

Date of issue: Thursday, 23rd March 2023

MEETING:	CABINET URGENCY PROCEDURE - LEADER'S ACTION Councillor Swindlehurst Leader - Council Recovery, Forward Strategy & Economic Development
DATE AND TIME:	FRIDAY, 31ST MARCH, 2023 AT 12.00 PM
VENUE:	VIRTUAL MEETING
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	NICHOLAS PONTONE 01753 875120

Decision to be taken under section 2.11 (Urgency procedure - Leader's Action) of Part 4.4 (Executive Procedure Rules) of the Council's Constitution, when an urgent decision needs to be taken in circumstances where to wait until the next scheduled meeting of the Executive would be prejudicial to the best interests of the Council:

<u>AGENDA</u> <u>ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
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2.	Extension of Contract for Shared Legal Service with Harrow Council	1 - 34	All

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Slough Borough Council

Report To:	Cabinet Urgency Procedure – Leader’s Action
Date:	31 st March 2023
Subject:	Extension of Contract for Shared Legal Service with Harrow Council
Lead Member:	Leader of the Council
Chief Officer:	Monitoring Officer
Contact Officer:	Stephen P Taylor
Ward(s):	All
Key Decision:	YES
Exempt:	No, except Appendix 2 which contains financial and business affairs of Harrow Council and is exempt by virtue of paragraph 3, Schedule 12A Local Government Act 1972.
Decision Subject To Call In:	Yes
Appendices:	Appendix 1 – Proposal by HB Public Law Appendix 2 – Confidential Appendix to Proposal.

1. Summary and Recommendations

- 1.1. This report recommends the extension of the provision of a shared legal service by Harrow Council under an Inter-Authority agreement until 31 March 2028 with provisions for giving six months’ notice on the contract not to be exercised in the first 12 months. The current agreement is dated 31 May 2018 and expires on 1 June 2023.

Recommendations:

Cabinet is recommended to:

- (i) Authorise the Monitoring Officer to extend the Inter-Authority agreement between Slough BC and Harrow Council for the provision of a shared legal service by HB Public Law until 31 March 2028 and on such terms and conditions as may be agreed in consultation with the Leader of the Council and the Executive Director of Finance and Commercial.

Reason: The continuation of the shared legal service will enable continuity of service provision whilst allowing the opportunity for market testing and/or consideration of in-sourcing the service to take place.

Commissioner Review

The Commissioner has reviewed this report and commented: *“Nothing to add to this. Well written report, very clear.”*

2. Report

Background

- 2.1. At its meeting on 19 March 2018, Cabinet agreed that [delivery of the Council's Legal Services](#) would be provided by HB Public Law (HBPL) for a period to be set out in an Inter-Authority agreement. HBPL is a shared legal service hosted by the London Borough of Harrow (Harrow Council) which at that time provided legal services to a number of public authorities including Harrow Council together with the London Boroughs of Barnet and Hounslow.
- 2.2. The reason for the agreement was that a number of challenges faced the internal legal service due to the relative size of the authority, including lack of critical mass, resilience and viability, together with difficulties in recruiting suitably qualified staff. This had led to substantial use of costly private sector law firms, and to HBPL supporting SBC on a call-off basis for the previous year. The aim of using HBPL was to have access to a legal service with the capacity and specialisms to be able to provide quality advice in a timely way, reduce overall costs and provide a resilient legal service.
- 2.3. Cabinet delegated to the Director for Finance and Resources, following consultation with the Cabinet Member for Transformation and Performance, to execute an Inter Authority Agreement with London Borough of Harrow. The agreement was signed on 31 May 2018 and expires on 1 June 2023.

Current Position

- 2.4. Four critical success factors were set by the Council at the outset which were to:
 - *Deliver savings, minimising the need to reduce front-line services to residents;*
 - *Improve efficiency, quality and capacity of the legal service;*
 - *Enhanced career opportunities for Slough BC's legal staff; and*
 - *Provide resilience to the service offering and improving customer experience/satisfaction.*
- 2.5. So far as customer experience/satisfaction is concerned, a recent survey has been carried out by the Monitoring Officer to assess this. In relation to a number of key indicators, the responses were as follows:
 - *'I am kept informed on progress' – 56.25% replied Strongly Agree or Agree (18.75% Strongly Agree), with 18.75% expressing no opinion and 18.76% disagreeing.*
 - *'Timeliness of correspondence' – 56.25% replied Excellent or Good (18.75% Excellent), with 31.25% reporting satisfactory timeliness and 6.25% stating this was below average.*
 - *'Quality of Advice' – 81.25% replied Excellent or Good (25% Excellent) and 18.75% rating this as satisfactory. There were no responses stating the quality was below average or poor.*

- *‘Overall Service’ – 62.5% replied Excellent or Good (25% Excellent), with 31.25% reporting this as satisfactory and 6.25% as below average.*

2.6. These service levels are acceptable but capable of improvement and it is fair to say that there were a number of compliments in relation to the work done by individuals in HBPL. Further details on results from this survey and an earlier survey are contained in Appendix 1, together with an action plan to address particular matters. Further, there does not appear to have been sufficient active contract management of the service in recent years which may have had an impact on client satisfaction levels. Nevertheless, the quality of advice received is high and represents a significant improvement on the legal service provided before the appointment of HBPL.

Proposal

- 2.7. Accordingly, a Proposal was sought from HBPL to continue the current service and extend the Inter-Authority agreement on improved terms. A Proposal has been received and is attached at Appendix 1. Commercially confidential details such as charging rates are attached at Appendix 2.
- 2.8. In essence, the proposal summarises the work done by HBPL under the Inter-Authority agreement and self-assesses against the critical success factors referred to in paragraph 2.4 above. Improved charging rates are offered as set out in Appendix 2, subject to a minimum of 12,000 guaranteed hours being provided and paid for. Comparison data of private sector charging rates, to demonstrate value for money, and projected costs are also included.

