

BUSINESS PLAN FOR LEGAL SERVICES (THE PRACTICE) 2018/19

Service Leads			
Head of Practice	Tom Lewis		
	Cambridge City Council	Huntingdonshire District Council	South Cambridgeshire District Council
Director	Fiona Bryant	Oliver Morley	Mike Hill
Lead Councillor	Cllr Robertson	Cllr Brown	Cllr Wright

APPROVED BY	Status	Date
Management Board	Draft	24/01/2018
Shared Services Partnership Board	Draft	
Joint Advisory Committee	Final draft	
Cambridge City Council <i>[Executive Councillor and Scrutiny Committee]</i>	Final	
Huntingdonshire District Council Cabinet	Final	
South Cambridgeshire District Council Cabinet	Final	

INTRODUCTION
<p>The Legal Shared Service known as the Practice went live in October 2015.</p> <p>The first full financial year of the Practice was extremely challenging with the need to claw back a substantial overspend.</p> <p>The figures for this financial year show the Practice to be in a much better position and on track to deliver against its budget. This represents a real achievement. It should also be noted that the Practice has achieved the £150K savings target identified in the original business case. In general it can be said that this has been a year of consolidation for the Practice.</p> <p>There has been a move towards greater stability with appointments of permanent staff and further appointments anticipated by year end (given live recruitment). The Practice has moved its principle hub to SCDC's offices at Cambourne, previously located at CCC, and the move has proved highly successful. The</p>

team have been provided with fantastic facilities at SCDC and in newly configured spaces at CCC and HDC. Flexible working arrangements have also been to the fore in enabling staff to work efficiently across the Practice. The improved performance in terms of recorded hours across the last 12 months has certainly been aided by the new dynamic working space arrangements.

The year has also seen a reduction in external legal spend, one of the rationale for the establishment of the shared service. For next year, particularly given the arrival of FMS which will assist in data capture, further improvement will be sought. There is work to be done in ensuring that all external legal spend is run through the Practice which will improve value for money by better commissioning.

There must also be a drive next year to promote the intelligent client across the 3 Councils'. In short if it is possible to enable the client to complete routine administrative tasks rather than passing them onto the Practice this can be a benefit to all by avoiding unnecessary duplication. In this regard there is also work to be done to help clients to provide the best possible instructions to the Practice at inception. Full instructions avoid the need for unnecessary queries/delay.

The Practice has successfully responded to demands across the 3 Councils' and has provided legal support in a number of projects including:

- In relation to actions arising following the establishment of the Combined Authority.
- The Practice has provided support in relation to the work with the Cambridge Investment Partnership.
- Huntingdonshire District Council (HDC) and Huntingdonshire Town Council (HTC) have been in long negotiations in respect of the transfer of the Dry side site of One Leisure Huntingdon and the Medway Centre. The Practice has provided necessary legal support.
- Ongoing support has been provided to South Cambridgeshire District Council ("SCDC") in relation to the loan agreement to facilitate the proposed new Cambridge Ice Rink.

3C Reporting timetable

Progress reports on Business Plan implementation and progress against key measures will be quarterly at the 3C Management Board meetings before being reported into each Partner Council's performance management systems.

Quarterly performance reports will be produced to report on performance against key performance indicators agreed in the business plans, budget position and wider benefits.

An annual report on the progress of shared services will be produced and presented at the relevant committees of partner authorities in the June/July cycle.

An updated Business Plan for 2019-20 will be drafted for consideration by October 2018 to support service planning and budget setting processes.

Version FINAL	Date 30/01/18
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A. PURPOSE OF THIS DOCUMENT

This is the Business Plan for the Practice, part of 3C Shared Services, for 2018/19. It describes how the shared service arrangement outlined in the approved Business Case proposes to be delivered, to ensure objectives are achieved and business benefits are realised within a robust governance framework and in the context of the partner councils' corporate plans.

