

***** DRAFT *****

**LEGAL & DEMOCRATIC
SERVICES**

CHIEF EXECUTIVE'S DEPARTMENT

**Annual Business Unit Operational
Plan
2008/9**

SECTION 1: SERVICE PROFILE

PURPOSE OF THE SERVICE

Legal Services

- To ensure that the decisions of Members and officers are lawfully taken under proper authority and in accordance with correct procedures, and to assist in implementing those to the Council's best advantage.
- To support, prosecute and defend legal proceedings in accordance with the relevant legislation.
- To exercise the power, where KCC considers it expedient for the promotion or protection of the interests of the inhabitants of its area, to:
 - (a) prosecute or defend or appear in any legal proceedings and, in the case of civil proceedings, may institute them in its own name; and
 - (b) make representations in the interests of the inhabitants at any public inquiry held by or on behalf of any Minister or public body under any enactment.
- To generate external income, where appropriate.

Democratic Services and Local Leadership

- To support the democratic process by providing comprehensive Member support and democratic services in all areas of the Council's business.
- To support Community Engagement and Localism within KCC and through its partners. This involves developing Community Leadership through the Local Boards, Joint Local Boards, Neighbourhood Forums and other local bodies.

Access to Information

- To ensure and co-ordinate council-wide compliance with access to information legislation, including Freedom of Information, Data Protection and Environmental Information Regulations.

OPERATING CONTEXT

Legal Services

Legal Services not only supports internal KCC clients, but also generates significant external income by acting for external clients. The various legal teams have been expanding in numbers and expertise in recent years to accommodate increases in demand.

Democratic Services and Local Leadership

On 1 February 2008, the Democratic Services Unit and the Local Boards Team merged to form the Democratic Services and Local Leadership Unit. The new unit will continue to support the democratic process by providing comprehensive Member support and

democratic services in all areas of the Council's business and, as part of this, will continue to run the Local Boards function.

Local Boards were established in January 2004 to enhance KCC's Local Member and service relationships with the public, and to provide feedback to Cabinet and Service Directorates on how local services could be improved.

Access to Information

The Corporate Access to Information Co-ordinator is responsible for ensuring that KCC complies with the legislation that gives people a right of access to publicly-held information; including the Freedom of Information Act 2000, the Data Protection Act 1998, the Environmental Information Regulations 2004 and the Re-use of Public Sector Information Regulations 2005.

Other responsibilities include Corporate Policy and co-ordination; Data Protection registration and notification; Freedom of Information Publication Scheme & Asset Register, and liaison with the Information Commissioner's Office.

The Co-ordinator also manages the handling of corporate complaints made to the Chief Executive.

USERS: SIGNIFICANT CHANGES TO NEEDS/DEMAND

The demand for legal services, both internally and externally, continues to increase. The bringing in of more external legal work will continue to subsidise the internal provision. Both these factors will result in an increase in the size and income-generating potential of Legal Services over the coming year.

With effect from 1 February 2008, the Democratic Services Unit and the Local Boards Team were merged to form the Democratic Services and Local Leadership Unit under a newly-appointed manager, who takes up his post on 1 April 2008. This is with a view to reducing costs and taking advantage of the synergies between the two teams. The handling of Corporate Complaints has transferred from Democratic Services to Access to Information.

Extensive consultation and incorporation of the views of Members, staff and stakeholders, as well as comprehensive reviews of the performance of peers and alternative providers, will enable objectives to be closely focused and accurately targeted.

Charter Mark, achieved with 94% compliance with the standard in 2004, was successfully renewed and confirmed in 2007.

Views of users and partners are extensively canvassed through a variety of methods, as follows:

Legal Services:

- Annual Customer Survey of principal stakeholders – to establish top level views and feedback
- End of case questionnaires for Legal Services cases – to ascertain grassroots level of client satisfaction throughout the year
- Regular face to face/telephone satisfaction interviews with clients – to ascertain levels of front-end user satisfaction throughout the year

- Private sector/public sector benchmarking groups
- Local authority peer reviews

Democratic Services and Local Leadership

- Regular Member feedback
- Benchmarking groups
- Local authority peer reviews
- Select Committee feedback from external witnesses

Access to Information

Taking over responsibility for corporate complaints has greatly increased the workload of the already stretched resources of the Access to Information team. The recruitment of a new member of staff in April 2008 to job share with the existing officer will give the Co-ordinator the equivalent of 1 FTE support. This support will hopefully allow the Co-ordinator to have a more strategic role and be more proactive in visiting operational units, running training workshops, benchmarking KCC's performance against other Councils and providing reports and statistics to senior management and Members.

REVIEW OF PERFORMANCE 2007/

Legal

Through a combination of innovation, passion and entrepreneurship, a model of public sector legal services has been devised and delivered that has gained national recognition and is widely regarded as being the leader in its field.

With regular requests to speak on the national stage, extensive reviews in the media there have been many invitations into authorities across the UK to guide and assist them in improving their own legal services function and adopting the 'Kent model'. Through this, the reputation and standing of Kent County Council has been enhanced and over £1m per annum of additional external income has been generated as a result.

With the opening up of the legal markets and the relaxation of the restrictions on local government lawyers being able to work for the private sector, the opportunities for KCC Legal Services to capitalise are immense. As are the opportunities to work in partnership with our local government colleagues in raising standards across the public sector and driving out real efficiencies.