Financial Analysis

- 2.9. Legal costs in the period 2020/21 – 2022/23 including charges from HBPL and external firms are set out below:

	2019/20	2020/21	2021/22	2022/23
	£000	£000	£000	£000
HB Law	800	1,000	1,000	1,400
External Spend	800	600	300	100
Total	1,600	1,600	1,300	1,500

- 2.10. The cost of external legal work is an estimated amount as some spend may have been recorded to non-legal work, but this is not felt to represent a material amount.
- 2.11. HB Public Law are projected to charge the Council in the region of £1.4m in 2022/23 for an increased level of chargeable work. This is an increase from previous years but as the service has been more embedded less is being spent externally. Although spend is at a similar level significantly more legal advice has been required due to the increased number of property sales, procurement activity, Cabinet reports and governance. Since November 2020, when the Council's only directly employed lawyer left, HBPL has provided a lead lawyer to support CLT and member level meetings.

- 2.12. It is therefore concluded that the Council is taking a minimal risk in guaranteeing 12,000 hours work per annum in the contract as it is likely more work than this will be required. The minimal risk is worth the discount offered for the guarantee and hours would have to drop below 11,000 hours to cost more which would need a reduction in current activity of 25%.

Way Forward

- 2.13. Having regard to the reduction in the charging rates and the practicalities involved in not extending the current Inter-Authority arrangements, it is suggested that the current agreement be extended for a further five years but with an option for the council to terminate after 18 months on giving six months' notice of termination, in order to carry out market testing and explore alternative ways of providing the service in order to assure itself that it is carrying out its duty to provide best value.

Options considered

- 2.14. In view of the timescale, it is not realistic or practicable to simply let the Inter-Authority agreement lapse. To bring the service back in-house would entail recruitment of legal staff to carry out the legal work of this Council or to use external legal firms. It is understood that no HBPL staff would TUPE transfer as the work is shared out amongst the many lawyers employed by HBPL. For a new team to be in post by the end of May 2023 is not a feasible proposition. To achieve the establishment of a new legal team would take at least 12 months in order to establish case management systems, recruit staff and deal with work in progress.
- 2.15. Alternatively, consideration could be given to transferring the legal service to another local authority provider. HBPL is not the only provider of legal services to the Council. Reading BC provide a shared service for the Berkshire Authorities, including Slough, in relation to children's legal work so that may be an avenue worth exploring. There does not appear to be any appetite at present to establish a Berkshire-wide shared legal service, with previous arrangements between two of the Berkshire authorities being disbanded in recent years. There are other county wide services but not geographically convenient.
- 2.16. Finally, it would be possible to establish a panel of firms to carry out this Council's legal work under call-off arrangements, and there are such existing framework contracts elsewhere in place, but that would require a full procurement exercise to be undertaken preceded by market testing which, again would be more of a long-term exercise and would be likely to be significantly more expensive than the current arrangements. In any event, the Council is currently able to utilise HBPL's framework procured via the London Borough Legal Alliance, where it is necessary for external firms to be used on specific matters.

3. Implications of the Recommendation

Financial implications

- 3.1. It is projected that the Council will spend in the region of £1.4m with HBPL in 2022/23, based on a current projection of legal work, including disbursements which includes Counsel advice. If there are no guaranteed hours provided by the Council and the contract is only extended by one-year, charges will increase by an inflationary amount. This would mean an approximate total cost, if usage remained the same, of £1.5m in 2023/24.
- 3.2. If the Council guarantees 12,000 hours with various safeguards in place to ensure HBPL are only recovering staff costs incurred and puts in place a five year contract a discounted rate as set out in the confidential appendix will be provided, reducing this cost to around £1.3m based on current projected work. This arrangement is being offered on the basis that HBPL can plan its staffing resources more accurately than is possible without a guarantee.
- 3.3. All legal costs are recharged to the commissioning department and covered from within their overall budgets. Charges relating to property disposal are charged against the proceeds of sale and are not charged to the Council's revenue budget.

Legal implications

- 3.4. An Inter-Authority agreement is entered into under the provisions of section 101 of the Local Government Act 1972, and the Local Government (Arrangement for the Discharge of Functions) (England) Regulations 2000. These provisions permit the Council to delegate functions to another local authority. In this case, officers in HBPL will have delegated authority to:
 - (a) institute, defend and participate in any legal proceedings where action is necessary to give effect to decisions of the Council or where such action is necessary to protect the Council's interests.
 - (b) sign documents where they are necessary to any legal proceedings or procedure or to give effect to any resolution of the Council in any tribunal or court.
 - (c) sign any document necessary to give effect to any decision of the Council.
- 3.5. The Monitoring Officer also has delegated authority to undertake these functions and can authorise HBPL to affix the Council's seal to any document that requires sealing.
- 3.6. Such an agreement between two local authorities is not a procurement and so is not subject to a procurement process.

Risk management implications

- 3.7. The risk of not continuing the contract is referred to in the report. The risk of not meeting the guaranteed hours provision set out in the Proposal is also referred to in the contract.

Environmental implications

- 3.8. There no significant environmental implications.

Equality implications

- 3.9. HBPL has set out its career development opportunities in Appendix 1, which was one of the intended benefits of the arrangement. This includes career grading and career development from entry level support roles to senior management, an apprenticeship and trainee programme and a wellbeing programme. HBPL has a diverse workforce in terms of age, gender and ethnicity, which represents the diverse populations of the Boroughs it works for.

Procurement implications

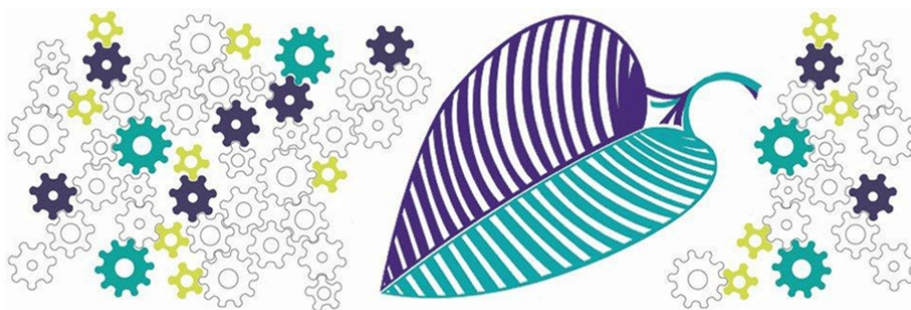
- 3.10. As stated in the report, an inter-authority agreement is not considered to be a procurement. The proposed break clause enables market testing or alternative suppliers to be considered in which case there may be procurement implications to be considered at that stage.

