

# Legal and Member Services

# SERVICE PLAN April 2007 to March 2010

Advanced Draft 08.02.07

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#### 1.0 INTRODUCTION

To meet Halton's most pressing needs, the Borough Council has identified **6 key priorities**, which, as detailed within the Council's Corporate Plan, are: -

- A Healthy Halton
- Halton's Urban Renewal
- Halton's Children & Young People
- Employment, Learning & Skills in Halton
- A Safer Halton
- Corporate Effectiveness & Business Efficiency

The primary purpose of Service Plans is to provide a clear statement on what individual services are planning to achieve and to show how this contributes towards achieving the corporate priorities of the Council. They are an essential tool for making key decisions about future service provision and the level of resources required. Additionally the service plan is designed to enable the public, Elected Members and staff to monitor how well this part of the Council is performing in improving the quality of life for local people.

#### 2.0 SERVICE PROFILE

#### 2.1 Purpose

The Department is divided into two distinct areas – firstly the Legal Services Division, and secondly the Committee and Member Services Division.

#### **Legal Services Division**

The purpose of the Legal Services Division is to provide a comprehensive legal service, which is relevant to the needs of the Council and its elected members and officers. As an internal support service, it is geared up to assist the other front-line Directorates to fulfil their statutory and service responsibilities efficiently and effectively.

The role of Legal Services is:

- To provide a comprehensive legal service
- Through the Council Solicitor, to fulfil the role of Monitoring Officer to the Council, and to ensure that the Council acts both lawfully and ethically.
- To ensure compliance with the law and standing orders to enable front-line services to achieve their own corporate objectives.
- To provide a fast and efficient Local Land Charges Service
- To process and determine applications for various statutory licences including Personal and Premises Licences under the Licensing Act 2003, Hackney Carriage and Private Hire Driver and Vehicle Licences, Lotteries and Street Collections. The council's function under the Gambling Act 2005 will also come within the role of this section during the plan period.

The division mainly provides a support service to the Council and other directorates, although this is subject to our broader role in protecting the best interests of the Council as a whole.

#### **Committee and Member Services**

The principal aim of the Committee and Member Services Division is to support the democratic process by servicing the various Boards, Committees, Panels and Working Parties, and by providing support and training for elected members. In supporting the democratic process, the division is also responsible for maintaining the electoral register so that those entitled to vote are able to do so.

The role of Committee and Member Services is:

- To manage and effectively service meetings of the Council
- To respond to the individual and collective needs of elected members
- To provide various civic services which are in keeping with the dignity and profile of the Council
- To provide a comprehensive word-processing support service and an efficient in-house reprographic support service.
- To provide a collection and distribution service for internal and external mail at the Municipal Building, and to provide a courier service linking the Council's various offices, elected members, and schools.
- To ensure that an accurate Register of Electors is compiled annually and to enable the Returning Officer to conduct all elections.

The division supports the work of the Council as a whole, but its key role is in its support for elected members and in enabling the public to have access to the democratic process. The department ultimately benefits the whole of the local community by providing both support to Elected Members of the Council and also by enabling access to the democratic process by members of the public.

#### 2.2 Key Messages

One of the highlights during the year was the success of the Council's Member Services Team in winning both the MJ Member Development Achievement Award 2006 and the APSE Member Development Initiative Award 2006.

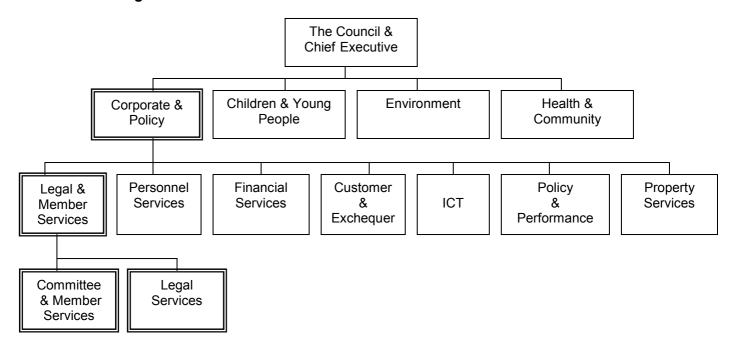
Preparation is underway in the Licensing Team for the introduction of the Gambling Act 2005 to ensure the smooth implementation of the new regime. The recent experience in implementing the provisions of the Licensing Act 2003 should be extremely helpful in implementing the new Act, particularly as there are similarities between the structures of the two regimes.

