

Business Change Mandate (Including Budget Mandates) Proposal Number: B7

Title: Legal Services Review Opportunities for Income Generation

All information requested must be completed on the proposed mandate to enable the Cabinet to decide whether to proceed with the proposal.

Mandate Completed by	Robert Tranter
Date	15 th September 2015

How much savings will it generate and over what period?
Income generation target to increase by £25,000 through the provision of legal advice to public service providers.
Directorate & Service Area responsible
Legal Services & Land Charges
Mandate lead(s)
Robert Tranter

Final mandate approved by Cabinet	Date:
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1. Vision and Outcomes of the Mandate

Give a business context for the mandate. This must pick up on the vision and what the new / improved / reduced service will look like in the future including the anticipated experience of users. It must also consider any impact on the Council's key priorities and strategic outcomes. Similarly does it impact on service performance within the immediate service area or any impact on other services provided by the authority / any other providers. In doing so, the mandate must be tested against the equality impact assessment and sustainable development impact assessment and must consider impact in relation to the new Future Generations Bill.

What is the issue that the proposal is seeking to address?
<p>To receive income from providing legal advice to Melin Homes on planning agreements and consider any other external work to reduce the net cost of Legal Services and Land Charges to the council.</p> <p>To build on the findings from the Legal Services Review which aims to ensure that the council maximises opportunities to reduce it's spend on legal advice through reducing the need to purchase external independent legal advice whilst maximising any income generation opportunities.</p>
What evidence have you got that this needs to be addressed?
<p>Melin Homes has expressed an interest in requiring legal advice on planning agreements and paying for the advice received.</p> <p>Public organisations without their own legal service could access legal advice from the council more cost effectively than procuring services through a private legal firm in areas where the council's legal team has expertise and capacity. A discussion with Melin suggests that there is potential to provide legal advice on planning agreements.</p>
How will this proposal address this issue
<p>Potential to generate initial income up to £25,000 for the council (but this may need to be netted off any costs of appointing a further legal officer, if required), further scoping of potential work is required.</p>
What will it look like when you have implemented the proposal
<p>Subject to demand, Melin Homes and other public service providers will pay for any legal advice provided by Legal Services.</p>
Expected positive impacts

Income generation and to provide a cost effective legal service to other public bodies.

Expected negative impacts

Any income received may have to pay for employing an extra legal officer to undertake the work for Melin Homes and other public service providers, if existing capacity is insufficient. It is not known at this stage how much legal work public bodies may require, and subsequently the likely levels of income to be generated.

2. Savings proposed

Show how the budget mandate will make savings against the current service budget. This must cover each year implicated. This section must also cover any other efficiency that will arise from the mandate.

What savings and efficiencies are expected to be achieved?								
Service area	Current Budget £	Proposed Cash Savings £	Proposed non cash efficiencies – non £	Target year				Total Savings proposed
				16/17	17/18	18/19	19/20	
The mandate is income generation rather than savings.	£500,175	£25,000 on going		£25,000				£25,000

3. Options

Prior to the mandate being written, an options appraisal will have taken place. Summarise here the outcome of the Options considered and detail the rationale on why they were disregarded. (see options appraisal guide for further information)

Options	Reason why Option was not progressed	Decision Maker
To provide the advice without employing a further legal officer.	There is little capacity within the current team to undertake the additional work but until the level of instructions from Melin and other public bodies becomes known, no decision on employing an additional legal officer will be taken.	Robert Tranter

4. Consultation

Have you undertaken any initial consultation on the idea(s)?		
Name	Organisation/ department	Date
Legal Services	MCC	September 2015

Has the specific budget mandate been consulted on?		
Function	Date	Details of any changes made?
Department Management Team		
Other Service Contributing to / impacted		
Senior leadership team		
Select Committee	22 nd October 2015	
Public or other stakeholders	Staff conference 28 th September 8 th October – 30 th November 2015	
Cabinet (sign off to proceed)		

Will any further consultation be needed?		
Name	Organisation/ department	Date
Legal Services	MCC	Autumn 2015

5. Actions to deliver the mandate

Describe the key activities that will be undertaken to deliver the mandates and the action holders. This includes any actions contributed to by other services. Give the timescales to complete the work. This must also factor in any business activities that will need to be done differently or cease in order to achieve the mandate.

