 2021. Following the impact of Covid-19 the council's cash flow position was supported by the accelerated payment of Scottish Government grant in April, May and June.

The council continues to regularly monitor its financial position and provide full financial updates to Council Executive and the Council as appropriate, including options on addressing any new budget gaps and spending pressures. This may include potential national flexibilities, reprioritisation of earmarked reserves and balances, restrictions on expenditure, including recruitment, revisions to service delivery or service standards and identification of additional saving measures. Management is continuing to liaise with Scottish Government and COSLA on ensuring sustainable funding going forward. The Scottish Government has confirmed that some uncommitted ring fenced grants, such as early learning and childcare, can be utilised to support the Covid-19 response however West Lothian Council had largely committed this funding to support delivery of the additional nursery hours in advance of the original deadline of August 2020, therefore there is no uncommitted funds available.

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****Revenue Transactions**

The Revenue Accounts of the council are maintained on an accruals basis in accordance with the Code of Practice. That is, sums due to or from the council during the year are included, whether or not the cash has actually been received or paid in the year. Provision has been made for possible bad or doubtful debts in both the General Fund Account and Housing Revenue Account. There is no de minimis level for inclusion in the annual accounts for revenue transactions.

Where debtor balances for council tax are identified as impaired, the asset is written down and a charge made to the Financing and Investment Income in the Comprehensive Income and Expenditure Statement.

Property, Plant and Equipment - Valuation

All expenditure on the acquisition, creation or enhancement of property, plant and equipment has been capitalised on an accruals basis.

Operational Property, plant and equipment have been included in the balance sheet at either existing use value or depreciated replacement cost, depending on whether or not there is assessed to be an active market for the assets being revalued. Assets Under Construction and Community Assets have been included at historical cost.

Surplus assets not yet available for sale have been included in the Balance Sheet on a fair value basis using the valuation techniques for level 2 inputs, i.e. open market value.

Plant, furniture and computer equipment costing below £6,000 are not treated as long term assets but are charged to the revenue account. This de minimis limit does not apply where certain categories of these assets are grouped together and form part of the approved capital programme.

Council houses have been valued at fair value using the Beacon Principle, existing use value for social housing, in accordance with the Royal Institution of Chartered Surveyors (RICS) Guidance. During 2015/16 the council houses were revalued by DM Hall LLP, an external firm of chartered surveyors. The council dwellings are due for valuation during 2020/21.

Valuations have been provided by the council's Property Services and an external firm of chartered surveyors. Increases in valuations are credited to the Revaluation Reserve.

Property, Plant and Equipment - Capital Receipts

Receipts arising from the sale of property, plant and equipment are credited to capital receipts and used to finance new capital expenditure. These transactions are then credited to the capital adjustment account

Property, Plant and Equipment - Depreciation

Assets, other than land, are being depreciated using the straight line method over their useful economic lives as follows:-

- Council dwellings	50 years
- Council dwellings (Fixtures)	27 years
- Operational buildings	20 - 60 years
- Plant and equipment (Other)	10 - 25 years
- Plant and equipment (Books)	3 years
- Motor vehicles	4 - 10 years
- Fixtures and fittings	3 - 10 years
- Infrastructure assets	40 years

No depreciation is provided on Community Assets, Assets Under Construction, Surplus Assets not yet available for sale and Heritage Assets.

Under International Accounting Standard 16 (IAS 16), where an item of Property, Plant and Equipment has major components whose cost is significant in relation to the total cost of the item, the components are depreciated separately. Significance is determined by comparing the cost of components against the overall cost of the asset. The significance threshold is set at £100,000 on assets with a value in excess of £1 million.

During 2019/20, all properties subject to material change in valuation; garage sites and lockups, cemetery buildings, hostels, libraries, visitor centres, public conveniences, travelling peoples' sites, village halls, grazing land, clubhouses, cinemas, muster rooms, sports centres and swimming pools were revalued. In total, they were collectively deemed to be significant in terms of their overall asset value and as such depreciation was charged on a componentised basis for all properties revalued as part of those groups.

The current policy of quinquennial revaluation will remain. However, in line with the requirements of the Code, only assets which were acquired, enhanced or revalued in 2019/20 had their useful lives updated. The council undertakes an annual review to ensure assets are valued with sufficient regularity to be fairly stated.

In the case of council dwellings, fixtures are depreciated over 27 years with the non-fixture element of council dwellings being depreciated over 50 years.

Property, Plant and Equipment - Revaluation

Where decreases in value are identified, they are accounted for as follows:-

- where there is a balance of revaluation gains for the asset in the Revaluation Reserve, the carrying amount of the asset is written down against that balance (up to the amount of the accumulated gains)
- where there is no balance in the Revaluation Reserve or insufficient balance, the carrying amount is written down against the relevant service line in the Comprehensive Income and Expenditure Statement

Property, Plant and Equipment - Impairment

Assets subject to revaluation that have suffered a reduction in value have been impaired. Where impairment losses are identified, they are accounted for as follows:-

- where there is a balance of revaluation gains for the asset in the Revaluation Reserve, the carrying amount of the asset is written down against that balance (up to the amount of the accumulated gains)
- where there is no balance in the Revaluation Reserve or insufficient balance, the carrying amount is written down against the relevant service line in the Comprehensive Income and Expenditure Statement

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****Property, Plant and Equipment
- Charges to Revenue**

Service revenue accounts and the HRA have been charged with a capital charge for all Property, Plant and Equipment assets used in the provision of the service. Such charges cover the annual provision for depreciation.

Heritage Assets

Heritage assets are those assets that are intended to be preserved in trust for future generations because of their cultural, environmental or historical associations. They are held by the council in pursuit of its overall objective in relation to the maintenance of heritage.

The council's Heritage Assets are held in various locations throughout the authority. There are two main categories of asset:- Artworks and Sculptures and Civic Regalia which includes Precious Metals, Fabric Items and Robes. All other assets are included in the Miscellaneous Other category.

As a general policy, Heritage Assets are recognised on the balance sheet where the cost or value of the asset is known. Where information on cost or value is not available, and the cost of obtaining the information outweighs the benefits to the users of the financial statements, the asset is not recognised on the balance sheet.

There have been no acquisitions, donations, disposals, or council owned additions to the Heritage Asset portfolio during the financial year 2019/20.

The council's external valuer for its heritage assets (Bonhams – Fine Art Auctioneers and Valuers) carried out a valuation of the full collection as at 31 March 2017. These insurance valuations are updated on a quinquennial basis.

Improvement Grants

All expenditure on improvement and other grants is charged to revenue in the year the expenditure is incurred.

Government Grants and Contributions

Government grants are accounted for on an accruals basis and income has been credited, in the case of revenue grants, to the appropriate revenue account. Capital grants and contributions received to finance Property, Plant and Equipment assets have been credited to the Comprehensive Income and Expenditure Account. They are reversed out of the General Fund Balance in the Movement in Reserves Statement and transferred to the Capital Adjustment Account.

Additional Scottish government funding provided in relation to Covid-19, including UK Government Barnett Consequentials, Hardship and Food Funds, top up to Scottish Welfare Fund and funding for extension of death registration services have been accounted for as grant income in line with all other government grant income on an accruals basis, and any related expenditure recognised separately in the financial statements. Income where the council is acting as an agent in distributing funds from the Scottish Government, including the small business grants and hardship funding, have not been recorded in the CIES as the council does not retain the risks and rewards of the income and related expenditure.

Amounts recognised as due to the council are not credited to the Comprehensive Income and Expenditure Statement and Capital Adjustment Account until conditions attached to each grant have been satisfied.

Monies advanced as revenue grants and contributions for which conditions have not been satisfied are carried in the balance sheet as creditors. When conditions are satisfied, the revenue grants are credited to the service line in the Comprehensive Income and Expenditure Statement and, for capital grants, to the Capital Adjustment Account.

Redemption of Debt

The council operates a Consolidated Loans Fund under the terms of the Local Government (Scotland) Act 1975. All loans raised are paid into the fund. For 2018/19, the capital payments were attributed to specific assets and repaid over 40 years. For 2019/20 the Treasury Management Plan approved the proposal to adopt a repayment period of 35 years.

Premiums and discounts on debt rescheduling have been transferred to the Financial Instruments Adjustment Account and have been designated as statutory premiums and discounts under statutory guidance issued by the Scottish Government. The annual charge to the General Fund is managed by movements to and from the Financial Instruments Adjustment Account and the Movement on Reserves Statement.

Cash and Cash Equivalents

Cash is represented by cash in hand and deposits with financial institutions repayable without penalty on notice of not more than twenty four hours. Cash equivalents are investments that mature in three months or less from the date of acquisition and that are readily convertible to known amounts of cash with insignificant risk of change in value.

Cash and cash equivalents are shown net of bank overdrafts that are repayable on demand and form an integral part of the council's cash management.

Prior Period Adjustments

Prior Period Adjustments arise as a result of a change in accounting policy. Where a change is made it is applied retrospectively by adjusting opening balances and comparative amounts. There have been no prior period adjustments in 2019/20.

For 2018/19, there has been a reclassification adjustment of prior period comparative balances for consistency with 2019/20 balances following re-assessment of appropriateness of disclosure category.

FINANCIAL INSTRUMENTS**Financial Liabilities**

Financial liabilities are recognised on the Balance Sheet when the council becomes a party to the contractual provisions of a financial instrument and are initially measured at fair value and are carried at their amortised cost. Annual charges to the Financing and Investment Income and Expenditure line in the Comprehensive Income and Expenditure Statement for interest payable are based on the carrying amount of the liability, multiplied by the effective rate of interest for the instrument. The effective interest rate is the rate that exactly discounts estimated future cash payments over the life of the instrument to the amount at which it was originally recognised.

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****Borrowing**

The amount presented in the Balance Sheet is the outstanding principal repayable (plus accrued interest). Interest charged to the Comprehensive Income and Expenditure Statement is the amount payable for the year according to the loan agreement.

Where premiums and discounts have been charged to the Comprehensive Income and Expenditure Statement, regulations allow the impact on the General Fund Balance to be spread over future years. The council has a policy of spreading the gain or loss over the term that was remaining on the loan against which the premium was payable or discount receivable when it was repaid. The reconciliation of amounts charged to the Comprehensive Income and Expenditure Statement to the net charge required against the General Fund Balance is managed by a transfer to or from the Financial Instruments Adjustment Account in the Movement in Reserves Statement.

Creditors

Creditors are recognised when a supplier has provided goods and services to the council for an agreed price. The creditors recognised in the Balance Sheet represent the current value of the outstanding liabilities of the council as at 31 March as a proxy for amortised cost.

Financial Assets Investments

Financial assets are classified based on a classification and measurement approach that reflects the business model for holding the financial assets and their cashflow characteristics. There are three main classes of financial assets measured at:

- amortised cost
- fair value through profit or loss (FVPL), and
- fair value through other comprehensive income (FVOCI)

The council's business model is to hold investments to collect contractual cash flows. Financial assets are therefore classified as amortised cost, except for those whose contractual payments are not solely payment of principal and interest (i.e. where the cash flows do not take the form of a basic debt instrument).

Financial Assets Measured at Amortised Cost

Financial assets measured at amortised cost are recognised on the Balance Sheet when the council becomes a party to the contractual provisions of a financial instrument and are initially measured at fair value. They are subsequently measured at their amortised cost. Annual credits to the Financing and Investment Income and Expenditure line in the Comprehensive Income and Expenditure Statement for interest receivable are based on the carrying amount of the asset multiplied by the effective rate of interest for the instrument. The amount presented in the Balance Sheet is the outstanding principal receivable (plus accrued interest) and interest credited to the Comprehensive Income and Expenditure Statement is the amount receivable for the year in the loan agreement.

Any gains and losses that arise on the derecognition of an asset are credited or debited to the Financing and Investment Income and Expenditure line in the Comprehensive Income and Expenditure Statement.

Debtors

Debtors are recognised when goods and services have been provided by the council for an agreed price. The value of the debtors recognised in the Balance Sheet represents the current value of the outstanding asset of the council as at 31 March as a proxy for amortised cost.

Expected Credit Loss Model

The council recognises expected credit losses on all of its financial assets held at amortised cost on a 12 month basis. The expected credit loss model also applies to lease receivables. Only lifetime losses are recognised for trade receivables (debtors) held by the council.

Impairment losses are calculated to reflect the expectation that the future cash flows might not take place because the borrower could default on their obligations. Credit risk plays a crucial part in assessing losses. Where risk has increased significantly since an instrument was initially recognised, losses are assessed on a lifetime basis. Where risk has not increased significantly or remain slow, losses are assessed on the basis of 12 month expected losses.

Fair Value Measurement

The council measures its non-financial assets such as surplus assets not yet held for sale and financial instruments equity shareholdings at fair value at each reporting date using valuation techniques. When measuring the fair value of an asset the council assumes highest and best pricing. Inputs to the valuation techniques are categorised within the fair value hierarchy as follows:-

Level 1 – quoted prices in active markets for identical assets or liabilities that the authority can access at the measurement date.

Level 2 – inputs other than quoted prices included within level 1 that are observable for the asset or liability, either directly or indirectly.

Level 3 – unobservable inputs for the asset or liability.

Financial Assets Measured at Fair Value through Profit or Loss (FVPL)

Financial assets that are measured at FVPL are recognised on the Balance Sheet when the council becomes a party to the contractual provisions of a financial instrument and are initially measured and carried at fair value. Fair value gains and losses are recognised as they arrive in the Surplus or Deficit on the Provision of Services.

Any gains and losses that arise on the derecognition of the asset are credited or debited to the Financing and Investment Income and Expenditure line in the Comprehensive Income and Expenditure Statement.

The council holds no assets under this classification.

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****Financial Assets Measured at Fair through other comprehensive income (FVOCI)**

The council holds an equity investment in Lothian Buses Limited. The investment is held for strategic purposes. Under IFRS9 the council designates that this investment be classified as being measured at Fair Value through Other Comprehensive Income. Any gain or loss on this investment will be held in the Financial Instrument Revaluation Reserve. The investment in Lothian Buses Limited has been shown in the Balance Sheet at fair value (Level 2 on the fair value hierarchy), based on the current share price multiplied by the council's shareholding.

External Interest Payable and Loans Fund Interest

External interest has been calculated and charged to the Income and Expenditure Account on an amortised cost basis over the life of the loan. For the majority of loans this represents the interest amount payable for the year per the loan agreement. However, for stepped LOBO loans, this results in a difference between the coupon rate and the amount charged to the Income and Expenditure Account. This difference is removed from the General Fund by a transfer to the Financial Instruments Adjustment Account

These accounting adjustments ensure that the loans fund interest is calculated and allocated to the Revenue Account in accordance with LASAAC Guidance Note No 2.

Interest on revenue balances is allocated on the basis of the monthly balances held on the respective accounts.

Reserves

The council operates the following reserves under Schedule 3 of the Local Government (Scotland) Act 1975.

General Fund - to ensure that sufficient funds are held in reserve to deal with the financial consequences of uncertain future events the council has agreed that the uncommitted General Fund Balance will be a minimum of £2 million.

Insurance Fund – this is the funding mechanism for the control of insurance risk and includes premiums and self-funding insurance costs. The fund covers all known insurance liabilities and is independently valued on a triennial basis.

Capital Fund – established to ensure that, following the introduction of the CIPFA Prudential Code for Capital Finance in Local Authorities in April 2004, borrowing decisions and capital programme management are based on Best Value considerations. General Fund treasury management balances in any given year will normally be transferred to or from the Capital Fund. The balance in the Capital Fund at 31 March 2020 was £57.917 million.

Revaluation Reserve

The Revaluation Reserve represents the net increase in the value of fixed assets as a result of these being shown in the Balance Sheet at revalued amounts rather than historical cost.

Financial Instrument Revaluation Reserve (FIRR)

The FIRR represents the gains made by the council arising from increases in the value of its investments that are measured at Fair Value through Other Comprehensive Income. The balance is reduced when the investments are impaired downward or disposed of and gains realised.

Capital Adjustment Account

This account accumulates (on the debit side) the write-down of the historical cost of fixed assets as they are consumed by depreciation or impairment. It accumulates (on the credit side) the resources that have been set aside to finance capital expenditure.

Inventories

Stocks and stores held by the council are recorded at average cost, with the exception of Deer and Highland Cows which have been valued at net realisable value. The valuation is in accordance with IAS 41 - Agriculture. The use of average cost rather than lower of cost and net realisable value is a departure from the Code but is not considered material.

Central Support Services

Time recording systems and number of employees have been used as the bases for allocating costs to direct services, with the exception of the following:-

- a) Administration Buildings - the number of employees based at each building
- b) Central Telephone Service - based on number of extensions
- c) Central Postal and Messenger Services - based on actual usage
- d) HR Pay and Reward – based on employee numbers within each Service

Central Support Service charges allocated to the HRA and Building Services are a fixed amount agreed at the start of the financial year.

Revenue from Contracts with Customers

IFRS 15 enables users of the annual accounts to understand the nature, amount, timing and uncertainty of revenue and cash flows arising from contracts.

Council income was assessed using a five step approach: Identification of the contract, identification of the performance obligations, identification of the contract price, allocation of the contract price and finally recognition of the revenue as the obligation is satisfied.

Following review of the council's income no material income streams required change to the revenue recognition applied. All new income streams are reviewed on an annual basis

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****Finance Leases**

Leases are classified as finance leases where the terms of the lease transfer substantially all the risks and rewards incidental to ownership of the Property, Plant or Equipment from the lesser to the lessee. All other leases are classified as operating leases. Where a lease covers both land and buildings, these elements are considered separately for classification.

Assets acquired under finance leases have been capitalised together with a liability to pay outstanding rentals. Payments have been apportioned between the finance charge and the reduction of the outstanding obligation, with the finance charge being allocated and charged to revenue over the term of the lease.

Employee Benefits

A charge is made against services in the Surplus or Deficit on the Provision of Services for the cost of holiday entitlements earned by employees, but not taken before the year end, which employees can carry forward into the next financial year. The charge is made at the remuneration rates applicable in the following financial year and is required, under statute, to be reversed out of the General Fund Balance by a credit to the Employee Statutory Adjustment Account in the Movement in Reserves Statement.

Termination Benefits

Termination benefits are amounts payable as a result of a decision by an officer, in agreement with the council, to terminate their employment before the normal retirement date, or an officer's decision to accept voluntary severance. The costs are charged on an accruals basis to the Other Services line in the Comprehensive Income and Expenditure Statement. Where the termination benefits involve the enhancement of pensions, statutory provisions require the General Fund balance to be charged with the amount payable by the council to the pension fund or pensioner in the year, not the amount calculated according to the relevant accounting standards. In the Movement in Reserves Statement, appropriations are required to and from the Pensions Reserve to remove the notional debits and credits for pension enhancement termination benefits and replace them with debits for the cash paid to the pension fund or pensioners and any such amounts payable but unpaid at the year-end.

Public Private Partnership (PPP)**Design, Build, Finance and Maintain (DBFM)**

The treatment of PPP and DBFM contracts, under International Financing Reporting Standards (IFRS) looks at aspects of control of an asset, such as specifying services and the price paid for these services. The PPP and DBFM schools are recognised as property assets, with recognition of a liability for the financing of these assets. The unitary charge paid to the contractor is allocated between operating costs, finance lease principal and interest, and any capitalised lifecycle costs.

Operating Leases

Current annual operating lease rentals have been charged to revenue.

Non-Domestic Rates (NDR)

Local authorities act as the agent of the Government when collecting NDR. The Code therefore requires local authorities not to recognise NDR debtors in their balance sheets but to instead recognise a creditor or debtor for cash collected from NDR debtors as agent of the Government but not paid or overpaid to the Government.

Pension Costs

The council participates in two separate pension schemes which provide members with defined benefits related to pay and service and are as follows:-

Teachers: This is an unfunded scheme administered by the Scottish Government. Under the pensions accounting standard IAS 19 - 'Retirement Benefits' this scheme is treated as a defined contribution scheme as it does not allow the identification of liabilities consistently and reliably between participant authorities. The pension cost charged to the Accounts is the contribution rate set by HM Treasury on the basis of a notional fund.

Other Employees: Other employees, subject to certain qualifying criteria, are eligible to join the Local Government Pension Scheme (which is administered by the City of Edinburgh Council as the Lothian Pension Fund). The Lothian Pension Fund is a multi-employer scheme funded on the basis of triennial actuarial valuations of the required employers' contributions to ensure adequate assets in the scheme. As it is possible to identify the council's share of the assets and liabilities underlying the scheme on a consistent and reliable basis, it is accounted for as a defined benefit scheme under IAS 19.

IAS 19 is based on the premise that an organisation should account for retirement benefits when it is committed to give them, even if the actual payment will be many years in the future. The pension cost under IAS 19 is therefore not the cash contributions paid to the pension fund but the increase in the employers' attributable pensions liability during the year.

The IAS 19 actuarial valuation involves the actuary reviewing the most recent triennial actuarial valuation, updating it to reflect current conditions at the balance sheet date and apportioning assets and liabilities amongst employers. Assets are valued at fair value, principally bid value for investments. Liabilities are valued using the projected unit method which assesses the future liabilities of the fund discounted to their present value. The 2019/20 discount rate was 2.3% (2.4% 2018/19). The inclusion of attributable scheme assets and liabilities in the balance sheet represents an authority's commitment to increase contributions to make up any shortfall, or its ability to benefit, via reduced contributions, from a surplus in the scheme.

The actuary identifies the following elements of pension cost charged to the Income and Expenditure account:

Actuarial gains and losses – these consist of experience adjustments (the effects of differences between the previous actuarial assumptions and what has actually occurred) and the effect of actuarial assumption changes in regard to financial and demographic assumptions.

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8**

Current Service Cost - the increase in the present value of the defined benefit obligation resulting from employee service in the current period.

Net Defined Benefit Liability (asset) – the present value of the defined benefit obligation less the fair value of the plan assets.

Net interest Income (expense) – the change during the period in the net defined benefit liability (asset) that arises from the passage of time. This includes allowance for interest on the current service cost.

Past Service Costs – the change in the present value of the defined benefit obligation for employee service in prior periods resulting from a plan amendment.

Any difference between the accounting cost (i.e. the IAS 19 based cost) and the funding cost (i.e. the contributions or payments made during the year) is appropriated from the Pensions Reserve to the Movement in Reserves Statement. This appropriation ensures the IAS 19 pension cost equals the pension payments funded from taxation.

Contingent Liabilities

A contingent liability arises where an event has taken place that gives the council a possible obligation whose existence will only be confirmed by the occurrence or otherwise of uncertain future events not wholly within the control of the council. Contingent liabilities also arise in circumstances where a provision would otherwise be made but either it is not probable that an outflow of resources will be required or the amount of the obligation cannot be measured reliably.

Contingent liabilities are not recognised in the Balance Sheet but disclosed in the Notes to the Annual Accounts. Details of the liabilities are shown in note 28.

Provisions

Provisions are made where an event has taken place that gives the council a Legal or constructive obligation that probably requires settlement by a transfer of economic benefits or service potential and a reliable estimate can be made of the obligation. Provisions are charged as an expense to the appropriate service revenue account in the Comprehensive Income and Expenditure Statement in the year the council becomes aware of the obligation, based on the best estimate of the likely settlement. When payments are eventually made, they are charged to the provision carried in the Balance Sheet. Estimated settlements are reviewed at the end of each financial year and appropriate adjustments made to the level of provision. Details of the provisions are detailed in note 18.

Carbon Reduction Commitment Scheme

The council was required to participate in the Carbon Reduction Commitment (CRC) Energy Efficiency Scheme, which ended on 31 March 2019. The allowances under the CRC Scheme were accounted for as current intangible assets in 2018/19. The Scheme has been replaced in 2019/20 by an uplift in the rate of the Climate Change Levy (CCL) included in VAT billing for energy consumption. The council's balance of allowances as at 31 March 2019 was purchased by other local councils during 2019/20.

VAT

Income and Expenditure excludes any amounts related to VAT, as all VAT collected and paid is payable to, or recoverable from, Her Majesty's Revenues and Customs (HMRC).

2. ACCOUNTING STANDARDS THAT HAVE BEEN ISSUED BUT HAVE NOT YET BEEN ADOPTED

For 2019/20 the following accounting policy changes require to be reported as issued but not yet adopted by the code.

- Amendments to IAS 28 Investments in Associates and Joint Ventures: Long-term Interests in Associates and Joint Ventures
- Annual Improvements to IFRS Standards 2015 – 2017 Cycle
- Amendments to IAS 19 Employee Benefits: Plan Amendment, Curtailment or Settlement.

There is no impact of these changes on the accounts covering the 2019/20 financial year.

IFRS 16 Leases

In light of the Covid-19 pandemic, the Financial Regulatory Advisory Board (FRAB) agreed on the 20th March 2020 to defer IFRS 16 Leases for a further 12 months until closedown of accounts 2021/22.

IFRS16 eliminates nearly all off balance sheet accounting for lessees as existing rules no longer apply for treating lease transactions as operating or finance leases.

All contracts that convey the right to use an asset for a period of time in exchange for consideration could meet the definition of a lease, and require to be examined. The council will continue to review its current lease portfolio in preparation for the new accounting requirements.

In preparation for implementation, the council has made significant progress in identifying lease type agreements and has engaged with Link Asset Services for the provision of a lease asset register. Whilst progress has been made the council is not in a position to quantify the impact on the financial statements for 2019/20. Moving forward to the financial statements in relation to 2020/21 the council will be in a position to quantify the impact.

The council will adopt IFRS16 with effect from 1 April 2021. The implementation and compliance with IFRS16 is recognised as potentially significant for most leases.

3. CRITICAL JUDGEMENTS IN APPLYING ACCOUNTING POLICIES

In applying the accounting policies set out in note 1, the council has had to make certain judgements about complex transactions or those involving uncertainty about future events in particular in relation to the impact of Covid-19 on the council's financial position. The critical judgements made in the annual accounts are:

PPP / DBFM - The council is deemed to control the services provided under the agreement for the provision of educational establishments in accordance with IFRC12. The council controls the services provided under the scheme and ownership of the schools will pass to the council at the end of the contract. The schools are therefore recognised on the council's balance sheet.

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8**

- Associates - The valuation joint board is included within the group accounts under the wider definition of an "associate" although the council holds less than 20% of voting rights that is normally presumed to confer significant influence. This is in view of the funding arrangements in place.
- Investment Properties - All property, plant and equipment is used on the delivery of services or as part of the council's strategy for economic regeneration.
- Uncertainty over future funding - There is a high degree of uncertainty about future levels of funding for local government. However, the council has determined that this uncertainty is not yet sufficient to provide an indication that the assets of the council might be impaired as a result of a reduction in funding. In addition, there is uncertainty in relation to the impact of the Covid-19 pandemic on the council's income streams and the impact of increased operating costs. In particular in relation to funding from Scottish Government to meet the additional costs arising from Covid-19.

4. ASSUMPTIONS MADE ABOUT THE FUTURE AND OTHER MAJOR SOURCES OF ESTIMATION UNCERTAINTY

The Annual Accounts contain estimated figures that are based on assumptions made by the Authority about the future or that are otherwise uncertain. Estimates are made taking into consideration historical experience, current trends and other relevant factors. However, because balances cannot be determined with certainty, actual results could be materially different from the assumptions and estimates.

The items in the Authority's Balance Sheet at 31 March 2020 for which there is a significant risk of material adjustment in the forthcoming financial year are as follows:

PROVISIONS

Uncertainties: There is a varying degree of estimation uncertainty around all provisions accounted for in the financial statements due to the nature of when they are accounted for and the valuation of provisions at a point in time. At 31 March 2020 we do not consider there to be any provisions with estimation uncertainty that could materially impact the financial statements.

PENSIONS LIABILITY

Uncertainties: Estimation of the net liability to pay pensions depends on a number of complex judgements relating to the discount rate used, the rate at which salaries are projected to increase, changes in retirement ages, mortality rates and expected returns, on pension fund assets. A firm of consulting actuaries is engaged to provide the Authority with expert advice about the assumptions to be applied.

Effect if actual results differ from assumptions: The following table shows the sensitivity of the results to the changes in the principal assumptions used to measure the scheme liabilities.

Sensitivities at 31 March 2020	Approx % increase to Employer Liability	Approx monetary amount £'000
0.5% decrease in Real Discount Rate	11%	132,582
0.5% increase in the Salary Increase Rate	2%	24,594
0.5% increase in the Pension rate	8%	105,703

For sensitivity purposes, we estimate that a one year increase in life expectancy would approximately increase the Employer's Defined Benefit Obligation by around 3 - 5%. In practice the actual cost of a one year increase in life expectancy will depend on the structure of the revised assumption (i.e. if improvements to survival rates predominantly apply at younger or older ages).

