

REPORT OF THE AUDITOR-GENERAL ON NATIONAL QUALITY CONTROL LABORATORY FOR THE YEAR ENDED 30 JUNE, 2020

REPORT ON THE FINANCIAL STATEMENTS

Adverse Opinion

I have audited the accompanying financial statements of National Quality Control Laboratory set out on pages 1 to 39, which comprise the statement of financial position as at 30 June, 2020, and the statement of financial performance, statement of changes in net assets, statement of cash flows and statement of comparison of budget and actual amounts for the year then ended, and a summary of significant accounting policies and other explanatory information in accordance with the provisions of Article 229 of the Constitution of Kenya and Section 35 of the Public Audit Act, 2015. I have obtained all the information and explanations which, to the best of my knowledge and belief, were necessary for the purpose of the audit.

In my opinion, because of the significance of the matters discussed in the Basis for Adverse Opinion section of my report, the financial statements do not present fairly, the financial position of the National Quality Control Laboratory as at 30 June, 2020, and of its financial performance and its cash flows for the year then ended, in accordance with International Public Sector Accounting Standards (Accrual Basis) and do not comply with the Public Finance Management Act, 2012 and Section 35D of the Pharmacy and Poisons Amendment Act, 1992.

Basis for Adverse Opinion

1.0 Unbalanced Trial Balance

The trial balance reflects debit balances totalling to Kshs.260,811,339 and credit balances totalling to Kshs.138,637,838 resulting in unexplained variance of Kshs.122,173,501. No explanation was provided for failure to reconcile the balances.

Under the circumstances, the accuracy and validity of the financial statements could not be confirmed.

2.0 Inaccuracy of the Statement of Cash Flows

The statement of cash flows reflects a decrease in payables-staff gratuity of Kshs.4,408,781 and an increase in deposits-prepayments of Kshs.9,878,270. However, the two balances are not supported by movements in the statement of financial position as at 30 June, 2020. In addition, the statement of cashflow reflects purchase of property plant and equipment of Kshs.190,205 under investing activities. However, the fixed assets movement schedule reflects additions of Kshs.51,005 resulting in un-reconciled difference of Kshs.139,200.

Under the circumstances, the accuracy and completeness of the statement of cash flows for the year ended 30 June, 2020 could not be confirmed.

3.0 Property, Plant and Equipment

3.1 Inaccuracy of the Property, Plant and Equipment Balances

The statement of financial position reflects comparative property plant and equipment figure of Kshs.60,042,741 which differs with the comparative balance in the property plant and equipment movement schedule of Kshs.71,410,669 resulting in unexplained difference of Kshs.11,367,928. Further, the fixed assets movement schedule reflects net book value for lab equipment of Kshs.45,344,123 but the movement cast to Kshs.45,204,923 resulting in unexplained difference of Kshs.139,200.

3.2 Land

As disclosed in Note 20A to the financial statements, the statement of financial position reflects property, plant and equipment balance of Kshs.65,592,651. However, as previously reported, the balance excludes an undetermined value of a parcel of land measuring four (4) hectares situated in Upper Hill, Nairobi which was allotted to the Laboratory in 1992. The parcel of land was re-allocated to the National Quality Control Laboratory in 1995 but was reduced from 4 hectares to 2.61 hectares. Available information indicated that out of 2.61 hectares, 1.26 was sold to Kenya-Re by the Kenya Media Trust and the remaining 1.35 hectares was taken over by Kenyatta National Hospital. However, a total of 2.35 hectares has since been surrendered back leaving Kenya-Re with 1.0 hectares and Kenyatta National Hospital with 1.35 hectares.

Further, the National Land Commission has repossessed part of 1.35 hectares surrendered by Kenyatta National Hospital and reallocated it to the Kenya Urban Road Authority for construction of road without the consent of the National Quality Control Laboratory. Available information indicated that the 1.35 hectares parcel of land surrendered by Kenyatta National Hospital is under survey process while Kenya-Re has since surveyed the 1.0 hectare for purposes of subdivision for the property. The laboratory has not obtained any ownership documents for the remaining 1.65 hectares and no evidence was provided that the processing of the same was on course.

