



## **Internal Oversight Division**

Reference: IA 2015 - 02

## **Audit Report**

Audit of The WIPO Academy

(Parts of the original report were withheld or redacted due to the sensitive and confidential nature of issues raised)

June 18, 2015

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**LIST OF ACRONYMS**

<b>AIP</b>	Academic Institutions Program
<b>ATRIP</b>	International Association for the Advancement of Teaching and Research in Intellectual Property
<b>BI</b>	Business Intelligence
<b>CEB</b>	Chief Executive Board
<b>CDIP</b>	Committee on Development and Intellectual Property
<b>DL</b>	Distance Learning Program
<b>DPPF</b>	Department of Program Planning and Finance
<b>FIT</b>	Funds in Trust
<b>HRMD</b>	Human Resources Management Department
<b>ICS</b>	Individual Contractual Services
<b>ICTD</b>	Information Communication and Technology Department
<b>IOD</b>	Internal Oversight Division
<b>LDC</b>	Least Developed Countries
<b>LMS</b>	Learning Management System
<b>MoU</b>	Memorandum of Understanding
<b>P&amp;B</b>	Program and Budget
<b>PDP</b>	Professional Development Program
<b>PPBD</b>	Program Performance and Budget Division
<b>UNSWAP</b>	UN System-Wide Action Plan
<b>WIPO</b>	World Intellectual Property Organization
<b>WSS</b>	WIPO Summer Schools Sub-Program

## EXECUTIVE SUMMARY

1. The WIPO Academy (hereafter referred to as 'Academy') which was established in 1998 is a leading provider of training and teaching in IP for beneficiaries in developing countries, Least-Developed Countries (LDCs), and countries with economies in transition. However, in recent years, several other WIPO Programs are increasingly providing development-oriented trainings and capacity building services. Consequently, the clarity on roles and responsibilities among WIPO programs, and especially the role the Academy should have in trainings and capacity building activities, has become crucial for the successful implementation of its mandate. This will also minimize the duplication of efforts among WIPO Programs in undertaking similar training activities, currently leading to inefficiencies and impacting WIPO's image.

2. Having recognized the need for better efficiency and clarity in roles and responsibilities in delivering trainings and capacity building activities, WIPO Senior Management has decided to reposition the Academy. In this respect, the will of the WIPO Management has been confirmed in the Program and Budget (P&B) documents for 2014/15 and 2016/17, as well as in the relevant documents<sup>1</sup> issued. However, the actions that would be necessary to enable this repositioning to take form and be implemented are yet to be formalized to reflect the new role of the Academy.

3. Furthermore, to effectively achieve its expected results set in the P&B 2014/15 as well as the ones for the next biennium, the Academy needs to focus its efforts to address significant operational issues such as:

- harmonizing internal processes and practices;
- reviewing its current human resource structure and skills set;
- enhancing its current systems to better support operations and program delivery;
- further developing tools to better measure impact of its activities;
- improving its quality control framework to deliver effective and quality services; and
- reinforcing financial controls by including additional clauses in existing contractual agreements to clearly define roles and responsibilities for use of funds, and mitigate the related risks.

4. Finally, the Academy is well positioned to integrate gender mainstreaming within its programmatic content, which would yield relevant and measureable results.

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<sup>1</sup> A memorandum on the reform of the Academy sent to the Director General in 2013, and the Office Instruction for the appointment of the new Executive Director of the Academy OI/8/2015

## 1. BACKGROUND

5. The WIPO Academy which was established in 1998 is a Program under the Development Sector, linked to WIPO Strategic Goal III: Facilitating the use of Intellectual Property (IP) for Development. It relates to the expected result of “Enhanced human resource capacities able to deal with the broad range of requirements for the effective use of IP for development in developing countries, LDCs, and countries with economies in transition”.

6. The Academy is a leading provider of training and teaching in IP for beneficiaries in the above defined recipient countries, and also provides the nationals of these Member States with high quality training and teaching services.

7. To meet its objectives, the Academy has signed several agreements and Memoranda of Understanding (MoUs) with Government Institutions, Universities and other International and Para-Governmental Organizations for the joint provision of IP related training and teaching services. The Academy also awards scholarships and fellowships to a selected number of eligible participants from Member States.

8. The activities of the Academy which have evolved and expanded over the years are currently organized as follows:

- (a) Professional Development Program (PDP);
- (b) Distance Learning Program (DL);
- (c) Academic Institutions Program (AIP);
- (d) Executive Program (discontinued in 2014/15 biennium); and
- (e) WIPO Summer Schools Sub-Program (WSS).

