



Comptroller & City Solicitor

Business Plan 2016 – 2019

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Version 1.7

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Introduction

The law is at the heart of all public authority functions and this is particularly the case in the City Corporation which has a unique and diverse range of functions and interests far beyond those of other local authorities. It is therefore essential that the Corporation has access to high quality, commercial and effective legal services to enable it to achieve its policy objectives.

This will be particularly the case in the next three years as the Corporation considers and implements organisational change to meet its ambitions. The Department is therefore anticipating a continuing increase in demand for its services.

Looking Back.....

2015/16 was another challenging but successful year for the Department.

The Property team has acted on a number of complex and high value commercial property transactions relating to leasehold and freehold interests, lettings, redevelopments and re-gearings. The strong property market has led to a significant increase in workload and income. Key property transactions include:-

- 1 Alie Street – sale of new headlease.
- 60-70 St. Mary Axe – development agreement and lease.
- 35-37 Alfred Place – lease.
- 26-27 Store Street – lease.
- GLA roads dispute – title research and property input.
- Thames Tideway tunnel – various property transactions.
- Queensbridge House – variation to development agreement to allow development to start.
- 160 Aldersgate Street – re-gearred ground lease.

The Contracts Section experienced an increase in complex procurement work including external challenges from disappointed bidders. Examples of projects that were successfully completed were the complex multifaceted action fraud contract for the City of London Police (COLP); managing the high profile project for European Social Fund grants and allocation through the City as accountable body in relation to Central London Forward, and managing the all party agreement binding the 8 London Boroughs; developing and managing the COLP accommodation moves including liaising with Property on leases etc; assisted City Surveyors Department with the mediation involving Mitie on the Building Repairs and Maintenance project, successfully reducing their claim by 80%; assisting City Procurement with drafting the internal City Procurement Code, liaising with different departments; advising on procurement avenues and liaising with the Department for Work and Pensions in relation to an overarching Data Processing Agreement; assisting the Department of Community and Children's Services in relation to a joint commissioning agreement with Hackney on the Better Care Project relating to the City's obligations pursuant to section 75 of the National Health Services Act 2006.

The Litigation section is heavily involved in the Spitalfields Market bulk lease renewals, working towards an arbitration hearing in summer to determine rent levels. Legal action to recover service charges in relation to concrete repairs at the Barbican Estate, and major works to Great Arthur House, are about to commence. Overall the section

maintained a consistently high level of debt recovery, and success in possession cases. The GLA Roads transfer arbitration decision is being appealed further to the Court of Appeal with a hearing expected in October 2016. The employment team continued to be successful in Employment Tribunal work, and they are providing substantial assistance to COLP Professional Standards. The section is also dealing with social housing fraud prosecutions, and an increase in judicial review claims challenging the lawfulness of police search and arrest powers.

The Public and Corporate Law team continues to provide legal advice and support in respect of governance and constitutional matters, both to the City Corporation itself and in relation to various associated charities and companies. These include the Crossrail Art Foundation, Bridge House Estates (such as advice on powers, conflicts and social investment), and London Councils (such as a review of its constitution and advice on its new grants programme). The team remains heavily involved in developing and implementing governance and management changes to deliver the rapid expansion of education provision through the Academies Trust, and in supporting the City's sponsorship of Academies. Legal input has been provided across a wide range of initiatives (such as the Operational Property Review and the proposed City-wide Anti-Terrorism Traffic Order), and on London-wide infrastructure projects including Thames Tunnel, Bank Station Capacity Enhancement, Crossrail and the Cycle Superhighways. On the planning front, the number of Section 106, Section 278 and other infrastructure agreements completed remains at a high level. Two public inquiries have been conducted, including successfully resisting the reduction of the affordable housing contribution in connection with the Sugar Quay development. Extensive advice and input has been provided on the use of Section 237 to facilitate developments.

Within the Office Services Division, the Finance Section has been critical to the corporate ERP project and the replacement of the commercial property management and rents system (Manhattan) with Oracle OPN.

At the Corporate level the Department has continued to provide support to Committees and Chief Officer groups, particularly in relation to Service Based Reviews. The Department's own savings proposals continue to be implemented.

