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Enhancing Accountability

REPORT

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OF

THE AUDITOR-GENERAL

ON

BARINGO COUNTY ELDERLY AND PERSONS WITH DISABILITY FUND

FOR THE YEAR ENDED 30 JUNE, 2019



REPUBLIC OF KENYA

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REPORT OF THE AUDITOR-GENERAL ON BARINGO COUNTY ELDERLY AND PERSONS WITH DISABILITY FUND FOR THE YEAR ENDED 30 JUNE, 2019

REPORT ON THE FINANCIAL STATEMENTS

Disclaimer of Opinion

I have audited the accompanying financial statements of Baringo County Elderly and Persons with Disability Fund set out on pages 1 to 6, which comprise the statement of financial position as at 30 June, 2019, statement of financial performance, statement of changes in nets assets, statement of cash flows and statement of comparison of budget and actual amounts for the year then ended, and notes to financial statements in accordance with the provisions of Article 229 of the Constitution of Kenya and Section 35 of the Public Audit Act, 2015.

I do not express an opinion on the accompanying financial statements. Because of the significance of the matters described in the Basis for Disclaimer of Opinion section of my report, I have not been able to obtain sufficient appropriate audit evidence to provide a basis for an audit opinion on these financial statements.

Basis for Disclaimer of Opinion

1. Errors in the Annual Report and Financial Statements

The annual report and financial statements as prepared and presented for audit were not in accordance with the format prescribed by the Public Sector Accounting Standards Board (PSASB) of International Public Sector Accounting Standards (IPSAS) accrual basis and lacking in the following content: -

- 1.1. Key entity information by management;
- 1.2. The board of trustees (or any other corporate governance body) for the Fund;
- 1.3. Management team;
- 1.4. Board/ Fund chairperson's report;
- 1.5. Report of the fund administrator;
- 1.6. Corporate governance statement;
- 1.7. Management discussion and analysis;
- 1.8. Corporate social responsibility statement/sustainability report;
- 1.9. Report of the trustees;
- 1.10. Statement of management responsibilities;
- 1.11. Summary of significant accounting policies;
- 1.12. The financial statements are not paginated;

- 1.13. Notes to the financial statements are incomplete; and
- 1.14. Other important disclosures;

Consequently, the annual report and financial statements as prepared and presented is incomplete and do not conform to the prescribed framework and format as set out by the PSASB under Section 194 of the Public Finance Management Act, 2012.

2. Inaccuracies in the Financial Statements

The financial statements prepared and presented for audit reflects the following inaccuracies: -

- 2.1. The statement of financial performance reflects opening fund balance of Kshs.2,882,445 which is contrary to the conventional accounting treatment of International Public Sector Accounting Standards No.1 on presentation of the financial statements which requires the balance to be reported in the statement of financial position;
- 2.2. The statement of financial position reflects deficit for the year of Kshs.1,758,573 which differs from the surplus in the statement of financial performance of Kshs.1,123,872 resulting to unexplained variance of Kshs.2,882,445;
- 2.3. The statement of changes in net assets reflects a deficit of Kshs.6,061,081 which differs from the statement of financial performance surplus for the year of Kshs.1,123,872 resulting to unexplained variance of Kshs.7,184,953;
- 2.4. The statement of financial performance reflects total revenue of Kshs.7,184,953 which differs from the revenue amount in the statements of comparison of budget and actual amount of Kshs.4,321,956 resulting to unexplained difference of Kshs.2,862,997;
- 2.5. The statement of changes in net assets reflects revolving fund and revaluation reserves balances of Kshs.20,184,022 and Kshs.312,245 respectively which are unsupported by way schedules nor disclosed in the statement of financial position;
- 2.6. The statement of cashflows reflects net decrease in cash and cash equivalents of Kshs.1,758,573. However, recasting of the balances yielded Kshs.1,123,872 resulting to unexplained variance of Kshs.2,882,445.

Consequently, the accuracy of the Fund's financial statements as prepared and presented for audit could not be confirmed.

