

**MANCHESTER CITY COUNCIL
REPORT FOR INFORMATION**

Committee	Resources and Governance Overview and Scrutiny Committee
Date	8th January 2009
Subject	Legal Services Business Plan
Report of	Head of Legal Services

Purpose of Report

To consider the provision of Legal Services to the Council and the impact of the recent legal services framework

Recommendations

The Committee is asked to note the report

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Background Document

Legal Services Business Plan 2009 – 2011

1. Introduction

Members last reviewed the Legal Services Business Plan in 2007 following a restructure of the Division. At that time members raised a number of issues including the plans to introduce frameworks in selected areas, benchmarking and how the Service would achieve its ambition of being the first choice provider of legal services. Those issues are addressed below.

2. Service Quality

2.1 Independent assessments

Legal Services achieved the Law Society Lexcel Quality mark in September 2007 following a 4-day on site inspection and this was renewed in October 2008 following a 2-day on site review. The Lexcel Accreditation process involves interviews with staff, consideration of business plans, policies and risk processes and random reviews of files by two independent assessors.

It assures clients that a business is properly managed, that fee earners are supervised, that robust risk management procedures are in place and that client care is a top priority. Assessors noted that there were 8 areas of improvement and good practice from 2007 and that there was an 'excellent commitment from all staff interviewed to ensure best practice is maintained or improved'.

The Litigation Section of Legal Services has also been subject to two external audits this year both of which have been extremely positive and have confirmed that in the view of the auditors the section provides value for money for the council in dealing with litigation and is well managed.

2.2 Internal and external clients

Legal Services carried out a client survey in July 2008. 120 questionnaires were sent out with 24% return rate.

83% of those who replied stated that the service was excellent (52%) or good with a helpful, courteous, proactive and had a "can do" approach. 81% of respondents stated that the understanding of client needs was excellent (48%) or good. Whilst the results are on the whole positive, the Quality Manager, in consultation with the members of the management team, will not only be working on areas identified for improvement but also on improving the quality of the survey and on response rates. This survey will be used as a benchmark for future improvements as set out in the business plan.

Heads of Groups now meet regularly with senior officers in client departments to discuss operational and strategic matters, risk registers and the quality of the service that is being provided by Legal Services. These meetings have proved beneficial in identifying areas of improvement.

2.3 Added value

Legal Services now provides more proactive information and free training to clients than previously. For example the Neighbourhood Services and Children's Groups provides regular legal newsletters and updates to client departments and schools and clients have attended training on Employment Tribunals, Corporate Manslaughter, Consumer Protection, and Housing Law. Tailored training has been provided to Children's Services and RSLs.

The Head of Children's (Legal) chairs the Courts Implementation Group on the new Child Care protocol across Greater Manchester, which includes Senior Family Judges. This involvement has enabled Manchester Legal Services to influence how the Protocol is used and implemented in the Manchester Courts.

3. Frameworks

Legal Services has entered into 2 framework arrangements during 2008, Child Care and Regeneration.

3.1 Child Care

There are four firms on the Child Care Framework. To date no care proceedings work has been allocated but this is likely to change if there is an increase in cases referred for Court action.

The firms have been used to act for prospective adopters and special guardians thus ensuring that the carers of looked after children have access to high quality legal advice and representation.

The Framework Management Group will meet early in the New Year.

Following discussions with Children's Services the Child Care Legal Team has been restructured to provide more advocacy in house rather than using Counsel. Although the restructure is not yet fully implemented there has been a reduction in spend on Counsel from April to August 2008 in comparison with the same period in 2007. External legal spend on solicitors in this area has also decreased.

3.2 Regeneration

Following a competitive procurement process the Regeneration (Legal) Framework was established in June 2008. The framework provides a panel of firms that provide services that complement and support the Council's in-house legal service in relation to the work of the Regeneration (Legal) Group. The areas of work in which the panel specialise include property, commercial and infrastructure work including major PFI, regeneration and other strategic projects.

The procurement of the framework allows the Council to secure external legal advice at competitive rates and streamlines the process for commissioning work. The framework also establishes a performance monitoring arrangement consistent

with other frameworks established by the Council under which the performance of the firms is measured against identified KPIs.

A Framework Management Group has been established led by the Head of the Regeneration (Legal) and comprising of senior representatives of each of the panel members to manage the framework and monitor progress in terms of achieving the Council's objectives. The Group has also identified scope for joint training initiatives allowing for the transfer of skills between the panel and the Council's in-house team with training events and other activities that secure added value to the Council through the framework.

4. Benchmarking

The Framework process has shown that the in house legal service costs significantly less on an hourly rate basis than external legal provision with the added benefits of a service that is working to the Council's aims and objectives.

For the reasons discussed with Members in 2007 it has not been possible to progress benchmarking with other local authority legal services to any great extent. There is now a Greater Manchester Legal Services benchmarking group and information has been provided to the Group but the outcomes have not yet been finalised. We recognise the importance of accurate benchmarking information and we will continue to progress this work where possible throughout 2009.