The role of Monitoring Officer is becoming increasingly demanding and is set to become even more challenging this year with the introduction of the new standards regime, as responsibility for investigating complaints against Members passes from the Standards Board for England to local Standards Committees. The maintenance of high standards of good governance, integrity and probity amongst both Members and officers, in a climate of financial shortfalls, risk taking and political instability, is crucial if KCC is to maintain its current high standing, and work in this area is rapidly on the increase.

Local Boards

Local Boards began in 2004. Since then, following collaboration with some of Kent's District and Borough Councils, there have been pilot Joint Local Boards, and the creation of neighbourhood Forums in the Dover District. These, and the pilot Joint Local Board in Tonbridge and Malling will be evaluated during 2008/9.

2007/8 saw further consolidation of the Local Boards initiative, and recognition by both Members and Officers that further consolidation and exploration of the potential for further innovation will require additional resources. The small team managing Local Boards and the associated three grant funding streams is now stretched to capacity, and this was recognised in the report in 2007 of KCC's Informal Member Group on "Going Local".

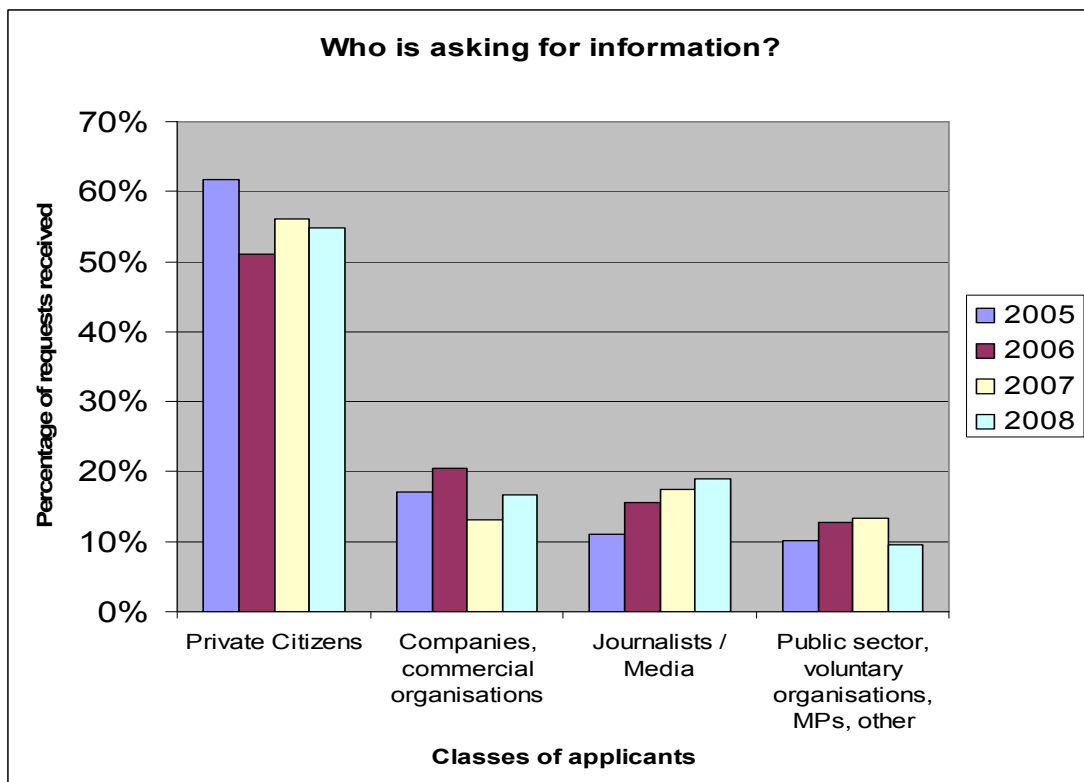
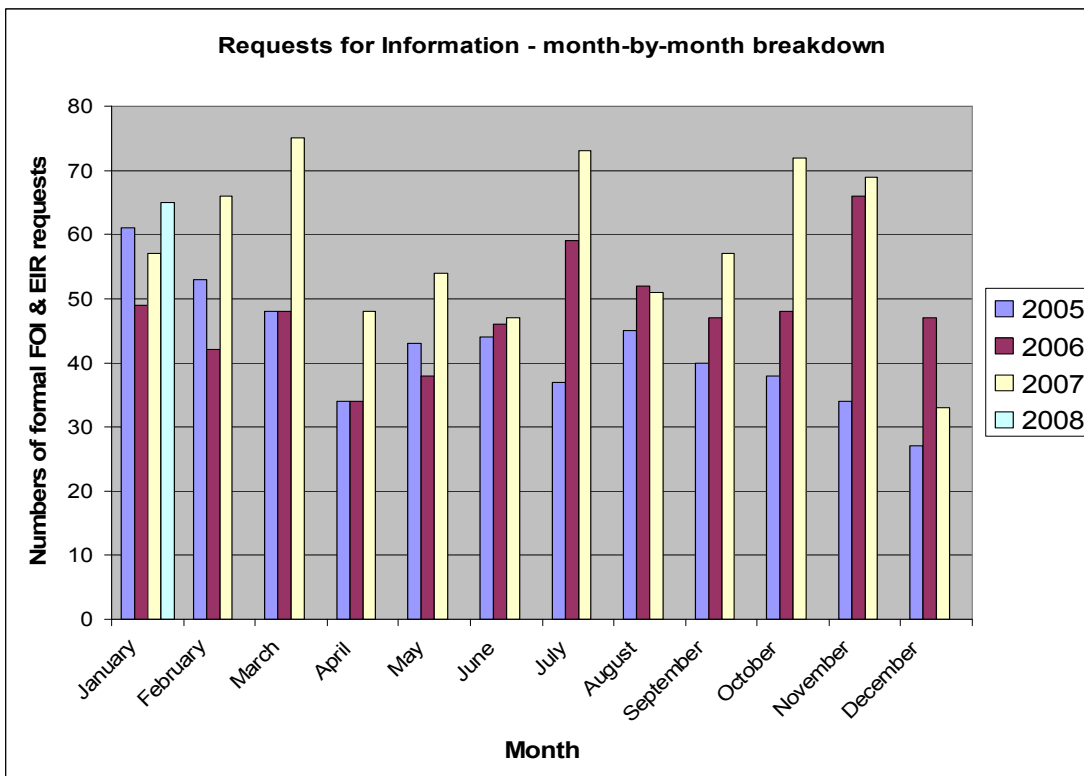
"Going Local" also recognised the need for commitment to community engagement right across the County Council's services, but the issues of devolved budgetary responsibility to Local Boards, and the precise nature of linkages between Local Boards and Local Strategic Partnerships currently remains unresolved. These issues, plus a strengthening of the media profile of the Local Boards, and support to market the Local Boards more vigorously, are important matters for 2008/9.

