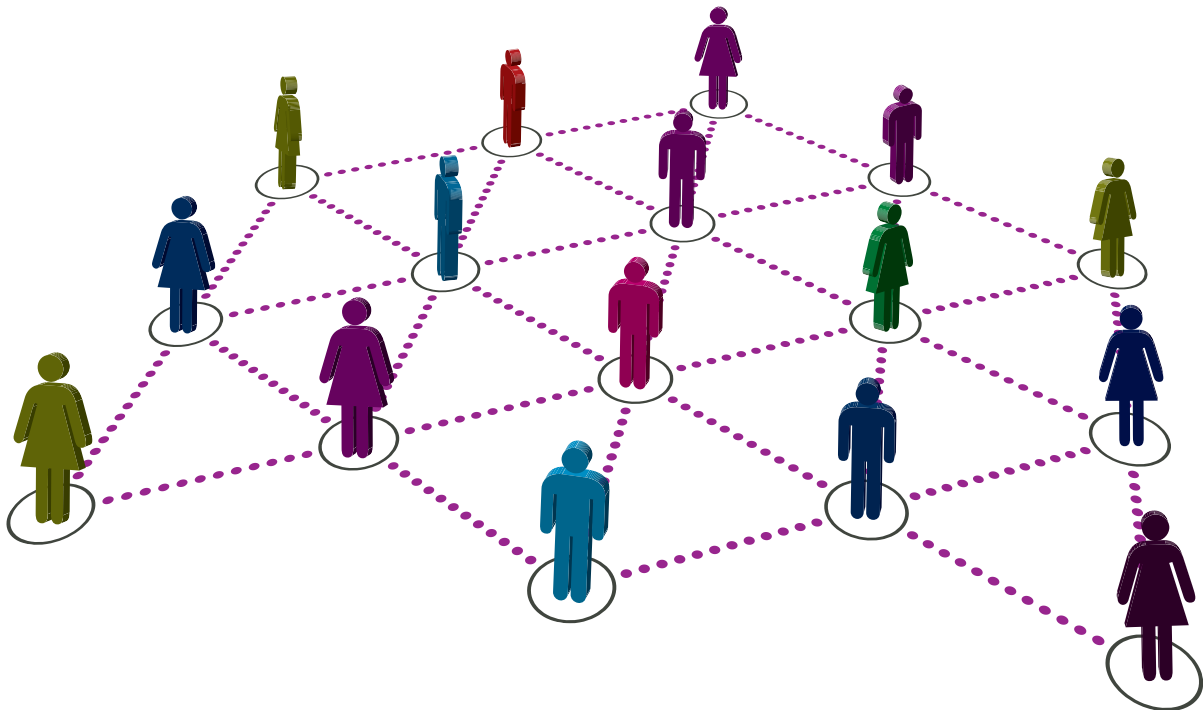




Government
Legal Department

Government Legal Department

Business Plan 2015–16





Government
Legal Department

Government Legal Department

Business Plan 2015–16



Cover image: The growing network of legal teams merging with the Government Legal Department in sharing legal services

© Crown copyright 2015

You may re-use this information (excluding logos) free of charge in any format or medium, under the terms of the Open Government Licence v.2. To view this licence visit www.nationalarchives.gov.uk/doc/open-government-licence/version/2/ or email PSI@nationalarchives.gsi.gov.uk Where third party material has been identified, permission from the respective copyright holder must be sought.

Any enquiries regarding this publication should be sent to us at Government Legal Department, One Kemble Street, London WC2B 4TS.

This publication is available for download at www.official-documents.gov.uk

This document is also available from our website at www.gov.uk/gld

Foreword



This is the Government Legal Department's first Business Plan, following our change of name from the Treasury Solicitor's Department on 1 April 2015. This change of name is an important and visible sign that the shared legal service that we have been working hard to bring about over the last few years is now a reality.

There is much more work to do to get the full benefits of the new organisation, for us and for our clients. We will continue to work in the coming year to create and embed the culture of one organisation across our teams. We will continue to find and adopt new and even more effective ways of working, join up across the Department, share our knowledge and expertise, remove unnecessary duplication and provide consistently excellent legal services, at the same time as offering our people the best possible support and careers. This Business Plan sets out the next phase of our work to achieve that.

