



Our vision is to have a sustainable population and socially and economically thriving communities with a focus on our quality of life, natural heritage, and Gàidhlig language and culture.

LAW AND GOVERNANCE SERVICE BUSINESS PLAN

For the Period 1 April 2024 to 31 March 2025

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INTRODUCTION

- 1.1. I am pleased to introduce the Service Business Plan for 2024/25 which sets out our outcomes and priorities for the coming year. This is the main annual business planning document for the service. It reflects the Comhairle's key priorities as set out in the Corporate Strategy 2024-2027 and provides an overview of the service's main areas of activity.
- 1.2. The Law and Governance Service provides a range of support both internally to the Comhairle and externally to the community. The following two service areas help to ensure that the Comhairle operates successfully in an increasingly complex and challenging environment, and although diverse, each service is essential to the running of the Comhairle and the delivery of its vision, values, and priorities.
- 1.3. **Governance Services** is responsible for ensuring proper arrangements are in place for the governance of the Comhairle's decision-making process and the exercise of its statutory functions as required by the Local Government (Scotland) Act 1973 (as amended) and associated legislation. The Service also administers elections locally, and provides procedural advice and support to Elected Members, Officers, Community Councils, outside bodies and the public.
- 1.4. **Legal and Procurement Services** consists of two sections: Legal Services and Procurement Services.

Legal Services provides a comprehensive legal advice and representation service to the Comhairle in support of the statutory governance requirements of the Local Government (Scotland) Act 1973 (as amended) and associated legislation, and promotes the Comhairle's compliance with all relevant legislation in respect of its functions. It includes a licensing function which fulfils the Comhairle's statutory duties in respect of the Licensing (Scotland) Act 2005 and the Civic Government (Scotland) Act 1982. The service also deals with statutory compliance in respect of the Freedom of Information (Scotland) Act 2002; the Data Protection Act 2018; and the Public Records (Scotland) Act 2011 (records management). It also provides advice and assistance to some external bodies, for example, HITRANS.

Procurement Services is responsible for strategic and operational procurement advice and support to the Comhairle in its purchase of goods, services and works. The service promotes compliance with the Comhairle's statutory obligations in the following areas:

- Transparency and fairness within procurement;
- The sustainable procurement duty in the Procurement Reform (Scotland) Act 2014;
- Community wealth-building (such as through increased local supplier engagement); and
- Achieving best value in relation to expenditure.

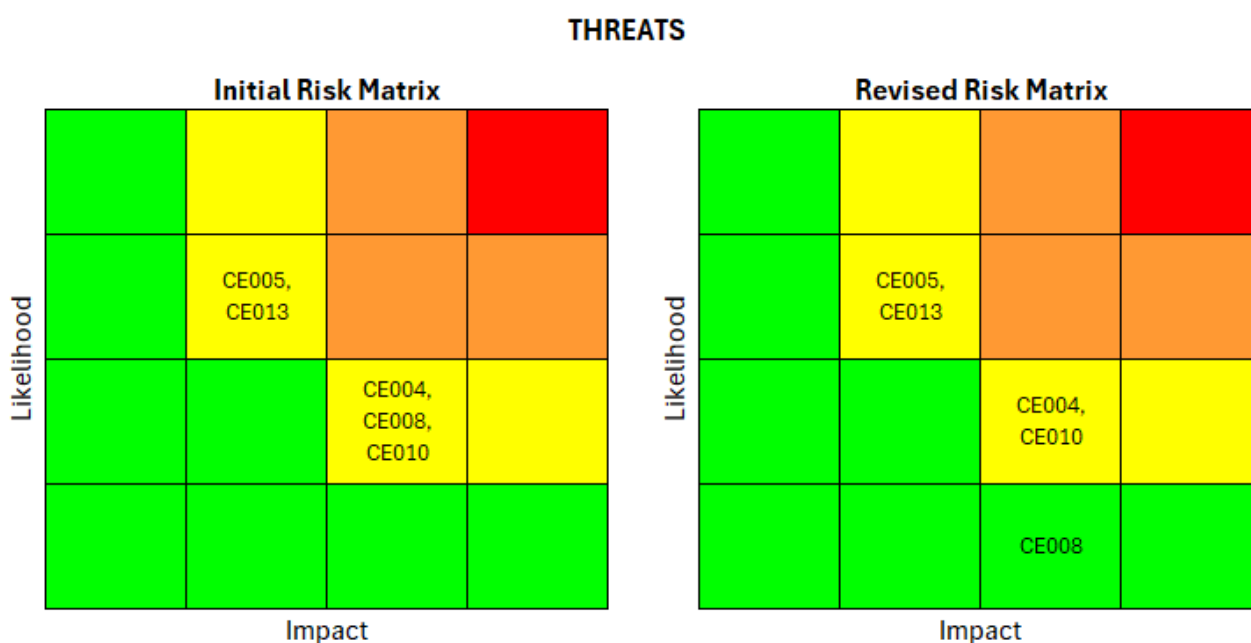
- 1.5. The Head of Law and Governance is the Comhairle's Monitoring Officer, a statutory requirement under the Local Government and Housing Act 1989 with responsibility to report in respect of breaches of law; he is also the Comhairle's Data Protection Officer, a statutory requirement under the Data Protection Act 2018 with responsibility to advise in respect of data protection matters. The Service also includes Member Services which comprises administrative support for Elected Members.
- 1.6. The key areas of focus for the year ahead are continuing to provide an effective service in the context of budget reductions; ensuring compliance with new legislation such as that relating to subsidy control (the UK successor to state aid); and addressing novel legal issues, for example, arising from the proposed National Care Service. Procurement practices will be integral to drive improvement in relation to value for money and the statutory duty to promote social, economic, and environmental sustainability.

