

1. Introduction

Legal Services forms part of the Resources Directorate. It undertakes a wide range of statutory duties, together with providing a high quality legal advice and support service to the Council and its directorates, to enable effective/informed decisions to be made to meet the Council's priorities as set out in the Corporate Plan. The Service is also responsible for overseeing and managing the Electoral Registration Service.

The Monitoring Officer / Head of Legal and Democratic Services has a number of roles including line management of the Operational Manager – Legal Services and Operational Manager – Democratic Services; providing a professional steer to the Information Manager and is the Council's Returning Officer and Electoral Registration Officer. Additional statutory roles include that of Monitoring Officer, Proper Officer for Access to Information, Proper Officer for Freedom of Information Act appeals and the Senior Responsible Officer for the regulation of investigatory powers.

This Service Plan solely deals with functions falling within Legal Services, with a separate Service Plan addressing Democratic Services.

1.1 What we do – Legal Services

Legal Services undertakes a number of key roles for the Council, providing an efficient and effective legal service to internal client departments and providing cost-effective, timely and accurate legal advice to Members and Officers in order to support their decision making whilst ensuring effective representation in legal proceedings. Legal Services is accredited by the Law Society's Lexcel legal practice quality mark for excellence in legal practice management and excellence in client care. Its management framework ensures consistent operational efficiencies, client services, effective management of risk, reduction in costs and increase in profitability. Annual inspection is undertaken by the Solicitors Regulation Authority. The quality assurance system is in place to ensure that the Team delivers high quality standards and excellent levels of service at all times.

Forming part of Legal Services, the Electoral Registration Team is responsible for ensuring that the Register of Electors is maintained and co-ordinates all elections within the Vale of Glamorgan.

Legal Services broad functions include:

- Updating the Register of Electors including the maintenance of an Absent Voters and Overseas and Special Category Electors lists as well as publishing the revised Register of Electors annually;
- Undertaking an annual canvass of properties in the Vale of Glamorgan including house visits to increase registration;
- Overseeing / administration of UK Parliamentary elections, Welsh Assembly elections, Police and Crime Commissioner elections, European elections, County/Local Government elections, Town/Community elections, referendums, community polls and NNDR postal ballot bids;
- Undertaking polling district, place and station reviews;
- Undertaking the Returning Officer and Electoral Registration Officer statutory duties;
- Undertaking the Monitoring Officer and designated Proper Officer roles including Proper Officer for Access to Information and Freedom of Information Act;
- Providing guidance to Members regarding the Members' Code of Conduct and advising both Members and Officers on the Council's Constitution;
- Supporting the Standards Committee in undertaking its statutory functions;

- Overseeing the strategic provision of an efficient comprehensive legal service that is responsive to client's needs and proactive in protecting the Council's legal position and supporting corporate policy making;
- Providing legal advice in respect of all community services and education matters including adult community services, childcare and mental health;
- Conducting both claimant and defendant litigation on behalf of the Council across various civil and criminal jurisdictions, providing planning and highways advice, including representation at planning, highways and compulsory purchase order inquiries, criminal prosecutions and civil proceedings brought by the Council including conducting regulatory prosecutions on behalf of the Council within the context of the regulatory services collaboration and defending challenges brought against the Council by way of Judicial Review.;
- Providing generic advice and Monitoring Officer Support to the Shared Regulatory Services as host authority, advising and assisting the Licensing Committee (Public Protection, Statutory and Sub-Committee) and the Shared Regulatory Services Joint Committee:
- Providing employment law advice in respect of Council policy including advice for the appeals committee, representing the Council in respect of employment claims and delivering administrative support to the Legal Services Team, including the production and management of client billing reports;
- Providing legal advice in respect of the implementation of new legislation in protecting the Council's legal position, supporting corporate policy making; and providing legal advice in relation to partnership working;
- Undertaking the Council's conveyancing, landlord and tenant work and the negotiation and drafting of contracts for goods and services including an advice service in relation to contract and property law generally, and in relation to local government law, charities, contracts, land issues, compulsory purchase, landlord and tenant, housing matters and town and village green applications and legal advice and professional steer on the City Deal project;
- Providing advice on Council, Cabinet, and Committee reports and determining whether such reports contain exempt information for the purposes of the Local Government Act 1972; and
- Business Partnering in the context of Reshaping, Commercial Conveyancing Projects and Gateway meetings (Children and Young People's Services).

1.2 The Purpose of Our Service Plan

This plan identifies how we will contribute towards achieving the Council's vision – **'Strong communities with a bright future'**.

Our Service Plan outlines our key priorities for the coming year and how we will manage our resources to deliver them. The plan gives an overview of our service, what we aim to achieve, why this is important, how we will achieve it, how we will monitor progress and what success will look like.

It is important that as a Council we have shared values and our service is committed to delivering its priorities within the context of the Council's core values:

- **Ambitious:** Forward thinking, embracing new styles of working and investing in our future.
- **Open:** Open to different ideas and being accountable for the decisions we take.
- **Together:** Working together as a team that engages with our customers and partners, respects diversity and is committed to quality service.
- **Proud:** Proud of the Vale of Glamorgan: proud to service our communities and to be part of the Vale of Glamorgan Council.

Our Council's priorities are contained in the Corporate Plan 2016-20 and are expressed as well-being outcomes and objectives. These have been decided upon following consultation with key stakeholders including citizens of the Vale of Glamorgan. Our well-being outcomes and objectives are:

Well-Being Outcome	An Inclusive and Safe Vale	An Environmentally Responsible and Prosperous Vale	An Aspirational and Culturally Vibrant Vale	An Active and Healthy Vale
Well-Being Objective	Reducing poverty and social exclusion.	Promoting regeneration, economic growth and employment.	Raising overall standards of achievement.	Encouraging and promoting active and healthy lifestyles.
Well-Being Objective	Providing decent homes and safe communities.	Promoting sustainable development and protecting our environment.	Valuing culture and diversity.	Safeguarding those who are vulnerable and promoting independent living.