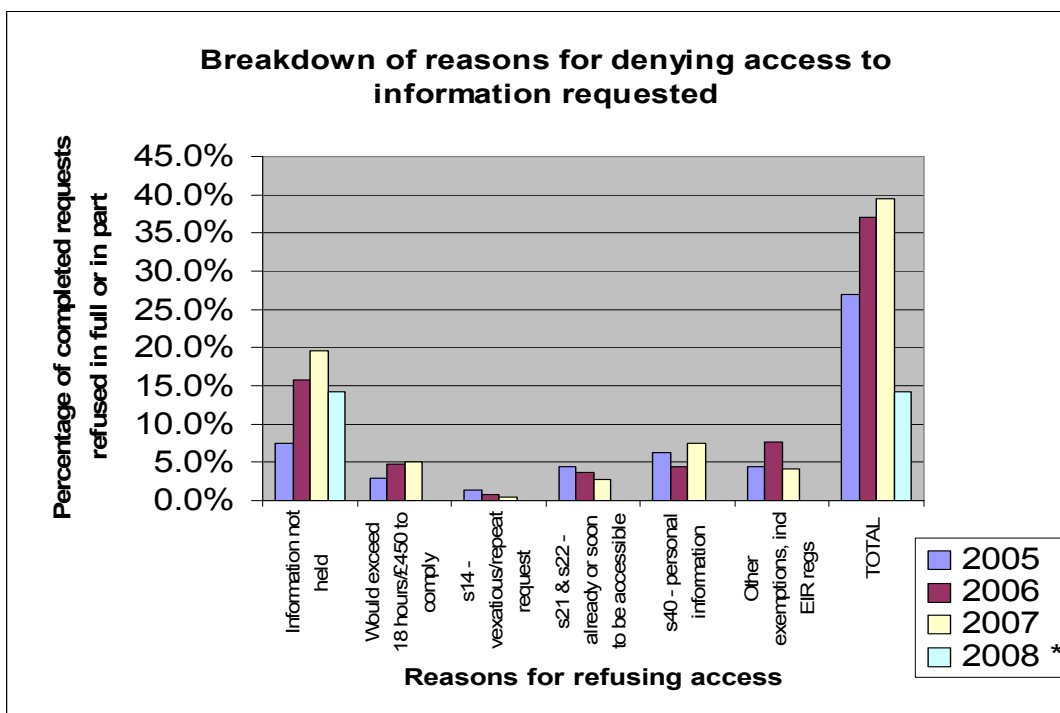
The three grant schemes associated with Local Boards (Member Community Grant, Local Schemes Grant and the Small Community Capital Projects Fund) have continued in 2007/8. Although originally intended to be a "one off" for 2006/7, Local Schemes Grant was retained by Members for 2007/8. The supporting arrangements for these schemes were not specifically resourced when Local Boards began, and have fallen to Community Liaison Managers. They are widely regarded, popular schemes with communities across Kent, and experiences in 2007/8 have pointed to the need to reflect the size and intensity of their operation with appropriate manpower to sustain them. The budget provision for the grant awards themselves has not changed since the schemes began, but Members' preferences for now making significantly smaller grants overall than was the case when the schemes began has led to an almost doubling over four years in the total number of grants needing to be administered. There is currently every sign of that trend continuing into 2008/9.

Access to Information

It is clear from the statistics collated over the past three years that that the public are becoming ever more aware of their rights of access to information and, as time goes by, will find it easier to challenge any negative responses or decisions from the KCC. The rising number of complaints about our responses substantiates that this is so. Therefore, it is crucial that KCC embraces a culture of greater openness.