9. In addition to the above, the Academy has been fostering start-up Academies (National IP Academies) in selected developing countries, following the approval of a project in this regard in 2009, by the WIPO’s Committee on Development and Intellectual Property (CDIP)<sup>2</sup>.

**Table 1: Total Number of Activities and Participants of the WIPO Academy in 2014<sup>3</sup>**

Programs	Number of activities	Number of Participants
<b>Face-to-Face Activities</b>		
Professional Development Program	17	216
Joint Master Programs	8	156
WIPO Summer Schools Sub-Program	9	352
<b>Subtotal</b>	<b>34</b>	<b>724</b>
<b>E-learning Activities (DL)*</b>		
General DL courses	3	30,552
Advanced DL courses	14	4,383
<b>Subtotal</b>	<b>17</b>	<b>34,935</b>
<b>TOTAL</b>	<b>51</b>	<b>35,659</b>

\* DL courses were provided in 10 languages

<sup>2</sup> Independent Report on Evaluation of the Pilot Project for the Establishment of “Start-Up” National IP Academies, CDIP/9/6

<sup>3</sup> Source: Annual statistical Report of the WIPO Academy 2014

## **2. AUDIT OBJECTIVES**

10. The objectives of this audit were to:

- (a) Review the effectiveness and efficiency of the governance, risk, and compliance processes including the current organizational structure of the Academy;
- (b) Review the effectiveness and efficiency of operational and resource management including staff management, and Information systems and tools; and
- (c) Assess the performance of the WIPO Academy, its effectiveness, efficiency and economy in delivering its mandate and program activities.

## **3. AUDIT SCOPE AND METHODOLOGY**

11. The audit scope covered operations related to WIPO Academy's activities between 2013 and 2014. The methodology included among others: analytical reviews, walkthroughs, sample testing, document reviews and interviews as appropriate. In more detail, the Internal Oversight Division (IOD) :

- (a) Interviewed key staff members to gain an understanding of the Academy's organizational positioning and internal structure, risk management and compliance practices in place, and how the Academy interacts with other Programs to effectively and efficiently deliver work plan activities in line with its objectives, and expected results;
- (b) Performed walkthroughs of the key business processes, to assess whether key controls are adequate and operate as intended;
- (c) Reviewed program activities, to assess their relevance and value and to verify the adequacy of methods and tools used to report on performance and outcomes;
- (d) Assessed the coordination of activities with other WIPO programs as well as the internal management of staff in the Academy;
- (e) Assessed the appropriateness of the Academy's budget and adequacy of its human resources with required skills and competencies, to implement its work plan activities; and
- (f) Reviewed information systems and tools to assess whether they provide adequate support, and timely and accurate information to management.

12. The scope of the audit did not include a review of the curriculum and other related training materials of the Academy.

13. The audit was performed in accordance with the International Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors (IIA).

#### 4. AUDIT OBSERVATIONS AND RECOMMENDATIONS

*Some observations have been redacted due to the sensitive nature of the information.*

##### A. OPERATIONAL MANAGEMENT

###### (i) Coordination and Cooperation among WIPO Programs

14. The Academy and other WIPO Programs, all independently develop and deliver training activities which in some cases may result in duplicates or overlaps, but also potential gaps in training activities, because of lack of coordination and cooperation. Also, it is unclear how these diverse trainings, which may not always be aligned with national IP strategies and Country plans, fit together to support the mid-term training requirements of Member States.

15. The Development Sector has made efforts to improve coordination and communication among its units by establishing a monthly Sector Activity Implementation Chart to monitor activities per unit and per country, to avoid overlaps and duplicates. However, more is needed to improve coordination and cooperation between the Academy and other Programs, and in particular regional bureaus outside the Development Sector, who hold a key role as desk offices for collecting information on Countries' IP strategies and needs.

16. Improved coordination with regional bureaus and a systematic alignment with Countries' National IP strategies and plans would better gear training activities' contents to countries' IP objectives and strategies, and help identify opportunities for synergies with other WIPO Programs involved in providing similar trainings.

17. Furthermore, to deliver more relevant and complementary training activities, all WIPO Programs involved in trainings, could collaborate to develop a comprehensive global catalogue that integrates IP trainings aligned with Member States' needs. Finally, while terms such as symposiums, workshops, trainings and meetings are regularly used by WIPO Programs to describe training activities, these terms and their modalities for delivery are not clearly defined. This could confuse the beneficiaries of these activities, and impact WIPO's reputation.