The well-being objectives illustrate the contribution Council services will make to achieving the Well-being Goals for Wales. The Well-being Goals have been established to ensure that all relevant bodies in Wales are working towards the same vision as part of the Well-Being of Future Generations (Wales) Act 2015. The Act is about improving the social, economic, environmental and cultural well-being of Wales. The Act is intended to make public bodies think more about the long-term, work better with people and communities and each other, look to prevent problems and take a more joined-up approach. The contribution our service will make to the Well-being Goals is highlighted throughout our Service Plan.

1.3 Developing Our Plan

Our Service Plan is informed by and reflects the environment within which our service operates. As well as contributing to the Well-being Outcomes and Objectives from our Corporate Plan, our service has taken the following into consideration when drafting our plan:

- The Annual Service Self-Assessment which provides an overall position statement for the year based on specific issues relating to performance, customer experience, and the use of resources (workforce, financial, ICT and assets);
- Our budget including planned service savings and efficiencies and the implementation of the Council's Reshaping Services Change Programme;
- Taking into account implications for the service arising from new legislative developments such as: the Well-being of Future Generations (Wales) Act 2015, Social Services and Wellbeing (Wales) Act 2014, Renting Homes (Wales) Act 2016, the Regulation and Inspection of Social Care (Wales) Act 2016, the Additional Learning Needs and Education Tribunal (Wales) Act 2018 and the proposed Local Government Bill.
- The Council's Corporate Safeguarding Policy.

1.4 How We Work - Sustainable Development

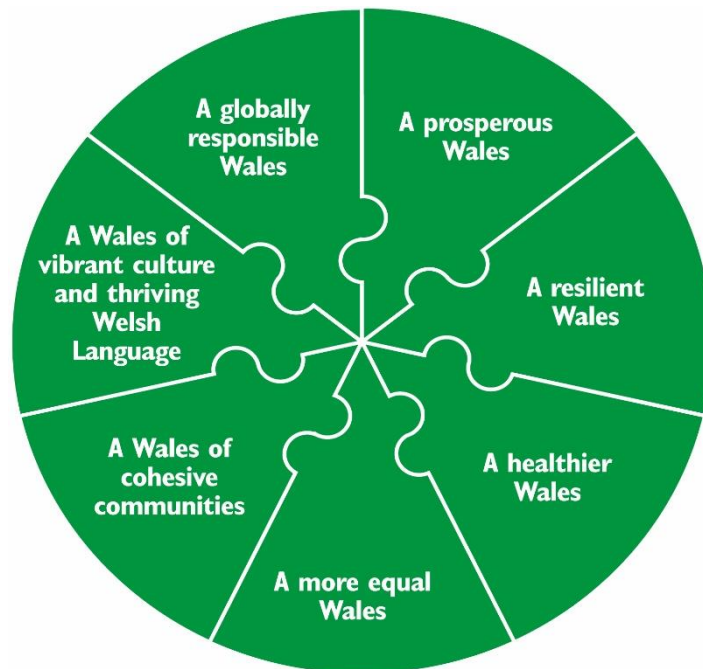
The Well-being of Future Generations (Wales) Act puts in place a 'sustainable development principle' which tells organisations how to go about meeting their duty under the Act:

“You must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs, by taking account of the sustainable development principle”.

The sustainable development principle means considering how actions are taken to support continuous improvement by:

- Looking to the **long term** – for us this means planning for the future and taking a strategic approach to ensure services are sustainable and that we understand the future need and demand for services.
- Taking an **integrated** approach – for us this means thinking about the needs of our customers and working with our partners.
- **Involving** the population in decisions – for us this means engaging with our residents and customers, including the business community and ensuring that we are listening to a wide range of views to inform our thinking.
- Working in a **collaborative** way – for us this means recognising we can achieve more and deliver better services by working as part of a team, for example by working with the Third Sector, Town and Community Councils and neighbouring authorities.
- Understanding the root causes of issues and **preventing** them – for us this means being proactive in our thinking and understanding the need to tackle problems at source for example by undertaking needs assessments to inform our priorities.

In response, our Corporate Plan 2016-20 has reflected on the ways of working ensuring that it is consistent with our approach to planning for the future. These considerations are also reflected in the actions we will take as a service to deliver the Council’s priorities. The chart below shows that Housing and Building Services contributes to all seven Well-being Goals as defined in the Act. Our contribution is set out in more detail in our action plan at Appendix A.



2. Our Challenges in 2019/20

Legal Services continues to face unprecedented pressures. The continued pace and scale of the changes demanded of public sector organisations in recent years poses a significant risk to both the Service and the Council in achieving its Well-being Outcomes. If these challenges are left unchecked this could affect our ability to secure continuous improvement, our contribution to the Corporate Plan Well-being Outcomes and ultimately impact on our ability to achieve meaningful outcomes for Vale of Glamorgan citizens.

It is clear that we will have to live with budgetary pressures for some time and, so in order to continue to provide services to our customers at an acceptable standard we are considering alternative models of service delivery where appropriate. At the same time, we continue to manage a reduced workforce in some areas and the consequent impact of the loss of experience and knowledge within the Service. Outlined below are the key challenges we face in the coming year:

- Ensuring appropriate resource to deliver the level of transformational change required as part of the Reshaping Services Agenda and ensuring appropriate resourcing for Reshaping Services projects in order to achieve required change. **(CP1)**
- Ensuring we have sufficient resource and capacity to meet new legislative requirements with particular reference to the Well-being of Future Generations Act, Additional Learning Needs and Education Tribunal (Wales) Act 2018, the Housing Bill and the Welsh Language Act and the challenges these pose for delivering services on reducing budgets.**(CP2)**
- Managing client expectations in a climate of diminishing resources across the Council remains a challenge within Legal Services. **CP2**
- Maintaining our focus on effectively managing sickness absence in line with corporate directive. **(CP2).**
- Being particularly mindful of the demographics of staff working within legal services we must continue to maintain our focus on effective workforce planning and developing succession planning, this will ensure we are best placed when vacancies arise within the department. **(CP2)**
- There continues to be a need to focus on developing skillsets within the division that enables us to effectively support the change management process of the Reshaping services agenda and ensure resilience within the workforce, whilst encouraging self-development. **(CP2)**
- Ensuring appropriate resilience to meet the challenges posed by the threat of Judicial Review where litigation remains high by Claimants seeking to challenge decision making by the Council leading to a greater demand for legal service. **(CP2)**
- Generating income remains a challenge for Legal Services due to temporary vacancies in the establishment impacting upon our capacity to attract income and the lack of guarantee of instructions being received from external sources. **(CP1)**
- Supporting Social Services in relation to its statutory duties in accordance with the Social Services and Well-being (Wales) Act 2014 and other legislation. For example; supporting Adult Services Safeguarding in regard to the on-going risk posed by the challenge of Deprivation of Liberty (DOL's) ahead of implementation of new legislation which should see the implementation of a new Parliamentary Bill, based on the Liberty Protection Safeguards Model as developed by the Law Commission. **(AH7)**
- Supporting the "Review of electoral arrangements for the Vale of Glamorgan Council" by the Local Democracy and Boundary Commission for Wales which will commence in May 2019 and continue throughout 2019/20. This is an additional requirement to on-going workloads within a small team.
- The roll out of case management software and implementation of a Legal Portal in liaison with the Courts subject to this being progressed by the Court during 2019/20. The challenge for us will be the change of internal systems and procedures to meet the requirements of the Court and the subsequent impact on resource required to impellent these changes.