The following objectives have been agreed at the inception of Practice in the business case:

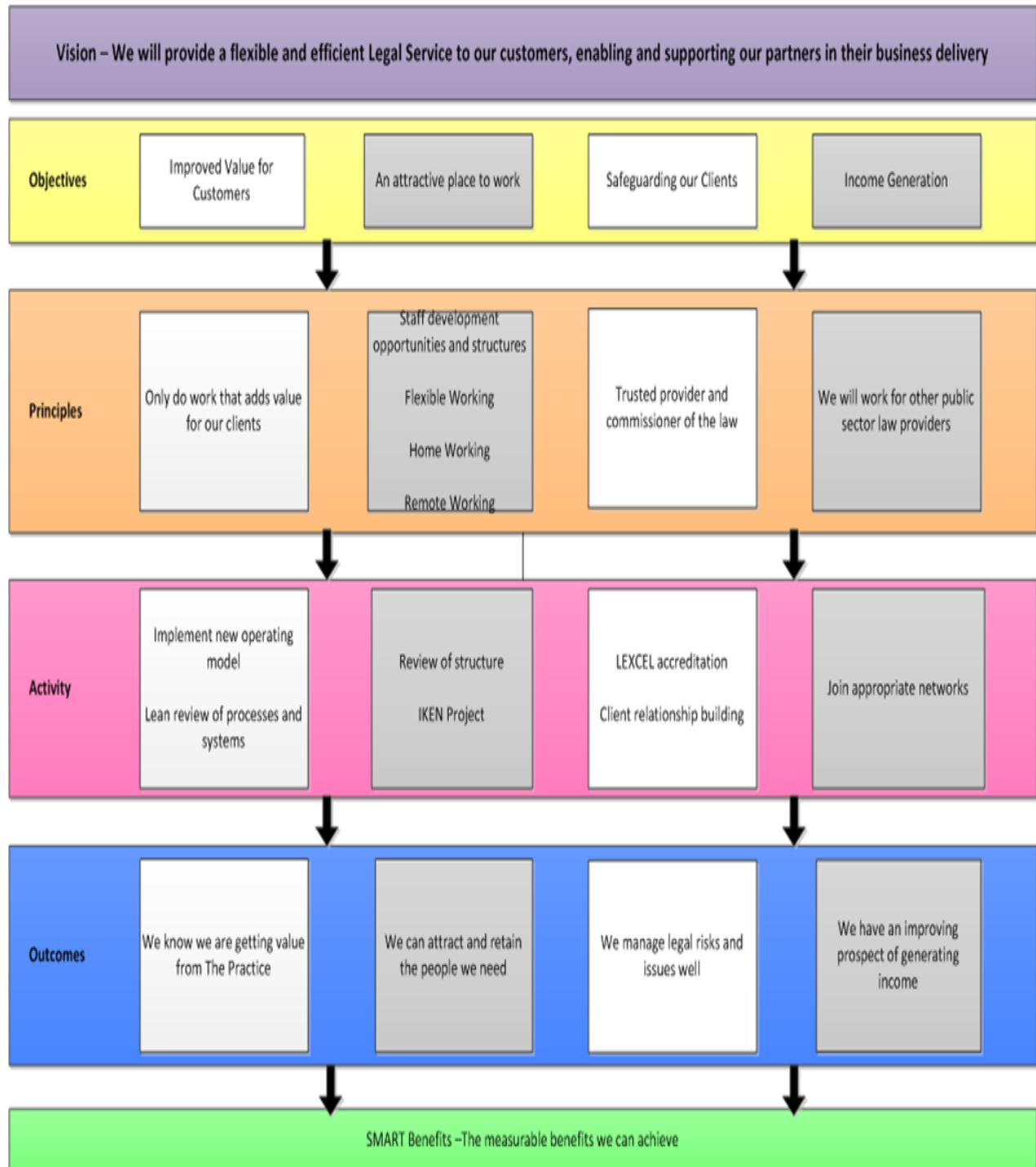
- Protection of services which support the delivery of the wider policy objectives of each Council
- Creation of services that are genuinely shared between the relevant councils with those councils sharing the risks and benefits whilst having in place a robust model to control the operation and direction of the service
- Savings through reduced managements costs and economies of scale
- Increased resilience and retention of staff
- Minimise the bureaucracy involved in operating the shared service
- Opportunities to generate additional income, where appropriate
- Procurement and purchasing efficiencies
- Sharing of specialist roles which individually, are not viable in the long-term

The Plan is divided into the following sections:

- Section 1: Context and Overview
- Section 2: Operational Plan (business as usual activities)
- Section 3: Development Plan (service improvement & project based activities)
- Section 4: Summary of Performance Indicators

B. DESCRIPTION OF THE SERVICE

Vision for the Practice



This business plan will form part of ensuring that the Practice becomes a true shared service and that the benefits are realised.

Description of The Practice

The Practice carries out legal work for the 3 Councils covering all areas and types of work in which the Councils are involved including general legal advice, drafting documents and representing the Council in court.