Tim Langley
Head of Law and Governance

KEY AREAS OF RISK FOR THE YEAR AHEAD

- 2.1 The Comhairle currently recognises three levels of risk: Strategic risk aligned to the Comhairle’s Corporate Strategy; Operational risk aligned to Service Business Plans; and Project risk concerned with specific projects.
- 2.2 Operational risks represent threats that may affect the achievement of service business plan actions, and Law and Governance has identified significant risks for the coming year which shall be reviewed periodically.
- 2.3 The Initial Risk Matrix at Figure 1 represents the current risk profile of the Service, and the Revised Risk Matrix represents the target risk profile once risk actions have been successfully implemented. 2.4 contains a list of identified risks, categorised by risk treatment.

Figure 1: Law and Governance Operational Risks



- 2.4 The Service has identified five threats and these are listed below categorised by Risk Treatment:

Risks retained (acceptable level of risk)

4 risks identified are at an acceptable level and will continue to be monitored:

- CE004 Failure to respond to enquiries/requests for information within statutory timescales (including FOI and complaints).
- CE005 Resource issues on the Democratic Services during Elections. Snap Election.
- CE010 Mishandling sensitive information.
- CE013 Lack of resilience within staffing levels.

Risks reduced (action will be taken to reduce the risk to an acceptable level):

1 risk identified will be reduced.

- CE008 The Comhairle's procurement processes are not adhered to.
 - *Risk Action:* Review Procurement Training Programme

- 2.5 Elected Members can view the full risk register in the Comhairle’s performance management system, Interplan, within the Integrated Risk Management (IRM) module.

DELIVERING THE SERVICE BUSINESS PLAN AND ACHIEVING BEST VALUE

Strategic Outcomes

- 3.1 The Law and Governance Service contribute to the following strategic outcomes to support the delivery of the Comhairle’s Strategic Priorities.
- 1.1.5: Growth in small and medium sized businesses demonstrated;
 - 4.1.1: Communities are empowered and continue to be at the heart of our decision making;
 - 4.1.2: Reduction in our carbon footprint and development of an island route map to net zero;
 - 4.1.3: Equality of opportunity is increased; and
 - 4.1.5: Effective governance of the Comhairle is in place.

Best Value

- 3.2 In working towards the five strategic outcomes, the service aims to ensure that there is good governance and effective management of resources, with a focus on improvement, to deliver the best possible outcomes for the public and to make arrangements for the reporting to the public of the outcome of the performance of its functions. Table 1 lists the service outcomes established to support the delivery of the Service Business Plan (SBP) and to achieve Best Value.

Table 1: Service Outcomes

Delivering the SBP and achieving Best Value
<p>Service Outcomes</p> <ul style="list-style-type: none">• The Law and Governance Service demonstrates the highest standards of integrity.• Our work ethics and processes are accountable, effective, efficient, and transparent.

MEASURES AND ACTIONS

- 4.1 The Accounts Commission’s [Best Value in Scotland](#) Report (2023) highlights “the pressures and spending constraints facing councils - increasing demand for services and a real-terms reduction in funding. In this context it is more critical than ever that councils secure and demonstrate Best Value.” The performance measures for the Service are detailed in Tables 2 - 5.
- 4.2 The Corporate Strategy was reviewed in 2023 to ensure that it continues to state and communicate the ambition, aspirations and commitments of the Comhairle. The overarching aim and ambition of the Corporate Strategy 2024-2027 is to retain and increase the population of the Outer Hebrides. It takes account of national priorities and local needs but does not include actions to achieve its strategic outcomes as these have been developed by the Corporate Management Team and included in the appropriate SBP for monitoring and reporting to ensure that the Comhairle’s mission is achieved. The actions for the Service are detailed in Tables 6 - 7.

How we will measure our performance

- 4.3 The tables below are grouped by Strategic Priority and include the Corporate Strategy ‘Measures of Success’ Strategic Outcome KPIs that the service contributes to, the Local Government Benchmarking Framework (LGBF) SPIs that the service have prioritised for improvement, and the LPIs chosen by the service to strengthen its focus on improvement.

- 4.4 Each performance measure includes the baseline year and data, the target for 2024/25, and the aspirational target for 2030.

Strategic Priority: 4.1 Deliver Community Leadership.

Strategic Outcome: 4.1.1 Communities are empowered and continue to be at the heart of our decision making.

