

# Legal Services

## Service Plan 2009 – 2012

Service Manager	<b>Michael Horn</b>	
Contact Details	Email:	<a href="mailto:mike.horn@breckland.gov.uk">mike.horn@breckland.gov.uk</a>
	Tel:	<b>01362 656 363</b>
Director	<b>Rob Barlow</b>	
Portfolio Holder	<b>Kay Fisher</b>	

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# 1. WHAT ARE WE HERE TO DO?

This section describes what the service will deliver, why it needs to be delivered and who it needs to be delivered to. The new Comprehensive Area Assessment (CAA) will assess how well local services are working together to improve the quality of life for local people. CAA will provide a joint assessment of outcomes for people in an area and a forward look at prospects for sustainable improvement, hence our need to understand the unique issues and challenges within our district and how we can deliver real outcomes with our partner organisations.

## Background and Key Areas of Work:

The core business of the Service:

- Provision of general legal advice to the Council. The majority of work is received direct from internal client departments.
- Provision of corporate legal advice and other information to Members and professional staff across the Council.
- Provision of legal advocacy e.g. bringing and defending cases in Courts.
- The service also carries out; debt recovery work, general and commercial conveyancing and litigation including repossession of Council owned land where there has been an unauthorised incursion by travellers.
- Public Rights of Way: This service makes orders for the diversion or creation of Public Rights of Way under the Highways Act and Town and Country Planning Act.
- Provision of legal advice to the Breckland Against Crime Reduction Partnership (CDRP) on Anti Social Behaviour Issues, involving ASBOs, dispersal areas etc.
- Ensuring compliance and overseeing procedures involving the Regulation of Investigatory Powers Act (RIPA) in connection with directed surveillance.
- Provision of legal advice in respect of the Data Protection Act (DPA) AND Freedom of Information Act (FOI).

## Supporting Information

- Breckland Council Business Plan 2008 – 2014
- Data Quality Policy
- Equalities Strategy
- Risk Management Strategy
- The Council's Constitution
- The Data Protection Policy
- The Freedom of Information Policy
- The Regulation of Investigatory Powers Act Policy
- Procurement Strategy
- Race Equality Scheme

## Proposed Consultation 2009 - 2012

Consultation as detailed below will be undertaken:-

- To enable us to improve and develop the legal service to the Council and it's members.
- To continue to improve and develop a close relationship with Norfolk County Council Legal Services.
- To identify areas where improvement of the service is required. E.g. Day-to-day Administration / Support Staff.

Survey	Lead Officer	Quarter / Year	Statutory Yes / No	Target Group / Population	Purpose
Client Satisfaction	G Parfitt	Yearly	No	Internal departments of the Council.	Ensure we maintain a quality legal service

## Local Analysis

Key challenges that may affect the service over the next three years include :

- The Council's internal re-organisation.
- Day-to-day legal administration support.

Benchmarking:

- Consider composition of other legal services within the County

Norfolk County Council contract – explanation...

In order to ensure the continuation of development of our services we will:

- Continued professional development
- In-house training
- To provide the right resources, and in particular have the right people with the right skills
- Continue to build relationships with Norfolk County Council Legal services

## What Outcomes Will We Deliver?

Legal services contribution to the council's corporate business plan:-

Business Plan Aim/Priority	Outcomes Which Contribute to this Aim/Priority
Building Safer and Stronger Communities	<ul style="list-style-type: none"> <li>• Providing legal advocacy in applications for Anti Social Behaviour Orders, injunctions and other enforcement action.</li> <li>• Providing legal advice to the Breckland Crime and Disorder Partnership and internal departments on anti-social behaviour issues.</li> </ul>
Environment	<ul style="list-style-type: none"> <li>• Processing and completion of prosecutions to support clean neighbourhoods.</li> </ul>

Entrepreneurial Council:

*“To ensure good governance and business management to deliver constantly improving outcomes for local people”*

- Giving legal advice in respect of the lawful operation of the Council's Constitution and the lawfulness of the Council's operations.
- Outsourcing of legal work to Norfolk County Council
- Provision of training for service areas and partners.
- Developing business and trading opportunities
- Continuing to improve and develop a close relationship with our partner organisations.
- Provide corporate legal advice and other information to Members and professional staff across the Council and provide legal services including advocacy, litigation and conveyancing.

## Data Quality

We will encourage the consideration of data quality throughout our work, ensuring that well documented procedures exist to define responsibilities for data collection, data entry and maintenance. There will be an ongoing review of the way in which we collect and supply data, with particular attention to the security of data.

Data quality issues will be addressed as they arise and common problem areas will be identified, any repercussions will be considered and effective action will be taken to resolve any issues. Where applicable, the definitions for every performance indicator used within this service team plan will be understood along with an understanding of how inspection agencies will use and assess this information.