In 2006 the Licensing Team dealt with the licensing application for the Creamfields event. All concerned seem to agree that this event was a great success and gave the Borough a high and positive profile, and there will no doubt be a licensing application for a repeat of this event in 2007.

During the year Legal Services established a consortium arrangement with three other authorities and three private sector law firms. As well as ensuring that the Council has access to high quality specialist legal advice when needed, this arrangement should also be a catalyst for further partnership working between the authorities involved.

The first signs of the Consortium bearing fruit in terms of joint working initiatives arises in relation to the proposed implementation of a joint case management system with Sefton MBC (and possible West Lancashire DC as well). This proposal involves an externally hosted case management system. As well as their being efficiencies in terms of developing work flows and processes, a case management system will lay the groundwork for one authority to do work for another and vice versa. A Case Management system will also create efficiencies by enabling staff to focus on the areas where there expertise can add value by releasing them from some of the routine clerical tasks associated with their casework. In addition it will simplify the production of management information so that the managers within the division can ensure that the resources invested in the team are used to maximum advantage.

# 2.3 Organisation Structure



# Staffing\*

	F.T.E	Headcount
Managerial	9	9
Professional/ Technical	17	17
Administrative/ Clerical	27	30
Front Line	0	0
Total	53	56

<sup>\*</sup>Currently under review

#### 3.0 AIMS OF THE SERVICE

The Council has identified six key strategic priorities that are detailed within the introduction to this plan. Whilst the majority of Council services will contribute in some way to each of these priorities those that are most relevant to the Legal and Member Services Department, and the Service Aims associated with them are: -

#### **Corporate Priority 6** Corporate Effectiveness and Business Efficiency

#### Area of Focus 33

Ensuring that we are properly structures organised and fit for purpose and that decision makers are supported through the provision of timely and accurate advice and information.

#### **Department Service Aim 1**

To provide efficient and effective Democratic Support Services that give the members, as key decision makers, the information and support necessary to ensure that the authority is properly managed so as to achieve the council's objectives and priorities.

#### Department Service Aim 2

To provide a high quality legal service to the Council and its departments to ensure that the Council is able to deliver its services effectively and is not deflected from the achievement of its objectives and priorities.

#### Area of Focus36

Ensuring that the Council's land and property portfolio is managed effectively.

#### Department Service Aim 3

To provide efficient and effective legal and conveyancing support to facilitate effective management of the Council's property portfolio.

#### Area of Focus40

Ensuring that the Council has the right people with the right skills and who are informed and motivated and provided with opportunities for personal development and engagement.

#### Departmental Service Aim 4

To continue to provide innovative and effective members development and support services to enable the elected members to fulfil their key role in the management and governance of the authority

#### Departmental Service Aim 5

To continue to ensure that high ethical standards are maintained within the authority.

#### Department Service Aim 6

Ensure that the Department continues to use new technology to improve the quality and efficiency of the services provided.

# 4.0 FACTORS AFFECTING THE SERVICE

## 4.1 External Factors

The table below identifies those external factors that will, or are likely to, impact upon the service during the period of this plan.

Key Developments	Timeframe	Comment(s)
Political		
Changes to the Code of Conduct for elected Members and the localisation of the ethical agenda	New code – May 2007 Localisation of Ethical Agenda - 2008	These changes to the ethical agenda could change the culture around ethical governance and may possible result in more complaints when the regime becomes locally led. This needs to managed very carefully as it could have significant implications for the authority.
Social		
1. N/A	N/A	N/A
Technological		
Introduction of a Case     Management System	December 2008	A Case Management System will ensure that fee earners in the team are able to devote more of their time to the professional elements of their work rather than clerical tasks.
Legislative		
1. Gambling Act 2005	Summer 2007	This is a significant new area of responsibility for the Council and it is important that the Council is fully prepared for the new regime.
2. Local Government Bill	2007 onwards	The details of the latest legislative changes to local government are only just starting to emerge. IT will be important to keep abreast of these changes and to prepare for them as some significant changes to local authority governance arrangements have been suggested.

Key Developments	Timeframe	Comment(s)
Environmental		
Partnership Working	April 2007 onwards	IT will be important to ensure that the Consortium arrangements with external legal partners and other local authorities are used to maximum advantage in terms of facilitating further joint working, producing more cost effective training for staff etc.

