

Delivering the Council's Ambitions

Resources Directorate

Legal Services Team Plan 2009-10

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Putting residents first

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Introduction to the Legal Services Team

Welcome to the Legal Services Team Plan 2009-10. This plan underpins the Resources Directorate Plan. The plan is intended to be a living document and will be subject to quarterly updates, in particular for progress in relation to achieving objectives, task completion and risk and opportunity management.

This plan covers the work to be undertaken by the Housing & Litigation, Social Care and Education, Regeneration, Corporate and Contracts and Legal Support teams of the Legal Services Department.

We aim to deliver excellent legal services to our clients enabling them to meet their objectives and in doing so we will support the Council's Key Priorities. The Directorate priorities identified as pertinent to this service underpin the objectives of the plan. In addition to those priorities the plan contains objectives that the service deems to be key to it delivering an excellent service.

To contextualise the internal environment in which we will be delivering this service there follows a brief outline of the major projects we are embarking on during the period the plan covers.

During the first quarter of the business year 2009-10, the service will begin a **restructuring project**, which endeavours to reduce the ratio of non-permanent to permanent staff and increasing the permanent headcount. The objectives of this restructure are to make budget savings, give stability to the structure through improving staff and knowledge retention and enabling staff development and training.

Thurrock Legal Services participate in **Essex Legal Partnership**, which is a group that includes all the local authority legal departments within Essex. Its aim is to facilitate

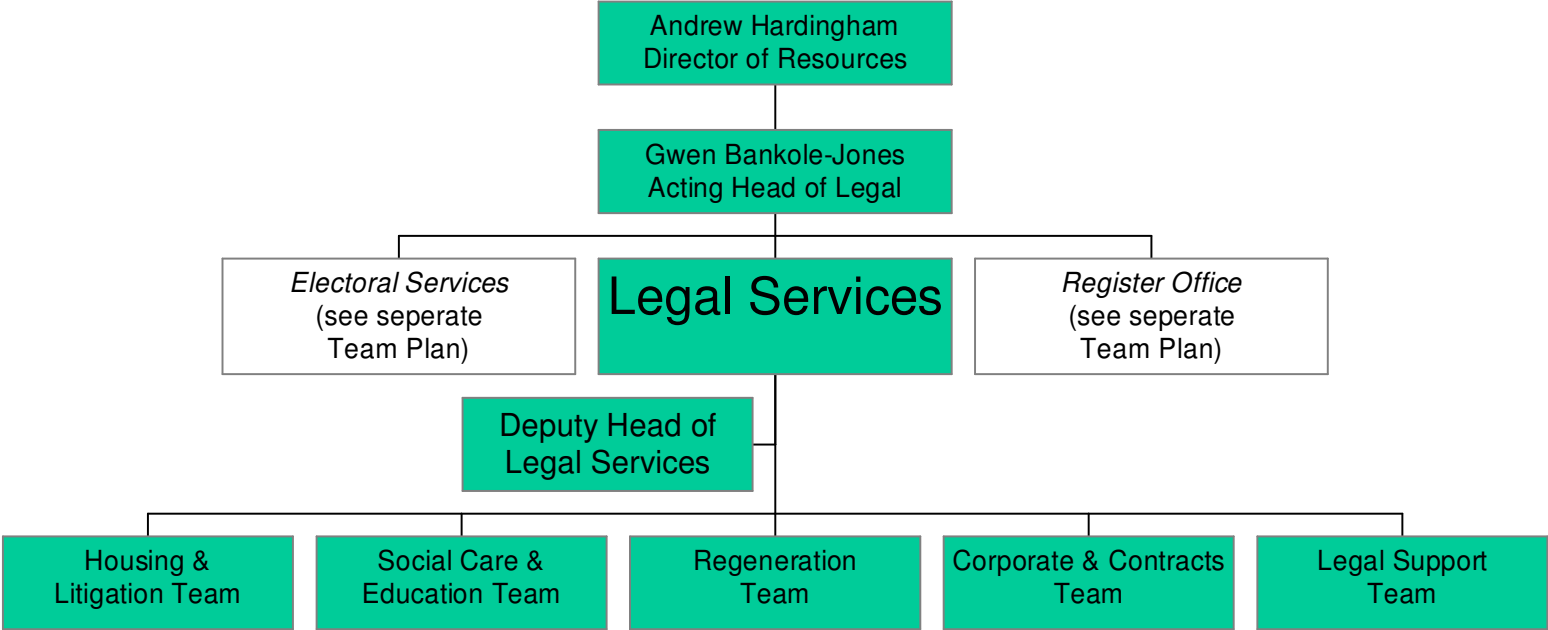
- Communication – to raise common issues and compare services,
- Training – share training courses
- Joint Working – compile a bank of precedents, share advice and newsletters, assist in issues of quality and enter into joint working arrangements.