The second year of operation of the Professional Services Protocol will shortly draw to a close and review meetings will be taking place with Departments to discuss their use of the service.

The Department continues to be an active member of the London Borough's Legal Alliance and it is estimated that the barristers' Framework agreement alone has resulted in savings of £27k in 2015/16. This Framework was retendered during that year.

Looking Forward.....

The coming years are likely to present further challenge and change for the Corporation and the Department must ensure that it is able to continue to support the Corporation's corporate agenda together with the operational needs of its client departments and external organisations. This is likely to involve further significant property, employment, procurement and public law advice and support. The need for advice to support changes in services and new ways of working is also expected to increase across these and other areas.

We will also need to ensure that we provide the right level of support to our clients without undertaking unnecessary work or “gold-plating” and that we are commercially minded so as to maximise our income.

In addition to supporting projects and organisational change, the challenge of continuing to provide a high quality legal service to meet the day to day needs of members and clients, particularly in a time of fewer resources and a difficult economic climate for public services but with undimmed ambitions and expectations and “the need to do more with less” should not be underestimated.

These challenges must also be seen in the context of continued legislative change and the ever present risk of challenge, particularly in areas such as equalities, procurement and employment.

Strategic Aims.....

Whilst legal services are at the heart of the Corporation’s functions we nevertheless recognise that we must justify and obtain maximum benefit of the resources allocated.

For the coming year we therefore continue to focus and develop the following strategic aims:-

Key Issues.....

Operational Key Issues for the department during the next 12 months include the contribution to the Asset Realisation Programme, achieving Service Based Review target, implementing an Information Management project, managing legal risk and assisting in achieving the silver standard of Investors in People.

For the coming year we have therefore adopted the following strategic aims:-

[A] To manage resources effectively to provide efficient and quality legal services.

Corporate link:

KPP1 – Supporting and promoting the UK financial based services sector throughout the world for the benefit of the wider UK economy

KPP2 – Improving the value for money of our services within the constraints of reduced resources

To achieve this we will:-

A1 achieve the Service Based Review savings target

A2 achieve re-accreditation to the new LEXCEL standard (version 6)

B To tailor our services so as to meet the needs of, and add value to the transformation and modernisation agenda and be an exemplar of innovative good practice so as to combine “the best of the old with the best of the new”.

Corporate link:

KPP1 – Supporting and promoting the UK financial based services sector throughout the world for the benefit of the wider UK economy

KPP2 – Improving the value for money of our services within the constraints of reduced resources

To achieve this we will:-

B1 Complete a major Information Management project

B2 undertake a review of our work processes in order to maximise efficiency

Workforce profile and succession planning.....

The department will have a number of retirements over the next three years. The department will continue to develop and implement plans to ensure that knowledge is transferred and staff are trained to ensure that high service levels are maintained. The plan will also review current working practices to seek more effective ways of working.

External clients.....

The department has continued to act as legal adviser to London Councils, the City's Academies and a number of other public benefit bodies in London. This service continues to provide a cost effective and high quality resource for the external organisations, and an opportunity for the department to gain a wider perspective on London governance.

Finance.....

In 2015/2016, the department remained within its Local Risk Budget. Membership of the London Boroughs Legal Alliance will continue to reduce the cost of the use of Counsel and external legal practices, when required.

During 2016/2017, the department will endeavour to meet its Service Based Review savings target of £169k (which is part of the overall target of £377k by 2017/18) and continue to review its charging regime and seek, where practicable additional sources of income.

Asset Management.....

The legal department does not manage any property assets.

Conclusion

Continuing access to high quality and cost effective legal services is vital to the Corporation in meeting its strategic aims and protecting its interests. The proposed measures should ensure that the Department continues to provide such services and to develop them further whilst at the same time improving efficiency and value for money.

