



**MANCHESTER**  
**CITY COUNCIL**

## **Head of Legal Services Business Plan**

**2009/10-2011/12**

**BUSINESS PLAN TEMPLATE**

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## **Section 1: Business Analysis**

### **1.1 Introduction To The Business**

#### Legal Services

The core business of the Service is to:

Ensure legality and probity in the Council's administration,

Provide a comprehensive legal service to the Council which includes advice, representation, documentation and negotiation,

Carry out statutory functions on behalf of the Council, and

To take a strategic role in the formulation of the Council's plans, policies and procedures.

The Service also carries out other non-core functions that include acting for third parties and external agencies, working with the Council's partners, representing the Council on outside bodies and providing training and briefings to enable clients to provide a better service.

The structure of the Service reflects that of the Council as a whole. There are three groups – Neighbourhood Services, Regeneration Services and Children's Services. Each group takes a lead on and provides support to the relevant strategic directorate. Examples of outcomes reflecting the contribution of the Service to the Council's Corporate Plan are set out below, they include work on the major City Council regeneration projects, including BSF and Academies, supporting the clean neighbourhoods initiative, supporting the Children's Safeguarding Board and working on procurement projects to ensure value for money.

In November 2007 the Service was awarded Lexcel accreditation. Lexcel is the Law Society's Practice Management Standard for legal practices. The standard had changed and became more difficult to achieve in 2008. The service met the new standard in September 2008 with the assessors finding fewer areas of minor non compliance and more areas of good practice.

Lexcel certified practices have identified the following benefits:

More effective risk management leading to fewer claims or complaints  
Improved customer service

- Lower insurance premiums.
- Improved marketability and competitive advantage
- Great success in tenders and panel reviews
- A major step towards demonstrating best value compliance
- Consistency of service

- Help with new practice rules

## **Vision for Service**

To be acknowledged first choice provider of all legal services to Manchester City Council by maintaining our: –

excellent technical expertise;  
solution focused work;  
unique ability to provide innovative work in a local authority legal context;  
commitment to being an integral and pro active partner in Team Manchester

To ensure a first class legal service for the Council wherever sourced

### Democratic Services

The Democratic Services Section of City Solicitor's Division is headed by the Head of Democratic Services (who reports to the Assistant City Solicitor/Deputy Monitoring Officer) and is made up of the following teams / posts:

Democratic Services Legal team / information compliance & records management  
Governance and Scrutiny Support  
Electoral Services Unit

The Democratic Services section brings together the legal advice and practical implementation of the government's developing democratic modernisation agenda. All of the teams are based in the Town Hall.

## **1.2 Key Drivers for Change**

Key changes in the national, regional and local policy environment that will or may affect the business over the next year include:-

1. Changes in legislation, e.g.

Mental Health – changes in legislation will impact on such issues as capacity, deprivation of liberty and the role of Approved Social Workers.

Children and Young Persons Act 2008 – extends local authority responsibilities to young people leaving care, amends legislation in a number of areas such as the provision of accommodation, independent reviewing officers etc

Review of Adult Social Care legislation – the Law Commission have published a paper on the review of the whole of Adult Social Care legislation

Review of Gambling Policy

Housing and Regeneration Act

All of which will require Legal Services to work in partnership on planning, implementation and review and will including training where appropriate.

2. Changes in Land Charges Regulations will require legal services to consider and evaluate the impact of the proposed changes on the provision of the land charges service by the Council.
3. Changes introduced by client departments

These may include new initiatives, new working practices, or change in focus in specific areas.