3. Our Corporate Plan Priorities for 2019/20

3.1 Corporate Plan Priorities

Legal Services provides legal advice to assist client departments to take the actions outlined below to contribute to the Corporate Well-being Outcomes and Objectives.

Well-being Outcome/ Scrutiny Committee	Well-being Objective	Ref	Action	2019/20 Activities
WBO2 : An Environmentally Responsible and Prosperous Vale (E&R)	O3: Promoting regeneration, economic growth and employment	ER01	Maximise economic growth, inward investment and employment opportunities through the Capital region and Cardiff Airport and St Athan Enterprise Zone.	Provide legal advice, guidance and support on legal matters in relation to the Capital region (Cardiff City Deal).
	O3: Promoting regeneration, economic growth and employment	ER03	Implement a comprehensive programme of regeneration across the Vale including: <ul style="list-style-type: none"> • The Rural Local Development Strategy. • Town Centres Framework. • Penarth Esplanade. • Barry Waterfront including the Barry Island Link Road (<i>Link road is now completed subject to the conclusion of the s.38 agreement</i>). • Links between Penarth Haven and the Town Centre. (<i>Section 106 spend -Penarth Heights</i>). 	Provide legal advice, guidance and support on legal matters in relation to Cardiff Airport and St Athan Enterprise Zone. Provide legal advice, guidance and support on legal matters in relation to the Council's major regeneration projects.
	O3: Promoting regeneration, economic growth and employment	ER04	Deliver transport improvement schemes associated with the Cardiff Capital Region Metro including bus prioritisation measures at Port Road and Cardiff Road.	Provide legal advice, guidance and support on legal matters in relation to transport improvement schemes associated with the Cardiff Capital Region Metro including bus prioritisation measures at Port Road and Cardiff Road.

	O4: Promoting sustainable development and protecting our environment	ER10	Work with Welsh Government to deliver improvements to Five Mile Lane.	Provide legal advice, guidance and support on legal matters in relation to Five Mile Lane.
	O4: Promoting sustainable development and protecting our environment	ER14	Work with partners to continue the regeneration of Barry Island and promote the development of land at Nell's Point for tourism and leisure purposes.	Provide legal advice, guidance and support on legal matters in relation to regeneration of Barry Island. (Ongoing instructions being received).
WBO3: An Aspirational and Culturally Vibrant Vale (L&C)	O5: Raising overall standards of achievement	AC08	Progress the school modernisation programme by completing the new Llantwit Major Learning Community and the development of proposals for secondary school provision in Barry.	Provide legal advice, guidance and support on legal matters in relation to secondary school provision in Barry and the 21st century schools project. (Ongoing instructions being received).
WO4: Active and Healthy Vale (HL&SC)	O8: Safeguarding those who are vulnerable and promoting independent living	AH7	Implement new ways of working in light of the Social Services Well-being (Wales) Act with a particular focus on the priority work streams of: <ul style="list-style-type: none"> - Provision of information - Advice and assistance services - Eligibility/assessment of need - Planning and promotion of preventative services - Workforce - Performance measures 	Provide legal advice and support on legal matters in relation to implementing new ways of working arising from the Social Services Well-being (Wales) Act 2014 with a particular focus on <ul style="list-style-type: none"> Provision of information - Advice and assistance services - Eligibility/assessment of need - Planning and promotion of preventative services - Workforce - Performance measures - Charging (debt recovery) - Direct Payments provision - Pooled Funds

3.2. Integrated Planning Priorities

Our service is committed to maximising the use of resources so that we can deliver sustainable and cost effective services that best meet people's needs. In order to achieve this, we have identified a series of priority 'enabling actions' that will support us in delivering the key outcomes identified in our Corporate Plan. The key areas of focus will be:

Ref	Action	2019/20 Activities
CP1	<p>Deliver the Council's transformational change programme, Reshaping Services, to enable it to meet the future needs of citizens of the Vale of Glamorgan within the context of unprecedented financial challenges.</p>	<p>Contribute to the preparatory work to identify £821k savings required for the Resources Directorate in 2019/20.</p> <p>Contribute to Third Party savings for 2019/20 identified in the sum of £12k against Legal, Electoral Registration and Democratic Services budgets.</p> <p>Identify opportunities and review existing arrangements for charging for legal services (where permissible and subject to available capacity) in line with the Councils Income Generation and Commercial Opportunities Strategy.</p> <p>Provide legal support to enable the Council's Reshaping Services Programme timetable and associated Project Plans to be adhered to.</p> <p>Conclude review and consultation of Catalina at the Waterfront Barry.</p> <p>Roll out the transition to Cloud solution (Winscribe).</p> <p>Finalise the review of the case management software (considering other software including that used by other Authorities).</p> <p>Work with Her Majesty's Courts Tribunal Service as part of their Reform Programme to adopt a Legal Portal (when finalised) in liaison with the Courts regarding use of electronic court bundling.</p> <p>Procure contract commissioning in relation to the electronic legal resource library along with other regional Local Authorities.</p> <p>Explore opportunities with neighbouring Councils to insource enforcement/environmental litigation work.</p> <p>Undertake contract discussions with the Head of Finance and the Council's appointed insurers to explore opportunities to further increase the insourcing of the PI/litigation legal work.</p>
CP2	<p>Align the workforce plan to the Reshaping Services strategy, ensuring staff have</p>	<p>Continue to effectively manage sickness absence in line with corporate directive.</p>