Under the circumstances, the accuracy and completeness of property, plant and equipment balance of Kshs.65,592,651 reflected in the statement of financial position as at 30 June, 2020 could not be confirmed.

4.0 Cash and Cash Equivalents

The statement of financial position reflects a cash and cash equivalents balance of Kshs.32,067,900 as at 30 June, 2020. However, the current account bank reconciliation statement reflects a balance as per bank statement of Kshs.32,249,655 while the bank confirmation certificate reflects an amount of Kshs.31,355,655 resulting to an unexplained variance of Kshs.894,000.

Consequently, the accuracy of the cash and cash equivalents balance of Kshs.32,067,900 as at 30 June, 2020 could not be confirmed.

5.0 Receivables from Exchange Transactions

As disclosed in Note 17A to the financial statements, the statement of financial position reflects receivables from exchange transactions balance of Kshs.26,815,664 as at 30 June, 2020. The balance includes analysis fees totalling Kshs.6,013,120 reflected as owed by Kenya Medical Supplies Authority (KEMSA), which has been outstanding for more than fifteen (15) years. However, this balance has not reflected as a payable in the Authority's financial statements.

Further, the receivables balance includes other receivables from United Nations Development Programme-Southern Sudan of Kshs.1,476,930 and Government of South Sudan of Kshs.136,267 which have been outstanding for more than six (6) years and other debtors amounting to Kshs.4,111,507 which have been outstanding for more than three (3) years. A provision for bad and doubtful debts of Kshs.804,470 equivalent to 3% of total outstanding debtors has been made in respect of the outstanding receivables.

Consequently, the accuracy and validity of the receivables from exchange transactions balance of Kshs.26,815,664 reflected in the statement of financial position as at 30 June, 2020 could not be confirmed.

6.0 Inventories

The statement of financial position reflects a balance of Kshs.5,964,091 in respect of inventories while the approved annual stock take report reflects an amount of Kshs.18,385,027 resulting to an unexplained variance of Kshs.12,420,936.

Consequently, the accuracy of the inventories balance of Kshs.5,964,091 as at 30 June, 2020 could not be confirmed.

7.0 Restatement/Assets Revaluation

The statement of financial position reflects accumulated surplus carried forward balance of Kshs.74,774,078 which includes restatement/assets revaluation of Kshs.11,453,865 whose supporting documents including journal entries were not provided for audit review.

Consequently, the accuracy and validity of the restatement/assets revaluation of Kshs.11,453,865 for the year ended 30 June, 2020 could not be confirmed.

8.0 General Expenses

The statement of financial performance reflects general expenses of Kshs.17,652,925 for the year ended 30 June, 2020. However, the corresponding Note 14 to the financial statements cast to Kshs.17,034,666 resulting in an unexplained difference of Kshs.618,259.

Under the circumstances, the accuracy of general expenses of Kshs.17,652,925 for the year ended 30 June, 2020 could not be confirmed.

The audit was conducted in accordance with International Standards of Supreme Audit Institutions (ISSAIs). I am independent of the National Quality Control Laboratory Management 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. I believe

that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my adverse opinion.

Key Audit Matters

Key audit matters are those matters that, in my professional judgment, are of most significance in the audit of the financial statements. There were no key audit matters to report in the year under review.

Other Matter

1.0 Legal Status of National Quality Control Laboratory (NQCL)

As previously reported, the National Quality Control Laboratory was established under Section 35D of the Pharmacy and Poisons Act, Cap 244 of the Laws of Kenya on 28 October, 1992 and came into operation on 6 November, 1992. Since inception, the Laboratory has operated under the Division of Pharmacy in the Ministry of Health. However, in September, 2014, it was recognized as a Semi-Autonomous Government Agency (SAGA) in the Ministry of Health. Subsequently, in February, 2016, the State Corporation Advisory Committee after evaluating its capacity categorized the Laboratory at category PC 4B and advised the Ministry of Health to proceed to form an Inter-Ministerial Task Force to advise on attainment of full parastatal status. However, as at the time of audit, no progress had been made by the ministry on formation of the Inter-Ministerial Task Force.