3. Unsupported Payments

The statement of financial performance reflects Fund uses/expenditure/ disbursements/ administrative costs of Kshs.6,061,081;(2018-Kshs.7,791,423) as disclosed in Note 2 to the financial statements. The following unsatisfactorily matters were however noted: -

3.1 Unsupported Funds Disbursements

Included in the Kshs.6,061,081 are loan disbursements to elderly and persons with disabilities of Kshs.5,106,000;(2018-Kshs.5,672,000). However, the schedule in support

of the amount totaled to Kshs.5,000,000 resulting to unexplained variance of Kshs.106,000. Further, the loan disbursements were unsupported by way of payment vouchers, beneficiary listing and proof of registration of beneficiaries by the National Council for Persons with Disabilities. This contravenes Section 99(3) The Public Finance Management (County Governments) Regulations, 2015, which requires every entry in the accounts to be supported by a voucher or other approved document as gazetted by the Cabinet Secretary containing the full details, clear narrations and particulars of the item or items to which it relates.

3.2 Unsupported Administration Cost

Included in the Kshs.6,061,081 are administrative costs of Kshs.214,650;(2018-Kshs.300,000) which are unsupported by way of detailed schedules and payment vouchers. This in contravention Section 99(3) of the Public Finance Management (County Governments) Regulations, 2015.

3.3 Unsupported NHIF Remittances

The Kshs.6,061,081 also include NHIF expenditure of Kshs.738,000;(2018-Kshs.1,814,000) which are unsupported by way of detailed listing of beneficiaries and official acknowledgement receipts from the NHIF.

Under the circumstances, the validity and accuracy of Fund uses/expenditure/disbursements/administrative costs of Kshs.6,061,081 for the year ended 30 June, 2019 could not be confirmed.

REPORT ON LAWFULNESS AND EFFECTIVENESS IN USE OF PUBLIC RESOURCES

Conclusion

I do not express a conclusion on the lawfulness and effectiveness in the use of public resources as required by Article 229(6) of the Constitution. Because of the significance of the matters described in the Basis for Conclusion on Lawfulness and Effectiveness in Use of Public Resources sections of my report, I have not been able to obtain sufficient appropriate audit evidence to provide a basis for my audit conclusion.

Basis for Conclusion

1. Budget Control and Performance

The statement comparison of budget and actual amounts reflects final budget of Kshs.4,293,000. However, the annual work plan and approved budget estimates in support of the balance were not provided for audit review. This contravenes Section 31(a) of the Public Financial Management (County Governments) Regulations, 2015 which requires that all revenue and expenditure shall be entered into the county government budget estimates and approved for the year. Further, it contravenes Section 99(2) of the Public Financial Management (County Governments) Regulations, 2015 which requires that the approved budget estimates of expenditure shall form the basis of the financial statements for the financial year.

To the extend, the Fund's Management is in breach of the law.

2. Unapproved Fund Regulations

The Public Finance Management (Baringo County Older Persons and Persons with Severe Disabilities) Regulations, 2015 had not been approved by the responsible County Executive Committee Member nor the County Assembly. Consequently, the Fund has been operating contrary to Section 116(1) of the Public Finance Management Act, 2012.

To the extend, the lawful existence of the Fund is doubtful.

3. Non-Response to Management Letter

The Fund Management did not respond to the management letter issued on 14 May, 2020 on the audit contrary to the provisions of Section 31(4) of the Public Audit Act, 2015, which requires the accounting officer to respond within fourteen days from the date of receipt of the draft management letter to the Auditor-General including remedial actions that have been undertaken to address any qualifications in the draft management letter.

To the extend, the Fund's Management is in breach of the law.

4. Late Submission of 2018/2019 Financial Statements

The financial statements for financial year 2018/2019 were submitted to the Auditor General on 24 February, 2020 which was more than four (4) months late of the stipulated timeline of 30 September, 2019 as per Section 47(1) of the Public Audit Act, 2015.

To the extend, the Fund's Management is in breach of the law.

5. Cash and Cash Equivalents - Irregular SACCO Account

The statement of financial position reflects cash and cash equivalents balance of Kshs.1,123,872;(2018-2,882,445) consisting of balances held at two SACCO accounts. This is contrary to Section 119(1) the Public Finance Management Act, 2012 which requires the County Treasury to authorise the opening, operating and closing of bank accounts for the county government and its entities, except as otherwise provided by other legislation and in accordance with regulations made under this Act. It also contravenes Section 119(2) which requires each County Treasury to establish a Treasury Single Account at the Central Bank of Kenya or a bank approved by the County Treasury through which payments of money to and by the various county government entities are to be made. The SACCO accounts did not meet the requirements of a bank.

To the extend, the Fund's Management is in breach of the law.

