

8 DECEMBER 2006

LEGAL SERVICES UPDATE

1. BACKGROUND

1.1 At their meeting on 21 September 2006, the Audit Committee noted the contents of a report which I had submitted setting out a number of issues which had impacted on the delivery of legal services within recent years. Following discussion on the report, I was requested to provide a further report to this meeting.

2. DETAIL

2.1 At the last Audit Committee I outlined that Legal Services, as well as carrying out continued delivery of normal work demands, has had involvement with two major projects, namely :-

- NPDO (Education), and
- Housing Stock Transfer

Both of these placed a heavy demand on the limited professional resources of the Section. These were essential projects for the Council and it was right that they should receive maximum focus and effort. The NPDO Project and the Housing Stock Transfer were two particular factors which impacted on the delivery of legal services within the last 2 years. With the conclusion of both projects, the last one on 21 November 2006, I have started to consider how best to plan for the future performance of the Legal Section. Below I have set out what I believe to be a considered approach that will encompass the Legal Services Best Value Review outcomes and match these with the development of the Section.

2.2 One of the issues highlighted in the report was the need to put in place effective and meaningful performance targets which would assist in measuring the performance of the Legal Section. This would then enable us to have objective information which would demonstrate the areas /....

areas that are working well and equally highlight those areas where improvement was required. This would ensure that I have a base from which to develop the Section.

- 2.3 I have detailed below for Members of the Committee details of the performance targets/outputs which will appear in the Service Plan for 2007/2008 :-

Conveyancing, Contracts and Estates

- Complete all sales and acquisitions by agreed date of entry
- Complete all Section 75 Agreements within 2 months of receipt of titles
- Issue contract acceptance within 7 days of receipt of instruction
- Complete all rent reviews timeously

Licensing, District Courts, Litigation and Advice

- Process 90% of Civic Government applications within 2 months
- Fix trial diet within 3 months of pleading diet (District Courts)
- Ensure satisfactory outcome to all disputes
- Respond within 28 days to written requests for advice

- 2.4 These performance targets have been drawn up with a view not only to providing important management information in relation to the operation of Legal Services but also with information that will be meaningful to members of the public.

- 2.5 My report in September 2006 also acknowledged the benefits that could be brought through the introduction of a case management system, in particular the need to keep our customers advised as to how work is progressing, which is one of the areas of criticism highlighted in the Best Value Review of Legal Services. It does not appear that we can tap into the system used by our external legal partners, Brodies. I am therefore looking at what systems are available in the market place, and in this connection I have arranged for a demonstration of a system to take place here at Kilmory on Monday, 11 December 2006. The company, called Iken, is developing a base in Scotland and they are involved in discussions with a number of other Local Authorities.

- 2.6 I recall that Members were keen to have a view from me as to what resources I required in order to undertake the workload with which we were faced. I regret to say that I do not feel that I am in position to provide the Committee with robust and objective information on this matter. /....

- 2.6** matter. I am hopeful that, now the NPDO and Housing Stock Transfer are out of the way, the pressure will ease to a degree for the affected staff, although no doubt other projects will take their place in due course. I do feel, however, that I require a period of time to allow matters to settle down and assess how the existing staff complement is managing the workload. This will enable me to give a more balanced view as to the level and nature of additional resources which may be required. If the Committee are agreeable, then I would intend to bring a further progress report back to the meeting in March of next year.

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LIST OF BACKGROUND PAPERS :