#### 4.2 Service Developments

Currently there are no established benchmarking arrangements for the services within this Department. However, the Council has now joined a benchmarking club with other members of its local authority "family". Although this club is focussing on other priorities at the present time, it is hoped that there may be opportunities in the future to use this club to benchmark these services within the department.

Training continues to be a key area of focus for the Department. Two members of staff are currently on the Council's MSC programme and others are undergoing/have completed the Council's ILM programme at various levels. The Department has also continued with its initiative to develop the NVQ in Democratic Services as a key qualification for Committee and Member Services staff. A presentation ceremony was held in December where six officers (including two from outside the authority) were awarded NVQs at levels 2 and 3.

Although it is currently in its early stages, Building Schools for the Future will present considerable challenges for the Department. Additional resources will be needed if the Department is to be effective in providing support for the delivery of this project.

#### **Legal Services**

Legal Services has again been inspected against the Lexcel and ISO quality standards and has once again been successful in maintaining both Lexcel and ISO Accreditations. These standards are constantly evolving, and the processes ensure that the culture of continuous improvement is embedded in Legal Services.

The procurement of a Case Management system remains a priority for the Division. It has been recognised that the application of a case management system will provide the required level of detail concerning the cost structure of the business, and this will prove a valuable asset in achieving the efficiency improvements. IT is now hoped that a case management system might be procured in partnership with one or more neighbouring authorities, and this may help to facilitate further partnership initiatives in future years.

#### Committee and Member Services

The success of the Council's Member Development initiative has been recognised at National level with the Council winning awards from both the MJ and APSE for its work in this area.

The Council has appointed a new Chair of the Standards Committee during the year. It has therefore been a key task to ensure that the Chair is properly inducted into the new role. As part of this process an awayday for the Standards Committee was held in December and was considered by all attending to have been a success.

#### 4.3 Efficiency Improvements

The Department is keen to explore joint working initiatives wherever possible to deliver efficiency improvements. In addition to its joint working with Wirral and Liverpool to provide 24-hour legal advice and assistance on Child Protection matters, Legal Services has now established a consortium with Sefton, Knowsley and West Lancashire and the private sector Legal firms Cobbetts, DLA and Weightmans. This consortium should result in the more cost effective procurement of external legal services, provide access to additional services (e.g. training) at nil or reduced cost, and open the way to further joint working and efficiency savings between the partner authorities.

Joint working is also an area that is being explored in relation to Committee and Member Services. We currently provide joint training with Warrington in relation to schools appeals, and we are looking at the possibility of further joint working with neighbouring authorities to deliver efficiencies.

#### 4.4 National, Regional & Sub-Regional Focus

Legal and Member Services work in partnership with other authorities in the region on a variety of networks and on a variety of initiatives. One of the key sub regional initiatives at the moment relates to Waste where there a are a variety of legal and constitution issues that need to be resolved I order for the Council to be able to work in partnership with the Merseyside Waste Disposal Authority on the procurement of future waste disposal arrangements. The Department is also involved in advising on the constitutional implications of closer working with other Merseyside Authorities as part of the Liverpool City Region agenda.

#### 4.5 Equal Opportunities

Halton Council is committed to ensuring equality of opportunity and combating discrimination and victimisation within all aspects of its service delivery, policy development and as an employer. This commitment is reflected in a range of policies, strategies and framework documents that underpin the work of the Council in its day-to-day operation and in the services it delivers.

The Council fully supports the broad principles of social justice and will oppose any form of discrimination and oppression. Council policy will apply to all of those who come into contact with it, i.e. those who presently use directly provided services of services provided on the Council's behalf; potential users of services; other agencies and professional; employees and job applicants; and the general public.

During the course of 2006 - 07 all Council Services conducted Equality Impact Assessments to examine the equality implications of all policies, procedures and practices within their area.

As a result this department developed an Equalities Action Plan, which is subject to an annual review, that identified a number of low priority areas for action that will be taken during the lifetime of this plan (refer section 6.3).

#### 4.6 Unforeseen Developments

Whilst every effort has been made to identify those developments that may influence or impact upon the service during the life of this plan the possibility exists that unforeseen developments may occur that need to be considered as and when they arise. Such developments will be detailed and commented upon as appropriate in the sections dealing with key developments or emerging issues within the relevant Service Plan Quarterly Monitoring Reports.

