

Q4 Performance Report Legal & Democratic Services (Corporate Services)

REPORT AUTHOR: *Head of Legal & Democratic Services*

REPORT DATE: **MAY 2014**

REPORT PERIOD: **APRIL 2013 TO MARCH 2014**

Introduction

The Head of Service report is produced on a half yearly basis and provided to Cabinet Members for review and assurance and will be available for Overview and Scrutiny Committees as part of their Forward Work Programmes.

The approach is based on exception reporting to summarise key information that the Head of Service feels Members should be aware of, including both good and poor performance. Emerging issues / operational risks should also be highlighted. The report is split into 3 distinct sections: -

1. Improvement Priorities & Service Plan Monitoring – this section is used to discuss the progress being made towards the Improvement Priorities which do not have an in year focus and therefore are not included within the quarterly progress report on the Improvement Plan. It is also used to highlight good news and key issues (including operational risks and the actions necessary to control them) arising from monitoring the progress being made towards delivering the service plan.

2. Internal and External Regulatory Reports – this section summarises regulatory work reported in the half year and its outcomes and intended actions arising from recommendations.

3. Corporate Reporting – this section summarises the performance in relation to corporate issues i.e. Sickness absence, Complaints

Appendix 1- NSI & Improvement Target Performance Indicators – summary table of the performance for the NSI and Improvement Targets. Graphs and commentary are included in section 1 for those indicators shown with a red RAG status. An asterisk (*) indicates that the indicator is an *improvement* target.

1. Improvement Priorities & Service Plan Monitoring

Report highlights for the half year are as follows: -

- a) Legal Services Collaboration – the collaboration agreed to pilot shared working in two areas of law: prosecutions; adult social care. The lawyers in the relevant teams from all Councils have been distributing work based on availability and expertise rather than just handling the work for their own council. Performance measures based on cost, speed of service and customer satisfaction were established. A full evaluation report is due in June 2014 but initial results show that service standards have been maintained or improved and that this way of working can be extended to other areas of legal work.
- b) Individual Elector Registration – The Council was able to successfully match 88.6% of records compared to the national average 78%. If a similar rate were achieved in future then we would only canvass the 11.4% for whom a data match was not achieved. The Council has therefore been testing the quality and accuracy of its records prior to the formal move to IER.

From 10 June 2014 each elector will have to register to vote personally rather than being included on a return for the entire household. Electors will need to supply their date of birth and national insurance number as well as their signature. Existing systems are well prepared to handle such data but there will be a new requirement to cross check that data with other records in order to eliminate fraud.

2. Internal and External Regulatory Reports

- a) Internal Audit reports:

Project Reference	Project Description	Level of Assurance	Recommendations		
			High	Med	Low
LD0220T2	Follow Up ICO Data Protection Audit	Adequate Progress Made	0	0	0
CD0040T1	Corporate Governance	Green	0	0	1
LD7004T1	Legal Counsel	Green	0	4	2

- b) External reports:

In February the Information Commissioner Follow Up process to its original audit of April 2013 was completed.

3. Corporate Reporting

Complaints / Compliments

There were no complaints about Legal & Democratic Services.

The Local Resolution Procedure has been used successfully to resolve two complaints.

Sickness Absence

The average number of days lost for Legal & Democratic Services for quarters 1 – 4 were as follows:

Q1	2.01 /FTE
Q2	1.09 /FTE
Q3	0.78 /FTE
Q4	2.96 /FTE

These figures were merely influenced by a small number of long term sickness.

All sickness absence is managed in accordance with the Council's procedure.

Employee Turnover

The Legal Department has engaged a Modern Trainee.

The creation and filling of a new Legal Assistant post has meant that the Legal Department has been able to release two part-time locums and one part-time solicitor.

Employee Appraisals

100% employee appraisals were carried out during the last 12 months. Mid year appraisals were also carried out towards the end of 2013.

Data Protection Training

All employees whose jobs require mandatory Data Protection training have received training.

Freedom of Information Requests

During the year all FOI requests dealt with by Legal and Democratic Services have been dealt with within the statutory timescale. The ICO expects at least 85% to be dealt with within the statutory timescale.

Appendix 1 - NSI & Improvement Target Performance Indicators

Key

R	Target missed
A	Target missed but within an acceptable level
G	Target achieved or exceeded

The RAG status of the indicators for the full year position are summarised as follows:



Graphs and commentary are included in section 1 for those indicators shown with a red RAG status.

Note 1 – NSI = National Statutory Indicator Imp T = Improvement Target

Note 2 – Change (Improved / Downturned) is based on comparison with the previous quarter. Where it is more appropriate to compare performance with the same period in the previous year this should be stated in the commentary.

In quarter two the following local performance indicators were identified for Legal Services:

These are new indicators and so no previous out turn exists.