We have a rolling programme of **Skills Auditing** to enhance capacity by allowing and assisting staff to gain new areas of competence and expertise from shadowing colleagues.

The service has established a **Partnership with Essex and Anglia Ruskin Universities** Law Facilities – a pro-bono project to assist law graduates and students to gain experience from work placements assisting leavers who would ordinarily have difficulty entering the legal profession by reason such as age or social background.

The implementation of this Plan will be monitored on a monthly basis by each team's manager and then collectively every quarter at a meeting of the Directorate Management Team. Performance indicators will be managed by the Business Support Manager with support from the Performance Management Team.

Legal Services Team Structure Chart



Corporate - Directorate – Team Strategic links

The Corporate Plan objectives and tasks translate into the Directorate and Team plans through a cascade approach where the “Tasks” from the level above become the objectives for the next level as shown below: The following tables show the detail of the Objective/Task Cascade which relate to the work of this Team.

Council Priority: Delivering Excellence and Achieving Value for Money	
Corporate Objective: TT01 – Providing cost effective services	
Corporate Task / Directorate Objective	Directorate Task / Team Objective
TT01 Providing cost effective services	Improve our service budget planning and analysis processes
	Ensure our services are cost effective and value for money

Council Priority: Delivering Excellence and Achieving Value for Money	
Corporate Objective: TT02 – Focussing on our customers	
Corporate Task / Directorate Objective	Directorate Task / Team Objective
TT02 – Focussing on our customers	Improve customer and user experience of accessing and using our services

Council Priority: Delivering Excellence and Achieving Value for Money	
Corporate Objective: TT03 – Developing our People	
Corporate Task / Directorate Objective	Directorate Task / Team Objective
TT03 – Developing our People	Have a diverse Workforce that reflects the community
	Ensure our HR frameworks enable us to become an “Employer of Choice”
	Equip our workforce with the skills to deliver our objectives and values and achieve their potential

Council Priority: Delivering Excellence and Achieving Value for Money	
Directorate Objective	Directorate Task / Team Objective
RD06 – Provide high quality, proactive and responsive legal services ensuring the lawful operation of all Council activities, all legal duties are performed correctly and the principles of ethical governance are upheld	Develop and implement a more effective Constitution, Codes of Conduct and O&S function (Improvement Plan)
	Ensure the Council’s Ethical Governance Framework is robust and is understood and adhered to
	Provide all Council services with advice, support and training to ensure they understand and adhere to their legal obligations and duties.

Delivering Team Objectives

The tables on the previous page set out the Team objectives for 2009-10 and their relationship to the Corporate and Directorate Plan objectives. The following tables show the detail behind how the Team is going to deliver those objectives and planned timeframes.

Team Objective: what we want to achieve						
Develop and implement a more effective Constitution, Codes of Conduct and O&S function (Improvement Plan)						
Team Task – what we will do to achieve this	Outcomes – we will have succeeded if:	Planned actions with Start & due dates: How we will complete the task and when	Resources	Lead	Related Risk / Opportunity	Progress (Date)
<i>To review and update the constitution codes of conduct and support for Overview and Scrutiny function</i>	<ul style="list-style-type: none"> Increased confidence in the decision making process through higher standards and effective accountability Better compliance with contract standing orders (IP) 	<ul style="list-style-type: none"> <i>Constitution working group to be set up, consisting of lead officers from legal and democratic Services</i> <i>Training Programme of and by Standards Committee and training through Essex Legal Services Partnership and Legal Services</i> 	<i>Consultant Officers Group</i>	<i>GBJ</i> <i>DL</i>		

