

**Gravesham Borough Council**

**Report to:** Cabinet

**Date:** 06 June 2016

**Reporting officer:** Stuart Bobby, Director (Corporate Services) and Michelle Batstone, Corporate Change Manager

**Subject:** Proposed development of a fully shared Legal Service with Medway Council

**Purpose and summary of report:**

To provide Members with an update on the initial discussions that have taken place with Medway Council with regards to Legal Services and to seek approval for the progression of a full evaluation of a potential shared service between Medway Council and Gravesham Borough Council for the delivery of Legal Services.

**Recommendations:**

Members are requested to agree to the progression of a full evaluation of a fully shared Legal Service Team with Medway Council, with an update report back to Members in due course.

**1. Introduction and background**

- 1.1 On 1 December 2016, Medway Council and Gravesham Borough Council entered into a shared service arrangement for the delivery of Audit and Counter Fraud Services. Since this date, responsibility for housing benefit fraud has been transferred to the DWP's Single Fraud Investigation Service and the shared service restructured, with effect from 1 March 2016.
- 1.2 Building on the success of this shared service, discussions have commenced into the potential of exploring the opportunity for shared services in other areas of council business the service area of Legal Services has been identified as an area for further exploration.

- 1.3 The table below provides some basic contextual information about the two authorities to aid discussions:

	<b>Gravesham Borough Council</b>	<b>Medway Council</b>
Population served	102,800	271,000
No. employees	c.500	c.3,000 (excl. schools)

## 2. Legal Services

- 2.1 The most recent conversations with Medway Council have focussed on the Legal Services function. These discussions have been bought about by the recent and impending departure of key personnel within the GBC Legal Services team and as such, the opportunity has been taken to explore other potential delivery models rather than recruit straight to the relevant post.
- 2.2 Initial discussions have already taken place between Medway Council's Chief Legal Officer, the Director (Corporate Services), the Director (Communities) and the Assistant Director (Governance & Law) at Gravesham and agreement has been reached for officers from Medway Council to provide officer support two days per week to help 'backfill' the current/impending vacant posts at Gravesham.
- 2.3 It is proposed that officers from both Medway Council and Gravesham Borough Council work together to undertake a full evaluation of both authority Legal Services with a view to bringing a report back to Members on the viability of this option for further discussion.
- 2.4 The table below provides some headline comparison information in relation to the Legal Services teams at Gravesham and Medway (as they currently stand):

	<b>Gravesham Borough Council</b>	<b>Medway Council</b>
No. Posts	11 posts (of which one is vacant)	40 posts including two apprentices (of which six are vacant)
No. FTE	9.0 FTE 1.0 – Assistant Director 0.5 – Information Officer (FOI) 7.5 – Legal Services Team	40 FTE 1.0 – Head of Legal Services 21.0 – People Team 10.0 – Place Team 6.0 – Legal Support 2.0 – Legal Apprentice

	<b>Gravesham Borough Council</b>	<b>Medway Council</b>
Vacant posts	1 vacant post: 1 x Legal Team  (there will be an additional vacancy in the legal team due to one officer's impending departure.	6 vacant posts: 4 x People Team 1 x Place Team 1 x Apprentice
Overall Staffing Budget	£440,347	£1,486,956

**NB:** The overall staffing budget provided above is the pure salary budget for each authority so as to avoid any confusion given the different ways in which overheads and recharges are dealt with by the two authorities.

- 2.5 The Legal Services team at Medway Council is split into two teams – the People Team and the Place Team. Structure charts for both authorities are included at appendix two.
- 2.6 The People Team is mainly responsible for activities associated with social care and in particular children's social care. The team has recently been expanded to recognise the increased number of children in the care system.
- 2.7 The Place Team at Medway Council is responsible for general legal services issues such as conveyancing, providing legal advice etc. and represents a direct comparison with the GBC Legal Services team.
- 2.8 Appendix three to the report provides details of authorities who have already implemented shared working in this area.

### **3. Next Steps**

- 3.1 If Members are supportive of the further evaluation of this proposal, it is proposed that the core project group that brought in the Audit and Counter Fraud shared service, be reconvened with a view to exploring a shared service for Legal Services.
- 3.2 Whilst there is no definitive timescale for this project at this stage, it is intended to progress this work as quickly as possible. A follow-up report will be brought back to Members in due course to set out the findings from the evaluation and to present, where applicable, a way forward.

### **4. BACKGROUND PAPERS**

- 4.1 There are no background papers pertaining to this report.

<b>IMPLICATIONS</b>		<b>APPENDIX 1</b>
<b>Legal</b>	There are no legal implications resulting from this report.	
<b>Finance and Value for Money</b>	There is the potential for savings to be made through a shared service. At this stage, it is not possible to estimate the savings as no detailed analysis has been undertaken. This will be forthcoming should Members support the move to further exploration of a shared service in this area.	
<b>Risk Assessment</b>	There is a need to consider the council's structure, given the impending departure of one senior officer within the Legal Services team to ensure that the council can continue to provide legal support and advice to the authority as a whole. The implementation of 'resilience' arrangement will mitigate this risk whilst a long-term shared service arrangement is explored.	
<b>Equality Impact Assessment</b>	<b>Screening for Equality Impacts</b>	
	<b>Question</b>	
	<p><b>a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community? If yes, please explain answer.</b></p> <p>No</p>	
	<p><b>b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality? If yes, please explain answer.</b></p> <p>No</p>	
<i>In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.</i>		
<b>Corporate Plan</b>	<p>The information set out in this report contributes to objective four – a sound and self-sufficient council. Specifically, it links to the following commitments:</p> <ul style="list-style-type: none"> <li>• Deliver on opportunities for the sharing and selling of council services.</li> <li>• Continuously review and adapt how we deliver our services to achieve financial efficiencies and improved performance.</li> </ul>	
<b>Crime and Disorder</b>	There are no crime and disorder implications resulting from this report.	
<b>Digital and website implications</b>	There are digital and website implications resulting from this report.	
<b>Safeguarding children and vulnerable adults</b>	There are no safeguarding children and vulnerable adults resulting from this report.	