

# Legal and Regulatory Support (2020-2023)

## **The principal purpose of the Service is to:**

Legal and Regulatory Support administers the governance arrangements of the Council and Community Planning Partnership. This includes the governance of Council Committees, Community Councils, the Children's Panel and supporting Elected Members and delivering all elections. Prevention and welfare duties are delivered through the Civil Contingencies function with health and safety, trading standards and welfare rights. The Service delivers a range of legal services that include litigation, conveyancing, licensing and our compliance duties such as Freedom of Information, Data Protection and complaints. Procurement and Contract management services are provided to both internal and external bodies including responsibility for the monitoring of the schools Non Profit Distributing Organisation (NPDO) contract and the schools Hub - Design, Build, Finance and Maintain (DBFM) contract.

The Service employs 99 FTE

## **The Service faces the following significant challenges:**

Organising and running of Elections, Referendums and activity arising from matters of constitutional reform and election law. These may sometimes be unscheduled.

New governance processes to support the outcome of the National and Local Governance Review and Council priorities such as more integrated working arrangements with the Health & Social Care Partnership (HSCP) or the development and implementation of Rural Growth Deal.

Manage the increased service demands required to implement the Community Empowerment Act 2016 and Islands (Scotland) Act 2018, alongside the review of electoral arrangements by the Local Government Boundary Commission.

Manage the additional service demands to renew approximately 500 licences held by individuals as part of the Permanence and Care Excellence (PACE) programme.

Comply with the timescales detailed in the General Data Protection Register (GDPR) and Records Management development plans in light of reduced resources.

Manage the improvement of contract management by council services, support local businesses to supply our goods and services, increase use of electronic ordering and improve demand management.

Continue to identify and retain procurement savings from Council services in particular by working with Financial Services.

Implement Brexit and forthcoming Scottish legislation including the Planning (Scotland) Bill and the Prescription (Scotland) Bill.

Continue to deliver a responsive and appropriate service to our customers with reducing resources and an uncertain environment.

Continue to provide quality leadership support and valued services to Members with reducing budget and resource.

Prioritise our statutory Trading Standards duties in line with available resources.

## **The difference the Service makes:**

The Service contributes to the following Business Outcomes:

BO102	LRS102	We provide support, prevention and opportunities to help people make better lifestyle choices
BO104	LRS104	Our communities are protected and supported
BO110	LRS110	We support businesses, employment and development opportunities
BO111	LRS111	We influence and engage with businesses and policy makers
BO113	LRS113	Our infrastructure is safe and fit for the future
BO115	LRS115	We are efficient and cost effective
BO116	LRS116	We engage and work with our customers, staff and partners

# Legal and Regulatory Support (2020-2023): Success Measures

	SM Code	Success measures	Target	Timescale	Benchmark
BO102	<b>We provide support, prevention and opportunities to help people make better lifestyle choices</b>				
	LRS102_01	Advice and assistance from Welfare Rights is provided to Clients to ensure they maximise their income.	£2.5m per year is distributed to clients	Quarterly	Internal benchmark: £2.3m
	It is important that the correct amount of welfare rights are being claimed for every Client.				

	SM Code	Success measures	Target	Timescale	Benchmark
<b>BO104</b>	<b>Our communities are protected and supported</b>				
	LRS104_01	Maintain the percentage of Anti-social behaviour cases that are resolved within 13 weeks.	80%	Quarterly	2019/20: TBC 2018/19: 100% 2017/18: 100%
	Identifies if cases are being dealt with promptly and monitors our compliance against Scottish Government targets.				
	LRS104_02	Undertake visits to all premises identified as high risk on the Trading Standards database.	100%	Quarterly	Previous year performance: TBC
	Monitoring high risk premises reduces the risk of incidents to the public and the Council.				
	LRS104_03	Resolve trading standards criminal complaints within 14 days from receipt.	80%	Quarterly	2019/20: TBC
	A good service helps keep the public safe and protected.				

	SM Code	Success measures	Target	Timescale	Benchmark
<b>BO110</b>	<b>We support businesses, employment and development opportunities</b>				
	LRS110_01	The percentage of taxi licences and civic government licences with either objections or representation are presented to Committee within 50 working days of receipt.	95%	Quarterly	2018/19: 39% 2017/18: 71%
	A good service helps to support businesses and the local economy.				
	LRS110_02	The percentage of competent Personal liquor licence applications with no objections that are determined within 32 working days of receipt.	95%	Quarterly	2018/19: 96.8% 2017/18: 95.6%
	A good service helps to support businesses and the local economy.				
	LRS110_03	The percentage of extended hours liquor licence applications that are determined within 32 working days of receipt.	100%	Quarterly	2018/19: 100% 2017/18: 100%
	A good service helps to support businesses and the local economy.				
	LRS110_04	The percentage of occasional liquor licence applications that are determined within 32 working days of receipt.	100%	Quarterly	2018/19: 100% 2017/18: 100%
	A good service helps to support businesses and the local economy.				
	LRS110_05	The percentage of Civic Government Licence Applications with no objections or representations that are determined within 32 working days (except Taxi licences)of receipt.	100%	Quarterly	2019/20: TBC 2018/19: 100% 2017/18: 97.6%
	A good service helps to support businesses and the local economy.				
	LRS110_06	All property transactions - including conveyancing, leases, securities and discharges are completed by the agreed date.	100%	Quarterly	2019/20: TBC 2018/19: 100% 2017/18: 100%
	A good service helps to support businesses and the local economy.				