The Practice consists of 22 “fee earning” qualified legal staff supported by a Practice Manager and 2 support officers. We are divided into 5 teams to reflect the key topics of internal expertise and demand covering Corporate Governance & general advice, Litigation, Planning, Property, and Contracts. (Anything else we want to add from the Client Care Brochure?) When Councils seek extra capacity or specialised advice, the Practice commissions’ external resources and re-charges these to the commissioning Service. To provide an overview of demand and spend across the 3 partner Councils, all external legal advice must be commissioned through the 3C Legal Service. To aid Services and colleagues, a Client Care Brochure has now been produced to set out our offer and is available at :

<http://intranet.3csharedservices.org/media/1317/client-care-brochure.pdf>

The Practice is committed to providing an excellent legal service to assist the Councils in meeting their objectives and to ensure that the individual Councils act within the law.

Objectives

Referring to the Business Case, the focus for the Practice remains the same as stated in the Business Case approved by all three Councils: A high standard of leadership, whereby the senior management team possess the right range of managerial, commercial, innovation and change management skills necessary to deliver the new service:

- Align current capacity with demand from within the practice itself
- Reduce external spend
- Optimise effective use of legal skills
- Continual reduction of the books and publications spend
- Client departments to have a major role in developing the Business Plan
- Quarterly reporting of KPIs identified by the new management team of the Practice
- Income generation is key to the success of the Practice, and should derive income from legal costs incurred or recovered in a legal activity
- To utilise the recording and case management system

Stakeholders and Partners

The client services from the 3 partner councils are identified as key stakeholders and with the introduction of an Intelligent Client role they have a means of conveying their requests, consumption and issues resolution.

C. FINANCIAL OVERVIEW

The Business case is based on:

- A Practice budget of £1.3m
- Better commissioning of external legal advice
- The re-structure will see efficiencies in management and business support arrangements (latter being driven by the extended use of technical support via IKEN, together with better processes)

The Practice Budgets (excluding recharges / overheads)

	<u>Original</u>	<u>Budget Before Savings</u>	<u>Budget Before Savings</u>	<u>Budget After Savings</u>	<u>Budget After Savings</u>	
	<u>2015/16</u>	<u>2016/17</u>	<u>2017/18</u>	<u>2016/17</u>	<u>2017/18</u>	
<u>Gross</u>	1,444,070	1,496,440	1,565,150	1,377,440	1,343,920	
<u>Less Income</u>	250,710	257,010	262,150	257,010	194,550	
<u>Net</u>	1,193,360	1,239,430	1,303,000	1,120,430	1,149,370	
<u>Savings Achieved 2016/17</u>				-119,000		
<u>Savings Achieved 2017/18</u>					-153,630	
<u>Total Savings</u>						-272,630
<u>Reduction in Income 2017/18</u>					67,600	67,600
<u>Total Savings to 3C Legal</u>						<u>-205,030</u>

				Forecast			
£				2018/19	2019/20	2020/21	2021/22
Gross Budget				1,389,660	1,436,240	1,484,410	1,534,220
Less Income				198,440*	222,250	248,930	278,790
Net Budget				1,191,220	1,213,990	1,235,480	1,255,430

The net increase in costs to the Practice is predicted to be below 2% across the next 5 years.

A savings target of £179,000 was identified in the original business case for the Practice. In 2016/17 a saving of £119,000 was made (£60,000 off this target). However, a further saving of £153,630 was made in 2017/18 therefore exceeding the original savings target by £93,630.

Each year's budget after 2015/16 has been adjusted in line with inflationary assumptions made by Cambridge City Accounts Team.

*For comparison purposes the Year 0 budget is for the 12 month period from Apr 15 to Mar 16.

*The 2017/18 and 2018/19 income target was adjusted given overachievement on staff savings. This is reflected in a more appropriate base income position. Essentially less staff numbers has a resulted in a lower income target. Less staff equals less income.

2017/18 and 2018/19 budget shared by Partner Councils.

	54.22%	18.54%	27.24%	
	CCC	HDC	SCDC	Total
2017/18	623,230	213,060	313,080	1,149,370
2018/19	645,813	220,862	324,545	1,191,220

D. STAFFING OVERVIEW

Following a full restructure and consultation The Practice now consists of 22 “fee earning” qualified legal staff supported by a Practice Manager and 2 support officers. We are divided into 5 teams. This is under constant review, depending on demand.

The Principal Governance Lawyer has been appointed to the position of Deputy Head of Legal to assist the Head of Practice with continued improvement across the Practice.

