

Legal & Democratic Services - 2009/10 Service Plan

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1) Executive Summary for Legal and Democratic Services

This plan aims to provide the Legal and Democratic Services staff and Members of the Council with an overview of Legal and Democratic Services, our achievements for 2008/09 and our priorities for 2009/10.

It links with similar plans from other directorates to provide a record of what we are planning to do in 2009/10, and what we achieved in the past year 2008/09. By making appropriate connections and joining up our efforts with other directorates, we achieve the best outcomes for people in Shropshire. Any weaknesses and details of where we fell short in achieving our targets in 2008/09 are also described.

Plans do not stand still, particularly in light of the transition to a new council in April 2009, and we will be regularly monitoring our progress in working towards the objectives and milestones set out on a half yearly basis via the Performance Plus monitoring system, reporting to directorate management meetings and auditing through the Central Support Services Scrutiny Panel.

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Vision

To improve significantly the quality of life for Shropshire people by working together

Aims

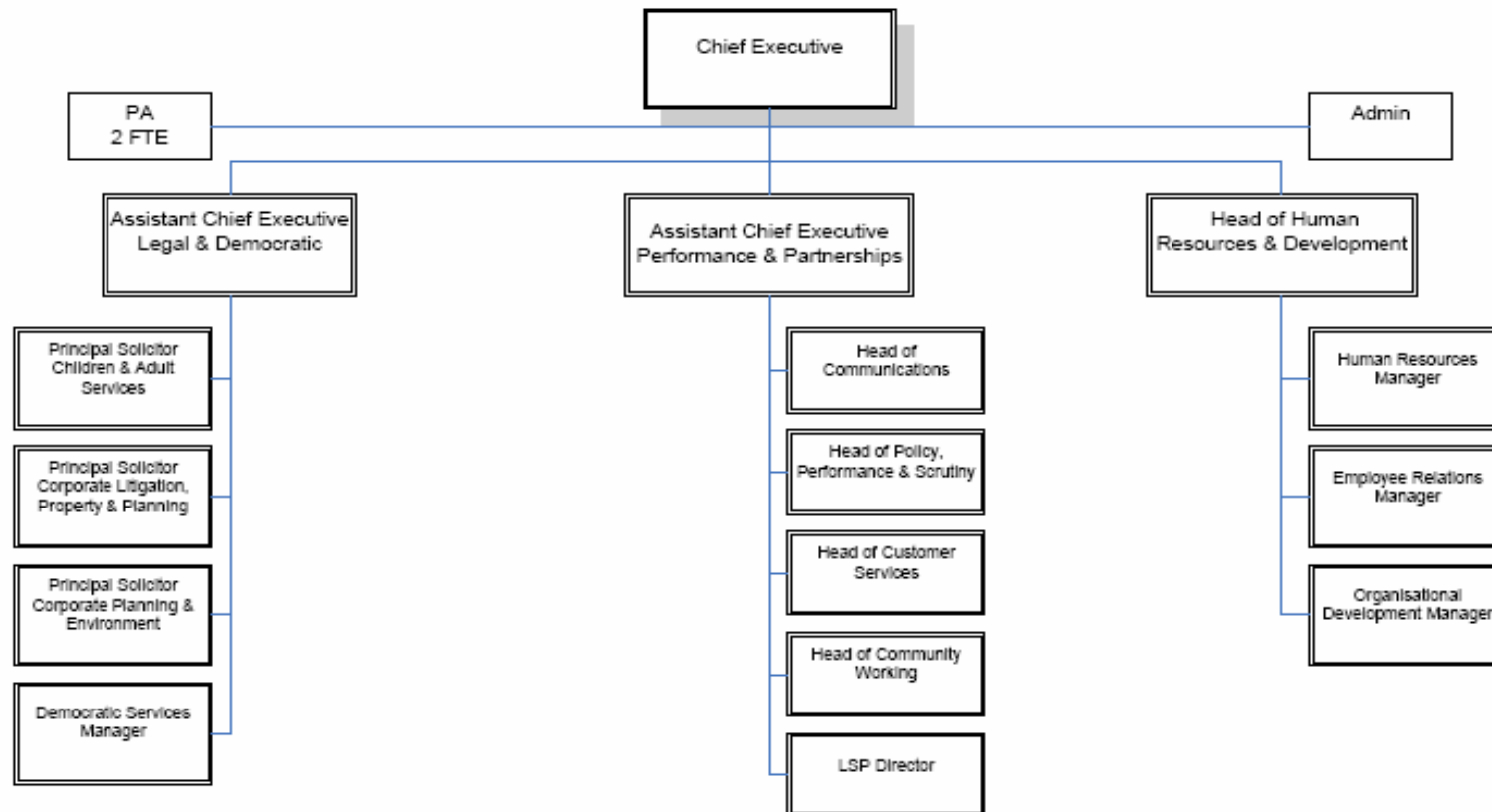
To give Children and Young People the best opportunities today and for the future	To improve the Health and Wellbeing of Shropshire's residents	To ensure Safe and Strong Communities for everyone in the county	To build Sustainable Communities for local people to live and work in Shropshire
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Priorities

