

CITY OF HAMILTON

CITY MANAGER'S OFFICE **Audit Services Division**

TO: Chair and Members WARD(S) AFFECTED: CITY WIDE

Audit, Finance and Administration Committee

COMMITTEE DATE: June 11, 2012

SUBJECT/REPORT NO:

Follow Up of Audit Report 2010-12 - Provincial Offences Administration (POA) -

Revenue and Cash Handling (AUD12012) (City Wide)

SUBMITTED BY:

Ann Pekaruk Director, Audit Services City Manager's Office

SIGNATURE:

PREPARED BY:

Ann Pekaruk 905-546-2424 x4469

RECOMMENDATION

That Report AUD12012, respecting the follow up of Audit Report 2010-12, Provincial Offences Administration (POA) – Revenue & Cash Handling, be received.

EXECUTIVE SUMMARY

Audit Report 2010-12, POA - Revenue & Cash Handling, was originally issued in March, 2011 and management action plans with implementation timelines were included in the Report. In April, 2012, Internal Audit conducted a follow up exercise to determine that appropriate and timely actions had been taken. 16 recommendations that management agreed to in the original Report and Addendum. six have been completed, six are in progress, one alternative has been implemented and two remain incomplete. Staff originally disagreed with one of the recommendations so no further follow up work was carried out.

Alternatives for Consideration – Not Applicable

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FINANCIAL / STAFFING / LEGAL IMPLICATIONS (for Recommendation(s) only)

Financial: Sound procedures and strong controls over the safeguarding of cash

reduce the risk of loss or theft. Reconciling records and investigating and

resolving discrepancies mitigate the risk of misappropriation of funds.

Staffing: None. Legal: None.

HISTORICAL BACKGROUND (Chronology of events)

Audit Report 2010-12, POA - Revenue & Cash Handling, was originally issued in March, 2011. The Report and Addendum provided 16 recommendations identifying areas for improvement with cash handling, segregation of duties, physical security over cash, reconciliation processes and collection and write off methods.

It is normal practice for Internal Audit to conduct follow up reviews within a 12-18 month period following issuance of the original report in order to determine whether action plans committed to by department management have been implemented.

POLICY IMPLICATIONS

- Provincial Offences Act
- Several City by-laws relating to noise, property standards, animal control

RELEVANT CONSULTATION

The results of the follow up were provided to management responsible for the administration and operations of the POA Office, City Clerk's, Corporate Services Department.

ANALYSIS / RATIONALE FOR RECOMMENDATION

(include Performance Measurement/Benchmarking Data, if applicable)

The report attached as Appendix "A" to Report AUD12012 contains the first three columns as originally reported in Report 2010-12 along with an added fourth column indicating Internal Audit's comments as a result of the follow up work. The original Addendum section containing seven recommendations also contains follow up comments.

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Six of the 16 recommendations have been fully implemented. These are: adequate segregations of duties; security of cash trays and deposits and secured access to the safe; reconciliation of Paytickets receipts to bank statements and recording in the ICON system; and staff responsible for initialling deposit envelopes and checking mathematical extensions.

For the one recommendation where an alternative was implemented, the current write off threshold was increased from \$30 to \$35.

There are six recommendations whose implementations are in progress. They are: reconciliation of receipts collected to those listed in ICON and investigation of discrepancies; documentation to support the resolution of discrepancies between ticket payments at the Municipal Service Centres (CLASS) and the ICON systems; accuracy of Council write off reports; measures to ensure compliance with Payment Card Industry Data Security Standards; and reconciliation of cash floats.

The two recommendations that were not completed are: bank reconciling items cleared in the month to which they pertain; and reconciliation of cash boxes and floats.

There was no follow up pertaining to one recommendation with which management disagreed.

ALTERNATIVES FOR CONSIDERATION

(include Financial, Staffing, Legal and Policy Implications and pros and cons for each alternative)

Not applicable.

CORPORATE STRATEGIC PLAN (Linkage to Desired End Results)

Focus Areas: 1. Skilled, Innovative and Respectful Organization, 2. Financial Sustainability, 3. Intergovernmental Relationships, 4. Growing Our Economy, 5. Social Development, 6. Environmental Stewardship, 7. Healthy Community

Financial Sustainability

 Delivery of municipal services and management of capital assets/liabilities in a sustainable, innovative and cost effective manner.

