

ANGUS COUNCIL

RESOURCES & CENTRAL SERVICES COMMITTEE - 3 FEBRUARY 2005

LAW & ADMINISTRATION DEPARTMENT SERVICE PLAN
PROGRESS/PERFORMANCE

REPORT BY THE DIRECTOR OF LAW AND ADMINISTRATION

ABSTRACT

This report provides an overview of progress of significant targets contained within the service plan update.

1. RECOMMENDATION

It is recommended that the Resources and Central Services Committee:-

- (a) note the progress which is being made to implement the actions in the service plan, with specific attention to significant points of progress; and
- (b) instruct the Director of Law & Administration to submit the service plan update 2005-06 to the May/June meeting of the Resources and Central Services Committee.

2. BACKGROUND

In 2003 the Council moved to a system of four-year service planning to link with the Council's Corporate Plan and coincide with the lifetime of the Council. This committee approved the Law & Administration Service Plan in December 2003 and an update to that plan was approved in September 2004 (Article 3 of the Resources & Central Services Committee of 9 September 2004 refers).

It is important that elected members are aware of the extent to which this department is implementing the agreed plans. This report focuses on areas of significant progress of specific actions. Where no mention is made of actions, it can be assumed that progress is as planned.

3. SIGNIFICANT POINTS OF PROGRESS

The department continues to provide support for major council projects and actions in the service plan are largely progressing on target with no significant slippage noted. The following represents a report on the progress of significant actions identified in the service plan update.

CUSTOMER CONSULTATION

This department has carried out an annual Customer Consultation Survey since 2001 and has gained valuable information about how others perceive the service that they receive from the department. In 2004, it was decided to simplify the survey which proved popular with respondents.

The results show that 90% of our customers are satisfied with the service provided by the department and the continued commitment from our staff to provide a high quality service.

FREEDOM OF INFORMATION

The Freedom of Information (Scotland) Act 2002 placed a heavy burden on the Council to be ready for the implementation of the legislation on 1 January 2005. Considerable legal work was required to be undertaken to ensure that policies and procedures were in place and

considerable training undertaken with elected members, chief officers and staff to make them aware of their responsibilities under the Act. The following is a summary of the main actions undertaken by the department to achieve targets identified within the service plan update: -

- Work began in 2003 with the establishment of a Freedom of Information Working Group comprising of representatives from every department.
- Departmental Information Officers were appointed in each department and trained in the interpretation of the Act.
- The Publication Scheme was drafted and submitted to the Freedom of Information Commissioner by 28 February 2004. The final scheme is now available on the Council's website and hard copy on request.
- Access to Information Policy & Procedures prepared and approved by Council.
- Training needs for employees and elected members identified. To date all chief officers and most elected members along, with 785 staff have attended training sessions. Further training is to be undertaken and where necessary Departmental Information Officers will cascade information to staff.
- Guidance developed for members of staff which is now available on the Council intranet site. It is intended that every member of staff will receive hard copies of this guidance in due course.
- Procedures for monitoring requests for information developed.

The department will continue to be heavily involved in the implementation of this legislation on a day-to-day basis.

RECORDS MANAGEMENT

In order to comply with its obligations in terms of the Freedom of Information (Scotland) Act 2002 it was essential that a strategy was developed to manage council records effectively. In this respect a Records Manager was appointed in August 2004 to develop and implement a Records Management Strategy to ensure that Council records would be readily available on request. This has now been prepared although it is recognised that a significant amount of work will be required across all departments of the Council to ensure its full implementation.

ABOLITION OF FEUDAL TENURE etc (SCOTLAND) ACT 2000 & TITLE CONDITIONS (SCOTLAND) ACT 2003

The legislation came into force on 28 November 2004 and abolished superiorities from that date. Prior to the implementation of the new legislation, Legal Services required to carry out an audit of all properties sold since 1996 and any other properties identified by members and officers. Following the audit, preservation notices were served for a number of properties.

The legislation has required all of Legal Services' templates for sales of land and Council House Sales to be amended to comply with the new legislation. This work was completed in full prior to 28 November 2004.

ELECTION ADMINISTRATION

The department continues to be actively involved in the administration of all elections and the European Elections were successfully undertaken in June 2004. Turnout on the day of poll was 31.91% and it was noted that the number of electors requesting postal votes increased by 50% to 2537. This increase in postal votes (projected figures for 2005 show that this number has increased to almost 5000), impacts significantly on the work of the Election Team and alternative options for the printing and issue of postal votes may have to be explored at future elections.

Preparations are now underway for a possible Westminster Parliamentary Election in May this year.

REGISTRATION OF BIRTHS, DEATHS & MARRIAGES

With the completion of the upgrading works in the Montrose Registration office in December 2004, all registration offices in Angus now provide modern accommodation with well appointed marriage room facilities, full disabled access and modern IT equipment and furniture.

This Nationality, Immigration and Asylum Act 2002 introduced a requirement for all successful applicants for British Citizenship to attend a citizenship ceremony. This requirement came into effect on 1 April 2004 and to date the Registrars have carried out 5 ceremonies with a total of 17 new citizens being welcomed to Angus.

In an effort to increase efficiency in the day-to-day registration of births, deaths and marriages and allow easier access to historical records, the Registrar General developed replacement computer systems Forward Electronic Register (FER) and Digital Imaging of the Genealogical Records of Scotland (DIGROS). After initial problems with the introduction of the system in February 2004, FER was successfully reintroduced in Jan 2005 with DIGROS now fully available to the public.

ACCESS LINE

It is noted that slippage has occurred in this area. However, ACCESS services are currently subject of a Best Value Service Review and it is hoped that once the outcome of the review is known that targets will be amended accordingly.

4. FINANCIAL IMPLICATIONS

The service plan 2003-07 and the service plan update 2005-05 were prepared in discussion with other departments of the council and many of the financial implications arising from specific targets were perceived to be achievable within existing resources, or had already been addressed in actual or projected revenue or capital budgets. Targets for action in future years have been noted and will be addressed through the budget preparation process at the appropriate time.

5. CONCLUSIONS

It must be noted that as a support department, our targets are in the main driven by client departments. However, the targets identified by the department in the service plan update are progressing well. Where we are aware that slippage is occurring, actions will be identified to ensure that the department continues to focus on major issues.

6. HUMAN RIGHTS

There are no human rights implications in connection with this Report.

7. CONSULTATION

The Chief Executive and the Director of Finance have been consulted in connection with this Report.

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.