SM Code	Success measures	Target	Timescale	Benchmark
LRS110_07	All Section 75 Planning agreements are registered within 4 months from receipt of titles (after any agreed extension of time).	100%	Quarterly	2019/20: TBC 2018/19: 100% 2017/18: 100%
A good service helps to support businesses and the local economy.				
LRS110_08	Improve our annual score in the new Procurement Commercial Improvement Programme Assessment.	80%	FQ2 2020/21 (next assessment)	2019: 79%
Improving our procurement processes will support businesses and the local economy.				
LRS110_09	Maintain the percentage of all Council spend that is either under a contract or a Service Level Agreement (SLA).	90%	Quarterly	2018/19 average contracted spend: 90.7%
Public Sector bodies should have a contract in place for the majority of their spend. This provides effective spend management and illustrates value for money.				
LRS110_10	Maintain the percentage of local suppliers that benefit from the awards of contracts via the procurement portal.	35%	Annually	2018/19: 34.1%
This demonstrates the proportion of local businesses that benefit from contract awards thus supporting and growing the local economy.				
LRS110_11	Increase the number of community benefits that are delivered through the contracts we award locally.	35% of all contracts >£100K for services >£500K for works	Quarterly	No benchmark, new method of measuring
This demonstrates that community benefits are being delivered.				
LRS110_12	Maintain the percentage of all Small Medium Enterprises (SMEs) that win Council contracts.	76%	Quarterly	2019/20: TBC 2018/19: 76.9%
This illustrates the level of support given to Small or Medium Enterprises. This is also reported to the Scottish Government.				

	SM Code	Success measures	Target	Timescale	Benchmark
<b>BO111</b>	<b>We influence and engage with businesses and policy makers</b>				
	LRS111_01	Resolve trading standards requests received from businesses within 14 days from receipt of enquiry.	88%	Quarterly	National target: 88%
We assist businesses to comply with legal requirements and can monitor the efficiency of our Trading Standards Team.					

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	SM Code	Success measures	Target	Timescale	Benchmark
<b>BO113</b>	<b>Our infrastructure is safe and fit for the future</b>				
	LRS113_01	<p>The Schools Non Profit Distribution Organisation (NPDO) and Hub-Design, Build, Finance and Maintain (DBFM) contracts are actively managed.</p> <p>All payments are processed within 20 working days for the NPDO and Hub-DBFM school contracts.</p>	100%	Quarterly	No benchmark, new measure
	This monitors contract compliance whilst ensuring the required service levels are achieved.				
	LRS113_02	<p>The Schools Non Profit Distribution Organisation (NPDO) and Hub-Design, Build, Finance and Maintain (DBFM) contracts are actively managed.</p> <p>Hold regular liaison meetings for all contract stakeholders involved in the NPDO &amp; Hub-DBFM.</p>	On track	Quarterly	No benchmark, new measure
	This monitors contract compliance whilst ensuring the required service levels are achieved.				



	SM Code	Success measures	Target	Timescale	Benchmark
<b>BO115</b>	<b>We are efficient and cost effective</b>				
	LRS115_01	The percentage of draft minutes published and action mandates for Strategic Committees that are issued within one week.	100%	Quarterly	2019/20: TBC 2018/19: 100% 2017/18: 100%
	This illustrates that Council matters are dealt with timeously.				
	LRS115_02	Continue to meet the electoral performance standards as set by the Electoral Commission.	100%	Annually	2019/20: TBC 2018/19: 100%
	This illustrates that we meet and comply with the set standards.				
	LRS115_03	All urgent legal advice is dealt with in 1 day.	100%	Quarterly	2019/20: TBC 2018/19: 100% 2017/18: 100%
	We recognise and prioritise all urgent matters timeously.				
	LRS115_04	Requests for non-urgent legal advice are dealt with within 20 working days (unless extended by agreement).	100%	Quarterly	2019/20: TBC 2018/19: 100% 2017/18: 100%
	We have efficient and appropriate processes in place.				
	LRS115_05	The percentage of Freedom of Information requests that are responded to within timescales.	95%	Quarterly	2019/20: TBC 2018/19: 89% 2017/18: 96%
	This illustrates our compliance to the statutory Freedom of Information requirement.				
	LRS115_06	The percentage of subject access requests that are responded to within the Data Protection Act timescales.	100%	Quarterly	2019/20: TBC 2018/19: 75% 2017/18: 75%
	This illustrates our compliance to the statutory Data Protection Act requirement.				

