

Thank you for the opportunity to review this report in its draft stages and also to review the presentations of Your Legal Team and One Legal in April 2022. I agree with the conclusions of your review and your recommendations at this time.

There are some benefits for collaboration for district councils with legal services. Your own arrangement with Your Legal Team has demonstrated that you are better able to address the Council's needs by working with others to provide a level of resilience which would not be possible if the Council was working by itself with a restricted budget, and a smaller workforce.

In some respects, the three councils are facing the same issues as other councils in local government and indeed corporates all over the world. How does the organisation make the best use of an expensive internal legal resource when there is continued demand for their services? How does the organisation limit the exposure to expensive external legal support? The answer is to focus the lawyers on solving only those problems which the lawyers can solve and work to remove other extraneous tasks or work which can be done elsewhere with a combination of better processes, better technology or by deploying people differently. This applies throughout the organisation, not just in legal services.

There were some positive features from both presentations. Both legal teams displayed commitment to their core purpose and to the challenges of meeting the legal needs of the councils in the future. Below I have noted some observations from the presentations which are intended to be helpful.

- A legal department needs to have a clear focus on the problems only it can solve. It therefore needs a clear purpose and vision to guide it in. Neither service had a compelling strategic position to assure me that it had understood, and was responding to, the future legal needs of the partner councils, in terms of effective timely proactive support, efficient working practices and a business model which makes economic sense for the three current partners.
- The purpose of the legal team should also be defined by what it does not do – especially when looking at how best to use constrained internal resource. A business model for the legal team to do everything which is put to them, is simply untenable and somewhat worrying. The councils are working with a fixed cost model, so it is impossible to meet unrestricted demand on such a fixed cost model. The councils and any future legal services provider should have a clear statement of purpose for legal services and some service level agreements which expand the detail in particular areas to ensure that the legal services provider is focussed on the priorities of the partner councils. If the three partners wish to stick to a fixed cost model, they do need to be clear on what measures they are going to take to manage demand on the legal service, because officers in client departments cannot work on the basis that anything can be referred into legal. The One Legal model wants to baseline current activity as a basis for forecasting future costs, some caution should be exercised there. That may well be a sensible move for One Legal but it may not work for the three partners if the work mix being measured is wrong to begin with,

or if the expanded capacity in One Legal absorbs more work as that measurement takes place, this could lead to an escalation in cost at the baseline. Similarly in Your Legal Team, the idea that the legal team should take on work which the client departments don't have capacity to do is a major red flag issue and should be reviewed.

- The approach of Your Legal Team to diversify the lawyers into different specialisms is a good way to improve the resilience of the service and should be commended. There is a tendency for lawyers to specialise, as the reports notes, but unless the legal services provider is big enough to sustain all the relevant specialisms it may need, then it is difficult to cover all the bases. This is a good initiative by the head of service.
- In order to ensure that there is the right mix of work being done at the right level and for the right price, better data is definitely required. A case management system properly configured to collect that data and provide useful management information is a must-have. It will be difficult for the councils to make sensible decisions about future provision without it.
- Neither One Legal or Your Legal Team are working to the Law Society's Lexcel standard. I would encourage both teams to review this as the standard reflects the practice management standards of the Law Society. A well deployed quality management system is a considerable benefit to improving processes and cutting out wasted activity across the board.
- The range of services provided by Your Legal Team or One Legal is not unique, and probably is typical mix of support which would be found in similar councils. Your report mentions the need to expand this range and to provide other more commercial support in view of the need for councils generally to act in a more commercial way and to find other revenue streams. This is certainly a relevant consideration, and the councils should ensure that any future legal services provider does have this knowledge and experience as it is becoming a core competence for an in-house legal team in local government.
- I think one area which was not presented or discussed was the way in which support is provided. I had the impression of reactive services who acted very much like in-house private practice, taking instructions and progressing them as best they could within the resource limitations they have. This approach needs to be questioned. The purpose of an in-house team is to be pro-active and not reactive. Councils now want legal teams to be active participants in change. A focussed legal team with the right approach can be a valuable change agent to enable councils to work in new ways. The strategy of a legal services provider which I mention above, should reflect that shift of emphasis and how that new culture can be promoted.
- There was a recognition from One Legal that they need to become a centre of excellence for the commercial work which councils need, and that in a changing landscape of local government, the needs of councils are becoming more complex. I would endorse that.

- Your Legal Team must be constituted correctly in the future with an agreed partnership document reflecting whatever arrangements the three councils think best after this review.
- I do think that the amount of administrative and practice management support in Your Legal Team is probably too low. The danger is that expensive lawyers are doing tasks which they should not be doing, and this is a misuse of resources. I would recommend a focus on making sure that work can be done at the lowest possible level so as to ensure that the senior lawyers time is used effectively. This should be factored into the strategy work which I recommend above.
- The ambition of One Legal to become an award-winning Service is commendable. Disappointingly, One Legal was not able to provide a commitment to take on the work from West Oxfordshire DC, citing a commitment to Gloucestershire before it works further afield. However, the current mix of services in your part of Gloucestershire is characterised by a level of cross boundary co-operation with West Oxfordshire, so if that is not going to be accepted and respected, then I do find it difficult to see how any of the three partners could countenance a split to find a solution which only meets the requirements of two councils and leaves the other adrift.