Comptroller & City Solicitor Business Plan Summary 2016-2019

Strategic Aim and Objective

Strategic Aim	[A] To manage resources effectively to provide efficient and high quality legal services.			
Objective:	A1 – Achieve Service based Review savings target (£169k in 2016/17 - £377k in total)			
Corporate Plan	“..modern, efficient and high quality local services...”		Rationale.....	
Aligns to Key Policy Priorities	KPP2 – Improving the value for money of our services within the constraints of reduced resources		The C&CS is required to make savings of £377k between 2014/15 and 2017/18. The savings target for 2016/17 is £169k.	
Actions/Milestones	Measure of Success	Responsible Officer	Target Date	Resources
Regular budgetary control reporting	Savings on track each quarter	Business Manager	31/03/2017	Existing staffing
Review fees/charges and existing recovery regime	Increase in fee income	Management Team	31/03/2017	Existing staffing
Monitor and evaluate opportunities of alternative sources of income	Increase in fee income	Management Team	31/03/2017	Existing staffing
<i>Performance Indicators PI – P8 See page 12</i>				
Risk	Savings in 2016/17 are based on reduction on employee costs in Property, increased income and 100% recovery of legal fees from external clients (to be agreed). The risk of not achieving the target for 2016/17 is medium.			

Comptroller & City Solicitor Business Plan Summary 2016-2019

Strategic Aim and Objective

Strategic Aim	[A] To manage resources effectively to provide efficient and high quality legal services			
Objective:	A2 – Achieve re-accreditation to the restructured Law Society’s LEXCEL standard (version 6)*1			
Corporate Plan	“..modern, efficient and high quality local services...”	Rationale The Law Society undertakes a major review of its national quality standard approximately every 3 years and the standard underwent a major re-structuring in 2015. . The C&CS wishes to continue its accreditation to the standard to demonstrate good practice and processes are embedded to minimise legal risk are in place.		
Aligns to Key Policy Priorities	KPP2 – Improving the value for money of our services within the constraints of reduced resources			
Actions/Milestones	Measure of Success	Responsible Officer	Target Date	Resources
Office procedures are reviewed	All policies, plans and procedures are reviewed	Quality Assurance Group	30/04/2016	Existing Staffing
SMT agree policies, plans and procedures	SMT sign off policies, plans and procedures	SMT	01/05/2016	Existing Staffing
Quality and Procedures Manual is updated and re-published	Staff are made aware of any changes and workshops arranged if required	Business Manager	01/06/2016	Existing Staffing
Lexcel external assessment	<i>External assessor recommends re-accreditation to the standard</i>	Business Manager	17/06/2016	Existing Staffing
Performance Indicators PI – P8 See page 12				
Risk	Major non-compliances are unlikely due to the level of preparatory work undertaken therefore the risk is low.			
*1 The LEXCEL standard includes strategic planning, financial management, information management, people management e.g. equalities, operational support and case management and client care.				

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Strategic Aim and Objective

Strategic Aim	B -To tailor our services so as to meet the needs of, and add value to the transformation and modernisation agenda and be an exemplar of innovative good practice so as to combine “the best of the old with the best of the new”.			
Objective:	B2 – Complete a major Information Management project – this project commenced in January 2016.			
Corporate Plan	“..modern, efficient and high quality local services...”	Rationale.....		
Aligns to Key Policy Priorities	KPP2 – Improving the value for money of our services within the constraints of reduced resources	Legal case management, including court work, is increasingly electronic. The department is seeking to deploy new technology and best practice to deliver effective Electronic Information /Document Management.		
Actions/Milestones	Measure of Success	Responsible Officer	Target Date	Resources
Approval by the corporate project Board	Approval	Project Lead	04/02/2016	Existing staffing
Evaluate best practice in some other authorities	Visits completed	Project Lead	01/05/2016	Existing staffing
Review market products	Market reviewed	Project Lead	30/06/2016	Existing staffing
Draft detailed specification	Clear and unambiguous document	Project Lead	30/09/2016	Existing staffing
Procurement of system	Within budget	Project Lead	31/12/2016	Existing staffing
Implement application	System matches specification	Project Lead	31/01/2017	Contractor
Testing / Defect resolution	Tests passed to BAU	Project Lead	31/03/2017	Existing staffing
Training	Proficient users	Project Lead	30/04/2017	Existing staffing
Go Live	Benefits realised	Project Lead	01/05/2017	Existing staffing
	Performance Indicators P1 – P3 See page 12			
Risk(s)	Staff may not engage in the cultural shift to new ways of working. Specification may require bespoke development work which may impact on budget.			