SM Code	Success measures	Target	Timescale	Benchmark
LRS115_07	The percentage of complaints that are resolved at Stage 1 (within 5 working days).	75%	Quarterly	2019/20: TBC 2017/18: 68% 2018/19: 75%

This illustrates our compliance to the timescale requirement.

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	SM Code	Success measures	Target	Timescale	Benchmark
<b>BO116</b>	<b>We engage and work with our customers, staff and partners</b>				
	LRS116_01	The percentage of Elected Members very satisfied or satisfied with Member Services support.	90%	FQ3 Annually	2019/20: TBC 2018/19: 95.6% 2017/18: 90%
	This informs other service elements including seminar programme, CPD and ongoing support services.				
	LRS116_02	The percentage of Community Councils that are satisfied with the support received from Governance Team.	85%	FQ4 Annually	2019/20: TBC 2018/19: 92.8% 2017/18: 75%
	The monitoring of satisfaction levels helps ensure that support levels are appropriate.				
	LRS116_03	If applicable an investigation by the Health and Safety team will begin within 1 working day of being advised of an incident.	100%	Quarterly	2018/19: 100%
	This illustrates our compliance to the various statutory Health and Safety duties.				
	LRS116_04	All contractors have a health and safety competence assessment within 10 working days.	100%	Quarterly	2019/20: TBC 2018/19: 100%
	This illustrates our compliance with the various statutory Health and Safety duties.				
	LRS116_05	Implement the Council wide suite of emergency and resilience plans for 2020/21.	On track	Quarterly	No benchmark, new measure from 2020/21
	The Council has a statutory requirement as a Category 1 Responder under the Civil Contingencies Act 2004 to ensure we prepare our communities and council services to respond to emergencies and resilience issues.				

# Legal and Regulatory Support (2020-2023): Service Improvements

SI Code	Improvement Action	Completion date	Source of improvement	Source detail
<b>BO102</b>	<b>We provide support, prevention and opportunities to help people make better lifestyle choices</b>			
LRS102_01i	Work with service partners to deliver the redesigned advice service to cope with demand from vulnerable and non-vulnerable clients.	FQ4 2020/21	Best value review	Internal monitoring and review.

SI Code	Improvement Action	Completion date	Source of improvement	Source detail
<b>BO110</b>	<b>We support businesses, employment and development opportunities</b>			
LRS110_01i	Improve the delivery of contract management on all high risk contracts.	FQ4 2020/21	Other	Action plan to improve Procurement Capability score.

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SI Code	Improvement Action	Completion date	Source of improvement	Source detail
<b>BO115</b>	<b>We are efficient and cost effective</b>			
LRS115_01i	Improve access to information with regards to the titles held for Council property to accord with Council UPRN and digitization to create quicker access to title information.	FQ4 2021/22	Other	Departmental Service Plan commitment to improve efficiency and customer service.
LRS115_02i	Implement automated election management system (formerly Halarose Election Management System) to streamline workflow processes and allow detailed reporting.	FQ4 2021/22	Customer Service Action Plan	Commitment detailed in Customer Service Action plan to support culture of continuous improvement.
LRS115_03i	Explore opportunities for wider access to the democratic processes through the web such as recording council meetings and councillor attendance data.	FQ4 2020/21	Other	Ongoing commitment to further improve accessibility.
LRS115_04i	Increase Elected Member Transactions through paperless processes e.g. improved iPad functionality, on-line surgeries and on-line expenses.	FQ4 2020/21	Customer Service Action Plan	Commitment to service improvement in Customer Service Action Plan.
LRS115_05i	Undertake a review of the Casebook case management system, in partnership with colleagues in Customer Services and ICT, to identify potential system and process improvements.	FQ4 2021/22	Other	Ongoing commitment to further improve accessibility.

SI Code	Improvement Action	Completion date	Source of improvement	Source detail
LRS115_06i	Support the Roads & Infrastructure Service to improve process and response times to Elected Members' enquiries through Casebook and in turn effectively support Elected Members to manage their constituency caseload.	FQ4 2020/21	Audit or inspection key recommendation	Outcome from Member Support Services Audit August 2018.

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SI Code	Improvement Action	Completion date	Source of improvement	Source detail
<b>BO116</b>	<b>We engage and work with our customers, staff and partners</b>			
LRS116_01i	Extend the Customer Service Excellence Award to include all aspects of the Legal and Regulatory Support service.	Annually	Customer Service Action Plan	This is a commitment detailed in the Governance and Law Customer Service Action Plan.
LRS116_02i	Develop the provision of governance and committee support to the Integrated Joint Board.	FQ4 2020/21	Other	New SLA agreement will be put in place to facilitate greater integration and strengthen governance arrangements.
LRS116_03i	Development of online presence to promote civic and ceremonial duties in partnership with the web team. (Note: this also supports BO112, Argyll and Bute is promoted to everyone).	FQ4 2020/21	Other	Ongoing commitment to further improve accessibility.
LRS116_04i	Review and redevelop the Elected Member Induction Programme ahead of the 2022 local government elections.	FQ4 2021/22	Other	Proactive approach to ensure relevant, up-to-date and comprehensive programme in place.