APPENDICES / SCHEDULES

Appendix "A" to Report AUD12012

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#	OBSERVATIONS OF EXISTING SYSTEM	RECOMMENDATION FOR STRENGTHENING SYSTEM	MANAGEMENT ACTION PLAN	FOLLOW UP (MARCH 2012)
1.	Segregation of Duties The Provincial Offences Administration (POA) Office may refund offence payments, In this regard, the Co-ordinator, Court Services, has responsibility for the total process – determining whether a refund is required, compiling supporting documentation, preparing and authorizing the cheque requisition, mailing the prepared cheque and recording the disbursement in ICON, the system utilized for administering provincial systems.	Administration (POA), authorize all cheque	Agreed. Effective immediately, the Supervisor, Court Administration now authorizes all cheque requisitions.	Completed. The Manager, Provincial Offences authorizes all cheque requisitions.
	A lack of segregation of duties exists as the individual who prepares and records the reimbursement also authorizes the cheque requisition and receives the cheque before mailing it. This creates an opportunity to misappropriate funds by reimbursing without valid justification.	That the Supervisor, Court Administration, review the Monthly Audit Write off Report. The Report should bear evidence of this review and indicate any resolution of questionable items.	the Supervisor, Court	Completed. The Manager, Provincial Offences reviews and initials the Monthly Audit Write off Report.

#	OBSERVATIONS OF EXISTING SYSTEM	RECOMMENDATION FOR STRENGTHENING SYSTEM	MANAGEMENT ACTION PLAN	FOLLOW UP (MARCH 2012)
1.	Segregation of Duties (Cont'd.) Further, the Co-ordinator, Court Services, performs write offs and is also responsible for reviewing the report which summarizes all the write offs for the month. Of the thirty-eight (38) write offs reviewed by Internal Audit, the Co-ordinator carried out sixty-three percent (63%) of them. A lack of segregation of duties in the writing off of offences and reviewing the "Monthly Audit Write off Report" may prohibit error detection.			
	While it is understood that an optimum segregation of duties is not possible due to the small size of the office staff, the addition of management review and approval would provide assurance of comprehensive secondary oversight.			

#	OBSERVATIONS OF EXISTING SYSTEM	RECOMMENDATION FOR STRENGTHENING SYSTEM	MANAGEMENT ACTION PLAN	FOLLOW UP (MARCH 2012)
2.	Access to Safe During the day, the room containing the open safe (where cash receipted are stored) is locked. The Senior Court Administration Clerk (CAC) and the Financial Officer store the keys to access the room in their unlocked desk drawers. By not securing these keys, unauthorized staff may gain access to the safe and the funds awaiting deposit.	That the Senior CAC and the Financial Officer lock their desk drawers when unattended or carry the key to access the room with the safe on their person. Management should regularly check that this practice is being adhered to and document any non-compliance.	Agreed. Effective immediately, the Senior CAC and Financial Officer lock their keys to the room containing the safe in their desk drawers. In fact, Management verified that this practice was in place during a recent staff absence.	Administration Clerk locks
3.	Physical Security of Cash Trays and Deposits During the course of the audit, several instances were observed in which staff left the cash window area and did not lock their cash drawers. It was also noted that a cash deposit was stored in a staff member's unlocked drawer. Not securing cash receipts provides an opportunity for individuals within the POA Office to access funds and makes them more susceptible to loss or theft.	That all CACs be reminded of their responsibility to always lock their cash drawers when they leave the staff counter area. Management should regularly check that this practice is being adhered to and note any non-compliance.	Agreed. Effective immediately, the Supervisor, Court Administration advised all Court Admin Clerks of this concern. Management will do regular spot checks and record results in a spreadsheet for future audit purposes.	management does not keep documentation of regular spot checks, Internal Audit verified that employees consistently lock their cash

#	OBSERVATIONS OF EXISTING SYSTEM	RECOMMENDATION FOR STRENGTHENING SYSTEM	MANAGEMENT ACTION PLAN	FOLLOW UP (MARCH 2012)
4.	Reconciliation of Receipts to ICON Cashiers are required to complete and sign a Cash Count Sheet as evidence that daily cash, cheque, money order, credit card and debit receipts reconcile to those recorded in ICON. However, the Cash Count Sheet is not reviewed or used by the Senior CAC or the Financial Officer as part of the daily receipt reconciliation process to ensure Point of Sale transactions agree to the offences paid in ICON. Also, any reconciling items on the Cash Count Sheet are not investigated or corrected daily. Reconciling records and investigating and resolving discrepancies mitigates the risk of misappropriation of funds.	That the Senior CAC and the Financial Officer use the Cash Count Sheet to document the daily reconciliation process between receipts collected and those recorded in ICON. Any discrepancies should be corrected and resolved with the cashier before processing of the next batch of transactions begins. As evidence of the reconciliation process and the accuracy of recorded receipts, the Cash Count Sheet should be initialed by the Senior CAC or Financial Officer.	the reconciliation sheet was revised to include signatures of the cashier and the verifier. Verifiers were informed that an investigation must occur when a cashier does not balance and complete and extensive documentation of the issue and resolution.	Sheet was revised to include a sign off area. The verifiers are not consistently signing the Sheet as evidence that the reconciliation occurred and is accurate. Descriptions