### 1.3 Business Contribution to the Corporate Plan

This business makes the following contribution to the Council's Corporate Plan:-

	<b>Business Outcomes Which Contribute To This Priority</b>
Corporate Plan Priority 1 <b>Promoting Economic Development</b>	<p>Delivery of legal agreements that underpin major regeneration schemes</p> <p>Delivery of acquisitions and disposals including completion of projects to bring in major capital receipts at year end</p>
Corporate Plan Priority 2 <b>Reaching Full Potential in Education and Employment</b>	<p>Delivery of legal work on BSF and Academy programme</p> <p>Promotion of local labour agreements</p> <p>Support to schools through specific SLA</p> <p>Support to Safeguarding Board and Children's Trust arrangements</p>
Corporate Plan Priority 3 <b>Promoting Individual and Collective Self Esteem - Mutual Respect</b>	<p>Provision of legal advice and representation service on Anti Social Behaviour</p> <p>Delivery of legal work on HMO Licensing Scheme</p> <p>Support to Safeguarding Board and Children's Trust arrangements</p> <p>Support to Domestic Abuse Strategy</p>
Corporate Plan Priority 4	Processing and completion of prosecutions to support clean neighbourhoods.

<p><b>Creating Neighbourhoods of Choice</b></p>	<p>Legal advice on Respect agenda</p> <p>Multi agency work on travellers</p>
<p>Corporate Plan Priority 5 <b>Improving Council and Community Leadership</b></p>	<p>Ensuring the effective implementation of the Local Government Bill and Corporate Governance Project</p>
<p>Corporate Plan Priority 6 <b>Delivering the Manchester Improvement Programme</b></p>	<p>Delivery of procurement projects and legal support arising out of Manchester MIP</p>
<p>Corporate Plan Priority 7 <b>Continuously Improving Value For Money</b></p>	<p>Use of Framework process for delivery of legal services</p> <p>Discussions with clients to return outsourced work back in house</p>
<p>Corporate Plan Priority 8 <b>Developing Our Workforce To Deliver High Quality Services</b></p>	<p>Implementation of Service Training Plan</p> <p>To build on the improvements in service delivery and practice arising from obtaining the Lexcel standard and to continuously improve</p> <p>To continue to provide training for departments and partners.</p>
<p>Corporate Plan Priority 9 <b>Ensuring Customer and Neighbourhood Focus, And Equality of Opportunity in Employment and Service Provision</b></p>	<p>Act on regular client feedback</p> <p>Introduction of an Annual Quality Review and implementation of recommendations</p> <p>To build on the improvements in service delivery and practice arising from obtaining the Lexcel standard and to continuously improve</p>
<p>Corporate Plan Priority 10 <b>Managing Our Performance and Risks to Ensure We Deliver Our Objectives</b></p>	<p>Introduction of risk assessment framework for individual files</p> <p>Maintenance of risk registers and reports through legal management team</p> <p>Development of the roles of Risk and Quality Managers</p> <p>High level legal support to client departments on legal risks</p>

## Neighbourhood Funding Strategy

The following Neighbourhood Funding Strategy proposals have been implemented during the **2008/9** financial year.

NFS Reference	Summary of Priority

The following proposals are being supported through the Neighbourhood Funding Strategy for implementation between April 2009 and March 2012:-

NFS Reference	Summary of Priority

The following proposals have NOT been supported through the Neighbourhood Funding Strategy:-

NFS Reference	Summary of Priority	Reason

## 1.4 Strategic Risk Analysis

This business faces the following strategic risks:-

Ref	Risk	Consequence	Risk Rating
S1	Inability to plan for effective service because of reactive and urgent nature of work	Some work not delivered to meet client department's time requirements as other more urgent work takes priority.  Client departments perceive lack of quality service as they are not aware of other clients or corporate legal needs	Medium
S2	Continued reduction in Land Charges income	Loss of income to Council that cannot be controlled by internal measures	High

S3	Reduction in fees for external legal work provided to third parties	Loss of income to Legal Services budget	Low
S4	Difficulty in recruitment of senior staff	Not enough staff of right quality to provide service	Medium
S5	(Need to cross refer with clients business plans as there may be issues that affect Legal Services such as reduction in HMRF funding)		
S6	Impact of the economic down turn	Loss of income and lack of capital receipts to the Council, slow down in regeneration projects	Medium