1	Reduce homelessness amongst young people	5	Improve the housing delivery for which Shropshire Council has direct responsibility	10	Minimise anti social behaviour in Shropshire	14	Provide a range of affordable housing options for Shropshire residents
2	Support vulnerable children and young people to improve their life-chances	6	Support older and vulnerable people to live independently	11	Minimise re-offending and violent crime, including domestic violence	15	Reduce waste to landfill
3	Improve the educational achievements of our pupils, particularly focussing on underachieving groups.	7	More choice and control for vulnerable people	12	Minimise the harm caused by drug and alcohol abuse	16	Reduce the levels of worklessness and support increased economic prosperity
4	Improve access for 14-19 year olds to a range of activities and support that helps them prepare for further education, employment or training.	8	Maximise vulnerable and older people's income and increase take up of benefits	13	Communities have more of a say in service delivery and differences are recognised and respected	17	Shropshire's roads are safer and communities have better access to services and jobs through public transport
		9	Residents enjoy a range of activities, lead active lives and enjoy their free time			18	Shropshire's environment is valued and improved
						19	Reduce Shropshire's impact on climate change

2) Legal & Democratic Service Structure

CHIEF EXECUTIVES OFFICE



3) Functions of the Service

Department	Lead officer	Key functions
Legal Services	Claire Porter	Provides corporate advice to the Council, advice to members and officers, ensure probity and legality of Council's decisions or actions, represents the Council as necessary in civil and criminal proceedings, and gives advice and assistance to other public organisations.
Committee Services	Richard Thomas	Administers the democratic processes of the Council and other bodies.
Central Despatch	Richard Thomas	Post services for the whole Council, administration of all papers for Council meetings.
Support Services	Claire Porter	Provides secretarial services to all staff and teams within LADS and to some other units.
Members' Secretariat	Richard Thomas	Provides secretarial support to all members of the Council.
Registration of Births, Deaths, Marriages & Civil Partnerships	Richard Thomas	Manages the registration of births, deaths, marriages and civil partnerships and other celebratory services within the County of Shropshire
Coroners	Richard Thomas	Supervision and liaison with the two part-time Coroners in the County.
Commons Registration	Richard Thomas	Maintenance of the Commons Register and completion of searches.
Lieutenancy	Richard Thomas	Supporting the Clerk to the Lieutenancy for all official royal visits and engagements.

4) About the service

Legal Services is primarily concerned with advising members and officers in connection with the Council's policies and service provision but it does, in appropriate circumstances, offer advice to external public organisations.

Democratic Services not only support the democratic process of the Council but also provide services to the members of the public through its Registration Service.