In addition to the normal reporting cycle the service may also report 'by exception' to the appropriate Policy and Performance Board when unforeseen developments occur. Where a more immediate decision is required due to the pressing nature of the unforeseen development, this will be referred to Management Team and the Executive Board for attention. The respective Policy and Performance Boards will be kept informed of any developments of this nature.

All reports to the Policy and Performance Boards with the exception of Part II items, are publicly available documents and can be accessed through the Council's website at <a href="http://www2.halton.gov.uk/">http://www2.halton.gov.uk/</a>

#### 5.0 RESOURCES

## 5.1 Budget Summary and Service Costs

#### **INFORMATION TO FOLLOW**

#### 5.2 Future Staffing Requirements

Year	Managerial	Professional/ Technical	Administrative/ Clerical	Front Line
2007/08	8	17	25	0
2008/09	7	18	25	0

Staffing Structures are currently under review, but on the basis of current work demands it is not anticipated that staff numbers will increase during the life of the plan. The Council Solicitor will shortly be leaving the authority and his replacement may wish to give further consideration to structure within the department once he or she takes up post. The structure may also need to be reviewed depending on the various initiatives undertaken by the Council during the life of the Plan e.g. Building Schools for the Future.

#### 5.3 Future ICT Requirements

The introduction of Case Management System remains a priority. It has been difficult to deliver this to date due to other higher priority demands on the Council's ICT resources. By working in partnership with other authorities, and by looking at an externally hosted arrangement, it is hoped that it may be possible to implement a Case Management System within the next 12 months.

#### 5.4 Future Accommodation/Property Requirements

It is not anticipated that the accommodation requirements of the Department will change significantly over the plan period.

#### 6.0 SERVICE PERFORMANCE

Plans are no use if they do not produce real results. We need to set targets and measure our performance to know if we are achieving the improvements intended. Various types of indicator are used here to do this:

- Objectives and Key Milestones. These show the major events in the work of the Department that are planned to take place during 2007–10, such as the launch of new initiatives, production of key plans and strategies and progress on major projects†
- Performance Indicator Targets. These show performance on indicators that are prescribed by central Government as part of their drive to ensure that councils deliver best value in serving their local communities.
- Local Performance Indicators. These show performance on indicators that the Department or the Council has adopted locally themselves and those adopted from national and other sources.
- Local Public Service Agreement Targets. Such targets are the result of an agreement between the local authority and the Government. This agreement sets out the authority's commitment to deliver specific improvements in performance and the Governments commitment to reward these improvements.
- National Floor Targets. These are targets that set a minimum standard for disadvantaged groups or areas or a narrowing of the gap between such areas and the rest of the country.
- † Against each key objective the overall initial and residual risk assessment (before and after the risk control measures have been identified) is shown. The risk mapping exercise scores the potential impact on the key objective (severity) and the likelihood (probability) of the risks happening to arrive at a number. This is represented by a number with the associated level of assessed risk.

Risk Score	Overall Level of Risk		
1 – 4	LOW		
5 – 10	MEDIUM		
11 – 16	HIGH		

# 6.1.1 Key Service Objectives

Corporate Priority: 6	Corporate Effectiveness & Business Efficiency				
Key Area Of Focus: 33	Ensuring that we are properly structures organised and fit for purpose and that decision makers are supported through the provision of timely and accurate advice and information.				

Service Objective: LMS O1	To provide a high quality legal service to the Council and its departments to ensure that the Council is able to deliver its services effectively and is not deflected from the achievement of its objectives and priorities.					
Key Milestone(s) (07/08)	Secure re	Secure renewal of Lexcel & ISO Accreditation December 2007				
Key Milestone(s) (08/09)	Secure renewal of Lexcel & ISO Accreditation December 2008					
Key Milestone(s) (09/10)	Secure renewal of Lexcel & ISO Accreditation December 2009					
Risk Assessment	Initial Medium Responsible Council Solicitor Linked					
	Residual	Low	Officer		Indicators	

Service Objective: LMS O2	Ensuring that we are properly structures organised and fit for purpose and that decision makers are supported through the provision of timely and accurate advice and information.					
Key Milestone(s) (07/08)	Review C	Review Constitution May 2007				
Key Milestone(s) (08/09)	Review Constitution May 2008					
Key Milestone(s) (09/10)	Review C	Review Constitution May 2009				
Risk Assessment	Initial Medium Responsible Council Solicitor Linked					
THOR 7 ROOSSINGIN	Residual	Low	Officer	Courton Conditor	Indicators	

Corporate Priority: 6	Corporate Effectiveness & Business Efficiency			
Key Area Of Focus: 40	Ensuring that the Council has the right people with the right skills and who are informed and motivated and provided with opportunities for personal development and engagement.			