Team Objective: what we want to achieve						
Ensure the Council's Ethical Governance Framework is robust and is understood and adhered to						
Team Task – what we will do to achieve this	Outcomes – we will have succeeded if:	Planned actions with Start & due dates: How we will complete the task and when	Resources	Lead	Related Risk / Opportunity	Progress (Date)
<i>Recruitment of additional independent members and actions to raise profile of Standards Committee and benchmarking</i>	<ul style="list-style-type: none"> • Raised profile of Council's Standards Committee • Positive feedback from Client Care Meetings and Standards Board of England 	<ul style="list-style-type: none"> • <i>To introduce and maintain a newsletter for and by Standards Committee</i> • <i>To conduct a benchmarking exchange with a high performing council</i> • <i>To design and distribute a poster explaining role of Standards Committee</i> • <i>To introduce a rolling programme of training</i> 	<i>Officer</i>	<i>GBJ/ DL</i>		

Team Objective: what we want to achieve						
Provide all Council services with advice, support and training to ensure they understand and adhere to their legal obligations and duties						
Team Task – what we will do to achieve this	Outcomes – we will have succeeded if:	Planned actions with Start & due dates: How we will complete the task and when	Resources	Lead	Related Risk / Opportunity	Progress (Date)
<i>To provide a lead on governance, ethics and procedural compliance with public sector legislation</i>	<ul style="list-style-type: none"> • Increased confidence in and earlier use of Legal Services • Reduced staff turnover enabling improved relationship building • Active seeking of and responding to feedback from Clients via Feedback forms and one to one engagement 	<ul style="list-style-type: none"> • <i>To provide clear guidance through regular meetings with client department management team and to provide training to client departments</i> • <i>To provide newsletter and briefing notes on changes to the law</i> • <i>To agree instructions and SLA protocols</i> 	<i>Officer</i>	<i>GBJ/ DL</i>		

Generic Team Objectives

Team Objective: what we want to achieve Improve our service budget planning and analysis processes						
Team Task – what we will do to achieve this	Outcomes – we will have succeeded if:	Planned actions with Start & due dates: How we will complete the task and when	Resources	Lead	Related Risk / Opportunity	Progress (Date)
<i>Ensure Department budget is balanced</i>	<ul style="list-style-type: none"> <i>If we deliver the service within 5% of the budget by the end of financial year 2009/10</i> 	<i>Regular meetings with Accountant to ensure budget is on track</i>	<i>Within Team Resources</i>	<i>LY/ SM</i>		<i>Monthly</i>
<i>Ensure all future departmental activities are budgeted for</i>	<ul style="list-style-type: none"> <i>Expenditure is progressed through the correct purchase order procedure</i> 	<i>All team members to consider financial issues when embarking/planning new activities</i>	<i>Within Team Resources</i>	<i>LY/ SM</i>		<i>Monthly</i>

Team Objective: what we want to achieve Ensure our services are cost effective and value for money						
Team Task – what we will do to achieve this	Outcomes – we will have succeeded if:	Planned actions with Start & due dates: How we will complete the task and when	Resources	Lead	Related Risk / Opportunity	Progress (Date)
<i>Undertake a VFM review of the Team</i>	<i>A well managed Team which delivers cost effective value for money services</i>	<ul style="list-style-type: none"> <i>Using the Corporate VFM Guidance undertake a VFM review into the service Quarter two</i> <i>Benchmark our team against teams in other authorities who deliver comparable services September 2009 (mid year point)</i> <i>Identify and Implement actions from the VFM Review and Benchmarking activity where applicable and possible(Quarter three)</i> 	<i>Officer & Corporate Accountant</i>	<i>LY</i>		<ul style="list-style-type: none"> <i>July – September 2009</i> <i>September 2009</i> <i>October – December 2009</i>

Team Objective: what we want to achieve Improve customer and user experience of accessing and using our services						
Team Task – what we will do to achieve this	Outcomes – we will have succeeded if:	Planned actions with Start & due dates: How we will complete the task and when	Resources	Lead	Related Risk / Opportunity	Progress (Date)
<i>Progress the current client care project and modify current or establish an effective feedback system</i>	<i>There is an increase in the return or client feedback on which to tailor services to the client requirements</i>	<ul style="list-style-type: none"> <i>Client care project currently being piloted in Social Services & Education team to be rolled out to other legal teams.</i> 	<i>Officer and client teams</i>	<i>LY/ SM</i>		<ul style="list-style-type: none"> <i>Ongoing - Reported & monitored monthly</i>