Ref	Action	2019/20 Activities
	the necessary skills and training to adapt to the changes in how services are planned and delivered.	<p>Ensure appropriate resourcing for Reshaping Services projects in order to achieve transformational change. (CR1)</p> <p>Deliver workforce planning with a focus on alternative service delivery and workforce implications. (CR5)</p> <p>Develop succession planning arrangements to address issues associated with reliance on small numbers of key staff. (CR5)</p> <p>Continue to focus on up-skilling and developing skill sets across all teams within Legal Services and encourage self-development. (CR5)</p> <p>Ensure appropriate resilience and staff skill sets to meet the challenges posed by the threat of Judicial Review.</p> <p>Maintain Solicitors Regulation Authority Compulsory Professional Development requirements, tying the continuing competence process in with corporate needs.</p> <p>Provide training on the Members' Code of Conduct and governance to new members including co-opted member (as and when required).</p>

[Appendix A](#) contains the detailed activity plan which outlines the actions we will undertake in the coming year to deliver our 2019/20 priorities for the Corporate Plan. It also contains planned activity that the service will be undertaking during the year to address identified challenges which do not link to a corporate plan action but contributes towards a Corporate Plan Well-being Objective and Outcome overall.

[Appendix B](#) outlines the 'enabling' actions we will undertake to maximise the use of our resources to enable us to deliver our priorities for the same year.

3.3. Managing Our Resources to Deliver Our Priorities

The following sets out how we will manage our resources to achieve the actions in our Service Plan and support our service.

Integrated Planning

We are committed to maximising the use of our resources so that we can deliver sustainable and cost effective services that best meet people's needs. For 2019/20, we have identified a series of 'enabling actions' that will support us to deliver our priorities for Year 4 of the Corporate Plan and contribute towards the Corporate Plan Well-being Outcomes.

This section provides a summary of these actions, outlining how we will use our resources (including our workforce, ICT, finance, assets and customer insight) and manage identified risks in order to deliver planned improvement.

Workforce Development

Key Service Statistics 2017/18						
Average headcount 2017/18	Average FTE 2017/18	Average days sick		Average days sickness per FTE	Turnover (no of leavers)	#itsaboutme completion rate (%)
		Long term	Short term			
30	27.32	0	2.25	2.25	2 (6.67%)	100

During 2016/17, 2017/18 and 2018/19, 100% of #itsaboutme staff sessions were consistently completed.

The key workforce issues impacting on the service are:

- Managing sickness absence rates continues to be an area of focus within the service area. Whilst long term sickness decreased from 0.21 days per full time employee (FTE) in 2016/17 to 0 in 2017/18, short term sickness has increased from 1.58 days FTE to 2.25 in 2017/18.
- Sickness levels are better than both the Directorate (5.80 FTE) and Council (8.90 FTE) targets for 2017/18.
- Based on current data at Q2 2018, a total average of 1.44 FTE days were lost to sickness absence during the first 6 months of 2018/19 which is higher than the same period last year (0.52 FTE).
- As at September 2018, the age profile of the service was as follows: [0% (65+); 26% (55-64); 29% (45-54); 23% (35-44); 19% (25-34) and 3% (16-24)]. In order to address this disparity, Legal Services has had a programme which has been in place for 11+ years for appointing trainee solicitors.
- The Legal Services workforce has remained fairly static, with low levels of turnover. As at 2017/18, the service had an establishment of 30 FTEs compared to 31 FTEs during 2016/17. Through continuing to focus our efforts on succession planning and encouraging the cross-skilling across teams we can continue to ensure there is resilience within the workforce.
- There continues to be a need to focus on developing skillsets within the division that enables us to effectively support the change management process of the Reshaping Services agenda.
- Challenges and position at January 2019: Resignation of the Principal Lawyer/Team Leader Community Services with effect from 22nd November 2018. The team undertakes the Council's Children's Services, Education and Adult Services legal work, all front line services. The Team also contribute to the Council's Income Generation strategy in undertaking child care work on behalf of Cardiff Legal Services. The new Team Leader was expected to take up the post on 9th January 2019 however declined the position during early January 2019; temporary acting up arrangements have been put in place in the Team to assist with addressing the vacancy at Team Leader level. A child care paralegal has been appointed into the Team; however the Assistant Lawyer post in the Community Services Team is vacant as a result of promotion of the former Assistant Lawyer to a Senior Lawyer post in the Litigation and Business Support Team.

It is important that we continue to maintain and develop the workforce necessary to meet future service needs both in terms of the numbers employed and the skills and competency required of those employees. It remains a priority for Legal Services to continue to support staff development and succession planning despite the pressures of budget and staffing reductions. Our key workforce development priorities for the coming year are:

- Continuing to effectively manage sickness absence in line with corporate policy.
- Building resilience in the service by focussing on up-skilling and developing flexibility in skill sets across all teams within the service and encouraging self-development.

- Ensuring appropriate resilience and skills set to meet the challenges posed by the threat of Judicial Review where litigation remains high by claimants seeking to challenge decision making by the Council leading to a greater demand for legal service.
- Ensuring appropriate resourcing for Reshaping Services projects in order to achieve transformational change.
- Developing succession planning arrangements to address issues associated with reliance on small numbers of key staff through continuing to support trainee opportunities to ensure there is a pool of appropriately qualified and skilled staff over the coming years.
- Transferring expertise and skills in certain areas such as education, adult social services and procurement to increase resilience across the team.

ICT

In line with corporate direction we continue to use ICT to work smarter and more flexibly through exploring new ways of working digitally and investing in new technologies. Our ICT priorities for 2019/20 outlined below reflect our continuing commitment to working smarter and more flexibly in line with the Council's Digital Strategy.

The key ICT issues impacting on the service are:

- The reliability of connectivity when remote working.