#	OBSERVATIONS OF EXISTING SYSTEM	RECOMMENDATION FOR STRENGTHENING SYSTEM	MANAGEMENT ACTION PLAN	FOLLOW UP (MARCH 2012)
5.	Reconciliation of Bank Activity a) A defendant can pay a fine over the internet using the Paytickets website which transmits payment information to ICON overnight with electronic credit card payments deposited directed into the POA bank account. In carrying out the monthly reconciliation processes and journalizing month end revenue entries, the Financial Officer does not reconcile the Paytickets revenue reported in ICON to that reported by the bank and simply uses the bank statement figure to prepare the journal entry. This resulted in an error in the June reconciliation process.	That the Financial Officer use the Paytickets report to prepare the monthly journal entry. It should be ensured that Paytickets amounts recorded in ICON match those recorded on the bank statement and differences are reconciled.	Agreed. The Financial Officer verifies the daily download of Payticket payments with the bank statement deposits and then the ICON reports. Once all are reconciled the PeopleSoft journal is prepared each month. The Financial Officer will review and reconcile any discrepancies in a timely manner.	Assistant reconciles payments recorded on the Paytickets daily download report to ICON and the bank
	Although the error was minor, there is a greater risk that the POA monthly reconciliation processes are not adequately reconciling recorded receipts to bank activity, in particular, Paytickets payments.			

#	OBSERVATIONS OF EXISTING SYSTEM	RECOMMENDATION FOR STRENGTHENING SYSTEM	MANAGEMENT ACTION PLAN	FOLLOW UP (MARCH 2012)
5.	Reconciliation of Bank Activity (Cont'd.) b) Journal entries are not posted in a timely manner. Rather than recording journals in the current month, transactions are left outstanding as reconciling items on the bank activity reconciliation. The following examples were noted: • Funds from other municipalities amounting to \$18,226.59 were deposited in the POA bank account in May 2010 but recorded in PeopleSoft in June 2010; • Funds from a collection agency amounting to \$3,167.60 were processed by the bank on June 29, 2010; however, these receipts were not captured as part of the June financial results; • A NSF cheque amounting to \$135 was recorded and returned by the bank in May 2010 but recorded in PeopleSoft in June 2010; and	Administration, review monthly	Alternatives to be implemented. Effective immediately, the Financial Officer will confirm all direct deposits from other municipalities and collection agencies on the bank statement to assist keeping bank deposits and PeopleSoft entries within the same month. The Financial Officer will be copied in e-mail correspondence between the Collection Coordinator and collection agency when an invoice error is detected and corrected. The Financial Officer will ensure all reconciling items (including NSF cheques) are cleared in the appropriate month.	continue to appear as outstanding reconciling items on the bank activity reconciliation rather than being cleared in the month to

#	OBSERVATIONS OF EXISTING SYSTEM	RECOMMENDATION FOR STRENGTHENING SYSTEM	MANAGEMENT ACTION PLAN	FOLLOW UP (MARCH 2012)
5.	Reconciliation of Bank Activity (Cont'd.) • Several items on the June, 2010 bank reconciliation dated as far back as February, 2010 and had not been cleared.			
	Transactions should be recorded in the month they occur to provide the most up-to-date and accurate information.			

#	OBSERVATIONS OF EXISTING SYSTEM	RECOMMENDATION FOR STRENGTHENING SYSTEM	MANAGEMENT ACTION PLAN	FOLLOW UP (MARCH 2012)
6.	Lack of Supporting Documentation		Alternative to be implemented. Effective immediately, the Financial Officer has been given access to view and print reports from the MSC CLASS (point of sales) system showing POA payments processed at the MSCs. These CLASS reports will be used by the Financial Officer to reconcile MSC payments to those received and processed in the POA	In Progress. The Financial Assistant matches payments recorded in the MSC CLASS and POA ICON systems. However, the existence, nature and resolution of discrepancies between the two systems are not clearly documented or accounted for

ADDENDUM

The following items were noted during the course of the audit. Although they do not present internal control deficiencies, they are indicated in this Addendum so management is aware of the issues, risks and inefficiencies and can address them appropriately.