###### (ii) Resource Management

18. For the Academy to successfully fulfill its role as the core entity in WIPO for providing training for development, the current human and financial resources need to be assessed with a view to identifying and aligning resource needs with the set objectives. Providing adequate resources to expand the capacity of the existing information systems and tools to manage any expected increase in volumes would also help the Academy efficiently and effectively manage its activities.

19. Finally, identifying new sources of funding, for example, by: re-allocating training resources from the budget, identifying new partners for Funds in Trust (FIT), and increasing existing FIT, are avenues to explore to achieve success and sustainability.

(iii) Training Quality Assurance Framework

*Some parts of this observation have been redacted due to the sensitive nature of the information.*

20. A quality assurance framework would help define a set of criteria and practices to ensure that the Academy delivers high quality IP trainings. Currently, each program of the Academy has developed separate quality controls and hence, there is no common policy that governs quality procedures and practices.

21. Finally, although course content reviews are planned and performed, limited resources often lead to delays in performing an effective and timely course content review, which can in turn impact the quality of these courses. Consequently, the above conditions lead to uncertainty on the consistency and the levels of quality control measures applied by the Academy.

(iv) Management and Coordination within the Academy

22. The Academy can better deliver on its program activities by reviewing its current structure and enhancing internal coordination and cooperation among its sections, to benefit from potential efficiencies of a coordinated and cohesive delivery approach. There is also a lack of comprehensive internal and standard operating procedures that would otherwise facilitate knowledge sharing and transfer.

23. Furthermore, the existing workload is currently creating a backlog due to lack of resources. For example, the surveys used to obtain feedback from participants have not been reviewed and analyzed on a regular basis, with delays of several months. In addition, resources will be further constrained by upcoming prolonged absences and retirement.

24. Finally, over a period of time, staff members of the Academy have taken on various tasks such as: managing and evaluating applications, administering registrations and courses, managing logistics, developing and reviewing course contents, marketing the Academy, and providing customer services. However, these staff members have not been provided with adequate training to effectively perform the tasks.

25. Establishing an environment that is conducive to cooperation and knowledge sharing, and ensuring a balanced distribution of work and that staff members have appropriate skills to perform their tasks, would have a positive impact on program management and delivery.

(v) Policy Related Issues in the WIPO Academy

*Some parts of this observation have been redacted due to the sensitive nature of the information.*

26. The review of existing policies and practices identified the following issues that need to be addressed:

- (a) Discounts - While in practice, the Academy's website indicates the possibility for a group discount for participants to the DL under certain circumstances; the terms and conditions for discounts need to be better described on the website of the Academy.



- (b) Policy on Summer Schools - The Academy's new Policy on Summer Schools seeks to transfer responsibility for collecting participants' payments to the partner institutions in order to reduce the volume of administrative work done by the Academy, and allow partners to use the funds to improve the overall quality of the program.

27. While acknowledging that this approach could yield positive results, the policy should be reviewed and modified accordingly, and the Academy and participating partners should define the responsibility and accountability for managing these funds through exchange of letters prior to each summer school.

(vi) ICS Evaluations

*Some parts of this observation have been redacted due to the sensitive nature of the information.*

28. The Individual Contractual Services<sup>4</sup> (ICS) contract type, applicable as from January 2014, requires that holders of ICS contracts be evaluated upon completing their respective contractual obligations. Currently, holders of ICS contracts with the Academy are not regularly evaluated.

## Recommendations

The Academy should:

1. Prepare a plan outlining actions to be taken to achieve its set objectives, including:
  - a) Setting priorities, responsibilities and timelines;
  - b) Assessing human and financial resource needs;
  - c) Defining systems, tools and technical requirements; and
  - d) Outlining initiatives and action to better cooperate and coordinate activities with other Programs involved with delivering development-oriented trainings, and considering alignment with Countries' IP strategies and needs. (Priority: High)
2. Harmonize its various quality control measures into a common quality assurance framework that guides its quality control processes and practices for reviewing: curriculums and course contents; expertise of lecturers, speakers and tutors; and methods for delivering courses and trainings. (Priority: High)
3. Cooperate with the Human Resources Management Department (HRMD) to ensure that the organizational guidelines on succession planning<sup>5</sup>, and office instructions on (1) use of temporary appointments to meet urgent business and resource needs and (2) performance management and staff development are applied to cater for staff departure, prolonged absences and training needs, respectively. (Priority: High)
4. Strengthen the current operational structure of the Academy and the business processes by: developing internal operating procedures, identifying synergies, and automating and streamlining operations to achieve better coordination and operational efficiencies. (Priority: Medium)