4. Background Papers

None

Proposal for the renewal of the IAA between HB Public Law and Slough Borough Council 2023– 2028

January 2023



Introduction

HB Public Law (HBPL) is the brand name of the shared local government legal practice serving the London Boroughs of Barnet, Harrow and Hounslow and Slough Borough Council (SBC). The practice is a local government legal practice and services are provided under a formal delegation of function.

SBC joined the shared legal practice in 2018 and the current agreement ends in June 2023.

The HBPL Vision

To be viewed as our clients' "In House Legal Team". We achieve this vision by being:

- High quality, low cost
- Highly client focused
- Collaborative
- Experts
- Politically aware
- Innovative in delivery

Our Staff

HB Public Law has 130 staff, including qualified solicitors and chartered legal executives, paralegals and practice management staff.

We have lawyers with a variety of backgrounds, including high street, regional and national private practice experience, central Government and other local government experience.

Our Services

As a large specialist public law practice, we provide the full range of local authority legal services, including:

- Contracts and Procurement
- Information Law
- Employment
- Governance
- Civil Litigation
- Housing
- Licensing

- Criminal Litigation
- Planning
- Property
- Adult social care
- Education
- Children's social care

In addition since November 2020 HBPL has provided a named lead lawyer who has been the SBC's Monitoring Officer and currently deputises for the Monitoring Officer two days a week, attends the Corporate Leadership Team weekly and advises and attends Cabinet.

SBC has used HBPL since 2017, although the level of use has changed over time. HBPL has also had control of SBC's seal and sealed all required legal documents since November 2020.

Feedback on HBPL

HBPL send end of matter surveys at the conclusion of the matter. Feedback from these surveys has been largely positive, although the percentage of returns is relatively low. The results are summarised below.

18/19

	Good	Satisfied	Unsatisfied	Poor	No Answer	Questions Answered	Satisfied or better
Overall Level of Performance	8	0	0	0	0	8	100%
Quality of advice/work	8	0	0	0	0	8	100%
Timeliness of responses & completion	7	1	0	0	0	8	100%

19/20

	Good	Satisfied	Unsatisfied	Poor	No Answer	Questions Answered	Satisfied or better
Overall Level of Performance	8	0	0	0	0	8	100%
Quality of advice/work	8	0	0	0	0	8	100%
Timeliness of responses & completion	8	0	0	0	0	8	100%

20/21

	Good	Satisfied	Unsatisfied	Poor	No Answer	Questions Answered	Satisfied or better
Overall Level of Performance	11	0	0	0	0	11	100%
Quality of advice/work	11	0	0	0	0	11	100%

Timeliness of responses & completion	11	0	0	0	0	11	100%
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21/22

	Good	Satisfied	Unsatisfied	Poor	No Answer	Questions Answered	Satisfied or better
Overall Level of Performance	5	0	0	0	0	5	100%
Quality of advice/work	5	0	0	0	0	5	100%
Timeliness of responses & completion	5	0	0	0	0	5	100%

We completed a major client survey in November 2019, with results fed back to each local authority in early 2020. We received 18 replies from SBC officers, including officers involved in regulatory enforcement, commissioning, leisure management, adult social care, children's services, human resources, housing services, regeneration and planning.

Officers particularly valued the availability of lawyers, the constructive challenge and scrutiny, responsiveness and willingness to discuss options, quality of advice, specialist knowledge, support when matters get more complex, supportive and engaging approach and ability to use a variety of methods to communicate.

Officers expressed concern about the high turnover of staff in some teams, clarity on timescales for responding, options for face to face meetings, difference of approach across team members, requests for instructions on an urgent basis, need for updated processes.

In relation to other services, officers asked for training on contentious points of law and case law, particularly around regulatory services, debt collection and RTB/Leasehold services, contract law updates, surgeries and lessons learned reviews.

Officers also gave general feedback, including that they miss the opportunity to have face to face interaction, that when concerns had been raised they had been quickly resolved by senior staff, need for lawyer to demonstrate wider understanding of the area, the meet the team workshop was beneficial and response deadlines need to be met.

The feedback from this survey is included in the Appendix under "Improve customer experience".

In December 2022 SBC conducted its own internal survey. It received responses from 17 officers from following departments:

Procurement, Transformation, Place, Transport, Economic development, ICT, Finance Social care, Public health, Adults commissioning, Environmental health, there were no responses from the property and housing directorate.

Qualitative comments included the following:

“Procurement advice valued and contributed to overall improvements, service provides resilience and always someone else to contact.”

“HBPL have responded admirably to some very short notice requests and less urgent requests still very well responded to.”

“Overall HBPL provides a reliable and valuable / necessary resource, and I am pleased to recommend their services.”

“Direct support provided by XX has been good. She is sharp, picks up nuances quickly and has been very helpful.”

“Advice is sound and well thought through.”

“At senior level the level of challenge and comments on key documents has been very good.”

“Service is excellent, dependent on key individuals.”

“HBPL understand Slough situation well and particularly value advice on how to write our papers/documents in a way which satisfies both the members and the commissioners.”

“When same person deals with same enquiry throughout a process then the service is very good.”

The following factors were found to be most valued by client officers (in order of priority):

Quality of Advice
Response times
Communication
Accessibility

The proposed action plan is set out in the Appendix under “Improve customer experience”.