## How are we doing it?

The purpose of this section is to understand all of the key activities within the service. The table below shows how the activities we will deliver are linked to Breckland Council's corporate aims, as set out in the Business Plan 2008 – 2014. It also considers any links with the work of the Local Strategic Partnership, the Local Area Agreement and any associated performance indicators. Understanding these links is important to ensure we are delivering the right outcomes for local people.

### Breckland Council Aims and Priorities:

<p><b>CA 01 - Building Safer and Stronger Communities</b></p> <p>CA 01.1 - Tackle anti-social behaviour            CA 01.2 - Reduce the fear of crime            CA 01.3 - Promote a sense of community belonging and pride            CA 01.4 - Ensure that all our services are provided in a fair and equitable manner            CA 01.5 - Contribute to improving the health of people who live in Breckland            CA 01.6 - Reduce poverty</p>	<p><b>CA 02 - Clean and Green Environment</b></p> <p>CA 02.1 - Contribute to reducing the causes of climate change            CA 02.2 - Protect and improve the local environment</p>
<p><b>CA 03 - Prosperous Communities</b></p> <p>CA 03.1 – Protect and enhance our town centres            CA 03.2 – Develop flourishing rural communities            CA 03.3 – Secure a decent standard of housing across the district            CA 03.4 – Encourage inward investment and diversification of the local economy            CA 03.5 – Promote the start-up, growth and retention of local businesses and the strengthening of Breckland's entrepreneurial culture            CA 03.6 – Promote the development of a more skilled workforce</p>	<p><b>CA 04 - Your Council, Your Services</b></p> <p>CA 04.1 – Help your elected councillor to act as your community leader, champion and advocate            CA 04.2 – Strengthen community consultation and involvement            CA 04.3 – To involve people in the design and delivery of services that meet their needs            CA 04.4 – Improve the quality and consistency of services received by customers</p>
<p><b>CA 05 - Entrepreneurial Council</b></p> <p>CA 05.1 – To Identify and maximise the full earning potential of the council.            CA 05.2 – To ensure the council manages its resources well to ensure value for money            CA 05.3 – Maintain strong systems of governance and business management to deliver better outcomes for local people            CA 05.4 – To maximise the potential of the council's natural resources, physical assets, people and technology to meet current and future needs</p>	<p><b>Links with Norfolk LAA and Breckland Sustainable Community Strategy Outcomes:</b></p> <ol style="list-style-type: none"> <li>1. Thriving economy</li> <li>2. Improving skills and fulfilling aspirations</li> <li>3. Improving housing</li> <li>4. Environmental sustainability</li> <li>5. Stronger communities</li> <li>6. Safer communities</li> <li>7. Supporting independence</li> <li>8. Improving health and well-being</li> </ol>

## 2. HOW ARE WE IMPROVING?

This section provides a detailed plan of the previous section and sets out the performance indicators that will be delivered and measured over the next three years. The milestones and targets will be progressive and will demonstrate how the service area is working towards continuous improvement. This section also considers the management of risk within the service area and scheduled equality impact assessments.

The structure of this section is as follows:-

### **Part I: Outcome Plan**

This will comprise of the elements of project and indicator work that link directly with outcomes in our Business Plan and Sustainable Community Strategy. This will form part of the governance and performance management arrangements including quarterly updates through the performance management system.

### **Part II: Operational Plan**

This will consist of projects that may be at the feasibility stage or indicators that measure activity data. This area will also incorporate any elements of work that the service undertakes as a statutory function as well as all other operational activity. It is at the discretion of each service manager as to whether the information contained in this section is transferred in to the performance management system (the performance team are able to facilitate this).

### **Part III: Risk Management**

This will consist of key strategic and operational risks. Please refer to the Performance/Risk Management system to view existing risks and the Methodology for Assessing Risk for guidance on how to complete an effective risk assessment

### **Part IV: Equality Impact Assessments**

This will detail all completed equality impact assessments within the service and any equality impact assessments that will need to be undertaken in the future.

## PART I – OUTCOME PLAN

(This will form part of the governance and performance management arrangements including quarterly updates through the performance management system).

### Projects

Project	Related Indicator(s)	Related Risk	Capital Programme	Council Priority	Partnership Priority	Description	Lead Officer	2009/10 Milestones				2010/11 Annual Summary	2011/12 Annual Summary	Purchasing of goods/services required?
								Q1	Q2	Q3	Q4	Key Milestones	Key Milestones	



**Performance Indicators**

Indicator	Related Project(s)	Related Risk	LAA NI?	Council Priority	Description	Lead Officer	Outturn 2008/09	2009/10 Milestones				2010/11 Milestones				2011/12 Milestones			
								Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

**PART II – OPERATIONAL PLAN**

(It is at the discretion of each service manager as to whether the information contained in this section is transferred in to the performance management system - (the performance team are able to facilitate this).