The charts below illustrate a year-by-year comparison of requests for information falling under the scope of FOIA & EIR:





Below is a statistical summary of requests received in 2007 – please see our disclosure log <http://www.kent.gov.uk/publications/council-and-democracy/disclosure-log.htm> for details about individual requests:

| SUMMARY OF FREEDOM OF INFORMATION AND ENVIRONMENTAL INFORMATION REGULATION REQUESTS RECEIVED IN 2007 | | | |
|---|--|------------|--------------------------|
| Status as at 23/1/08 | In hand | 1 | |
| | Awaiting clarification/approval | 3 | |
| | Lapsed | 12 | |
| | Withdrawn | 5 | |
| | Complete | 681 | |
| | Total | 702 | <i>(576 in 2006)</i> |
| BREAKDOWN OF COMPLETED REQUESTS (incl. lapsed & withdrawn): | | | |
| | Same day | 15 | |
| | 1 - 19 days | 412 | |
| | Day 20 | 84 | |
| | Total handled within statutory timescale | 511 | 73% (80% in 2006) |
| | Day 21 | 33 | |
| | 22 - 25 days | 65 | |
| | 26 days + | 89 | |
| | Exceeded statutory timescale * | 187 | 27% (20% in 2006) |
| | <i>* Note: consent to exceed deadline given in [insert number] cases</i> | | |
| FEES | | | |
| | Fees requested | 10 | |
| | Amount received | £4318.83 | |

| BREAKDOWN OF ACCESS TO INFORMATION DENIED IN FULL OR PART | | | |
|---|--|--|--------------------------|
| | Information not held | 138 | |
| | Exceed £450/18 hours to extrapolate/collate | 35 | |
| | s14 vexatious/repeat | 3 | |
| | s21 & s22 already (or soon to be) accessible | 19 | |
| | s40 personal information | 53 | |
| | Other exemptions | 29 | |
| | | 277 | 40% (37% in 2006) |
| COMPLAINTS/REQUEST FOR REVIEWS | | 27 | 3.85% (2.6% in 2006) |
| REFERRALS TO ICO | | 4 | 0.57% (0.87% in 2006) |
| TIME TO DEAL IN HOURS (where known) | | Not available at time of drafting | |
| DETAILS OF TYPES OF APPLICANTS | | | |
| | Private Citizens | 394 | 56% |
| | Commercial Companies | 92% | 13% |
| | Journalists/Media | 122 | 17% |
| | Public Sector/Voluntary Organisations/Other | 94 | 14% |
| | | 702 | |

| REQUESTS FOR PERSONAL INFORMATION UNDER DATA PROTECTION ACT 1998 | | | | |
|--|---|--|--|-------------------|
| Period | Total no. of subject access requests received | Completed within statutory timeframe (40 days) | Enquiries about accessing personal information | Complaints to KCC |
| 2006 | 126 | 79 | 72 | 3 |
| 2007 | 130 | 80 | 139 | 5 |

KEY PERFORMANCE INDICATORS

| Legal & Democratic Services | Actual performance 2006/07 | Estimated performance 2007/08 | Target 2008/09 |
|---|-----------------------------------|--------------------------------------|-----------------------|
| External income/percentage of total income | £866k/16% | £1,000k/24% (incl IAPU) | £900k/15% (excl IAPU) |
| Ratio of productive time to overhead time (Legal) | 60:40 | 69:31 | 72:28 |
| Achieve successful outcome for litigation claims | 97% | 95% | 97% |
| Dispatch committee papers at least 5 working days before meeting | 96% | 89% | 97% |
| Acknowledge corporate complaints within 5 working days | 91% | 88%* | 92% |
| Fully respond to corporate complaints within 28 days | 75% | 67%** | 80% |
| Client/customer satisfaction (Legal) | 91% | 93% | 95% |
| <p>*As at 25.02.08, 329 corporate complaints had been recorded. Of those, 6 complaints (2%) have only just been received, 290 were acknowledged/responded to within 5 working days (88%), and 33 (10%) were acknowledged late (mainly because five working days had already elapsed by the time the complaint reached the Access to Information Coordinator via internal mail) or not at all.</p> <p>** Next year (2008-2009), closer monitoring/root cause analysis will be undertaken to try and ascertain reasons for the delay in responding, if any particular operational unit is a "repeat offender", and if anything can be done to prevent similar complaints in the future.</p> | | | |

| Quality Assurance | Actual performance 2006/07 | Estimated performance 2007/08 | Target 2008/09 |
|---|-----------------------------------|--------------------------------------|-----------------------|
| Adherence to BS EN ISO 9001 quality standard (Legal Services) | Maintained | Maintained | Maintain |
| Adherence to Investors in People quality standard | Maintained | Maintained | Maintain |
| Adherence to Law Society (Lexcel) quality standard (Legal Services) | Maintained | Maintained | Maintain |
| Attain accreditation to the Charter Mark standard | Maintained | Maintained | Maintain |

| Local Boards | Actual Performance 2006/07 | Estimated Performance 2007/08 | Targets 2008/09 |
|--|-----------------------------------|--------------------------------------|------------------------|
| Hold a minimum of 4 meetings of each Local Board/Joint Local Board during the year | 48 | 64 | 64 |
| Assist Members to achieve 100% Expenditure on Member Community Grants (£840k) | 98.6% | 98% | 99% |

| | | | |
|--|------|------|------|
| Manage applications for Small Community Capital Grant to achieve 100% commitment (£500k) | 100% | 100% | 100% |
| Manage applications and approval process for Local Schemes Grant (£400k) | 100% | 100% | 100% |

KEY ACHIEVEMENTS/OUTCOMES IN 2007/08

LEGAL & DEMOCRATIC SERVICES

Partnering and marketing arrangements successfully established with over 100 external public bodies for the provision of legal services. Considerable external income generated through these links. In addition:

- Annual customer survey of principal Legal Services stakeholders - December 2007 – building on existing levels of customer satisfaction: 93%.
- End of case questionnaires for all child protection cases to ascertain grassroots level of client satisfaction: 97%
- Litigation clients - regular satisfaction questionnaires – to ascertain grassroots level of client satisfaction: 95%
- Commercial & Environmental clients – end of case questionnaires on random sample of cases – to ascertain grassroots level of client satisfaction: 93%
- Democratic Services Group - consultation with Members to discuss planned changes to services and survey of Member response and satisfaction.

