



# **Review of the Legal Shared Service (including Information Governance)**

**(Shared service Commenced: April 2017)**

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In line with all shared service/shared working arrangements, it is necessary to undertake an annual review of the arrangement. The purpose of the review is two-fold; to ensure that the shared service is delivering against its agreed objectives and to identify any improvements/changes that need to be made to ensure the successful continuation of the arrangement.

The objectives identified for the Legal Shared Service, including Information Governance, are as follows:

- Efficiency savings. Realising actual financial savings across the two sites but maintaining delivery of the service.
- Added resilience across the two authorities. There will be a larger pool of officers covering both authorities providing additional resilience to cover sickness absence/vacancies or increased workload should this be required
- Availability of specialist skills across both authorities leading to increased efficiency; potential for a reduced requirement for external support from contractors etc.
- Sharing of best practice in the delivery of Legal Services and Information Governance Services
- Expansion of knowledge base of individual officers

Key areas of focus for the 2018-19 financial year in relation to the Legal Shared Services were identified as follows:

- Continue to review processes for a range of matters at both local authorities, adopt best practice from each and mirror the processes at both local authorities where practical.
- Review the KPI's being collated

The Legal Shared Service has had a second successful year. The Audit into the service in July 2018 scored the Service as 'Strong' and identified only one recommendation – to adopt a suite of KPIs to enable easier monitoring. A suite of KPI's has been agreed with GBC Directors and is provided by the Head of Legal once a month within a Management Information Report also containing the numbers and types of cases being referred to the Legal Shared Service and a summary of significant cases that have been handled by the team and their outcomes. This MI Report is evidencing the continued strong performance of the service with all targets being met or exceeded.

The service has undergone a significant period of change in the latter half of the year with a full restructure taking place and the new structure being implemented on the 1<sup>st</sup> June 2019. The restructure was in part triggered by the need to future proof the service and provide additional resilience in the property sphere to take account of the increasing level of high value high profile property work which both authorities are taking forward as part of their ambitious regeneration plans.

The achievements of the team in the first year have continued through this year in all areas with successes continuing in all levels of litigation at the courts and delivering on the requirements of the Council's property team. This is all the more impressive taken against the background of significant change highlighted above and it is to the credit of the team that they have continued to deliver exceptional service despite the upheaval.

The team has been able to keep the majority of matters in house save for the complex regeneration projects.

The team have undertaken a review of processes for a range of matters with a view to adopting best practice and mirror the processes at both councils however, on a practical basis there were limited opportunities to make changes due to the different processes in place with other back office teams as the two councils work very differently.

The role of the Shared Information Governance team is to support both Councils in being compliant with GDPR and related Data Protection legislation, and support both Councils in progressing Freedom of Information and Subject Access requests, etc, including monitoring the performance of both councils in responding within statutory timescales.

A great deal of work has been undertaken by the IG team in relation to compliance with GDPR including supporting teams by attending their GDPR implementation working groups as the bulk of the compliance work needs to be undertaken by individual teams, with support from IG and there are varying degrees of progress across the council.

There have been some staff shortages in the IG Team which has had some impact on the service however there are experienced locums in place while permanent recruitment takes place.

An Audit in May 2019 recommended that: "An arrangement should be put in place to ensure engagement takes place between working group lead officers and IGG, with Wider Management Team receiving progress updates on GDPR compliance and once implementation has progressed sufficiently, a compliance framework should be put in place."

The IG Team have also made good progress in assessing both council's compliance with the FOI Publication Scheme and the Transparency Code which require councils to publish certain types of data. The IG Team have prepared the Data Protection Policy and Anonymisation and Pseudonymisation Policy which have been adopted and they are in the process of preparing further policies.

## Review Findings

### How is the shared service operating?

1. Has the shared service delivered on the objectives that are set out on page two of the review document?

Yes

No

In part

Savings were realised at the outset and further savings made of £77,682 at the end of the first financial year due to the service being underspent with GBC's 43% of the savings being £33,403.26.

The Shared Service (Legal & IG) was underspent by £5,189 at the end of the second financial year with GBC's 43% of the savings being £2,231.27. The reduced underspend was due to less savings than the previous year on salaries/locums to ensure the team maintained capacity to progress matters rather than instruct external solicitors.

Staff have increased their knowledge and experience by taking on new matters. All 3 trainee solicitors have qualified or are about to qualify as solicitors and been offered permanent solicitor posts, one of the trainees was a GBC paralegal who TUPE transferred to Medway at the outset of the shared service.

A restructure took place in the Legal Shared Service in April /May 2019 to enable the team to upskill and create two additional solicitor posts to ensure we had the appropriately qualified staff to deal with the work streams coming through and further reduce the need to outsource work.

The IG Team has made good progress in supporting both councils becoming GDPR compliant, improving response times to FOIs/SARs and introducing a suite of policies.

2. Have there been any other, unforeseen benefits, as a result of the shared service?

Yes

No

The Shared Service has enabled the lawyers to gain further knowledge and expertise on some complex property matters, in particular the St George's project which could further reduce the need to outsource work.

Similarly the IG team have been able to gain further knowledge and expertise relating to ICO queries and GDPR.

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## Review of the Legal Shared Service

July 2019

3. Have there been any unforeseen issues or problems resulting from the shared service?

Yes

No

The Head of Legal attends GBC's Management Team meeting on a weekly basis at which any issues arising have been raised and quickly resolved.

4. What has been the financial impact of the shared service on both authorities?

Both authorities were able to realise the savings anticipated at the outset of the shared service.

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5. Feedback from officers involved in the shared service:

This was raised at a recent team meeting. Perhaps unsurprisingly as the shared service is now over 2 years old feedback was minimal.

The main comment that was received was that the service is underutilised in some areas, particularly contracts and procurement. We have in the last couple of months begun to see more work in this area (following Stuart Bobby raising this issue with clients because of the requirements to comply with GDPR) but there are still fewer instructions in this area than in others.

Other than that there is still frustration at our inability to streamline processes at Medway particularly when the response to why something can't be changed is that it has always been done that way.

## Moving forward with the shared service

6. Based on the review that has been undertaken will the shared service continue to operate?

Yes

No

Both shared services have brought savings and resilience for both authorities, for example the councils share a Data Protection Officer, a statutory role, which has enabled the DPO to develop their expertise in this area and share experiences from both authorities.

7. If the shared service is to continue to operate, what are the key areas of focus for the coming year for both authorities?

Legal Shared Service – Review the KPI's being collated and continue to allow members of the team to expand their knowledge and experience to further increase resilience.

Info Governance – meet the recommendations in the recent Audit and continue to support GBC and Medway teams Directorate by Directorate to complete the GDPR project plan.

## Summary of recommendations

1.	IG to provide targeted support to teams to complete the GDPR Project Plan.
2.	Revisit the Management Information Report to enable GBC to measure whether they are getting value for money for their financial contribution to the shared service.