The value of the Council's share of assets in the Lothian Pension Fund is also subject to estimation uncertainty, which has increased in 2019/20 as a result of the outbreak of Covid-19. As a result, Lothian Pension Fund has disclosed a material uncertainty around the valuation of its property assets held at 31 March 2020 (approximately 7% of the total fund assets) as detailed in Note 20.6 on page 73. This uncertainty means that less certainty, and a higher degree of caution, is attached to the valuation of the Fund's investment property assets than would normally be the case and that the valuation of these assets is kept under more frequent review. The inclusion of the material valuation uncertainty does not mean that the valuation cannot be relied on, but rather to be clear and transparent with all parties that less certainty is attached to the stated valuations.

FAIR VALUE MEASUREMENTS

Uncertainties: the fair values of Surplus Assets not yet available for sale and Financial Instruments cannot be measured based on quoted prices in active markets (i.e. Level 1 inputs), their fair value is measured using the following valuation technique;

Level 2 – quoted prices for similar assets or liabilities in active markets at the balance sheet date;

Where possible the inputs to these valuation techniques are based on observable data, but where this is not possible, judgement is required in establishing fair values. These judgements include considerations such as uncertainty and risk. Changes in the assumptions could affect the fair value of the council's assets and liabilities.

Information about valuation techniques and inputs used in determining the fair value of these assets is set out in note 15.

Effect if actual results differ from assumptions: Significant changes in any of the observable inputs may result in a significantly lower or higher fair value measurement for assets and liabilities.

NOTES TO THE ANNUAL ACCOUNTS

STATEMENT 8

ASSUMPTIONS MADE ABOUT THE FUTURE AND OTHER MAJOR SOURCES OF ESTIMATION UNCERTAINTY (Continued)**DEBTORS**

Uncertainties: At 31 March 2020, the authority had a balance of debtors of £37.2 million. The council reviewed all debtors balances at 31 March 2020 and determined that an allowance for doubtful debts of £22.9 million was appropriate. However, it is recognised that in the current economic climate and taking into account the impact of Covid-19 there is increased uncertainty around the recoverability of debtor balances. The council has continued to review all material outstanding balances at the yearend subsequent to 31 March, and has not determined any further allowance is required based on recovery to date.

Effect if actual results differ from assumptions: If collection rates were to deteriorate, a 10% increase in the amount of doubtful debts would require an additional £1.4 million to be set aside as an allowance.

VALUATION OF PROPERTY

Uncertainties: Consideration has been given to the effects of the Covid-19 Pandemic on the council's property assets and their associated values. In order to take an informed view and to gauge the position of the wider valuation profession on this matter, consultation has taken place with colleagues from a wide range of Scottish local authorities, the District Valuers Office, the Association of Chief Estate Surveyors (ACES) and the Royal Institute of Chartered Surveyors (RICS).

The Covid-19 outbreak is a global pandemic that has affected most of, if not all parts of the global community. It is a fast-changing, fluid situation with government recommendations and requirements being reviewed and updated on an ongoing basis. Many business sectors have been forced to close as part of government restrictions to reduce the spread of the virus, the full effects of which on the respective property markets and the wider economy are yet to be fully understood, assessed or quantified. Currently, there is insufficient empirical data available to make an informed and evidence-based decision on whether or not there has been a significant impact on the current asset valuations. Occupancy levels, rental figures, land values and BCIS costs and indices will all require to be monitored and reviewed going forward to assess the full impact of the Covid-19 outbreak on asset valuations. In light of the foregoing, it is considered appropriate to include the following RICS approved "Material Valuation Uncertainty" statement.

Material Valuation Uncertainty Statement

The outbreak of the Novel Coronavirus (Covid-19), declared by the World Health Organisation as a Global Pandemic on 11 March 2020, has impacted global financial markets. Travel restrictions have been implemented by many countries. Market activity is being impacted in many sectors. As at the valuation date, we consider that we can attach less weight to previous market evidence for comparison purposes, to inform opinions of value. Indeed, the current response to Covid-19 means that we are faced with an unprecedented set of circumstances on which to base a judgement.

Our valuations are therefore reported on the basis of 'material valuation uncertainty' as per VPS 3 and VPGA 10 of the RICS Red Book Global. Consequently, less certainty – and a higher degree of caution – should be attached to our valuations than would normally be the case. Given the unknown future impact that Covid-19 might have on the real estate market, we recommend that you keep the valuation of these properties under frequent review.

Effect if actual results differ from assumptions: The value of all council property, plant and equipment subject to revaluation through the 5 year revaluation cycle is £1.6 billion. Assets revalued in 2019/20 totalled £154 million before revaluation. The impact of a 5% change in valuation would be a £6.3 million, either resulting in an increase or decrease in the council's revaluation reserve or an additional impairment charge. There would be no impact on the council's general fund.

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****5. EXPENDITURE AND FUNDING ANALYSIS**

The Expenditure and Funding Analysis shows how annual expenditure is used and funded from resources (government grants, rents, council tax and business rates) by local authorities in comparison with those resources consumed or earned by authorities in accordance with generally accepted accounting practices. It also shows how this expenditure is allocated for decision making purposes between the council's services. Income and expenditure accounted for under generally accepted accounting practices is presented more fully in the Comprehensive Income and Expenditure Statement on Page 42.

**EXPENDITURE AND FUNDING ANALYSIS
FOR THE YEAR ENDED 31 MARCH 2020**

	Net Expenditure Chargeable to the General Fund and HRA Balances	Adjustments Between the Funding and Accounting Basis (Note 6)	Net Expenditure In the Comprehensive Income and Expenditure Statement
	£'000	£'000	£'000
2018/19			
Schools, Education Support	145,032	91,923	236,955
Planning, Economic Development and Regeneration	5,019	3,077	8,096
Operational Services	61,956	17,134	79,090
Housing, Customer and Building Services	6,229	8,523	14,752
Corporate Services	11,122	(9,944)	1,178
Social Policy – IJB, Adult and Elderly Services	63,833	-	63,833
Social Policy – non-IJB, Children's Services	27,155	9,770	36,925
Chief Executive, Finance and Property	23,503	16,492	39,995
Joint Boards	1,128	-	1,128
Other Services	11,116	8,332	19,448
Net Cost of General Fund Services	356,093	145,307	501,400
Housing Revenue Account	-	34,301	34,301
Net Cost of Services	356,093	179,608	535,701
Other Income and Expenditure	(349,850)	(22,198)	(372,048)
Deficit	6,243	157,410	163,653
	General Fund	HRA Fund	Total
Opening General Fund and HRA Balance	(23,906)	(926)	(24,832)
Net decrease before transfers to other statutory reserves	1,214	-	1,214
Transfers to other statutory reserves	5,029	-	5,029
Closing General Fund and HRA Balance as at 31 March	(17,663)	(926)	(18,589)
2019/20			
Schools, Education Support	153,878	89,836	243,714
Planning, Economic Development and Regeneration	3,550	2,613	6,163
Operational Services	58,405	17,262	75,667
Housing, Customer and Building Services	5,791	9,434	15,225
Corporate Services	11,681	(10,381)	1,300
Social Policy – IJB, Adult and Elderly Services	69,438	-	69,438
Social Policy – non-IJB, Children's Services	26,471	10,726	37,197
Chief Executive, Finance and Property	24,922	14,551	39,473
Joint Boards	1,154	-	1,154
Other Services	11,326	(10,487)	839
Net Cost of General Fund Services	366,616	123,554	490,170
Housing Revenue Account	-	33,070	33,070
Net Cost of Services	366,616	156,624	523,240
Other Income and Expenditure	(368,822)	(25,330)	(394,152)
Surplus	(2,206)	131,294	129,088
	General Fund	HRA Fund	Total
Opening General Fund and HRA Balance	(17,663)	(926)	(18,589)
Net increase before transfers to other statutory reserves	(5,490)	-	(5,490)
Transfers to other statutory reserves	3,284	-	3,284
Closing General Fund and HRA Balance as at 31 March	(19,869)	(926)	(20,795)

Notes 12 and 13 to the Movement in Reserves Statement provide details of the Adjustments between accounting and funding basis and transfers to and from other Statutory Reserves

NOTES TO THE ANNUAL ACCOUNTS

STATEMENT 8

6. NOTE TO THE EXPENDITURE AND FUNDING ANALYSIS

Adjustments from General Fund to arrive at the Comprehensive Income and Expenditure Statement amounts

Adjustments between Funding and Accounting Basis 2018/19

	Adjustments for Capital Purposes (Note 6.1) £'000	Net change for the Pensions Adjustments (Note 6.2) £'000	Other Differences (Note 6.3) £'000	Total Adjustments £'000
Schools, Education Support	77,818	4,217	9,888	91,923
Planning, Economic Development and Regeneration	580	669	1,828	3,077
Operational Services	10,277	4,226	2,631	17,134
Housing, Customer and Building Services	3	2,880	5,640	8,523
Corporate Services	5,833	1,256	(17,033)	(9,944)
Social Policy – non-IJB, Children's Services	(316)	5,090	4,996	9,770
Chief Executive, Finance and Property	19,025	1,374	(3,907)	16,492
Other Services	(144)	17,205	(8,729)	8,332

Net Cost of General Fund Services

Housing Revenue Account	48,477	-	(14,176)	34,301
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Net Cost of Services

	161,553	36,917	(18,862)	179,608
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Other income and expenditure from the Expenditure and Funding Analysis

	(45,405)	5,943	17,264	(22,198)
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Difference between General Fund deficit and Comprehensive Income and Expenditure Statement deficit on the Provision of Services

	116,148	42,860	(1,598)	157,410
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Adjustments between Funding and Accounting Basis 2019/20

Schools, Education Support	77,916	6,142	5,778	89,836
Planning, Economic Development and Regeneration	625	875	1,113	2,613
Operational Services	9,585	5,465	2,212	17,262
Housing, Customer and Building Services	(74)	3,850	5,658	9,434
Corporate Services	2,925	1,578	(14,884)	(10,381)
Social Policy – non-IJB, Children's Services	(780)	6,901	4,605	10,726
Chief Executive, Finance and Property	15,171	1,790	(2,410)	14,551
Other Services	(297)	(878)	(9,312)	(10,487)

Net Cost of General Fund Services

Housing Revenue Account	46,870	-	(13,800)	33,070
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Net Cost of Services

	151,941	25,723	(21,040)	156,624
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Other income and expenditure from the Expenditure and Funding Analysis

	(50,354)	7,004	18,020	(25,330)
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Difference between General Fund deficit and Comprehensive Income and Expenditure Statement deficit on the Provision of Services

	101,587	32,727	(3,020)	131,294
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6.1. Adjustments for Capital Purposes

This column adds in depreciation and impairment and revaluation gains and losses in the services line, and for:

- **Other operating expenditure** – adjusts for capital disposals with a transfer of income on disposal of assets and the amounts written off for those assets.
- **Financing and investment income and expenditure** – the statutory charges for capital financing i.e. Minimum Revenue Provision and other revenue contributions are deducted from other income and expenditure as these are not chargeable under generally accepted accounting practices.
- **Taxation and non-specific grant income and expenditure** – capital grants are adjusted for income not chargeable under generally accepted accounting practices. Revenue grants are adjusted from those receivable in the year to those receivable without conditions or for which conditions were satisfied throughout the year. The Taxation and Non Specific Grant Income and Expenditure line is credited with capital grants receivable in the year without conditions or for which conditions were satisfied in the year.

6.2. Net Change for the Pensions Adjustments

Net change for the removal of pension contributions and the addition of IAS 19 Employee Benefits pension related expenditure and income:

- For **services** this represents the removal of the employer pension contributions made by the authority as allowed by statute and the replacement with current service costs and past service costs.
- For **Financing and investment income and expenditure** – the net interest on the defined benefit liability is charged to the CIES.

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****6.3 Other Differences**

Other differences between amounts debited/credited to the Comprehensive Income and Expenditure Statement and amounts payable/receivable to be recognised under statute:

- For **Financing and investment income and expenditure** – the other differences column recognises adjustments to the General Fund for the timing differences for premiums and discounts.
- The charge under **Taxation and non-specific grant income and expenditure** – represents the difference between what is chargeable under statutory regulations for council tax and NDR that was projected to be received at the start of the year and the income recognised under generally accepted accounting practices in the Code. This is a timing difference as any difference will be brought forward in future Surpluses or Deficits on the Collection Fund.
- Transfers to or from other statutory funds.

7. EXPENDITURE AND INCOME ANALYSIED BY SEGMENT AND NATURE

The authority's expenditure and income is analysed as follows:

2018/19	Schools with Education Support £'000	Planning, Economic Development and Regeneration £'000	Operational Services £'000	Housing, Customer and Building Services £'000	Corporate Services £'000	Social Policy - IJB, Adult and Elderly Services £'000	Social Policy - non IJB, Children's Services £'000
Expenditure							
Employee Expenses	141,324	6,151	37,009	11,996	2,759	29,542	18,717
Other Services Expenses	25,256	4,571	36,365	3,173	388	124,623	17,810
Support Services	6,253	1,956	3,997	5,619	(6,734)	-	4,905
Depreciation, Amortisation, Impairment	78,636	581	10,482	6	5,833	336	(236)
Interest Payments	-	-	-	-	-	-	-
Gain on the disposal of non-current assets	-	-	-	-	-	-	-
Total Expenditure	251,469	13,259	87,853	20,794	2,246	154,501	41,196
Income							
Fees, Charges and Other Service Income	6,560	5,163	8,763	6,042	1,068	90,668	1,377
Interest and Investment Income	-	-	-	-	-	-	-
Income from Council Tax	-	-	-	-	-	-	-
Government Grants and Contributions	7,954	-	-	-	-	-	2,894
Total Income	14,514	5,163	8,763	6,042	1,068	90,668	4,271
Deficit on Provision of Services	236,955	8,096	79,090	14,752	1,178	63,833	36,925

	Chief Executive, Finance and Property £'000	Joint Boards £'000	Other Services £'000	Housing Revenue Account £'000	Cost of Services £'000	Not included in Cost of Services £'000	Total £'000
Expenditure							
Employee Expenses	6,005	-	19,125	4,404	277,032	57	277,089
Other Services Expenses	20,740	1,128	53,870	23,168	311,092	949	312,041
Support Services	1,238	-	578	-	17,812	1,032	18,844
Depreciation, Amortisation, Impairment	17,270	-	-	56,110	169,018	1,762	170,780
Interest Payments	-	-	-	-	-	61,491	61,491
Gain on the disposal of non-current assets	-	-	-	-	-	(2,252)	(2,252)
Total Expenditure	45,253	1,128	73,573	83,682	774,954	63,039	837,993
Income							
Fees, Charges and Other Service Income	5,258	-	54,125	49,381	228,405	4,564	232,969
Interest and Investment Income	-	-	-	-	-	27,567	27,567
Income from Council Tax	-	-	-	-	-	68,886	68,886
Government Grants and Contributions	-	-	-	-	10,848	334,070	344,918
Total Income	5,258	-	54,125	49,381	239,253	435,087	674,340
Deficit on Provision of Services	39,995	1,128	19,448	34,301	535,701	(372,048)	163,653

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****7. EXPENDITURE AND INCOME ANALYSED BY SEGMENT AND NATURE (CONTINUED)**

The authority's expenditure and income is analysed as follows:

2019/20	Schools with Education Support £'000	Planning, Economic Development and Regeneration £'000	Operational Services £'000	Housing, Customer and Building Services £'000	Corporate Services £'000	Social Policy - IJB, Adult and Elderly Services £'000	Social Policy - non IJB, Children's Services £'000
Expenditure							
Employee Expenses	153,608	6,127	36,206	13,003	2,763	33,629	19,862
Other Services Expenses	25,672	3,660	33,465	2,712	386	132,084	18,271
Support Services	5,373	1,355	4,030	5,633	(4,174)	-	4,484
Depreciation, Amortisation, Impairment	78,593	678	10,084	4	2,924	835	(690)
Interest Payments	-	-	-	-	-	-	-
Gain on the disposal of non-current assets	-	-	-	-	-	-	-
Total Expenditure	263,246	11,820	83,785	21,352	1,899	166,548	41,927
Income							
Fees, Charges and Other Service Income	6,386	5,657	8,118	6,127	599	97,110	1,798
Interest and Investment Income	-	-	-	-	-	-	-
Income from Council Tax	-	-	-	-	-	-	-
Government Grants and Contributions	13,146	-	-	-	-	-	2,932
Total Income	19,532	5,657	8,118	6,127	599	97,110	4,730
Deficit on Provision of Services	243,714	6,163	75,667	15,225	1,300	69,438	37,197

	Chief Executive, Finance and Property £'000	Joint Boards £'000	Other Services £'000	Housing Revenue Account £'000	Cost of Services £'000	Not included in Cost of Services £'000	Total £'000
Expenditure							
Employee Expenses	5,315	-	136	4,465	275,114	56	275,170
Other Services Expenses	21,002	1,159	49,919	24,520	312,850	908	313,758
Support Services	3,457	-	166	-	20,324	1,174	21,498
Depreciation, Amortisation, Impairment	14,501	-	-	56,621	163,550	990	164,540
Interest Payments	-	-	-	-	-	63,010	63,010
Gain on the disposal of non-current assets	-	-	-	-	-	(1,377)	(1,377)
Total Expenditure	44,275	1,159	50,221	85,606	771,838	64,761	836,599
Income							
Fees, Charges and Other Service Income	4,802	5	49,382	52,536	232,520	4,674	237,194
Interest and Investment Income	-	-	-	-	-	27,599	27,599
Income from Council Tax	-	-	-	-	-	73,055	73,055
Government Grants and Contributions	-	-	-	-	16,078	353,585	369,663
Total Income	4,802	5	49,382	52,536	248,598	458,913	707,511
Deficit on Provision of Services	39,473	1,154	839	33,070	523,240	(394,152)	129,088

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****8. COMPREHENSIVE INCOME AND EXPENDITURE STATEMENT****- SERVICE INCOME AND EXPENDITURE STATEMENT INCLUDING INTERNAL RECHARGES**

The service lines in the Comprehensive Income and Expenditure Statement exclude internal recharges. These were eliminated in the Expenditure and Funding Analysis. The income and expenditure for each service, inclusive of internal recharges, are shown below.

	2019/20			2018/19		
	Gross Expend £'000	Gross Income £'000	Net Expend £'000	Gross Expend £'000	Gross Income £'000	Net Expend £'000
Schools, Education Support	263,246	19,532	243,714	251,469	14,514	236,955
Planning, Economic Development and Regeneration	11,860	5,697	6,163	13,298	5,202	8,096
Operational Services	89,698	14,031	75,667	94,855	15,765	79,090
Housing, Customer and Building Services	50,302	35,077	15,225	48,063	33,311	14,752
Corporate Services	20,154	18,854	1,300	23,571	22,393	1,178
Social Policy – IJB, Adult and Elderly Services	166,548	97,110	69,438	154,501	90,668	63,833
Social Policy – non-IJB Children's Services	41,927	4,730	37,197	41,196	4,271	36,925
Chief Executive, Finance and Property	67,915	28,442	39,473	65,501	25,506	39,995
Joint Boards	1,159	5	1,154	1,128	-	1,128
Other Services	50,221	49,382	839	73,573	54,125	19,448
Cost of General Fund Services	763,030	272,860	490,170	767,155	265,755	501,400
HRA	85,606	52,536	33,070	83,682	49,381	34,301
Net Cost of Services	848,636	325,396	523,240	850,837	315,136	535,701

9. COMPREHENSIVE INCOME AND EXPENDITURE STATEMENT - OTHER OPERATING EXPENDITURE

Gain on disposal of non-current assets

2019/20 £'000	2018/19 £'000
1,377	2,252

10. COMPREHENSIVE INCOME AND EXPENDITURE STATEMENT - FINANCING AND INVESTMENT INCOME AND EXPENDITURE

Interest payable and similar charges

Net interest on the defined benefit liability (asset)

Interest receivable and similar income

(Surplus) / Deficit on trading operations

2019/20 £'000	2018/19 £'000
30,564	29,594
7,004	5,943
(2,157)	(1,613)
(1,546)	(764)
33,865	33,160

11. COMPREHENSIVE INCOME AND EXPENDITURE STATEMENT - TAXATION AND NON-SPECIFIC GRANT INCOME

Council tax income

Non-domestic rates distribution

Non-ring-fenced government grants

Capital grants and contributions

2019/20 £'000	2018/19 £'000
73,055	68,886
85,327	79,333
235,751	228,874
32,507	25,863
426,640	402,956

12. MOVEMENT IN RESERVES STATEMENT - TRANSFERS TO OR (FROM) OTHER STATUTORY RESERVES - 2018/19

Transfer (to) / from Insurance Fund

Transfer (to) / from Capital Fund

TRANSFERS TO OR (FROM) OTHER STATUTORY RESERVES - 2019/20

Transfer (to) / from Insurance Fund

Transfer (to) / from Capital Fund

General Fund £'000	HRA £'000	Capital Fund £'000	Insurance Fund £'000	Total Usable Reserves £'000	Unusable Reserves £'000	Total Council Reserves £'000
(266)	-	-	266	-	-	-
(4,763)	-	4,763	-	-	-	-
(5,029)	-	4,763	266	-	-	-
1,074	-	-	(1,074)	-	-	-
(4,358)	-	4,358	-	-	-	-
(3,284)	-	4,358	(1,074)	-	-	-

NOTES TO THE ANNUAL ACCOUNTS

STATEMENT 8

13. MOVEMENT IN RESERVES STATEMENT - ADJUSTMENTS BETWEEN ACCOUNTING BASIS AND FUNDING BASIS UNDER REGULATIONS							
	General Fund £'000	HRA £'000	Capital Fund £'000	Insurance Fund £'000	Total Usable Reserves £'000	Unusable Reserves £'000	Total Council Reserves £'000
2018/19							
Depreciation and impairment of non-current assets	114,570	56,210	-	-	170,780	(170,780)	-
Capital grants and contributions credited to the Comprehensive Income and Expenditure Statement	(25,863)	-	-	-	(25,863)	25,863	-
Gain on disposal of non-current assets	(2,117)	(135)	-	-	(2,252)	2,252	-
Amount by which finance costs calculated in accordance with the Code are different from the amount of finance costs calculated in accordance with statutory requirements	(427)	-	-	-	(427)	427	-
Amount by which pension costs calculated in accordance with the Code (i.e. in accordance with IAS 19) are different from the contributions due under pension scheme regulations	42,177	683	-	-	42,860	(42,860)	-
Statutory provision for repayment of debt	(12,204)	(5,086)	-	-	(17,290)	17,290	-
Statutory charge for lifecycle capital (PFI)	(119)	-	-	-	(119)	119	-
Capital expenditure charged to the General Fund and HRA	(1,475)	(7,633)	-	-	(9,108)	9,108	-
Net transfer to / (from) earmarked reserves required by legislation (i.e. holiday pay accrual)	3,849	9	-	-	3,858	(3,858)	-
Capital receipts transferred to the Capital Fund	-	-	(2,013)	-	(2,013)	2,013	-
	118,391	44,048	(2,013)	-	160,426	(160,426)	-
2019/20							
Depreciation and impairment of non-current assets	107,828	56,712	-	-	164,540	(164,540)	-
Capital grants and contributions credited to the Comprehensive Income and Expenditure Statement	(32,507)	-	-	-	(32,507)	32,507	-
Gain on disposal of non-current assets	(1,377)	-	-	-	(1,377)	1,377	-
Amount by which finance costs calculated in accordance with the Code are different from the amount of finance costs calculated in accordance with statutory requirements	(427)	-	-	-	(427)	427	-
Amount by which pension costs calculated in accordance with the Code (i.e. in accordance with IAS 19) are different from the contributions due under pension scheme regulations	32,770	(43)	-	-	32,727	(32,727)	-
Statutory provision for repayment of debt	(12,511)	(3,959)	-	-	(16,470)	16,470	-
Statutory charge for lifecycle capital (PFI)	(256)	-	-	-	(256)	256	-
Capital expenditure charged to the General Fund and HRA	(2,593)	(9,750)	-	-	(12,343)	12,343	-
Net transfer to / (from) earmarked reserves required by legislation (i.e. holiday pay accrual)	679	12	-	-	691	(691)	-
Capital receipts transferred to the Capital Fund	-	-	(8,154)	-	(8,154)	8,154	-
	91,606	42,972	(8,154)	-	126,424	(126,424)	-

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****14. PROPERTY, PLANT AND EQUIPMENT****14.1 Movements in 2018/19****Cost or Valuation****At 1 April 2018**

Additions	27,225	39,166	4,458	11,816
Revaluation increases / (decreases) recognised in the Revaluation Reserve	69	16,371	-	-
Revaluation increases / (decreases) recognised in the Deficit on the Provision of Services	(38,553)	(6,841)	-	-
Derecognition - disposals	(919)	(1,170)	(105)	-
Other movements in cost or valuation	32,087	(2,538)	-	8,416

At 31 March 2019**Accumulated Depreciation and Impairment****At 1 April 2018**

Depreciation charge	16,559	93,262	7,831	7,242
Depreciation written out to the Revaluation Reserve	-	(16,317)	-	-
Depreciation written out to the Deficit on the Provision of Services	-	(605)	-	-
Derecognition - disposals	-	(146)	(105)	-
Other movements in depreciation and impairment	-	(1,955)	-	-

At 31 March 2019**Net Book Value At 31 March 2019****At 31 March 2018****Cost or Valuation****At 1 April 2018**

Additions	-	15,718	-	98,383
Revaluation increase / (decreases) recognised in the Revaluation Reserve	66	-	(1,602)	14,904
Revaluation increases / (decreases) recognised in the Deficit on the Provision of Services	-	-	(121)	(45,515)
Derecognition - disposals	-	-	(1,153)	(3,347)
Other movements in cost or valuation	-	(44,356)	6,391	-

At 31 March 2019**Accumulated Depreciation and Impairment****At 1 April 2018**

Depreciation charge	-	-	976	125,870
Depreciation written out to the Revaluation Reserve	-	-	(2,931)	(19,248)
Depreciation written out to the Deficit on the Provision of Services	-	-	-	(605)
Derecognition - disposals	-	-	-	(251)
Other movements in depreciation and impairment	-	-	1,955	-

At 31 March 2019**Net Book Value At 31 March 2019****At 31 March 2018**

Council Dwellings £'000	Other Land and Buildings £'000	Vehicles, Plant, Furniture and Equipment £'000	Infrastructure Assets £'000
422,484	1,216,431	77,909	281,267
27,225	39,166	4,458	11,816
69	16,371	-	-
(38,553)	(6,841)	-	-
(919)	(1,170)	(105)	-
32,087	(2,538)	-	8,416
442,393	1,261,419	82,262	301,499
47,529	182,144	60,169	62,262
16,559	93,262	7,831	7,242
-	(16,317)	-	-
-	(605)	-	-
-	(146)	(105)	-
-	(1,955)	-	-
64,088	256,383	67,895	69,504
378,305	1,005,036	14,367	231,995
374,955	1,034,287	17,740	219,005
Community Assets £'000	Assets Under Construction £'000	Surplus Assets £'000	Total Property, Plant and Equipment £'000
591	66,041	19,194	2,083,917
-	15,718	-	98,383
66	-	(1,602)	14,904
-	-	(121)	(45,515)
-	-	(1,153)	(3,347)
-	(44,356)	6,391	-
657	37,403	22,709	2,148,342
-	-	-	352,104
-	-	976	125,870
-	-	(2,931)	(19,248)
-	-	-	(605)
-	-	-	(251)
-	-	1,955	-
-	-	-	457,870
657	37,403	22,709	1,690,472
591	66,041	19,194	1,731,813

NOTES TO THE ANNUAL ACCOUNTS

STATEMENT 8

14.1 Movements in 2019/20				
	Council Dwellings £'000	Other Land and Buildings £'000	Vehicles, Plant, Furniture and Equipment £'000	Infra- structure Assets £'000
Cost or Valuation				
At 1 April 2019	442,393	1,261,419	82,262	301,499
Additions	27,960	13,234	4,867	14,601
Revaluation increase / (decreases) recognised in the Revaluation Reserve	170	2,059	-	-
Revaluation increases / (decreases) recognised in the Deficit on the Provision of Services	(39,260)	(284)	(28,760)	(140)
Derecognition - disposals	-	(2,061)	(282)	-
Other movements in cost or valuation	32,671	749	-	-
At 31 March 2020	463,934	1,275,116	58,087	315,960
Accumulated Depreciation and Impairment				
At 1 April 2019	64,088	256,383	67,895	69,504
Depreciation charge	16,042	94,295	6,582	7,758
Depreciation written out to the Revaluation Reserve	-	(25,266)	-	-
Depreciation written out to the Deficit on the Provision of Services	-	(109)	(28,608)	(20)
Derecognition - disposals	-	(213)	(282)	-
Other movements in depreciation and impairment	-	(11)	-	-
At 31 March 2020	80,130	325,079	45,587	77,242
Net Book Value At 31 March 2020	383,804	950,037	12,500	238,718
At 31 March 2019	378,305	1,005,036	14,367	231,995
	Community Assets £'000	Assets Under Construction £'000	Surplus Assets £'000	Total Property, Plant and Equipment £'000
Cost or Valuation				
At 1 April 2019	657	37,403	22,709	2,148,342
Additions	-	9,944	-	70,606
Revaluation increase / (decreases) recognised in the Revaluation Reserve	8	-	223	2,460
Revaluation increases / (decreases) recognised in the Deficit on the provision of Services	(90)	-	(77)	(68,611)
Derecognition - disposals	(8)	-	(215)	(2,566)
Other movements in cost or valuation	-	(33,452)	32	-
At 31 March 2020	567	13,895	22,672	2,150,231
Accumulated Depreciation and Impairment				
At 1 April 2019	-	-	-	457,870
Depreciation charge	-	-	-	124,677
Depreciation written out to the Revaluation Reserve	-	-	-	(25,266)
Depreciation written out to the Deficit on the Provision of Services	-	-	(11)	(28,748)
Derecognition - disposals	-	-	-	(495)
Other movements in depreciation and impairment	-	-	11	-
At 31 March 2020	-	-	-	528,038
Net Book Value At 31 March 2020	567	13,895	22,672	1,622,193
At 31 March 2019	657	37,403	22,709	1,690,472

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****14.2 Property, Plant and Equipment - PPP and DBFM Schools**

The value of assets held under two PPP contracts and a DBFM contract are as follows:-

	2019/20 £'000	2018/19 £'000
Value as at 1 April	197,266	164,251
Additions	256	33,015
Value as at 31 March	197,522	197,266
Aggregate Depreciation		
Value as at 1 April	47,266	31,212
Charge for year	16,336	16,054
Value as at 31 March	63,602	47,266
Net Book Value		
As at 31 March	133,920	150,000

14.3 Financial Liabilities - PPP and DBFM Schools

The value of financial liabilities resulting from PPP and DBFM contracts are as follows:-

	2019/20 £'000	2018/19 £'000
As at 1 April	89,216	63,072
Additions / Adjustments	(510)	29,094
Principal repayments	(3,342)	(2,950)
As at 31 March	85,364	89,216
Split		
Short term Creditors	3,683	3,299
Long term Creditors	81,681	85,917
	85,364	89,216

14.4 Capital Expenditure and Capital Financing

The total amount of capital expenditure incurred in the year is shown in the table below together with resources that have been used to finance it. Where capital expenditure is to be financed in future years by charges to revenue as assets are used by the council, the expenditure results in an increase in the Capital Financing Requirement (CFR), a measure of the capital expenditure incurred historically by the council that has yet to be financed.

