

Legal Services

Activity Management Plan

Long Term Plan 2015–2025

2 December 2014

Note

The information in this activity management plan was prepared in conjunction with elected members as part of the development of the draft long term plan and its associated consultation document.

Key information has since been condensed into the statements of services provision in the Group of Activities section of the draft long-term plan.

Quality Assurance Statement

Christchurch City Council Civic Offices 53 Hereford Street PO Box 73015 Christchurch 8154 Tel: 03 941 8999	Version	V 2 24 November 2014
	Status	Draft
	Activity Manager:	Chris Gilbert
	Chief / Director:	Brendan Anstiss
	Asset Manager:	No assets
	Finance Manager:	Katherine Harbrow

Table of Contents

Table of Contents.....	i
List of Tables	ii
List of Figures	iii
1 Key Issues for the Legal Services Activity	1
1.1 Effects of growth, demand and sustainability	1
2 Proposed changes to activity	2
3 Activity description	3
3.1 Focusing on what we want to achieve.....	3
3.2 How we will know we are achieving the outcomes.....	3
3.3 What services we provide.....	3
3.4 Our key customers	3
3.5 Key legislation and Council strategies.....	3
4 Levels of service and performance measures	4
5 Significant Effects	7
5.1 Assumptions.....	7
6 Risk Management.....	8
7 Key Projects.....	9
8 Summary of Cost for Activity.....	10

List of Tables

Table 1-1: Key Issues for the Legal Services Activity.....	1
Table 2-1: Key Changes.....	2
Table 4-1: Levels of Service.....	4
Table 5-3: Major Assumptions.....	7
Table 6-1: Risks & control measures.....	8

List of Figures

1 Key Issues for the Legal Services Activity

To provide comprehensive and robust legal advice in a changing and challenging environment while subject to budgetary constraints.

The CCC internal legal team is comprised of 9 lawyer FTE's and 3 Legal Secretarial and administrative staff.

The range of skills provided by the team include LGA compliance, commercial, contract RMA, property litigation and insurance support.

1.1 Effects of growth, demand and sustainability

Demand for legal services has grown exponentially since the 2010/11 earthquakes. The legal consequences are challenging and novel.

Table 1-1

Key Issue	Discussion
Provision of legal advice to Councillors and Council.	Provide legal advice that is timely, succinct, cost effective and focused on outcomes. To achieve legal compliance and prudent risk management.
Management of external legal spend.	Establish long term contractual relationships with external legal suppliers so as to obtain best quality and cost effective strategic and operational legal advice. Achieve best value for money from these relationships. Manage legal spend to budget and identify extraordinary costs for budget purposes.
Manage in-house legal unit.	Provide cost effective internal legal advice unit with appropriate legal specialists utilising a cost recovery model.
Risk management	Contribute to Council's risk management strategy by provision of advice on legal compliance.

2 Proposed changes to activity

Table 2-1 Proposed changes to activity

Key Change	Reason	Level of significance? What investigations are needed?	Options for consultation and engagement
Increase size of internal legal team so as to attain greater expertise for recovery	Demand for internal expertise increasing due to specialised knowledge/experience of internal legal advisers. Experienced and competent internal legal advisers add value during project delivery.	Low	External consultation and engagement not required
Increase size of internal legal team to obtain financial benefits of the provision of the legal advice internally as opposed to externally.	Support for project delivery more effective if delivered by experienced internal resource. Will provide financial benefit by lessening demand for external advisers while also increasing capacity for internal advice.	Low	External consultation and engagement not required

3 Activity description

3.1 Focusing on what we want to achieve

Council undertakes activities in order to deliver on the community outcomes for Christchurch. The outcomes that relate most directly to the management of the city's Legal Services are that:

- Decisions are transparent and informed by timely, accurate and robust information and advice
- Statutory obligations are met by the Council

3.2 How we will know we are achieving the outcomes

We will know we are achieving the above outcomes when we see the following results:

- **Advice on legal issues** related to Council business, elected members and managers **is provided**. Management and elected members need to receive prudent, timely legal advice that informs their decision-making, regulatory and business operations.
- **Statutory requirements are met** and complied with.

The activities that follow in section 4 and the levels of service within them are all linked to the above results to ensure Councils stays focused on moving towards the community outcomes. This link aims to confirm why we are doing the activities – that they will realistically move us closer to our goals – and that service delivery remains relevant to strategic direction.

3.3 What services we provide

This activity includes the following services:

- Provide legal advice to elected members and management, and manage the engagement of external legal advice

There are no assets associated with this activity.