LOCAL BOARDS

Public response to Local Boards continues to be very positive. Each Local Board has now developed its own flavour and characteristics, with some being more innovative than others with meeting styles, agenda and venues. In the Dover District, a system of Neighbourhood Forums has been piloted and a Joint County/District Local Board is being piloted in Tonbridge & Malling. Local Boards provide a means for public visibility and local accountability for KCC Members, which is important. They also provide regular opportunities for service Directorates to showcase or review KCC initiatives and services in a far more immediate way than many other forms of consultation or feedback.

A considered agenda of developments of Local Boards and other community engagement vehicles is currently awaited.

SERVICE COMPARISON

FOI BENCHMARKING

Last October, the Constitution Unit of University College London completed a survey of the experiences of local government in dealing with requests for information falling under the scope of either the Freedom of Information Act or Environmental Information Regulations.

Using the UCL data collected, KCC's performance can be compared to other councils. See the table below. Please note that the statistics shown relate to 2006.

| | District Councils | County, Unitary, Metropolitan & London Boroughs | KCC | <i>KCC (2007)</i> |
|---|--------------------------|--|------------|--------------------------|
| Average number of requests received in 2006 | 108 | 312 | 576 | 702 |
| Average number of requests where all the information requested was released in full | 90 (85%) | 240 (76%) | 363 (63%) | 425 (60%) |
| Average number of requests resulting in internal review (applicant challenged response) | 2 (1.9%) | 8 (2.6%) | 15 (2.6%) | 27 (3.8%) |

SECTION 2: PRIORITIES AND OBJECTIVES

KEY RESPONSIBILITIES OF THE SERVICE

| | Key Corporate/Directorate Targets | |
|-------------|---|---------------------|
| PLAN | NAME OF TARGET IN FULL | LEAD OFFICER |
| T2010 | Target 27 – Open the Turner Contemporary Gallery, Margate, in 2009 We are providing legal advice to seek an optimal solution for KCC following the termination of the contracts for Turner Contemporary project (Mark 1). We are continuing to support the project team in developing the new land-based Turner Contemporary Gallery which is due to open in 2009. | Peter Mulholland |

1. To provide internal legal advice and manage the external legal advisers to support the Building Schools for the Future programme.
2. To continue the successful application of the County Council's Constitution, the Unit undertakes a regular programme of review and revision.
3. To support development and economic regeneration of Kent, legal advice is provided, particularly in relation to planning and highways agreements and working in partnership with other bodies.
4. To ensure KCC complies with its obligations under the Data Protection and Freedom of Information Acts, the Unit oversees a strategic and co-ordinated approach to meet all statutory requirements.
5. To support KCC in its work on seeking new and more efficient local authority structures for the area.
6. In order to improve communication and reduce reliance on paper-based data, Committee papers and other Member information are published on the KCC website and key information for Members will progressively be published and distributed electronically. A computerized Committee Management System has been purchased to assist with this and to help streamline other aspects of the Democratic Services and Local Leadership Unit's work.
7. To support the democratic process, a comprehensive induction programme is run for any Members newly-elected to the Council.
8. To provide legal support to the capital disposals programme.
9. To maximise external legal services income.

CORE SERVICES AND FORECAST ACTIVITY LEVELS

LEGAL SERVICES

Management & Support Services

The Head of the Legal & Democratic Services Unit is the Director of Law & Governance who is also Monitoring Officer for KCC and the Kent & Medway Fire and Rescue Authority. An Office Manager supports the work of the Unit, with responsibility for managing quality assurance and the support functions, including Legal Records.

Litigation and Social Welfare Group

The Principal Solicitor of the Litigation & Social Welfare Group is responsible for advice and pre-court preparation on litigation cases at all levels up to the House of Lords, including advocacy in the Magistrates' and County Courts, employment tribunals; specialist advice in the areas of housing possession, disrepair, debt recovery, employment, judicial review, and licensing. Also specialist advice in the areas of child protection, fostering and adoption, residential and community care, mental health, asylum and criminal injuries compensation.

Periodic statistics 2007/08 (estimate):

cases processed: 1,142

hours chargeable work: 46,000

external income generated: £297k

Commercial & Environmental Group

The Principal Solicitor of the Commercial & Environmental Group is responsible for all property and commercial legal matters, including sales, purchases and leases; PFI; planning law advice including pre-application advice, breaches of planning and environmental law, planning Inquiries and planning prosecutions; advice on highways law including public rights of way and village greens; right to buy; company, trust and charity law; partnerships with outside bodies; planning agreements, community infrastructure and planning blight procedures; building and engineering contracts; tenders and contracts for the provision of goods and services; compulsory purchase orders, advice on common land matters; legal charges; land compensation claims; etc.