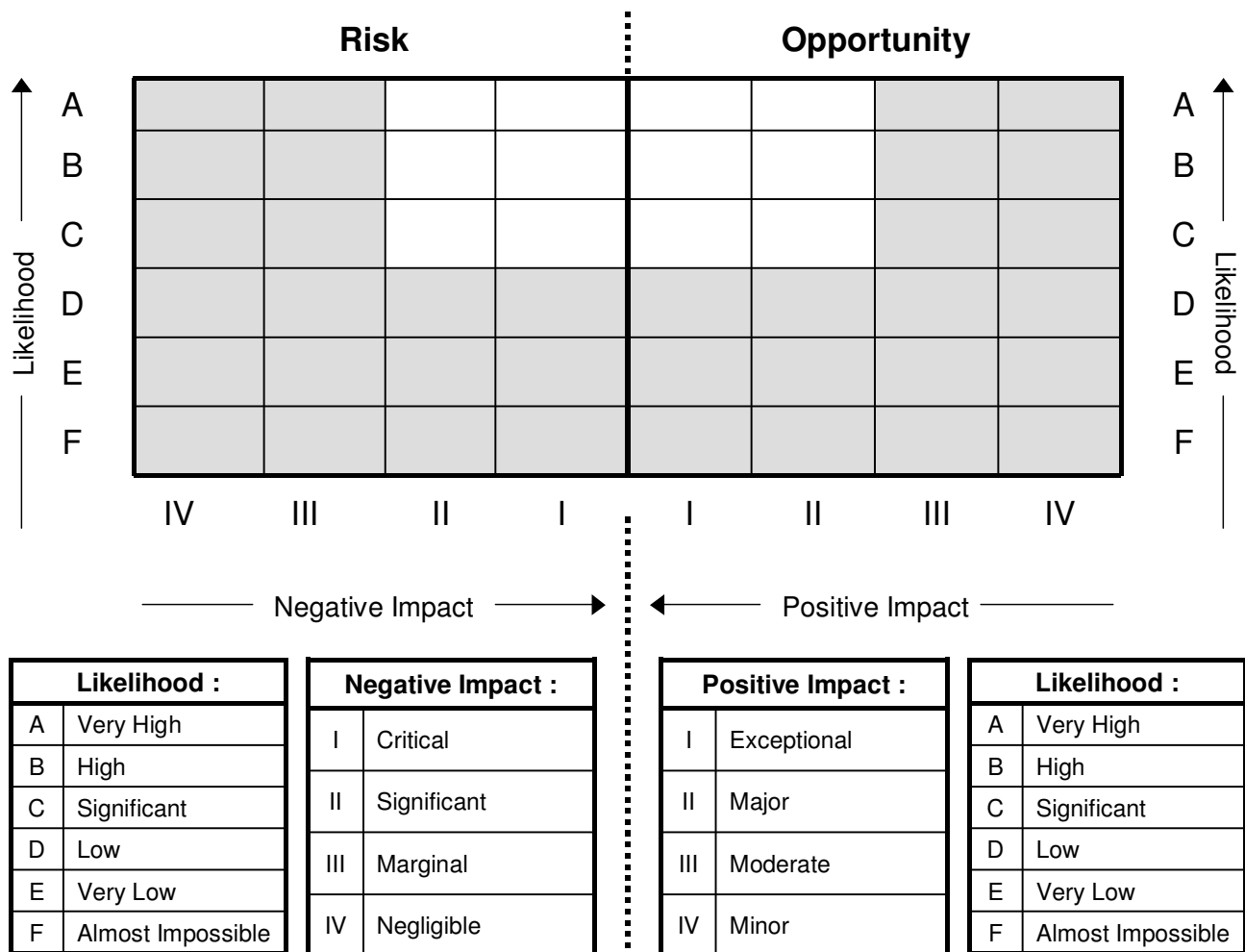
Team Objective: what we want to achieve Have a diverse workforce that reflects the community						
Team Task – what we will do to achieve this	Outcomes – we will have succeeded if:	Planned actions with Start & due dates: How we will complete the task and when	Resources	Lead	Related Risk / Opportunity	Progress (Date)
<i>Ensure that all our processes and documents are in line with Corporate Equality policies and guidelines</i>	<i>All Guidance and documents from our team are accessible</i>	<i>All Documents produced by our team to be Equality Impact Assessed before launching and any resulting actions are implemented</i>	<i>Within Team Resources</i>	<i>All</i>		<i>As and when required – to be added to SMT agenda & Diversity rep to be in attendance</i>

