

Harrow and Barnet Public Law (HBPL) – Q4 2016/17

1. SUMMARY

1.1 SERVICE DASHBOARD

Finance	Revenue Budget Variance		Capital Actual Variance			
	114		N/A			
Performance	Green	Green Amber	Red Amber	Red	Improved/Same	Worsened
• Indicators	92% (11)	0% (0)	0% (0)	8% (1)	50% (6)	50% (6)

1.2 KEY SUCCESSSES AND CHALLENGES

Key Successes

Key successes for Q4

Agreed and drafted an asset protection agreement with National Grid and Barratts to remove National Grid’s objection to the CPO which recently went to inquiry. This disposed of one objection from the CPO. The agreement made provision for what would happen to NGG’s infrastructure where public highways were stopped up.

HBPL successfully supported Barnet’s Family Services Delivery Unit in a case where 2 very young children were refused a placement order. The Judge’s refusal to agree the placement order prevented the children from being placed for adoption. Following HBPL’s appeal, the placement order was made and the children can now be placed for adoption.

key successes for 2016/17

1. Successful prosecution for failing to comply with an enforcement notice contrary to Section 179(2) of the Town and Country Planning Act 1990 (as

Key Successes

amended). Facts: The defendant had converted a single residential dwelling into 9 separate flats. He failed to comply with a planning enforcement notice Following conviction, the confiscation order was made for £555,954.49. Fine £65,000. Awarded costs of £80,000.

2. Dealt with all stages of the West Hendon regeneration project leading to a public inquiry, including the CPO and associated property acquisitions.

3. Prosecution for fraud by false representation and abuse of position contrary to s 2 & s 4 Fraud Act 2006 Convicted 9 May 2016, Sentenced 27 June 2016. R v Marcus a high profile criminal case covering letting agency fraud across several local authorities including Hertfordshire, Barnet, Tower Hamlets, and the City of London who gave authority to Barnet to prosecute on their behalf. The defendant was convicted and received a jail sentence of 4.5 years a record a custodial sentence for both Barnet and HB Public Law. The case received national and local media coverage in the press, and features in two nationally television programmes for ITN (to be broadcast May 2017) and Channel 5 (already broadcast).

Key Challenges	Actions Required
1. We continue to experience difficulties in recruiting legal staff in some key areas, particularly contracts, where a market supplement has been agreed.	The Service is currently reviewing its recruitment processes.
2. Some report authors continue to expect HBPL to clear reports at short notice.	The Service will ask authors for more notice.

1.3 OVERVIEW – FINANCE, PERFORMANCE AND RISK

Given the significant growth achieved in the last year, an intense period of consolation is underway to include; management development for all senior staff, Maximising the potential of the case management system Improving the IT & knowledge management offerings for staff. HBPL have completed 40,622 hours of legal work for Barnet in the areas of planning, property, contracts, employment, child protection, adult social care and litigation over the last year.

2. Finance

2.1 Revenue

Description	Variations				Comments	% Variation of revised budget
	Original Budget	Revised Budget	outturn	Variation		
	£000	£000	£000	£000		
HB Law	2,011	2,011	2,125	114	Underspend on core hours and disbursements offset against reduced income	5.7%
Total	2,011	2,011	2,125	114		5.7%

The revenue overspend of £0.114m within HB Public Law represents 5.7per cent of the total Delivery Unit budget (£2.011m) for 2016/17 (this is an improved position compared with 15.8% for 2015/16) . The variance to budget relates to an underspend on core hours offset by underachievement of income against target. Consideration will be given to reviewing the income target taking the level of demand into consideration.

3. Performance

3.1 Overview of performance for Corporate Plan and Service indicators

	RAG						Long Term Direction of Travel			No. of indicators expected to report this quarter
	Green	Green Amber	Red Amber	Red	Total RAG ratings	Monitor	Improving or the same	Worsening	No Direction of Travel	
CPI	0	0	0	0	0	0	0	0	0	0
SPI	0	0	0	0	0	0	0	0	0	0
KPI	12	2	0	0	14	1	4	8	0	15
Overall	86% (12)	14% (2)	0% (0)	0% (0)	100% (14)	7% (1)	33% (4)	67% (8)		15

Key:

CPI	Corporate Plan Indicator
SPI	Commissioning Plan Indicator
MPI	Management Agreement Indicator
KPI	Contract Performance Indicator