Periodic statistics 2007/08 (estimate):

cases processed: 1,697

hours chargeable work: 27,300

capital receipts: £26m

external income generated: £434k

DEMOCRATIC SERVICES & LOCAL LEADERSHIP

Committees and Local Boards

The Head of Democratic Services & Local Leadership is responsible for organising and clerking Council, Cabinet, Committee, Local Board and other Member meetings; maintaining the master copy of the Constitution; advising on meeting and decision-taking procedures; producing the KCC diary; processing decisions by Cabinet Members; keeping the official record of all Council, Cabinet, Committee and Cabinet Member decisions; compiling and publishing the Forward Plan of Key Decisions; undertaking Topic Reviews for Select Committees; processing all applications for Member Community Grants, Small Community Capital Grants and Local Schemes

Grants; arranging the appointment of Members to serve on outside bodies; organising school admission and transport appeals and Social Services Complaints Review Panels.

Periodic statistics 2007/08
meetings organised: 356
external income generated: £18.3k

Member Services

The Head of Democratic Services & Local Leadership is responsible for Members' Code of Conduct; register of Members' interests; secretarial services; advice and information; allowances and expenses; chauffeurs and transport arrangements; conference attendance and training; staff support to Lord Lieutenant, Chairman of the Council and minority group leaders.

Clerking of Other Bodies

The Head of Democratic Services & Local Leadership is responsible for Kent and Essex Sea Fisheries Committee, Kent & Medway Fire & Rescue Authority, Kent Partnership: Safer Communities Sub-Group, Kent Transport Board and Supporting People Commissioning Body.

Periodic statistics 2007/08:
meetings organised: 109

Magistrates

The Head of Democratic Services & Local Leadership is responsible for recruitment of Magistrates but this function is expected to transfer to HM Courts Service during 2008/09

Periodic statistics 2007/08:
meetings organised: 20
appointments: 74
external income generated: £33k

These business objectives are monitored to ensure they will be delivered. Risks associated with potential non-delivery, and the controls in place to mitigate those risks, have been assessed and documented as part of the annual operating plan process. A risk plan has been developed as necessary.

REVENUE BUDGET

| Revenue Budget | | | | | | | | | | | |
|--------------------------|--------------|----------------------------|--------------|----------------|---------------|---------------------------|-------------------|-----------------|-----------------|--------------------------|----------------|
| 2007-08 | | | | | | | | | | | |
| Controllable Expenditure | FTE | Activity/budget line | 2008-09 | | Running Costs | Contracts & Disbursements | Gross Expenditure | External Income | Internal Income | Controllable Expenditure | Cabinet Member |
| £'000 | | | FTE | Employee Costs | £'000 | £'000 | £'000 | £'000 | £'000 | £'000 | £'000 |
| -300.4 | 73.2 | Legal | 91.5 | 4096.4 | 229.2 | 1000.0 | 5325.6 | -736.0 | -4989.8 | -400.2 | |
| 2264.1 | 3.0 | Members | 3.0 | 125.1 | 2258.9 | | 2384.0 | | | 2384.0 | |
| | | Cabinet Support | 6.0 | 270.0 | | | 270.0 | | | 270.0 | |
| 1182.1 | 33.0 | Democratic Services | 26.0 | 1047.1 | 163.3 | | 1210.4 | -18.3 | | 1192.1 | |
| 89.1 | 1.6 | Data Protection | 2.0 | 77.7 | 12.6 | | 90.3 | | | 90.3 | |
| 341.7 | 6.0 | Local Boards | 17.3 | 588.7 | 105.0 | | 693.7 | | | 693.7 | |
| 1065.5 | 19.0 | Corporate Communication | | | | | | | | | |
| -115.0 | 3.0 | IAPU | | | | | | | | | |
| 4527.1 | 138.8 | Controllable Totals | 145.8 | 6205.0 | 2769.0 | 1000.0 | 9,974.0 | -754.3 | -4989.8 | 4229.9 | |
| | | <u>Memorandum Items:</u> | | | | | | | | | |
| 772.9 | | Central Overheads | | | | | | | | 772.9 | |
| | | Directorate Overheads | | | | | | | | | |
| | | Capital charges | | | | | | | | | |
| 5300.0 | | Total Cost of Unit | | | | | | | | 5002.8 | |