Team Objective: what we want to achieve Ensure our HR frameworks enable us to become an “Employer of Choice”						
Team Task – what we will do to achieve this	Outcomes – we will have succeeded if:	Planned actions with Start & due dates: How we will complete the task and when	Resources	Lead	Related Risk / Opportunity	Progress (Date)
<i>Ensure our processes are in line with HR Guidelines, policies and procedures</i>	<i>All our team processes are carried out in the spirit of good employer relations</i>	<i>All staff issues to be undertaken in accordance with Human Resources Policies and Procedures</i>	<i>Within Team Resources</i>	<i>All</i>		<i>To be added to LMT/SMT agenda when required</i>

Team Objective: what we want to achieve Equip our workforce with the skills to deliver our objectives & values & achieve their potential

Team Task – what we will do to achieve this	Outcomes – we will have succeeded if:	Planned actions with Start & due dates: How we will complete the task and when	Resources	Lead	Related Risk / Opportunity	Progress (Date)
<ul style="list-style-type: none"> • All Team Members to have a formal one to one Performance Development Review at least 6 monthly and regular informal 1:1s • Team Meeting to take place at least once a month • File reviews to be conducted at least every two months 	<ul style="list-style-type: none"> • Whole team have clear objectives and updates on how they are achieving / developing • Communication and cross-team awareness increases. • Compliance with Lexcel procedures increases 	<ul style="list-style-type: none"> • Manager to arrange for 6 monthly formal 1:1 PDRs with each member of staff and agree formal objectives and development opportunities • Manager to arrange for regular 1:1 meetings with each member of staff • All Team members to contribute to agenda items including up date on current projects • File reviews on going 	<p>Within Team Resources</p>	<p>LY/ SM</p>	<p>LSRS 1</p>	<p>July 09 & January 10</p> <p>(1:1, Team meetings & IRF) – monthly-ongoing</p>

Team Risk & Opportunity Management



Team Risk Assessment | Summary

Ref	Risk	Potential Consequences	Actions
LSRS 1	Failure to provide high quality, proactive and responsive legal services leads to a breakdown in ethical governance arrangements and the potential for unlawful operations, resulting in breach of legislation and possible legal challenge.	<ul style="list-style-type: none"> • Image of council not improved. • Breach of legislation • Legal challenge. • Damage to reputation • Increased costs • Loss of opportunities 	<ul style="list-style-type: none"> • Existing legal functions and arrangements • See Directorate Plan Strategic Objective RD06 and planned actions.
LSRS 2	<p>High turnover and ratio of locum to permanent staff</p> <p>Service's reliance on interim staff</p>	<ul style="list-style-type: none"> • Lack of capacity • Lack of continuity leading to a negative impact on relationship building and lack of confidence in the quality assurance of services provided • Disruption to staff development • Knowledge leakage • Significantly higher costs to hire locums than permanent • Budget over-committed – cost of temporary/locum staff much higher than permanent staff • Business Continuity affected • Potential inconsistency of advice • Damage to reputation • Financial Liability • Council vulnerable to spurious claims 	<ul style="list-style-type: none"> • Review structure • Active consideration of retention issues • Restructure of Legal Services department (to include the establishment of necessary permanent posts) to be prioritised. • Principal Solicitor posts to be submitted for re-evaluation by Pay & Reward Board to ensure that when the permanent posts are put out to advert that they generate interest from adequately qualified potential candidates. • Programme of regular file reviews and supervision to take place for all temporary members of staff to assist with compliance with office management procedures and consistency of service provided to clients

LSRS 3	<p>Recruitment and Retention – Key posts remain unfilled or take time to fill</p> <p>Maintenance of skills/training</p>	<ul style="list-style-type: none"> • Staff turnover high • Difficulty in recruiting suitable staff • Temporary/locum staff much more expensive as per above • Inconsistent advice 	<ul style="list-style-type: none"> • To put in place an effective system of succession planning to ensure that the effect of any loss of key members of staff is minimised. • Full implementation where necessary of new Performance Management system to ensure regular 1 to 1s • Training records and monitoring undertaken • Possibility holding “Open Day” to promote Thurrock as employer (recruit local staff) • Consider other options for provision of service (cost implications)
LSRS 4	<p>Contracts – contractual arrangements not clear and lead to budget problems and contractual disputes/uncertainty.</p>	<ul style="list-style-type: none"> • Budget over-committed, strain on resources • Acting in breach of contract • Poor service delivery 	<ul style="list-style-type: none"> • Make arrangements to provide effective legal advice available to the Council on entering into the contract • Ensure that there is effective reporting of the terms and obligations of such contracts upon completion • Review Contract Standing Orders • Review Scheme of Delegation • Ensuring Lexcel Procedures are followed