3.2a Indicators

Ref	Indicator description	Polarity	2016/17 Annual Target	Q4 Target	Numerator and Denominator	Q4 2016/17 Result	Q3 2016/17 Result	DOT Short Term (From Q3 2016/17)	Q4 2015/16 Result	DOT Long Term (From Q4 2015/16)	Benchmarking
HBPL/C1	Acknowledge emails within 1 working day	Bigger is Better	95.0%	95.0%	47/50	94.0%	91.8%	Improving	92.9%	Improving	No benchmark available
HBPL/C2	Reply to emails within 5 working days	Bigger is Better	95.0%	95.0%	49/53	92.5%	96.0%	Worsening	97.1%	Worsening	No benchmark available
HBPL/C3	Reply to fax or letter within 10 working days	Bigger is Better	95.0%	95.0%	31/32	96.9%	96.0%	Improving	100.0%	Worsening	No benchmark available
HBPL/C4	New Instructions Assessed and acknowledged within 3 working days	Bigger is Better	95.0%	95.0%	35/36	97.2%	97.5%	Worsening	97.8%	Worsening	No benchmark available
HBPL/C5	Respond to non-urgent requests within 10 working days	Bigger is Better	95.0%	95.0%	43/44	97.7%	96.4%	Improving	98.0%	Worsening	No benchmark available
HBPL/C6	Respond to further instructions on existing matters within 5 working days	Bigger is Better	95.0%	95.0%	42/42	100.0%	98.7%	Improving	100.0%	Same	No benchmark available

Ref	Indicator description	Polarity	2016/17 Annual Target	Q4 Target	Numerator and Denominator	Q4 2016/17 Result	Q3 2016/17 Result	DOT Short Term (From Q3 2016/17)	Q4 2015/16 Result	DOT Long Term (From Q4 2015/16)	Benchmarking
HBPL/C7	% of draft committee reports and delegated power reports cleared within 5 working days	Bigger is Better	95.0%	95.0%	130/133	97.7%	98.7%	Worsening	94.2%	Improving	No benchmark available
HBPL/C8	Overall satisfaction	Bigger is Better	90.0%	90.0%	826/850	97.2%	99.7%	Worsening	98.7%	Worsening	No benchmark available
HBPL/C9	Appropriate accreditation of the service	Bigger is Better	100.0%	100.0%	N/A	100.0%	New for 2016/17	New for 2016/17	New for 2016/17	New for 2016/17	No benchmark available
HBPL/C10	Ensure all staff are appropriately qualified	Bigger is Better	100.0%	100.0%	N/A	100.0%	New for 2016/17	New for 2016/17	New for 2016/17	New for 2016/17	No benchmark available
HBPL/C11	Ongoing and improving value for money: reduction in use of external legal advisors	Bigger is Better	TBC	TBC	N/A	N/A	New for 2016/17	New for 2016/17	New for 2016/17	New for 2016/17	No benchmark available
HBPL/C8a	Satisfactor with performance	Bigger is Better	90.0%	90.0%	208/216	96.3%	100.0%	Worsening	100.0%	Worsening	No benchmark available

Ref	Indicator description	Polarity	2016/17 Annual Target	Q4 Target	Numerator and Denominator	Q4 2016/17 Result	Q3 2016/17 Result	DOT Short Term (From Q3 2016/17)	Q4 2015/16 Result	DOT Long Term (From Q4 2015/16)	Benchmarking
HBPL/C8b	Satisfaction with quality of work	Bigger is Better	90.0%	90.0%	211/216	97.7%	100.0%	Worsening	100.0%	Worsening	No benchmark available
HBPL/C8c	Satisfaction with time taken	Bigger is Better	90%	90%	198/202	98%	100%	Worsening	96%	Improving	No benchmark available
HBPL/C8d	Satisfaction with timeliness of response and completion	Bigger is Better	90.0%	90.0%	209/216	96.8%	98.7%	Worsening	98.2%	Worsening	No benchmark available

Please note that for Quarter 4, 1078 questionnaires were sent out, 217 were returned.

Of the 217 returned:

208/216 were satisfied with performance (C8a)

211/216 were satisfied with quality (C8b)

198/202 were satisfied with time taken (C8c)

209/216 were satisfied with timeliness (C8d)

208+211+198+209 = 826 (C8)

216+216+202+216 = 850 (C8)

3.2b Comments and proposed interventions for indicators that have not met target

Ref and title	Comments and Proposed Intervention
HBPL/C1 Acknowledge emails within 1 working day	Not all emails require a response. Consideration will be given to changing the KPIs Intervention Level - 2
HBPL/C2 Reply to emails within 5 working days	