Annual client care meetings are held with the Service Directorates to ensure that customers' needs are being met and the Registration Service undertakes public surveys on a quarterly basis.

Our support of locality working is primarily evidenced through the Local Joint Committees for which Legal and Democratic Services provide administrative and legal support as well as overseeing the constitutions of each committee.

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5) Summary of the Directorate's Performance in 2008/09

Legal and Democratic Services have been at the forefront of supporting the unitary process over the past 12 months. Primarily this has involved administering and advising the Implementation Executive but it has also included some direct input such as leading on the boundary review. In addition, a new constitution has been developed for the Shropshire Council.

Legal Services were successful in renewing its Law Society's LEXCEL accreditation.

A further six local joint committees were rolled out during the course of the year and these have all been successfully supported.

Support has been provided to special projects within the Economy & Environment Directorate and, in particular, Shrewsbury & Atcham Borough Council were successfully integrated into the Waste PFI Contract.

The Children Public Law Outline has become integral to our day to day working and the voluntary registration of the County Council's unregistered land has been completed.

The early establishment of the new Council's Elections and Electoral Registration team on 1 December 2008 was an important development, bearing in mind its crucial role in delivering the new authority on 4 June 2009.

The Registration and Celebratory Service has maintained the progress made in recent years following the countywide reorganisation in 2005 and during the year was acclaimed by the national Taskforce led by Lord Goldsmith for its work on Citizenship.

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6) What has been achieved / not achieved in the past year

What we said we would do		How we measured it	What difference this has made
Key Objective	Milestones	Key measures of success (Task/Target)	Outcome / Action going forward
Delivering requirements of One Council for Shropshire. To include participation and leadership of various project teams.		Successful introduction of Shropshire Council	Ongoing
Further roll out of Joint Local Committees across six additional areas.	Meetings took place between April 2008 and March 2009	Successful implementation	Meetings taking place increasing access of local people to democratic process
Maintain our LEXCEL accreditation and contribute to the maintenance of IIP.	September 2008	Successful re-accreditation	External independent verification of our legal processes
Expand Nationality Checking Service.	December 2008	Increased income and better public service	Rolled forward into Registration Services plan for 09/10
Supporting special projects within Economy & Environment.	Ongoing	Successful implementation of the projects	Successful integration of SABC into Waste PFI
Provide training for Standards Committee members on new ethical framework.	Dependent on new regulations - June 2008	The training is provided	Providing an update on the local assessment procedure and code of conduct

What we said we would do		How we measured it	What difference this has made
Key Objective	Milestones	Key measures of success (Task/Target)	Outcome / Action going forward
To continue, develop and raise awareness of Contract Rules and Best Practice.	Ongoing	Compliance with Contract Rules	Improved compliance with contract procedure rules
To undertake the voluntary registration of all the County Council's unregistered land.	April 2009	Completion of registration process	To improve the efficiency and accessibility and to avoid risk of destruction of deeds
Implementation of the Children's Act Public Law Outline.	April 2009 and ongoing	Successfully advising clients of the new provision of the PLO	Proceedings only implemented following a thorough assessment of the family circumstances
Provide an effective, efficient and objective Best Value Service.	Ongoing	Meet the other services' objectives	Timely and appropriate advice
Roll forward Service Level Agreement with client Directorates.	May 2008	Complete agreement	Clarification on the service that will be provided
To promote and monitor the legality and probity of the activities of the Council, including the executive and its functions.	Ongoing	Participation at appropriate stages in the formulation and implementation of Council policies so as to avoid legal challenges	Minimal legal challenges