Appendix A

Our achievements against SBC's objectives

HBPL undertook a functional capability assessment in February 2022 as part of SBC's wider assessment of its ability to deliver its functions. The results of this were incorporated into the wider Council assessment. The summary of HBPL's assessment was as follows:

“HB Public Law has been a local government shared legal service since 2012. The current structure enables the service to deliver high quality legal services to its current four local authority clients with a mixture of permanent and agency staff.

The practice has a relatively stable workforce at managerial levels, with senior lawyers with expertise of local authority governance. The practice runs a comprehensive induction and development programme to train lawyers and support lawyers to transition into local government.

The main risks, as with many other Council services, relate to recruitment and retention and ICT. The other risk to manage is the contract renewal date for SBC which is June 2023. HBPL's other local authority clients have recently renewed the arrangement, which gives some stability, but we are in discussion with Angela Wakefield, as HBPL's contract manager about decision-making in relation to renewal, as the practice would like a decision by June 2022 to enable it to plan for its future.”

In 2018 SBC resolved to delegate its legal function to HBPL for a 5 year term. In the cabinet report approving the arrangement the critical success factors were stated to be:

- Deliver savings, minimising the need to reduce front-line services to residents.
- Improve efficiency, quality and capacity of the legal service;
- Enhanced career opportunities for SBC's legal staff.
- Provide resilience to the service offering and improve customer experience/satisfaction.

The objectives of the arrangement were stated as:

- Have access to a legal service which has the capacity and specialisms to be able to provide quality advice in a timely way to clients in services across the Council;
- Reduce the overall cost of the legal support we use, both by outsourcing less to private sector firms and reducing overall demand;

- Reduce our dependency on and the pressure on our senior lawyers who provide excellent service but with little back-up when they are extremely busy or away;
- Benefit from legal practice management tools which ensure high levels of lawyer utilisation;
- Provide better career development opportunities for our lawyers;
- Preserve the best of our current in-house arrangements, specifically close, productive and flexible working between clients in our services and lawyers;
- Achieve as smooth a transition as soon as possible to the new arrangements with a view to commencing the same by 01/06/2018.

The following sections set out how HBPL has assessed itself against these broad objectives.

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1. Delivering savings and reducing overall cost of legal support

The rationale for the shared legal practice was to reduce reliance on outsourcing work to private practice firms. SBC has been unable to provide a definitive figure for its total legal spend, which makes measurement of this objective difficult.

The spend with HBPL is shown in the confidential appendix.

Our lawyers undertake the vast majority of legal work in-house, only utilising external firms and counsel where necessary due to capacity issues or where a specialist expert opinion or advocacy is required. There is an increase in the work being undertaken by HBPL to reflect the fact that there are tighter controls on use of external firms and the increase in property disposal work as part of SBC's improvement plans. We offer a managed legal service so if external lawyers are required, we will manage any instructions to ensure the right questions are asked and the advice is provided in an easy to digest format. We have supported SBC to manage its instructions on the SUR projects and also supported SBC with a dispute on costs with an external firm instructed by the previous directly employed Head of Legal.

The disbursements are shown in Table 2. The highest cost disbursements relate to counsel's fees. Due to the relatively low level of disbursements, the figures can be impacted by single cases, for example in 2018/19 over 40% of the total related to a single employment case.

Year	Budget	Actuals
2018/19	N/A	69,071 (shared service commenced part way through year)
2019/20	N/A	67,405
2020/21	N/A	74,939
2021/22	N/A	89,281
2022/23	N/A	84,719 (April to September)

Table 2 – Cost of disbursements 2018-2023

HBPL has also advised on alternative options for areas of high instruction where these are not necessarily adding value. This has included high numbers of animal welfare and non-school attendance prosecutions and instructions for dealing with statutory notices, when officers could manage the process themselves.

2. Improved efficiency, quality and capacity of legal support

Use of legal services at the most appropriate point should result in a reduction in legal challenges or costs in other services and an improvement in governance and decision-making. In the last year the legal service has provided the following support to SBC:

- (a) Re-writing elements of the constitution to improve governance and decision-making

- (b) Attending CLT and other internal officer boards
- (c) Advised on projects, including children's company transition and asset disposal project
- (d) Conducted politically sensitive litigation cases
- (e) Conducted lessons learned reviews
- (f) Attended and advised at member level committees, including cabinet
- (g) Led officer training on effective local government decision-making.
- (h) Re-writing the Contract Procedure Rules and follow up training sessions
- (i) Disposed of significant property assets

Working across multiple councils allows us to retain specialists where this might not be possible for a single authority including:

- Information law specialists
- Employment tribunal advocates
- Higher rights criminal litigation advocates
- Trained dispute resolution / mediation lawyers
- Regeneration and CPO specialists
- Commercial property specialists

HBPL is Lexcel accredited, which is a quality assurance standard for legal practices. The last assessment was in January 2022. The key findings were:

“Despite all the challenges of the pandemic, HB Public Law continues to maintain a robust commitment to all the policies and procedures of the Lexcel Standard. There has been a clear emphasis on ensuring the health and wellbeing of its staff, well beyond basis levels (see report for details) supported by excellent communication for staff working remotely and on-going supervision.

HBPL was able to have a fairly easy transition to working remotely, as it has worked digitally for a long time and has always supported flexible working. It has therefore been able to accommodate hybrid working where possible, as and when the situation allowed.

It has also continued its wellbeing programme which is now remote and this has been very well received by staff who have been able to access a range of remote programmes. Everyone continues to be set clear targets which ensures both staff and managers are able to track their performance.”