<sup>4</sup> Office Instruction No. 45/2013

<sup>5</sup> WIPO Succession Planning Guidelines, issued on May 13, 2013

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|--|
| <ol style="list-style-type: none"><li>5. Update the current information on the website to include terms and conditions for group discounts; revise the policy on Summer Schools, and update related agreements to include accountability clauses for managing funds received. (Priority: Medium)</li><li>6. Evaluate the performance of all Individual Contractual Service (ICS) contract holders in a timely manner. (Priority: Medium)</li></ol> |
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## B. PROGRAM ACTIVITY MANAGEMENT

*Some observations have been redacted due to the sensitive nature of the information.*

### (i) Agreements with Partners

29. The review of agreements signed with partner universities for the AIP, identified the following issues to be addressed:

- (a) There is no standardized formal template used for entering into agreements with partner universities; for example, the Academy signed documents labeled as “Agreements”, “Cooperation Agreements”, or “Memoranda of Understanding” with the number of clauses ranging from 9 to 19 depending on the agreement;
- (b) Although the primary purpose of the agreements is to develop and manage a “Joint Master’s Degree”, this is not stated in all cases;
- (c) While the Academy’s new Policy on Agreements with Universities, which came into force on March 1, 2014, limits the maximum duration of a partnership to three years, a draft agreement with a partner, developed in 2015, proposes a term of five years instead of three years as outlined in the policy. As it currently stands, this agreement is not compliant with the existing policy which may need to be revised to ensure conformity and include exceptions if approved; and
- (d) Finally, termination clauses differ between agreements, with notice periods ranging from three to six months.

30. Although the Academy has indicated that agreements differ because of the diversity and varying needs and capacities of Academic partners, efforts should be made to improve consistency in administering these partnerships, which could otherwise lead to inefficient management practices that may potentially harm WIPO’s reputation.

31. In addition, the annual exchanges of letters used by the PDP to establish partnerships with Institutions do not include any information on conditions and procedures for termination or suspension. Consequently, the Academy has terminated some partnerships through various informal and formal means. These practices could lead to misunderstanding and may harm WIPO’s image. A formal termination clause would bring more clarity and allow both parties to have a common understanding.

32. The current agreement between parties in cases where the Academy pre-finances costs related to a Program does not include any clause on advance payments and the underlying accountability for managing funds received. Updating such agreements would contribute to more efficient and effective financial management.

33. Finally, the current letter informing applicants of their scholarship awards does not include any statement on mandatory attendance of the program and proper use of funds.

(ii) Preliminary Capacity Assessments of Partner Institutions

34. Preliminary capacity assessments of partners prior to signing and implementing activities of the Academic Institution Program are critical prerequisites to the success of the program. Currently, the Academy has yet to develop an adequate template with standard contents for reporting on capacity assessments of potential partners.

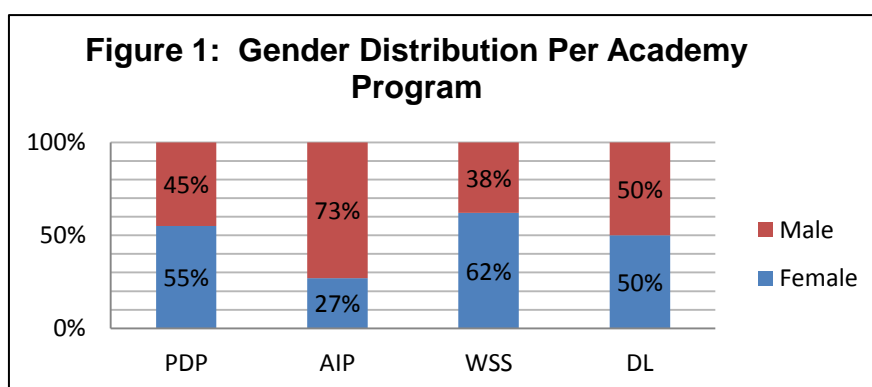
35. The current practice of providing assessment information in mission reports is not efficient because contents and type of information vary among mission reports, and, these mission reports<sup>6</sup> do not provide consistent and comparable information on partners' assessments.

