

Classification: Public

Key Decision: No

Gravesham Borough Council

Report to: Cabinet

Date: 09 September 2019

Reporting officer: Melanie Norris, Director (Communities) and Jan Guyler, Head of Legal Shared Service

Subject: Annual Review of the Legal Shared Service

Purpose and summary of report:

To provide Members of the Cabinet with a copy of the annual review that has been conducted in respect of the Legal Shared Service with Medway Council.

Recommendations:

1. None - this paper is for information purposes only

1. Introduction

- 1.1 Since April 2017, the council has had in place a shared service with Medway Council for the delivery of the Legal services function. This involved the transfer of all Gravesham Borough Council (GBC) staff who were employed within Legal Services at GBC to Medway Council.
- 1.2 As per the council's *Working in Partnership Framework* (which was adopted by Council on 16 April 2019), a formal review of the shared service is to be undertaken on an annual basis.

2. Annual Review

- 2.1 The annual review of the Legal Shared Service arrangement was undertaken in July 2019 and reported to the Gravesham Borough Council Management Team accordingly.
- 2.2 A copy of the final review document is attached at appendix two for Member perusal.

3. Background Papers

3.1 Background papers pertaining to this report are as follows:

- “*Development of a Legal Shared Service*” – report to Cabinet – 09 January 2017

Anyone wishing to inspect background papers should, in the first place, be directed to Committee & Electoral Services who will make the necessary arrangements.

IMPLICATIONS	APPENDIX 1
Legal	<p>The shared service arrangement was established with due regard to the following legislation:</p> <ol style="list-style-type: none"> 1) Section 113 of the Local Government Act 1972, which allows a local authority to place any of its officers, who consent to the arrangement, at the disposal of another local authority on such terms as may be agreed between the parties, and 2) Section 101(1) of the Local Government Act 1972 and the Local Authority (Arrangement for the Discharge of Functions) (England) Regulations 2012, which enables a local authority to delegate certain functions to another local authority.
Finance and Value for Money	<p>In respect of the 2018-19 financial year, the payment to Medway Council for the provision of Legal Services was £407,710, which is an increase in the sum paid in the previous financial year (£348,357 in 2017-18). This is due to an agreed arrangement that, following the new GDPR requirements, GBC pay for the new Senior Information Governance Officer post in full, on the understanding the whole GDPR team are available to GBC.</p>
Risk Assessment	<p>The risks associated with this arrangement are considered to be 'low' at this time. The annual review and the annual performance reports has shown that the service is meeting and in some cases, exceeding its objectives.</p>
Data Protection Impact Assessment	<p><i>A data protection impact assessment (DPIA) should be carried out at the start of any major project involving the use of personal data or if you are making a significant change to an existing process.</i></p> <ol style="list-style-type: none"> a. Does the project/change being recommended through this paper involve the processing of personal data or special category data or criminal offence data? N/A b. If yes to question a, have you completed and attached a DPIA including Data Protection Officer advice? N/A c. If no to question b, please seek advice from your nominated DPIA assessor or the Information Governance Team at gdpr@medway.gov.uk. N/A
Equality Impact Assessment	<ol style="list-style-type: none"> a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community? If yes, please explain answer. No

IMPLICATIONS	APPENDIX 1
	<p>b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality? If yes, please explain answer.</p> <p>No</p> <p><i>In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above</i></p>
Corporate Plan	<p>The delivery of a shared service contributes to Objective 4 - "A sound and self-sufficient council" through delivery of the following commitment:</p> <ul style="list-style-type: none"> - Deliver on opportunities for the sharing and selling of council services
Crime and Disorder	<p>There are no specific crime and disorder implications resulting from this report.</p>
Digital and website implications	<p>There are no digital or website implications resulting from this report.</p>
Safeguarding children and vulnerable adults	<p>There are no safeguarding children and vulnerable adults implications resulting from this report.</p>