

MTRP Proposal - 18/19 and Beyond - Business Case

Service Area	Children's Services
Unique Reference Number	CFS181909
Proposal Title	Childcare legal fees budget
Version	20 th December 2017
Proposal Summary Description	Reducing the budget for legal fees incurred by Children's Services to pay for court ordered testing and the use of external legal counsel to represent the council in Family Court proceedings.
Impact on Performance	There will be no direct impact on performance. However, it is likely there will be an impact as a result of challenging court work and greater pressures on those presenting cases in the Family Court.
Impact on FTE Count	None
Impact on other Service Areas	Potential impact on legal services with increased pressures on solicitors. Protracted cases because of lack of representation will impact on teams in Children's Services and legal teams.
Impact on Citizens	If the council were to become less effective in court this would impact directly on children and families.
Delegated Decision (Head of Service/Cabinet Member/Cabinet)	Head of Service
Activity codes	SOC 28 child protection

Net Savings (£000's)	2018/19	2019/20	2020/21	2021/22
	50	50		

Implementation Costs (- £000's)	2018/19	2019/20	2020/21	2021/22
Revenue – Redundancy/Pension	0			
Revenue – External consultants	0			
Revenue - Other	0			
Capital – Building related	0			
Capital - Other	0			
Implementation Cost - Total	0			

Current Position
The legal fees budget in Children's Services is used for court ordered testing and the

MTRP Proposal - 18/19 and Beyond - Business Case

use of counsel to represent the local authority in family proceedings.

Currently all requests for counsel are agreed by service managers and are already fully scrutinised. The impact of reducing access to counsel will be two fold. Firstly it will place additional pressure on the council's legal teams and secondly it is likely to impede the council's ability to effectively act in the court arena.

Current Resources

The full year budget for 17/18 is £604,860. Over the past two years there has been an underspend against this budget.

Key Objectives and Scope

The proposal is a saving to represent the shift in trajectory over the past two years in the legal budget.

The majority of the spend is for counsel in care proceedings. Use of counsel is vital in complex cases and the current position is already tightly controlled and monitored.

Over the past number of weeks there has been an increase in the proceedings rate and the use of counsel has increased. This will need to be carefully monitored for the rest of this financial year as if this continues it would jeopardise this proposed saving.

Options considered

Option 1 - Retain the current budget provision

Option 2 - Saving of £100K

Recommended Proposal/Option

Option 2

Required Investment

None

High Level Milestones and Timescales

None

Key Risks/issues

Risk Description	Risk Score (as per matrix below)	Mitigation Measures
Increased pressure on legal and Children's Services teams.	4 x 4	Monitor the recent increase for the final half of 16/17
Increased difficulties in family court cases	4 x 5	Monitor for the final half of 16/17

MTRP Proposal - 18/19 and Beyond - Business Case

Specific linkage with Future Generation Act requirements
The proposal is a direct saving against a reducing spend. There is therefore no positive linkage with FG Act requirements.
Fairness and Equality Impact Assessment
No