



To: CORPORATE SERVICES COMMITTEE		Subject: LEGAL SERVICES – TRT/SERVICE REVIEW - FURTHER STAFFING PROPOSALS
From: HEAD OF LEGAL SERVICES		
Date: 5 March 2008	Ref: JM/JMCE/JMB	

## 1. Purpose of Report

The purpose of this Report is (a) to seek Committee approval for further staffing proposals following upon the Best Value Review of Tenants Rights Transactions (TRTs) reported to and approved by Committee on 23 August 2007 and (b) recommend arrangements for continuing support for Housing (Anti Social) activities.

## 2. Background

The Best Value Report which was approved at the meeting on 23 August 2007, instructed the Head of Legal Services to

- monitor the proposed new TRT service arrangements when they were implemented (recommendation (iii));
- review the duties of the current post of Administrative Officer responsible for supervision of TRT Administrative Assistants whom it is proposed should be trained as paralegals (recommendation (v)); and
- explore the opportunities for paralegalisation of litigation processes and tasks and to report back to the Committee on these opportunities at the end of the current financial year (recommendation (vi)).

## 3. Monitoring of New Service Arrangements

### 3.1 *Principal Solicitor*

The monitoring of the new service arrangements has disclosed that the increase in the commitment of one of the Principal Solicitors to the TRT service has resulted in a reduction of resources for conveyancing and property work of a more complex nature in particular compulsory purchase. At reorganisation in 1996, the Council inherited from Strathclyde Regional Council a contract, with a Principal Solicitor for 7 hours per week for the provision of conveyancing and property work of a more complex nature in particular compulsory purchases. It is recommended that the Council offers a new contract formally increasing the contracted hours for this post from 7 hours per week to 17.5 hours per week at a date to be determined by the Head of Legal Services.

### **3.2 Trainee Solicitor**

The monitoring of the new service arrangements has highlighted the value of trainee solicitors to the Council. There is a difficulty in recruiting qualified solicitors with relevant experience to the Council whilst adverts for trainee solicitors attract a significant number of well qualified applicants. Our recent advert for a Trainee received a very positive response and a vacant post for a Solicitor is to be filled by an additional trainee.

## **4. Review of Post of Administrative Officer**

### **4.1 Impact of Paralegalisation with Legal Services on Duties of the Administrative Officer**

The Administrative Officer remains and will remain responsible for the personnel management of the paralegals. It is estimated that overall the duties of the Administrative Officers (1FTE) in relation to their operational duties for the TRT service and debt recovery service (see 5 below) will reduce from 100% of their time to around 40% of their time.

### **4.2 Post of Systems Manager**

The Administrative Officer has significant experience of staff management, Information Communication Technology use in respect of legal practice and participating and assisting in ICT systems development for legal services.

Legal Services utilises ICT to a great extent at the present time. However, ICT has an even greater potential to any provider of a legal service to improve its efficiency or huge parts of, if not, its entire service. ICT offers the opportunity to facilitate production and storage of documents and precedents; and to create and manage a knowledge base of the clients' business (in our case the Council and its Services) and to more readily share experience and knowledge amongst the individuals in the legal group to the benefit of its clients. Further uses of technology are currently being planned/considered in Legal Services e.g. a new software package for debt recovery; a time recording facility; creation of knowledge databases; and extending our use of internet based facilities to access legal material. In addition to the extension of ICT duties, the Support Services Supervisor will report to the Systems Manager.

It is therefore recommended that the post of Administrative Officer currently graded NLC7 be redesignated to Systems Manager at grade NLC9, as evaluated, with effect from 1 April 2008.

## **5. Explore the Opportunities for Paralegalisation of Litigation Processes**

The Litigation and Advice Section of Legal Services currently has 2 Administrative Assistants who have qualifications as paralegals and who undertake a range of duties mainly relating to debt recovery. The Chief Solicitor has undertaken an examination of the Section's case types and tasks and has consulted Councils and the Private Sector to explore opportunities for paralegalising other case types and tasks so that lawyers can be freed up to deal with more complex cases and tasks, the ever increasing legislative changes affecting the Council and the increasing demands on litigation solicitors.

A number of areas have been identified as being suitable for transfer from Solicitors to Paralegals including recovery of possession of commercial property actions; responsibility for defended debt cases including interviewing relevant witnesses, preparation of productions and citation of witnesses; small claims cases (claim limit being increased from £750 to £3,000 in January 2008); appearance in Court in appropriate circumstances.

It is proposed to create a post of Paralegal (Litigation and Advice) extending the duties of the Administrative Assistants to include the duties described above to free Solicitors to deal with more complex and demanding matters and that training of the Administrative Officers commences on 1 April 2008. The post incorporating the additional duties has been evaluated and graded at NLC8.

## **6. Support to Anti Social Task Force Activities**

The post of solicitor (anti social task force) and administrative officer (anti social task force) both positioned within Legal Services are currently funded by Housing and Social Work Services. The solicitor post was funded through BSSAC ring fenced resources and the administrative officer post funded from the HRA.

As a result of the agreed transfer of ring fenced resources to mainstreamed budgets, it is proposed with the agreement of the Executive Director of Housing and Social Work to add both posts to the Legal Services establishment with the funding for the posts continuing to be met by Housing and Social Work Services.

The posts will continue to be a resource to support the activities of the anti social task force whilst at the same time providing when necessary the flexibility to provide legal support for other Housing services.

## **7. Budget Considerations**

- 7.1 The staffing proposals in this Report have been discussed with Finance and Customer Services and they have confirmed that costs will be met by the savings generated by filling the Solicitor vacancy with a trainee and the deletion of one half solicitor's post from Legal Services establishment.
- 7.2 The proposals relating to the two posts associated with Housing (Anti Social) activities have been agreed with the Executive Director of Housing and Social Work Services.

## **8. Recommendation**

It is recommended that:-

- 8.1 A new contract be issued in respect of the post of Principal Solicitor currently 7 hours per week to 17.5 hours per week at a date to be determined by the Head of Legal Services.
- 8.2 The Committee notes that an additional Trainee is being appointed to a vacant Solicitor's post in the financial year 2008 - 2009.
- 8.3 The post of Administrative Officer currently graded NLC7 be redesignated to Systems Manager at grade NLC9, as evaluated, with effect from 1 April 2008, and the post of Administrative Officer be deleted from the Legal Services establishment.
- 8.4 Two posts of Paralegal (Litigation and Advice) graded at NLC8 be established and Head of Legal Services be authorised to implement the new grading upon satisfactory completion of training of Administrative Assistants and at that point the two posts of Administrative Assistants will be deleted.
- 8.5 To delete a half solicitor's post of Legal Services establishment.

- 8.6 To agree the staff establishment and funding proposals for the two anti social activities posts.
- 8.7 To remit this Report to Human Resources Sub-Committee.



June Murray  
Head of Legal Services