	2019/20		2018/19	
	£'000	£'000	£'000	£'000
Opening Capital Financing Requirement		722,712		681,977
Capital Investment				
Property, Plant and Equipment		70,606		98,383
		793,318		780,360
Sources of Finance				
Capital Receipts	(10,028)		(5,268)	
Government Grants	(29,211)		(22,665)	
Contributions from Other Bodies	(3,296)		(3,198)	
Capital Financed from Current Revenue	(12,343)		(9,108)	
Finance Lease Principal (incl. PPP)	(4,218)		(3,179)	
Loans Fund Principal	(12,508)	(71,604)	(14,230)	(57,648)
Closing Capital Financing Requirement		721,714		722,712
(Decrease) / Increase in Capital Financing Requirement		(998)		40,735

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****14.5 Fixed Asset Valuation**

For assets included in the balance sheet at current value the undernoted valuation details apply:-

Date of Valuation	Council Dwellings £'000	Other Land and Buildings £'000	Surplus Assets £'000	Total £'000
1 April 2015	369,738	454,058	150	823,946
1 April 2016	(35,924)	429,810	125	394,011
1 April 2017	1,990	131,512	18,626	152,128
1 April 2018	69	161,891	4,519	166,479
1 April 2019	400	125,930	641	126,971
	336,273	1,303,201	24,061	1,663,535
Net historical cost alterations	127,661	360,424	(1,389)	486,696
Gross Valuation	463,934	1,663,625	22,672	2,150,231

Valuations of the above categories of assets are undertaken over a five year rolling programme by independent expert valuers engaged by the council and by the council's Chartered Surveyors in the Property Services Team, in accordance with the Statement of Asset Valuation Practice and Guidance Notes of the Royal Institution of Chartered Surveyors.

In 2019/20 valuations were undertaken for garage sites and lockups, cemetery buildings, hostels, libraries, visitor centres, public conveniences, travelling peoples' sites, village halls, grazing land, clubhouses, cinemas, muster rooms, sports centres and swimming pools. The asset valuations were based on a depreciated replacement cost (DRC) basis and resulted in a net upwards downwards revaluation of assets of £27 million. The revaluations received by the council to support the values included in the 2019/20 financial statements contain a 'material valuation uncertainty' declaration, due to the current Covid-19 pandemic. This does not mean the valuation cannot be relied upon, however to be clear and transparent under RICS standards, it is protocol to include the uncertainty clause within all reports for 31 March 2020 valuations during the present crisis. More information is provided on this uncertainty in Statement 8 note 4 to the financial statements on page 53 - Major Sources of Estimation Uncertainty.

In addition to formal valuations of property, plant and equipment on a rolling basis over a five year period, the council assesses all assets to ensure there are no material changes that should drive an earlier valuation, to ensure that, in line with the CIPFA code, assets are revalued with sufficient regularity to ensure that the carrying amount does not differ materially from that which would be determined using the current value at the end of the reporting period. The council's Corporate Estates Manager has determined in his professional opinion that, at 31 March 2020, there has been no material change in the assets not subject to revaluation in the year that would require an earlier revaluation. The council has continued to assess the valuation of its asset base subsequent to the financial year end as summarised in note 32 to these financial statements.

14.6 Depreciation

Assets other than land are being depreciated using the straight line method over their useful economic lives as follows:-

Council Dwellings	50 Years
Council Dwellings (Fixtures)	27 Years
Operational Buildings	20 - 60 Years
Plant and Equipment (Other)	10 - 25 Years
Plant and Equipment (Books)	3 Years
Motor Vehicles	4 - 10 Years
Fixtures and Fittings	3 - 10 Years
Infrastructure	40 Years

No depreciation is charged on community assets, heritage assets, assets under construction and surplus assets not yet available for sale.

The total depreciation charge for 2019/20 was £124.677 million (£125.870 million 2018/19).

14.7 Capital Commitments

At 31 March 2020 the council has commitments on capital contracts of £5.056 million (£5.301 million 2018/19) for the Housing Programme and £5.136 million (£4.498 million 2018/19) for the Composite Programme.

The Housing commitment of £5.056 million is a result of ongoing investment in the new council house build programme to deliver the commitment of 3,000 new homes for West Lothian by 2022.

The committed expenditure in the Composite Programme is a consequence of several significant capital investment projects namely Whitburn Partnership Centre (£2.805 million), Livingston North Partnership Centre (£0.534 million), Whitburn to Armadale Cycleway (£0.576 million), the refurbishment of various properties (£0.446 million) and roads infrastructure maintenance projects (£0.775 million).

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****15. FINANCIAL INSTRUMENTS****15.1 Types of Financial Instruments**

The carrying amounts of financial assets and liabilities presented in the Balance Sheet relate to the following measurement categories.

	Non-Current				Current			
	Investments		Debtors		Investments		Debtors	
	31 March 2020 £'000	31 March 2019 £'000	31 March 2020 £'000	31 March 2019 £'000	31 March 2020 £'000	31 March 2019 £'000	31 March 2020 £'000	31 March 2019 £'000
Financial Assets Amortised Cost								
Investments	297	300	-	-	91,479	92,401	-	-
Debtors	-	-	-	-	-	-	7,715	13,242
Cash and Cash Equivalent	-	-	-	-	18,016	26,086	-	-
Assets Held at FVOCI								
Equity	277	253	-	-	-	-	-	-
Total Financial Assets	574	553	-	-	109,495	118,487	7,715	13,242
Non-Financial Assets	-	-	-	-	-	-	29,467	20,690
Total	574	553	-	-	109,495	118,487	37,182	33,932

	Non-Current				Current			
	Borrowing		Other Liabilities		Borrowing		Other Liabilities	
	31 March 2020 £'000	31 March 2019 £'000	31 March 2020 £'000	31 March 2019 £'000	31 March 2020 £'000	31 March 2019 £'000	31 March 2020 £'000	31 March 2019 £'000
Financial Liabilities Amortised Cost								
Borrowing	(538,641)	(523,641)	-	-	(84,415)	(99,733)	-	-
Creditors	-	-	-	-	-	-	(7,851)	(9,426)
PFI and Financial Lease Liabilities	-	-	(81,681)	(85,917)	-	-	(3,719)	(3,342)
Total Financial Liabilities	(538,641)	(523,641)	(81,681)	(85,917)	(84,415)	(99,733)	(11,570)	(12,768)
Non-Financial Liabilities	-	-	-	-	-	-	-	-
Pensions Assets and Liabilities recognised in the Balance Sheet	-	-	(225,357)	(279,676)	-	-	-	-
Short-term Creditors	-	-	-	-	-	-	(53,772)	(59,953)
Total	(538,641)	(523,641)	(307,038)	(365,593)	(84,415)	(99,733)	(65,342)	(72,721)

Investments in equity instruments designated at fair value through other comprehensive income

The council designates the following equity as fair value through other comprehensive income:-

	25,000 Nominal Shares @ £1 £'000	Fair Value £'000	Change in Fair Value during 2019/20 £'000	Dividends £'000
Lothian Buses	25	276	24	-

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****15.1 Types of Financial Instruments (Continued)**

The council holds 25,000 ordinary shares in Lothian Buses, representing 0.4% of the company's capital. The core purpose of Lothian Buses Limited is to deliver a high quality, integrated and socially inclusive transport service with a long term vision to be an integral part of the future success of Edinburgh and the Lothians.

As the asset is not held for trading or income generation, but as a longer term policy initiative the equity has been designated as fair value through comprehensive income.

The shares in this company are not traded in an active market and therefore the fair value of £0.276 million (£0.253 million 2018/19) is based on valuation techniques that are not based on observable current market transactions or available market data. The valuation has been made based on the current calculated share price of £11.06 multiplied by the council's shareholding. The council has no current intention to dispose of the shareholding. No dividend was paid in 2019/20 as a result of circumstances arising from Covid-19.

Items of income, expense, gains and losses

The gains and losses recognised in the Income and Expenditure Account in relation to financial instruments are made up as follows:-

	2019/20 Other Comprehensive Income and Expenditure £'000	2018/19 Other Comprehensive Income and Expenditure £'000
Gain / Loss on:		
Amortised Costs	-	-
Interest Expense		
Amortised Cost	25,652	24,734
PFI and finance lease liabilities	4,912	4,860
Total Interest Expense	30,564	29,594
Interest Income		
Amortised Cost	(2,157)	(1,613)
Total	28,407	27,981

15.2 Fair Value of Assets and Liabilities carried at Amortised Cost

Financial assets (represented by lending and receivables) and financial liabilities (represented by borrowings) are carried in the balance sheet at amortised cost.

Their fair value can be assessed by calculating the present value of the cash flows that will take place over the remaining term of the instrument, using the following assumptions:

- Interest rates at 31 March 2020 for PWLB vary from 1.48% to 8.25% depending on the maturity profile of the loans and for other market loans (LOBO's) from 3.75% to 4.85% again based on the maturity profile of the loans.
- No early repayments or impairment are recognised.
- Where an instrument will mature in the next 12 months, carrying amount is assumed to approximate to fair value.
- The fair value of trade and other receivables is assumed to be the invoiced or billed amount.

For both assets and liabilities the valuation basis adopted by Link Asset Services uses level 2 Inputs i.e. inputs other than quoted prices that are observable for the financial asset / liability. The accounting policy for the Fair Value Measurement is included in Statement 8 note 1 on page 49.

The fair values are calculated as follows:

	31 March 2020		31 March 2019	
	Carrying Amount £'000	Fair Value £'000	Carrying Amount £'000	Fair Value £'000
Financial Assets				
Loans and receivables – Bonds				
The bond valuation is made by the prevailing benchmark rates	297	739	300	662
Loans and receivables - Cash				
The loans and receivables valuation is made by the prevailing benchmark rates	16,730	16,751	24,985	24,998
Loans and receivables - Fixed Term Deposits				
The fixed term deposit valuation is made by comparison of the fixed term investment with a comparable investment with the same / similar lender for the remaining period of the deposit	91,479	91,441	92,401	92,379
	108,506	108,931	117,686	118,039

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****15.2 Fair Value of Assets and Liabilities carried at Amortised Cost (Continued)**

The fair value is more than the carrying amount because the council's lending figure includes a number of loans where the interest rate receivable is higher than the rates available for similar loans at the balance sheet date. The commitment to receive interest above current market rates increases the amount that the council would receive if it agreed to early repayment of the loans. The fair value amount also includes accrued interest receivable on the loans of £0.479 million.

	31 March 2020		31 March 2019	
	Carrying Amount £'000	Fair Value £'000	Carrying Amount £'000	Fair Value £'000
Financial Liabilities				
Financial liabilities - PWLB				
For loans from the PWLB, Link Asset Services have provided fair value estimates using both redemption and new borrowing (certainty rate) discount rates.				
	554,420	708,328	549,678	740,618
Financial liabilities - LOBO's and Temporary borrowing				
For non-PWLB loans Link Asset Services have provided fair value estimates using both PWLB redemption and new market loan discount rates.				
	68,636	98,441	73,696	107,483
	623,056	806,769	623,374	848,101

The fair value is more than the carrying amount because the council's borrowing figure includes a number of loans where the interest rate payable is higher than the rates available for similar loans at the balance sheet date. The commitment to pay interest above current market rates increases the amount that the council would have to pay if the lender requested or agreed to early repayment of the loans.

15.3 Nature and Extent of Risks arising from Financial Instruments

The council's activities expose it to a variety of financial risks:-

- **Credit risk** - the possibility that other parties might fail to pay amounts due to the council.
- **Liquidity risk** - the possibility that the council might not have funds available to meet its commitments to make payments.
- **Re-financing risk** - the possibility that the council might be requiring to renew a financial instrument on maturity at disadvantageous interest rates or terms.
- **Market risk** - the possibility that financial loss might arise for the council as a result of changes in such measures as interest rates and stock market movements.

The council's management of treasury risks actively works to minimise its exposure to the unpredictability of financial markets and to protect the financial resources available to fund services. The council has fully adopted CIPFA's Code of Treasury Management Practices and has written principles for overall risk management as well as written policies and procedures covering specific areas such as credit risk, liquidity risk and market risk.

Credit Risk

Credit risk arises from the short term lending of surplus funds to banks, building societies and other local authorities as well as credit exposures to the council's customers.

This risk is minimised through the Treasury Management Plan which required that deposits are only placed with a limited number of high quality UK banks and building societies whose credit rating is independently assessed as sufficiently secure by the council's treasury adviser and to restrict lending to a prudent maximum amount of each institution.

The credit ratings of investments as at 31 March 2020 are:-

	Credit Risk	Investment Value at 31 March 2020 £'000	%
Investments			
Money Market Funds	AAA	4,730	5
Local Authorities, Public Bodies and Debt Management Office	AA	10,000	9
West Calder High School DBFM	AA	297	-
Bank of Scotland Plc – Main Banking Provider	A+	60,000	57
Goldman Sachs	A+	7,000	6
Santander UK Plc	A+	7,000	6
National Westminster Bank Plc	A+	5,000	5
Sumitomo Mitsui Banking Corporation	A	7,000	6
Nationwide Building Society	A	7,000	6
Total		108,027	100

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****15.3 Nature and Extent of Risks arising from Financial Instruments (Continued)**

The Treasury Management Plan, which is set annually and is monitored throughout the year, sets out the limits on both duration and maximum levels of deposits. These counterparties are chosen using credit rating data supplied by the council's treasury advisers. This is based on data from the three main credit rating agencies, overlaid by:-

- Credit watches and credit outlooks from credit rating agencies.
- Credit Default Swap spreads (i.e. insurance policies) to give early warning of likely changes in credit ratings.
- Sovereign ratings to select counterparties from only the most creditworthy countries.

The council's maximum exposure to credit risk in relation to its investments in banks and building societies cannot be assessed generally; as the risk of any institution failing to make interest payments or repay the principal sum will be specific to each individual institution. Recent experience has shown that it is rare for such entities to be unable to meet their commitments. A risk of irrecoverability applies to all of the council's deposits, but there was no evidence at 31 March 2020 that this was likely.

The Treasury Management Plan for 2019/20 was approved by Council on 19 February 2019 and is available on the council's website <https://coins.westlothian.gov.uk/coins/submissiondocuments.asp?submissionid=41436>

Amounts Arising from Expected Credit Losses

Impairment losses are calculated to reflect the expectation that the future cash flows might not take place because the borrower could default on their obligations.

Allowances for impairment losses have been calculated for amortised cost assets, applying the expected credit losses model. Changes in loss allowances (including balances outstanding at the date of derecognition of an asset) are debited / credited to the Financing and Investment Income and Expenditure line in the Comprehensive Income and Expenditure Statement. During 2019/20 the credit losses recognised related only to receivables (debtors) and was based on a lifetime basis.

	Amount at 31 March 2020 £'000	Historical experience of non- payment adjusted for market conditions at 31 March 2020 %	Estimated maximum exposure to default and uncollectability £'000
Deposits with banks and building societies	108,506	0%	-
Customers (other income)	44,158	2.25%	994

The council does not generally allow credit for customers, however, £30.992 million of the £44.158 million balance is past its due date for payment. The past due amount can be analysed by age as follows:

	Debtors - Local Taxation £'000	Other Debtors £'000	Total £'000
Less than three months	-	1,974	1,974
Three to six months	-	1,194	1,194
Six months to one year	3,139	883	4,022
More than one year	22,837	965	23,802
	25,976	5,016	30,992

The council has provided £22.875 million against possible bad debts at 31 March 2020 (£21.834 million at 31 March 2019).

Liquidity Risk

The council's main source of borrowing is the Treasury's Public Works Loan Board. There is no significant risk that the council will be unable to raise finance to meet its commitments under financial instruments. The council has safeguards in place to ensure that a significant proportion of its borrowing does not mature for repayment at any one time in the future to reduce the financial impact of re-borrowing at a time of possible uncertainty over interest rates. The council's policy is to ensure that not more than 15% of loans are due to mature within any financial year through a combination of prudent planning of new loans taken out and, where it is economic to do so, making early repayments. LOBO Loans are classified as maturing at the date of the next rate review but are unlikely to be repaid at that point.

The maturity analysis of financial liabilities, including LOBO Loans, is as follows:

	31 March 2020 £'000	31 March 2019 £'000
Less than one year	84,415	99,733
Between one and two years	10,000	10,000
Between two and five years	-	10,000
Between six and ten years	33,373	23,373
More than ten years	495,268	480,268
	623,056	623,374

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****15.3 Nature and Extent of Risks arising from Financial Instruments (Continued)****Refinancing and Maturity Risk**

The council maintains a significant debt and investment portfolio. Whilst the cash flow procedures above are considered against the refinancing risk procedures, longer term risk to the council relates to managing the exposure to replacing financial instruments as they mature. This risk relates to both the maturing of longer term financial liabilities and longer term financial assets.

The approved treasury indicator limits for the maturity structure of debt and the limits on investments placed for greater than one year in duration are the key parameter used to address this risk.

The council approved treasury and investment strategies address the main risks and the treasury team address the operational risks within the approved parameters. This includes:-

- monitoring the maturity profile of financial liabilities and amending the profile through either new borrowing or the rescheduling of the existing debt
- monitoring the maturity profile of investments to ensure sufficient liquidity is available for the council's day to day cash flow needs, and the spread of longer term investments provide stability of maturities and returns in relation to the longer term cash flow needs

The council policy is to ensure that no more than 15% of loans are due to mature within any financial year, through a combination of prudent planning of new loans taken out and, where it is economic to do so, making early repayments. LOBO Loans are classified as maturing at the date of the next review but are unlikely to be repaid at that point.

Market risk

Changes in market interest rates influence the interest payable on borrowings and on interest receivable on surplus funds invested. For example, a rise in interest rates would mean an increase in the interest charged on borrowing at variable rates. An increase in interest rates would also mean an increase in the income received on lending at variable rates.

Changes in market rates also affect the notional "fair value" of lending and borrowing. For example, a rise in interest rates would reduce the fair value of both lending and borrowing at fixed rates. Changes in the fair value of lending and borrowing do not impact upon the taxpayer and are confined to prescribed presentational aspects in the Accounts.

The council has a variety of strategies for managing the uncertainty of future interest rates and the financial impact on the council.

- It is the policy of the council to ensure its variable rate borrowing is limited to a maximum of 35% of total borrowing. At 31 March 2020 the council had no debt subject to variable rates.
- During periods of falling rates and where it is economically advantageous to do so, the council will consider the repayment and restructuring of fixed interest rate debt.

The council takes daily advice from its specialist treasury adviser and actively monitors changes in interest rates to inform decisions on the lending of surplus funds, new borrowings and restructuring of existing borrowings.

To illustrate the impact of changes in interest rates upon the council, the following table shows the financial effect if rates had been 1% higher for the financial year 2019/20, with all other variables held constant.

Impact on tax-payer and rent-payers

Increase in interest payable on variable rate borrowings

Increase in interest receivable on variable rate lending

Net effect on Income and Expenditure Account

Housing Revenue Account's Share

£'000
-
(2,339)
(2,339)
(889)

Price Risk

The council has 25,000 ordinary shares in Lothian Buses Limited (formerly Lothian Buses Plc). While the value of the shares held is not significant, there remains a risk arising from the movement in the price of the shares.

Foreign Exchange Risk

The council does not lend or borrow in foreign currencies and has no exposure to gains or losses arising from movements in exchange rates.

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8**

16. SHORT TERM DEBTORS	2019/20		2018/19	
	£'000	£'000	£'000	£'000
Central Government Bodies		19,110		10,136
Other Local Authorities		697		1,134
NHS Bodies		27		1,100
Public Corporations and Trading Funds		515		1,376
Other Entities and Individuals				
• Council Tax Debtors	25,976		26,675	
• Provision for Council Tax Debtors	(19,391)		(18,911)	
• Trade Debtors	3,451		6,154	
• Provision for Trade Debtors and Other Debtors	(3,484)		(2,923)	
• Other Entities and Individuals	10,281		9,191	
		16,833		20,186
Total Short Term Debtors		37,182		33,932

Analysed as follows:-	2019/20 £'000	2018/19 £'000
Trade Receivables	4,835	9,231
Prepayments	2,879	4,011
Other Receivables	13,185	11,867
	20,899	25,109
Debtors for Local Taxation	16,283	8,823
Total Short Term Debtors	37,182	33,932

17. SHORT TERM CREDITORS	2019/20 £'000	2018/19 £'000
Central Government Bodies	12,422	13,742
Other Local Authorities	3,042	3,756
NHS Bodies	82	485
Public Corporations and Trading Funds	456	442
Other Entities and Individuals	49,340	54,363
Total Short Term Creditors	65,342	72,788

Analysed as follows:-	2019/20 £'000	2018/19 £'000
Trade Payables	11,570	12,835
Other Payables	53,772	59,953
Total Short Term Creditors	65,342	72,788

18. PROVISIONS	Balance at 31 March 2019 £'000	Reduction in Provision in Year £'000	Payments in year £'000	Balance at 31 March 2020 £'000
Equal pay settlements	953	500	66	387

The value of the total liability, for the settlement of claims for back pay arising from equal pay claims, was originally estimated at £1.8 million based on the number of claims received and an average settlement amount. As the council's equal pay claims are largely settled, the remaining provision was considered to be in excess of the amount required to meet the requirements of any final claims and outstanding liabilities.

At the meeting of the Council Executive on 25 June 2019 it was agreed that the estimated £0.5 million surplus in the Equal Pay provision should be used to provide essential funding for the Modernisation Fund. As at 31 March 2020, the council has a remaining provision of £0.387 million which is deemed sufficient to meet outstanding liabilities.

19. LONG TERM CREDITORS	Sum Outstanding 2019/20 £'000	Sum Outstanding 2018/19 £'000
Finance Leases - outstanding principal	25	60
Open Space Agreements	234	247
Economic Development Business Gateway	76	169
	335	476
OTHER LONG TERM LIABILITIES		
PPP1 Schools	9,670	10,869
PPP3 Schools	44,995	47,234
DBFM School	27,016	27,814
	81,681	85,917

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****20. PENSION SCHEMES****20.1 Pension Schemes**

As part of the terms and conditions of employment of its officers, the council makes contributions towards the cost of post-employment benefits. Although these benefits will not actually be payable until employees retire, the council has a commitment to make payments and to disclose them at the time that employees earn their future entitlement.

As explained in Statement 8 note 1 of the Accounting Policies the council participates in two post-employment schemes:

- **Local Government Pension Scheme**

The Local Government Pension Scheme (Lothian Pension Fund) is administered by City of Edinburgh council in accordance with the Local Government Pension Scheme (Scotland) Regulations 2018. This is a funded defined benefit final salary scheme, meaning that the council and employees pay contributions into the fund, calculated at a level intended to balance the pension liabilities with investment assets.

- **Teachers' Pension Scheme**

The Teachers' Pension Scheme is administered by the Scottish Public Pensions Agency, an Executive Agency of the Scottish Government. It provides teachers with defined benefits upon their retirement, and the council contributes towards the costs by making contributions based on a percentage of members' pensionable salaries. However, as the Scheme is not able to identify each council's share of the underlying liabilities with sufficient reliability for accounting purposes, the pension costs are accounted for as if it were a defined contribution scheme.

The principal risks to the authority of the scheme are the longevity assumptions, statutory changes to the scheme, structural changes to the scheme, changes to inflation, bond yields and the performance of the equity investments held by the scheme. These are mitigated to an extent by the statutory requirement to charge the General Fund and Housing Revenue Account the amounts required by statute as described in the accounting policies note.

Discretionary post-retirement benefits on early retirement are an unfunded defined benefit arrangement, under which liabilities are recognised when awards are made. There are no plan assets built up to meet these pension liabilities.

In 2019/20 the council paid an employer's contribution of £17.350 million (2018/19 £12.763 million) at the prescribed rate (17.2% to 31 August 2019 and 23% from 1 September 2019) (2018/19 17.2%) of pensionable pay to the Scottish Government in respect of teachers' pension costs. An actuarial valuation was carried out at 31 March 2005. In addition, the council is responsible for all pension payments relating to added years together with related increases. In 2019/20 (2018/19) these amounted to £0.390 million (£0.399 million) representing 0.29% (0.34%) of pensionable pay.

The council recognises the cost of retirement benefits in the reported cost of service when they are earned by employees, rather than when the benefits are eventually paid as pensions. However, the charge required to be made against council tax is based on the cash payable in the year, so the real cost of post-employment benefits is reversed out of the General Fund and Housing Revenue Account via the Movement in Reserves Statement.

Guaranteed Minimum Pension (GMP)

GMP was accrued by members of the Local Government Pension Scheme (LGPS) between 6 April 1978 and 5 April 1997. The value of GMP is inherently unequal between males and females, however overall equality of benefits was achieved for public service schemes through the interaction between scheme pensions and the Second State Pension. The introduction of the new Single State Pension in April 2016 disrupted this arrangement and brought uncertainty over the ongoing indexation of GMPs, which could lead to inequalities between men and women's benefits.

The fund's actuary has carried out calculations in order to estimate the impact that the GMP indexation changes will have on the liabilities of West Lothian Council for financial reporting purposes. The estimate assumes that the permanent solution eventually agreed will be equivalent in cost to extending the interim solution to all members reaching state pension age from 6 April 2016 onwards. This increased liability has been reflected in the annual accounts as a past service cost. These numbers are approximate estimates based on employer data as at 31 March 2017 and will be revised at the upcoming valuation.

McCloud Judgement

When the LGPS benefit structure was reformed in 2015, transitional protections were applied to certain older members close to normal retirement age. Following legal proceedings argued in the McCloud and Sargeant cases, the Court of Appeal found that the transitional provisions introduced in the judges and firefighters' pension schemes in 2015 gave rise to unlawful age discrimination.

The UK Government requested leave to appeal this finding but this was refused by the Supreme Court on 27 June 2019. The UK Government has formally accepted the Court's decision and, recognising the implications for all public sector pension schemes, is engaging with relevant representatives to agree how the discrimination will be remedied.