Action	Officer/ Service responsible	Timescale
Meeting Melin Homes to understand level and type of service required.	Robert Tranter	Autumn 2015
Scope potential demand for legal services from other public bodies.	Robert Tranter	31st January 2016

Appoint further legal officer if required following completion of scoping exercise.	Robert Tranter	31 st March 2016

6. Additional resource/ business needs

Describe any additional finance, resource and capability needed in order to carry out the proposed mandate successfully. For example new funding, expertise e.g. marketing and knowledge etc..

Any additional investment required	Where will the investment come from	Any other resource/ business need (non-financial)
To appoint a legal officer if required.	Fee income	

7. Measuring performance on the mandate

How do you intend to measure the impact of the mandate? This could include: speed of service; quality of service; customer satisfaction; unit cost; overall cost. For advice on developing performance measures you can contact Policy and Performance Team, for advice on unit costs speak with your directorate accountant.

Focus- Budget / Process / Staff / Customer	Indicator	Actual 2016/17	Actual 2017/18	Actual 2018/19	Actual 2019/20	Target 2016/17	Target 2017/18	Target 2018/19	Target 2019/20
Melin	Level of instructions and fee income	£25,000							

8. Key Risks and Issues

Are there any potential barriers and risks that will need to be managed in delivering the mandate, including any negative impacts identified in section 1 that need to be accounted for. Also, set out the steps that will be taken to mitigate these. The risks should be scored in accordance with the [council's policy](#).

Barrier or Risk	Strategic/ Operational	Reason why identified (evidence)	Risk Assessment			Mitigating Actions	Post mitigation risk level
			Likelihood	Impact	Overall Level		
Level of income the Melin instructions will generate.	Operational	Scoping exercise not completed to date	Medium	High	High		
The income from Melin may not cover the cost of employing another legal officer.	Operational		Low	High	Low		

9. Assumptions

Describe any assumptions made that underpin the justification for the option.

Assumption	Reason why assumption is being made (evidence)
Demand for Legal Services from Melin from 1 st April 2016 will generate net income of £25k.	Early discussions with Melin could lead to potential purchase of Legal Services from the Council.

10. Monitoring the budget mandate

The budget mandates must be monitored through directorate budget monitoring. This will lead into corporate budget monitoring. In addition the action plan, performance measures and the risk assessment must be transferred into the service plans for the business area in order to monitor and challenge the delivery of the budget mandate, including the savings being achieved and the level of impact.

11. Evaluation

It is important to evaluate the impact of the mandate once it has been fully delivered to know whether it has successfully achieved what it set out to do and to ensure that findings can be used to inform future work.

Planned Evaluation Date	Who will complete the evaluation?
Once implemented	Tracey Harry

DRAFT








<p>Name of the Officer completing the evaluation Robert Tranter</p> <p>Phone no: 01633 644064 E-mail:</p>	<p>Please give a brief description of the aims of the proposal</p> <p>Mandate B07 – Legal Services</p> <p>Generate additional fee income from other public bodies to reduce the net cost of legal services to the council.</p>
<p>Name of Service Legal Services & Land Charges</p>	<p>Date Future Generations Evaluation form completed</p> <p>September 2015</p>

1. Does your proposal deliver any of the well-being goals below? Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.

Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p>A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>To make use of existing in-house skills to generate extra fee income. Provide more effective service to other public bodies.</p>	<p>If existing capacity is insufficient for the level of potential new instructions from other public bodies then an increase in workforce may be required subject to business case.</p>
<p>A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)</p>	<p>neutral</p>	

Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	Capacity within the team to undertake the additional work will need to be considered.	Consideration of the employment of an extra resources i.e legal officer or admin.
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	Encourage public bodies to work more closely together to provide services in a more effective way.	
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	The proposal should benefit social, economic & environmental well-being.	
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	The proposal has no negative impacts in these areas.	
A more equal Wales People can fulfil their potential no matter what their background or circumstances	Neutral	See the table below.