No non-compliances were identified, with 18 areas of good practice as follows:

- HBPL's business plan for 2021 to 2026 is comprehensive covering values and vision, a detailed SWOT analysis and sections on marketing, finances and options for the future. There are clear aims, with KPIs with associated resources for each team.
- The business continuity plan remains robust with detailed descriptions of testing and outcomes.
- HBPL's financial management remains robust and ensure it meets Lexcel criteria.
- HBPL places a strong emphasis on data protection and maintained policies and procedures to support this, including a detailed register of information assets.
- Last year the practice moved to a new case management system and people are adapting to this and have ongoing training and support.
- The register of information assets remains very detailed with a list of assets, format and location.
- Induction of staff remains comprehensive with excellent examples of this occurring in teams and with the support of buddies.
- Despite the challenges of remote working, staff felt well supported with regular communication and supervision.
- The department is looking at the principles of flexible working and future working patterns going forward.
- The health and well-being programme has been a long feature of HBPL's commitment to its staff and has continued remotely and is really welcomed by staff.
- On going learning and development remains very much in evidence and clearly encouraged, with a range of webinars and LBLA weekly newsletters of what is available. There were excellent examples of training being shared in teams.
- The file review process remains both regular and robust with a good overall analysis.
- The annual review of risk remains detailed through quality meetings and is very comprehensive and reviews and records all key areas of risk.
- The risk register also continues to be detailed and sets out risk levels, reported issues, status of individual risk areas and when they are closed out.
- Communications remains good within monthly team meetings, in person if possible or through teams. There is regular 1-1 monthly supervision and the addition of WhatsApp groups.
- Legal practice meetings take place through MS Teams and legal practice updates continue.

- Quality questionnaires continue to be sent to clients at the end of a matter and compliments/comments are logged. Clients continue to be very complimentary about the work of HBPL and there is a robust analysis summary to demonstrate this.

- File management continues to be robust and there is a new case management system to support this.

Suggestions for best practice are as follows:

- HBPL should consider a matrix approach in its business plan as to what resources are required and potential risks linked to stated objectives.

- HBPL should consider developing a “formal” remote working policy focusing on areas such as data protection, health and safety and supervision.

- Continue to ensure that new staff and trainees/paralegals feel they can contact their manager if they need to do so. It is also important that line managers encourage them to do so.

- Given the majority of staff are working remotely, ensure supervisors continue to monitor staff workloads.

HBPL is also regulated by the Solicitors Regulation Authority. The practice applies for practising certificates for all its qualified solicitors on an annual basis and discloses any regulatory issues. We have had no SRA complaints upheld against our staff and no regulatory issues to report in the previous practicing year.

3. Better career development opportunities for legal staff

One of the benefits of a larger legal practice is the opportunity it brings for staff to progress their career without moving to another employer. In addition we have the capacity to train legal staff and invest in succession planning. Key achievements under our workforce strategy are:

- (a) Career grading at legal assistant/paralegal and lawyer/senior lawyer level. This allows staff to progress their careers without waiting for vacancies or moving into management roles. We have an annual application process and this is linked to our annual appraisal process.
- (b) In-house bespoke management training programme.
- (c) Apprenticeship programme – we have taken on apprentices in legal roles, practice management and finance roles. We have recently supported 2 trainees under the Government's kickstart programme, one of whom secured a permanent role within the practice.
- (d) Train your own – staff have qualified as chartered legal executives and solicitors via our CILEX training and trainee solicitor programmes. We have 9 trainee solicitors across two practice years. Of the 5 in their second year, 4 have secured roles within the practice.
- (e) Bespoke in-house training programme, including essentials of local government training and tailored external training programme delivered by the London Borough Legal Alliance.
- (f) Wellbeing programme.

With the changes to qualification routes for solicitors and legal executives, we are working closely with law schools to develop a future programme to train legal staff.

Apprentice

"The atmosphere at HBPL is great. People are friendly, welcoming and will take the time to help you. It's a great mixture of being part of a team and getting your own jobs to do. You get responsibility and plenty of opportunity to learn. I'm really pleased about the route I've taken."

4. Improve customer experience

We encourage client feedback and have a number of ways of receiving this:

1. End of matter surveys
2. Complaints and compliments log
3. Client care surveys
4. Feedback from liaison meetings

Our last major client survey was undertaken in November 2019, with results fed back to each local authority in early 2020. We received 18 replies from SBC officers, including officers involved in regulatory enforcement, commissioning, leisure management, adult social care, children's services, human resources, housing services, regeneration and planning. The feedback is included in the main body of this report.

Action taken in response to survey feedback:

1. Training – HBPL supported SBC with training on procurement and contract management in response to its governance review.
2. Face to face meetings – due to the Covid 19 pandemic, we have not had the opportunity to attend Observatory House as much as we would have liked, however the Principal Lawyer is attending at least once a week and lawyers are attending physical member and officer meetings, including Trustee Committee, Planning Committee and Licensing Panels. The roll out of Microsoft Teams has provided an alternative to face to face meetings and has been widely used by legal staff and client officers.
3. Lessons learned – we have conducted lessons learned reviews in relation to High Court litigation, prosecutions and employment tribunals. These have flagged learning for HBPL and SBC officers. Our lessons learned report into contractual disputes formed the basis for a report to CLT and to lead members, as well as being included in the review of contract management by the Overview and Scrutiny Committee task and finish group.
4. High staff turnover – as with many other local government departments, we have recruitment and retention pressures, which we have addressed through our workforce strategy.
5. Liaison arrangements – we have put in place a lead lawyer arrangement, with the Principal Lawyer attending CLT and working closely with the new Monitoring Officer and executive directors. This has significantly improved the working relationship. Liaison arrangements are also in place for specific teams.

Feedback from training:

"Thank you for the informative session. This training was essential and useful and so was the discussion. It is very helpful to be able to ask advice and ensure we are on the right track."
Group Manager

End of matter survey responses are provided on a quarterly and annual basis. Feedback from these surveys and general feedback was that the level of performance, timeliness and quality was good. The specific feedback was:

- HBPL took over ownership of a long standing case and supported me in quickly achieving a resolution.
- Prompt response and close follow up actions.
- I am not aware of the costs that are associated with this piece of work so unable to comment.
- HBPL has been going above and beyond to help us complete the section 106 in line with yesterday's 5pm deadline set by PINS, and we would like to thank X and yourself for this.
- Dear X, I'm not sure that I ever got round to thanking you for your work on this case. As the court said during the case, it was perhaps the harshest and most draconian measure that the court can bestow on an individual. Whilst the Police and other colleagues' shied away from the case you set to it in a professional and workman like manner. With great clarity you directed me to the legal tests that needed to be met and with the evidence provided drew together a comprehensive and clear case. I felt on several occasions that I was out of my depth and valued our case discussions which ensured I knew how we were progressing and what I needed to do to address the weaknesses in the case which you identified. X has remained out of the Town Centre and it has set a clear line with other street drinkers that they do not cross. With grateful thanks.

