



Our vision is for socially and economically thriving communities with a focus on sustaining our quality of life, natural heritage, and Gaelic language and culture

**LAW AND GOVERNANCE
SERVICE BUSINESS PLAN**

For the Period 1 April 2023 to 31 March 2024

CONTENTS

INTRODUCTION.....	3
KEY AREAS OF RISK FOR THE YEAR AHEAD	4
DELIVERING THE SERVICE BUSINESS PLAN AND ACHIEVING BEST VALUE	5
MEASURES AND ACTIONS.....	5
RESOURCING THE PLAN	7

INTRODUCTION

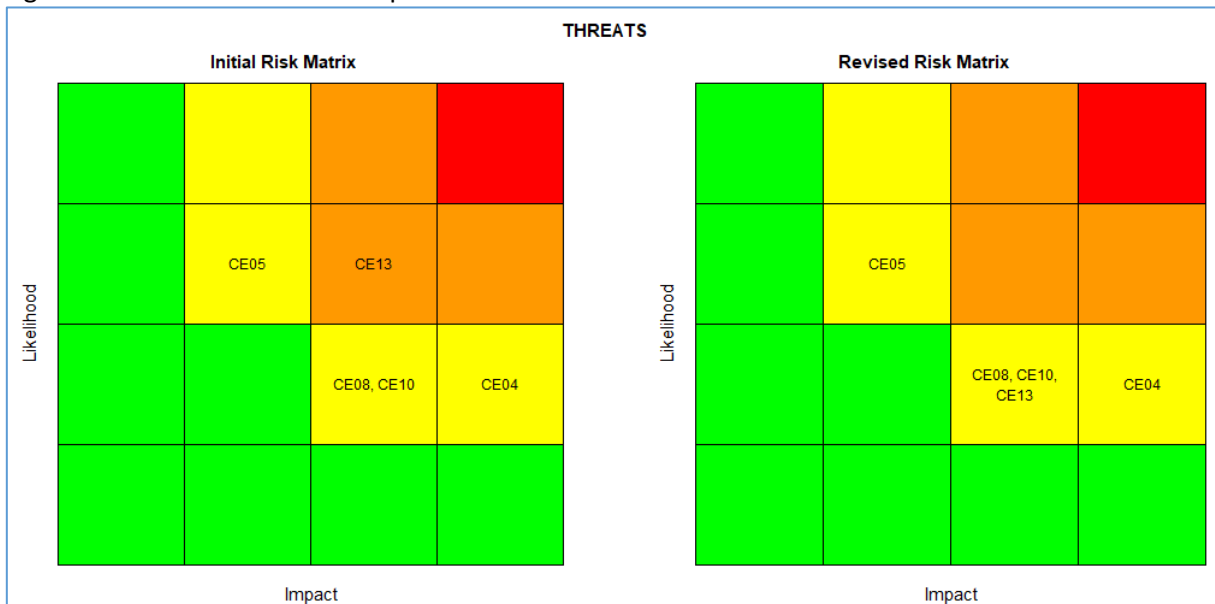
- 1.1. I am pleased to introduce our Service Business Plan for 2023-24 which sets out our outcomes and priorities for the coming year. This is the main annual business planning document for the service. It reflects the council's key priorities as set out in the Corporate Strategy 2022-2027 and provides 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 three 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 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.
- 1.5. **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.
- 1.6. 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.
- 1.7. 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. These will be reviewed periodically throughout the year.
- 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.
- CE008 The Comhairle's procurement processes are not adhered to.
- CE010 Mishandling sensitive information.

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

1 risk identified will be reduced.

- CE13 Increased workload and pressure on the HR Team. Staff expertise is lost.
 - Risk Action: Carry out a review of staff duties.

- 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; and
 - 4.1.5: Effective governance of the Comhairle is in place.

Best Value

- 3.2 In working towards the two 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
Service Outcomes <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 Comhairle's Best Value Assurance Report (BVAR) advised that the Comhairle together with its partners responded well to the Covid-19 pandemic, but highlighted concern over the financial challenges ahead for the Comhairle and emphasised that service performance and public satisfaction with services has declined overall in the past five years. The performance measures for the Law and Governance Service are detailed in Tables 2-5.
- 4.2 The Comhairle's Corporate Strategy 2022-27 was approved in September 2021 and 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 2022-27 'Measures of Success' Strategic Outcome KPIs that the service contributes to and the LPIs chosen by the service to strengthen its focus on improvement. There are no service prioritisation Local Government Benchmarking Framework (LGBF) SPIs aligned to the Law and Governance Service.
- 4.4 Each performance measure includes the baseline year and data, the target for 2023-24, and the aspirational target for 2030.

Strategic Priority 4.1 Be a sustainable and inclusive Council.

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 2023-24	Target 2030	Service
4.1.1.CS4 - 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 2023-24	Target 2030	Service
4.1.2.CS1 - Percentage of procurement spent on local enterprises	2019/20 37%	60%	70%	Procurement Services
4.1.2.CS2 - Procurement and Commercial Improvement Programme (PCIP) score.	2019 64%	65%	70%	Procurement Services

Strategic Outcome: 4.1.3 Equality of opportunity is increased.

Table 4: Performance Measures

Measure (KPI title)	Baseline 2021/22	Target 2023-24	Target 2030	Service
4.1.3.CS3 - Accessible transport: Number of wheelchair accessible Taxi vehicles and Private hire cars across the Western Isles.	2020 4	4	10	Legal Services
4.1.3.CS4 - Accessible transport: Percentage of Taxi vehicles and Private hire cars across the Western Isles that are wheelchair accessible.	2020 3.6%	3.6%	10%	Legal Services

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

Table 5: Performance Measures

Measure (KPI title)	Baseline	Target 2023-24	Target 2030	Service
4.1.5.CS6 - Uptake rate of training by Elected Members.	2022/23 TBA	80%	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 Services
4.1.5. - CE005: Percentage of public entertainment licences issued within statutory time limits (9 months).	2014/15 100%	100%	100%	Legal Services
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 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 Services

Measure (KPI title)	Baseline	Target 2023-24	Target 2030	Service
4.1.5. - CE099: External legal advice rate (%) to overall legal service cost.	2018/19 0.97%	0.97%	0.97%	Legal Services
4.1.5. - CE114: Corporate Travel Record: Percentage reduction in Comhairle travel bookings in comparison to previous year	2022/23 TBA	10% < Prev. Year	10% < Prev. Year	Legal 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 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.	Procurement Services

Strategic Priority: 4.1 Be a sustainable and inclusive Council.

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 Services
4.1.5.8 Support the Western Isles Licensing Board in relation to the Licensing (Scotland) Act 2005.	Legal 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 Services

RESOURCING THE PLAN

- 5.1 The funding and staffing resources identified to implement our SBP will be summarised in Tables 8 and 9 after the Comhairle's budget for 2023/24 is approved.

Revenue Budget 2023-24

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

Table 8: Net Revenue Budget by Service Profile 2023/24

Detail	£ million	%
Governance Services		
Legal Services		
Procurement Services		
Total		100%

Capital Budget 2023-24

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

Service Employees

- 5.4 The Law and Governance Service have # FTE employees working across the service within the sections listed in Table 10. 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	
Legal Services	
Procurement Services	
Total	