## 1.5 Customer and Neighbourhood Analysis

The following key issues are important to the delivery of this business:-

Issue	Impact on the Customer / Neighbourhood	Impact on the Service
Need to support client departments in meeting their objectives	Good client support meets both the departmental and Council objectives. Lack of confidence in legal service could lead to failure to use service and potential unlawful activities	Service fails to meet its objectives or fulfil its vision
Need to ensure good two way communication with client depts	As above Opportunities for innovative legal work to meet objectives lost	Poor perception of legal service, low morale, poor service to clients

The business faces the following risks to equality of access to service provision:-

Ref	Risk	Consequence	Risk Rating
C1	This business only provides a service to internal City Council departments and some other external organisations. It supports Council departments who provide a direct service to the community.		

## 1.6 Performance Analysis

The following areas of this business perform well in comparison to established benchmarks:-

Performance Measure / Indicator	Comparator	Impact on Service Outcomes
Hourly rate	Private sector	Less spend on legal costs
Lexcel accreditation	Other local authorities, private practice	External quality mark, acknowledgement of provision of quality service
Report/inspection Insurance audits	Other local authorities, private practice	External acknowledgement of provision of professional cost effective service

The following areas of this business perform poorly in comparison to established benchmarks:-

Performance Measure / Indicator	Comparator	Impact on Service Outcomes
We do not at present have any relevant benchmarking information but are working with other AGMA legal authorities		<b>Better evidence of Value for Money</b>

to progress. Information is being compiled by Oldham BC		
We are also introducing targets in other areas of the business such as debt recovery, prosecutions and planning. This will include reference to number of debts pursued and recovered, cases held etc, time taken to issue prosecutions, time to draft standard agreements		<b>Better evidence of Value for Money</b>

The following key performance issues are important to the success of this business:-

- Performance indicators in SLA's with external and internal clients. This includes response times on urgent and standard cases, targets for issuing proceedings, information included on bills etc
- Lexcel accreditation
- Regular monitoring of risk

## 1.7 Value for Money Analysis

(Currently working on Performance indicators as set out above)

<b>Service Area / VFM Indicator</b>	Legal Services
	Unit costs and hourly rates are less than private practice and Counsel.
<b>Economy</b>	

<b>Effectiveness</b>	<p>Lexcel – Law Society Quality Mark, renewed at higher standard. Independent assessor rated service as 8.5 out of 10,</p> <p>External auditor confirmed “very professional claims handling service”</p>
<b>Efficiency</b>	<p>64% of clients who responded to survey stated VFM was good or excellent. Although we had carried out a client survey in previous years this is the first year in this format and we intend to use the same format in future years to enable us to compare outcomes</p>
<b>Action to reduce costs / improve outcomes</b>	<p>Implementation of Performance Indicators where appropriate.</p> <p>Comparison with other local authorities where possible.</p> <p>Completion of work to ensure budget is transparent</p>

## 1.8 Workforce Analysis

The following issues / factors are drivers for workforce change in this business:-

Driver for Change	Change(s) Needed in the Business	Timescale
Increasing outsourcing of housing stock	Review of staffing complement	24 months
Completion of specific projects eg BSF/PFI	Review of staffing complement	24 months
Increased flexibility	Breakdown in barriers between different skills/qualifications	12 months
Increased work from external public sector bodies	All staff need to be more commercially aware, close monitoring of external income required	12-24 months
Downturn in property market	Reduction in staff	Dependent on downturn

## 1.9 Financial Drivers and Considerations

The business has a cash limit budget in 2008/9 of £2,777,000 and has been set an initial planning target for the next three years of:

2009/10	£2,776
2010/11	£2,817
2011/12	£2,806

In examining the business 's requirements for the coming 3 years including inflationary and other pressures, an initial assessment of the cash limit budget requirement before efficiencies and other savings are taken into account shows a requirement of:

2009/10	£3,694
2010/11	£3,843
2011/12	£3,995

The following planned efficiencies and savings were identified within the business plan 2008/9 to 2009/10:-

