

Legal Services

Service Statement

April 2019



Executive Director: Kelly Angus
Head of Service: Liam Henry
Lead Member: Cllr Nick Oliver

Legal Services

Service purpose and functions

Purpose

Legal Services is in-house legal department providing a full legal service to all Northumberland County Council departments, local authority schools, academy schools and other stakeholders. We also provide legal representation regarding proceedings in Court or other kind of tribunal/judicial reviews.

Primary functions

Legal Services

- Advice
- Advocacy including representation at panels, tribunals, inquiries and court
- Attendance at Council, Committees, local area Councils and Sub Committees
- Drafting and review of contracts, agreements, orders and notices etc.
- Enforcement and litigation
- Investigations
- Mediations and Negotiations
- Monitoring Officer, including ethical framework support

Service parameters

Key service facts and figures

- Acted in relation to 25 property disposals attracting an anticipated capital receipt of £ 3.7 m
- Providing legal advice to all Local Authority Schools and Academy Schools in the County under service level agreement arrangements
- Acted in sale of 39 Right to Buy properties to sitting tenants
- Advising Children's Services on any issue arising from the care of children and young persons including, drafting legal proceedings and representing Children's Services in Court on applications relating to child protection and adoption
- Completion of approximately 47 Section 106 Agreements to date
- Advising on and conducting prosecutions on behalf of all departments of the Local Authority
- Processed 18 Members Code of Conduct Complaints in the last year

- Elected member conduct support including to over 150 parish and town councils

Summary of service resources at 1 April 2019:

Function	Number of FTE posts	Staffing expenditure	Non-staffing expenditure	Income	Capital investment
	37.44	1787150	799640	582700	
Totals for Service					

Contribution to the Corporate Plan

Vision for the service in contributing to delivery of the Corporate Plan in the period to 2021, including improved outcome areas.

“We want you to feel safe, healthy, and cared for”

Through the provision of our legal support service to a range of protective functions, including adult and child care and public protection, the Service makes a valuable contribution to delivery of the Council’s vision in respect of safer and more secure communities

“We want you to have access to the things you need”

The Service are currently providing legal advice and assistance to the Northumberland Line project which is seeking introduce a passenger rail service to connect the south east of the County with the Tyneside conurbation in addition to the general support that is given to our Highways Department in managing and maintaining the County’s road network

“We want you to love where you live”

Members of the Service’s regulatory team’s contribution to the authority’s planning and environmental functions assist in delivering the Council’s vision in relation to the protection and good management of the County’s outstanding natural and built environment

“We want to be efficient, open and work for everyone

The Service’s specialist procurement lawyers provide an invaluable support service to the Council’s procurement service to ensure that the authority’s resources are managed and utilised to maximum effect

External Validation

Inspections

Legal Services is not currently subject to any specific external inspection having taken the decision not to retain the Law Society's Lexcel Accreditation which it held until June 2014 for budgetary and resources reasons. The Practice Management Standards association with Lexcel are still followed however on an informal basis and the service will review the position when the Local Government Lexcel module is introduced by the Law Society which is awaited

It does have a direct involvement in the regular inspections carried out by the Office of the Surveillance Commissioner in respect of the way in which the Council makes use of the Regulation of Investigatory Powers Act 2000 (RIPA) with the Legal Services Manager currently acting as the authority's RIPA Monitoring Officer. The last inspection carried out in June 2017 resulted in a favourable outcome from the OSC.

Customer perception

A comprehensive review of the service was last carried out in late 2014 by Colette Longbottom, the then Head of Legal and Democratic Services at Durham County Council. The review which was on the whole a positive one of the service, included a customer satisfaction survey which showed that of those surveyed 78% were either very satisfied or fairly satisfied with the service they received with 94% responding that they had direct access to a suitable lawyer. The Service is committed to the conduct of a fresh review in the coming months and is canvassing opinion on the content of that review from both within and without the Service

Benchmarking

The Services is a member of CIPFA Benchmark Club

Cost of externally sourced legal work as a % of total legal function cost	21%
Cost per chargeable hour	£65
Number of complaints received per legal employee	0

Priorities for 2019 - 2021

Priority Area	Key Milestones
1. Providing legal advice and support in relation to the Care Act 2014 and Health and Social Care Integration. Including any legal challenge in respect of fees to Care Homes Providers.	N/A
2 To continue to safeguard the children of Northumberland and to maintain and build upon our improved Court performance and reputation with external stakeholders in partnership with children's social care in order to gain 'outstanding' in our next OFSTED inspection	To be determined in conjunction with the client department
3. Supporting Public Protection colleagues with implementation of the Anti Social Behaviour Crime and Policy Act 2014 to include precedent drafting, advice and training	To be determined in conjunction with the client department
4 Providing legal advice and support across the authority in connection with the continued implementation of the General Data Protection Regulation (GDPR)	To be determined
5. Continue to make improvements to the department's procedures and systems, in particular Iken Case Management system e.g. introduction of workflows for particular matter types.	Ongoing
6. Make preparations in advance of the internal refurbishment of County Hall and move to more agile working, taking particular consideration to the corporate clear desk policy	Ongoing
7. Continue to audit the contents of the strong room and moving the contents to Woodhorn as well as closing the disposing of matter files in line with the department's retention schedule	Ongoing

Performance framework

Measure	Outturn 2016-17	Outturn 2017-18	Target 2018-19	Target 2019-20	Target 2020-21
The average period of time between receipt of full instructions from the client department to issue of associated documentation.	13	11	11	14	