What we said we would do		How we measured it	What difference this has made
Key Objective	Milestones	Key measures of success (Task/Target)	Outcome / Action going forward
Successfully undertake boundary review for Shropshire.	November 2008	Successful review of electoral arrangements	New boundary arrangements for the June elections
Triennial review of JP's Advisory Committee.	September 2008	Successful re-organisation.	New Advisory Committee recruited/appointed and trained
Deliver registration services Service Plan 2008/09.	April 2009	Successful delivery of Service Plan	New plan targets delivered and verified by GRO
Human Rights Act training.	September 2008	Training provided	Will be provided early in the life of the new council to maximise the numbers of new members and officers conversant with the key principles of the Act
Review of efficiency of Registration Service.	April 2009	More efficient service	More efficient service
Review of EINAs	April 2009	Successfully complete EINAs	Ensure policies are compliant with equalities legislation

7) What we will achieve this year

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12	Column 13
SC priority	Directorate reference	Key Objective	Milestones	Forecast current result	Key measures of success			Deadline for completion	Lead officer	Monitoring arrangements	EINA Y/N	Risk rating
					2009/10	2010/11	2011/12					
All	1	Implementation of One Council for Shropshire	Ongoing	Success	successful implementation	successful implementation	successful implementation	Ongoing	CP	Chief Exec/ Members	N	4
All	2	Conduct Elections for European Parliament, Unitary and town/parish councils	Satisfactory declaration of all results by 7 June 2009	Success	No election petitions	No election petitions	No election petitions	07/06/2009	CP/RT	RO Members	N	6
All	3	Establish new Committees/Panels and other decision making arrangements	Complete appointments by end of July 2009	Success	All meetings being conducted effectively	All meetings being conducted effectively	All meetings being conducted effectively	31/07/2009	CP/RT	Chief Exec/ Cabinet	N	4
All	4	Operation of 27 Local Joint Committees across the County	Meetings to take place following June elections	Success	Meetings taking place effectively	Meetings taking place effectively	Meetings taking place effectively	Following June elections	CP	Chief Exec/ Cabinet	N	3
All	5	Maintain our LEXCEL accreditation	September 2009	Success	Successful re-accreditation	Successful re-accreditation	Successful re-accreditation	September 2009	CP/TC/HP	Through the Law Society		
All	6	Integrate new staff into LADS	Ongoing	Success	Positive staff moral	Positive staff moral	Positive staff moral	Ongoing	CP	Chief Exec	N	6
All	7	Inducting Members of the Council	Training provided as soon as possible following the Elections	Plans already in place	Members familiar with the decision making procedures and codes of conduct and protocols	Members familiar with the decision making procedures and codes of conduct and protocols	Members familiar with the decision making procedures and codes of conduct and protocols	Ongoing	CP	Chief Exec	N	6
All	8	Training Town and Parish Councils on the Code of Conduct	Ongoing	Success	Majority of Cllrs trained	Majority of Cllrs trained	Majority of Cllrs trained	Ongoing	CP	Chief Exec/ Stds Cttee	N	6
All	9	Support the implementation of the Mental Capacity Act Deprivation of Liberty Safeguards	Ensure timely legal advice available as required	Success	Minimise legal challenge	Minimise legal challenge	Minimise legal challenge	Ongoing	TC	CP	N	3
All	10	Provide an effective, efficient and objective best value service	Ongoing	Success	Meet Service Direc's needs	Meet Service Direc's needs	Meet Service Direc's needs	Ongoing	CP	Client services	N	4
All	11	Roll forward agreements with Directorates for legal services	May 2009	Success	Agreement issued	Agreement issued	Agreement issued	May 2009	CP/TC/HP	Client services	N	1
All	12	Promote and monitor the legality and probity of the activities of the Council, including the executive and its functions	Ongoing	Success	Minimise legal challenge	Minimise legal challenge	Minimise legal challenge	Ongoing	CP/TC/HP	Chief Exec/ Members	N	4