4. Customer Experience

Customer Experience description	Comments and Proposed Intervention
Examples of Compliments received in Q4	<p><i>Similarly I'd like to say the same to O for her absolute support in the H case she been faultless and relentless in her work and with her dealings with me, R, T, C and M. We have given her quite the challenge but she has my deepest appreciation for her work on this.</i></p> <p><i>Many thanks to I for her excellent work in court yesterday resulting in the warrant for O'C's arrest.</i></p> <p><i>Ok and thanks for all your help over the past week and quick turnaround times.</i></p> <p><i>I would like to thank you both for all your support in regards to achieving this outcome for LR – it has been a turbulent process notwithstanding the difficulties due to court process (which Judge B fully acknowledged as not being acceptable). I would be most grateful if you would send our gratitude to both Counsels who represented LA along with season's greetings.</i></p> <p><i>Since working here at ##### London Borough, I have come to really appreciate HBPL's practice management team as well as the business support team. You are simply the best.</i></p> <p><i>Likewise P! It was good working with you and your advice is greatly appreciated.</i></p> <p><i>That's brilliant. Thank you very much indeed G.</i></p> <p><i>The quick turnaround of this is much appreciated.</i></p> <p><i>Thanks for your update this morning which was very useful.</i></p> <p><i>Pass my thanks onto the lawyer dealing with the discontinuance of the enforcement action on xxxx Farm for doing the work so speedily.</i></p> <p><i>S I'd wish to express our real gratitude for the advice, help and support you have afforded our SW Team in recent months over the A case. I do think this has helped to give just the right amount of steer and produce a really good outcome for this little boy. It is fair to say that the S has struggled somewhat with this case and with the whole issue of proceedings. I do think given your involvement and support she will be much better prepared for her next time in court. Similarly I'd like to say the same to O for her absolute support in the H case she been faultless and relentless in her work and with her dealings with me, R, T, C and M. We have given her quite the challenge but she has my deepest appreciation for her work on this.</i></p> <p><i>I just wanted to feedback that L completed an excellent job on a difficult and politically sensitive case. She was proactive, timely and provided solid technical advice.</i></p> <p><i>That's great news – thanks for your support on this matter.</i></p>

Customer Experience description	Comments and Proposed Intervention
	<p><i>The client is very happy with the legal support provided. I've also had good feedback from a client about O (O was a great help yesterday and we appreciated his time and good advice) and a client has commented that G is 'awesome'!</i></p> <p><i>Wow G! This is fantastic and a huge amount of work on your part. Thank you very much.</i></p> <p><i>O, once again, many thanks for all your hard work. You are a star.</i></p> <p><i>Also I'd just like to say a big thank you to B for her help last week – considering the nature of the hearing she handled it excellently, so wanted to note!</i></p> <p><i>Thank you very much P. You are the best!</i></p> <p><i>Can I thank you for your support on Friday. Your advice and expertise was greatly appreciated.</i></p> <p><i>Thank you for your work on this case – when T, pod manager spoke to me she said you had case law at the ready in anticipation of the counter arguments. A good result and the right outcome.</i></p> <p><i>I just wanted to formally thank you all for the amazing work you did on Friday and staying so late to ensure that we got the job done. I really appreciated your support, dedication and commitment.</i></p> <p><i>Just to note J is familiar with the case and has been excellent in getting to where we are now. This was an Introductory Tenancy and J helped coordinate the review hearing and send out the outcome letter.</i></p> <p><i>I just wanted you to know that S has been a great advocate on this case and everyone has received the information required in a timely fashion.</i></p> <p><i>Thanks a million for your great work on this one!</i></p> <p><i>In addition, I must add that J was outstanding in her handling of this case throughout its duration and especially in court this morning where I considered her advocacy absolutely brilliant.</i></p> <p><i>Thank you L for making this a priority, your assistance was gratefully appreciated.</i></p> <p><i>Great – thanks again for yours and J's help on this.</i></p> <p><i>I spoke to S this morning and he mentioned that you had both worked hard last week to get the inquiry core documents together. M acknowledged that you'd worked very hard last week.</i></p> <p><i>Hi S, she was a pleasure to work with and a credit to your team and I think it's always worth saying that.</i></p>

Customer Experience description	Comments and Proposed Intervention
	<p>.</p> <p><i>Just wanted to let you know that I really appreciate the hard work R put into the court hearing. It is a case that has dragged on for many years and I believe that the skeleton argument R put together really helped the judge come to a successful decision for us.</i></p> <p><i>Many many thanks for all your help and hard work with sorting this out for us.</i></p> <p><i>I have been very impressed with I who has been attending our monthly enforcement meetings. Since the meetings have started I believe it has made a big difference to the relationship between HBPL and the enforcement team.</i></p> <p><i>Thank you for your help on this, your advice was really helpful to us.</i></p> <p><i>Thanks for everything you did to bring about this great result. It was so nice to leave Bucks CC on a high note.</i></p>
Examples of complaints received in Q4	<p><i>Two complaints were received in quarter 4 neither of these were from Barnet.</i></p> <p>.</p>

6. Risk

HBPL measures risk in accordance with the Lexcel (Law Society). Risk cases are reported to the Barnet Monitoring Officer.

7. Equalities

Equalities Description	Comments and Proposed Intervention
n/a	n/a