Our key areas of focus for 2019/20 are:

- Roll out the transition to Cloud solution (Winscribe);
- Finalise the review of the case management software in May 2019, with other software being considered including that used by other Authorities;
- Work with Her Majesty's Courts Tribunal Service as part of their Reform Programme to adopt a Legal Portal (when finalised) in liaison with the Courts regarding use of electronic court bundling;
- Upgrade to Windows 10 across Legal Services in line with corporate timetable to include compatibility with TRIM and other software.

Collaboration and Partnerships

We continue to explore and promote opportunities for working collaboratively locally and regionally in order to deliver improved services for customers and deliver savings.

Key issues impacting on the service are:

- Inability to effectively engage partners to meet their commitments (financial) associated with delivering our key collaborative arrangements.
- Expectations of partners are at odds with the Council's priorities and transformation agenda.
- Inability to deliver key collaborative projects due to a lack of agreement on the consensual way forward.
- A regionalised approach could impact negatively on local service delivery.
- A lack of willingness to work in partnership.
- Ensuring appropriate resilience in the service including a focus on up-skilling and developing flexibility in skill sets across all teams within the service to meet the challenges posed by collaboration.
- Continue to support collaboration activity in order improve services for customers and support the Council's reshaping agenda.

Highlighted below are our planned activities for the coming year.

Collaboration	Brief Description of the Purpose and intended outcomes from the Partnership/ Collaborative Activity	Planned Activity for 2019/20
Continued legal advice work for Cardiff Legal Services in respect of their childcare work.	Community service team continue to undertake legal advice work for Cardiff Legal Service in respect of Childcare work as and when required.	Continue to undertake legal advice/advocacy Childcare work for Cardiff Legal Services as and when required (subject to sufficient capacity).
Employment law advice provision under the shared services agreement to regional Councils.	Provision of Employment law advice formerly to Neath Port Talbot Council under the shared services agreement.	Continue to explore opportunities in regard to the provision of employment law advice to Councils under the shared services agreement.
Continue to explore shared service opportunities and income generation with other local authorities, Town and Community Councils and third parties.	To explore further opportunities for collaborative working to aid an effective and cost efficient legal service.	Explore opportunities with neighbouring Councils to insource enforcement/environmental litigation work.
'Out of hours' legal service on behalf of Cardiff Council.	Provision out of hours service on behalf of Cardiff Council.	The provision of this service by the Community Services Team will continue during 2019/20.
Drafting of Tree Preservation Orders for Merthyr Council.	To continue to explore further opportunities for collaborative working to aid an effective and cost efficient legal service.	Undertake any necessary work required by Merthyr Tydfil Council in respect of the provision of advice and drafting of the Council's Tree Preservation Orders. Explore opportunities to work with other Councils.
Insourcing of the PI/Litigation legal work (cases with a damages claim value of up to £75k) has potential for further insourcing of additional work subject to due diligence.	In line with the Council's Commercial Opportunities and Income Generation Policy the PI/Litigation legal work has continued to be insourced to Legal Services (since 2015) up to a value of £75K resulting in a reduction in third party spend on external solicitors appointed by the Council's insurers Zurich.	Undertake contract discussions with the Head of Finance and the Council's appointed insurers to explore opportunities to further increase the insourcing of the PI/litigation legal work.
Continued membership of the South East Wales Legal Consortium.	To explore further opportunities for collaborative working to aid an effective and cost efficient legal service.	Procure contract commissioning in relation to the electronic legal resource library.
Legal Portal HMCTS	To continue to explore further opportunities for collaborative working to aid an effective and cost efficient legal service.	Continue to work with HMCTS as part of the Courts Reform programme to adopt a Legal Portal developed by the Court Service.

Consultation and Engagement

We support all Directorates in ensuring that they are engaging with key stakeholders in accordance with legal requirements.

Finance

The estimated base budget for 2019/20 for Legal Services is £1,428,000 and £492,000 for Electoral Registration which takes into the account the savings identified below.



- Software Savings (from the introduction of new software in Electoral Registration) - £5k
- Legal income (income generation) - £5k
- Third Party Spend (savings from external procurement) - £12k
- Hybrid Mail savings from reduced postage - £6k (split between Legal, Electoral Registration and Democratic services).

Risk Evaluation

Identifying and analysing the risks to our service is a fundamental aspect of understanding what could hinder our performance as a Council and our ability to meet our priorities as set out in the Corporate Plan. Risks can be categorised according to four risk themes: legislative/political, resources, service delivery and well-being and reputation.

Outlined below is a summary of key risks that pose a threat to our service. Some of the risks identified may be specific to service delivery whereas other risks can be aligned to a corporate risk. Where this is the case, these are identified within the table.




For risks that require further mitigation, actions have been identified and planned for delivery in 2019/20. Not all risks will necessitate a mitigating activity as they will already be effectively managed through current controls, already in place.

Risk description	Link to Corporate Risk (Yes/No)	Residual Risk (as at April 19)			Forecast direction of travel	Mitigating actions planned for 2019/20
		L	I	R		
Failure to meet savings targets and identify new ways of working to maximise opportunities and deliver alternative service models associated with the Reshaping Programme.	CR1: Reshaping Services	2	2	4		Ensure appropriate resourcing for Reshaping Services projects in order to achieve transformational change.
Failure to effectively maximise and mobilise our existing workforce to deliver our service priorities.	CR5: Workforce	2	2	4		Deliver workforce planning with a focus on alternative service delivery and workforce implications. Develop succession planning arrangements to address issues associated with reliance on small numbers of key staff.

Risk description	Link to Corporate Risk (Yes/No)	Residual Risk (as at April 19)			Forecast direction of travel	Mitigating actions planned for 2019/20
		L	I	R		
Failure to implement adequate ICT management system and financial cost associated with data breaches/cyber-attacks and the wider impact on service delivery.	CR6: Information Security	2	3	6	↔	No further mitigating actions identified.
Failure to put in place appropriate safeguards for children and young people and adults and meet our responsibilities for responding to situations effectively where people are 'at risk' of neglect or abuse.	CR10: Safeguarding	2	4	8	↔	No further mitigating actions identified.
Failure to execute contracts required in line with Council Standing Orders.	CR13: Contract Management	1	1	2	↔	No further mitigating actions identified.
LS/SR001 Failure to support the Council's services in responding to the implications of new and emerging legislation.	N/A	2	3	6	↔	No further mitigating actions identified.
LS/SR002 Loss of experienced staff and knowledge impacting on service delivery and the Council's Reshaping Agenda.	Linked to CR5	4	3	12	↔	Continue to focus on up-skilling and developing flexibility in skill-sets across all teams within Legal Services and encourage self-development.
LS/SR003 Inability to recruit and retain suitably qualified staff in key areas.	N/A	2	3	6	↔	No further mitigating actions.
LS/SR004 Inability to deliver the Welsh Language Standards and associated fines and reputational damage for non-achievement.	N/A	2	2	4	↔	No further mitigating actions.