In addition an internal applicant has been promoted from within the Practice to the position of Principal Property Lawyer.

In order to provide greater stability and aid recruitment two senior litigation posts have been created from 3 previous positions in litigation, 2 of which were part time. Recruitment is underway for these roles.

The aspiration for the next financial year is to engage more permanent staff members to positions which have been covered by locums. This reflects an improved employment market given changing tax position for locums: locums are now more willing to take on permanent positions.

E. LOOKING BACK

Achievements

1. The Practice now operates a uniform case management and time recording system, so time can be captured by all fee-earners. Strenuous efforts have made to improve the efficiency of time recording and to encourage the Practice to achieve delivery against its annual time recording targets. Real progress has been made in this regard. Reporting for the last quarter has demonstrated an improvement greater than 10% with the Practice now performing at 107% of its target for recorded hours. This provides greater value for all.
2. Recharging model based on consumption in place.
3. Portfolio of templates now in place for procurement and contracts to create a more efficient process
4. Codes of Conduct matters across the Practice are now in hand and being operated in line with the Constituent Authorities constitutional arrangements and local practices.
5. In Planning Enforcement there has been notable success in dealing with planning breaches at Smithy Fen for SCDC and Cowley Road for CCC.
6. For SCDC the Ice Rink Loan Agreements were concluded and work is underway on site.
7. For CCC working with external lawyers support has been provided to enable the conclusion of the lease to the Cambridge Investment Partnership on the Mill Road Site.
8. For HDC a vigorous drive has been made to assist in regularising debt recovery. The efforts made in this regard are reflected in the large number of new cases taken on by the Practice for HDC. The

positive outcomes achieved are reflected in the 95% positive outcome achieved by the Practice for litigation cases in the last reporting quarter.

9. The Practice aims to continually improve client relationships by empowering clients with know-how, to enable them to carry out work previously undertaken by the practice. A key objective to within the shared services practice is to streamline the processes, and encourage a more efficient process with regards to contracts. This has been done within procurement and a portfolio of templates to be used by the three teams has now been produced.
10. The Practice has achieved a reduction in external legal spend. This has seen in spend a fall from £106k to £93k on external legal spend for the first 3 quarters of the financial year /with a comparator for same stages last financial year. The Practice will be looking to continue this trend
11. For the first time a consideration of successful outcomes has been made for the Practices litigation cases. Although statistics are only available for the 3rd quarter of this financial year they show a 95% success ratio: with 148 cases out of 156 closed matters resolved in favour of our client. Monitoring of performance in these terms will continue for the Practice moving forward.

F. LOOKING FORWARD

The Practice plans to increase its efficiency and effectiveness to its three partner Councils by implementing the Intelligent Client role as a means of conveying their requests, consumption and issues resolution. Work will be carried with our participant Authorities to identify suitable candidates.

.Consumption Analysis April –Dec 2017.

	Actual	Budget	Difference
CCC	51.90 %	54.22 %	-2.32 %
SCDC	29.07 %	27.24 %	+1.83 %
HDC	17.67 %	18.54 %	-0.87 %
Hours Not Used	1.37 %	0	1.37 %

With the Practice now moving towards a situation where it is fully staffed, staff restructures completed, a time recording system now in place the Practice is now in a position to operate in a more steady state and concentrate its effort on client management through use of its consumption based recharging model and providing a clearer picture of demand and consumption of partners authorities.

With the introduction of standard case management system and time recording system the aim is to get people working more flexibly through home working, remote working and the use of regional hubs. The move to a main office with two hubs has implemented the corporate desk strategies of a ratio 7:10 and this makes flexible working an increased priority. We are seeing a steady improvement in productivity which is captured in hours recorded by fee earners reported to the quarterly management board.

The consumption analysis is not yet being used to adjust budget contributions from the Partners where actual consumption exceeds budgetary contribution. In future years such adjustments could be made where any disparities were apparent. The analysis for April to Dec 2017 does show small disparities

between consumption and contribution but all below a 3% variance.

The Practice has identified the following potential work streams which will impact upon 2 or more of the Councils' this year :

- Major growth sites and associated legal agreements
- Elections
- Joint Procurements
- Analysis of External Legal spend not currently commissioned through 3C Legal

The Practice will also be looking to engage with key clients over their forthcoming priorities and objectives and will use this as a basis to enable the Practice to anticipate and enable any necessary training. To this end the Head of Practice and Deputy Head of Practice will be attending senior management meetings at all partner authorities to gauge demand and major projects over the forthcoming year.