3.4 Our key customers

Customers include Christchurch City Council and officers; external lawyers; planners; developers.

3.5 Key legislation and Council strategies

Local Government Act 2002; LGOIMA; Official Information Act; Elected Members Interests Act; Resource Management Act; Building Acts and CERAct.

4 Levels of service and performance measures

Table 4-1 summarises the levels of service and performance measures for the Legal Services activity. Shaded rows are the levels of service and performance measures to be included in the Long Term Plan. Non-shaded rows are non-LTP management level measures, agreed with and reported to Council but not included as part of the community consulted document.

Table 4-1

Performance Standards Levels of Service (we provide)	Results (Activities will contribute to these results, strategies and legislation)	Method of Measurement (We will know we are meeting the level of service if.....)	Current Performance	Benchmarks	Future Performance (targets)			Future Performance (targets) by Year 10 2024/25	
					Year 1	Year 2	Year 3		
					2015/16	2016/17	2017/18		
Provide legal advice to elected members and management, and manage the engagement of external legal advice									
13.5.1	First response to internal customer requests	<i>Decisions are transparent & informed by timely, accurate & robust legal advice</i>	<i>Lex reporting system</i>	2013/14: 100% responded to: Routine - 24 hours Urgent - 1 hour 2012/13: Met		Requests for Service (RFS) responded to: 13.5.1.1 Routine - 24 hours 13.5.1.2 Urgent - 1 hour	Requests for Service (RFS) responded to: 13.5.1.1 Routine - 24 hours 13.5.1.2 Urgent - 1 hour	Requests for Service (RFS) responded to: 13.5.1.1 Routine - 24 hours 13.5.1.2 Urgent - 1 hour	Requests for Service (RFS) responded to: 13.5.1.1 Routine - 24 hours 13.5.1.2 Urgent - 1 hour
13.5.2	Completion rates	<i>Decisions are transparent & informed by timely, accurate & robust legal advice</i>	<i>Requests completed within negotiated timeframe with priority given to earthquake response 95%</i>	2013/14: met At least 95% per Audit of notes in LEX 2012/13: Met		Requests completed within negotiated time frame, with priority given to earthquake response: 95%	Requests completed within negotiated time frame, with priority given to earthquake response: 95%	Requests completed within negotiated time frame, with priority given to earthquake response: 95%	Requests completed within negotiated time frame, with priority given to earthquake response: 95%

Performance Standards Levels of Service (we provide)		Results (Activities will contribute to these results, strategies and legislation)	Method of Measurement (We will know we are meeting the level of service if.....)	Current Performance	Benchmarks	Future Performance (targets)			Future Performance (targets) by Year 10 2024/25
						Year 1	Year 2	Year 3	
						2015/16	2016/17	2017/18	
13.5.3	Provide legal advice so as to minimise adverse judgements		<i>Peer review is undertaken of major advice by external provider such as third party law firm or Barrister.</i>	2013/14: Met	None available	Peer review confirms that provision of major advice provided was robust and competent.	Peer review confirms that provision of major advice provided was robust and competent.	Peer review confirms that provision of major advice provided was robust and competent.	Peer review confirms that provision of major advice provided was robust and competent.
13.5.6	Provide direction for business owners on options for provision of legal advice and cost (external and internal)		<i>Ensure compliance with external legal services policy so as to advise business units of cost of legal services. Contracted panel lawyers are preferred suppliers and use of non-panel lawyers is minimised. Unexpected extra costs are identified and budgeted for as soon as known.</i>	<i>In the 2013/14 year provision of insurance claims advice amounted to 16% of external legal spend. Monthly reports of internal and external costs</i>	<i>External legal services policy and practice requires 100% legal advice managed by Legal Services Manager</i>	13.5.6.1 Provide direction for provision of legal advice and cost in accordance with external legal services policy. 13.5.6.2 Identify and report the use of non-contracted external lawyers where not authorised by Legal Services Manager.	13.5.6.1 Provide direction for provision of legal advice and cost in accordance with external legal services policy. 13.5.6.2 Identify and report the use of non-contracted external lawyers where not authorised by Legal Services Manager.	13.5.6.1 Provide direction for provision of legal advice and cost in accordance with external legal services policy. 13.5.6.2 Identify and report the use of non-contracted external lawyers where not authorised by Legal Services Manager.	13.5.6.1 Provide direction for provision of legal advice and cost in accordance with external legal services policy. 13.5.6.2 Identify and report the use of non-contracted external lawyers where not authorised by Legal Services Manager.
13.5.7	Response to feedback from Elected Members and Senior Leadership Team		<i>Provide formal response to feedback in terms of corrective actions</i>	New LOS	None available	Response to interested parties within ten working days of receipt.	Response to interested parties within ten working days of receipt.	Response to interested parties within ten working days of receipt.	Response to interested parties within ten working days of receipt.