In 2019 the Lothian Pension Fund's actuary has adjusted GAD's estimate to better reflect the council's local assumptions, particularly withdrawal rates and salary increases. The estimated impact of the McCloud judgement was included in the 2018/19 financial statements as a past service cost estimated at £15.5 million. These numbers were a high level estimate based on a combination of scheme and fund level calculations and therefore depend on various key assumptions which may or not be borne out in practice.

In July 2020 the UK Government announced a consultation on a remedy to address the requirements of the McCloud judgement. While adoption of this remedy has not been finalised for local government pension schemes at the time of approval of these financial statements, the consultation reflects the most up to date information relating to the estimate, and the council's actuaries have updated the valuation of the McCloud estimate included in its pension scheme liability. The estimated impact for McCloud has accordingly been reduced by £9.6 million to £5.9 million, with the reduction being recognised as a gain on past service.

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****20.2 Transactions Relating to Post-Employment Benefits**

The following transactions have been made in the Comprehensive Income and Expenditure Statement and the General Fund Balance via the Movement in Reserves Statement:

Comprehensive Income and Expenditure Statement**Cost of Services**

Current Service cost

Past Service Costs

Effect of Settlements

Financing and Investment Income and Expenditure

Net Interest Expense

Remeasurement of the net defined benefit liability comprising:

Return on plan assets (excluding the amount included in the net interest expense)

Actuarial (gains) and losses arising on changes in demographic assumptions

Actuarial (gains) and losses arising on changes in financial assumptions

Other experience

Total Post-employment Benefits Charged to Comprehensive Income and Expenditure Statement

2019/20		2018/19	
£'000	£'000	£'000	£'000
53,140	54,127	45,755	64,858
987		19,103	
-		-	
	7,004		5,943
	61,131		70,801
69,649	(87,046)	(65,074)	34,403
-		-	
(149,301)		99,419	
(7,394)		58	
	(25,915)		105,204

Movement in Reserves Statement

Reversal of net charges made to the surplus on the provision of services for post-employment benefits in accordance with Code

Actual Amount charged against the General Fund Balance of pensions in the year

Employer's contributions payable to the scheme

Contributions in respect of unfunded benefits

2019/20		2018/19	
£'000	£'000	£'000	£'000
	54,319		(77,263)
(26,464)	(28,404)	(25,984)	(27,941)
(1,940)		(1,957)	

The amount charged to taxation for the Lothian Pension Fund Scheme in 2019/20 (2018/19) was £28.319 million (£26.440 million).

20.3 Pension Assets and Liabilities Recognised in the Balance Sheet

The amount included in the Balance Sheet arising from the council's obligation in respect of Lothian Pension Fund is as follows:-

Fair Value of Assets

Present Value of Funded Liabilities

Share of net liabilities

Present value of unfunded liabilities

Net pension liabilities arising from defined benefit obligation

2019/20 £'000	2018/19 £'000
1,019,487	1,056,541
(1,217,089)	(1,305,729)
(197,602)	(249,188)
(27,755)	(30,488)
(225,357)	(279,676)

20.4 Reconciliation of the Movements in the Fair Value of Lothian Pension Fund Assets

Opening fair value of assets at 1 April

Interest income on plan assets

Remeasurement gain / (loss) - Return on plan assets (excluding the amount included in the net interest expense)

Employer's contributions payable to the scheme

Contributions by scheme participants

Benefits paid

Effect of settlements

Closing fair value of assets at 31 March

2019/20 £'000	2018/19 £'000
1,056,541	958,412
25,442	25,954
(69,649)	65,074
26,464	25,984
7,425	7,088
(26,736)	(25,971)
-	-
1,019,487	1,056,541

20.5 Reconciliation of the Present Value of Lothian Pension Fund Liabilities

Opening Balance at 1 April

Current Service costs

Interest cost

Contributions by scheme participants

Remeasurement gain / (loss):

- Actuarial (gains) and losses arising on changes in demographic assumptions

- Actuarial (gains) and losses arising on changes in financial assumptions

- Other experience

Past service costs

Benefits paid

Unfunded benefits paid

Effect of settlements

Closing balance of liabilities at 31 March

2019/20 £'000	2018/19 £'000
(1,336,217)	(1,160,825)
(53,140)	(45,755)
(32,446)	(31,897)
(7,425)	(7,088)
-	-
149,301	(99,419)
7,394	(58)
(987)	(19,103)
26,736	25,971
1,940	1,957
-	-
(1,244,844)	(1,336,217)

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8**

20.6 Lothian Pension Fund Assets by Category The asset values below are at bid value as required by IAS 19	2019/20		2018/19	
	£'000	%	£'000	%
Equity Securities:				
*Consumer	97,165	10%	118,177	11%
*Manufacturing	147,035	14%	98,667	9%
*Energy and Utilities	65,024	6%	76,561	7%
*Financial Institutions	66,305	7%	87,491	8%
*Health and Care	70,549	7%	59,208	6%
*Information Technology	44,067	4%	36,009	3%
*Other	74,431	7%	131,970	13%
Private Equity:				
*All	-	-	498	-
All	8,870	1%	10,635	1%
Investment funds and unit trusts:				
*Equities	12,483	1%	-	-
Equities	-	-	10,615	1%
*Commodities	-	-	-	-
Commodities	-	-	-	-
*Infrastructure	-	-	16,067	2%
Infrastructure	143,343	14%	113,138	11%
*Other	-	-	1,676	-
Other	-	-	-	-
Equity	729,272	71%	760,712	72%
Debt Securities:				
*Corporate Bonds A (investment grade)	17,075	2%	-	-
Corporate Bonds A (investment grade)	37,521	4%	-	-
Corporate Bonds (non-investment grade)	-	-	-	-
*UK Government	62,763	6%	116,039	11%
*Other	-	-	-	-
Investment funds and unit trusts:				
*Bonds	4,376	-	-	-
Bonds	-	-	32,101	3%
Derivatives:				
Inflation	-	-	-	-
Interest rate	-	-	-	-
*Foreign exchange	2,080	-	-	-
*Other	-	-	261	-
Bonds	123,815	12%	148,401	14%
Real Estate:				
*UK Property	11,726	1%	-	-
UK Property	55,077	6%	68,024	6%
Overseas Property	898	-	-	-
Property	67,701	7%	68,024	6%
Cash and cash equivalents				
*All	98,699	10%	79,404	8%
Cash and cash equivalents	98,699	10%	79,404	8%
	1,019,487	100%	1,056,541	100%

Assets marked with an asterisk (*) have quoted prices in active markets and equate to £773.778 million (2018/19 £822.028 million) with prices not quoted in active markets totalling £245.709 million (2018/19 £234.513 million).

20.7 **Basis for Estimating Assets and Liabilities**

Liabilities are valued on an actuarial basis using the projected unit credit method which assesses the future liabilities of the fund discounted to their present value. The valuations are based on a valuation as of 31 March 2017 and updated for the following periods by Hymans Robertson, the independent actuaries to the Lothian Pension Fund. The significant assumptions used in the calculations for both the Lothian Pension Fund and discretionary payments are:

Mortality Assumptions

Life expectancy is based on the Fund's Vita Curves analysis (improvements in line with the CMI2016 model), with an allowance for smoothing of recent mortality experience and a long term rate of 1.25%, used in the formal funding valuation as at 31 March 2017. Based on these assumptions, the average future life expectancies at age 65 are summarised on page 74.

Investment Returns

The return on the Fund in market value terms for the period to 31 March 2020 is estimated based on actual employer returns as reported in HEAT and index returns where necessary index returns, where used, are based on employer asset holdings. Details are given below:

Actual Returns from 1 April 2019 to 31 March 2020

(4.2)%

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****20.7 Basis for Estimating Assets and Liabilities (Continued)**

Current Pensioners - Males
- Females
Future Pensioners - Males
- Females

2019/20 Years	2018/19 Years
21.7	21.7
24.3	24.3
24.7	24.7
27.5	27.5

Financial Assumptions

Rate of inflation
Rate of increase in salaries
Increase in Pensions
Rate for discounting scheme liabilities

2019/20 %	2018/19 %
1.9%	2.5%
3.5%	4.2%
1.9%	2.5%
2.3%	2.4%

20.8 Sensitivity Analysis

Accounting guidance requires disclosure of the sensitivity of the results to the methods and assumptions used. The approach taken in preparing the sensitivity analysis shown is consistent with that adopted in the previous year.

0.5% decrease in Real Discount Rate
0.5% increase in the Salary Increase Rate
0.5% increase in the Pension Increase Rate

Approximate % Increase to Employer Obligation	Approximate Monetary Amount £'000
11%	132,582
2%	24,594
8%	105,703

For sensitivity purposes, we estimate that a one year increase in life expectancy would approximately increase the Employer's Defined Benefit Obligation by around 3 – 5%. In practice the actual cost of a one year increase in life expectancy will depend on the structure of the revised assumption (i.e. if improvements to survival rates predominately apply at younger or older ages).

20.9 Projected Pension Cost for period to 31 March 2021

The deficit has reduced mainly as a result of a combination of the investment returns being significantly lower than expected, particularly in the last two months of the accounting period due to Covid-19, which has served to worsen the balance sheet position. The effect of which has been at least partly offset by a higher net discount rate which serves to reduce the value placed on the obligations. Corporate bond yields are at a level similar to that of 31 March 2019, however inflation expectations are significantly lower.

The figures presented in the actuary's valuation are prepared only for the purposes of IAS 19 and have no validity in other circumstances. In particular, they are not relevant for calculations undertaken for funding purposes and have no impact on the employer's pension contribution rate.

The net pensions liability does not impact on the council's usable reserves but the requirement to recognise the net pensions liability in the balance sheet has decreased the reported net worth of the council by 23% (27% 2018/19).

The following table sets out the projected amount to be charged to operating profit for the year to 31 March 2021, based on assumptions as at 31 March 2020:-

31 March 2021			
Assets £'000	Obligations £'000	Net £'000	% of pay
Current service cost	(44,477)	(44,477)	(36.9%)
Past service cost including curtailments	-	-	-
Effect of settlements	-	-	-
Total Service Cost	(44,477)	(44,477)	(36.9%)
Interest income on plan assets	-	23,504	19.5%
Interest cost on defined benefit obligation	(28,873)	(28,873)	(24.0%)
Total Net Interest Cost	(28,873)	(5,369)	(4.5%)
Total included in Profit or Loss	(73,350)	(49,846)	(41.4%)

The estimated Employer's contributions for the year to 31 March 2021 will be approximately £26.293 million.

20.10 Impact on Council's Cash Flow

The objectives of the scheme are to keep employers' contributions at as constant a rate as possible. The Fund has agreed a strategy with the schemes' actuary to achieve a funding level of 100% over the long term. Funding Levels are monitored on an annual basis. The next triennial valuation is due to be completed on 31 March 2020.

The estimated Employer's contributions for the year to 31 March 2021 will be approximately £26.293 million. Employer contributions have been set at 21.5% for 2020/21 (21.0% 2019/20).

21. USABLE RESERVES

Movements in the council's usable reserves are detailed in the Movement in Reserves Statement and Notes 12 and 13.

21.1 Revenue Statutory Funds

Insurance Fund
Balance at 1 April
Appropriation

Balance at 31 March

2019/20 £'000	2018/19 £'000
10,391	10,125
(1,074)	266
9,317	10,391

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8**

21.2 Capital Fund	2019/20 £'000	2018/19 £'000
Balance at 1 April	61,713	58,963
Transfer (to) / from Capital Adjustment Account	(8,154)	(2,013)
Appropriation	4,358	4,763
Balance at 31 March	57,917	61,713
22. UNUSABLE RESERVES	2019/20 £'000	2018/19 £'000
Revaluation Reserve	504,897	530,442
Available for Sale Financial Instruments Reserve	-	-
Financial Instruments Revaluation Reserve	252	228
Capital Adjustment Account	396,361	438,096
Financial Instruments Adjustment Account	(7,976)	(8,403)
Pensions Reserve	(225,357)	(279,676)
Employee Statutory Adjustment Account	(10,921)	(10,230)
Total Unusable Reserves	657,256	670,457
22.1 Revaluation Reserve	2019/20 £'000	2018/19 £'000
Balance at 1 April	530,442	549,079
Unrealised gains / (losses) on revaluation of fixed assets	26,153	32,059
Less: Depreciation on revaluations	(51,698)	(50,696)
Balance at 31 March	504,897	530,442
<p>The Revaluation Reserve represents the store of gains on revaluation of fixed assets not yet realised through sales, and contains revaluation gains recognised since 1 April 2007 only, the date of its formal implementation. Gains arising before that date have been consolidated into the Capital Adjustment Account. The revaluations are depreciated over the life of the revalued assets with the corresponding credit charged to the Capital Adjustment Account.</p>		
22.2 Financial Instruments Revaluation Reserve	2019/20 £'000	2018/19 £'000
Balance at 1 April	228	-
Transfer from available for Sale Financial Instruments Revaluation Reserve	-	245
Revaluation of long-term Investments at fair value	24	(17)
Balance at 31 March	252	228
22.3 Available-for-Sale Financial Instruments Reserve	2019/20 £'000	2018/19 £'000
Balance at 1 April	-	245
Revaluation of long term investments at fair value	-	-
Transfer to Financial Instruments Revaluation Reserve	-	(245)
Balance at 31 March	-	-
22.4 Capital Adjustment Account	2019/20 £'000	2018/19 £'000
Balance at 1 April	438,096	501,535
Depreciation and impairment	(164,540)	(170,780)
Government grants written off	32,507	25,863
Loans fund principal repayments	16,470	17,290
Capital financed from current revenue (General Fund)	2,849	1,594
Capital financed from current revenue (HRA)	9,750	7,633
Gain/ (Loss) on disposal of non-current assets	1,377	2,252
Revaluation Reserve - Depreciation on revaluations	51,698	50,696
Transfer of Capital Receipts to Capital Fund	8,154	2,013
Balance at 31 March	396,361	438,096

The balances on the former Fixed Asset Restatement Account and Capital Financing Account at 31 March 2007 have been transferred into the Capital Adjustment Account. Revaluation gains up to 1 April 2007 have been accumulated in the Capital Adjustment Account. This account accumulates (on the debit side) the write-down of the historical cost of fixed assets as they are consumed by depreciation and impairment. It accumulates (on the credit side) the resources that have been set aside to finance capital expenditure.

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8**

		2019/20 £'000	2018/19 £'000
22.5 Financial Instruments Adjustment Account			
Balance at 1 April		(8,403)	(8,830)
Appropriations (to) from Movements on Reserve Statement		427	427
Balance at 31 March		(7,976)	(8,403)
The Financial Instruments Adjustment Account is an accounting reserve arising from the re-measurement of financial instruments. It is a balancing account to allow for differences in statutory requirements and proper accounting practices for the council's lending and borrowing. The balance at 31 March 2020 represents:			
		2019/20 £'000	2018/19 £'000
Deferred Premiums less Discounts from Debt Rescheduling		(5,490)	(5,883)
Market LOBO loans restated - balance sheet value		(63,066)	(63,100)
- Deduct: actual loans outstanding		60,580	60,580
		(7,976)	(8,403)
22.6 Pension Fund Reserve			
The pension reserve mirrors the net pensions liability detailed in note 20.3. The movements in the year are summarised as follows:		2019/20 £'000	2018/19 £'000
Balance at 1 April		(279,676)	(202,413)
Net surplus for year		(32,727)	(42,860)
Actuarial Gains (Losses) in Pension Plan		87,046	(34,403)
Balance at 31 March		(225,357)	(279,676)
22.7 Employee Statutory Adjustment Account			
		2019/20 £'000	2018/19 £'000
Balance at 1 April		(10,230)	(6,372)
Annual leave and maternity accrual - previous year		10,230	6,372
Annual leave and maternity leave accrual - current year		(10,921)	(10,230)
Statutory adjustment for the year		(691)	(3,858)
Balance at 31 March		(10,921)	(10,230)
The Employee Statutory Adjustment Account absorbs the differences that would otherwise arise on the General Fund Balance from accruing for compensated absences earned but not taken in the year, e.g. annual leave and maternity leave carried forward at 31 March. Statutory arrangements require that the impact on the General Fund Balance is neutralised by transfers to or (from) the Account.			
23. CASH FLOW STATEMENT - OPERATING ACTIVITIES		2019/20 £'000	2018/19 £'000
The following amounts are included in the net cash flows from Operating Activities:-			
Interest paid		24,590	24,098
Interest element of finance lease rental payments including PPP contracts		4,912	4,860
Interest received		(1,334)	(846)
The deficit on the provision of services has been adjusted for the following non-cash movements:-			
Depreciation		124,677	125,870
Impairment and downward revaluations		39,863	44,910
Amortisation		(34)	(34)
Increase/(decrease) in creditors		639	15,942
(Increase)/decrease in debtors		(3,380)	4,930
(Increase)/decrease in Short Term Intangible Assets		461	178
(Increase)/decrease in inventories		159	(460)
Movement in pension liability		32,727	42,860
Gain on disposal of non-current assets		(1,377)	(2,252)
Other non-cash items		(105)	67
		193,630	232,011

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8**

24. CASH FLOW STATEMENT - INVESTING ACTIVITIES		2019/20 £'000	2018/19 £'000
Purchase of property, plant and equipment		(71,295)	(98,765)
Other payments for investing activities		-	-
Proceeds from the sale of property, plant and equipment		1,926	2,849
Net (increase) decrease in short term investments		1,003	(38,302)
Net cash flows from Investing Activities		(68,366)	(134,218)

25. CASH FLOW STATEMENT - FINANCING ACTIVITIES		2019/20 £'000	2018/19 £'000
Cash receipts of short and long term borrowing		28,000	65,000
Cash payments for the reduction of the outstanding liabilities relating to finance leases and on balance sheet PPP contracts		(3,962)	26,034
Repayments of short and long term borrowing		(28,284)	(30,035)
Net cash flows from Financing Activities		(4,246)	60,999

26. CASH FLOW STATEMENT - CASH AND CASH EQUIVALENTS		2019/20 £'000	2018/19 £'000
Cash held by officers		154	139
Bank current accounts		1,132	962
Short term deposits		16,730	24,985
Total Cash and Cash Equivalents		18,016	26,086

27. RECONCILIATION OF LIABILITIES ARISING FROM FINANCING ACTIVITIES	1 April 2018 £'000	Financing Cash Flows £'000	Non-Cash Changes £'000	31 March 2019 £'000
	488,641	35,000	-	523,641
	99,802	(35)	(34)	99,733
	280	(110)	-	170
	63,072	26,144	-	89,216
	651,795	60,999	(34)	712,760

	1 April 2019 £'000	Financing Cash Flows £'000	Non-Cash Changes £'000	31 March 2020 £'000
	523,641	15,000	-	538,641
	99,733	(15,284)	(34)	84,415
	170	(110)	-	60
	89,216	(3,852)	-	85,364
	712,760	(4,246)	(34)	708,480

28. CONTINGENT LIABILITIES	
Municipal Mutual – Scheme of Arrangement	
<p>The Municipal Mutual Scheme of Arrangement was triggered in November 2012. The scheme administrator announced that the initial levy rate was 15% of claims paid since 1993. The council has paid a total of £0.199 million in respect of West Lothian District Council and Livingston Development Corporation liability and £0.035 million in respect of the council's share of Lothian Regional Council liability.</p> <p>The council recognises that further levies will be imposed and therefore acknowledges a potential future liability.</p>	
Abuse Claims	
<p>The council recognises the potential for compensation claims deriving from the Scottish Government's Limitation (Childhood Abuse) (Scotland) Bill which has removed the three-year time limit on claims of child abuse. Some claims may be more historic and relate to before the reorganisation to West Lothian Council in 1996. As at 31 March 2020, four claims have been received. However no claims have been brought that have progressed to a stage where a possible payment can be reliably estimated and accounted for in the financial statements. The council will consider the funding of future claims according to the nature and materiality of claims as they are brought in future years.</p>	
Pension guarantees	
<p>The council provides a formal guarantee to Lothian Pension Fund in respect of any monies due to the fund by West Lothian Leisure should it be unable to meet its obligations to the fund. The council has considered the likelihood of this guarantee being called upon in light of the financial challenges faced by WLL and concluded that there remains no expectation of the council having to settle obligations on its behalf given that its payments to the fund remain up to date and WLL has existing financial support and plans in place to address its financial challenges going forward</p>	

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****28. CONTINGENT LIABILITIES (CONTINUED)****Holiday Pay Liability**

Since 2014, there have been a number of Employment Tribunal Cases heard which have been decided in favour of claimants with regard to the calculation of holiday pay and, in particular, which components of pay should be considered for the purposes of determining normal remuneration.

On 31 July 2017, the Employment Appeals Tribunal handed down a judgement that non-contractual payments should be included in pay for holiday leave where these payments are sufficiently regular or recurring to be justified as normal pay.

Following approval by the Council Executive on 19 September 2017, the council commenced the payment of the COSLA recommended rate of 8.3% with effect from 1 October 2017 on non-contractual additional payments to ensure holiday pay is reflective of normal remuneration.

The council has received a number of claims for backdated holiday pay which are currently sisted by the Employment Tribunal. At a meeting of Council Executive on 26 June 2018 a decision was taken to enter into discussions with the relevant trade unions regarding settlement of these cases. These discussions are currently in progress.

29. TRADING OPERATIONS

The Local Government in Scotland Act 2003 introduced a specific performance requirement for each significant trading operation to breakeven over a three year rolling basis.

Economic Development Properties have been identified as a significant trading operation. The Service involves the maintenance and letting of industrial units, office accommodation and shops. The portfolio contains around 500 individual rental units and the policy objective is to ensure an adequate supply of property to meet the requirements of business needs in West Lothian. Summarised details of the account are as follows:-

	2019/20 £'000	2018/19 £'000
Turnover	4,674	4,564
Expenditure	3,128	3,800
Surplus for year	1,546	764
Budget Surplus for year	1,540	887

Included in turnover is internal income of £0.215 million (£0.242 million 2018/19).

The requirement to charge notional interest was removed in the 2006 SORP. However, for the purposes of assessing whether the trading operation has met the statutory requirement to breakeven over a three year rolling period, interest still requires to be included in expenditure for this assessment. A share of General Fund loan interest has been made based on the net book value of Economic Development Properties fixed assets to the total net book value of General Fund fixed assets. The results are summarised as follows:-

	Surplus / (Deficit) £'000	Loan Interest £'000	Net Surplus / (Deficit) £'000
2017/18	(635)	481	(1,116)
2018/19	764	420	344
2019/20	1,546	426	1,120
Surplus over three year period	1,675	1,327	348

In the three years to 31 March 2020 the trading account achieved a statutory aggregate surplus of £0.348 million, therefore meeting the statutory financial requirement to breakeven over the three year period.

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****30. AGENCY SERVICES****Expenditure****Local Bus Services**

Cross boundary bus services where other local authorities contract for the services and charge West Lothian for shared cross boundary agreements.

76

80

Residential Schools and other Social Work payments

Costs incurred in relation to residential care for children under the age of 18 who are deemed to be a significant risk to themselves or others in the community. Secure care is provided by third sector organisations. Secure care provides intensive support and safe boundaries whilst providing care, including health and education.

408

115

Special School Placements

Costs incurred in respect of West Lothian children who are in receipt of supported education services provided by other local authorities outwith the West Lothian Area.

272

98

Other

Provision of other services – Speech Therapy, Additional Needs Support, New Business Start-up support, Children's Panel, Corporate Procurement etc.

997

1,024

Non Domestic Rates

The council provides a collection service for Scottish Government in relation to Non-Domestic Rates. The difference between funding received and costs incurred is fully funded by Scottish Government and is included as a debtor in the council's Balance Sheet.

99,340

85,800

Total Expenditure**101,093****87,117****Income****Scottish Water Collection Services**

The council has an agreement with Scottish Water whereby it collects water and waste charges in conjunction with collection of council tax for a collection fee.

553

553

Social Work Services

Income in respect of delivery of support for people with alcohol and drug problems. This is delivered through West Lothian Council's Social Work Addictions Team and funded by National Health Service under our Alcohol and Drug Partnership contracts.

1,567

1,567

Local Bus Services

Cross boundary bus services where West Lothian contract for the services and recharge other local authorities for shared cross boundary agreements.

213

199

Special School Placements

Recovery of the cost of provision of supported education provided to Other Local Authority children living outwith the West Lothian boundary but receiving educational services in West Lothian.

391

403

Business Gateway

Agreement between City of Edinburgh Council and West Lothian Council for the provision of management services and for the delivery by WLC to or on behalf of CEC of various economic and business development and training programmes within the Edinburgh and Lothians area.

400

400

Other

Recovery of the cost of Housing Needs Officer at Addiewell Prison, recovery of the cost of provision of payroll, HR, IT & Telephony Service to the Improvement Service, recovery of the cost of payroll, HR, Corporate Communications/Media support, IT & Telephony Service to West Lothian College and recovery of the cost of provision of Corporate Communications/Media support to West Lothian Leisure.

151

241

Non Domestic Rates

The council provides a collection service for Scottish Government in relation to Non-Domestic Rates. The difference between funding received and costs incurred is fully funded by Scottish Government and is included as a debtor in the council's Balance Sheet.

76,309

84,118

Total Income**79,584****87,481****31. EXTERNAL AUDIT COSTS**

The Accounts Commission for Scotland has appointed Ernst & Young LLP as the council's External Auditor for the financial years 2016/17 to 2020/21.

The council has incurred the following costs in relation to the audit of the Annual Accounts, certification of grant claims and statutory inspections services provided by the Authority's external auditors:-

Fees payable to Audit Scotland in respect of external audit services undertaken in accordance with the Code of Audit Practice.

326

320

Audit fee in respect of s106 Trust Funds

8

4

334**324**

NOTES TO THE ANNUAL ACCOUNTS

STATEMENT 8

32. POST REPORTING PERIOD EVENTS

The Head of Finance and Property Services, Donald Forrest CPFA, being the officer responsible for the council's financial affairs, authorised the issue of the unaudited annual accounts on 22 June 2020. Events after the balance sheet date have been considered up to 29 September 2020.

Events after the balance sheet date are those events, both favourable and unfavourable, that occur between the end of the reporting period and the date when the Annual Accounts are authorised for issue. Two types of events can be identified:

- **Adjusting events**

Those that provide evidence of conditions that existed at the end of the reporting period which the Annual Accounts are adjusted to reflect.

- **Non Adjusting Events**

Those that are indicative of conditions that arose after the reporting period and the Statements are not adjusted to reflect these events. Where a category of events would have a material effect, disclosure is made in the notes of the nature of events and their estimated financial effect.

As the balance sheet date of 31 March 2020 was at the start of the Covid-19 lockdown period, the emergence of Covid-19 is not a post balance sheet event in itself. However, the potential impact from developments after 31 March 2020 year end have been considered accordingly for disclosure in the financial statements. From the council's assessment of these developments there are two post balance sheet events identified below which have a financial impact on the council's 31 March 2020 financial position, with the remaining considered non-adjusting events.

