

BABERGH DISTRICT COUNCIL

FROM: Director of Corporate Services

REPORT NUMBER: **K63**

TO: STRATEGY COMMITTEE

DATE OF MEETING: 29 July 2010

INTEGRATION OF LEGAL SERVICES TEAMS

1. **PURPOSE OF REPORT**

- 1.1 To formally report proposals for the creation of a single Legal team and Monitoring Officer function with Mid Suffolk District Council.

2. **RECOMMENDATION**

- 2.1 That the two Legal teams and Monitoring Officer function for Babergh and Mid Suffolk District Councils be integrated under a single staff structure with implementation taking place at the earliest possible date.

The Committee is able to resolve this matter.

3. **FINANCIAL IMPLICATIONS**

- 3.1 The business case for the integration of the Legal teams identifies an ongoing annual saving of £54,050 a year, being a 11% reduction on the current budget.

4. **RISK MANAGEMENT**

- 4.1 This report is most closely linked with the Council's Significant Business Risk No. 5 (Governance). Key risks are set out below:

Risk Description	Likelihood	Seriousness or Impact	Mitigation Measures
Reduction in accessibility of certain Legal officers when they work from the other Council's office	High	Significant	Adjustments to single team made to allow staff to work from 2 bases. Raising awareness of service users to utilise telephone/email contact/ make appointments.
Insufficient capacity to meet service needs arising from reduced team number.	High	Significant	Allocation of funding for out-sourcing of legal work, if needed.

5. **EQUALITY AND DIVERSITY IMPACT**

- 5.1 The integration of the two Legal teams with provision for staff being relocated to another office, does raise equality and diversity issues particularly for individuals who may have childcare or other personal reasons for needing to be in their existing location. Staff have been fully consulted and any disruption to staff who could be adversely affected has been kept to a minimum. Consideration has also been given to service users, such as Right to Buy applicants and debtors, but it is anticipated that the level of service should not be diminished.
- 5.2 An Equalities Impact Assessment screening exercise has been conducted which does not identify any significant adverse impact.

6. **KEY INFORMATION**

- 6.1 At its meeting on 13 May 2010, Strategy Committee considered Report K13 which contained an update from the Joint Member Integration and Merger Review Board and also appraised members of progress in integrating the two Legal teams and Monitoring Officer function. It was noted at that time that a formal consultation was about to be commenced with affected staff and UNISON.
- 6.2 The formal consultation commenced on 2 June with a joint team briefing which was also attended by UNISON representatives. There followed circulation of literature setting out the draft proposal and a staff information briefing pack. All staff within the Babergh Legal team attended a personal interview with the HR Manager and Solicitor to the Council in which opportunity was provided to raise concerns and clarify issues.
- 6.3 Details were also circulated to Heads of Service for consultation within their Divisions as users of the Legal service and who were invited to identify any likely impact upon the Legal service that is currently provided which is a cause of concern or would be a positive change. An invitation was also extended for the submission of suggestions for any further changes that would be welcomed.
- 6.4 The consultation closed on 7 July. At Babergh one response was received from a service user which did not raise any concerns, but noted that there may need to be travel between the two offices for officers to access files. Further comment was made that the creation of a single team afforded opportunity to define the role between solicitor and client and bring clarity to the client/provider relationship with the service user being the instructing body.
- 6.5 One response was received from a member of staff who raised significant concerns over the rationale and operation of the single Legal service whilst acknowledging that savings and increased resilience are necessary. In view of this response and also concerns raised at Mid Suffolk over accessibility of staff, adjustments have been made to the proposed operation of the structure.

- 6.6 All staff will continue to be employed by their existing Council employer on the same terms and conditions. The differences will be that the Legal work of both Councils will be pooled as far as practicable and distributed within the legal skill set of the combined team. To facilitate its operation, certain staff will work for one or two days per week at the other office to ensure service needs are met. In addition the Acting Head of Legal Services and the Acting Legal Services Manager will divide time between the two offices.
- 6.7 The Acting Head of Legal Services will also be appointed as the Monitoring Officer for both Councils. A Council's Monitoring Officer must be appointed by Full Council and so if after the selection process it is not recommended that Babergh's current Monitoring Officer undertake the role for both Councils then a further report will need to be made to Council for the new appointment.
- 6.8 Mid Suffolk's previous Monitoring Officer retired at the end of May 2010 and that identical post will not be replaced affording a reduction in staff numbers and financial savings. It is recognised however that the increased workload for a single Monitoring Officer has potential to cause detrimental impact upon the wider legal work undertaken by the Monitoring Officer. For this reason some of the savings from the vacated Monitoring Officer post at Mid Suffolk will need to be utilised to outsource work as needed. However, it is still anticipated that savings of at least £50,000 per annum can be realised.
- 6.9 It is proposed that the single Legal team be piloted for a period of 6 months. Its operation will be reviewed at the end of the period with monthly operational assessments being conducted throughout the pilot. The pilot would commence mid September with the two managers commencing their roles as early as possible before.
- 6.10 Savings achieved through the operation of the single team will be distributed between the two Councils at a level to be agreed.

7. **APPENDICES**

Appendix 1 – Single Staffing Structure.

8. **BACKGROUND PAPERS REFERRED TO:**

None.

CONTACT: Andrew Hunkin
Kathryn Seward

Email: andrew.hunkin@babergh.gov.uk
kathryn.seward@babergh.gov.uk

Central Suffolk Legal Services