Table 2: Performance Measures

Measure (KPI title)	Baseline 2021/22	Target 2024/25	Target 2030	Service
4.1.1.CS04 - CE151: Percentage of active Community Councils submitting Challenge fund applications. (Trend)	2018/19 44%	N/A	N/A	Governance Services

Strategic Outcome: 4.1.2 Reduction in our carbon footprint and development of an island route map to net zero.

Table 3: Performance Measures

Measure (KPI title)	Baseline 2021/22	Target 2024/25	Target 2030	Service
4.1.2.CS01 – CE102 (LGBF: ECON4): Percentage of procurement spent on local enterprises	2019/20 37%	62%	70%	Legal and Procurement Services
4.1.2.CS02 - CE152: Procurement and Commercial Improvement Programme (PCIP) score.	2019 64%	65%	70%	Legal and Procurement Services

Strategic Outcome: 4.1.3 Equality of opportunity is increased.

Table 4: Performance Measures

Measure (KPI title)	Baseline 2021/22	Target 2024/25	Target 2030	Service
4.1.3.CS03 - CE153: Accessible transport: Number of wheelchair accessible Taxi vehicles and Private hire cars across the Western Isles.	2020 4	5	10	Legal and Procurement Services
4.1.3.CS04 - CE118: Accessible transport: Percentage of Taxi vehicles and Private hire cars across the Western Isles that are wheelchair accessible.	2020 3.6%	5%	10%	Legal and Procurement Services

Strategic Outcome: 4.1.5 Effective governance of the Comhairle is in place.

Table 5: Performance Measures

Measure (KPI title)	Baseline	Target 2024/25	Target 2030	Service
4.1.5.CS06 - Uptake rate of training by Elected Members. (Baseline changed from 2022/25 to 2024/25)	2024/25		90%	Governance Services
4.1.5. - CE004: Percentage of taxi/private hire licences issued (Apr-Mar) within statutory time limits (9 months).	2014/15 100%	100%	100%	Legal and Procurement Services
4.1.5. - CE005: Percentage of public entertainment licences issued within statutory time limits (9 months).	2014/15 100%	100%	100%	Legal and Procurement Services

Measure (KPI title)	Baseline	Target 2024/25	Target 2030	Service
4.1.5. - CE033: Percentage of Minutes delivered within 10 working days of the meeting.	2014/15 100%	90%	95%	Governance Services
4.1.5. - CE095: The total cost of Members expenses, excluding salary (Trend KPI).	2015/16 £111,708	N/A	N/A	Legal and Procurement Services
4.1.5. - CE097: Total cost of Comhairle travel for Employees and Elected Members (Trend KPI).	2018/19 £482,854	N/A	N/A	Legal and Procurement Services
4.1.5. - CE099: External legal advice rate (%) to overall legal service cost.	2018/19 0.97%	0.97%	0.97%	Legal and Procurement Services
4.1.5. - CE114: Corporate Travel Record: Percentage reduction in Comhairle travel bookings in comparison to previous year	2022/23 2,810	10% < Prev. Year	10% < Prev. Year	Legal and Procurement Services

What actions we will take

- 4.5 The SBP strengthens the links with the Corporate Strategy and the Local Outcome Improvement Plan (LOIP). The actions take into consideration the key areas of risk identified at section two whilst focusing on progressing the strategic outcomes.

Strategic Priority: 1.1 – Strengthen the local economy

Strategic Outcome: 1.1.5 Growth in small and medium sized businesses demonstrated.

Table 6: SBP Actions

Action	Service
1.1.5.5 Support community wealth building through encouragement of economic, social, and environmental sustainability.	Legal and Procurement Services

Strategic Priority: 4.1 Deliver Community Leadership.

Strategic Outcome: 4.1.5 Effective governance of the Comhairle is in place.

Table 7: SBP Actions

Action	Service
4.1.5.7 Provide a comprehensive and efficient legal service to the Comhairle	Legal and Procurement Services
4.1.5.8 Support the Western Isles Licensing Board in relation to the Licensing (Scotland) Act 2005.	Legal and Procurement Services
4.1.5.9 Provide a comprehensive and efficient service to Elected Members to ensure compliance with statutory requirements.	Governance Services
4.1.5.10 Provide a corporate travel facility	Legal and Procurement Services

RESOURCING THE PLAN

- 5.1 The funding and staffing resources identified to implement our SBP is summarised in Tables 8 and 9 as per the Comhairle’s budget approved by Comhairle in February 2024 and the annual budget setting salary estimates exercise.

Revenue Budget 2024/25

- 5.2 The Law and Governance Service has a Net Revenue Budget of £1.9m, which is allocated across the service within the sections detailed in Table 8.

Table 8: Net Revenue Budget by Service Profile 2024/25

Detail	£'000	%
Governance Services	355	19
Legal and Procurement	1,551	81
Total	1,906	100%

Capital Budget 2024/25

- 5.3 There is no Capital Budget for the Law and Governance Service.

Service Employees

- 5.4 The Law and Governance Service have 16.7FTE employees working across the service within the sections listed in Table 9. We support these employees to deliver their duties through a range of policies including personal appraisal and a robust training framework.

Table 9: FTE Employees

Service Profile	Number of FTE employees
Governance Services	5.3
Legal and Procurement	11.4
Total	16.7