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**REPORT TO: SPECIAL MORAY COUNCIL ON 26 SEPTEMBER 2018**

**SUBJECT: MORAY COUNCIL'S CONNECTED CHARITIES' AUDITED ANNUAL ACCOUNTS FOR THE PERIOD 1 APRIL 2017 TO 31 MARCH 2018**

**BY: CORPORATE DIRECTOR (CORPORATE SERVICES)**

**1. REASON FOR REPORT**

- 1.1 To submit to the Council the audited Annual Accounts for Moray Council's Connected Charities for the year ended 31 March 2018.
- 1.2 This report is submitted to the Council for consideration as a suite of reports on the annual audit and accounts for 2017/18.

**2. RECOMMENDATION**

- 2.1 **It is recommended that the Council considers and approves the audited Annual Accounts for the Connected Charities for the financial year 2017/18.**

**3. BACKGROUND**

- 3.1 Moray Council (all 26 councillors) acts as sole trustee for the administration of 31 small charitable trusts, which are all registered with the Office of the Scottish Charities Regulator (OSCR).
- 3.2 Section 106 of the Local Government (Scotland) Act 1973 applies the accounting and auditing requirement of the Act to any trust fund where an authority or some members of the authority are the sole trustees. As section 106 requires an audit, the appointments of local authority auditors include the provision of an auditor's report for charitable funds covered by that section.
- 3.3 Regulation 7 of the Charities Accounts (Scotland) Regulations 2006 permits charities that have a common purpose or shared management to prepare a single set of "connected charities" accounts. Moray Council acts as sole trustee to 31 individual small charitable trusts. On the basis of this shared management arrangement, it has been agreed with the Council's auditors that the financial result of the 31 individual small charitable trusts can be consolidated into a single set of accounts for audit purpose.

- 3.4 A copy of the Connected Charities Audited Annual Accounts for 2017/18 has been circulated with the Agenda for this meeting.
- 3.5 The unaudited accounts were considered by Council on 28 June 2018. There have been no significant amendments as a result of the audit and audit process did not highlight any unamended changes to the accounts.
- 3.6 The External Auditors have given the Council an unqualified opinion in the Independent Auditors' Report, which can be found on pages 23 - 25 of the Accounts.
- 3.7 They have however commented that 20 of the charities have not disbursed funds and it is unclear how they fulfil the public benefit test.
- 3.8 The report to trustees states that the Council should continue with its planned re-organisation of the trusts in order to maximise the use of the funds available.

#### **4. SUMMARY OF IMPLICATIONS**

**(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))**

None.

**(b) Policy and Legal**

According to Paragraph 6 (1) of the Local Authority Accounts (Scotland) Regulations 1985, a Local Authority is required to submit its Audited Accounts to the Council each year.

The review by the External Auditors of the council's Accounts is in accordance with the council's Code of Corporate Governance and ensures that the council complies with established policies, procedures, laws and regulations.

**(c) Financial implications**

The revisions made to the accounts were only presentational and had no impact on the balances held in the Trust Funds.

**(d) Risk Implications**

There are no risk issues arising directly from this report. The work undertaken by Audit Scotland provides assurance to the council that the Connected Charity Accounts for 2017/18 give a true and fair view of the financial position and expenditure and income of the council for the year.

**(e) Staffing Implications**

Staff throughout the council provide information for the inclusion in the annual Statement of Accounts.

**(f) Property**

There are no property issues arising directly from this report.

**(g) Equalities/Socio Economic Impact**

There are no equalities issues arising directly from this report.

**(h) Consultations**

None.

**5. CONCLUSION**

- 5.1 The council's External Auditor has issued an opinion with no qualifications for the 2017/18 Connected Charities' Annual Accounts which means that the audited financial statements give a true and fair view of the financial position and expenditure and income of the council's Connected Charities for the year.**

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Background Papers: Held in Financial Services  
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