		Target	Oct 2013 – March 2104
1.	Turn around times for work		
a.	Despatch first draft within 20 working days of receipt of full instructions:		
	• standard contract (ICE, JCT, etc.)	80%	G
	• s106 agreement	80%	G
	• land sale or lease	80%	G
	• s.278/s.38 Highways agreement	80%	G
b.	Ensuring all school admission appeal decision letters are sent out within 5 days of decision.	80%	G
2.	Child care cases		
a.	Number of cases issued (information only)		20
b.	Completing child care proceedings within 26 weeks of instruction	80%	N/A – the 26 week period was not applicable

Indicator		2012/2013		2013/2014	
		Target	Actual	Target	Actual
All Wales Benchmarking Statistics (information only)					
a.	Cost per head of population (ranking out of 22) (low being good)	N/A	6 th	N/A	available July 2014
b.	No. of fee earners compared to other officers (ranking out of 22)	N/A	11 th	N/A	
c.	Income generated	N/A	10th	N/A	

Indicator	NSI / Imp T (Note 1)	Annual Target 2013/14	2013/14 Q1 Outturn	2013/14 Q2 Outturn	2013/14 Q3 Outturn	2013/14 Q4 Outturn	RAG	Change e.g. Improved / Downturned (Note 2)	Commentary
Agenda Circulation - Percentage of agendas to be circulated 3 days before the date of the meeting	N/A	100%	100%	100%	100%	100%	G	Static	Performance remains at optimum level.
Declaration of Interest – Percentage of declarations by Members recorded in minutes of meetings	N/A	100%	100%	100%	100%	100%	G	Static	Performance remains at optimum level.
Availability of draft minutes (5 days) – Percentage of draft minutes available 5 working days after the meeting	N/A	100%	100%	100%	100%	100%	G	Static	Performance remains at optimum level.
Availability of Final Minutes – Percentage of final minutes available to the public 15 working days after approval at the subsequent meeting	N/A	100%	100%	100%	100%	100%	G	Static	Performance remains at optimum level.
Percentage of staff requiring Data Protection training who have received it	N/A	100%	100%	100%	100%	100%	G	Static	

Indicator	NSI / Imp T (Note 1)	Annual Target 2013/14	2013/14 Q1 Outturn	2013/14 Q2 Outturn	2013/14 Q3 Outturn	2013/14 Q4 Outturn	RAG	Change e.g. Improved / Downturned (Note 2)	Commentary
Percentage of FOI requests responded to within the statutory timescale (Legal & Democratic only)	N/A	85%	100%	100%	100%	100%	G	Static	

WELSH LANGUAGE

Welsh Language Skills Audit: Percentage complete	58%
Please give narrative updates on the following questions:	
<p>What is your capacity to deliver the following bilingual services?</p> <ul style="list-style-type: none"> • Electronic Signatures bilingual? • Out of Office Messages bilingual? • Letters bilingual or in preferred language (preferred language recorded) 	<ul style="list-style-type: none"> • Electronic Signatures bilingual • Out of Office Messages bilingual • Letters bilingual or in preferred language (preferred language recorded) <p>All electronic signatures, out of office messages and answerphone messages are bilingual. 'Standard/template' documents are bilingual and bespoke correspondence will be translated for respondents who indicate a preferred language. The Constitution is being translated as each part is reviewed by the Constitution Committee.</p>
<p>Update on progress with ensuring that guidance e.g. email, bilingual answering of telephone calls, auto-signatures, disclaimers and out of office replies.</p>	
<p>What has been done to identify opportunities to encourage and support others to adopt practices which promote equality between the Welsh and English languages and develop action plans?</p>	<p>The North Wales Legal Services Collaboration has bilingualism as one of its aims. Two recent pilots for shared services have required a fully bilingual service as specific outcomes. As those pilots are rolled out across further work areas they will increase the proportion of fully bilingual services.</p>

<p>How is the Welsh Language Scheme integrated into your service planning?</p>	<p>Service planning focuses on two areas:</p> <ol style="list-style-type: none"> 1. documentation 2. spoken Welsh <p>There are action plans to increase the level of documentation offered bilingually. Staff are encouraged to learn Welsh and any collaborative arrangements must be fully bilingual. There is limited recruitment but the ability to speak Welsh will be prioritised.</p>
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EQUALITY – please give narrative update – short paragraph only

<p>What has been undertaken to meet the Strategic Equalities plan?</p>	<p>All services delivered directly to the public have been equality checked. The main role in delivering the Equalities Plan is to help ensure that business processes are equalities compliant eg. the budget, new policies etc.</p>
<p>Please list E impact assessments' undertaken and dates completed.</p> <p>Were any actions undertaken to reduce impact as a result of the EIA?</p>	<p>Please see the above.</p>
<p>Please list the systems in place in your area to monitor the diversity of customers.</p> <p>Please give an example of how monitoring data has been used to improve services or identify and reduce barriers to accessing services within your area of responsibility.</p>	<p>The service is principally focussed on supporting councillors and other Council officers and so diversity monitoring is not really appropriate.</p>

<p>Have you put in place any initiatives to capture equal monitoring data so that you are able to better understand the profile of your customers?</p>	
<p>Please give an example of how the Translation and Interpretation facilities for different languages and formats have been promoted to customers within your area of responsibility.</p>	<p>All correspondence includes a message about welcoming communication in Welsh.</p> <p>When facilitating school admission appeals translators are engaged to attend appeal hearings eg. Polish and Japanese translators have been engaged.</p>
<p>Do you have any examples of initiative to promote equality, eliminate discrimination and promote good community relations?</p>	<p>Given that the service is a corporate support function its role is to help advise and devise on such initiatives rather than to implement them itself.</p>