- There have been numerous developments in relation to the pandemic subsequent to 31 March 2020, these include, but are not limited to, suspension of some council services, closure of some buildings, consolidation of childcare provision for key workers into school hubs, expansion and continuation of free school meal and other food support, the majority of office based employees working from home, redeployment of employees to continue to support statutory service delivery that must continue to be delivered and payment of grants and support to those most in need in the community.
- Expenditure incurred in response to the pandemic in 2019/20 is included in the accounts for the financial year. This net expenditure totalled £0.194 million (increased expenditure £0.176 million, reduced income £0.264 million offset by reduced costs £0.246 million) and incorporated additional costs such as increased crisis care grants, early learning and childcare placements for key worker children, personal protective equipment for staff, overtime payments and commercial rent arrears. All other events after 31 March 2020, such as notification of grant funding, introduction of business and self employed grants and changes to service delivery, all apply to the financial year 2020/21 and therefore no adjustments are required. Since 31 March 2020 the council has received confirmation of funding from the Scottish Government totalling £34.686 million all relating to the financial year 2020/21. This funding includes £23 million for small business grants, which is paid directly to businesses to support them during this time, £1.687 million hardship funding and £5.228 million as a share of the Barnett Consequentials for local government. In West Lothian all of the hardship and food funding received from the Scottish Government has been used to deliver additional expenditure on support packages to individuals, families, businesses and third sector partners.
- With regard to financial instruments, the fair value was assessed in line with the requirements of IFRS 9 Financial Instruments and Expected Credit Loss. The timing of the valuation means that it included relevant conditions and assumptions arising from the pandemic. The council's approach to investments means that the council has minimal exposure to default risk. The priority is to secure the underlying value of the investment, therefore there should be no expected credit loss against the council's financial instruments. Recovery of financial assets post year end has not indicated any further impairment requirement for the financial assets held by the council at 31 March 2020.
- The basis for the valuation of property, plant and equipment at 31 March has been outlined in note 14 to the financial statements. The valuations recorded at 31 March 2020 reflect the known conditions impact property, plant and equipment at that date. Management has continued to assess the effects of the Covid-19 Pandemic on the council's property assets and their associated valuation subsequent to the financial yearend. In order to take an informed view and to gauge the position of the wider valuation profession on this matter, consultation has taken place with colleagues from a wide range of Scottish local authorities, the District Valuers Office, the Association of Chief Estate Surveyors (ACES) and the Royal Institute of Chartered Surveyors (RICS). Many business sectors have been forced to close as part of government restrictions to reduce the spread of the virus, the full effects of which on the respective property markets and the wider economy are yet to be fully understood, assessed or quantified. In line with the disclosures made in note 14 there remains significant uncertainty around the impact of these effects on the valuation of assets. The key drivers behind the valuation of assets, including occupancy levels, rental figures, land values and BCIS costs and indices will all continue to be monitored by management going forward throughout the year to assess the full impact of the Covid-19 outbreak on asset valuations, and when more certainty is available management will consider the need for formal asset revaluations in advance of the next financial statements year end.
- In July 2020, a ruling was made in respect the Goodwin tribunal impacting the valuation of local government pension scheme liabilities. This relates to a recent employment tribunal that changes the pension entitlement of male survivors in opposite sex marriages to take into account the female member's service from 6 April 1978. Previously, the male spouse survivor's entitlement was based on service accrued from 6 April 1988. The change is backdated to 5 December 2005. The change therefore affects the pension of male spouse survivors where their entitlement arose (i.e. where the female member died) on or after 5 December 2005. The ruling is considered to provide new information in relation to liabilities that existed at 31 March 2020, and therefore is an adjusting balance sheet event. The council has updated its pension liability as outlined in note 20 to take account of the increase in liability, the actuary has estimated that the closing obligations as at 31 March may be approximately 0.07% higher as a result of the Goodwin case.
- In July 2020, a consultation was issued by GAD in respect of a proposed approach to addressing the additional liabilities due in local government pension schemes following the McCloud ruling made in 2019. An estimate had been made in the 2018/19 financial statements for the impact of McCloud, however this consultation represented new information to inform the valuation of the liability, and as such was an adjusting balance sheet event. The council has updated its pension liability accordingly as outlined in note 20, to take account of the information, resulting in a decrease in liability through a past service gain of £8.7 million.

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****32. POST REPORTING PERIOD EVENTS (CONTINUED)**

The council continues to monitor and assess the financial impact of the Covid-19 response for 2020/21, including consideration of additional costs, lost income and required savings. The council's current assessment is outlined in more detail in the basis of preparation disclosures in note 1 to the financial statements (basis of preparation).

The annual governance statement (page 32, paragraphs 15.3 and 15.4) confirms that although the council's committee schedule has been impacted by the pandemic, decisions using delegated powers continued to be made, recorded and reported, including recommendations for decisions regarding service delivery and the council's overall response. A restricted calendar of committee meetings commenced on 26 May 2020. Reports, and associated decisions, can be found on the council's committee information system COINS at <https://coins.westlothian.gov.uk/coins/>

33. GRANT INCOME

The council credited the following grants, contributions and donations to the Comprehensive Income and Expenditure Statement in 2019/20.

	2019/20 £'000	2018/19 £'000
Credited to Taxation and Non-Specific Grant Income		
Capital Grants and Contributions		
- General Capital Grant	21,715	18,394
- Other Scottish Government Grant	7,496	4,271
- Developers Contributions	2,610	2,083
- Other Capital Contributions	686	1,115
Total Capital Grants and Contributions	32,507	25,863
Revenue Support Grant	235,751	228,874
Distribution from Non-Domestic Rate Pool	85,327	79,333
Total Grants credited to Taxation and Non-Specific Grant Income	353,585	334,070
Credited to Services		
Ring Fenced Grants		
Criminal Justice Grant	2,932	2,894
Pupil Equity Funding	5,191	5,161
Early Learning Childcare	7,947	2,785
Gaelic	8	8
	16,078	10,848
Other Grants		
Housing Benefits Grant	44,221	49,486
Administration of Benefits Grant	604	667
DWP Discretionary Housing Payment	672	547
Integration Joint Board	10,133	10,190
Education Maintenance Allowance	652	688
Schools for the Future Programme	1,959	1,408
European Grants	1,250	2,072
Private Sector Housing Grant	732	732
Home Energy Efficiency Programme for Scotland	874	998
Other Grants	4,575	4,270
Contribution from Local Authorities	757	857
Contribution from NHS	11,298	7,157
Total Grants credited to Services	93,805	89,920

Capital Grants Received in Advance

The council has received a number of grants and contributions that have yet to be recognised as income as they have conditions attached to them that will require the monies to be returned to the developer. The balances are as follows:-

	2019/20 £'000	2018/19 £'000
Developer Contributions	30,126	21,855

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****34. GENERAL FUND BALANCE**

The following amounts have been earmarked within the General Fund Balance.

	Balance at 1 April 2018 £'000	Transfers Out 2018/19 £'000	Transfers In 2018/19 £'000	Balance at 1 April 2019 £'000	Transfers Out 2019/20 £'000	Transfers In 2019/20 £'000	Balance at 31 March 2020 £'000
General Fund Balance	23,906			17,663			19,869
Movement in Earmarked Reserves							
Balances held by schools under a scheme of delegation	850	(4)	-	846	-	105	951
Energy Efficiency Fund	313	-	-	313	(313)	-	-
Modernisation Fund	3,156	(2,570)	-	586	(829)	1,781	1,538
Government Grants	6,046	(396)	-	5,650	(417)	-	5,233
Time Limited Projects	2,330	(1,259)	101	1,172	(666)	556	1,062
War Memorial Fund	44	(44)	-	-	-	-	-
Developer Contribution Fund	6,414	(558)	-	5,856	(749)	-	5,107
Local Bus Provision	-	-	100	100	(100)	-	-
Anti-Poverty Fund Strategy (including Period Poverty)	285	(142)	160	303	-	-	303
West Lothian Leisure Ltd.	1,200	(1,200)	-	-	-	-	-
General Revenue Grant 2018/19	1,167	(1,167)	-	-	-	-	-
Voluntary Organisations Fund	-	-	-	-	(137)	200	63
Committed Funds from Loans Fund Review	-	-	-	-	(582)	2,736	2,154
Lifetime Alcohol Licensing Fund	-	-	464	464	-	-	464
Total Earmarked Reserves	21,805	(7,340)	825	15,290	(3,793)	5,378	16,875
Uncommitted General Fund Balance	2,101			2,373			2,994

In accordance with both the School Boards Delegation and Devolved School Management schemes, a net credit balance of £0.951 million (£0.846 million 2018/19) is held within the General Fund. This sum represents the amount by which schools underspent their delegated schemes and may be used to supplement their 2020/21 budgetary provision. This sum, although held within the General Fund, must be spent on Education Services and is not available to the council for general use.

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****35. LEASING, PPP AND DBFM PAYMENTS****Leases**

The council uses leased cars, street sweeping vehicles, occupies certain offices financed under the terms of various operating leases and leases windows and doors in some of the council's housing stock. The amounts paid under these arrangements were as follows:-

	2019/20 £'000	2018/19 £'000
Plant and Vehicles	2,256	2,662
Property	633	633
	2,889	3,295

Assets acquired under finance leases have been capitalised.

Operating Leases

The future cash payments required under operating leases are:-

	2019/20 £'000	2018/19 £'000
2020/21 (2019/20) - Land and Buildings	629	652
- Other Operating Leases	1,673	2,094
2021/22 to 2024/25 (2020/21 to 2023/24) - Land and Buildings	1,669	1,549
- Other Operating Leases	2,603	2,625
2025/26 onwards (2024/25 onwards) - Land and Buildings	7,569	7,009
- Other Operating Leases	27	95

The cumulative value of leases in 2019/20 where the council is a lessor is £5.449 million for 743 units (£5.482 million for 743 units 2018/19).

Education Service PPP1 Schools Project

PPP1 is a 31 year Public Private Partnership contract which was awarded in August 2001 for the construction, extension and refurbishment of existing facilities, for three high schools, three primary schools and two nursery schools in Bathgate, Broxburn, Whitburn and Linlithgow. The contractor is responsible for the ongoing maintenance and operation of school facilities, which requires the ongoing procurement of construction services, plant and equipment. Contract expiry date is 7 November 2032.

The unitary charge is subject to annual RPI indexation. The PPP contractor has price risk for utilities, therefore the council may be entitled to a rebate on the unitary charge, this is reviewed bi-annually. The council is entitled to receive a share of any Refinancing Gain in accordance with a formula linked to the Equity IRR.

The council has rights to access the school facilities each school day. The contract specifies standards for the services to be delivered by the PPP contractor, with payment deductions to be made if facilities become unavailable or performance falls below the required standards. The school facilities and any plant and equipment installed in them at the end of the contract will be transferred to the council for nil consideration. Both parties have rights to terminate the contract, but compensation may be payable.

A number of minor changes to the arrangements have been made in the period, but none significant enough to change the risk profile of the project.

Education Service PPP3 Schools Project

PPP3 is a 31 year Public Private Partnership contract for the construction of new facilities, for two high schools in Livingston (Deans) and Armadale. The contractor is also responsible for the ongoing maintenance and operation of school facilities, which requires the ongoing procurement of construction services, plant and equipment. Contract expiry date is 16 August 2039.

The Unitary Charge is subject to annual RPI indexation. The parties share the benefit/cost of improving or not achieving the set utility consumption targets, so the council may be due a rebate on the unitary charge and this is reviewed annually. Whilst the council may have to meet any additional cost of insurance premiums, it may also benefit from their reduction. In addition, the council is entitled to receive a 50% share of a refinancing gain arising from a qualifying refinancing.

The council has rights to access the school facilities each week day, and each weekend. The contract specifies standards for the services to be delivered by the PPP contractor, with payment deductions to be made if facilities become unavailable or performance falls below the required standards. The school facilities and any plant and equipment installed in them at the end of the contract will be transferred to the council for nil consideration. Both parties have rights to terminate the contract, but compensation may be payable.

A number of minor changes to the arrangements have been made in the period, but none significant enough to change the risk profile of the project.

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****35. LEASING, PPP AND DBFM PAYMENTS (CONTINUED)****Education Service DBFM West Calder High School Project**

DBFM is a 25 year Design, Build, Finance and Maintain (DBFM) contract for the construction of a new high school in West Calder to replace the existing high school. The school was handed over to the council on 29 June 2018 and became operational on 20 August 2018. The DBFM contractor is responsible for the majority of the ongoing maintenance of the school facilities, which requires ongoing procurement of construction services, plant and equipment. The council operates the school facilities (janitorial, cleaning and security services) and is responsible for some elements of ongoing maintenance, such as grounds maintenance, kitchen equipment maintenance, replacement floor finishes and redecoration. The contract expiry date is 29 June 2043.

The Monthly Service Payment is subject to annual RPI indexation. The council has price risk on insurance premiums and both price and consumption risk for utilities. The council is entitled to receive a 30% share of any refinancing gain arising from a qualifying refinancing.

The council has rights to access the school facilities every day of the calendar year. The DBFM contract specifies standards for the services to be delivered by the DBFM contractor, payment deductions to be made if facilities become unavailable or performance falls below the required standards. The school facilities must achieve a specified standard when they are handed over to the council on the contract expiry date. Both parties have rights to terminate the contract, but compensation may be payable.

PPP and DBFM Payments

The future cash payments under two PPP schools and the DBFM school contracts are analysed as follows:-

Range	Principal £'000	Interest £'000	Lifecycle Capital Costs £'000	Operating Costs £'000	Schools for the Future Revenue Funding £'000	2019/20 Total £'000	2018/19 Total £'000
Within one year	3,683	4,515	199	8,495	(1,867)	15,025	13,811
2 to 5 years	13,226	16,340	1,563	39,723	(7,468)	63,384	56,393
6 to 10 years	19,311	16,010	2,924	58,277	(9,335)	87,187	80,137
11 to 15 years	22,400	9,617	688	54,862	(9,335)	78,232	79,251
16 to 20 years	20,295	4,397	-	42,065	(9,335)	57,422	60,004
21 to 25 years	6,449	693	-	3,243	(6,062)	4,323	11,850
Total	85,364	51,572	5,374	206,665	(43,402)	305,573	301,446

The Schools for the Future Programme, in order to ensure successful delivery of the DBFM Project at West Calder High School, has committed to provide revenue funding support for a period of 25 years commencing during 2018/19. The level of funding will total £46.677 million towards operating costs of the project.

36. RELATED PARTIES

The council is required to disclose material transactions with related parties – bodies or individuals that have the potential to control or influence the council or to be controlled or influenced by the council. Disclosure of these transactions allows readers to assess the extent to which the council might have been constrained in its ability to operate independently or might have secured the ability to limit another party's ability to bargain freely with the council.

Scottish Government

Scottish Government has effective control over the general operations of the council. It is responsible for providing the statutory framework within which the council operates, provides the majority of its funding in the form of grants and prescribes the terms of many of the transactions that the council has with other parties (e.g. council tax bills, housing benefits). Grants received from Government Departments are set out in note 33.

Councillors

Members of the Council have direct control over the council's financial and operating policies. The total of Councillors Remuneration allowances paid in 2019/20 are shown in the Remuneration Report note 2.3 on page 34. There are no related party transactions with members of the council.

Officers

There are no related party transactions with officers of the council.

NOTES TO THE ANNUAL ACCOUNTS**STATEMENT 8****36. RELATED PARTIES (CONTINUED)**

During the year, the council entered into a number of transactions with related parties which include Central Government, Other Local Authorities, the Joint Valuation Board and related companies.

	2019/20 £'000	2018/19 £'000
EXPENDITURE		
Government Payments		
PAYE and National Insurance	62,813	57,422
Superannuation – Teachers	17,350	12,763
Other Local Authority Payments		
Superannuation	28,190	27,120
Other Payments	883	720
Other Related Party Payments		
Joint Valuation Board	1,132	1,096
West Lothian Integration Board	69,438	63,833
West Lothian Leisure Ltd.	3,507	4,195
Councillors Remuneration	744	724
Criminal Justice Authority	3,877	3,534
SESTRAN / SESPLAN	22	32
Scotland Excel	117	115
	188,073	171,554
Other Related Party Income		
Other Local Authority Receipts	757	857
Criminal Justice Authority	2,932	2,894
	3,689	3,751
BALANCE SHEET		
The amounts due (to) or from related parties are detailed below:-		
Government departments	6,688	(3,606)
Other local authorities	(2,345)	(2,622)
Related companies		
West Lothian Leisure Ltd.	1,730	1,829
	6,073	(4,399)

HRA – INCOME AND EXPENDITURE STATEMENT**STATEMENT 9**

PURPOSE	The HRA Income and Expenditure Statement shows the economic cost in the year of providing housing services in accordance with generally accepted accounting practices, rather than the amount to be funded from rents and government grants. Authorities charge rents to cover expenditure in accordance with regulations; this may be different from the accounting cost. The increase or decrease in the year, on the basis of which rents are raised, is shown in the Movement on the HRA Statement.		
INCOME		2019/20 £'000	2018/19 £'000
	Dwellings Rent (gross)	(50,489)	(46,967)
	Non-Dwellings Rent (gross)	(575)	(563)
	Other Income	(1,472)	(1,851)
	TOTAL INCOME	(52,536)	(49,381)
EXPENDITURE			
	Repairs and Maintenance	15,999	14,471
	Supervision and Management	8,469	8,465
	Depreciation and Revaluation of non-current assets	56,712	56,210
	Bad or Doubtful Debts	1,228	1,283
	Other Expenditure	3,198	3,253
	TOTAL EXPENDITURE	85,606	83,682
	Net Cost of HRA Services as included in the Comprehensive Income and Expenditure Statement	33,070	34,301
	HRA Services share of Corporate and Democratic Core (CDC)	92	100
	HRA Share of Employee Statutory Adjustment	12	9
	HRA share of Non-Distributed Costs	(229)	521
	Net Cost of HRA Services	32,945	34,931
	HRA share of the Operating Income and Expenditure included in the Comprehensive Income and Expenditure Statement		
	Profit on disposal of HRA assets	0	(135)
	Interest payable and similar charges	9,841	9,090
	Net interest on the net defined benefit liability	186	162
	Deficit for the year on HRA Services	42,972	44,048

MOVEMENT ON THE HRA STATEMENT**STATEMENT 10**

PURPOSE		This statement summarises the differences between the outturn on the HRA Income and Expenditure Account and the HRA Balance.		
MOVEMENT		Note	2019/20 £'000	2018/19 £'000
		Balance on the HRA at the end of the previous year	(926)	(926)
		Deficit for the year on the HRA Income and Expenditure Statement	42,972	44,048
		Adjustments between accounting basis and funding basis under regulations	(42,972)	(44,048)
		(Increase) or decrease in year on the Housing Revenue Account	-	-
		Balance on the HRA at the end of the current year	(926)	(926)
NOTES	1.	Adjustments between accounting basis and funding basis under regulations		
		Depreciation and Revaluation	(56,712)	(56,210)
		Profit on disposal of HRA fixed assets	-	135
		Share of Employee Statutory Adjustment	(12)	(9)
		Amount by which pension costs calculated in accordance with IAS 19 are different from contributions due to the Lothian Pension Fund	43	(683)
			(56,681)	(56,767)
		Items not included in the HRA Income and Expenditure Account but included in the movement on HRA Balance for the year		
		Loans fund principal	3,959	5,086
		Capital expenditure funded by HRA	9,750	7,633
		Adjustments between accounting basis and funding basis under regulations	(42,972)	(44,048)
	2.	Housing Stock		
		The council's stock at 1 April 2019 was 13,678 houses and at 31 March 2020 were 14,038 houses. As a result the council was responsible for managing an average of 13,858 dwellings during 2019/20.		
		Stock movements can be summarised as follows:-		
		Stock as at 1 April	13,678	13,244
		Additions	351	434
		Less Demolitions	-	-
		Add Stock restated	9	-
		Less Sales	-	-
		Stock as at 31 March	14,038	13,678
		Housing Stock Numbers by type are as follows:		
		1 Bed	2,672	2,547
		2 Bed	6,590	6,442
		3 Bed	4,151	4,083
		4 Bed	482	467
		More than 4 Bed	143	139
			14,038	13,678
	3.	Rent Arrears at 31 March		
		Current Tenant	2,657	2,119
		Former Tenant	1,207	1,120
	4.	Losses on Void Properties at 31 March		
		Losses on void properties	469	441
	5.	Bad Debt Provision		
		Bad Debt Provision for housing rent arrears and former tenant's debt.	3,164	2,574

COUNCIL TAX INCOME ACCOUNT**STATEMENT 11**

PURPOSE	This statement shows the net income raised from Council Tax levied under the Local Government Finance Act 1992.																																																																																																																																																													
INCOME					2019/20 £'000		2018/19 £'000																																																																																																																																																							
	Gross council tax levied and contributions in lieu					95,315		89,510																																																																																																																																																						
	Less:																																																																																																																																																													
	Discounts				(7,472)			(6,969)																																																																																																																																																						
	Provision for bad debts				(1,919)			(1,805)																																																																																																																																																						
	Council Tax Reduction Scheme				(9,776)			(9,451)																																																																																																																																																						
	Other deductions				(2,781)			(2,292)																																																																																																																																																						
						(21,948)		(20,517)																																																																																																																																																						
	Adjustments for previous years' Council Tax					73,367		68,993																																																																																																																																																						
						(312)		(107)																																																																																																																																																						
	Transfers to General Fund					73,055		68,886																																																																																																																																																						
NOTES																																																																																																																																																														
1.	Calculation of the Council Tax base 2019/20																																																																																																																																																													
	<table border="1"> <thead> <tr> <th rowspan="2"></th><th colspan="9">PROPERTY BANDS</th></tr> <tr> <th>A</th><th>B</th><th>C</th><th>D</th><th>E</th><th>F</th><th>G</th><th>H</th><th>Total</th></tr> </thead> <tbody> <tr> <td>Properties</td><td>17,714</td><td>25,027</td><td>10,320</td><td>8,734</td><td>10,068</td><td>6,376</td><td>2,850</td><td>199</td><td>81,288</td></tr> <tr> <td>Exemptions</td><td>(927)</td><td>(787)</td><td>(289)</td><td>(139)</td><td>(80)</td><td>(49)</td><td>(13)</td><td>(13)</td><td>(2,297)</td></tr> <tr> <td>Disabled Relief</td><td>167</td><td>(76)</td><td>(9)</td><td>20</td><td>(24)</td><td>(35)</td><td>(41)</td><td>(2)</td><td>-</td></tr> <tr> <td>Discounts (25%)</td><td>(2,516)</td><td>(2,514)</td><td>(1,041)</td><td>(595)</td><td>(461)</td><td>(198)</td><td>(63)</td><td>(3)</td><td>(7,391)</td></tr> <tr> <td>Discounts (50%)</td><td>(53)</td><td>(63)</td><td>(38)</td><td>(25)</td><td>(17)</td><td>(10)</td><td>(5)</td><td>(1)</td><td>(212)</td></tr> <tr> <td>Empty Homes Premium</td><td>72</td><td>83</td><td>37</td><td>24</td><td>24</td><td>9</td><td>5</td><td>0</td><td>254</td></tr> <tr> <td>Council Tax Reduction Scheme</td><td>(4,587)</td><td>(4,134)</td><td>(1,166)</td><td>(482)</td><td>(261)</td><td>(78)</td><td>(25)</td><td>0</td><td>(10,733)</td></tr> <tr> <td>Effective Properties</td><td>9,870</td><td>17,536</td><td>7,814</td><td>7,537</td><td>9,249</td><td>6,015</td><td>2,708</td><td>180</td><td>60,909</td></tr> <tr> <td>Ratio to Band D</td><td>6/9</td><td>7/9</td><td>8/9</td><td>1</td><td>473/360</td><td>39/24</td><td>47/24</td><td>49/20</td><td></td></tr> <tr> <td>Band D Equivalents</td><td>6,577</td><td>13,639</td><td>6,946</td><td>7,537</td><td>12,152</td><td>9,775</td><td>5,303</td><td>441</td><td>62,370</td></tr> <tr> <td>Contributions in lieu</td><td colspan="8"></td><td>-</td></tr> <tr> <td>Level of non-payment provided for</td><td colspan="8"></td><td>1,559</td></tr> <tr> <td>COUNCIL TAX BASE</td><td colspan="8"></td><td>60,811</td></tr> </tbody> </table>										PROPERTY BANDS									A	B	C	D	E	F	G	H	Total	Properties	17,714	25,027	10,320	8,734	10,068	6,376	2,850	199	81,288	Exemptions	(927)	(787)	(289)	(139)	(80)	(49)	(13)	(13)	(2,297)	Disabled Relief	167	(76)	(9)	20	(24)	(35)	(41)	(2)	-	Discounts (25%)	(2,516)	(2,514)	(1,041)	(595)	(461)	(198)	(63)	(3)	(7,391)	Discounts (50%)	(53)	(63)	(38)	(25)	(17)	(10)	(5)	(1)	(212)	Empty Homes Premium	72	83	37	24	24	9	5	0	254	Council Tax Reduction Scheme	(4,587)	(4,134)	(1,166)	(482)	(261)	(78)	(25)	0	(10,733)	Effective Properties	9,870	17,536	7,814	7,537	9,249	6,015	2,708	180	60,909	Ratio to Band D	6/9	7/9	8/9	1	473/360	39/24	47/24	49/20		Band D Equivalents	6,577	13,639	6,946	7,537	12,152	9,775	5,303	441	62,370	Contributions in lieu									-	Level of non-payment provided for									1,559	COUNCIL TAX BASE									60,811
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COUNCIL TAX BASE									60,811																																																																																																																																																					
2.	<p>The level of council tax depends upon the value of the property. Certain prescribed dwellings are exempt and discounts are given to eligible taxpayers i.e. single occupants. A Council Tax Scheme Reduction is available to taxpayers on a low income. Other deductions include Disabled Relief.</p> <p>A bad debt provision of 2.25% of the net income from council tax has been provided, this represents a collection level of 97.75%.</p>																																																																																																																																																													
3.	The council tax charge for each band is as follows:-																																																																																																																																																													
	Band	2019/20 Council Tax £				2018/19 Council Tax £																																																																																																																																																								
	A	811.66				774.56																																																																																																																																																								
	B	946.94				903.65																																																																																																																																																								
	C	1,082.21				1,032.75																																																																																																																																																								
	D	1,217.49				1,161.84																																																																																																																																																								
	E	1,599.65				1,526.53																																																																																																																																																								
	F	1,978.42				1,887.99																																																																																																																																																								
	G	2,384.25				2,275.27																																																																																																																																																								
	H	2,982.85				2,846.51																																																																																																																																																								

NON-DOMESTIC RATE INCOME ACCOUNT**STATEMENT 12**

PURPOSE	This account shows the income from the rate levied on non-domestic property under the Local Government (Scotland) Act 1975 as amended by the Local Government Finance Act 1992.			
INCOME		2019/20 £'000		2018/19 £'000
	Gross rates levied and contributions in lieu		94,288	104,789
	Less			
	Reliefs and other deductions	(18,944)		(18,927)
	Provisions for bad and doubtful debts	(1,285)		(1,222)
			(20,229)	(20,149)
	Net non-domestic rate income		74,059	84,640
	Allocated:			
	National non-domestic rate pool		74,224	84,802
Cost of council rate relief		(165)	(162)	
		74,059	84,640	
NOTES	1.	The amount distributed to West Lothian Council from the national non-domestic rate income pool in 2019/20 was £85.327 million (£79.333 million 2018/19)		
	2.	Occupiers of non-domestic property pay rates based on the valuation of the property within the valuation roll for Lothian area. The National non-domestic rate poundage is determined by the Scottish Government and was 49.0p per £ in 2019/20 (48p in 2018/19). The rate was 51.6p (50.6p in 2018/19) for properties with a rateable value of more than £51,000. Properties with a rateable value of £18,000 or less are subject to a reduced charge if they meet the qualifying criteria under the small business bonus scheme.		
	3.	Rateable values at 1 April 2019		
			Number	Rateable Value £'000
	Shops, Offices and other Commercial Subjects		3,062	77,589
	Industrial Subjects		1,764	80,701
Miscellaneous (Schools etc.)		1,696	54,479	
Total		6,522	212,769	
4.	In 2019/20 £0.144 million of income from the Business Rates Incentivisation Scheme was received in relation to 2017/18.			

TRUSTS AND MORTIFICATIONS**STATEMENT 13**

PURPOSE	<p>The council acts as sole trustee for 40 Trusts and Mortifications. The funds do not represent the assets of the council and therefore they have not been included in the Balance Sheet.</p> <p>The figures below summarise the Income and Expenditure arising during the year and the aggregate Assets and Liabilities of the Trusts at the year end.</p>		
EXPENDITURE INCOME SURPLUS / (DEFICIT)	INCOME AND EXPENDITURE STATEMENT		
		2019/20 £'000	2018/19 £'000
	Beneficiaries	1	2
	Loans Fund and Dividend Interest	6	5
	For Year	5	3
	At 1 April	382	379
	At 31 March	387	382
	BALANCE SHEET		
	Current Assets		
	Investments	47	47
	Revenue Advances to Loans Fund	340	335
		387	382
	Current Liabilities	-	-
NOTES	1.	In order to preserve the capital value of Trust Funds, it is council policy to disburse only revenue income arising from them. This is done one year in arrears i.e. revenue income received during 2019/20 is disbursed in 2020/21.	
	2.	The main fund balances where the council is sole trustee at 31 March 2020 are:-	
		Capital £'000	Revenue £'000
	Irene Elizabeth Miller Trust	60	8
	West Lothian Trust for the Benefit of People with Disabilities	41	15
	Quarter Farm Trust	17	40
	James Wood Bequest	14	55
	Robert Turner of Armadale Trust	11	19
	3.	The council also administered five other trusts in 2019/20, which have external and council trustees. At 31 March 2020 the total assets of these trusts, valued at cost, was £0.214 million (£0.213 million at 31 March 2019).	

COMMON GOOD ACCOUNT**STATEMENT 14****PURPOSE**

The Common Good Fund was inherited from West Lothian District Council and the former Linlithgow Town Council at the respective reorganisations of local government in 1996 and 1975 and is administered by the Council. Income from the Fund may be applied for the benefit of inhabitants of Linlithgow.

The figures below summarise the Income and Expenditure arising during the year and the Assets and Liabilities of the Fund at the year end.