Moving forward consideration needs to be made of external opportunities. By taking work back in-house this financial year it has been possible to deliver on income targets. There are limitations on what the Practice can seek to achieve in respect of income generation.

For purely commercial work the Practice is currently limited by its operating model (to trade outside local authorities and public bodies would require the Practice to set up as a separate legal entity) and realistically the Practice cannot compete with the expertise available in the private sector. Given the salaries available in the commercial sector it is unrealistic to think that recruitment of similar expertise would be possible.

Work for other local authorities may be a possibility, although it should be recognised that the market is saturated with the likes of LGSS and NP Law to name just two. In areas such as 106 work and enforcement it could be possible to look at growing the Practice to allow work for other local authorities to be taken on and further income generated. Given the potential for conflict of interest and other issues this would not include work for Parish Councils.

G. COMMUNICATION AND CONSULTATION

On-going dialogue will continue with Client departments and the Practice has set up an Intelligent Client role to liaise with individual partner's authority's needs, consumption rates and issues.

The Client Care brochure is available via the following link -

<http://intranet.3csharedservices.org/media/1317/client-care-brochure.pdf>

In addition to consultation on Business Plans, 3C Legal will also arrange to attend at least 2 of each partner Councils' management forums to build relationships with colleagues, seek feedback on the performance of the Practice, discuss and agree changing and new priorities, and identify opportunities for improvement and service development to meet colleagues' needs and increase external income generation.

SECTION TWO – OPERATIONAL PLAN 2018/19

This Section sets out the “Business as Usual” priorities and the activities that *3C Shared Legal Services* will undertake to deliver value-adding services to customers.

	Priorities for the service	State where these priorities are outlined <i>(i.e. Corporate plans, ICT strategy)</i>	Actions that will deliver the priority	Outputs from the activity	Outcomes from the activity	Lead Officer/Timelines
1	<p>Embed the use of consumption recharging model</p> <p>Integrate a single fees charging mechanism and charge out rate for the fee earners</p>	<p>3C Management Board Business Case</p> <p>Business plan and client departments</p>	Use of coding with iKen time recording system.	<p>Quarterly consumption report for partner authorities</p> <p>Standard rates per hours for Legal advice</p> <p>Make a comparison of fees and charges and look at updating these to have a single fees and charges model</p>	<p>Ability for partner authorities to identify areas for reduction in legal spend</p> <p>Ability to benchmark charges</p> <p>Uniform fees and charges</p> <p>Better budget management</p>	<p>TL / SK</p> <p>Quarterly reporting</p>

2	Reduce external spend across partner Councils by improving 3C Legal commissioning role and reviewing what legal work is outsourced by Councils at the moment outside the 3C Legal framework and review if it could be carried out in-house where possible	Initial business case agreed at July 2015 S&R Committee	<p>Analysis of external spends across each Council.</p> <p>Review of direct delivery and commissioning capability and capacity within the Practice. This will be assisted by use of FMS across Partner authorities.</p>	<p>Reduce the external legal spend of each Council and the Practice</p> <p>Improve commissioning of external legal advice to deliver quality, value-for-money support.</p> <p>3C Legal has an accurate and timely oversight of all externally commissioned legal work and future need.</p>	<p>A reduction in the cost of out-sourced work</p> <p>More work being carried out in-house</p> <p>Improved value-for-money for partner Councils</p>	<p>TL</p> <p>Progress to be reported quarterly</p>
3	Demonstrate quality-assured legal support through Achievement of Lexcel accreditation	Initial business case agreed at July 2015 S&R Committee	Review of processes against standard	<p>Audit of current practices</p> <p>Standardisation of processes and documentation</p>	Lexcel accreditation carried out and gained	<p>TL/SK</p> <p>Inspection 4,5 and 6th April</p>

4	Improve performance management of the Practice through the use of the new IKEN Analysis and Reporting Module.			Detailed management information on the caseload, resource consumption and performance of the Service.	Partner Councils are satisfied with the Practice's performance. Partner Councils can better influence work priorities to meet their needs.	Quarterly reporting to be adopted once installation is possible. This is being actioned asap.
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Pri ori ty	Performance Measures (provide a list only - target information is included in section 4)	Dependencies (ICT, Finance, Human Resources, accommodation etc.)	Key risks to delivery (include how these will be mitigated)
1	Staff productivity To assess the output from legal officers No. and % fee earning hours against target.	ICT system Use of iKen case management system	Staff are not recording their time correctly The Business Manager will be providing regular reports to the Head of Practice and immediate correctional action can be taken. This will be included in individual performance agreements for 2018-19.
2	Customer Satisfaction- <ul style="list-style-type: none">- Returning telephone calls- Acknowledge correspondence- Agree operational requirements on receipt of full instruction- Report on progress of case work / cycle time / aged cases	ICT system Use of iKen case management system	<ul style="list-style-type: none">- Staff not recording work correctly on IKEN- Council colleagues not clear on how to contact and commission 3C Legal services.