Performance Standards Levels of Service (we provide)		Results (Activities will contribute to these results, strategies and legislation)	Method of Measurement (We will know we are meeting the level of service if.....)	Current Performance	Benchmarks	Future Performance (targets)			Future Performance (targets) by Year 10 2024/25
						Year 1	Year 2	Year 3	
						2015/16	2016/17	2017/18	
13.5.4	Percentage of internal customers satisfied with the legal service provided		<i>Undertake internal customer annual survey as to effectiveness of service delivery.</i>	2013/14: 55% (small survey size) 2012/13: 79.7%		At least 75% satisfaction	At least 75% satisfaction	At least 75% satisfaction	At least 75% satisfaction

5 Significant Effects

5.1 Assumptions

Table 5-1 Major Assumptions

Assumption Type	Assumption	Discussion
Legal budget	Legal Services Unit to operate on a cost recovery model. External legal cost to be managed through Legal Services Unit so as to ensure external legal advice is necessary and cost effective.	Legal budgets are devolved for business units. Business Unit Managers are responsible for ensuring legal spend is appropriate.
External legal spend	That, legal budgets for external spend are appropriately forecast and provided for.	Legal budgets are devolved for business units. Business Unit Managers are responsible for ensuring legal spend is appropriate.

6 Risk Management

Table 6-1 Significant Risks and Control Measures

Risk Description	Current Control	Proposed Control	Target Risk Level
Legal matters not managed; identified, described or reported.	Legal risks identified, described and ranked according to standard reporting process. Provide monthly report to Executive Leadership Team of legal risks and exposure.	Legal risks identified, described and managed and ranked according to standard reporting process. Provide monthly report to Executive Leadership Team	
Delegation policy not being complied with.	Identification, reporting and management of non-compliance.	Identification, reporting and management of non-compliance.	
Delegation policy register being kept complete and current.	Maintain delegation policy so as complete and current,	Maintain delegation policy so as complete and current.	
Democratic process not legally compliant.	Provide advice on democratic process so as to ensure legally compliant decision making.	Provide advice on democratic process so as to ensure legally compliant decision making.	

7 Key Projects

Table 7-1

Project Name	Description	Year 1 (\$)	Year 2(\$)	Year 3 (\$)	Years 4-10 (\$)	Project Driver
	There are no projects programmed for Legal Services activity					

8 Summary of Cost for Activity

Figure 8-1

LEGAL SERVICES		Funding Caps in 2015/16 Dollar				Funding splits exclude EQ Costs from all calculations					Comments	
		2014/15 Annual Plan	2015/16 000's	2016/17	2017/18	Benefit identifiable parts of the community, whole community or individuals	Funding - User Charges %	Other revenue %	General rate %	Targeted rate %		Period of Benefit (years)
CCC1200.99												
	Operational Budget											
	Legal Services Net Cost of Services	1,685	1,692	1,711	1,715	0 / 0	0 / 0	0				P3Cost less P3INT
	Activity Costs before Overheads	1,685	1,692	1,711	1,715	0 / 0	0 / 0	0				
	EQ Cost	-	-	-	-							
CCC1A1.99	BAU Cost	(32)	(64)	(68)	(71)							EQ P3Cost
CCC1A1.99	BAU Cost	-	-	-	-							P3INT
CCC1A1.99	BAU Cost	-	-	-	-							P3Depn
	Interest	-	-	-	-							P3Debt
	Total Activity Cost	1,653	1,628	1,643	1,644	<u>% splits:</u>	3%	0%	97%			
	Funded By:					<u>Description:</u>	whole community		Full			
CCC1A1.99	BAU Rev	80	51	51	51							P3Fees less EQ
CCC1A1.99	BAU Rev	-	-	-	-							P3Subs less EQ
	EQ Rev	-	-	-	-							EQ P3Rev
	Internal Recoveries	1,573	1,577	1,591	1,593							
	Total Operational Revenue	1,653	1,628	1,643	1,644							
CCC1A1.99	Net Cost of Service	(0)	-	-	-							
	Funded by:											
	Rates	(0)	-	-	-							
	Earthquake Borrowing	(0)	-	-	-							
	Capital Expenditure											
	Earthquake Rebuild											
	Renewals and Replacements											
	Improved Levels of Service											
	Additional Demand											