Ref	Planned Efficiency / Saving	Amount (£)		Risk Rating
		2009/10	2010/11	
E1	Recharge of off site storage	£20,000	£20,000	High
E2	Increased income from capital projects	£20,000	£20,000	Medium
E3				

Details of all proposed savings and the impact of the proposals on service users are listed in the savings template attached to the business plan and reflected in the financial plan attached at 3.1. These identify total savings of:

2009/10	£45k
2010/11	£45k
2011/12	£0

Any risks to the achievement of these savings are identified within the Business Plan Risk Assessment at section 3.3

Based on the level of savings identified, the bottom line mainstream cash limit budget requirement for the business would be:

2009/10	£2,877
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2010/11	£2,981
2011/12	£3,133

## **Financial pressures**

The Service also has the following financial pressures

i. Reduction in Land Charges income.

Because of a combination of a reduction in movement in the property market, a reduction in the market share in the provision of the land charges service and a statutory change in the charging mechanism for Land Charges it is anticipated that there will be shortfall from the budget target this financial year of approx £600,000. A report is being prepared for DMT setting out a proposal that the Land Charges income target should be reduced to £500,000.

li Employment posts

It has been agreed with the Head of Corporate Personnel that an additional senior post is required to manage the employment team and provide support to Corporate Personnel on project and strategic employment work. Further because of an increase in Tribunal applications and the transfer of all Tribunal cases to the Legal Team it has also been agreed that an additional half post is needed at solicitor level. The total cost for these posts is £72,000.

## **1.10 Partnerships, Key Linkages and Cross Cutting Issues**

The following partnerships, linkages and cross cutting issues are important to the success of this business:-

Links with all departments – it is important for the service to advise individual departments of the key risks that it is working on such as major litigation cases, changes in legislation etc, and also to be aware of the departmental pressures and priorities in order that we may tailor our service appropriately.

Effective working with regeneration projects - to ensure that we enable the projects to be delivered in a timely and appropriate way

Effective cross cutting work across whole of Council – the Service works with all Council departments and will often be an integral part of specific cross cutting projects such as BSF/Academies

Framework partnerships – important to ensure that the Council achieves value for money in obtaining external legal assistance.

AGMA partnerships – Legal Services leads on Child Care legal issues across AGMA by chairing the AGMA lawyer group and the Courts Implementation Group; we are also establishing an AGMA Adult Social Care lawyers group, working with four other AGMA authorities in tendering for RSL legal work and currently chair the AGMA District Secretaries Group.

## 1.11 Business Continuity

*(To be completed by services defined as Priority 1 or Priority 2)*

The following is a summary of the position of business continuity planning within this business.

<b>Critical Function Name</b>	<b>Date of last BIA / BIA Review</b>	<b>Date of Current Business Continuity Plan</b>	<b>Date Business Continuity Plan Tested</b>
Child Care Legal Services	Sept 08	August 08	21.4.08
Neighbour Nuisance	Sept 08	August 08	21.4.08
Community Care	Sept 08	August 08	21.4.08

## Section 2: Business Objectives and Performance Measures

Ref	Objective	Performance Measure	Baseline (date)	Target Performance			Risk Rating	Contribution to the Corporate Plan Priorities
				2008/9	2009/10	2010/11		
O1	Land charges To review the basis of the delivery and fees of the land charges service as required by change in regulations including review of income targets and structure of the budget	Clear understanding of cost of revised service and more accurate projections of likely future income	1.4.07	Report on impact of changes and plan in place for implementation in 2009	Regulations issued, new processes and budget in place		High	
O2	To ensure that client departments understand the basis of the cost of legal services and are satisfied that it provides value for money	Understanding of client departments measured through annual client survey  Review of basis of budget and exploration of Trading Account	1.4.08	Restructured transparent budget to enable Head of Groups to manage the legal budget more efficiently  Client survey 64% excellent to good VFM	Evidence of efficiencies  Evidence of client satisfaction from survey  69 % excellent to good VFM		Medium	Priority 7
O3	Proactive relationship with clients	Evidence of training, provision of information etc on new legislation and initiatives	1.4.07	10 internal training events 3 x Neighbourhood news Monthly child care legal update  Achieved 14 events, 166 staff trained inc other depts and RSLs	18 training events,  200 staff  quality feedback		Medium	Priority 7 Priority 8