LEGAL & DEMOCRATIC SERVICES PROJECTS, DEVELOPMENTS, KEY ACTIONS

| Project/development/key action | a/c manager | Links to other plans e.g. SIP, V4K * 2010, CYPP, LAA | Deliverables or outcomes planned for 2007/08 | Target dates |
|--|------------------|--|---|--------------|
| Provide proactive legal advice and assistance to support the opening of the Turner Contemporary Gallery in 2009 project. | Peter Mulholland | Towards 2010 - Target 27 | The Turner Contemporary Gallery progressing to target | March 2009 |
| Provide proactive legal advice and assistance in planning matters relating to Ashford and Kent Thames Side (including in particular Eastern Quarry). | Peter Mulholland | KCC Structure Plan and Area Investment Framework | Ashford and Kent Thames Side planning issues progressing towards resolution | On-going |
| Provide and procure proactive legal advice and assistance to support the Building Schools for the Future programme. | Peter Mulholland | - | Building Schools for the Future progressing to target | On-going |
| Provide proactive legal advice and assistance in property matters relating to the capital disposal programme | Peter Mulholland | | | March 2009 |
| Complete merger of Democratic Services Unit and Local Boards team | Peter Sass | | Streamlined unit offering efficiency savings | June 2008 |
| Successfully implement a computerised Committee Management System | Peter Sass | | Major move to electronic publication of committee papers resulting in at least 50% reduction in printing and postage costs. | June 2008 |
| Increase use electronic instead of paper communications with Members and officers so far as possible | Peter Sass | - | 25% reduction in number of Members requiring paper copies of key information within one year of electronic publishing being fully operational | March 2009 |
| Extend web-casting to cover all meetings of all committees dealing with matters of public interest. | Peter Sass | | Improve public access to Council discussions. | March 2009 |
| Provide proactive advice to Members on changes to constitutional arrangements resulting from Local Government and Public Involvement in Health Act | Peter Sass | | Necessary changes to constitutional arrangement implemented | June 2008 |
| In liaison with Policy Team, develop localism agenda to meet requirements of LGPIH Act and in line with Cabinet and Council wishes | Peter Sass | | Assist Going Local IMG to formulate recommendations to Cabinet and Council | June 2008 |
| Co-ordinate the successful implementation of the Data Protection and Freedom of Information Acts | Caroline Dodge | - | Ensure KCC's compliance with statutory requirements and timescales | On-going |

In line with financial regulations, any capital projects on this list will be subject to a prior "gateway review" by the Project Advisory Group and in consultation with the Leader

USER INVOLVEMENT

- Nil Return

CAPACITY, SKILLS AND DEVELOPMENT PLANNING

Legal Services

- To meet increasing demands for services, the Legal teams need to recruit additional high-quality lawyers. They will not necessarily be readily available in the recruitment market and at the salary levels payable by the public sector. Once recruited, however, there have generally been no problems retaining staff.
- There continues to be discussions with local authorities in and around Kent regarding potential partnerships for delivering legal and/or other back office services. If one or more of these come to fruition then it will have a large impact on the legal team.
- In 5 years time, of the two principal solicitors and 6 team leaders who report to them, one is 60 and another 3 are mid 50s or above. Therefore, there will be substantial turnover in the senior staff. There are qualified and highly skilled staff currently employed who are in their 30s and 40s and more are being recruited. It is not therefore considered that there will be a particular crisis at any one time and we will address employment issues as and when individual staff indicate they are willing to go.

EQUALITIES AND DIVERSITY

All recruitment panel members receive positive action training. All staff have equality targets and equality training needs discussed in the appraisals process. We will assist KCC in meeting the BVI indicators for equality and diversity.

Legal Services

- Consult Customers with special needs about the information and access to services they need. Legal Services questionnaires contain specific questions about access to services and whether the advice was easy to understand. All staff and customers are treated fairly and equally in accordance with equal opportunity and anti-discrimination policies. Annual training organised to raise awareness of issues.
- Legal Services ask customers and staff for their views on how to improve choices, and act on what they say where appropriate. On-line annual client survey.
- Legal Services provide services flexibly to give people choice. A local office for Legal Services was set up in Canterbury to meet client needs and a duty solicitor scheme is in place to provide guaranteed levels of cover during office hours (rota maintained by Group Secretaries in the Social Services Group).
- Legal Services make sure services and access to them, are affordable. In Legal Services costs and charges are regularly reviewed and monitored. Comparisons are made with costs of other providers to ensure best value and affordability. Hourly rates and unit costs offered as alternatives to meet customer requirements.
- Customer care, equal opportunities and disability procedures and training that relate to all customers. Staff ensure that everyone is treated fairly and

sensitively. Staff views on equal opportunities is evidenced through action and development planning and appraisal processes.

Local Boards

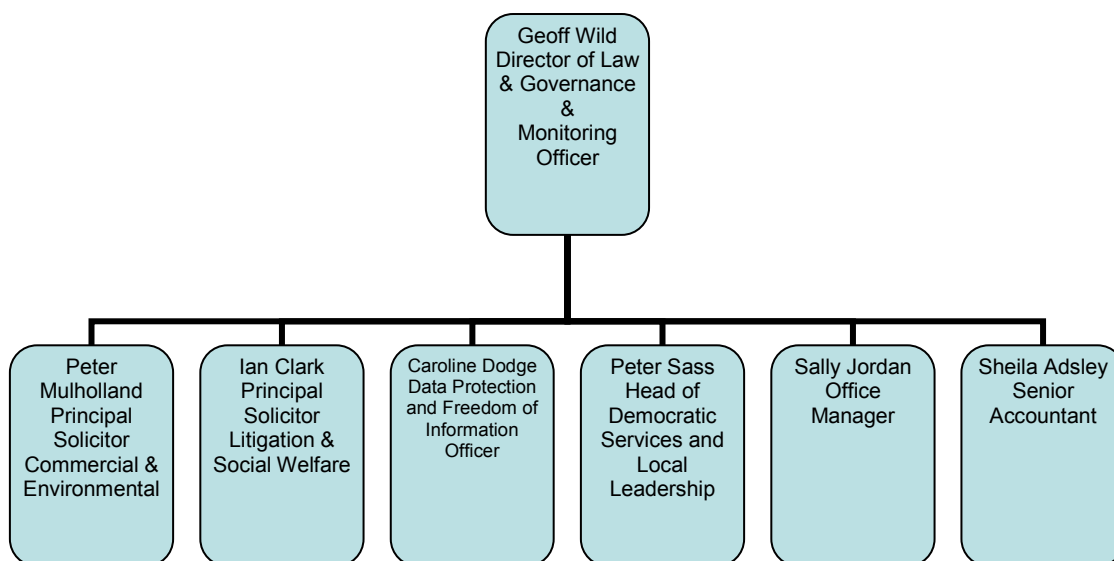
- The Equality Impacts Assessments will be completed by the end of June 2008
- Local Boards will meet BME target in ensuring all seldom heard groups are made aware of public meetings and the various grant funding streams available for community projects.