LSRS 5	Identification and implementation of new legislation	<ul style="list-style-type: none"> • Inadequate resources to comply with provisions • Members and officials not trained • Possibility of Judicial review • Non-compliance with statutory provisions • Loss of reputation • Lack of knowledge management • Failure to amend documents and precedents • Loss of opportunities • Negligence 	<ul style="list-style-type: none"> • Constant review of upcoming legislation via available resources • Appoint task groups to deal with large pieces of legislation • Monitor case law, social care protocol established • Training for Members and officials • Amend Constitution to comply if necessary • Monitor and implement • Permanent creation of Corporate Lawyer • Share knowledge with other authorities • Internal partnerships (i.e. via Overview & Scrutiny) • Amend Constitution •
LSRS 7	<ul style="list-style-type: none"> • Adequate resources for Monitoring Officer to conduct local determinations and investigations • New legislation changing the role of Standards Committee and Monitoring Officer 	<ul style="list-style-type: none"> • Acting unlawfully once time limits have been exceeded • At risk of judicial review from the complainant and the Member being investigated if proceeded after deadline • Impact on the MO as personal liability. • Reputation damage to Council – Particularly with regard to ethics and standards 	<ul style="list-style-type: none"> • MO to monitor referrals and update Chief finance Officer if unforeseen number of referrals take place to identify budget.
LSRS 8	<ul style="list-style-type: none"> • Reports from Directorates to council and Cabinet not submitted before deadlines. 	<ul style="list-style-type: none"> • Not enough time to check that reports comply with all requirements • Unlawful decisions taken • Breach of trust and confidence • Poor Quality reports 	<ul style="list-style-type: none"> • Reports submitted after deadline to be refused • CE Cabinet Callover meetings with Officers • Quality control by Deputy Heads of Legal Services.

Team Opportunities Assessment | Summary

Ref	Opportunity	Potential Benefits	● Actions
LSOpp1	Essex Legal Services Partnership – all Legal Departments within Essex local authorities	<ul style="list-style-type: none"> • Sharing of services/expertise • Capacity building • Shared best practice • Economies of scale – eg specialist software 	<ul style="list-style-type: none"> • Partnership in its infancy, Thurrock is a lead authority for this. • Continue to get buy in from other authorities •
LSOpp2	Review and Restructure of core service to consider Contract, Employment and Education speciality lawyers	<ul style="list-style-type: none"> • able to provide the specialist knowledge required for these areas of law • reduce cost of external specialist/barrister fees in these areas • enable a proactive rather than reactive service regarding these specialist areas 	<ul style="list-style-type: none"> • Legal SMT to consider and produce business cases for such appointments •
		<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> •

People

This section to be completed monthly to reflect training which has taken place or booked in the previous month (Apr 09 – March 10)

Workforce Development 2009-10				
Team Training Development Need	Training methodology	Training provider	Resource implications	Evaluation
<i>As identified in PDRs</i>				

Schedule of 1:2:1s in 2009-10												
Month	April	May	June	July	August	September	October	November	December	January	February	March
Officer												
GBJones												
DLawson												
LYoung												
PEdge												
BBhandal												
NReynolds												
HGraydon												

Insert the dates for each member's 1:2:1 and Performance Development Review

Month-by-Month Operational Plan 2009-10

This table is a prompt to undertake the required routine managerial tasks.

Enter the Name of the Lead Officer Responsible for each operation in the final column

	A	M	J	J	A	S	O	N	D	J	F	M	Lead
H&S VDU Assessments			✓			✓			✓			✓	LY/AR
H&S Electrical Safety												✓	Europa
H&S Risk Assessment												✓	LY/AR
SHE Audit			✓			✓			✓			✓	LY
SHE submission					✓								LY
Fire assessment						✓							AR
Records Management			✓			✓			✓			✓	Vertex
Freedom of Information			✓			✓			✓			✓	LY
Data Protection			✓			✓			✓			✓	LY
Inventory Furniture / Stock take												✓	
I.T. Inventory						✓						✓	
Diversity			✓			✓			✓			✓	
Attendance/ Record of Service	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Budget Monitoring	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	LY
Risk Management			✓			✓			✓			✓	All
Business Continuity			✓			✓			✓			✓	LY
1:2:1s	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	All