

ANGUS COUNCIL

ITEM No. 13

POLICY AND RESOURCES COMMITTEE - 4 DECEMBER 2001

BEST VALUE SERVICE REVIEW - LITIGATION

REPORT BY THE DIRECTOR OF LAW AND ADMINISTRATION

ABSTRACT

This Report outlines the findings of the Best Value Service Review on the litigation service. The Committee is asked to agree the contents of the Report and note the Service Improvement Plan. A copy of the Best Value Review Report has been placed in the Members' Lounge.

1. RECOMMENDATIONS

It is recommended that the Committee:-

- (i) approves the findings of the Best Value Service Review that the Litigation Service is operating at above an acceptable level; and
- (ii) approves the proposed Service Improvement Plan, as set out in the Appendix to the Report.

2. INTRODUCTION

The review of the litigation service within the Law and Administration Department was undertaken as part of the Council's planned approach to reviewing all services within the context of best value. In undertaking the review, the corporate model for service reviews was followed.

3. SCOPE OF THE REVIEW

The scope of the review covered the provision of legal representation services to the Council and its departments where they are involved in litigation in Court or analogous adversarial procedures, with the exception of those best dealt with by alternative means. Section 2.2 of the Review Report and Appendices 1 and 2 identify the main tasks involved.

4. SUMMARY OF REVIEW

The outcome of review concludes that the Department's litigation service operates at above an acceptable level. However, issues were identified where improvements could be made and these are contained in the Service Improvement Plan, which is attached as the Appendix to this Report.

5. FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

6. HUMAN RIGHTS IMPLICATIONS

There are no human rights implications arising as a direct result of this Report.

7. CONSULTATION

The Chief Executive, and the Director of Finance have been consulted in the preparation of this Report.

8. CONCLUSION

This Report concludes that the litigation service is operating at above an acceptable level. A number of recommendations for improvement have been identified within the Service Improvement Plan .

CATHERINE A COULL
Director of Law and Administration

NOTE: No background papers as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

SECTION 7

SERVICE IMPROVEMENT PLAN

<u>ACTION</u>	<u>RESPONSIBILITY OF</u>	<u>TIMESCALE</u>
<ul style="list-style-type: none"> ▪ Law and Administration staff be involved in the Finance Department's Best Value Review of the Sales Ledger as appropriate. 	Principal Solicitor	Start of review
<ul style="list-style-type: none"> ▪ The Sales Ledger Review Team be asked to:- <ol style="list-style-type: none"> i. consider the scope for increased standardisation of departments' approaches to debt recovery. ii. examine internal procedures to prevent debt actions arising (e.g. asking for payment of hall hire fees in advance.) iii. examine internal efficiency in regard to debt recovery and the establishment of repayment schedules. 	Payments/Income Manager	Start of review
<ul style="list-style-type: none"> ▪ Establish a system to monitor and report the success of the Law and Administration Department's debt recovery processes annually. 	Paralegal	First report May 2002 and annually thereafter
<ul style="list-style-type: none"> ▪ Examine the Logotech time recording system to determine whether improvements could be made to include case types under which time is recorded. 	Head of Legal Services	April 2002
<ul style="list-style-type: none"> ▪ Develop local performance indicators for the litigation service for inclusion in the department's Balanced Scorecard. 	Principal Solicitor	March 2002
<ul style="list-style-type: none"> ▪ Consult Elected Members further to identify where improvements could be made to the support and advice given to them by the litigation team. 	Director of Law and Administration	January 2002

<u>ACTION</u>	<u>RESPONSIBILITY OF</u>	<u>TIMESCALE</u>
<ul style="list-style-type: none"> Arrange training sessions for client departments to clarify the requirements of the litigation team. Support this with the production of guidance leaflets and a checklist of key requirements. 	Principal Solicitor + litigation team	June 2002
<ul style="list-style-type: none"> Take every opportunity to provide training on specialist areas of law for appropriate solicitors. 	Principal Solicitor	As required
<ul style="list-style-type: none"> Extend the current practice of disseminating information from the quarterly SOLAR update meetings. 	All solicitors	Immediately
<ul style="list-style-type: none"> Encourage earlier involvement by solicitors in high profile/high input cases e.g. Local Plan Inquiry, as workloads permit. 	Director of Law and Administration	As soon as practicable
<ul style="list-style-type: none"> Establish key triggers for debt and non-debt cases (dates or actions) at which clients will receive progress reports. 	Head of Legal Services	April 2002
<ul style="list-style-type: none"> Establish a system for clients, notifying them immediately that their request for action has been received and the solicitor to whom their case has been allocated. 	Principal Solicitor	Immediately
<ul style="list-style-type: none"> Consider establishing an informal "standing list" of external providers for particular types of legal work. Thereafter, encourage their use in appropriate cases. 	Head of Legal Services	August 2002