3	<p>Cost effectiveness</p> <ul style="list-style-type: none"> - To reflect the quality of financial management - Spend against target - Income generated against target - External spend / change in external spend on legal services 	<p>Finance ICT</p>	<p>The Practice does not deliver stated savings</p> <ul style="list-style-type: none"> - The budget will be monitored monthly and reported to the 3C Management Board for reporting or action - Failure to achieve targeted income - Staff turnover leads to use of more expensive locums as cover. - Council services areas fail to commission external legal spend through 3C Legal. -
4.	<p>Case Disputes Resolves in 3C Favour</p> <ul style="list-style-type: none"> - Measure of percentage of disputes awarding in favour of 3C on the advice of the service not to settle 	<p>ICT system Use of iKen case management system</p>	<p>The Practice not settling cases before actions</p> <p>Councils take action on unwinnable cases</p> <ul style="list-style-type: none"> - Head of Practice to review all proposed actions and advise originating Head of Service of prospects for success and risks.

SECTION 3: 2017/18 SERVICE DEVELOPMENT ACTIVITIES

Development objective	Lexcel Accreditation	Describe the desired outcome – what will it look like when it has been achieved?	The Practice will demonstrate independently-assessed quality assured legal services to customers A management accreditation recognised and run by the Law Society	Lead officer	Tom Lewis – Head of Practice
Is this a Project?	This is a project which has already commenced and is due for completion by April 2018				
Business Benefits			How will it be measured?		
<u>Standardised Procedure</u> <ul style="list-style-type: none"> - Integrating the historic teams to become one - Easier to influence historical cultural differences - More clarity for client services on points of contact - 			Feedback from staff to be sought through consultation Customer and staff satisfaction will be measured by way of regular feedback forms and meetings.		
<u>Meet Lexcel required standard in seven different areas</u> <ul style="list-style-type: none"> - Structure and strategy - Financial management - Information management - People management - Risk management - Client care - File and case management. 			Assessed by Lexcel accreditor		
Outputs & products		Resources	Responsible Officer		Target delivery date

Lexcel standard operation model Lexcel accreditation		Tom Lewis – Sponsor 3C's Legal Practice Manager – Project Manager Practice Accountant – Finance	Tom Lewis	April 2018
Key risks		Verdict of inspector: success or not.		
Development objective	Reductions in Councils' external spend on legal services.	Describe the desired outcome – what will it look like when it has been achieved?		Lead officer Tom Lewis – Head of Practice
Is this a Project?	Yes			
Business Benefits			How will it be measured?	
-				
Outputs & products	Resources	Responsible Officer		Target delivery date
	Tom Lewis – Sponsor 3C's Legal Practice Manager – Project Manager Practice Accountant – Finance	Tom Lewis		Reports to be taken to Quarterly Management Boards on Progress.



SECTION 4 – KEY PERFORMANCE INDICATORS (KPIs)

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KPI Reference and Description	Reporting frequency	2017/18 Target	2017/18 Final Outturn	2018/19 Target	2018/19 Year End Estimate
Key Service Pls <i>(to be selected from the action plan at section 2A)</i>					
Staff productivity - 20 fee-earning staff to record 1,200 hours per annum	Quarterly to Boards	1,200 hr per annum	Not available at this stage	1,200 hr per annum	TBC
Cost effectiveness - Measure achievement of 15% saving from baseline budget as set out in business case - Income generated against target - Spend against budget - External spend / change in external spend against budget	Quarterly to Boards	£148,900	£148,900 saving achieved	Savings targets identified in original business case have been made.	TBC
Case Disputes Resolves in 3C Favour - Measure of percentage of disputes awarding in favour of 3C	Quarterly to Boards	75%	Not available at this	75%	TBC

KPI Reference and Description	Reporting frequency	2017/18 Target	2017/18 Final Outturn	2018/19 Target	2018/19 Year End Estimate
			stage		
Customer Satisfaction Levels	Quarterly to Boards	90% satisfaction	Not available at this stage	90% satisfaction	TBC