REPORT ON EFFECTIVENESS OF INTERNAL CONTROLS, RISK MANAGEMENT AND GOVERNANCE

Conclusion

I do not express a conclusion on the effectiveness of internal controls, risk management and governance as required by Section 7(1)(a) of the Public Audit Act, 2015. Because of the significance of the matters described in the Basis for Disclaimer of Opinion and

Conclusion of Internal Controls, Risk Management and Governance sections of my report, I have not been able to obtain sufficient appropriate audit evidence to provide a basis for my audit conclusion.

Basis for Conclusion

Lack of Risk Management Policy

The Fund does not have a risk management strategy contrary to Section 158(1)(a) and (b) of the Public Finance Management (County Governments) Regulations, 2015 which requires the accounting officer to develop risk management strategies, which include fraud prevention mechanism and internal control that builds robust business operations.

Under the circumstances, adequacy and effectiveness of the risk management strategies and controls put in place could not be established.

Responsibilities of Management and those Charged with Governance

Management is responsible for the preparation and fair presentation of these financial statements in accordance with International Public Sector Accounting Standards (Accrual Basis) and for maintaining effective internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error and for its assessment of the effectiveness of internal control, risk management and overall governance.

In preparing the financial statements, Management is responsible for assessing the Fund's ability to continue to sustain services, disclosing, as applicable, matters related to sustainability of services and using the applicable basis of accounting unless Management is aware of the intention to terminate the Fund or to cease operations.

Management is also responsible for the submission of the financial statements to the Auditor-General in accordance with the provisions of Section 47 of the Public Audit Act, 2015.

In addition to the responsibility for the preparation and presentation of the financial statements described above, Management is also responsible for ensuring that the activities, financial transactions and information reflected in the financial statements are in compliance with the authorities which govern them, and that public resources are applied in an effective way.

Those charged with governance are responsible for overseeing the financial reporting process, reviewing the effectiveness of how the Fund monitors compliance with relevant legislative and regulatory requirements, ensuring that effective processes and systems are in place to address key roles and responsibilities in relation to governance and risk management, and ensuring the adequacy and effectiveness of the control environment.

Auditor-General's Responsibilities for the Audit

My responsibility is to conduct an audit of Baringo County Elderly and Persons with Disability Fund financial statements in accordance with International Standards of Supreme Audit Institutions (ISSAIs) and to issue an auditor's report that includes my opinion in accordance with the provisions of Section 48 of the Public Audit Act, 2015 and submit the audit report in compliance with Article 229(7) of the Constitution. However, because of the matters described in the Basis for Disclaimer of Opinion sections of my report, I was not able to obtain sufficient appropriate audit evidence to provide a basis for an audit opinion on these financial statements.

In addition, my responsibility is to express a conclusion about whether, in all material respects, the activities, financial transactions and information reflected in the financial statements are in compliance with the authorities that govern them, and that public resources are applied in an effective way, in accordance with the provisions of Article 229(6) of the Constitution and submit the audit report in compliance with Article 229(7) of the Constitution. I also consider internal control, risk management and governance processes and systems in order to give an assurance on the effectiveness of internal controls, risk management and governance in accordance with the provisions of Section 7(1)(a) of the Public Audit Act, 2015 and submit the audit report in compliance with Article 229(7) of the Constitution. However, because of the matters described in the Basis for Conclusion on Lawfulness and Effectiveness in Use of Public Resources, and Internal Controls, Risk Management and Governance sections of my report, I was not able to obtain sufficient appropriate audit evidence to provide a basis for an audit conclusion.

I am independent of the Fund in accordance with ISSAI 130 on Code of Ethics. I have fulfilled other ethical responsibilities in accordance with the ISSAI and in accordance with other ethical requirements applicable to performing audits of financial statements in Kenya.