36. Developing a specific capacity assessment reporting template with standard content on the criteria for selecting partners, would harmonize and formalize reporting, and provide a more efficient and cohesive management of information.

37. Finally, preliminary capacity assessments of partners for the summer school sub-program were not systematically performed, which could impair the success of the partnership and impact WIPO's reputation.

(iii) Gender Mainstreaming

38. WIPO endorsed the UN System-Wide Action Plan (UN-SWAP) for Implementation of the Chief Executive Board (CEB) Policy on Gender Equality and the Empowerment of Women<sup>7</sup>. The objective of this plan is to mainstream gender at all levels of the UN System both at institutional and programmatic levels by 2017.



Source: Annual statistical Report of the WIPO Academy 2014

39. Acknowledging that the Academy provides sex-disaggregated data, as indicated in the above figure, for all its programs, more could be done to integrate a gender dimension in its programmatic activities. The Academy is well placed to lead in developing gender sensitive courses within its catalogue of IP courses, and in particular distance learning course contents that can be tailored to encourage and support Women in IP. Other possible affirmative actions could include allocating scholarships and fellows for women seeking to gain or extend their knowledge in the field of IP.

<sup>6</sup> Inconsistencies on content of mission reports have been raised in previous audits (IA 2014-02) and evaluations (EVAL 2013-05), and a recommendation to develop an improved template for mission report is still pending to date.

<sup>7</sup> Chief Executive Board Policy on Gender and the equality of Women (CEB/2006/2)

## Recommendations

The Academy should:

7. In collaboration with the Office of the Legal Counsel, review the current exchange of letters and agreements with partners, with a view to mitigating the associated third party risks by harmonizing the templates with minimum standard clauses on purpose, duration, termination and accountability for use of funds in case of pre-financing where applicable. (Priority: High)
8. Develop a standard reporting template to record capacity assessments of potential partners, to improve information management and enhance activity planning and delivery. (Priority: Medium)
9. Cooperate with the Program Performance and Budget Division (PPBD) and the WIPO Gender Specialist, to integrate a gender dimension in its programmatic activities, such as developing training contents that support gender mainstreaming in IP. (Priority: Medium)

## C. SYSTEMS AND TOOLS

40. The Academy has successfully implemented a registration management system that: (1) allows users to access the course catalogue, registration forms and the distance learning platform (the Learning Management System -LMS), and (2) improved operational efficiency among its various programs by providing dedicated spaces for administering each program as well as for monitoring payments.

41. All applications are made through the registration system and applicants can create user accounts to store personal information and documentation. The system also produces semi-automatic activity reports that provide relevant aggregated information for management.

42. The review of the registration management system has identified the following opportunities for further enhancement:

(i) Module for Managing Lecturers and Experts

43. While all programs of the Academy use lecturers<sup>8</sup> and experts to deliver trainings, the registration management system is currently not used to manage these consultants. Although consultants may be used by more than one program, each program of the Academy has established, and manages its own roster of consultants on its own spreadsheets. Furthermore, the selection of consultants is not always formalized, which could lead to inefficient resource management.

44. Developing, for example, a shared module for managing consultants with a formalized selection process, including the possibility for consultants to create and update their accounts, would reduce manual and informal management of these consultants and improve efficiency and information sharing.

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<sup>8</sup> The majority of these consultants are members of the ATRIP (International Association for the Advancement of Teaching and Research in Intellectual Property) founded by WIPO in 1981

(ii) Integrating Online Survey Management in the Registration System

45. Surveys are manually developed and administered in most programs of the Academy and there have been significant delays in analyzing these surveys due to limited human resources, and time and effort needed to collect, compile and analyze the surveys. In addition, delays are also caused by partner institutions that do not provide timely feedback on surveys administered onsite. Integrating an online survey into the system would simplify and improve survey management and analysis of data, as well as address current delays in obtaining survey results from partner institutions.

46. Furthermore, no integrated procedure exists to follow-up on recommendations and feedbacks from surveys. Each Academy program has developed its own practices which are for a large part intuitive. Integrating a shared follow-up mechanism in the existing system would improve efficiency and effectiveness of the current process.

(iii) Measuring Impact of Training Programs

47. The Academy has yet to conceive an effective method for measuring the longer-term impact of its training programs. Currently, some programs of the Academy have implemented or plan to implement practices such as surveying supervisors of alumni to the Academy's training programs with a view to collecting information on the impact of the training on the Alumni's work and professional development after six or 12 months.