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Strategic Aim and Objective

Strategic Aim	B -To tailor our services so as to meet the needs of, and add value to the transformation and modernisation agenda and be an exemplar of innovative good practice so as to combine “the best of the old with the best of the new”.		
Objective:	B3 – undertake an in-depth review of our work processes – this project commenced in November 2015		
/Corporate Plan	“..modern, efficient and high quality local services...”	Rationale	
Aligns to Key Policy Priorities	KPP2 – Improving the value for money of our services within the constraints of reduced resources	This review is intended to improve service delivery to clients. The outcome will determine best practice in the provision of legal advice.	
Actions/Milestones	Measure of Success	Responsible Officer	Target Date
SMT draft a review plan	Plan is published	SMT	01/11/2015
Briefings for line managers & review teams	Briefings are held and scope and criteria agreed	SMT	01/12/2015
Review is undertaken and proposals produced	Review is completed	Line Managers & Review Team	30/04/2016
Basket of proposals considered by SMT	SMT complete a review of the feedback & reach decision	SMT	31/05/2016
Publication of legal advice protocol	Legal advice is delivered to clients which meets their requirements	SMT/DMT	30/06/2016
	Performance Indicators P1 – P3 See page 12		
Risk	Success is dependent staff accepting best practice and changing behaviours and, managers managing the change effectively. Therefore, the risk is medium.		

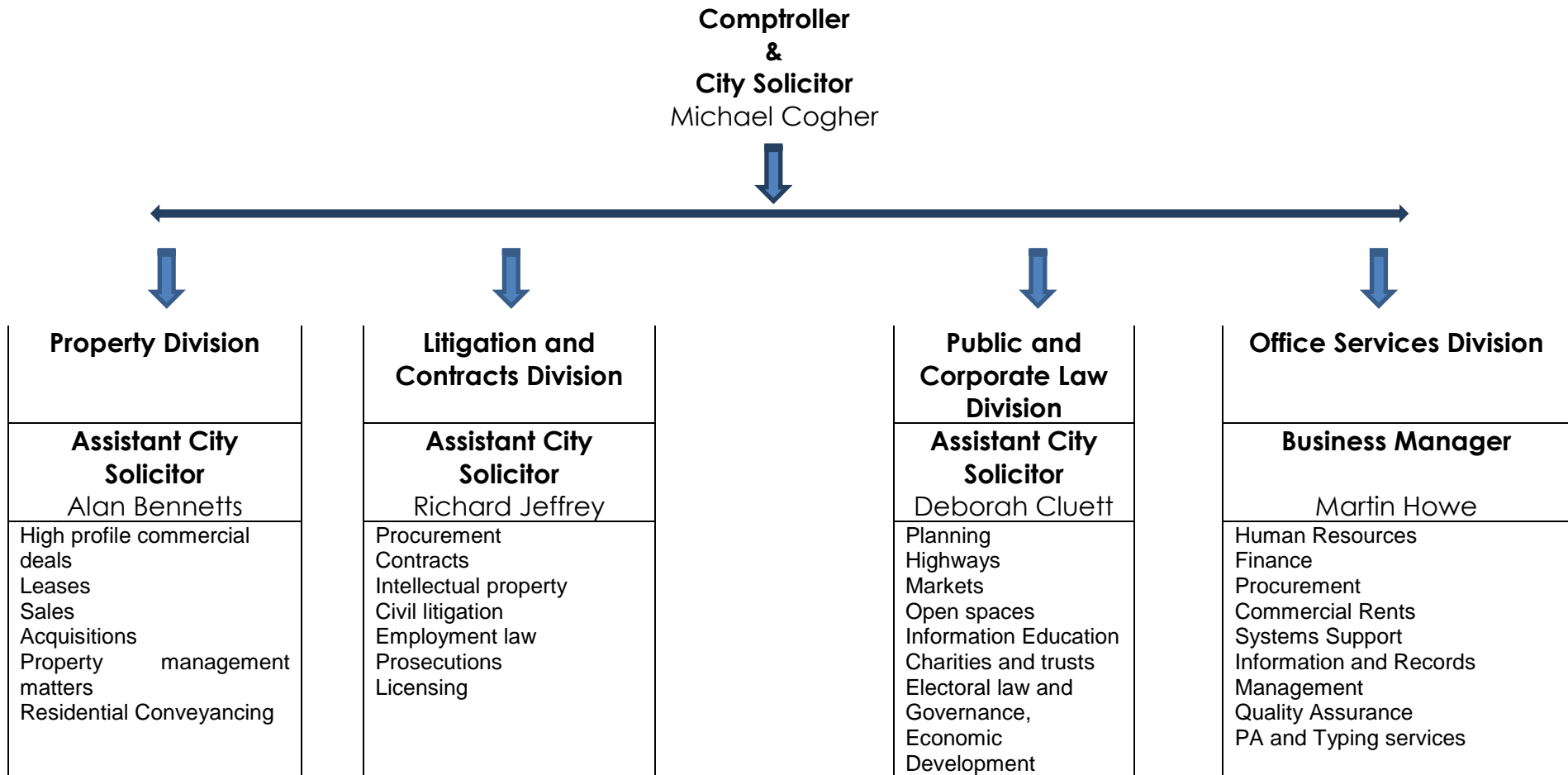
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Comptroller & City Solicitor - Performance Indicators (2016/2017)