- Excellent guidance and feedback from X regarding the case.

Comments from Quality Questionnaires – Slough Borough Council

2018/19

Area of law.	Please provide details below of anything that exceeded your expectations.	Please provide details below of anything that may have been below your expectations.
Licensing and Public Protection	The review of the Committee report was extremely thorough and precise.	
Licensing and Public Protection	The review of the report and appendices was extremely thorough and completed within the time deadline. Excellent work by AP as normal.	
Licensing and Public Protection	AP as always was very thorough and prompt with reviewing the report and supporting documents.	
Licensing and Public Protection	As always AP was extremely thorough and provided excellent advice and guidance.	
Criminal Litigation	Treating the case with the sense of urgency.	
Contracts	G has always been very responsive, and I have confidence in her advice.	

2019/20

Area of law.	Please provide details below of anything that exceeded your expectations.	Please provide details below of anything that may have been below your expectations.
Contracts	S was a pleasure to work with providing a responsive and clear service.	I am unable to review costs as I am yet to receive the invoice. Thanks Misha.
Prosecution	Excellent service.	
Education	S picked up the matter as soon as it was presented and turned it around promptly.	
Employment	This was a case requiring a swift preparation of a settlement agreement, which was turned around at speed. Good advice was provided by CC and the matter was resolved within a few days.	
Contracts	Responses were good and I felt I was able to build a relationship even through email. I felt that I was able to ask questions and all requests for information were clear.	
Employment	C is always timely, helpful and provides quality advice. I cannot comment on the cost hours for the case as I do not have access to that information.	
Employment	This was a well-handled matter which dealt with a long-standing range of issues about this employee. I cannot	

Area of law.	Please provide details below of anything that exceeded your expectations.	Please provide details below of anything that may have been below your expectations.
	really comment on the costs or charges as I have not had sight of this.	

20/21

Area of law.	Please provide details below of anything that exceeded your expectations.	Please provide details below of anything that may have been below your expectations.
Social Care Adults	I really appreciated V's support with negotiating the costs awarded against us - my managers were very happy with the outcome of that. Earlier in the case, we also really appreciated L's support and advice in the meeting with Counsel - and with the choice of the barrister. They both spent time ensuring we understood the arguments, their implications and the reasons behind the final advice.	
Licensing	Response time was excellent.	
Contracts	Rentokil-Initial despite providing a good service proved to be an extremely difficult supplier to agree a contract with - time was critical. It took an impressive amount of effort and resilience to conclude the contract.	
Housing	Her liaison with my officer was very good and really timely.	Nothing - I was very pleased with the work and advice undertaken.
Contracts	TH carried out a very thorough review and checked in with me on areas of uncertainty. Also provided advice and challenge.	
Contracts	TH was extremely patient with me in my lack of understanding of the legal terms and phrases used within the contract and always took the time to explain what they meant - no matter how long it took.	
Employment	HB Colleague was very helpful with my queries and as we had the telephone contact to talk through this was immensely helpful.	
Prosecution	Once instructed, N turned my prosecution file around very quickly. She was very efficient and easily contactable.	It took a long time for any response to my initial referral form - didn't even get an automated acknowledgement of receipt. I had to chase up why I had heard nothing a couple of weeks later.

21/22

Area of law.	Please provide details below of anything that exceeded your expectations.	Please provide details below of anything that may have been below your expectations.
Litigation	S took ownership of a long-standing case and supported me in quickly achieving a resolution.	
Contracts	I am not aware of the costs that are associated with this piece of work so unable to comment.	
Contracts	Prompt response and close follow up actions.	
Education	P was quick and informative, answered any queries we had.	

Following the recent survey and a change in the senior leadership levels in Slough, an action plan has been put together:

Response	HBPL comment	Proposed action
Quality of advice is most important, with responsiveness and communications as critical factors.	We would agree that there should be a focus on quality of advice and timeliness and ease of access.	We already have a variety of methods for client officers to contact us. SBC Action: It would be helpful if SBC could ensure their intranet has up to date contact details and generic team email addresses.
Contact and availability by Microsoft Team was seen as most important, with face to face as least important	We offer a variety of methods of contacting us, but agree that the use of MT has been invaluable particularly during the pandemic. However in order to build relationships HBPL believe that face to face meetings are also critical and would welcome attending DLTs on a regular basis to meet senior staff, especially based on recent turnover	HBPL Action - meeting between senior lawyers and new ADs/ED to ensure good liaison and relationship HBPL Action - request attendance at DLTs at least quarterly, preferably in person
Some comments about role of lawyer and risk that advice is overly caveated and not providing a clear answer	This requires relationship management and for lawyers to have meetings with client officer to understand what is being requested. Not often necessary to have a lengthy opinion, even if the research required to get to the answer is lengthy, most clients value concise advice and option to have more info if required	HBPL Action: training and development sessions for legal teams, including option of inviting key client officers to be part of this so lawyers understand the needs of service and what it feels like to receive lengthy legal advice.