SC priority	Directorate reference	Key Objective	Milestones	Forecast curent result	Key measures of success			Deadline for completion	Lead officer	Monitoring arrangements	EINA Y/N	Risk rating
					2009/10	2010/11	2011/12					
All	13	Human Rights Act Training	September 2009	Success	Maximise numbers of officers/ membes with knowledge of Act	Maximise numbers of officers/ membes with knowledge of Act	Maximise numbers of officers/ membes with knowledge of Act	Sep-09	HP/TC	Asst Chief Exec LADS	N	4
All	14	Successfully relocate the Registration offices in Shrewsbury, Ludlow, Wem, Bridgnorth in line with Unitary moves	1) Identify suitable locations 2) Draw up layout plans 3) Consult with staff and team members 4) Agree moving dates 5) Inform the public 6) Inform local councillors 7) Set up contingency arrangements to cover moving period 8) Arrange for phone and IT connections 9) Publicise moves	Successfull relocation	Provide more convenient and appropriate location for service users	Provide more convenient and appropriate location for service users	Provide more convenient and appropriate location for service users	Sep-09	RT	Asst Chief Exec LADS	N	8
All	15	Successfully introduce RON B & D	Firm plan issued by GRO for dates of return 1) Test Shropshire's RON connectivity against most up to date expectations at national level 2)Ensure that Shropshire CC's IT is adequate to give good performance on our return to RON 3)Work with internal and external agencies to give us as much assurance as possible 4) Receive notification from GRO of date the last tranche of authorities will rejoin RON 5) Deliver staff training and refresher courses as necessary to ensuer staff confidence is high at the time of rejoining	Success	Postponed twice by GRO. New date set for Spring 2009	Postponed twice by GRO. New date set for Spring 2009	Postponed twice by GRO. New date set for Spring 2009	Jun-09	KB	RT	N	8
All	16	Successfully implement RON Marriages, in line with National programme	Firm plan issued by GRO for dates of implementation 1) Provide oppourtunities for training team and key staff to attend GRO training 2) Provide cascade training to all other members of staff 3) Implement new system		Introduction delayed on court instructions likely to start late 2009/early 2010.	Introduction delayed on court instructions likely to start late 2009/early 2010.	Introduction delayed on court instructions likely to start late 2009/early 2010.	Dec-09	KB	RT	N	8

SC priority	Directorate reference	Key Objective	Milestones	Forecast curent result	Key measures of success			Deadline for completion	Lead officer	Monitoring arrangements	EINA Y/N	Risk rating
					2009/10	2010/11	2011/12					
All	17	Successfully implement RON Marriages, in line with National programme	1) Links between receiving method of SAMIS to be developed and proven. Using the skills of IT development 2) Testing scripts to be created 3) Testing to be successful 4) NCS appointments to be pre-paid 5) Zipporah Certificate ordering and payment mechanism to be in place	Success	Introduction delayed on court instructions likely to start late 2009/early 2010.	Introduction delayed on court instructions likely to start late 2009/early 2010.	Introduction delayed on court instructions likely to start late 2009/early 2010.	Dec-09	KB	RT	N	8
All	18	Offer public facing appointments booking for birth and deaths after 1 May 2009	1) Successful Customer Service Centre implementation 2) Testing completed sucessfully 3) Live date	Success	On target. System will be subject to testing from 16/03/09	On target. System will be subject to testing from 16/03/09	On target. System will be subject to testing from 16/03/09	Apr-09	KB	RT	N	2