		Improved outcomes in client survey	30.7.08		3% increase where excellent/good above 80%  5% increase where excellent/good between 65 – 80%			
O4	More visible role of Legal Management Team	Recognition by legal Services staff and senior officers in client departments of role of Heads and deputies of groups	1.4.08	Contact from clients at right level and timing, positive staff relations			Medium	Priority 7 Priority 8 Priority 10
O5	Strengthened IT function within Service	IT lead post established  Evidence of efficiencies from use of IT	1.4.08	IT requirements scoped, action plan agreed and lead post established	Action plan implemented		medium	Priority 7
O6	Roll out of Arista case management function across Division	Case management system used in teams who do not currently do so	1.4.08	1 additional team using Arista	1 additional team using Arista			
O7	Successful delivery of European Parliamentary Elections	No successful legal challenges					medium	
O8	Develop managers to ensure a better customer focus	More positive feedback from clients improved survey results	July 08	Client survey results very positive	Improved scores on client satisfaction			
O9	Use of specific performance indicators for internal client work where appropriate	Evidence of improved turnaround of cases and reductions in delay	1.4.09		Evidence of meeting SLA and PI targets			

## Section 3: Operational Plan

### 3.1 Financial Plan

Ref	Objective / Budget Headline	Current Cash Limit Revenue Budget		Proposed Gross Cash Limit Revenue Budgets			Budget Funding Source	Budget Funding			New Capital Investment Required? (Y/N)
		Gross	Net	2008/9	2009/10	2010/11		2008/9	2009/10	2010/11	
	Costs excluding budget pressures and savings:										
	Committee Services	466	460	476	487	498	Mainstream Income	471	482	493	N
	Elections	944	942	964	984	1,005	Mainstream Income	962	982	1003	N
	Land Charges	105	-1,112	105	105	105	Mainstream Income	-1112	-1112	-1112	N
	Legal Services	4726	2487	4841	4958	5079	Mainstream Income	2601	2719	2839	N
	Allocation of Additional Savings			-45	-90	-90		-45	-90	-90	
	<b>Target Totals</b>	<b>6,241</b>	<b>2,777</b>	<b>6,341</b>	<b>6,444</b>	<b>6,597</b>		<b>6,341</b>	<b>6,444</b>	<b>6,597</b>	
				<b>Total Target Mainstream Funding</b>				<b>2,922</b>	<b>3,071</b>	<b>3,223</b>	









## Neighbourhood Funding Strategy Proposals

Proposal	Benefits To Residents	Reasons Why This Cannot Be Addressed Through Existing Resource Allocation	Options For Future Resourcing	Strategy Director And Executive Member Approval
				Yes / No

## 3.2 Work Force Plan

The work force of this business comprises the following:-

Insert work force statistics as at **31 March 2008** numbers, types of staff, skills and competencies

Number of Employees	<18	18 - 24	25 - 34	35 - 44	45 - 54	55 - 59	60+
33		5	9	6	8	4	1
76		1	15	27	20	11	2
45			11	17	13	3	1
10				4	6		
164		6	35	54	47	18	4

Department	Permanent			Temporary			All		
	No of employees	No of leavers	LTO%	No of employees	No of leavers	LTO%	No of emps	No of leavers	LTO%
Legal Services	152	14	9.21%	7	3	42.86%	159	17	10.69%

The drivers for work force change in this Business are:

Driver for Change	Change(s) Needed in the Business	Timescale
<i>Ongoing change in work type required</i>	Flexibility in work across groups	
Change in volume of work from external clients	Change in numbers of staff in specific disciplines	
Loss of HMRF funding	Fewer staff	2010

Over three years the work force in this business will change as follows:-

<b>The Work Force as at March 2012</b>		
<p><i>What workforce will be needed to deliver the service model predicted as at 31 March 2012 – numbers, types of staff, skills, competencies</i></p> <p><i>It is not possible to be precise without considering service department business plans, it is likely that all of the housing stock will be transferred and there will be less asylum work but there may be new regeneration projects, work on TIF, new prosecutions work etc</i></p>	<p><i>Describe the gap to be addressed between the workforce as at 1 April 2009 and the workforce as at 31 March 2012, numbers, types of staff, skills, competencies</i></p> <p><i>See comments in left box</i></p>	
<b>Workforce development Objective</b>	<b>Responsibility</b>	<b>Timescale</b>
<p><i>Based upon the gap analysis, state the objective for workforce development activity.</i></p> <p><i>Make sure the objective is clear enough for you to be able to performance manage this piece of work.</i></p> <p><i>The main objective will be to provide a legal service that meets the clients needs. This will be measured through ongoing accreditations and auditing, measuring of performance measures through internal procedures and SLAs with external clients, ongoing discussions with clients, results of case feedback forms and annual client survey.</i></p>	<p><i>Who will take the lead on this?</i></p> <p><i>Service managers</i></p>	<p><i>Timescale for completion.</i></p>

To move towards this the following will be achieved in the following year:

<b>The Work Force as at March 2010</b>		
<p><i>What workforce will be needed to deliver the service model predicted as at 31 March 2010 – numbers, types of staff, skills, competencies</i></p> <p><i>Need to consider client departments business plans Likely to need an additional commercial lawyer</i></p>	<p><i>Describe the gap to be addressed between the workforce as at 1 April 2009 and the workforce as at 31 March 2010, numbers, types of staff, skills, competencies</i></p>	
<b>Workforce development Objective</b>	<b>Responsibility</b>	<b>Timescale</b>
<p><i>Based upon the gap analysis, state the objective for workforce development activity. Make sure the objective is clear enough for you to be able to performance manage this piece of work.</i></p>	<p><i>Who will take the lead on this? e.g. HR/OD/Service managers</i></p>	<p><i>Timescale for completion.</i></p>

### 3.3 Business Risk Register

#### BUSINESS PLAN RISK ASSESSMENT SECTION 1: CONSEQUENCE AND LIKELIHOOD ANALYSIS

Rank	Risk Description	Consequence Description	C	L	Risk Rating	Existing Controls Description	A/R	Lead
1	Continued reduction in Land charges income	Loss of income to Legal Services budget	3	3	High	Report to DMT to change budget requirements to more realistic level		LT
2	Inability to plan for effective service because of reactive and urgent nature of work	Inability to meet deadlines in some areas, perception of lack of quality legal service by some client departments	2	2	medium	Regular meetings with client departments and heads of groups to discuss priorities, risks and workloads		LMT
3	Impact of economic downturn	Loss of income to Council and Legal Services budget, change in workload patterns	2	2		Regular monitoring of workloads and income targets		DG
4								
5								

## BUSINESS PLAN RISK ASSESSMENT

### SECTION 2: MITIGATING ACTION PLANNING

Rank	Risk Description	Existing Control Description	Accept/Reject? Include rationale for decision	Additional Controls Required	Lead Manager	Target Date
1	Continued reduction in Land charges income	Report to DMT to change budget requirements to more realistic level	Reject Income dependent upon property market			
2	Inability to plan for effective service because of reactive and urgent nature of work	Regular meetings with client departments and heads of groups to discuss priorities, risks and workloads	Accept Legal services will continue to promote positive relationships with clients to plan for increases in work where possible			
3	Impact of economic downturn	Loss of income to Council and Legal Services budget, change in workload patterns	Reject			
4						
5						