Contract sealing processes	We have had control of SBC's seal since November 2020. The processes in place since then appear to have been more robust than those in place previously, as evidenced by HBPL being able to support SBC in the review of delegated decision-making.	HBPL Action: sealing processes to be reviewed to ensure this does not result in delay to completion and that documents are promptly returned to client officer and to ensure that sealing notes and evidence of authority can be easily identified by reference to the sealing book.
Estimates of costs	Client officers often ask to see details of cost. The information is submitted monthly to a central individual to avoid the cost of submitting information to individual client teams. However, it is unclear to what extent service managers have access to this information.	<p>SBC Action: confirmation that ECP processes do not apply to instructing HBPL.</p> <p>HBPL Action: Estimates to be given where appropriate, but are subject to review and for some instructions it is difficult to give a clear estimate at outset eg. prosecutions, as it is not possible to know what level of evidential review will be required.</p> <p>SBC Action: To consider what cost information is provided to service departments.</p>
Communications		SBC/HBPL Action: SBC to update intranet to ensure contact details are up to date and HBPL to provide material to include on intranet introducing lawyers and teams and variety of communications methods.

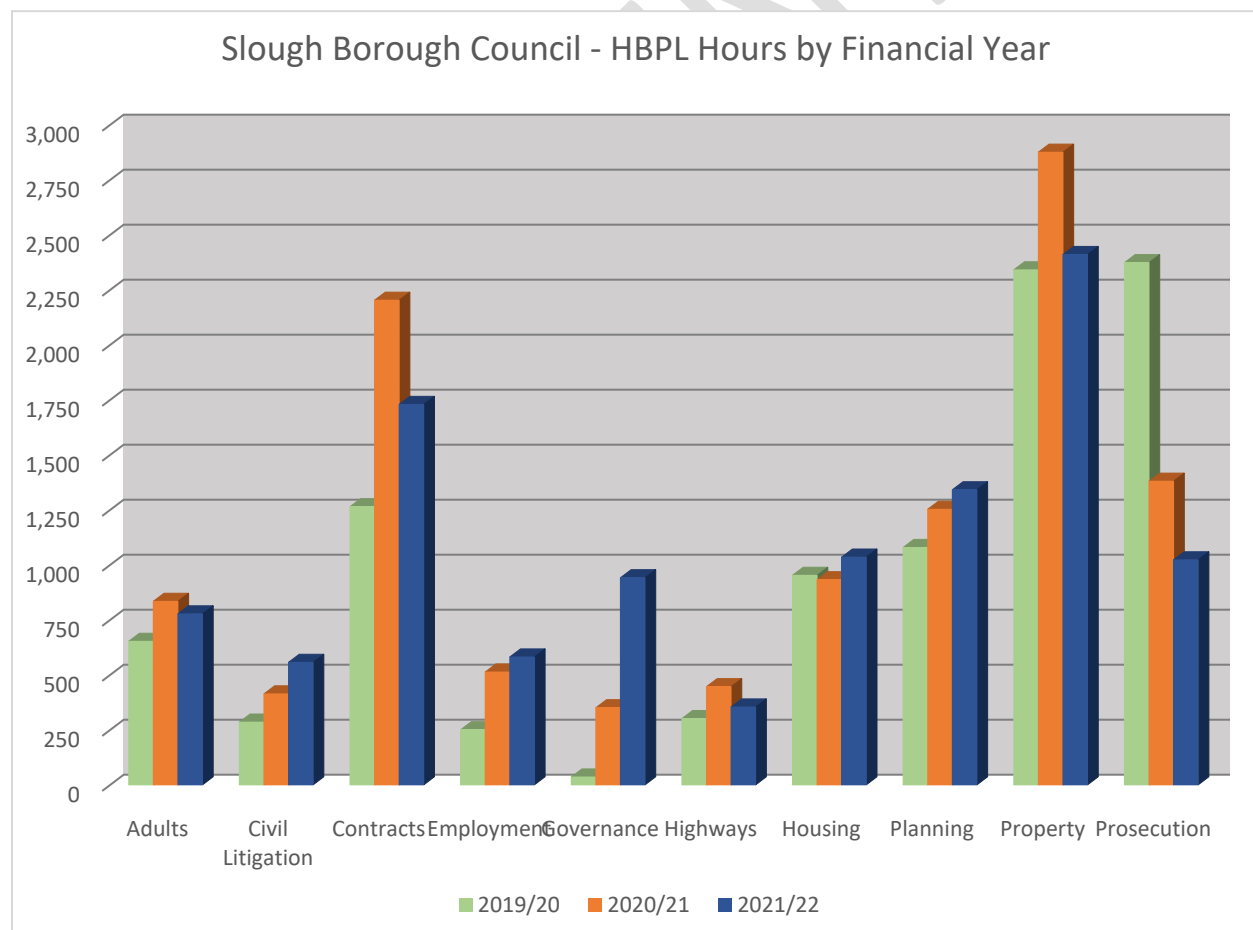
5. Legal practice management tools

HBPL commissions a specialist knowledge management package to provide specialist legal research tools and templates to make our lawyers more efficient.