Democratic Services

- When arranging meetings for members of the public (such as Transport Appeals), Democratic Services send a form to them asking whether they have any access problems.
- Democratic Services ensure that a Palantypist is provided whenever Mrs Angell attends a meeting of the County Council or one of its Committees.
- Democratic Services ensure that whenever a Member complains about the quality of the hearing loop in a particular room, meetings are switched to a room which fully suits that Member's needs.
- On any occasions when Democratic Services arrange lunch to be provided, Members' dietary requirements are always considered. This includes monitoring of these needs for future reference.
- Democratic Services' Team Meetings have adopted the principle of Chair Rotation. "Equal Opportunities" is a standing item on the agenda.
- All agendas and Minutes published by Democratic Services are published in Arial 12.

RESOURCES

STRUCTURE CHART



Delegations

In addition to the Director of Law & Governance, the following personnel are authorised by the Director of Law and Governance:

| | | |
|----------------------|-----------------------------|------------------|
| Ian Clark (1) | Ed Harrison (1) | Mark Rummins (1) |
| Abdus Choudhury (1) | Lucinda Mackenzie-Ingle (1) | Peter Sass (2) |
| Frances Frankham (1) | Peter Mulholland (1) | |

(1) As signatories for the purposes of signing agreements on behalf of the Council and for attesting the affixing of the Common Seal of the Council to deeds.

(2) To deputize for the Monitoring Officer.

Staffing

| | 2007/08 | 2008/09 |
|---|---------|---------|
| Pt13 and above or equivalent (FTEs) | 18.8 | 19.8 |
| Pt12 and below (FTEs) | 120.0 | 126.0 |
| TOTAL | 138.8 | 145.8 |
| | | |
| Of the above total, the estimated FTE which are externally funded | 10.5 | 6.1 |

SECTION 17 CRIME & DISORDER ACT

Legal Services

It is not considered that there is an impact on crime and disorder. This is because the appropriate issues have been taken into account by the client.

CORPORATE ENVIRONMENTAL PERFORMANCE AND CLIMATE CHANGE ADAPTATION

| Business Unit cross-cutting environmental objective | Lead officer | Deliverables / outcomes for 2008/09 | Target date |
|---|--------------|---|-------------|
| Reduce Printing – Scanners installed in all areas to send copy documents electronically. All internal correspondence is electronic. | | Reduced paper supplies | March 2009 |
| Reduce Printing costs | | All printers have duplex facility | June 2008 |
| Save energy | | All lights and equipment switched off when not in use | Ongoing |
| Use of recycled paper for printing | | Only recycled paper to be purchased | Ongoing |
| Envelopes and folders re-used where possible or recycled. | | Recycling bins in all offices and corridors | June 2008 |
| All plastic and aluminium containers recycled | | Appropriate bins placed throughout the Unit | June 2008 |
| Reduce amount of publications received | | Junk mail is returned and requests made to be removed from mailing list | March 2009 |
| Electronic storage efficiently used | | All staff to avoid saving duplicate or unnecessary files. | March 2009 |
| Awareness of the environmental initiatives within KCC | | All staff to receive training as part of the induction procedures | March 2009 |
| Environmental targets to be included in Personal Action Plans | | All appraisals to include discussions on environmental issues | April 2008 |
| Staff continuously reminded of environmental objectives. | | Green Guardians appointed in all areas. | Ongoing |

| Project / development /key action | Evidence of compliance with KCC Environment Policy | Major climate change impacts on service delivery | Adaptive action in 2008/09 (include lead and target date) |
|---|--|--|---|
| A separate detailed action plan will be drawn up. | | | |

The first two columns in the table above relate to how the actions identified within your “key developments/projects” section earlier in this plan comply with the KCC

Environment Policy. Deborah Kapaj from Corporate Environmental Performance has been encouraging all units to draw up a separate action plan showing how their key activity complies with the new KCC Environment Policy. I would suggest that you leave these first two columns blank and perhaps just insert a reference to this separate action plan.

The second two columns relate to Climate Change, not the Environment Policy. Here you need to list all the major climate change incidents that might impact on the service, e.g. severe cold weather, flooding and then show what adaptive action you will be taking in 2008/09 (if any) to mitigate for these impacts

SECTION 3: MONITORING AND REVIEW - HOW DO WE KNOW WE ARE THERE?

Chief Executive's Department Management Team

- Cross Unit information.
- Monthly meetings.
- Direct Line Reports reporting to Chief Executive, Peter Gilroy.
- Staff Officer to Chief Exec, Mike Ballard, responsible for agenda and action points.

Corporate Policy Overview Committee

- Financial monitoring of budgets – medium and long term planning.
- Meetings held bi-monthly.
- Reporting to Chairman, Mr E Hotson and Vice Chairman, Ms A Harrison