The mitigating actions aligned to our risks identified above are included in our action plan at [Appendix A](#) and [Appendix B](#) to ensure the on-going monitoring of corporate and service level risks.

Risk Key

Scoring risks	
Likelihood score	Refers to how likely it is that the risk will occur, that is, the probability of the risk happening. The scoring ranges between 1 and 4, with 1 being very unlikely, 2 - possible, 3 - probable and 4 being almost certain to happen or has already happened.
Impact score	Refers to what the impact would be if the risk occurred. Again the scoring ranges between 1 and 4, with 1 being low, 2 - medium, 3 - high and 4 being catastrophic. Impact would include things such as financial costs, public wellbeing, environmental/ social impact, damage to reputation, health and safety etc.
Inherent Risk	This is the risk score in a pre-control environment
Residual Risk	Remaining risk score after controls have been applied. Shows impact of controls.
Current controls	This is a control score that provides an indication of the effectiveness of the controls at managing the risk.
Forecast Direction of Travel	Anticipates the future direction of travel of the risk by taking into account factors that are likely to impact on it. Risk increasing  Risk is decreasing  Risk remaining static 

Risk Matrix

Possible Impact or Magnitude of Risk	Catastrophic	4 MEDIUM	8 MEDIUM/HIGH	12 HIGH	16 VERY HIGH
	High	3 MEDIUM/LOW	6 MEDIUM	9 MEDIUM/HIGH	12 HIGH
	Medium	2 LOW	4 MEDIUM	6 MEDIUM	8 MEDIUM/HIGH
	Low	1 VERY LOW	2 LOW	3 MEDIUM/LOW	4 MEDIUM
Low 1-2 Low/Medium 3 Medium 4-6 Medium/High 8-10 High 12-16	Very Unlikely	Possible	Probable	Almost Certain	
	Likelihood/Probability of Risk Occurring				

Legal Services Action Plan 2019/20

Well-being Outcome 2: An Environmentally Responsible and Prosperous Wales	Objective 3: Promoting regeneration, economic growth and employment
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Well-being Goals	A Resilient Wales (RW)	A Healthier Wales (HW)	A More Equal Wales (EW)	A Wales of Cohesive Communities (WCC)	A Wales of Vibrant Culture & Thriving Welsh Language (VCWL)	A Prosperous Wales (PW)	A Globally Responsible Wales (GRW)
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Our ways of working	Long Term (LT)	Integrated (I)	Involving (IV)	Collaborative (C)	Preventing (P)
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Ref	Action	Outcome & Key Milestone 2019/20	Contribution to the Well-being Goals	Integration with the 5 Ways of Working	Start / Finish date	Responsible Officer / Resources required
ER001 LS/A013	Provide legal advice, guidance and support on legal matters in relation to the Capital region (Cardiff City Deal) – ongoing instructions being received.	Delivery of Projects in line with approved Business Plan.	PW RW WCC	LT I C IV P	01/04/2019 – 31/03/2020	Debbie Marles / In-house legal support and if necessary due to capacity or lack of in-house expertise external legal support from the private or public sector.
ER003 LS/A003	Provide legal advice, guidance and support on legal matters in relation to Cardiff Airport and St Athan Enterprise Zone.	Greater interest in the Enterprise Zone, with greater prospects of new and improved job creation.	PW RW WCC HW	LT I C IV P	01/04/2019 – 31/03/2020	Debbie Marles / In-house legal support and if necessary due to capacity or lack of in-house expertise external legal support from the private or public sector.

Ref	Action	Outcome & Key Milestone 2019/20	Contribution to the Well-being Goals	Integration with the 5 Ways of Working	Start / Finish date	Responsible Officer / Resources required
ER003 LS/A004	Provide legal advice, guidance and support on legal matters in relation to the Council's major regeneration projects Ongoing instructions being received.	Legal advice and support facilitates progress in relation to key Council regeneration projects.	PW RW EW WCC GRW VCWL	LT I C IV P	01/04/2019 – 31/03/2020	Debbie Marles / In-house legal support and if necessary due to capacity or lack of in-house expertise external legal support from the private or public sector.
ER004 LS/A016	Provide legal advice, guidance and support on legal matters in relation to transport improvement schemes associated with the Cardiff Capital Region Metro including bus prioritisation measures at Port Road and Cardiff Road.	Legal advice and support facilitates progress in relation to key Council regeneration projects.	PW RW WCC HW EW	LT I C IV P	01/04/2019 – 31/03/2020	Debbie Marles / In-house legal support and if necessary due to capacity or lack of in-house expertise external legal support from the private or public sector.

Well-being Outcome 2: An Environmentally Responsible and Prosperous Wales	Objective 4: Promoting sustainable development and protecting our environment
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Well-being Goals	A Resilient Wales	A Healthier Wales	A More Equal Wales	A Wales of Cohesive Communities	A Wales of Vibrant Culture & Thriving Welsh Language	A Prosperous Wales	A Globally Responsible Wales
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Our ways of working	Long term	Integrated	Involving	Collaborative	Preventing
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Ref	Action	Outcome & Key milestone 2019/20	Contribution to the Well-being Goals	Integration with the 5 Ways of Working	Start / Finish date	Responsible Officer / Resources required
ER010 LS/A006	Provide legal advice, guidance and support on legal matters in relation to Five Mile Lane. Ongoing instructions being received	Contract works progressed.	PW RW WCC	LT I IV C LT	01/04/2019 – 31/03/2020	Victoria Davidson / In-house legal support and if necessary due to capacity or lack of in-house expertise external legal support from the private or public sector.
ER014 LS/A007	Provide legal advice, guidance and support on legal matters in relation to regeneration of Barry Island. Ongoing instructions being received.	Co-ordinated approach to development of Barry Island resort enables maximum benefits for the Vale residents and improved tourism visits.	PW RW HW CC VCWL GRW	LT I IV C LT	01/04/2019 – 31/03/2020	Debbie Marles / In-house legal support and if necessary due to capacity or lack of in-house expertise external legal support from the private or public sector.