CPA Nancy Gathungu, CBS AUDITOR-GENERAL

Nairobi

24 January, 2022

REPORTS AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 30TH JUNE, 2019

1 FINANCIAL STATEMENTS

STATEMENT OF FINANCIAL PERFORMANCE FOR THE YEAR ENDED 30TH JUNE, 2019 1.1

STATEMENT OF FINANCIAL PE			2017-2018
Particulars / Details	Note	2018-2019 Kshs	Z017-2018 Kshs
r articulars / Details		KSIIS	KSIIS
Revenue from Non-Exchange Transaction			
Opening Balance for the Period	1	2,882,444.91	7,644,912.10
Transfers from Baringo County	1	4,293,000.00	3,000,000.00
		7,175,444.91	10,644,912.10
Revenue from Exchange Transaction			
Interest Earned	1	9,507.87	28,956.25
		9,507.87	28,956.25
TOTAL REVENUES		7,184,952.78	10,673,868.35
PAYMENTS			
Fund Uses / Expenditure/Disbursements/ Administration Costs	2	6,061,081.18	7,791,423.44
TOTAL PAYMENTS/ EXPENSES		6,061,081.18	7,791,423.44
Other gains/Loses			
Gain / Loss on Disposal of Assets			
SURPLUS/DEFICIT FOR THE PERIOD		1,123,871.60	2,882,444.91
The accounting polices and explanatory notes to the	ese financial statemen	nts form an integral part of the	e financial statements.
The entity financial statements were approved on _	2	2019 and signed by:	ho
Fund Administrator		Fund Accountant Thomas Chesaro	Name: CPA ICPAK Member
Name Clade M. Klade (CO)		Normhan	15566

Thomas Chesaro Number 15566 Name: Gladys M. Kiseku (CO)



REPORTS AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 30TH JUNE, 2019

1.2 STATEMENT OF FINANCIAL POSITION AS AT 30TH JUNE,2019

STATEMENT OF FINANCIAL POSITION AS AT 30	2018-2019	2017 2019	
EINANGIAL ACCETO	Kshs	Kshs	
FINANCIAL ASSETS			
Current Assets			
Cash and Cash Equivalents	3 1,123,87	71.60 2,882,444.91	
Prepayments			
Inventories			
TOTAL FINANCIAL ASSETS	1,123,87	71.60 2,882,444.91	
LESS: FINANCIAL LIABILITIES			
Accounts Payable			
TOTAL FINANCIAL LIABILITIES			
NET FINANCIAL ASSETS/(LIABILITIES)			
REPRESENTED BY			
Fund balance b/fwd	2,882,44	7,644,912.10	
Surplus/Defict for the year	(1,758,57	(3.31) (4,762,467.19)	
Prior year adjustments			
NET FINANCIAL POSITION	1,123,87	1.60 2,882,444.91	
The accounting policies and explanatory notes to these financia	l statements form an integral p	part of the financial statements.	
The financial statements were approved on	2019 and signed by:		
2.2 SEP 2020		- How	
Fund Administrator	Fund Accounta		
Name: Gladys M. Kiseku CO	Thomas Chesa	ro ICPAK Member Number 15566	

REPORTS AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 30TH JUNE, 2019

1.3 STATEMENT OF CHANGES IN NET ASSETS AS AT 30TH JUNE,2019

	Revolving Fund Kshs	Revaluation Reserve Kshs	Accumulated Surplus Kshs	Total Amount
	KSIIS	KSIIS	KSIIS	Kshs
Balance as at 1 st July, 2017	12,891,022	273,781	(5,519,891)	7,644,912
Surplus / Deficit for the period	-	-	(7,791,423)	(7,791,423)
Funds Received During the Year	3,000,000	-	-	3,000,000
Revaluation Gain	-	28,956.25	-	28,956
Balance as at 30 th June, 2018	15,891,022.00	302,737.37	(13,311,314.46)	2,882,445
Balance as at 1st July, 2018	15,891,022	302,737	(13,311,314)	2,882,445
Surplus / Deficit for the period	-	-	(6,061,081)	(6,061,081)
Funds Received During the Year	4,293,000	-	-	4,293,000
Revaluation Gain	-	9,507.87	<u>-</u>	9,508
Balance as at 30 th June, 2019	20,184,022.00	312,245.24	(19,372,395.64)	1,123,871.60