Service Objective: LMS O3	To provide efficient and effective Democratic Support Services that give the members, as key decision makers, the information and support necessary to ensure that the authority is properly managed so as to achieve the council's objectives and priorities.					
Key Milestone(s) (07/08)	<ul> <li>Introduce Revised Member Code of Conduct – May 2007</li> <li>Ensure all member shave received training on the New Code – September 2007</li> <li>Train standards Committee in relation to the switch to a local regime for complaints– March 2008</li> </ul>					
Key Milestone(s) (08/09)	Introduce new local regime for dealing with Complaints - 2008					
Key Milestone(s) (09/10)	Not Applicable					
Risk Assessment	Initial	Low	Responsible Monitoring Officer Linked			
Tion / Goodsmont	Residual	Low	Officer	Wormoning Officer	Indicators	

# **6.1.2 Other Service Objectives**

Corporate Priority:	Corporate Effectiveness & Business Efficiency				
Key Area Of Focus: 40	Ensuring that the Council has the right people with the right skills and who are informed and motivated and provided with opportunities for personal development and engagement.				

Service Objective: LMS O4	To continue to provide innovative and effective members development and support services to enable the elected members to fulfil their key role in the management and governance of the authority					
Key Milestone(s) (07/08)	<ul> <li>To ensure that all members have been given the opportunity of a having a MAP meeting</li> <li>To induct all new members – by Oct 07</li> </ul>					
Key Milestone(s) (08/09)	<ul> <li>To ensure that all members have been given the opportunity of a having a MAP meeting</li> <li>To induct all new members – by Oct 08</li> </ul>					
Key Milestone(s) (09/10)	<ul> <li>To ensure that all members have been given the opportunity of a having a MAP meeting</li> <li>To induct all new members – by Oct 08</li> </ul>					
Responsible Officer	Member Services Manager	Linked Indicators				

Service Objective: LMS O5	To continue to provide innovative and effective members development and support services to enable the elected members to fulfil their key role in the management and governance of the authority									
Key Milestone(s) (07/08)	■ Implement Case Management System - December 2007									
Key Milestone(s) (08/09)	Not Applicable									
Key Milestone(s) (09/10)	Not Applicable									
Responsible Officer	Council Solicitor	Linked Indicators								

# **6.2 Performance Indicators and Targets (Statutory & Local Indicators):**

Ref <sup>1</sup>	Description	Corp. Plan Priority	Halton 2005/6 Actual	2005/06 Quartiles <sup>2</sup> (All England)			Halton 2006/7	Halton 2006/7	Halton Targets		
				Тор	Middle	Bottom	Target	Actual	07/08	08/09	09/10
Service	Service Delivery										
LMSLI 1/SA2	Time Taken to process Hackney Carriage Vehicle Licences (from receipt to issue/refusal) in working days	6	15	N/A	N/A	N/A	16		15	15	15
LMSLI 7/SA 2	Time Taken to process Private Hire Vehicle Licences (from receipt to issue/refusal) in working days NB	6	8	N/A	N/A	N/A	9		8	8	8
LMSLI 8/SA 2	Time taken to process new Single Status Drivers Licences (from receipt to issue/refusal) in working days	6	45	N/A	N/A	N/A	50		50	50	50
LMSLI 9/SA 2	Time taken to process Single Status Drivers Licence renewals (from receipt to issue/refusal) in working days NB	6	27	N/A	N/A	N/A	30		30	30	30
LMSLI 10 / SA2	Average Time taken to issue prosecutions from receipt of instructions (working days) NB	6	7	N/A	N/A	N/A	10		10	10	10

<sup>&</sup>lt;sup>1</sup> Key Indicators are identified by an **underlined reference in bold type.**<sup>2</sup> No quartile data is available for local performance indicators