Well-being Outcome 3: An Aspirational and Culturally Vibrant Vale

Objective 5: Raising overall standards of achievement

Well-being goals	A Resilient Wales	A Healthier Wales	A More Equal Wales	A Wales of Cohesive Communities	A Wales of Vibrant Culture & Thriving Welsh Language	A Prosperous Wales	A Globally Responsible Wales
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Our ways of working	Long term	Integrated	Involving	Collaborative	Preventing
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Ref	Action	Outcome & Key milestone 2019/20	Contribution to the Well-being Goals	Integration with the 5 Ways of Working	Start / Finish date	Responsible Officer / Resources required
AC008 LS/A014	Provide legal advice, guidance and support on legal matters in relation to secondary school provision in Barry and the 21 st century schools project. Ongoing instructions being received.	<p>School Modernisation Programme remains on track ensuring schools in the Vale meet 21st century standards and expectations.</p> <p>New schools within the Vale which are fit for purpose, in the right place, meet pupils' needs and become a resource which communities can fully utilise.</p>	PW RW EW HW VCWL GRW	LT I IV C LT	01/04/2019 – 31/03/2020	Debbie Marles / In-house legal support and if necessary due to capacity or lack of in-house expertise external legal support from the private or public sector.

Well-being Outcome 4: An Active and Healthy Vale

Objective 8: Safeguarding those who are vulnerable and promoting independent living

Well-being Goals	A Resilient Wales	A Healthier Wales	A More Equal Wales	A Wales of Cohesive Communities	A Wales of Vibrant Culture & Thriving Welsh Language	A Prosperous Wales	A Globally Responsible Wales
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Our Ways of Working	Long Term	Integrated	Involving	Collaborative	Preventing
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Ref	Action	Outcome & Key milestone 2019/20	Contribution to the Well-being Goals	Integration with the 5 Ways of Working	Start / Finish date	Responsible Officer / Resources required
AH007 LS/A015	Provide legal advice and support on legal matters in relation to ongoing project work under the Social Services Well-being (Wales) Act 2014 with a particular focus on Provision of information <ul style="list-style-type: none"> - Advice and assistance services - Eligibility/assessment of need - Planning and promotion of preventative services - Workforce - Performance measures - Charging (debt recovery) - Direct Payments provision - Pooled Funds. 	Provision of legal advice, guidance and support on legal matters in line with the new ways of working and the requirements Social Services Well-being (Wales) Act, including charging (debt recovery), Direct Payments, and Pooled Funds.	PW HW EW WCC	LT I IV C P	01/04/2019 – 31/03/2020	Victoria Davidson / In-house legal support and if necessary due to capacity or lack of in-house expertise external legal support from the private or public sector.

Integrated Planning

Our Ways of Working	Long Term (LT)	Integrated (I)	Involving (IV)	Collaborative (C)	Preventing (P)
Ref	Action	Outcome & Key milestone 2019/20	Integration with the 5 Ways of Working	Start / Finish date	Responsible Officer / Resources required
CP1 LS/F039	Contribute to the preparatory work to identify £821k savings required for the Resources Directorate in 2019/20.	Proposals for making the required levels of savings are agreed and ready for implementation.	LT P	01/04/2019 – 31/03/2020	Debbie Marles / Existing resources.
CP1 LS/F040	Contribute to Third Party savings for 2019/2020 identified in the sum of £12k against Legal, Electoral Registration and Democratic Services budgets.	Proposals for making the required levels of savings agreed for implementation.	LT P	01/04/2019 – 31/03/2020	Debbie Marles / Existing resources.
CP1 LS/F041	Identify opportunities and review existing arrangements for charging for legal services (where permissible and subject to available capacity) in line with the Councils Income Generation and Commercial Opportunities Strategy.	Explore opportunities and review arrangements to charge for legal services to generate income in line with corporate strategy. Potential opportunities identified and progressed. Income generation opportunities maximised.	LT P	01/04/2019 – 31/03/2020	Debbie Marles / Existing resources.

Ref	Action	Outcome & Key milestone 2019/20	Integration with the 5 Ways of Working	Start / Finish date	Responsible Officer / Resources required
CP1 LS/C002	Provide legal support to enable the Council's Reshaping Services Programme timetable and associated Project Plans to be adhered to.	Legal support /advice inform decisions on reshaping projects.	LT P IV I	01/04/2019 – 31/03/2020	Debbie Marles / In-house legal support and if necessary due to capacity or lack of in-house expertise external legal support from the private or public sector.
CP1 LS/C042	Conclude review and consultation of Catalina at the Waterfront Barry.	Subject to consultation the potential reallocation of properties in the district/ward.	LT C I IV	01/04/2019-31/03/2020	Debbie Marles / Existing resources.
CP1 LS/IT043	Roll out the transition to Cloud solution (Winscribe).	<ul style="list-style-type: none"> Improved accessibility and securing storage savings Legal agreement entered into with Provider 	LT P	01/04/2019 - 30/09/2019	Victoria Davidson/ Existing Resources
CP1 LS/IT044	Finalise the review of the case management software (considering other software including that used by other Authorities).	<p>Replacement options identified for Legal Services Software. Demonstrations arranged for January/February 2019.</p> <p>Consider compatibility with TRIM/other software and HMCTS development of legal portal in line with their Reform programme.</p>	LT P C	01/04/2019-31/05/2020	Victoria Davidson / Existing resources.