REPORTS AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 30TH JUNE, 2019

1.4 STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30TH JUNE, 2019

Cash Flows from Operating Activities	Note	2018-2019	2017-2018
Descipts for an article		Kshs	Kshs
Receipts for operating income			
Public Contributions and Donations Transfers from Paris			
Transfers from Baringo County, Loan Recovered and Interest Earned		7 104 052 70	10 (72 0(0 25
	1	7,184,952.78	10,673,868.35
Total Receipts		7,184,952.78	10,673,868.35
Payments for operating expenses			
Disbursement to the Elderly & PWDs	2	5,106,000.00	5,672,000.00
Administrative Costs	2	214,650.00	300,000.00
NHIF Remitances	2	738,000.00	1,814,000.00
Emica Logistics Ltd	2	-	-
Bank Charges/Tax on interest expenses	2	2,431.18	5,423.44
Adjusted form		6,061,081.18	7,791,423.44
Adjusted for: Decrease / Increase in Accounts Receivables			
(Outstanding Imprest)			
Increase / Decrease in Accounts payables		-	
(Deposits and Retention)		_	
Adjustments during the year			
Net Cash flows from operating activities		1,123,871.60	2,882,444.91
Cash Flows from Investing Activities			
Purchase of Property, Plant, Equipment and Intangible Assets		_	_
Proceeds from sale of Property, Plant and			
Equipment			
Proceeds from Loan Principal Repayments			
Loan Disbursement Paid Out		-	-
Net cash flows from Investing Activities		-	-
Cash Flows from Financing Activities		-	
Proceeds from Revolving Fund Receipts			-
Additional Borrowings		1 -	
Foreign borrowing		-	-
Net cash flows from financing activities		-	-
Net Increase In Cash and Cash Equivalents		(1,758,573.31)	(4,762,467.19)
Cash and cash equivalent at BEGINNING of the year		2,882,444.91	7,644,912.10
Cash and cash equivalents as at 30 th June, 2019		1,123,871.60	2,882,444.91

REPORTS AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 30TH JUNE, 2019

1.5 STATEMENT OF COMPARISON OF BUDGET AND ACTUAL AMOUNTS FOR THE PERIOD ENDED 30TH JUNE,2019

Revenue	Original Budget Kshs	Adjustments Kshs	Final Budget Kshs	Actual on Comparable Basis Kshs	Performance Difference Kshs	% Utilisation Kshs
Balance Brought Forward	-		-	-	-	0.00%
Transfer from County Government	4,293,000	-	4,293,000	4,293,000	-	100.00%
Interest Income	-	-	-	28,956.25	(28,956)	0.00%
Other Income (Loan Repayment)	-	-		-	-	0.00%
Total Income / Revenue	4,293,000	-	4,293,000	4,321,956	(28,956)	
Expenses						
Disbursement to the Elderly & PWDs	4,078,350	-	4,078,350	5,106,000	(1,027,650)	0.00%
Administrative Costs	214,650	-	214,650	214,650	-	100.00%
NHIF Remitances			-	738,000	(738,000)	0.00%
Emica Logistics Ltd			-	-	-	0.00%
Bank Charges/Tax on interest expenses	-	-	-	2,431	(2,431)	0.00%
Total Expenses Surplus / Deficit for the Period	4,293,000	-	4,293,000	6,061,081 (1,739,124.93)	(1,768,081) 1,739,124.93	141.00%

REPORTS AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 30TH JUNE, 2019

NOTES TO THE FINANCIAL STATEMENTS

1 EXCHEQUER RELEASES/BARINGO COUNTY

Description and reference of the transfer	Date of transfer	2018-2019	2017-2018
		Kshs	Kshs
Revenue from Non-Exchange Transaction			
Balance Brought Forward	1/7/2018	2,882,444.91	7,644,912.10
1st quarter transfer	31/8/2018	3,000,000.00	-
2nd quarter transfer		-	3,000,000.00
3rd quarter transfer	29/1/2019	1,293,000.00	_
4th quarter transfer		-	
		7,175,444.91	10,644,912.10
Revenue from Exchange Transaction			
Interest Income/Earned	30/6/2019	9,507.87	28,956.25
		9,507.87	28,956.25
Total		7,184,952.78	10,673,868.35

2 FUND USES / EXPENDITURE / DISBURSEMENT

	2018-2019	2017-2018
	Kshs	Kshs
Disbursement to the Elderly & PWDs	5,106,000.00	5,672,000.00
Administrative Costs	214,650.00	300,000.00
NHIF Remitances	738,000.00	1,814,000.00
Emica Logistics Ltd	-	-
Bank Charges/Tax on interest expenses	2,431.18	5,423.44
Total	6,061,081.18	7,791,423.44

3 Bank Accounts

Name of Bank, Account No. & currency	2018-2019	2017-2018
	Kshs	Kshs
Boresha Sacco, Main A/c no. 504512804-01		
(Kshs)	305,871.60	1,958,444.91
Fund Disbursement A/c	818,000.00	924,000.00
Total	1,123,871.60	2,882,444.91

[The bank account held by the entity]