INCOME AND EXPENDITURE STATEMENT**2019/20**
£'000**2018/19**
£'000**Expenditure**

Donations

-

-

Income

Interest

-

-

Surplus / (Deficit)

-

-

At 1 April

14

14

At 31 March

14**14****BALANCE SHEET****Non-Current Assets**

Heritable Property

1

1

Furnishings

4

4

5**5****Current Assets**

Revenue Advances to Loans Fund

18

18

23**23**

TOTAL ASSETS

FINANCED BY:

Reserves

Revenue Balance

14

14

Capital Reserve

9

9

TOTAL LOANS AND RESERVES

23**23****NOTES**

1. Fixed Assets represent book values taken over from former councils as recorded in their Annual Accounts. They consist of:-

Furnishings

£'000

4

Heritable Property

1

5

2. LASAAC has issued guidance on the application of accounting requirements to Common Good assets. The council has not taken any action due to the insignificant amount involved (£5,000) and have not included this amount in their asset register.

3. Interest received in 2019/20 amounted to £192 (£154 2018/19).

COMPREHENSIVE INCOME AND EXPENDITURE STATEMENT - GROUP

STATEMENT 15

PURPOSE	The Comprehensive Income and Expenditure Statement shows the accounting cost in the year of providing services in accordance with generally accepted accounting practices, rather than the amount to be funded from taxation (or rents). Authorities raise taxation (and rents) to cover expenditure in accordance with statutory requirements; this may be different from the accounting cost. The taxation position is shown in both the Expenditure and Funding Analysis and the Movement in Reserves Statement.
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GROUP COMPREHENSIVE INCOME AND EXPENDITURE STATEMENT FOR THE YEAR ENDED 31 MARCH 2020

	Group Note	2019/20			2018/19		
		Gross Expend £'000	Gross Income £'000	Net Expend £'000	Gross Expend £'000	Gross Income £'000	Net Expend £'000
Schools, Education Support		259,374	19,532	239,842	246,931	14,514	232,417
Planning, Economic Development and Regeneration		11,820	5,657	6,163	13,259	5,163	8,096
Operational Services		83,785	8,118	75,667	87,853	8,668	79,185
Housing, Customer and Building Services		21,352	6,127	15,225	20,794	6,042	14,752
Corporate Services		1,899	599	1,300	2,246	1,068	1,178
Social Policy – IJB, Adult and Elderly Services		166,548	97,110	69,438	154,501	90,668	63,833
Social Policy – non-IJB, Children's Services		41,927	4,730	37,197	41,196	4,271	36,925
Chief Executive, Finance and Property		44,275	4,802	39,473	45,253	5,258	39,995
Joint Boards		1,159	5	1,154	1,128	-	1,128
Other Services		50,221	49,382	839	73,573	54,125	19,448
West Lothian Leisure Ltd.		13,800	9,591	4,209	14,488	9,209	5,247
Net Cost of General Fund Services		696,160	205,653	490,507	701,222	198,986	502,236
Housing Revenue Account		85,606	52,536	33,070	83,682	49,381	34,301
Net Cost of Services		781,766	258,189	523,577	784,904	248,367	536,537
Other Operating Expenditure		(1,377)	-	(1,377)	(2,252)	-	(2,252)
Financing and Investment Income and Expenditure		67,301	33,213	34,088	66,386	33,052	33,334
Share of corporation tax of Joint Venture		-	-	-	-	-	-
Taxation and Non-Specific Grant Income		-	426,640	(426,640)	-	402,956	(402,956)
Deficit on Provision of Services		847,690	718,042	129,648	849,038	684,375	164,663
Share of Operating Results of Associates and Joint Ventures		135,814	135,484	330	127,663	127,650	13
Deficit on Group		983,504	853,526	129,978	976,701	812,025	164,676
Items that will not be reclassified to the Deficit on the Provision of Services							
Surplus on revaluation of property, plant and equipment				(26,153)			(32,059)
Remeasurements of the net defined benefit liability / (asset)				(89,174)			35,414
(Gains) / Losses on Investments in Associates and Joint Ventures				(668)			381
Items that may be reclassified to the Deficit on the Provision of Services				(115,995)			3,736
(Surplus) / Deficit from investments in equity instruments designated at fair value through other comprehensive income				(24)			17
Other Comprehensive Income and Expenditure				(116,019)			3,753
Total Comprehensive Income and Expenditure				13,959			168,429

MOVEMENT IN RESERVES STATEMENT - GROUP**STATEMENT 16****PURPOSE**

The Movement in Reserves Statement shows the movement from the start of the year to the end on the different reserves held by the authority analysed into 'usable reserves' (i.e. those that can be applied to fund expenditure or reduce local taxation) and other 'unusable' reserves. The Statement shows how the movements in year of the authority's reserves are broken down between gains and losses incurred in accordance with generally accepted accounting practices and the statutory adjustments required to return to the amounts chargeable to council tax (or rents) for the year. The Net Increase/Decrease line shows the Statutory General Fund Balance and Housing Revenue Account Balance Movements in year following those adjustments.

**MOVEMENT IN RESERVES STATEMENT - GROUP
AS AT 31 MARCH 2020**

	Group Note	Single Entity Usable Reserves (Note 1) £'000	Single Entity Unusable Reserves (Note 1) £'000	Group Reserves (Notes 2 & 3) £'000	Total Group Reserves £'000
Balance at 1 April 2018		93,920	833,244	(5,886)	921,278
Movement in Reserves during 2018/19					
Total comprehensive income and expenditure		(163,653)	(2,361)	(2,415)	(168,429)
Adjustments between accounting basis and funding basis under regulations		160,426	(160,426)	-	-
Net increase (decrease) before transfers to other statutory funds		(3,227)	(162,787)	(2,415)	(168,429)
Transfers to or from other statutory funds		-	-	-	-
Increase (decrease) in year		(3,227)	(162,787)	(2,415)	(168,429)
Balance at 31 March 2019	G3	90,693	670,457	(8,301)	752,849
Movement in Reserves during 2019/20					
Total comprehensive income and expenditure		(129,088)	113,223	1,906	(13,959)
Adjustments between accounting basis and funding basis under regulations		126,424	(126,424)	-	-
Net increase (decrease) before transfers to other statutory funds		(2,664)	(13,201)	1,906	(13,959)
Transfers to or from other statutory funds		-	-	-	-
Increase (decrease) in year		(2,664)	(13,201)	1,906	(13,959)
Balance at 31 March 2020	G3	88,029	657,256	(6,395)	738,890

- Statement 5 and notes 12 and 13 to the Annual Accounts provide details of the Single Entity Reserves.
- Note G3 to the Group Accounts provides details of the Combining Entities Reserves.
- West Lothian Leisure revised its revenue recognition policy during 2019/20 to recognise revenue on a straight line basis over the period of delivery of the service in accordance with FRS102. Previously the approach resulted in the recognition of revenues in advance of the delivery of services. The change affects the timing of the recognition of revenues and was applied retrospectively. The effect of the restatement reduced the comparative years opening general funds carried forward at 31 March 2019 by £0.448 million.

BALANCE SHEET - GROUP**STATEMENT 17****PURPOSE**

The Balance Sheet shows the value as at the Balance Sheet date of the assets and liabilities recognised by the authority. The net assets of the authority (assets less liabilities) are matched by the reserves held by the authority. Reserves are reported in two categories. The first category of reserves is usable reserves, i.e. those reserves that the authority may use to provide services, subject to the need to maintain a prudent level of reserves and any statutory limitations on their use (for example the Capital Fund that may only be used to fund capital expenditure or repay debt). The second category of reserves is those that the authority is not able to use to provide services. This category of reserves includes reserves that hold unrealised gains and losses (for example the Revaluation Reserve), where amounts would only become available to provide services if the assets are sold; and reserves that are adjustment accounts that hold timing differences shown in the Movement in Reserves Statement line 'Adjustments between accounting basis and funding basis under regulations'.

	Group Note	As at 31 March 2020 £'000	As at 31 March 2019 £'000
LONG TERM ASSETS			
Property, Plant and Equipment			
- Council Dwelling		383,804	378,305
- Other Land and Buildings		950,037	1,005,036
- Vehicles, Plant, Furniture and Equipment		13,723	15,860
- Infrastructure Assets		238,718	231,995
- Community Assets		567	657
- Assets under construction		13,895	37,403
- Surplus Assets, not yet held for disposal		22,672	22,709
Heritage Assets		1,623,416	1,691,965
Long Term Investments		779	779
		574	553
TOTAL LONG TERM ASSETS		1,624,769	1,693,297
CURRENT ASSETS			
Short Term Investments		91,479	92,401
Inventories		1,368	1,532
Short Term Debtors		35,968	33,213
Cash and Cash Equivalents		19,682	27,220
Intangible Assets		-	461
TOTAL CURRENT ASSETS		148,497	154,827
CURRENT LIABILITIES			
Short Term Borrowing		(84,415)	(99,733)
Short Term Creditors		(66,513)	(74,279)
Provisions		(387)	(953)
Capital Grants Receipts in Advance		(30,126)	(21,855)
TOTAL CURRENT LIABILITIES		(181,441)	(196,820)
NET CURRENT ASSETS (LIABILITIES)		(32,944)	(41,993)
TOTAL ASSETS LESS CURRENT LIABILITIES		1,591,825	1,651,304
LONG TERM LIABILITIES			
Long Term Creditors		(335)	(476)
Long Term Borrowing		(538,846)	(524,092)
Defined Benefit Scheme Liability		(231,098)	(286,697)
Other Long Term Liabilities		(81,681)	(85,917)
Share of Net Liabilities of Associates and Joint Venture		(975)	(1,273)
TOTAL LONG TERM LIABILITIES		(852,935)	(898,455)
TOTAL NET ASSETS		738,890	752,849
Financed by:			
USABLE RESERVES			
General Funds Balance		20,391	17,996
Housing Revenue Fund Balance		926	926
Capital Fund		57,917	61,713
Insurance Fund		9,317	10,391
TOTAL USABLE RESERVES		88,551	91,026
UNUSABLE RESERVES		650,339	661,823
TOTAL RESERVES		738,890	752,849

The unaudited accounts were considered by the Audit Committee on 22 June 2020 and the audited accounts were authorised for issue on 29 September 2020.

DONALD FORREST CPFA, Head of Finance and Property Services

29 September 2020

CASH FLOW STATEMENT - GROUP**STATEMENT 18****PURPOSE**

The Cash Flow Statement shows the changes in cash and cash equivalents of the authority during the reporting period. The statement shows how the authority generates and uses cash and cash equivalents by classifying cash flows as operating, investing and financing activities. The amount of net cash flows arising from operating activities is a key indicator of the extent to which the operations of the authority are funded by way of taxation and grant income or from the recipients of services provided by the authority. Investing activities represent the extent to which cash outflows have been made for resources which are intended to contribute to the authority's future service delivery. Cash flows arising from financing activities are useful in predicting claims on future cash flows by providers of capital (i.e. borrowing) to the authority.

	Group Note	2019/20 £'000	2018/19 £'000
Net deficit on the provision of services of Group		(129,978)	(164,676)
Adjustments to deficit on the provision of services for non-cash movements		195,591	234,214
Net cash flows from Operating Activities		65,613	69,538
Net cash flows from Investing Activities		(68,490)	(134,857)
Net cash flows from Financing Activities		(4,661)	60,731
Net (decrease) / increase in cash and cash equivalents		(7,538)	(4,588)
Cash and cash equivalents at the beginning of the reporting period		27,220	31,808
Cash and cash equivalents at the end of the reporting period		19,682	27,220

NOTES TO THE GROUP ACCOUNTS**STATEMENT 19****G1. ACCOUNTING POLICIES**

The group accounting policies are those specified for the single entity financial statements as detailed in Statement 8 note 1. The accounting policies of all group members are materially the same as those of the single entity.

West Lothian Leisure revised its revenue recognition policy during 2019/20 to recognise revenue on a straight-line basis over the period of delivery of the service in accordance with FRS102. Previously the approach resulted in the recognition of revenues in advance of the delivery of services. This change affects the timing of the recognition of revenues and was applied retrospectively. The effect of the restatement reduced the comparative years opening general funds carried forward at 31 March 2019 by £0.448 million.

G2. WEST LOTHIAN INTEGRATION JOINT BOARD

The West Lothian Integration Joint Board (IJB) was established as a body corporate by order of Scottish Ministers on 21 September 2015, and is a separate and distinct legal entity from West Lothian Council and NHS Lothian. The arrangements for the IJB's operation, remit and governance are set out in the integration scheme which was approved by West Lothian Council, NHS Lothian and the Scottish Government.

The IJB's purpose is to set the strategic direction for the delegated functions through the development of a Strategic Plan. Relevant functions and resources from the council and NHS Lothian were delegated to the West Lothian IJB from 1 April 2016 to enable it to plan the delivery of functions and deliver on strategic outcomes. The IJB gives directions to the council and NHS Lothian as to the functions to be delivered and the resources available to deliver the functions.

The IJB meets on a six weekly basis and is made up of eight voting members, comprising four elected members appointed by West Lothian Council and four NHS Lothian non-executive directors appointed by NHS Lothian. The IJB Audit Risk and Governance Committee and Strategic Planning Group have been set up to support integrated policy and strategic development and to ensure IJB business adheres to the principles of good corporate governance.

The IJB is defined as a joint venture. The net expenditure of the IJB for 2019/20 is £69.438 million (2018/19 £63.833 million). It should be noted that this expenditure does not include support services such as Human Resources, Legal and Financial Services which are not delegated to the IJB and are provided free of charge to the IJB. The IJB does not employ staff directly delivering services and does not hold cash resources or operate a bank account. The IJB accounts for 2019/20 show the Balance Sheet with assets and reserves of the IJB of £0.063 million.

G3. COMBINING ENTITIES

The council has a number of non-consolidation interests in other entities, full details of which are shown on pages 97 and 98.

West Lothian Leisure Ltd. (WLL) is a company limited by guarantee, it was assessed that the council exerted significant influence and control and as such, West Lothian Leisure is treated as a subsidiary of the council for financial reporting, details as follows:

- The Chief Executive of WLL, from 1 October 2019, is T P J Dent.
- The previous Chief Executive of WLL, R Strang, retired at the end of September 2019. During 2019/20 WLL paid an amount of £85,792 as an additional payment to the Chief Executive on his retirement. The payment was authorised by the WLL Board in line with the established governance structures in place at WLL.
- Details of the remuneration of both the former and current Chief Executives of WLL are included in section 3.2 of the Remuneration Report on page 36.
- There were no Councillors of West Lothian Council remunerated by the body in 2019/20.
- There were no employees of WLL whose remuneration was £150,000 or more.

The council has not paid any consideration for its interests in West Lothian Leisure Ltd. and therefore no goodwill is involved in the acquisition. All intra-group transactions have been eliminated from the Group Accounts as part of the consolidation process. The subsidiary has been consolidated on a line by line basis.

Lothian Valuation Joint Board is deemed to be an associate.

The council has joint control and right to net assets in **West Lothian Recycling Ltd** and **West Lothian Integration Joint Board**, which are both defined to be joint ventures. West Lothian Recycling Ltd has been wound up effective from 10 October 2019 and from 2020/21 will no longer form part of the Group Accounts.

The following shares of the accounts of these bodies have been included within the Group Accounts.

		2019/20	2018/19
Associates			
Valuation Joint Board	- basis - WLC funding to total funding	18.86%	18.74%
Joint Venture			
West Lothian Recycling Ltd.	- basis - 50% of share capital	50%	50%
West Lothian Integration Joint Board	- basis - WLC representation on board	50%	50%

The summarised Financial Information of the associate, subsidiary and joint ventures are detailed below:

Council share of Associate, Subsidiary and Joint Ventures		Valuation Joint Board £'000	West Lothian Leisure £'000	West Lothian Recycling £'000	Integration Joint Board £'000	Total £'000
Total Assets	2019/20 2018/19	376 426	1,697 2,383	- 77	32 240	2,105 3,126
Total Liabilities and shareholders' equity	2019/20 2018/19	(1,383) (1,871)	(7,117) (8,963)	- (145)	- -	(8,500) (10,979)
Net Assets / (Liabilities)	2019/20 2018/19	(1,007) (1,445)	(5,420) (6,580)	- (68)	32 240	(6,395) (7,853)
Included in Surplus / (Deficit) in Group	2019/20 2018/19	(177) (285)	(520) (804)	15 -	(208) 240	(890) (849)

NOTES TO THE GROUP ACCOUNTS**STATEMENT 19****G3. COMBINING ENTITIES (CONTINUED)**

The summarised reserves of the associate, subsidiary and joint ventures are detailed below:

Council share of Associate, Subsidiary and Joint Ventures		Valuation Joint Board £'000	West Lothian Leisure £'000	West Lothian Recycling £'000	Integration Joint Board £'000	Total £'000
General Fund Balance	2019/20	169	321	-	32	522
	2018/19	168	441	(68)	240	781
Capital Fund	2019/20	-	-	-	-	-
	2018/19	-	-	-	-	-
Capital Grants Unapplied A/C	2019/20	-	-	-	-	-
	2018/19	-	-	-	-	-
Capital Receipts Reserve	2019/20	-	-	-	-	-
	2018/19	-	-	-	-	-
Total Usable Reserves	2019/20	169	321	-	32	522
	2018/19	168	441	(68)	240	781
Unusable Reserves	2019/20	(1,176)	(5,741)	-	-	(6,917)
	2018/19	(1,613)	(7,021)	-	-	(8,634)
Total Reserves	2019/20	(1,007)	(5,420)	-	32	(6,395)
	2018/19	(1,445)	(6,580)	(68)	240	(7,853)

The accounting year for the Valuation Joint Board, West Lothian Leisure Ltd. and the West Lothian Integration Joint Board ends 31 March 2020, while West Lothian Recycling Ltd is the 10 October 2019. West Lothian Recycling Ltd has been wound up with effective from 10 October 2019 and from 2020/21 will no longer form part of the Group Accounts. The associate and joint ventures have been accounted for using the equity method.

The Trusts, Mortifications and the Common Good Fund, which the council manage, have not been included in the Group Accounts on the grounds of materiality. Full details of these accounts can be found in Statements 13 and 14 on pages 90 and 91.

G4. FINANCIAL IMPACT OF CONSOLIDATION

The effect of inclusion of the associate, subsidiary and joint ventures on the Group Balance Sheet as at 31 March 2020 (2019) is to reduce the net assets by £6.395 million (£7.853 million) representing the council's share of net liabilities of these organisations. The net liabilities are attributable to the Lothian Valuation Joint Board which has significant pension liabilities under IAS 19 of £1.217 million (£1.665 million) and West Lothian Leisure Ltd. with pension liabilities of £5.741 million (£7.021 million).

Further information regarding these deficits can be found in the annual report and accounts of the relevant bodies.

G5. GROUP COMPREHENSIVE INCOME AND EXPENDITURE ACCOUNT

The 2019/20 (2018/19) share of Associates pension interest cost and expected return on pension assets is £0.041 million (£0.031 million). These figures are not included in the Group Comprehensive Income and Expenditure Account as they are part of the IAS 19 pension entries which are reversed out in arriving at the share of operating results of associates for the year.

G6. NON-CONSOLIDATION INTEREST IN OTHER ENTITIES

The council has a relationship with the following companies which have been set up for specific purposes. The following companies are not consolidated into the Group Accounts as it is not considered that the council is able to exert a significant influence over any of the entities and participation is deemed to be immaterial.

Accounts of the companies may be obtained on application to the Head of Finance and Property Services.

6.1 WL Ventures Group Limited

The company is limited by guarantee and was set up to promote industry and commerce within West Lothian. The council has a right to nominate six members and directors.

The unaudited (audited) accounts for the period ended 31 March 2020 (2019) show a profit before and after tax of £2,617 (£12,649) with net assets of £655,172 (£652,555).

6.2 West Lothian Enterprise Limited

The company is limited by guarantee. The principal activity is the management of funds designed for investments in industrial and commercial businesses with a view to promoting economic development. The company commenced in 2012/13.

The Directors of West Lothian Enterprise sought Council Executive approval for a strike-off, which was approved in January 2020. The formal application for strike-off was lodged with Companies House on 11 February 2020. All assets were transferred to WL Ventures Group.

6.3 Visit West Lothian Limited

Visit West Lothian Limited was set up in August 2008 as a company limited by guarantee. The company consists of one employee, the Tourism Executive, and a board of 7 Directors comprising 1 council representative and 6 stakeholders. The purpose of the company is to promote and develop West Lothian as a visitor destination. As part of this the company aims to maximise the economic impact of West Lothian's visitor potential, improve the quality of the visitor experience and raise the profile of the locality. The company is funded by the council but also works to access available funding sources and generate additional revenue.

The unaudited accounts for the year ended 31 March 2020 are not yet available as a result of circumstances surrounding Covid-19. The audited accounts for the year ended 31 March 2019 show a breakeven position before and after tax, with net assets of £29,192.

NOTES TO THE GROUP ACCOUNTS**STATEMENT 19****G6. NON-CONSOLIDATION INTEREST IN OTHER ENTITIES (CONTINUED)****6.4 The West of Scotland Archaeology Service**

This body was set up in 1997 as a Joint Committee of local authorities in the area. It is currently funded by 10 local authorities and Historic Scotland for Specific Projects. Its primary purpose is to provide planning related archaeological advice to its members, permitting them to discharge their duties in respect of Scottish Executive planning guidance for the treatment of archaeological remains in the planning process. During the year, the council made a contribution of £12,691 (£12,691 2018/19) representing 7.12% (7.12% 2018/19) of the Committee's estimated running costs for the year to 31 March.

6.5 South East of Scotland Transport Partnership (SEStran)

The council is a member of SESTRAN, one of seven statutory regional transport partnerships set up under the Transport (Scotland) Act 2005. SESTRAN has a membership of 8 local authorities and they have a statutory duty to produce a Regional Transport Strategy Plan and provide the council with capital grant for West Lothian projects within the plan. During the year, the council made a contribution of £21,700 (£21,722 2018/19) and had a voting share of 12.5%.

6.6 Strategic Development Planning Authority for Edinburgh and South East Scotland (SESplan)

The council is a member of SESplan. SESplan is composed of 6 local authorities that have a statutory duty under Section 4 of the Planning (Scotland) Act 2006 to work together to prepare, and keep under review, a Strategic Development Plan (SDP) for the South East of Scotland. During 2019/20, no contributions were made to SESplan by its members. In 2018/19, the council made a contribution of £10,000 to the running costs of SESplan, representing 17% of the authority's running costs. The council has a voting share of 17%.

6.7 Scotland Excel

Scotland Excel was launched in April 2008 to establish a centre of procurement expertise for the local government sector in Scotland. Its remit is to work collaboratively with the 32 local authority members and external suppliers to raise procurement standards, secure best value for customers and to improve the efficiency and effectiveness of public sector procurement in Scotland. During 2019/20, the council made a contribution of £117,235 (£114,675 2018/19), 3.3% (3.3% 2018/19) of Scotland Excel's funding.

6.8 Seemis Group LLP

Seemis Group is the software provider of the standard management Information system within Scottish Education and works closely with its members and the strategic bodies responsible for education direction in Scotland. West Lothian's student data is processed and managed by Seemis software. Seemis supports local authorities and their associated schools in delivering their statutory and discretionary responsibilities. During 2019/20, the council made a contribution of £175,557 (£161,076 2018/19), 3.9% (3.9% 2018/19) of Seemis Group LLP's funding.

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WEST LOTHIAN COUNCIL

REVIEW OF DECISION-MAKING ARRANGEMENTS – WEBCASTING AND RECORDING MEETINGS

REPORT BY GOVERNANCE MANAGER AND HEAD OF CORPORATE SERVICES

A. PURPOSE OF REPORT

To consider proposed changes to Standing Orders in relation to recording and webcasting council and committee meetings.

B. RECOMMENDATIONS

1. To note that Council Executive on 20 August 2019 instructed officers to bring forward proposals through Partnership & Resources PDSP in relation to extending the audio webcasting and recording of meetings
2. To note the present terms of Standing Order 24 on Public and Press – Access (Appendix 1)
3. To agree the proposed reworking of Standing Order 24 to extend the audio webcasting and recording to all meetings of bodies in the Scheme of Administration where technology allows (Appendix 3)
4. To agree a further change to Standing Order 24 to remove the current restriction on the audio recording of meetings by others (Appendix 3)

C. SUMMARY OF IMPLICATIONS

I	Council Values	Being honest, open and accountable; making the best use of our resources
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Local Government (Scotland) Act 1973; Coronavirus (Scotland) Act 2020; Standing Orders
III	Implications for Scheme of Delegations to Officers	None at this stage
IV	Impact on performance and performance Indicators	N/a
V	Relevance to Single Outcome Agreement	N/a
VI	Resources - (Financial, Staffing	N/a

and Property)

VII Consideration at PDSP

Partnership & Resources PDSP on 24 August and 5 October, both 2018; 1 February 2019; current proposal on 18 September 2020

VIII Other consultations

Elected members; Committee Services; Head of Corporate Services

D. TERMS OF REPORT

1 Background

- 1.1 Part of council's decision on the revenue budget report on 13 February 2018 was "to review the economy, efficiency and effectiveness of its present decision-making arrangements and to report to Partnership and Resources PDSP for consideration of possible changes". Reports were considered at several PDSP meetings in 2018 and 2019. Council Executive on 20 August 2019 decided how officers should proceed. Several of the issues covered have been determined already at council or committee. One of the issues still to be considered is the extension of the current arrangements for webcasting and recording council and committee meetings. It was in Appendix 4 to that report, one of a list of issues which had not attracted any disagreement or political controversy throughout the process of consultation and discussion and consideration at PDSP and committee.
- 1.2 The council's decision-making arrangements are mainly, but not exclusively, found in Standing Orders. The element affected by these proposed changes is Standing Orders for the Regulation of Meetings. They can only be amended by full council.

2 Legal rules and Standing Order 24

2.1 Legislation provides as follows:-

- The public has a right of admission to meetings of council, committees and sub-committees unless lawfully excluded for private business (yellow paper reports)
- During the coronavirus emergency period the right to be admitted in the physical sense to meetings has been removed and no provision made requiring an alternative means of access
- The council does not have to allow photographs or video or audio broadcasting or recording but may choose to do so
- If it chooses to do so, the council may determine how that should be allowed to be done (e.g., for all meetings or some meetings; for committees but not PDSPs; by any or all of audio, video or still photography)

2.2 Standing Order 24 (Appendix 1) provides as follows:-

- For meetings of full council (which always take place in the council chamber if being held in a physical location) audio webcasting and recording are default provisions but video and photography are only allowed if the meeting agrees

- Recording or webcasting the meetings of other bodies is not allowed unless the meeting agrees
- Nothing is recorded or webcast when private business is being considered and the public has been excluded
- All is subject to any restrictions necessary in relation to confidential or exempt information, data protection, freedom of information, including environmental information, or offensive or defamatory conduct or language
- If the technology fails the meeting proceeds without it

3 Options and considerations

- 3.1 Only bodies in the council's Scheme of Administration should be covered by any extension. The council administers other bodies under partnership arrangements but they are not covered by Standing Orders and so are beyond the council's direct control. Within the Scheme, it would be possible to differentiate between committees and PDSPs. However, since PDSPs were established council's position has been that the same principles of public access that apply to committee meetings should apply to them as well.
- 3.2 Committee's instruction was to bring forward proposals about extending audio recording and webcasting, not video or photography. The cost of using video would be prohibitive. It would require capital investment in technology and revenue expenditure in contracting with a service provider and allocating staff resources. Effective video broadcasting from a round meeting room, for a physical meeting, is problematic and costly. Consideration of any form of video recording or webcasting will require a fresh committee or council decision and instruction to officers.
- 3.3 For physical meetings, a sound system of some sort is required to connect with the webcasting and recording technology. Other Civic Centre meeting rooms do not have that facility. Almost all the bodies in the Scheme of Administration meet in the chamber. The only regular exceptions are Licensing Committee and five of the nine LACs which hold some meetings away from the Civic Centre. It makes financial sense that only physical meetings in the chamber should be covered.
- 3.4 The technology currently used for full council meetings is now familiar and works well. It relies on a wifi connection but it is very close to being "plug and play". There has been an occasional issue with a live webcast but recordings of all meetings since the facility was introduced are available. Extending the coverage under the current provider will not require any additional technology or capital outlay. That would not be possible for physical meetings taking place in other locations since the necessary sound system would not be present.
- 3.5 The emergency coronavirus legislation removed the public right to be physically present at a meeting of any sort. It made no provision for any other form of access. After the resumption of meetings by remote participation, meetings were webcast, allowing the public to listen live through the council's website. That required the agreement of every meeting under the present version of Standing Order 24. Recordings were not made available because to do so would have contravened Standing Order 24. In order to facilitate public access during the coronavirus period, and after, it is proposed that the default position is that meetings of bodies in the Scheme of Administration, where conducted by remote participation, should be webcast and recorded with the recordings made available on the internet.