Council Approval of Written Off Offences

1. On September 8, 2010, Council approved a write off of \$564,740 pertaining to offences in default for more than seven years. This amount was based on an estimate calculated by the POA Office in April 2010. Although offences were coded to be written off in July and August 2010, the POA Office did not revise the estimate to report actual write offs of \$603,628 to Council. The difference resulted from a variation in the estimate to actual of offences more than 7 years old and from not capturing write offs for deceased persons and underpayments in the original Council report.

It is recommended:

That the POA Office set a precise cut-off period and generate an accurate actual write off report to Council for approval.

Management Response:

Agreed (in principle). In the future, the POA Write Off Report presented to Council will include separate numbers for deceased persons and minor underpayments in addition to amounts for offences deemed over 7 years old and uncollectible. The POA Office will set a precise cut off date for the write offs once the Ministry of the Attorney General (MAG) provides the POA Office with information on purging records from the system.

The POA Office, however, does not agree with Internal Audit's \$603,628 estimate of actual write offs. Further activity may occur to cases after the write off code has been entered into the ICON system and before MAG removes the offence in the final system purge (i.e. payment of a fine, approval of an extension of time to pay, an appeal or re-opening of a case). Even though MAG indicated a write off purge report would be generated twice a year using date criteria (June 30 and December 31), no such purges have yet occurred for 2010 write offs. As a result, it is not possible to reconcile the \$564,740 write off approved by Council against the number actually purged from ICON in 2010.

Follow Up Comment:

In Progress. Write offs pertaining to uncollectible offences, underpayments and deceased persons are segregated in the POA Write Off Report. The POA Office set cut-off periods for these write offs. However, the cut-off periods are not adequately detailed in the POA Write Off Report. Also, the six month cut-off period for deceased persons write offs is expected to increase to a 12-month reporting period next year.

Writing Off of "Minor Underpayments"

2. "Minor underpayments" under \$30 may be written off as per the POA Write Off Best Practices. The POA staff have been writing off amounts greater than \$30. This increases the risk of inappropriate write offs.

It is recommended:

That the POA Office update the POA Write off Best Practices to reflect the types and amounts of fees that are considered "minor" and acceptable to write off as per current practice and considering the cost to collect.

Management Response:

Agreed. The POA Write off Best Practices Policy will be reviewed and updated to reflect current write off procedures and costs.

Follow Up Comment:

Alternative Implemented. The POA Write Off Best Practices were revised to increase the write off threshold to \$35 and to identify specific staff who may write off amounts in excess of \$35. Although Internal Audit noted instances where unauthorized staff wrote off amounts in excess of the threshold, these transactions had been investigated and approved by the Manager, Provincial Offences as part of the review of the Monthly Audit Write off Report (refer to Report item #1). The residual level of risk for this process has been reduced to a sufficiently low level.

Efficiency and Effectiveness of Collection Efforts

3. The POA Office does not have recovery expectations or performance measures for internal staff or external collection agencies to assess the efficiency or effectiveness of collection efforts. From January – September 2010, defaulted fines of approximately \$2.8M were collected of which 75% (\$2.1M) were collected internally and the remainder (\$700K) collected by external collection agencies. Without context in relation to the amount of total defaulted fines and amounts written off during the year, it is very difficult to assess whether collection efforts are efficient and the minimum amount of fines are written off each year.

It is recommended:

That the POA Office develop and measure performance indicators, such as collection rates, to assess the performance of internal and external collection efforts. Future collection initiatives and strategies should be developed based on information gained from performance measures.

Management Response:

Disagree. The POA office currently utilizes all known collection strategies available to a municipality. The POA Office is restricted as to the types of collection strategies that can be implemented due to having limited personal information about defendants and such access is restricted due to freedom of information legislation.

Collection of unpaid fines is unique and dependent on individual circumstances (e.g. type of defendant; fine amount; type and number of files assigned to individual collections staff). Thus, it is difficult to forecast collection rates with any degree of accuracy.

The monetary amount of fines collected by external collection agencies are compared to one another and to amounts collected by the internal collection department as a whole. There is very little variance between monetary amounts collected by the two external agencies, whose collections are on par with what they are collecting for other municipalities.

Follow Up Comment:

Management originally disagreed. No follow up was performed.

Protection of Cardholder Data

- 4. The City must demonstrate compliance with Payment Card Industry (PCI) Data Security Standards (DSS) which address the handling of credit cardholder information. The POA Office retains the following documents which contain a Primary Account Number (PAN) and other cardholder data (i.e. cardholder name and expiry date):
 - Moneris POS Stored Transactions Tape;
 - Payment Notice (Part I Offence);
 - Notice of Fine and Due Date:
 - For Credit card Payments Form; and
 - First and Final Notices.