8) Risk Log

Directorate reference	Objective	Summary of risk	Likelihood	Impact	Total	Risk Owner	Counter Measures / Specific Actions Required	Risk Treatment	Target Date for Completion of Actions
1	Implementation of One Council for Shropshire	Not meeting deadlines and targets	1	4	4	CP	Organise transfer of staff		1 April 2009
2	Conduct elections for European Parliament, Unitary and town/parish councils	Failure to undertake duty lawfully	2	3	6	CP	Extensive training and regular monitoring of preparations		04/06/09
	Establish new Committees/ Panels and other decision making arrangements	Inability to make lawful decisions	1	2	2	CP	Ensure consitutional requirements are clear and well understood		31/06/09
2	Operation of 27 Local Joint Committees across the County		1	3	3	CP	Support project		Following June elections
3	Maintain our LEXCEL accreditation	Failure to keep on top of administrative requirements	1	3	3	CP	Monitor systems		September 2009
4	Integrate new staff into LADS	Low staff morale	2	3	6	CP	Regular updates and communication with staff		Onngoing
5	Inducting Members of the Council	Ineffecitve decision making	1	3	3	CP	Early arrangements for member training		Post elections
6	Training Town and Parish Councils on the Code of Conduct	Possible breaches of Code of Conduct	2	3	6	CP	Maintaining regular training events throughout the year		Ongoing
7	Support the implementation of the Mental Capacity Act Deprivation of Liberty Safeguards	Increased challenges	3	3	9	TC	Staff trained and knowledgeable in this area of law		Ongiong
8	Provide an effective, efficient and objective best value service	Staff change and insufficient expertise	1	4	4	CP	Regular workforce monitoring		Ongoing
9	Roll forward agreements with Directorates for legal services	No significant risk	1	1	1	TC/HP	Ensure agreements complete		April 2009
10	Promote and monitor the legality and probity of the activities of the Council, including the executive and its functions	Could result in legal challenges and unlawful decision making	1	4	4	CP	Careful scrutiny of policies and service decisions		Ongoing
11	Human Rights Act Training	Decision making which infringes citizens human rights	2	2	4	TC	Ensure training takes place		Summer 2009
12	Successfully relocate the offices in Shrewsbury, Ludlow, Wem, Bridgnorth in line with Unitary moves	Failure to comply with statutory requirements.	2	4	8	RT	Ensure timing and logistics are widely understood		December 2009
13	Successfully introduce RON B & D	Breach of statutory duty	2	4	8	RT	Hold off rejoining until last tranche when all problems resolved.		December 2009
14	Successfully implement RON Marriages, in line with National programme	Breach of statutory duty	2	4	8	RT	Hold off rejoining until last tranche when all problems resolved.		December 2009
15	Offer public facing appointments booking for birth and deaths after 1 May 2009	Minor risk to reputation	1	2	2	RT	Ensure training and trial completed successfully		May 2009
16	Introduce National Performance Standards for Electoral Registration	Breach of statutory duty	2	4	8	RT			March 2010

9) Equalities Impact Needs Assessment (EINA) Programme

Service	EINA title	new / review	Relevant for current year reviews only		Highlight the year the EINA is programmed.			
			Lead officer	due date	2008/09	2009/10	2010/11	2011/12
Legal	Contract Rules	R	TC	June 09		√		
Legal	Codes and Protocols	N	HP	June 09		√		
Democratic Services	Let's Talk Pamphlet	N	RT/KB	June 09		√		
Democratic Services	Citizenship Ceremonies	R	RT/KB	June 09		√		
Democratic Services	Registration of Marriages	R	RT/KB	June 09		√		
Democratic Services	Civil Partnerships	R	RT/KB	June 09		√		
Democratic Services	Registration of Births and Deaths	R	RT/KB	June 09		√		

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10) Workforce Planning

Legal and Democratic Services will monitor the position in detail over the next 12 months to ensure that we have the necessary staff to respond to the needs of the new Shropshire Council Directorates.

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11) Communications Plan

Key service Issue	Title of consultation / communication	Aims of consultation / communication	Method	Lead officer	Start date	End date	Action going forward
Local assessment of code of conduct breaches	Leaflet	To ensure members of the public and Councillors are fully aware of the new procedures	Leaflet produced and guidance on website	CP	Apr-09	Mar-10	
Elections 2009	Poll Cards	Inform electors of time estimate for voting	Post statutory designed cards to all voters	RT	May-09	May-09	
Letter to all households	Letter - Elections 2009	To check content of new Electoral Register pre June 2009 elections	Letter	RT/SI	Apr-09	Apr-09	

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