Ref	Performance Indicator	Targets for 2016/2017	Achieved 2015/2016
PI 1	Responses of chairmen of committee to the client care survey give a 'high overall service' rating	Target 98%	<i>Achieved - 100%</i>
PI 2	Responses of departments to the client care survey give a 'high quality service' rating	Target 98%	<i>Achieved – 99%</i>
PI 3	Responses of departments to the client care survey give a 'staff keep you well informed' rating	Target 93%	<i>Achieved - 96%</i>
PI 4	Justified complaints against total caseload	Target – maximum of 5 per annum	<i>Achieved 0 complaints received</i>
PI 5	Maintain LEXCEL accreditation	Target – Accreditation	<i>Accreditation achieved</i>
PI 6	File reviews completed in a timely fashion	Target - 90% within one month	<i>Achieved 80%</i>
PI 7	Inactivity on live files in 6 months	Target – Not more than 15%	<i>Achieved 11% (at 3rd qtr) 4% above target</i>
PI 8	Inactivity on live files in 3 months	Target – Not more than 20%	<i>Achieved 26% (at 3rd qtr) 6% below target</i>
PI 9	Individual chargeable hours target	Target 100%	<i>Achieved 100%</i>
PI 10	Effectively managing short term sickness absence	Target – Below City short term average	<i>Achieved (01/01/14 - 31/12/15) C&CS avge 2.53 days City avge 2.99 days</i>

Comptroller & City Solicitor Business Plan Summary 2016-2019

Comptroller and City Solicitor – Establishment Chart



Comptroller & City Solicitor Business Plan Summary 2016-2019

Our **Strategic Aims** are:

[A] To manage resources effectively to provide efficient and high quality legal services.

[B] To tailor our services so as to meet the needs of, and add value to the transformation and modernisation agenda and be an exemplar of innovative good practice so as to combine “the best of the old with the best of the new”.

Vision / Key Objectives are:

***A1 achieve the Service Based Review target
A2 achieve re-accreditation to the new LEXCEL standard (version 6)***

***B1 Complete an Information Management project
B2 undertake a review of our work processes in order to maximise efficiency***

Our Key Performance Indicators are:

Description:	Previous Year Performance (where comparable)	Target: 2016/2017
P1 Responses of chairmen of committee to the client care survey give a 'high overall service' rating	Achieved 100% -target 98%	98%
P2 Responses of departments to the client care survey give a 'high quality service' rating	Achieved 99% - target 98%	98%
P3 Responses of departments to the client care survey give a 'staff keep you well informed' rating	Achieved 96% - target 93%	93%
P5 Maintain LEXCEL accreditation	Accredited	Re-accreditation
P10 Effectively managing short term sickness absence to below City average	0.4 days below City average (of 2.99 days)	Below City average

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Our Financial Information:

	2014/15	2015/16	2015/16	2015/16		2016/17	N.B.
	Actual	Original Budget	Revised Budget (latest)	Forecast	Outturn	Original Budget	
	£000	£000	£000	£000	%	£000	
Employees	3374	3331	3528	3504	990	3519	
Premises	0	0	0	0	0	0	
Transport	9	2	4	3	75	2	
Supplies & Services	253	247	399	250	63	207	
Third Party Payments	0	0	0	0	0	0	
Contingencies	0	1	1	0	0	1	
Unidentified Savings	0	0	0	0	0	0	
Total Expenditure	3636	3581	3932	3757	96	3729	
Total Income	-638	-680	-800	-1400	175	-832	
Total Local Risk	2998	2901	3132	2357	75	2897	
Central Risk	-486	-200	-200	-200	100	-200	
Total Local and Central	2512	2701	2932	2157	74	2697	
Recharges	588	435	449	449	100	473	
Total Net Expenditure	3100	3136	3381	2606	77	3170	1.0

Key Staffing issues:

- Headcount – 52 FTE
 - Gender – male 44% female 56%
 - City of London Service – 10yrs+ 63%
 - Gender by age 50+ 42%
- Turnover 7%

Notes on Key Staffing Issues

A number of staff are likely to retire over the next three years and effective succession planning will be implemented.

Notes on Financial Information:

1.0 The net expenditure is fully recharged to all Corporation services through 'central support services' recharges.

Comptroller & City Solicitor Business Plan Summary 2016-2019

C&CS – Strategic Risk Register Summary		
Risk Key	Status	Risk and Commentary
CCS SMT 001	Amber	<p>Ability to recruit and retain competent legal staff</p> <p>This risk arose out of the need to ensure that high grade legal staff with commercial experience can be recruited. More recently, it has been noted that legal salaries for some London boroughs and counties either match or exceed current COL legal salaries (including Market Forces Supplements).</p> <p>A recent recruitment campaign for a planning lawyer was unsuccessful and HR are assisting with a further recruitment campaign.</p>
CCS SMT 002	Amber	<p>Loss of Information Assets</p> <p>The C&CS handles high volumes of information. Staff are aware of the need to protect information internally and ensure that hard copy and electronic information shared with external sources is appropriate and secure.</p> <p>All staff have been trained and regular departmental Data Protection audits are completed and will continue in the future.</p>
CCS SMT 003	Amber	<p>Managing legal risk</p> <p>The department endeavours to maintain high standards in case management, communication and learning and development. The department undergoes an external annual assessment each year which audits the internal procedures and has held the Law Society's quality award LEXCEL since 2005.</p> <p>The case management system provides management reports of high risk matters and managers have close visibility of matters.</p> <p>A Professional Services Protocol was launched in 2014 to set down the responsibilities of clients and our approach to client care.</p> <p>Legal training needs are reviewed on a regular basis to ensure that legal staff are up to date with the law and can meet the expectations of client departments.</p>
CCS SMT 004	Amber	<p>Successful Implementation of Oracle OPN</p> <p>Oracle OPN is the system which replaces the commercial property management system Manhattan. The project and implementation was complex and very challenging which resulted in the red status in the corporate risk register.</p> <p>Although there are a few defects still to be resolved OPN is now working more consistently and therefore our departmental risk has been reduced to amber.</p>
CCS SMT 005	Amber	<p>Ability to access critical system at disaster recover site</p> <p>At the last business continuity exercise, in July 2013, the main C&CS critical system was not available to users. This will be tested again at the next exercise.</p> <p>This risk has been transferred to the Chamberlain's IS Division.</p>
CCS SMT 006	Amber	<p>Timely access to fully functioning office environment in the event of a disaster</p> <p>Following an appraisal of the last business continuity exercise it was unclear whether plans existed to re-establish (at another location) a fully functioning office space in the event of a disaster.</p> <p>This risk has been transferred to the City Surveyor.</p>

Comptroller & City Solicitor Business Plan Summary 2016-2019

Background Sources.....

- Business Plan 2015/2018
- KMX management and workflow reports
- Client Care 2014 and 2015 Surveys
- CBIS/R12 budgetary control reports
- City People reports/dashboards
- Law Society LEXCEL accreditation