- 3.6 The annual cost for full council meetings is currently £1,800. The additional cost for covering all and any meetings of council bodies taking place in the council chamber is approximately £2,100. The total annual cost for covering all meetings in the Chamber would therefore be approximately £3,900. In 2019/20 a total of 141 meetings of bodies in the Scheme of Administration, open to the public, took place in the council chamber. Full council meetings accounted for 7 of those so the additional annual cost would be spread over approximately 135 extra meetings.

4 Usage of the current facility

- 4.1 Statistics for 12 month period to March 2020 for webcast full council meetings are in Appendix 2. They show the number of live listeners and the total number of minutes the live listeners listened to. They show the total number of listeners to recordings (archive listeners) and the total number of minutes heard. They show the average live and the average archive duration. They show the peak number of live listeners and archive listeners and the relevant meeting dates. Appendix 2 also shows figures to date for live listeners to post-lockdown meetings conducted by remote participation.
- 4.2 Figures are significantly higher for budget-setting meetings which may reflect the significance and relevance to the public of the business being covered. It may be that figures will be higher for some committee business, such as Development Management Committee or Council Executive meetings. Figures may also increase if some publicity and awareness raising were to be carried out.
- 4.3 Comparisons with other councils are not straightforward due to differences in systems used, what is webcast, how it is webcast and due to population and geographic factors. In very broad terms experience elsewhere has been similar.

5 Recordings by others

- 5.1 Standing Orders currently prohibit the recording (audio, video and still photography) of meetings by the public unless the meeting is asked and agrees. That has been the position for many years. Policing that rule in relation to audio recording is almost impossible with the advent of mobile phones and tablets.
- 5.2 Since that cannot be regulated and enforced it is proposed to remove the prohibition on audio recording. The prohibition (unless expressly permitted) would remain in place for video and still photography since it is more obvious when those activities are underway, it can be more readily enforced, it is more distracting and it is potentially intrusive in relation to data protection issues.

6 Next steps

- 6.1 The proposal is therefore to retain the prohibition on video recording and webcasting but to extend audio webcasting and recording to all physical meetings of all bodies in the Scheme of Administration that take place in the council chamber and to all meetings conducted by remote participation. Those provisions will be subject always to a caveat in relation to the availability and reliability of the technology.
- 6.2 A revised version of Standing Order 24 is shown in Appendix 3, first with tracked changes and then as a clean copy. If PDSPs are included then a small addition will be required to Standing Order 50(4) to cover those. Additional definitions will be required, for example, of "physical meetings" and "remote participation". It is intended to report to full council seeking an amendment to Standing Orders in these terms.

7 PDSP consideration

- 7.1 The proposed changes were most recently considered at Partnership & Resources PDSP on 18 September 2020. Members were content that the report should proceed to council for consideration. In the view of the representative of the Joint Forum of Community Councils the proposals should go further and cover video webcasting as well as audio. It was explained however that the existing instruction from Council Executive was to report on audio webcasting only (see paragraph D3.2, above).
- 7.2 A small change has been made for clarification purposes to the version considered by PDSP on 18 September 2020. The words "With the exception of those bodies which customarily deal with their business without the public being admitted ..." have been inserted at the start of the proposed new Standing Order 24(3) and (4). That is intended to make it clear that there shall be no webcasting or recording of meetings of bodies such as Employee Appeals Committee and Licensing Committee. The proposed change to new Standing Order 24(5) will cover those committees which customarily meet in public but in private for the occasional item of business.

E. CONCLUSION

- 1 Consideration by council will enable the review instructed by council to be progressed towards conclusion and will make Standing Orders clearer in relation to remote access meetings during the coronavirus emergency period.

F. BACKGROUND REFERENCES

- 1 Local Government (Scotland) Act 1973
- 2 Coronavirus (Scotland) Act 2020
- 3 Council's Standing Orders - <http://intranet.westlothian.gov.uk/article/6941/Councils-Standing-Orders-and-Corporate-Governance>
- 4 Partnership & Resources PDSP, 24 August and 5 October 2018, and 1 February 2019
- 5 Council Executive, 26 March and 20 August 2019

Appendices/Attachments: 1. Existing Standing Order 24
 2. Usage figures
 3. Proposed new Standing Order 24

Contact Person: James Millar, Governance Manager, Chief Executive Office, West Lothian Civic Centre, Howden Road South, Livingston, EH54 6FF, 01506 281613
james.millar@westlothian.gov.uk

Date of meeting: 29 September 2020

APPENDIX 1

EXISTING STANDING ORDER 24

24 PUBLIC AND PRESS - ACCESS

C S

- (1) Except where this Standing Order says otherwise, every meeting of the Council, its Committees, Sub-Committees and PDSPs shall be open to the public and press.
- (2) The public shall not be admitted to a meeting when an item of business is being dealt with if it is likely that they would hear:-
 - Confidential information
 - Exempt information
- (3) Meetings of full council shall be broadcast live (sound only) through the internet and sound recordings shall be made available on the council's website. Otherwise, no form of audio or visual recording, photography or transmission of the proceedings of any meeting will be allowed, unless the meeting so agrees.
- (4) No broadcast shall be made when the public is excluded under this Standing Order.
- (5) Broadcasts and the availability of recordings are subject to the controls and restrictions the Clerk deems necessary in relation to:-
 - confidential or exempt information
 - data protection
 - freedom of information, including environmental information
 - offensive or defamatory conduct or language
- (6) Where broadcasting and recording is permitted under these Standing Orders, meetings shall proceed even if recording or broadcasting equipment fails or is otherwise not available.

APPENDIX 2

WEBCAST AND RECORDED COUNCIL MEETINGS FOR 12 MONTHS TO MARCH 2020

Month	4/19	5/19	6/19	7/19	8/19	9/19	10/19	11/19	12/19	1/20	2/20	3/20
Live Minutes	20	898	9	9	0	0	0	0	0	0	3460	0
Archive Minutes	93	341	95	49	6	223	145	121	27	45	874	407
Total Minutes	113	1239	104	58	6	223	145	121	27	45	4334	407
Live Listeners	4	357	3	3	0	0	0	0	0	0	87	0
Archive Listeners	42	50	15	17	4	70	89	10	27	50	142	87
Total Listeners	46	407	18	20	4	70	89	10	27	50	229	87
Average Live Duration	5.00	2.52	3.00	3.00	0	0	0	0	0	0	39.77	0
Average Archive Duration	2.21	6.82	6.33	2.88	1.50	3.19	1.63	12.10	1.00	0.90	6.15	4.68

Peak Live Listeners	349	West Lothian Council	14-05-2019
Most Listeners to recorded meeting	169	West Lothian Council	24-09-2019

- Live Minutes - the number of minutes streamed live to listeners during meeting webcast
- Archive Minutes - the number of minutes of audio played from the meeting archive
- Total Minutes - the sum of the above
- Live Listeners - the number of listeners connected to live webcasts
- Archive Listeners - the number of listeners connected to the meeting archive
- Total Listeners - the sum of the above
- Average Live Duration - the average time spent listening to live meetings
- Average Archive Duration - the average time spent listening to audio from the meeting archive

Month	6/20	7/20	8/20
Live Minutes	3387	825	2633
Archive Minutes	308	20	7
Total Minutes	3695	845	2640
Live Listeners	140	88	79
Archive Listeners	70	5	9
Total Listeners	210	93	88
Average Live Duration	24.19	9.38	33.33
Average Archive Duration	4.40	4.00	0.78

Peak Live Listeners	88	Development Management Committee	08-07-2020
Most Listeners to recorded meeting	N/A	N/A	N/A

- Live Minutes - the number of minutes streamed live to listeners during meeting webcast
- Archive Minutes - the number of minutes of audio played from the meeting archive
- Total Minutes - the sum of the above
- Live Listeners - the number of listeners connected to live webcasts
- Archive Listeners - the number of listeners connected to the meeting archive
- Total Listeners - the sum of the above
- Average Live Duration - the average time spent listening to live meetings
- Average Archive Duration - the average time spent listening to audio from the meeting archive

APPENDIX 3

PROPOSED NEW STANDING ORDER 24

24 PUBLIC AND PRESS - ACCESS

C S

- (1) Except where legislation or this Standing Order says otherwise, every meeting of the Council, its Committees, Sub-Committees and PDSPs shall be open to the public and media. press.
- (2) However, The public and media shall not be admitted to a meeting when an item of business is being dealt with if it is likely that they would hear:-
- Confidential information
 - Exempt information and the meeting so agrees
- (3) With the exception of those bodies which customarily deal with their business without the public being admitted, meetings of full council Council, Committees, Sub-Committees and Policy Development & Scrutiny Panels held physically in the council chamber shall be broadcast live (sound only) through the internet and sound recordings shall be made available on the council's website. Otherwise, nNo form of audio or visual recording, photography or transmission of the proceedings of any such meeting will be allowed, unless the meeting so agrees.
- (4) With the exception of those bodies which customarily deal with their business without the public being admitted, meetings of Council, Committees, Sub-Committees and Policy Development & Scrutiny Panels conducted by remote participation shall be broadcast live (sound only) through the internet and sound recordings shall be made available on the council's website. No form of visual recording, photography or transmission of the proceedings of any such meeting will be allowed, unless the meeting so agrees.
- (45) No broadcast or recording shall be made when the admission of the public is excluded by law or under this Standing Order.
- (56) Broadcasts and the availability of recordings are subject to the controls and restrictions the Clerk deems necessary in relation to to ensure compliance with the law and Standing Orders, including:-
- confidential or exempt information
 - data protection
 - freedom of information, including environmental information
 - offensive or defamatory conduct or language
- (6) Where broadcasting and recording is permitted under these Standing Orders, meetings shall proceed even if recording or broadcasting equipment fails or is otherwise not available.

24 PUBLIC AND PRESS - ACCESS

C S

- (1) Except where legislation or this Standing Order says otherwise, every meeting of the Council, its Committees, Sub-Committees and PDSPs shall be open to the public and media.
- (2) However, the public and media shall not be admitted to a meeting when an item of business is being dealt with if it is likely that they would hear:-
 - Confidential information
 - Exempt information and the meeting so agrees
- (3) With the exception of those bodies which customarily deal with their business without the public being admitted, meetings of Council, Committees, Sub-Committees and Policy Development & Scrutiny Panels held physically in the council chamber shall be broadcast live (sound only) through the internet and sound recordings shall be made available on the council's website. No form of visual recording, photography or transmission of the proceedings of any such meeting will be allowed, unless the meeting so agrees.
- (4) With the exception of those bodies which customarily deal with their business without the public being admitted meetings of Council, Committees, Sub-Committees and Policy Development & Scrutiny Panels conducted by remote participation shall be broadcast live (sound only) through the internet and sound recordings shall be made available on the council's website. No form of visual recording, photography or transmission of the proceedings of any such meeting will be allowed, unless the meeting so agrees.
- (5) No broadcast or recording shall be made when the admission of the public is excluded by law or under this Standing Order.
- (6) Broadcasts and the availability of recordings are subject to the controls and restrictions the Clerk deems necessary to ensure compliance with the law and Standing Orders, including:-
 - confidential or exempt information
 - data protection
 - freedom of information, including environmental information
 - offensive or defamatory conduct or language
- (7) Where broadcasting and recording is permitted under these Standing Orders, meetings shall proceed even if recording or broadcasting equipment fails or is otherwise not available.

West Lothian Council SNP Group

Leader: Cllr Janet Campbell
Depute Leader: Cllr Frank Anderson
Secretary: Cllr Sarah King

*Dico Tibi verum, Libertas Optima Rerum
Nunquam Servili!*



Meeting Date - 29 September
2020 Item No.8

Motion to West Lothian Council Meeting 29th September 2020

Flooding in Pyothall Court, Broxburn August 27th 2020

West Lothian Council agrees that the safety and well-being of all our residents is a priority. West Lothian Council further agrees that in the aftermath of a localised disaster, this local authority will do everything within its power to provide relief, support and the provision of aid to the community or families affected.

Council welcomes the news that there has been an urgent investigation into the possible causes of the recent devastating flood in Broxburn and notes that although Barony Housing have put into place flood prevention measures on this site, until now West Lothian Council have not. Council also notes that until planning permission was granted by a previous administration, there was no history of flooding at this site.

Council further agrees that the implementation of the necessary flood prevention measures, working in partnership with our colleagues from Scottish Canals and Scottish Water is now vital in order for the residents of Pyothall Court to continue to enjoy security of tenure. Council also accepts that we remain the co-ordinating body for localised disasters which we saw in Broxburn on August 27th.

West Lothian Council therefore instruct the Chief Executive to;

1. Discuss a timetable for the implementation of the necessary and vital flood preventions works which need to be carried out with our partners in Scottish Canals and Scottish Water.
2. Prepare a report for West Lothian Council advising on the timetable, potential costs, sources of funding and potential challenges for these works.
3. Urgently prepare a protocol with regards to West Lothian Council future response to localised disasters, ensuring that local facilities are made available for the relief effort at the earliest opportunity.

Proposed

Cllr Janet Campbell

Seconded

Cllr Diane Calder

V Johnston

Received on 10 September 2020 at 12.08



West Lothian Council SNP Group

Leader: Cllr Janet Campbell
Depute Leader: Cllr Frank Anderson
Secretary: Cllr Sarah King

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Nunquam Servili!*



Meeting Date - 29 September
2020 Item No.9

Motion for West Lothian Council Meeting 29th September 2020

Blended Working

West Lothian Council recognise the responsibility we have to ensure safe and healthy working environments for all of our people. This Council also recognises we have a responsibility for the health and well-being of all people living in West Lothian. The pandemic has shown that access to blended working, with a mixture of both home and office working, is now possible due to technological advances.

West Lothian Council therefore agrees to conduct an audit of people's experiences of home working during the Covid-19 pandemic. This will include eliciting people's personal experiences and will also include dialogue with Trade Unions. Council agrees to bring forward a report, at the earliest opportunity, outlining future opportunities for blended working, where possible, across all disciplines working within West Lothian Council.

West Lothian Council also agrees to write to both the Scottish Government and the Westminster Government seeking assurance that the health and well-being of the working population is a priority and further request that serious consideration is given to implementing policy which makes it easier for a blended model of working to be enacted where this has the potential to improve lives, enhance health and well-being and strengthen work / life balance.

Moved

Cllr Janet Campbell

Motion received on 11 September 2020 at 11:00am

WEST LOTHIAN COUNCIL LABOUR GROUP

**Notice of Motion from Councillor David Dodds
For the Council Meeting on 29th September 2020**

Whitburn Academy

Council congratulates Whitburn Academy on becoming the first secondary school in Scotland to achieve a Reading Schools Gold level award. This reflects the drive and determination to embed a reading culture in Whitburn Academy.

This follows hard on the heels of Whitburn Academy winning the COSLA award in the Tackling Inequalities and Improving Health category and the First Minister's prize for reading.

In addition to these successes, attainment levels of students at Whitburn Academy have continued to rise this year building on improvements over the past few years.

The award is a testament to the hard work and enthusiasm of the students at Whitburn Academy, the fantastic support provided by their families, and the dedication and hard work of the teaching and non-teaching staff.

Council instructs the chief executive to write to the Head Teacher of Whitburn Academy congratulating her on the school's achievement



**Councillor David Dodds
West Lothian Labour Group**



Received by Val Johnston
on 11 September 12.24pm

WEST LoTHIAN COUNCIL LABOUR GROUP

Notice of Motion from Councillor Kirsteen Sullivan For the Council Meeting on 29th September 2020

THIRD SECTOR

Council recognises the invaluable contribution of the Third Sector in responding to the needs of our communities during the Covid-19 pandemic. Council notes that the Voluntary Sector Gateway and the West Lothian Social Enterprise Network, along with local charities, social enterprises, community groups and individuals have acted with an incredible agility and flexibility to support West Lothian citizens at a time of unprecedented need and stress.

Council further acknowledges the commitment of the Third Sector to partnership working with community partners including West Lothian Council as evidenced through joint projects such as the delivery of care for keyworker children, the delivery of PPE to carers, and the delivery of provisions and meals to those unable to access food (these projects were cited at the recent Third Sector Covid-19 Recovery Summit).

Council commends the Third Sector on its efforts and ongoing support and expresses gratitude to all those who have come forward to offer assistance.



**Councillor Kirsteen Sullivan
West Lothian Labour Group**



Received by Val Johnston on 11
September 2020 at 12.24pm

WEST LOTHIAN COUNCIL LABOUR GROUP

Notice of Motion from Councillor Kirsteen Sullivan For the Council Meeting on 29th September 2020

WASPI WOMEN

The Council calls upon the UK Government to make fair transitional state pension arrangements for all women born on or after 6th April 1950, who have unfairly borne the burden of the increase to the State Pension Age (SPA) with lack of appropriate notification. This translates into a 'bridging' pension to provide an income until State Pension Age - not means-tested - and with recompense for losses for those women who have already reached their SPA. There are no specific age groups within the period mentioned above that are favoured above others.

3.8 million women had significant pension changes imposed on them by the Pensions Acts of 1995 and 2011 with little/no personal notification of the changes. Some women had only two years notice of a six-year increase to their state pension age.

Many women born in the 1950's are living in hardship. Retirement plans have been shattered with devastating consequences. Many of these women are already out of the labour market, caring for elderly relatives, providing childcare for grandchildren, or suffer discrimination in the workplace so struggle to find employment. Women born in this decade are suffering financially. These women have worked hard, raised families, and paid their tax and national insurance with the expectation that they would be financially secure when reaching 60. It is not the pension age itself that is in dispute - it is widely accepted that women and men should retire at the same time. The issue is that the rise in the women's state pension age has been too rapid and has happened without sufficient notice being given to the women affected, leaving women with no time to make alternative arrangements.

The Council calls upon the UK Government to reconsider transitional arrangements for women born in the 1950s, so that women do not live in hardship due to pension changes they were not told about until it was too late to make alternative arrangements.



**Councillor Kirsteen Sullivan
West Lothian Labour Group**

**Received by Val Johnston on 11
September 2020 at 12.24pm**



WEST LoTHIAN COUNCIL LABOUR GROUP

Notice of Motion from Councillor Lawrence Fitzpatrick For the Council Meeting on 29th September 2020

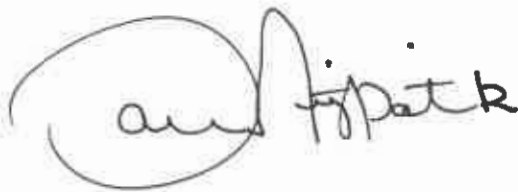
Pandemic Response

Council records its immense appreciation to all staff for their outstanding contribution to serving the West Lothian community over the lockdown period.

Council agrees the ingenuity and sheer effort of all the staff in continuing the provision of vital services over the period has been inspirational and uplifting.

The 'can do' approach of trade unions and all staff has ensured that despite restrictions on social distancing and the raft of Covid-19 criteria issued by Scottish Government, staff have demonstrated a willingness to go that extra mile to support our residents and businesses.

Council also puts on record its huge thanks to the many volunteers who gave their time to deliver meals, food, prescriptions as well as broad assistance.



**Councillor Lawrence Fitzpatrick
Leader
West Lothian Labour Group**



Received by Val Johnston on 11
September 2020 at 12.24pm

WEST LoTHIAN COUNCIL LABOUR GROUP

Notice of Motion from Councillor Lawrence Fitzpatrick For the Council Meeting on 29th September 2020

COVID-19 Pandemic Costs

Council notes that the Covid-19 pandemic has presented unprecedented challenges for individuals, communities, organisations and businesses in West Lothian. With an understanding of the local community and its needs, the council has provided essential support and delivered services, including ensuring that national arrangements have been implemented, adapted and matched to local circumstances.

As the council continues to lead the local response to the pandemic, West Lothian Council calls on the Scottish Government to acknowledge the significant additional associated costs being incurred by the council and to act now to ensure that sufficient funding is provided to the council. In particular, the council calls on the Scottish Government to immediately release all outstanding funding to the council, for areas such as loss of income, the council tax reduction scheme, school logistical support and health and social care. The council also calls on the Scottish Government to ensure that all local government associated Barnett Consequentials are fully allocated to support councils in Scotland.

Council notes that the pandemic has had a very significant impact on council finances across all 32 authorities in Scotland. Councils were already experiencing severe financial constraints, with expenditure pressures such as the demographic challenges of a rapidly increasing elderly population with more complex care requirements being exacerbated by the pandemic and the ongoing problem of insufficient funding from the Scottish Government. Recognising that the effect of the pandemic will be felt for some time to come, Council calls on the Scottish Government to ensure an appropriate, fair and properly funded local government finance settlement for 2021/22 to allow the council to continue to respond to the challenges from the pandemic whilst delivering core services which are valued by our local communities.



**Councillor Lawrence Fitzpatrick
Leader
West Lothian Labour Group**

Received by Val Johnston on 11
September 2020 at 12.24pm



WEST LOTHIAN COUNCIL LABOUR GROUP

Notice of Motion from Councillor Lawrence Fitzpatrick For the Council Meeting on 29th September 2020

Mr Andy Mount, Livingston

Council notes with appreciation the retiral of Andy Mount from the Fair Trade Group. His service to the Livingston community and wider country on the Fair Trade Initiative has been outstanding.

Over 2 decades, Andy dedicated a huge amount of his time to the promotion of Fair Trade goods.

This extended to Fair Trade products appearing in local supermarkets and shops and in our schools.

His endeavours and dedication assisted Livingston attain Fair Trade status in 2006, the first new town in the UK to attain this accolade.

Sadly, ailing health has forced Andy to step back from these highly commendable voluntary activities.

Council records its gratitude and requests the Provost to write to Andy to this end.



**Councillor Lawrence Fitzpatrick
Leader
West Lothian Labour Group**



Received by Val Johnston on 11
September 2020 at 12.24pm



WEST LoTHIAN CONSERVATIVE AND UNIONIST COUNCIL GROUP

West Lothian Council

29th September 2020

Bruce Fairbairn – Speed Reduction Measures

West Lothian Council will monitor the impact of the temporary speed restrictions on vehicle drivers including accident statistics, traffic convictions and complaints, to use these results to assess future speed reduction measures in place of the current measure of "no serious accidents have been recorded" which prevents speed reduction measures being implemented at present.

Councillor Bruce Fairbairn
Whitburn and Blackburn Ward
West Lothian Council Conservative Group

Received by Val Johnston on 11
September 2020 at 14.58



WEST LOTHIAN CONSERVATIVE AND UNIONIST COUNCIL GROUP

e-signature

**Councillor X - Ward
Area Spokesperson
West Lothian Council Conservative Group**

West Lothian Council SNP Group

Leader: Cllr Janet Campbell
Depute Leader: Cllr Frank Anderson
Secretary: Cllr Sarah King

*Dico Tibi verum, Libertas Optima Rerum
Nunquam Servili!*



Meeting Date - 29 September
2020 Item No.17

MOTION Nuclear Free

Council Meeting Sept 2020

West Lothian Council SNP Group are proud of this Council's affiliation to the Nuclear Free Local Authorities Association and its continuous efforts to curtail the proliferation of Nuclear in our society. However, the SNP Group are concerned that the apparent regular and unreported transport of WMD and nuclear material through West Lothian endangers the lives of our residents. This movement of nuclear material within West Lothian makes a mockery of this Council declaring itself to be nuclear free.

The SNP Group calls on Council to:

- Request the relevant officers to prepare a report, for next Council meeting, detailing how we can insist in being notified, in advance, of any intention to transport WMD or nuclear material through West Lothian
- The report to detail any legal options available to this authority to prohibit these transport convoys from travelling through West Lothian to and from Faslane.

Moved

F Anderson

Received by Val
Johnston 14
September 2020 at
11.41am

West Lothian Council SNP Group

Leader: Cllr Janet Campbell
Depute Leader: Cllr Frank Anderson
Secretary: Cllr Sarah King

*Dico Tibi Verum, Libertas Optima Rerum
Nunquam Servili!*



Meeting Date - 29 September
2020 Item No.18

MOTION Internal Market Council Meeting Sept 2020

West Lothian Council SNP Group believes that all members of this Council are elected to represent the views of the people we were elected to represent. Normally we would leave national events to other elected politicians. However, the SNP Group fervently believe that this Council could not stand idly by whilst the Westminster government blatantly puts forward, for debate, legislation which categorically breaks International Law. It is inconceivable that any democratic legislature, which makes laws, can consider breaking International laws for its own selfish partisan reasons. As elected politicians we are all expected by our electorate, the court of public opinion, to respect and uphold the law.

The SNP Council Group urges this Council to condemn the Conservative Westminster government for bringing forward the 'Internal Market' bill, realising it will break International law and jeopardise the Good Friday agreement. The impression given by this tactic could be seen either as 'bully boy' tactics or a hankering for the days of the Empire. There is no place in today's international society for any country which deliberately and flagrantly sets out to break International laws.

Therefore, Council will

- Write to the PM expressing our total opposition to his proposed Bill and urging him to withdraw it
- Send a copy of this motion to the FM requesting that the Scottish Government does all in its powers to oppose this Bill.

Moved

F Anderson

Received by Val Johnston on 14
September at 11.41am

West Lothian Council SNP Group

Leader: Cllr Janet Campbell
Depute Leader: Cllr Frank Anderson
Secretary: Cllr Sarah King

*Dico Tibi verum, Libertas Optima Rerum
Nunquam Servili!*



Meeting Date - 29 September
2020 Item No.19

MOTION Local Authority Lottery

Council Meeting Sept 2020

West Lothian Council SNP Group extend our thanks and appreciation to the many voluntary groups and charities which immediately 'rose to the challenge' right from day one of this Covid pandemic, ignoring the possible financial consequences for their organisations. The SNP Group are concerned that the Budget available each year for distribution between these groups is diminishing. Without government resilience funding this year, many could have 'gone to the wall', The reduction in grants combined with the cancellation of fundraising events means that income generation for local charities and good causes has been devastated.

The SNP Group therefore call on Council to launch a 'local authority lottery' as a tool for community income generation, to enable more funding to be available for distribution amongst West Lothian's incredibly hard working groups supporting our communities.

As an initial step, Council agrees to,

- Request officers prepare a report, for the next Council meeting, on the options available for such a venture using as an initial benchmark the Gatherwell option,
- Set up a meeting with voluntary organisations, via an open invitation, to discuss initiating a West Lothian lottery and the role of both the Council and the voluntary organisations in its operation and success.
- Report back to next Council meeting, following the initial discussions, on the options best suited to maximise the income for community groups based in West Lothian.
- Review the partnerships and work of the Council with third sector organisations, post Covid-19. Report back to the Voluntary Organisations PDSP the outcome of the review, within 2 months. This review to form the initial consultation and discussions on the way forward for West Lothian with its local partners.

Moved

F Anderson

Received by Val Johnston on 14
September 2020 at 11.41am

West Lothian Council SNP Group

Leader: Cllr Janet Campbell
Depute Leader: Cllr Frank Anderson
Secretary: Cllr Sarah King

*Dico Tibi Verum, Libertas Optima Rerum
Nunquam Servili!*



Meeting Date - 29 September
2020 Item No.20

MOTION Winter Service Planning

Council Meeting Sept 2020

West Lothian Council SNP Group note that with the continuing Covid pandemic and the threat of a second wave, we need to update our winter plans to cope with the possible restrictions around Covid. As local elected members are knowledgeable about their areas, their input into any planning would be invaluable. As we normally operate the service from the 31st of October, the Council should be consulting on any necessary changes/additions that are needed to ensure our Service continues to operate as efficiently as possible.

We pass on our thanks to all the staff involved in the great job they have done to keep West Lothian moving in what can be described as extreme conditions on many occasions and know that they will continue to provide an excellent service even under the trying restrictions possibly presented by this pandemic.

SNP Group therefore calls on Council to

Prepare a report on the contingency plans for the winter service and present to the relevant PDSP and Council Executive prior to its publication.

Moved

F Anderson

Received by Val Johnston on 14
September at 11.41am

DATA LABEL: PUBLIC



WEST LOTHIAN COUNCIL

TREASURY MANAGEMENT – ANNUAL REPORT FOR 2019/20

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

To inform the Council of the activities and results of treasury management operations for the year to 31 March 2020 and to approve revised investment counterparty limits for 2020/21.

B. RECOMMENDATION

It is recommended that the Council:

1. Notes the report in Appendix 1 on the treasury management operations for 2019/20;
2. Notes the exercise of the Head of Finance and Property Services' delegated treasury management powers;
3. Approves amendments to the council's investment counterparty limits to help facilitate the retention of increased cash balances during the Covid-19 pandemic.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Being honest, open and accountable, making the best use of our resources.
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Complies with the council's Treasury Policy Statement, the CIPFA Prudential Code for Capital Finance in Local Authorities, the CIPFA Treasury Management in Public Services – Code of Practice and Cross Sectional Guidance Notes and the Local Government Investments (Scotland) Regulations 2010.
III	Implications for Scheme of Delegations to Officers	No proposed changes to the Scheme of Delegation to Officers.
IV	Impact on performance and performance Indicators	None.
V	Relevance to Single Outcome Agreement	None.
VI	Resources - (Financial, Staffing and Property)	The annual treasury plan provides a framework for treasury management activities that aims to minimise risk and the council's future borrowing costs.
VII	Consideration at PDSP	Financial monitoring reports are presented directly to the Council for consideration.
VIII	Other consultations	The council's treasury advisers have been consulted in relation to the forecasts and recommendations included in the treasury plan.