**Projects**

Project	Related Project(s) & Indicator(s)	Related Risk	Description	Lead Officer	2009/10 Milestones				2010/11 Annual Summary	2011/12 Annual Summary	Purchasing of goods/services required?
					Q1	Q2	Q3	Q4	Key Milestones	Key Milestones	

**Performance Indicators**

Indicator	Related Project(s) & Indicator(s)	Related Risk	Description	Lead Officer	Outturn 2008/09	2009/10 Milestones				2010/11 Milestones				2011/12 Milestones			
						Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
SI-LS 01	N/A	N/A	Satisfaction with legal advice - internal - quality	Graham Parfitt	TBC	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
SI-LS 02	N/A	N/A	Satisfaction with legal advice - internal - speed	Graham Parfitt	TBC	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
SI-LS 03	N/A	N/A	Satisfaction with legal advice - internal - overall	Graham Parfitt	TBC	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
SI-LS 04	N/A	N/A	Satisfaction with legal advice - external - quality	Graham Parfitt	TBC	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
SI-LS 05	N/A	N/A	Satisfaction with legal advice - external - speed	Graham Parfitt	TBC	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
SI-LS 06	N/A	N/A	Satisfaction with legal advice - external - overall	Graham Parfitt	TBC	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

## PART III - RISK MANAGEMENT

### Risks

Risk Ref No	Aim/ Priority	Risk Category	Risk Description Risk, impact & consequences	Risk Owner	Gross			Existing Control Measures including any contingency measures currently in place and working effectively (State related NI/PI/Project No)	Mitigation Plan (Action to deal with control measures not currently in place)	Action by dd/mm/yy	Net		
					Likelihood	Impact	Score				Likelihood	Impact	Score
R - 01	CA 05.3	Management	<p>Severe flooding and/or burning down of Deeds Store Room and contents in the case of total destruction of all Title Deeds relating to unregistered land owned by the Council, would result in the Council not have any Deeds or documentation to evidence ownership.</p> <p>This would also apply to documentation in respect of any major contracts, enforcement notices, Section 106 Agreements and other historical data.</p>	Michael Horn	1	3	3	<p>When it was first proposed that the Council offices relocate in 2003, the provision of an adequate Deeds storage room was identified and the potential consequences of not doing so were well documented. Plans to build an adequately protected Deeds store room have been produced, but they have not been implemented.</p>	<p>Continue with the ongoing programme of voluntary registration at the Land Registry of all the Councils unregistered Land.</p> <p>Construction of an on-site purpose built strong room.</p>	Ongoing programme	1	2	2

## PART IV - EQUALITY IMPACT ASSESSMENTS

### A) EQIA's Undertaken

Function	Policy	Key Contact	Date Undertaken	Next Revision Date	Conclusion

### B) Planned EQIA's

Function	Policy	Key Contact	Deadline Date	Revision Date	Purpose

### 3. SUMMARY OF FINANCIAL INFORMATION

This section gives an overview of the service area budget for the next three years, the budget will relate to planned projects and activities. The growth bid information details the amount that will be requested and how this money will be used to drive improved performance within the service area in order to deliver improved outcomes for local people. Efficiencies are an important part of ensuring that the authority is using its resources in the most effective and efficient ways possible, and also to ensure that we are achieving value for money.

#### A) Financial Management

Please refer to Section B & C for details of growth bids and savings/efficiencies.

#### Monitoring (056 0000 317)

	Approved Budget 2009 - 10	Estimated Budget 2010 - 11	Estimated Budget 2011 – 12
Base expenditure budget	£54,730	£55,260	£55,500
Income earned	£0	£0	£0
<b>Net Budget</b>	<b>£54,730</b>	<b>£55,260</b>	<b>£55,500</b>

#### Legal Services (560 0000 000)

	Approved Budget 2009 - 10	Estimated Budget 2010 - 11	Estimated Budget 2011 – 12
Base expenditure budget	£383,040	£395,360	£404,130
Income earned	£0	£0	£0
<b>Net Budget</b>	<b>£383,040</b>	<b>£395,360</b>	<b>£404,130</b>

#### SUMMARY

	Approved Budget 2009 - 10	Estimated Budget 2010 - 11	Estimated Budget 2011 – 12
Base expenditure budget	£437,770	£450,620	£459,630
Income earned	£0	£0	£0
<b>Net Budget</b>	<b>£437,770</b>	<b>£450,620</b>	<b>£459,630</b>

**B) Growth Bids**

Year	Reason	Partner Impact	Corporate Performance Impact	Measurable Outcomes	£ Revenue	£ Capital
2009/10						
2010/11						

**C) Savings and Efficiencies**

Year	Reason	Partner Impact	Corporate Performance Impact	£ Revenue	£ Capital
2009/10					
2010/11					

## 4. KEY PEOPLE

### Team Structure