48. Merging existing Alumni information kept by each Academy program into a common database, and harmonizing Alumni management practices within the Academy, would improve efficiency and effectiveness, and help provide reliable data to assess the longer-term impact and success of the Academy's programs.

(iv) Business Intelligence

49. The Academy is currently planning to develop automated reporting for its current system. However, WIPO has recently implemented a Business Intelligence (BI) application to provide statistics and business dashboards to all Programs for accurate and timely management information and enhance decision-making process. Integrating the business information requirements of the Academy in the Organizational BI application would reduce the associated costs of developing automated reporting within the Academy's system.

50. The use of the BI application would also enable the Academy to obtain reports providing comparable business information on costs and revenues and a more complete view of its performance, sustainability of its programs, and effective resource management.

(v) Online Application Selection Process

51. The Academy reviews candidates' applications and makes selections based on pre-set criteria. However, the whole selection process is intuitive and not formalized. Only the result of the selection process is recorded, weakening transparency of the process and lacking a robust audit trail of the process. Furthermore, practices are not harmonized since the degree of formalization differs among programs of the Academy.

52. It would be more efficient for example, to develop an online evaluation sheet/matrix in the current system to record the selection of applicants, to support decisions, improve transparency, and facilitate supervisory review.

(vi) Mandatory Supporting Document for Reduced Fees

53. The Summer School and DLs' fee structures include reduced fees for certain Countries, which can be applied upon presentation of a valid Identification (ID). However, the registration system does not currently have a mandatory field for uploading IDs and consequently, the current controls are ineffective.

54. For example, the extraction of the list of applicants in the DL indicates that only 351 applicants out of the 1174 paying participants for the advanced courses administered by the Academy in 2014 uploaded IDs and likewise, only two out of 358 Summer Schools Sub-Program participants in 2014 uploaded any identification. As a result, some participants, although not eligible, might have benefitted from the reduced rates.

(vii) The Academy Website

55. The Academy's current website would need to be enhanced to better reflect an "open-access on-line clearing house for information on all WIPO development-oriented training activities, tools and services, and a hub of virtual network of partners, experts and teachers in IP training"<sup>9</sup>.

56. Enriching the content of the existing site with among others, IP resources and publications, articles and course documentations, and links to IP related contents and websites would better reflect the above stated objective.

**Recommendations**

The Academy should:

10. Cooperate with the Information and Communication Technology Department (ICTD), to assess feasibility, and undertake projects to enhance the current Academy Registration System, which would include:
  - a) Developing a module for managing lecturers and experts, including the possibility for these consultants to create and update accounts;
  - b) Integrating an online survey management tool including, the capacity to manage the status of implementation of survey recommendations received;
  - c) Merging existing Alumni information kept by each Academy program into a common database, and harmonizing Alumni management practices;
  - d) Developing an online evaluation sheet/matrix for the effective recording of the selection process of applicants;
  - e) Updating the system to make the field for uploading applicants' identification documents mandatory; and
  - f) Enhancing the existing website by including relevant IP resources, publications, course documentations, and links to IP related contents and websites. (Priority: High).
11. Cooperate with the Department of Program Planning and Finance (DPPF) to assess the opportunity of using WIPO's Business Intelligence application to provide relevant and comparable business information, improve operational efficiency, and enhance information management and reporting. (Priority: Medium)

<sup>9</sup> OI/8/2015

**ACKNOWLEDGMENT**

*IOD wishes to thank all relevant members of staff for their assistance, cooperation and interest during this assignment.*

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Reviewed and Approved by: Tuncay Efendioglu

## ANNEX: RISK RATING AND PRIORITY OF AUDIT RECOMMENDATIONS

The risk ratings in the tables below are driven by the combination of likelihood of occurrence of events and the financial impact or harm to the Organization's reputation, which may result if the risks materialize. The ratings for audit recommendations are based on the control environment assessed during the audit.

**Table 1.1: Effectiveness of Risks/ Controls and Residual Risk Rating**

		Compound Risk Rating (Likelihood x Impact)			
		Low	Medium	High	Very High
Control Effectiveness	Low	Low	Medium	High	Very High
	Medium	Low	Medium	High	High
	High	Low	Low	Medium	Medium

**Table 1.2: Priority of Audit Recommendations**

Priority of Audit Recommendations	Residual Risk Rating
Requires Immediate Management Attention	Very High
Requires Urgent Management Attention	High
Requires Management Attention	Medium
Routine in Nature	Low

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