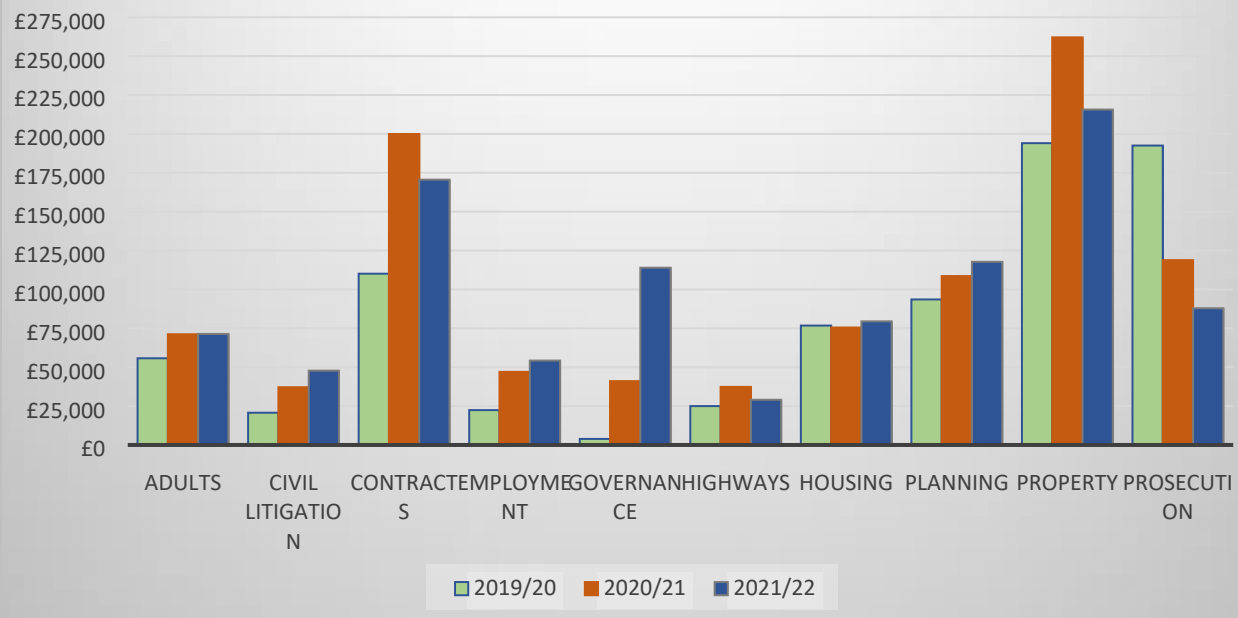
In 2021 HBPL moved to a new case management system. This was a major IT project and it is fair to say there have been some teething problems. However, we have continued to deliver a high level legal service and the only impact on the client has been some delays in producing monthly bills. We continue to work with the software provider to rectify functionality issues.

One of the benefits of the new system is the management data. Team leaders can now review case files, tasks, work done and time recording per fee earner, per team and per work area in real time. This allows us to respond promptly to any issues around productivity and performance.

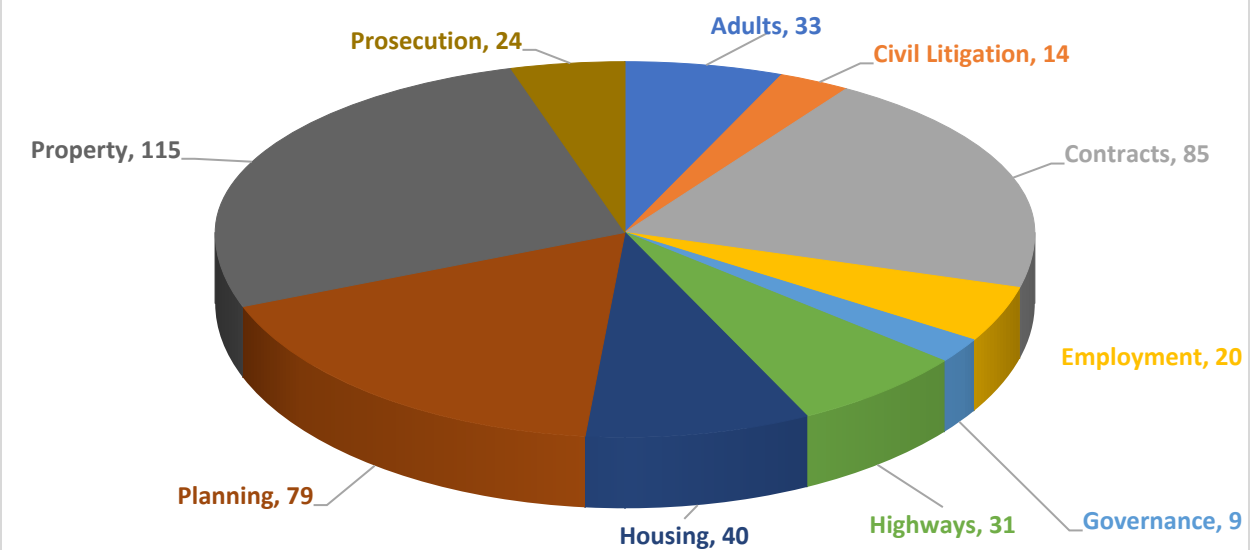
We can also produce detailed management data to SBC to indicate trends for the main areas of work. Examples in information provided to SBC include the following:



Slough Borough Council - Cost of HBPL Hours by Financial Year



NEW MATTERS ADDED 2021/22



6. Close, productive and flexible working between clients in our services and lawyers

HBPL has detailed risk management procedures, which ensure we are flagging risk to the most appropriate escalation point and managing it in accordance with an agreed framework. Examples of risks we have flagged and supported the Council with include:

- (a) Nova House/GRE5 – supported the Council with an options appraisal and cabinet report
- (b) Settled 3 High Court disputes on satisfactory terms within 6 months of instruction
- (c) Asset disposal project – supported the Council with reports on title, registration of unregistered land and advising on impact of missing title deeds
- (d) Employment tribunal cases – advised on impact of missed deadlines due to proceedings not being received by SBC
- (e) Companies' governance – attended internal officer board and advised on options for SUR and James Elliman Homes and arranged for close down of dormant companies. Undertaken a detailed governance review of SCF, including reporting to Cabinet and Audit Committee.
- (f) Effective decision-making, including need for cabinet and council decisions – amended cabinet template, delivered officer training, amended aspects of the Council's constitution and advised and attended cabinet meetings
- (g) Undertaken sealing of legal documents, including tightening up processes to ensure proper authority to enter into contractual arrangements and provision of evidence of authority to the Council's internal auditors
- (h) Advised on new contract procedure rules and re-drafted template contract documents to take account of legislative changes

We have also raised risk and turned around cases quickly where required, including:

- (a) Requirement to have specialist facility agreement for James Elliman Homes
- (b) Akzo Nobel – completed disposal within tight timescale
- (c) SBC Children First – advice on governance, including board composition and project governance arrangements, employment arrangements for joint post and TUPE of staff
- (d) Supported SBC with dispute over fees of external legal advisor
- (e) Supported SBC with contractual dispute with consultants
- (f) Advised SBC on Covid 19 impact on leisure contract
- (g) Advised on process for decision-making in relation to closure of service and successfully defended SBC in judicial review, including picking up learning on consultation processes

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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