Ref <sup>1</sup>	Description	Corp. Plan Priority	Halton 2005/6 Actual	2005/06 Quartiles <sup>2</sup> (All England)			Halton 2006/7	Halton 2006/7	Halton Targets		
IXGI				Тор	Middle	Bottom	Target	Actual	07/08	08/09	09/10
LMSLI 11 / SA2	Percentage of prosecutions resulting in convictions	6	75%	N/A	N/A	N/A	N/a		N/a	N/a	N/A
LMSLI 12 / SA3	Average time taken to complete Conveyancing Transactions	6	492	N/A	N/A	N/A	220		200	200	180
LMSLI 13 / SA2	Average time taken to complete Child Care Cases (calendar days) NB	6	209	N/A	N/A	N/A	210		210	210	200
					uality						
LMSLI 14 / SA 2 & 3	Customer satisfaction with Legal Services (revised indicator) - Average rating on a scale of 0-10	6	95%	N/A	N/A	N/A	72%		75%	80%	80%
Fair Acc											
BVPI 2a	The level of Equality standard for Local Government to which the authority conforms		2				3		4	4	5
BVPI 2b	The duty to report Race Equality (Does the authority have a Race Equality scheme in place (%))		58%				63%		68%	75%	82%
LMSL 15 / SA 1	Members of Public attending Council Meetings (Council, PPBs, Exec Board, Exec Board Sub, Area Forums)	6	820	N/A	N/A	N/A	350		350	400	500
LMSLI 16 / SA 1	No. of Questions asked by Members of the Public at Council Meetings (Council, PPBs, Exec Board, Exec Board Sub, Area Forums)	6	159	N/A	N/A	N/A	100		120	150	200

Ref <sup>1</sup>	Description	Corp. Plan Priority	Halton 2005/6 Actual	2005/06 Quartiles <sup>2</sup> (All England)			Halton 2006/7	Halton 2006/7	Halton Targets		
				Тор	Middle	Bottom	Target	Actual	07/08	08/09	09/10
				Cost &	Efficiency	1					
				Cor	porate						
BVPI 179	Percentage of Standard Searches carried out in 10 working days	6	100%	N/A	N/A	N/A	100%		100%	100%	100%
LMSLI 1	Proportion of working days lost to sickness absence	6	2.7 %	N/A	N/A	N/A	4.5%		4%	3.5%	3%
LMSLI 2 / SA 4	No. Of Members with Personal Development Plans	6	32	N/A	N/A	N/A	30		50	52	56
LMSLI3 / SA 4	Percentage of Members attending at least one organised Training Event	6	96 %	N/A	N/A	N/A	100%		100%	100%	100%
LMSLI4 / SA 2	Value of Debt with Legal for Recovery	6	1,433,805	N/A	N/A	N/A	N/A		N/A	N/A	N/A
LMSLI5 / SA 2	Payments received on debts with Legal as a proportion of debts referred to Legal NB	6	51 %	N/A	N/A	N/A	70%		70 %	75%	75%

# 6.3 Equality Action Plan

# 6.4 Local Public Service Agreement

THIS SECTION OF THE PLAN WILL BE REVISED IN LIGHT OF THE LOCAL AREA AGREEMENT THAT IS PRESENTLY UNDERGOING DEVELOPMENT

#### 6.5 National Floor Targets

There are presently no National Floor Targets that are directly relevant to the service

#### 7.0 PERFORMANCE REPORTING

One of the main purposes of having a Service Plan is to enable the Council and interested members of the public to keep track of how the Council and its Departments are doing and to help councilors and managers see whether the service is performing as planned and achieving its targets.

Progress will be monitored through:

- Day to day monitoring by Strategic Directors through their regular interaction with Operational Directors;
- Quarterly progress reports to the Management Team;
- The inclusion of quarterly service plan monitoring reports as a standard item on the agenda of all the Council's Policy and Performance Boards.

Policy and Performance Board agenda are public documents and can be accessed free using Internet access at any library where assistance with the technology is available if needed.

#### 8.0 STATUTORY & NON-STATUTORY PLANS

• List the statutory and key non-statutory plans that have an influence on or relevance to, the service and the divisions within it.

The following plans and strategy documents are relevant to this service plan:

Community Strategy Halton BVPP 2006/07

#### **APPENDIX X**

# Risk Assessment for Key Service Objectives Initially assessed as 'High' Risk

None of the key service objectives wer4e initially assessed as high risk.