D. TERMS OF REPORT

The annual report on the council's treasury management activity during 2019/20 is attached for consideration by Council.

Revised Investment Counterparty Limits 2020/21

In response to the Covid-19 pandemic, and associated lockdown, the council has been retaining maturing investments in highly liquid cash accounts to ensure that the council does not encounter any cash flow difficulties during this challenging time. Normally when a fixed term deposit matures, it would be reinvested for a period up to one year to maximise the return on investment whilst ensuring security of funds. With increased costs, and anticipated reductions in income, a delegated decision was taken to retain these maturing investments in the overnight bank account and highly liquid money market funds. This approach has ensured that the council has not encountered any cash flow difficulties.

With an increase in the value of highly liquid cash balances and with interest rates being at historic lows there is a requirement to slightly amend the limits associated with money market funds and local authorities to ensure that the council does not breach any of its approved counterparty limits. Money market funds are high quality, short term, instant access cash instruments. Local authority investments have also proven to be extremely attractive recently, providing enhanced interest rates at extremely low risk as they are unwritten by the government. Within the investment spectrum, both are considered extremely low risk and provide an attractive alternative as they provide slightly higher returns than the council's overnight bank account.

Currently the council can invest a maximum of 35% of total investments in money market funds, with a maximum of £10 million in any one fund. It is not proposed to increase the percentage limit, but to increase the maximum in any one fund from £10 million to £15 million. In addition, it is proposed to remove the current monetary limit of £10 million for local authorities, whilst retaining the current percentage limit of 20% of total investments. The maximum limit for individual authorities will remain the same at £5 million. These changes will not expose the council to any increased treasury risks but will provide some flexibility during this challenging time when it is preferable to have instant access to cash balances and interest rates are at historically low levels.

E. CONCLUSION

The actions taken during the year complied with the Annual Plan for 2019/20 approved by Council on 19 February 2019 and the Treasury Management Policy Statement in the Financial Regulations.

F. BACKGROUND REFERENCES

CIPFA Treasury Management in Public Services Code of Practice and Guidance Notes
West Lothian Council Treasury Policy Statement and Treasury Management Practices
Annual Strategy for 2019/20 (approved by West Lothian Council 19 February 2019)
Treasury Management 2019/20 Interim Report to West Lothian Council (19 November 2019)
CIPFA Prudential Code for Capital Finance in Local Authorities
Local Government Investment (Scotland) Regulations 2010

Appendices/Attachments:

Treasury Management Annual Report for 2019/20

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Donald Forrest
Head of Finance and Property Services
Date: 29 September 2020

DATA LABEL: PUBLIC

WEST LoTHIAN COUNCIL

TREASURY MANAGEMENT

Annual Report for 2019/20

Donald Forrest

Head of Finance and Property Services

29 September 2020

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1.0 Introduction

In accordance with the council's Standing Orders, Financial Regulations, and the Local Government Investments (Scotland) Regulations 2010, an annual report on the operation of the treasury management function must be presented to the Council for consideration. The requirement to report to the Council complies with the revised Treasury Management Code and Scottish Investment Regulations.

Treasury management is defined in the CIPFA Code of Practice for Treasury Management in the Public Services as "the management of the organisation's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks."

The Annual Treasury Plan approved by West Lothian Council on 19 February 2019 set out the treasury management plans for 2019/20. This report assesses the implementation and outcome of the plan for the year.

2.0 Loans Fund Review

The Local Authority (Capital Finance and Accounting) (Scotland) Regulations 2016 that came into force on 1 April 2016 provide statutory provisions for local authority borrowing, lending and loans fund. The regulations require the statutory loans fund to be administered in accordance with the regulations, proper accounting practice and prudent financial management.

Following the introduction of the new regulations, a review of both the general fund and housing revenue account (HRA) loans fund advance repayments was undertaken. On 19 February 2019, Council agreed a number of changes to the way the statutory loans fund is operated. This included changes to the way interest is apportioned between general fund and the HRA and adoption of the asset life (annuity) method for debt repayment. From 1 April 2018, repayment of debt for loans fund advances is based on a period of 35 years and an interest rate of 5.5%.

On 24 September 2019, council agreed changes to the repayment methodology applied to historic loans fund advances. This means that historic advances will also be repaid over a longer period of time to ensure that payments can be assessed as prudent and reasonably reflect the period over which the community receives the economic benefit of assets. By applying this to both new and historic advances, there is a consistency of approach with all advances being repaid over the same period and at the same interest rate.

The debt repayments on prior year loans fund advances have been recalculated following the decision of Council, with changes being incorporated into the prudential indicators in Appendix 4.

3.0 Current Portfolio Position

The council's debt and investment position at the beginning and end of 2019/20 was as follows:

1 April 2019			31 March 2020	
Principal £m	Rate %		Principal £m	Rate %
604.2	4.0%	DEBT Fixed Rate Funding Variable Rate Funding Temporary Funding	609.2	3.9%
0.0	n/a		0.0	n/a
10.0	0.8%		5.0	0.9%
614.2	3.9%		614.2	3.9%
	40.1 years	Average Life of Debt		40.9 years
£m	Rate %	INVESTMENTS	£m	Rate %
117.3	0.86%	Cash Deposits	108.0	1.06%

Debt overall during the period remained the same at £614.2 million. Although the total overall debt remained the same, the debt mix changed with an increase in fixed rate funding. This included new fixed rate borrowing of £25 million, maturing fixed rate debt of £20 million and a reduction in temporary borrowing from £10 million to £5 million.

Investments reduced by £9.3 million during the year, however the average rate increased by 0.20%. West Lothian Council continues to be the highest performer in the Link Investment Benchmarking Club with the council securing attractive rates from government backed banks for investments of up to one year and taking advantage of some secure investments for a two-year period. The ability to secure investments for longer periods attracts better rates of interest, although the rates available in the market since the confirmation of the pandemic and the reduction in the Bank of England base rate mean rates of return are now considerably lower. Full details of the portfolio are provided in Appendix 1.

4.0 Performance Measurement

The CIPFA Directors of Finance Best Value Working Group and the Treasury Forum Group recommend the reporting of the following performance indicators.

2018/19		2019/20
3.80%	Average Cost of Servicing Loans Fund Advances in Year * Loans Fund Interest Rate * Loans Fund Expenses Rate	3.81%
0.06%		0.06%
3.86%		3.87%
14.75%	Local Performance Indicators * % debt at year end which is short term or variable * % debt at year end repayable in each of the next two years * Average interest rate of longer term borrowing raised in year * Average maturity of longer term borrowing raised in year	12.31%
16.38%		13.93%
2.30%		1.64%
48.4		29.0
years		years

There has been a slight increase in the council's average cost of funding borrowing in 2019/20 whilst the council's cost of delivering the treasury function has remained the same at 0.06% of total borrowing. The average rate of borrowing undertaken during 2019/20 is lower due to the prevalence of attractive interest rates during the year. The percentage of debt which is short term or repayable in each of the next two years is at a level which will not expose the council to any loan maturity risks.

5.0 The Strategy

5.1 *Interest Rate Forecasts*

The basis of the treasury management strategy lies with determining appropriate borrowing and investment decisions in the light of the anticipated movement in both long and short-term interest rates. The strategy for 2019/20 was structured around the general forecasts for interest rates, although there was a need for some flexibility of application dependent on prevailing economic conditions.

When the annual plan was approved, the average City view suggested that bank rates would remain at 0.50% until quarter two of 2019, with an increase to 1% expected at that point followed by a further increase to 1.25% in quarter one of 2020. Borrowing rates were expected to gradually increase during 2019/20. The Bank of England Monetary Policy Committee (MPC) agreed on 11 March 2020 to decrease the bank rate to 0.25%, and then further reduced the rate from 0.25% to 0.1% in an emergency move to help control the economic shock of the coronavirus pandemic.

The forecast for PWLB rates in the annual treasury plan was 2.1% to 2.3% for five years and 2.9% to 3.2% for 25 years. As a result of the announcement from HM Treasury on 9 October 2019, both short and long-term PWLB rates increased from the forecast in the treasury plan reported to Council in February 2019. The revised forecast for PWLB rates in the interim treasury report to Council in November 2019 was 2.5% for five years, 2.8% for ten years and 3.4% for 25 years.

5.2 *Capital Finance Strategy*

The annual strategy in February 2019 reported a new borrowing requirement of £29.7 million with replacement borrowing of £14.8 million. This gave a total borrowing requirement for 2019/20 of £44.5 million. Following approval of the updated general services and housing capital programmes in June 2019, the borrowing requirement was revised to take account of the reprofiling of borrowing for 2019/20 and to reflect updated programme phasing. The new borrowing requirement approved by Council on 19 November 2019 was £28.7 million which, along with replacement borrowing of £30.0 million, amended the total borrowing requirement for 2019/20 to £58.7 million.

Forecasts showed a range of options available to implement the borrowing strategy in 2019/20. Short temporary and variable rate borrowing was expected to be cheaper than longer term borrowing and, as such, would remain attractive throughout the financial year. It was planned to borrow a spread of short and medium-term loans from the Public Works Loan Board (PWLB) at the most opportune moments during the year.

It was also noted in the strategy that consideration would be given to whether it would be more beneficial to undertake external borrowing or fund the capital programmes with internal borrowing by reducing existing investments. Based on market conditions and advice from treasury advisors, a mix of long term, short term and internal borrowing was used to fund the 2019/20 programme.

6.0 The Economy and Interest Rates

The following table provides details of interest rates at the start and end of the financial year:

	At 1 April 2019	At 31 March 2020
Bank Rates	0.75%	0.10%
5 Year PWLB	1.52%	2.15%
10 Year PWLB	1.84%	2.34%
50 Year PWLB	2.24%	2.59%

After strong economic growth of 0.5% in quarter one of 2019, there was a contraction in quarter two, an increase back up to 0.5% in quarter three, with the final quarter flat at 0.0%. Optimistic business surveys had pointed to an upturn in growth at the beginning of 2020 after the result of the general election in December 2019, however the three-monthly GDP statistics in January remained at 0.0% growth.

On 11 March 2020, the MPC reduced the bank rate to 0.25% and then again down to 0.10% one week later when it was clear that the coronavirus outbreak posed a huge threat to the UK economy. The rate is now unlikely to rise for the next two years pending a prolonged recovery of the economy from the pandemic. In addition to the bank rate cuts, there was an increase in quantitative easing by the Bank of England of £200 billion.

The Government and Bank introduced various job schemes and measures to help businesses access loans from their banks in order to curb job losses as a result of the pandemic. The measures taken will result in a vast increase in the annual budget deficit from about 2% to nearly 11%, with the ratio of debt to GDP also likely to increase from around 80% to 105%. As a result of the close down of whole sections of the economy, GDP fell by 2.2% in quarter one and 20.4% in quarter two, meaning the UK economy is now in recession. There is huge uncertainty regarding how quickly the economy will recover. It is also unclear how the coronavirus outbreak may impact on the deadline of achieving a trade deal with the EU by the end of 2020.

CPI inflation has been on a falling trend since peaking at 3.1% in November 2017, reaching a new low of 1.4% in December 2019. In the January 2020 Bank of England Monetary Policy Report, the latest forecast for inflation is that it will remain below the MPC's target of 2% for the rest of 2020 and 2021 before rising to 2% in 2022 and then increasing to 2.1% in 2023. While inflation could turn negative in the Eurozone, this is currently not likely in the UK.

Over the last year wage inflation has been significantly higher than CPI inflation. This means that real consumer spending power has been increasing, supporting GDP growth. The employment rate, which had been growing during 2019/20, is expected to be impacted when the furlough scheme is withdrawn at the end of October.

Before the impact of the global pandemic, the trade position between China and the US was a major concern to financial markets and was responsible for depressing worldwide growth during 2019. Concerns of the general weakening of growth in the major economies of the world has resulted in government bond yields falling significantly during 2019. Gilt yields had been on a falling trend during 2019/20. Since confirmation of the pandemic, yields have fallen to record lows as investors, in anticipation of recessions have sold shares and moved cash into safer investments, such as government bonds. On 31 March 2020, all gilt yields from one to five years were between 0.12 and 0.20% while 25-year yields were only at 0.83%.

HM Treasury imposed two changes to gilt yield margins for PWLB rates in 2019/20. The first on 9 October 2019, added an additional 1% margin to all PWLB rates. This increase was then partially reversed on 11 March 2020. Reflecting on the recent PWLB consultation regarding rates, the Treasury will no longer allow local authorities to borrow money from the PWLB for commercial purposes if the aim is the generation of income. There is likely to be minimal upward movement in PWLB rates over the next two years as economies recover from the sharp recession caused by the coronavirus pandemic.

7.0 Capital Finance Activities

The original forecast borrowing requirement for 2019/20 of £29.7 million was revised in the interim treasury management report to £28.7 million. Including replacement borrowing of £30.0 million, the revised borrowing position was £58.7 million. The actual borrowing requirement for 2019/20 was £42 million. Actual borrowing undertaken during 2019/20 was £33 million, as detailed in Appendix 2, meaning that actual borrowing was less than the borrowing requirement for 2019/20.

This confirms that the council maintained an under borrowed position during 2019/20, with internal borrowing and use of cash reserves funding the difference between the borrowing requirement and the actual external borrowing undertaken. This mixture of internal and external borrowing is considered prudent in a low interest rate environment. It takes advantage of low borrowing rates to provide security of funding for approved capital investment, while also recognising that investment returns are low and counterparty risks can be increased when the borrowing requirement is fully funded by external borrowing.

8.0 Debt Rescheduling

The annual strategy stated that, due to the introduction of different rates for new borrowing and the early repayment of debt, the spread in rates significantly restricted opportunities for debt rescheduling. Based on this, there were no opportunities available to schedule long term fixed PWLB debt to short variable and temporary debt in 2019/20.

9.0 Management of Cash Flows and Investments

9.1 *Internally Managed Investments*

Cash flows are monitored daily to allow temporary investment of any surplus funds. The procedure allows for same day lending of cash surpluses to institutions approved in the Treasury Management Practices and leaves the bank current account balance at the optimum level of zero. The security of the council's funds is paramount and investment in 2019/20 was restricted to the major UK Clearing Banks, including the council's bankers Lloyds Banking Group, certain designated building societies, other local authorities, UK Government treasury bills and AAA rated money market funds.

9.2 *Investment Strategy*

As investment rates for short periods are low, the plan considered that a proportion of investments relating to cash backed balances and reserves not required for 2019/20 could be invested for longer than one year.

9.3 *Investment Results*

The annual plan highlighted that the council's policy of investing only in appropriately rated money market funds and UK banks and building societies was considered risk adverse, particularly in light of the recapitalisation of certain UK banks by the Government in October 2008 and January 2009. Detailed below are the results of the investment strategy undertaken during the year:

Average Investment	Rate of Return	Benchmark Return*
£120.5 million	1.06%	0.53%

* The benchmark is the seven day London Interbank Bid (LIBID) Rate, which is the benchmark suggested by Link Asset Services

The majority of investments were fixed for up to twelve months, when interest rates were significantly higher, and have resulted in a return of 0.53% above the benchmark, an increase of 0.18% above the 2018/19 rates.

During the year, the amount lent to approved organisations ranged from a low of £88.2 million to a high of £161.7 million. Investments at 31 March 2020 were £108 million invested at an average daily rate of return of 1.06%. This represents a robust return on investments as rates have dropped significantly in March 2020.

Authorised institutions and investments at 31 March 2020 are detailed in Appendix 3.

10.0 **Monitoring of Prudential Indicators**

The CIPFA Prudential Code was introduced to ensure the capital plans of local authorities are prudent, affordable and sustainable. To demonstrate compliance with these objectives, the Code establishes indicators designed to support and record local authority decision making. The 2019/20 indicators were originally approved by the Council on 19 February 2019 and revised on 19 November 2019. Performance against the approved indicators for 2019/20 is included in Appendix 4.

In December 2017, CIPFA issued a revised Treasury Management Code of Practice and a revised Prudential Code. Under the revised codes, all local authorities were required to prepare a capital strategy. The aim of the capital strategy report is to ensure that all elected members fully understand the overall capital strategy, governance procedures and risk appetite. The capital strategy report includes capital expenditure, investments and liabilities and treasury management in sufficient detail to allow all members to understand how stewardship, value for money, prudence, sustainability and affordability will be secured. In compliance with the revised codes, a report setting out the capital strategy was approved by Council on 19 March 2019.

11.0 **Conclusion**

This report outlines the treasury activities undertaken in 2019/20. Actions taken complied with the annual plan for 2019/20, which was approved by the Council on 19 February 2019, and the Treasury Management Policy Statement. Activities completed during the year also ensured that best value was secured in the delivery of the treasury function of the council.

Donald Forrest
Head of Finance and Property Services
Date: 29 September 2020

1 April 2019				31 March 2020		
Principal £m	£m	Rate %	DEBT	Principal £m	£m	Rate %
			Fixed Rate Funding			
543.6			PWLB	548.6		
60.6			Market	60.6		
0.0	604.2	4.0%	European Investment Bank (EIB)	0.0	609.2	3.9%
			Variable Rate Funding			
-			PWLB	-		
-			Municipal Bank	-		
-	-	-	Covenant	-	-	
			Temporary Funding			
10.0	0.8%		Market	5.0	0.9%	
614.2	3.9%		Total Debt	614.2	3.9%	
40.1 yrs			Average Life of Debt	40.9 yrs		
£m	Rate %		INVESTMENTS	£m	Rate %	
117.3	0.9%		In-House	108.0	1.1%	

Appendix 2

BORROWING IN 2019/20

Date	Amount Advanced £m	Details	Repayment Period
<u>PWLB</u>			
9 August 2019	5.00	1.48%	13 years
9 August 2019	5.00	1.84%	47 years
19 August 2019	5.00	1.73%	50 years
20 August 2019	5.00	1.63%	18 years
5 September 2019	5.00	1.54%	17 years
 <u>Temporary Borrowing – Local Authorities</u>			
26 June 2019 *	3.00	0.72%	1 month (repaid in year)
24 June 2019	2.00	0.90%	1 year
1 July 2019	3.00	0.90%	1 year
 Total Borrowing	<hr/> 33.00 <hr/>		

* Temporary borrowing undertaken during the financial year for cash flow purposes

The Average Rate and Life of Long and Short Term Debt Undertaken in 2019/20

Average rate – 1.52%

Average life – 24.33 years

Appendix 3

APPROVED ORGANISATIONS FOR INVESTMENT

	2019/20 Investment Limit £	Investment at 31 March 2020 £
<u>Council Bankers</u>		
Lloyds Banking Group (inc Bank of Scotland)	70,000,000	60,000,000
<u>WLC Rating Category 1*</u>	22,000,000	
No institutions in this category		
<u>WLC Rating Category 2*</u>	19,500,000	
No institutions in this category		
<u>WLC Rating Category 3*</u>	17,000,000	
HSBC Bank plc		0
<u>WLC Rating Category 4*</u>	14,500,000	
No institutions in this category		
<u>WLC Rating Category 5*</u>	10,000,000	
No institutions in this category		
<u>WLC Rating Category 6*</u>	7,000,000	
Goldman Sachs Bank		7,000,000
Nationwide Building Society		7,000,000
Santander UK plc		7,000,000
Sumitomo Mitsui Banking Corporation (SMBC)		7,000,000
<u>Local Authorities, Public Bodies & DMO**</u>	21,605,361	
<i>Maximum of 20% of total investments</i>		
All UK Local Authorities		10,000,000
UK Public Bodies		0
Debt Management Office – Deposit Account		0
Treasury Bills		0
<u>UK Nationalised Banks</u>	35,000,000	
Royal Bank of Scotland		0
National Westminster Bank		5,000,000
<u>Money Market Fund – AAA rated***</u>	37,809,381	
<i>Maximum of 35% of total investments</i>		
Aberdeen Standard Money Market Fund		4,730,000
<u>Other Permitted Investments</u>		
West Calder High School DBFMCo Ltd	350,000	296,805
TOTAL		108,026,805

* As rated by the lowest credit rating of the three credit rating agencies Fitch, Moody's and Standard & Poors.

** This limit fluctuates according to total investments. Based on current investments of £108.027 million, the limit would be £21.605 million.

*** This limit fluctuates according to total investments. Based on current investments of £108.027 million, the limit would be £37.809 million.

Appendix 4

MONITORING OF PRUDENTIAL INDICATORS – 2019/20

CAPITAL EXPENDITURE INDICATORS (Items 1 and 2)

1. CAPITAL EXPENDITURE

Purpose of the Indicator

The purpose of this indicator is to inform Council of actual capital spend in 2019/20.

	2019/20 £'000 Estimate	2019/20 £'000 Actual
General Services	36,398	39,956
Housing	38,051	30,394
Total	74,449	70,350

Performance

The indicator for housing is less than the revised 2019/20 estimate due to rephasing of projects within the programme, considering updated budgets agreed by Council on 18 February 2020. The decreased spend has been incorporated into the revised housing capital programme for 2020/21 to 2022/23. The indicator for general services capital was greater than the revised estimate agreed by Council on 19 November 2019. This is a result of accelerated expenditure in the programme, with projects making good progress and advancing more quickly than anticipated.

2. CAPITAL FINANCING REQUIREMENT

Purpose of the Indicator

The capital financing requirement measures the council's underlying need to borrow for a capital purpose. This is, at a high level, the council's total outstanding debt required to finance planned capital expenditure.

	2019/20 £'000 Estimate	2019/20 £'000 Actual
General Services	478,809	474,550
Housing	260,352	247,716
Total	739,161	722,266

Performance

The year end capital financing requirement is lower than the estimate reported in November 2019 for both general services and housing, as the capital programmes received more income to fund investment than had previously been forecast. In addition, there was slippage in the housing expenditure programme which has a larger proportion funded by borrowing. The additional income and slippage creates a reduced level of borrowing required to finance the 2019/20 general services and housing programmes.

AFFORDABILITY INDICATOR (Item 3)

3. RATIO OF FINANCING COSTS TO NET REVENUE STREAM

Purpose of the Indicator

This indicator provides a measure of the proportion of the budget that is being allocated to financing of capital expenditure. For the general fund, this is the ratio of financing costs of borrowing against net expenditure financed by government grant and local taxpayers. For housing, the indicator is the ratio of financing costs to gross house rental income.

	2019/20 Estimate	2019/20 Actual
General Fund	6.8%	6.4%
Housing	27.0%	27.0%

Performance

For general fund interest savings were generated during the year in addition to lower than anticipated borrowing in 2019/20. The general fund indicators were slightly lower than forecast as a result of the general services level of borrowing reducing more than the housing level of borrowing (financing costs are allocated between the two funds on the basis of total outstanding borrowing). Housing indicators matched the forecast.

FINANCIAL PRUDENCE INDICATOR (Item 4)

4. GROSS BORROWING AND THE CAPITAL FINANCING REQUIREMENT

Purpose of the Indicator

This indicator records the extent that gross external borrowing is less or more than the capital financing requirement (indicator 2 above). This is a key indicator of prudence and is designed to ensure that, over the medium term, external borrowing is only for a capital purpose. The values are measured at the end of the financial year.

	2019/20 £'000 Estimate	2019/20 £'000 Actual
Gross External Borrowing	739,161	706,708
Capital Financing Requirement	739,161	722,266
Under limit by	-	15,558

Performance

The council's total gross external borrowing is below the capital financing requirement, demonstrating that external borrowing is only for capital purposes.

TREASURY AND EXTERNAL DEBT INDICATORS (Items 5 to 8)

5. AUTHORISED LIMIT FOR EXTERNAL DEBT

Purpose of the Indicator

The authorised limit for external debt is required to separately identify external borrowing and other long-term liabilities such as covenant repayments, finance lease and PPP obligations. This limit provides a maximum figure to which the council could borrow at any given point during each financial year.

Authorised Limit for:	2019/20 £'000 Limit	2019/20 £'000 Actual
Gross External Borrowing	705,303	701,204
Other Long Term Liabilities	87,271	87,138
External Debt	<u>792,574</u>	<u>788,342</u>

Performance

The overall level of external debt (including long term liabilities such as finance lease and PPP obligations) at the end of the financial year was £4.232 million below the authorised limit approved by Council on 19 November 2019.

6. OPERATIONAL BOUNDARY FOR EXTERNAL DEBT

Purpose of the Indicator

This is a key management tool for in year monitoring and is lower than the Authorised Limit as it is based on an estimate of the most likely level of external borrowing at any point during the financial year.

Operational Boundary for:	2019/20 £'000 Limit	2019/20 £'000 Actual
Gross External Borrowing	695,303	691,204
Other Long Term Liabilities	86,271	86,138
External Debt	<u>781,574</u>	<u>777,342</u>

Performance

The overall level of external debt, including long term liabilities such as finance lease and PPP obligations, at the end of the financial year was £4.232 million below the operational boundary approved by Council on 19 November 2019.

7. ACTUAL EXTERNAL DEBT

Purpose of the Indicator

This is a factual indicator showing actual external debt for previous financial years.

	31 March 2018 £'000	31 March 2019 £'000	31 March 2020 £'000
Actual External Borrowing	585,889	620,854	620,570
Actual Other Long Term Liabilities	64,241	89,568	86,138
Actual External Debt	650,130	710,422	706,708

Performance

The decrease in actual external borrowing, consists of new borrowing of £33.0 million, offset by repayment of debt of £20.0 million. Actual external borrowing includes accrued loan interest at 31 March 2020, consistent with accounting treatment for loans.

8. TREASURY MANAGEMENT INDICATOR

This indicator intends to demonstrate good professional practice is being followed.

9.1 Adoption of the CIPFA Treasury Management Code

The CIPFA Treasury Code was adopted on 25 March 1997 as an indication of good practice. In line with the fully revised Treasury Code, the council's Annual Treasury Plan is reported to full Council for approval.

8.2 Upper limits for fixed and variable rate borrowing

The limit for fixed rate borrowing is 100% and the limit for variable rate borrowing is 35%. These limits mean that fixed rate exposures will be managed within the range of 65 to 100% and the maximum exposure to variable rate borrowing will be 35% of total debt. This is a continuation of current practice.

Level of fixed rate borrowing at 31 March 2020 – 100.00%

Level of variable rate borrowing at 31 March 2020 – 0.00%

8.3 Maturity structure of fixed rate borrowing for 2019/20

	Approved Upper Limit	Approved Lower Limit
Under 12 months	35%	0%
12 months and within 24 months	35%	0%
24 months and within 5 years	50%	0%
5 years and within 10 years	75%	0%
10 years and over	100%	25%

The maturity levels of debt at the year end were comfortably within these upper and lower limits.

8.4 Total principal sums invested for periods longer than 364 days

Following changes from the new Investment Regulations applicable from 1 April 2010, the council can make investments for periods longer than 364 days. At 31 March 2020, the council had £17 million of investments greater than one year.

The treasury management indicator confirms sound professional practice is being followed by the council in undertaking treasury management. The approved values and parameters provide sufficient flexibility in undertaking operational treasury management.

CONCLUSION

In monitoring the above prudential indicators, the council is fulfilling its duty under the Prudential Code. The monitoring indicates that spending plans remain affordable, prudent and sustainable, and that treasury management is operating in line with the requirements of the CIPFA Code of Practice for Treasury Management in the Public Services.

WEST LOTHIAN COUNCIL 29 SEPTEMBER 2020

QUESTION TO EXECUTIVE COUNCILLOR

DUALLING OF A801

A recent (9 July 2020) DPEA decision upheld an appeal by a developer against an obligation imposed by the Council to contribute to the dualling of part of the A801.

1. What lessons are to be drawn from the Reporter not supporting the Council's position?
2. How much is the anticipated financial loss should the development go ahead?
3. What are the implications for the upgrading of this road?



Councillor Stuart Borrowman

Independent

Armadale and Blackridge Ward

11/9/20
2.00
BY



WEST LOTHIAN CONSERVATIVE AND UNIONIST COUNCIL GROUP

West Lothian Council

29th September 2020

Question to Leader of the Council

To date what is the figure West Lothian Council have spent due to the Covid-19 pandemic and the extra demands on the Council and what extra has been received from the Scottish Government to cover this?

Councillor Damian Timson
Conservative Group Leader
East Livingston & East Calder Ward
West Lothian Council Conservative Group

Received by Val Johnston on 14
September 2020 at 8.16am



WEST LOTHIAN CONSERVATIVE AND UNIONIST COUNCIL GROUP



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