2. How has your proposal embedded and prioritised the sustainable governance principles in its development?

Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
 <p>Long-term Balancing short term need with long term and planning for the future</p>	<p>Current financial climate within current financial sector requires us to look to maximise resources and offer cost effective services within the council. In addition the mandate aims to offer the same cost effective services to other public bodies where demand exists.</p>	<p>To maximize the use of resources.</p>
 <p>Collaboration Working together with other partners to deliver objectives</p>	<p>By working with a fellow public sector organization to offer cost effective legal services.</p>	
 <p>Involvement Involving those with an interest and seeking their views</p>	<p>We have identified our stakeholders within the recommendation being other public bodies as well as the legal team within Monmouthshire. These stakeholders will have us scope out the opportunities and shape the proposal further in line with skill knowledge and experience the demand of potential customer.</p>	<p>We will continue to consult and shape with all stakeholders.</p>
 <p>Prevention Putting resources into preventing problems occurring or getting worse</p>	<p>Ensuring the outcomes of the service review are acknowledged and that recommendations are delivered this will ensure the level of skills and resources are fit for purpose.</p>	<p>If the proposal is successful, the council will spend less resources on its Legal Service.</p>
 <p>Integration Positively impacting on people, economy and environment and trying to benefit all three</p>	<p>This proposal will particularly benefit people and economy by provider greater job security, wider cost effective legal service, opportunities for broadening legal expertise.</p>	<p>Preparation for the legal by delivering any skill gaps to the current team once the demand is identified. By delivering a competitive pricing structure and robust SLA.</p>

3. Are your proposals going to affect any people or groups of people with protected characteristics? Please explain the impact, the evidence you have used and any action you are taking below.

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	neutral	neutral	
Disability	neutral	neutral	
Gender reassignment	neutral	neutral	
Marriage or civil partnership	neutral	neutral	
Race	neutral	neutral	
Religion or Belief	neutral	neutral	
Sex	neutral	neutral	
Sexual Orientation	neutral	neutral	
Welsh Language	neutral	neutral	

4. Council has agreed the need to consider the impact its decisions has on important responsibilities of Corporate Parenting and safeguarding. Are your proposals going to affect either of these responsibilities? For more information please see the guidance <http://hub/corporatedocs/Democratic%20Services/Safeguarding%20Guidance.docx> and for more on Monmouthshire's Corporate Parenting Strategy see <http://hub/corporatedocs/SitePages/Corporate%20Parenting%20Strategy.aspx>

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding			The proposal does not affect the council's wellbeing duty.
Corporate Parenting			None.

5. What evidence and data has informed the development of your proposal?

Melin has expressed a wish to obtain legal advice from the council on planning agreements. This is the initial idea and further scoping work is required to measure demand on offering our legal services to other public bodies.

6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?

(+) Opportunities to make the council more sustainable buy offering our current service in a more cost effective way to other public bodies. Provide opportunities for longer term career development for the current legal service team members.

(-) The risk is that if early demand become greater than current resource capacity then this could impact on council own legal services requirement.

7. Actions. As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable.

What are you going to do	When are you going to do it?	Who is responsible	Progress
Consult with the relevant legal team to gain views, ideas and scope project.	Autumn	Robert Tranter	
Finalise the legal services review as this will feed into the mandate and will inform the current resource levels and skill set.	By service review deadline	Rob Tranter	
Meet Melin to agree the level of expected instructions.	Autumn	Robert Tranter	
Explore all potential demand from other public bodies	By end of January 2016	Robert Tranter	

8. Monitoring: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.

The impacts of this proposal will be evaluated on:	On going in line with SIP and council monitory and budget reporting.
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