Ref	Action	Outcome & Key milestone 2019/20	Integration with the 5 Ways of Working	Start / Finish date	Responsible Officer / Resources required
CP1 LS/IT045	Work with Her Majesty's Courts Tribunal Service as part of their Reform Programme to adopt a Legal Portal (when finalised) in liaison with the Courts regarding use of electronic court bundling.	Work will be completed in line with the requirements of HMCTS Reform Programme.	LT I C P	01/04/2019- 31/03/2020	Victoria Davidson / Grant funding to be explored alternatively existing resources.
CP1 LS/C046	Procure contract commissioning in relation to the electronic legal resource library along with other regional Local Authorities.	Tendering process undertaken jointly with other interested Local Authorities within the South East Wales Legal Consortium Legal agreement entered into with Provider	LT P IV C I	01/06/2019 – 31/12/2019	Debbie Marles/ Existing Resources
CP1 LS/C047	Explore opportunities with neighbouring Councils to insource enforcement/environmental litigation work.	Increased Income Working arrangement agreed	LT P IV C I	01/04/2019 – 31/09/2019	Victoria Davidson / Existing Resources
CP1 LS/C048	Undertake contract discussions with the Head of Finance and the Council's appointed insurers to explore opportunities to further increase the insourcing of the PI/litigation legal work.	<ul style="list-style-type: none"> To extend the volume of pi/litigation legal work insourced. To secure additional savings for the Council by reducing the use of private sector solicitors 	LT P C	01/04/2019 – 31/09/2019	Victoria Davidson/ Existing Resources
CP2 LS/W013	Continue to effectively manage sickness absence in line with corporate directive.	Sickness absence managed in line with Council's Sickness Absence Policy.	LT P IV	01/04/2019 – 31/03/2020	Debbie Marles / Existing resources.

Ref	Action	Outcome & Key milestone 2019/20	Integration with the 5 Ways of Working	Start / Finish date	Responsible Officer / Resources required
CP2 CR1 LS/F049	Ensure appropriate resourcing for Reshaping Services projects in order to achieve transformational change.	<ul style="list-style-type: none"> • Ensure the Council's Reshaping Programme is delivered efficiently and to time. • Increase capacity in-house. • Learn from external support and increase internal Legal Service resilience. 	LT P IV, I C	01/04/2019 – 31/03/2020	Debbie Marles/Existing Resources (Legal Services and Client Services)
CP2 CR5 LS/W050	Deliver workforce planning with a focus on alternative service delivery and workforce implications.	<ul style="list-style-type: none"> • Explore alternative service delivery • Increase skillsets to develop in-house capacity • Improve efficiency 	LT P I	01/04/2019 – 31/03/2020	Victoria Davidson/ Existing Resources
CP2 CR5 LS/W051	Develop succession planning arrangements to address issues associated with reliance on small numbers of key staff.	Support trainee opportunities to ensure there is a pool of appropriately qualified and skilled staff over the coming years.	LT P I IV	01/04/2019 – 31/03/2020	Victoria Davidson/ Existing Resources

Ref	Action	Outcome & Key milestone 2019/20	Integration with the 5 Ways of Working	Start / Finish date	Responsible Officer / Resources required
CP2 CR5 LS/SR003 LS/W052	Continue to focus on up-skilling and developing skill sets across all teams within Legal Services and encourage self-development.	<p>To ensure resilience and a delivery of an effective legal services at a time of increasing demand.</p> <p>Identify and address gaps in knowledge through greater emphasis on self-assessment in the context of continuing competence.</p> <p>Identify means of transferring skills and knowledge base.</p>	LT P I IV	01/04/2019 – 31/03/2020	Victoria Davidson / Existing resources.
CP2 LS/W053	Ensure appropriate resilience and staff skill sets to meet the challenges posed by the threat of Judicial Review.	<ul style="list-style-type: none"> • Increase skill sets in-house to develop capacity. • Share knowledge and experience within Legal Services and across the Council. • Utilise Counsel at key stages of individual matters. 	LT P	01/04/2019 – 31/03/2020	Victoria Davidson/ Existing Resources and Client Department Resources

Ref	Action	Outcome & Key milestone 2019/20	Integration with the 5 Ways of Working	Start / Finish date	Responsible Officer / Resources required
CP2 LS/W054	Maintain Solicitors Regulation Authority Compulsory Professional Development requirements, tying the continuing competence process in with corporate needs.	<p>Maintain the continuing competence process in line with Solicitors' Regulation Authority (SRA) requirements.</p> <p>Reflect on practice and identification of training needs and how these might be addressed.</p> <p>Record and reflect on training undertaken.</p> <p>Dissemination of training undertaken in line with corporate needs.</p> <p>Review SRA options followed by consultation and implementation.</p> <p>Establish arrangements for monitoring.</p>	LT P IV C I	01/04/2019 – 31/03/2020	Victoria Davidson / Existing resources.
CP2 LS/W027	Provide training on the Members' Code of Conduct and governance to new members including co-opted member (as and when required).	Councillors maintain the highest standards of conduct in line with the Code.	LT I P	01/04/2019-31/03/2020	Debbie Marles / Officer time/existing resources.

Ref	Action	Outcome & Key milestone 2019/20	Integration with the 5 Ways of Working	Start / Finish date	Responsible Officer / Resources required
LS/A038	Report on the 'covert activity' undertaken by the Council pursuant to the Regulation of Investigatory Powers Act 2000.	Full disclosure of the number of RIPA authorisations reported in line with statutory requirements.	LT P	01/04/2019 – 31/03/2020	Debbie Marles / Existing resources.
LS/A055	Work with Local Democracy and Boundary Commission's for the Principal Area Review commencing in April/May 2019.	Undertake preparation for the Local Boundary Commission's review for the principal area in conjunction with Local Democracy Boundary Commission for Wales	LT C P	31/12/2019- 31/03/2020	Debbie Marles / Existing resources.
LS/A056	Deliver the Canvass for 2019.	Accurate and up to date electoral register for households in the Vale of Glamorgan.	LT C I	01/07/2019 – 01/12/2019	Debbie Marles / Existing resources.
LS/A057	Publicise the revised electoral register on the 1st December 2019.	Updated electoral register for households in the Vale of Glamorgan is publically available to all stakeholders.	LT C I	01/12/2019	Debbie Marles / Existing resources.
LS/A058	Complete an Absent Voters Refresh between January and March 2020.	Accurate and up to date electoral register for households in the Vale of Glamorgan.	LT C I	01/01/2020 – 31/03/2020	Debbie Marles / Existing resources.