2.0 Budgetary Control and Performance

During the year under review, the National Quality Control Laboratory actual receipts amounted to Kshs.88,952,581 against budgeted receipts of Kshs.91,405,000 resulting in revenue shortfall of Kshs.2,452,419. Further, the Laboratory actual expenditure amounted to Kshs.74,284,904 against budgeted expenditure of Kshs.106,141,000 resulting in an overall under absorption of Kshs.31,856,096. The revenue shortfall and the under expenditure adversely affected the planned activities and may have impacted negatively on service delivery to the public.

REPORT ON LAWFULNESS AND EFFECTIVENESS IN USE OF PUBLIC RESOURCES

Conclusion

As required by Article 229(6) of the Constitution, based on the audit procedures performed, I confirm that, nothing has come to my attention to cause me to believe that public resources have not been applied lawfully and in an effective way.

Basis for Conclusion

The audit was conducted in accordance with ISSAI 4000. The standard requires that I comply with ethical requirements and plan and perform the audit to obtain assurance about whether the activities, financial transactions and information reflected in the financial statements are in compliance, in all material respects, with the authorities that govern them. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my conclusion.

REPORT ON EFFECTIVENESS OF INTERNAL CONTROLS, RISK MANAGEMENT AND GOVERNANCE

Conclusion

As required by Section 7(1)(a) of the Public Audit Act, 2015, based on the audit procedures performed, I confirm that, nothing has come to my attention to cause me to believe that internal controls, risk management and overall governance were not effective.

Basis for Conclusion

The audit was conducted in accordance with ISSAI 2315 and ISSAI 2330. The standards requires that I plan and perform the audit to obtain assurance about whether effective processes and systems of internal control, risk management and governance were operating effectively, in all material respects. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my conclusion.

Responsibilities of Management and Board of Management

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 Laboratory's ability to continue to sustain its 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 Laboratory 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.

The Board of Management is responsible for overseeing the financial reporting process, reviewing the effectiveness of how the Laboratory 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 overall governance and risk management, and ensuring the adequacy and effectiveness of the control environment.

Auditor-General's Responsibilities for the Audit

The audit 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 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. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISSAIs will always detect a material misstatement and weakness 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.

In addition to the audit of the financial statements, a compliance audit is planned and performed 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.

Further, in planning and performing the audit of the financial statements and review of compliance, I consider internal control in order to give an assurance on the effectiveness of internal controls, risk management and overall governance processes and systems 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. My consideration of the internal control would not necessarily disclose all matters in the internal control that might be material weaknesses under the ISSAIs. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements caused by error or fraud in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions.

Because of its inherent limitations, internal control may not prevent or detect misstatements and instances of non-compliance. Also, projections of any evaluation of effectiveness to future periods are subject to the risk that controls may become inadequate because of changes in conditions, or that the degree of compliance with the policies and procedures may deteriorate.

As part of an audit conducted in accordance with ISSAIs, I exercise professional judgement and maintain professional skepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Management.
- Conclude on the appropriateness of the Management’s use of the applicable basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Laboratory’s ability to continue to sustain its services. If I conclude that a material uncertainty exists, I am required to draw attention in the auditor’s report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my audit report. However, future events or conditions may cause the Laboratory to cease to continue to sustain its services.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Obtain sufficient appropriate audit evidence regarding the financial information and business activities of the Laboratory to express an opinion on the financial statements.
- Perform such other procedures as I consider necessary in the circumstances.

I communicate with the Management regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that are identified during the audit.

I also provide Management with a statement that I have complied with relevant ethical requirements regarding independence, and to communicate with them all relationships and other matters that may reasonably be thought to bear on my independence, and where applicable, related safeguards.



CPA Nancy Gathungu, CBS
AUDITOR-GENERAL

Nairobi

28 January, 2022