As the PAN and other cardholder data are stored together on these documents, this information must be protected in order to be PCI DSS compliant and secure sensitive cardholder data.

It is recommended:

That the Moneris POS administrator cards, used to generate the Transactions Tape, be stored in the safe to restrict the ability to access sensitive information from POS terminals. The Moneris POS Stored Transactions Tapes, generated to reconcile daily receipts, should be destroyed or secured appropriately after POS transactions are reconciled.

Management Response:

Agreed. The Moneris POS administrator cards have been collected and stored in the safe. Staff have been advised to shred the transaction detail report once their receipts have been reconciled.

Follow Up Comment:

In Progress. The Moneris POS administrator cards are stored in the safe. However, the Moneris POS Stored Transaction Tape is not destroyed once daily receipts are reconciled.

That the POA Office investigate ways to protect sensitive cardholder data on the forms outlined above. For instance, the POA Office may request the Ministry of the Attorney General change the format of such forms or restrict access to stored documents within the POA Office. The POA Office should inquire of actions being taken by other areas in the City to address PCI DSS and consider similar actions, where feasible.

Management Response:

Agreed. The Municipal Court Manager's Association's POA Forms Committee has requested that the Ministry of the Attorney General revise the POA forms to incorporate credit card information in a tear off portion that can be disposed of once the fine payment has been processed. A similar request has been made to the collection software author for collection forms. In the interim, POA staff will black out the credit card number if the form needs to be retained. Also, the POA Office will be seeking an opinion from the City's PCI compliance team whether locking these files in a secure room will meet compliance criteria.

Follow Up Comment:

In Progress. A security card reader has been installed to restrict access to stored documents to staff working in the POA Office. Although staff black out credit card numbers on the majority of documents, the credit card number can still be read. Part 1 Payment Notices now have credit card information in a tear off portion but these revised forms will not be used until April 2012 and other POA forms have not incorporated similar tear off areas to dispose of credit card information.

Reconciliation of Cash Boxes

5. Petty cash and witness fee cash boxes are not reconciled in a timely manner. Even though the amounts are minor in value, cash boxes that are not counted on a regular basis provide the opportunity for individuals with access to misappropriate funds. It may also be more difficult for staff to investigate or explain differences discovered as part of the reconciling process due to the length of time that has transpired.

It is recommended:

That the Financial Officer count and reconcile the petty cash and witness fee cash boxes on a quarterly basis.

Management Response:

Agreed. Effective immediately, the Financial Officer will count and reconcile the petty cash and witness fee cash boxes on a quarterly basis.

Follow Up Comment:

Not Completed. The Financial Assistant does not count and reconcile the petty cash and witness fee cash boxes on a periodic basis.

Reconciliation of Cash Floats

6. On a daily basis, the Senior CAC or the Financial Officer re-counts the cash deposit. However, cash remaining in the tray (i.e. the float) is not recounted to ensure it is intact. An opportunity exists for the cashiers to kite funds from the float until the monthly CAC rotation occurs.

It is recommended:

That the Senior CAC or the Financial Officer count the cashiers' floats as part of the daily receipt reconciliation process. As evidence of such review, the float balance reported on the Cash Count Sheet should be initialed by the Senior CAC or Financial Officer.

Management Response:

Agreed. Effective immediately, the cashier's floats are now counted as part of the daily reconciliation process. The Senior Court Admin Clerk or the Financial Officer initials the Cash Count Sheet to show the float was counted and signs the Sheet with the cashier to vouch that the total reconciliation process was carried out.

Follow Up Comment:

In Progress. Although the Cash Count Sheet was revised to include a float sign off area, the verifiers are not consistently initialing the Sheet as evidence that the float was counted.

Approval of Deposit Envelopes

7. The Senior CAC or Financial Officer is not consistently initialing the cashier's deposit envelope as evidence that funds for deposit were verified and counted. Inadequate verification of deposit funds increases the risk that cash receipts are not deposited intact.

It is recommended:

That appropriate staff be reminded of their responsibility to initial deposit envelopes and check mathematical extensions as part of the daily receipt reconciliation process.

Management Response:

Agreed. Staff have already been reminded of this responsibility and the need to verify the mathematical extensions as part of the daily receipt reconciliation process.

Follow Up Comment:

Completed. The Senior Court Administration Clerk and Financial Assistant consistently initial deposit envelopes. Internal Audit did not detect errors with respect to mathematical extensions as part of the sample of deposit envelopes selected for testing.