Jonathan Jones

Jonathan Jones

Permanent Secretary and Treasury Solicitor

Contents

Foreword	1
Core purpose and vision	3
Our strategy for 2015 and beyond	4
Objectives, actions and performance measures	8
Risks and opportunities	10
Resources	12
Annex A: Organisation structure	13
Annex B: Strategic risk register	14

Core purpose and vision

We help the government to govern well, within the rule of law

The Government Legal Department provides high quality legal services to most Whitehall departments and to more than a hundred other government and public bodies. It is one of the largest legal organisations in the UK with around 1,300 solicitors and barristers.

We apply our combined legal professional skills to provide consistently excellent legal services, drawing on our unique perspective of the law across the legal landscape of government.

As an organisation our vision is to be:

- **trusted** by government to provide consistently excellent and value for money services so government departments want to come to us to meet their legal needs
- known throughout the legal profession for the **quality** of our legal work
- the **best employer** for our people

Trusted

We will:

- provide consistently excellent, efficient and value for money services so government departments want to come to us to meet their legal needs
- add value as a result of providing government legal services from one department
- commit to achieving the best outcome for government, for clients and for the public purse
- demonstrate our unique knowledge and understanding of government and public law and specialist expertise including litigation, employment and commercial law
- be proactive and anticipate client needs

Quality

We will:

- focus on quality and continuous improvement and strive for excellence in all we do
- build strong relationships with the legal profession and the judiciary
- be a role model and pioneer in the leadership of professions

Best employer

We will:

- provide unrivalled opportunities for interesting, varied, high quality, challenging work in a professional environment
- value individuals and support them to fulfil their potential
- be an inclusive and open organisation and involve our people in how it is run
- provide a work/life balance that meets individual and business needs

Our values

Our **values** are important and are at the heart of the Government Legal Department.

- we are passionate about our professionalism
- we value and respect each other
- we take pride in working together across government
- we are one team
- we get things done

Our strategy for 2015 and beyond

Our organisational strategy has been developed to ensure that we make our core purpose and vision a reality.

It is flexible, to allow us to cope with what we know about the future, and also to respond to any new demands of the government following the general election.

We know that there will be continuing austerity and severe pressure on clients' budgets, and that there will continue to be a high level of demand for legal services and a greater expectation that we will work in different ways, including more remote working.

The work that has been done to deliver our shared legal services has put us in a good position to meet these challenges.

Our strategy

Work

We will:

- continue with our existing range of work, although there may be changes at the margin
- have a new name
- deliver excellent quality and efficient legal services to our clients
- offer centralised expert services – commercial, litigation and employment – and look at opportunities for others
- keep our charges flat where possible or demonstrate the value for money of increases
- continue to drive up the quality of our legal work through continuous improvement
- develop stronger relationships with external legal providers, the rest of the legal profession and judiciary
- move to more flexible working, as the government's property strategy is likely to reduce our presence in central London

Clients

We will:

- remain the principal provider of legal services to Whitehall ministerial departments
- only act for clients beyond our core client base of Whitehall ministerial departments where we have the capacity and capability to do so without compromising the service to our existing clients and when it is the best solution for the government as a whole
- make visible efforts to help our clients reduce their legal costs as budgets are tight
- build on our good reputation for high levels of client satisfaction, demonstrating the worth of our shared legal service and the value of the outcomes clients get for their fees
- help clients to build their capability to support better decision-making and reduce their call on us
- strengthen engagement with clients, building on our successful relationship management arrangements
- find innovative and more efficient ways to work, while maintaining quality and reducing costs to clients
- ensure our heads of expert services and relationship managers work closely together to deliver a joined up, coherent and complete team service to the client

People

We will:

- continue our commitment to be the best employer for our people
- value and promote diversity and equality of opportunity within our organisation
- set the tone in a friendly, collegiate and supportive work environment because our values matter to us
- help all our staff to develop their careers whatever their grade and discipline
- offer a full career for government lawyers within our organisation with a range of

- interesting and rewarding work, much of which cannot be found with any other employer
- ensure that other professionals and specialists in our organisation will benefit from the expansion of shared services across the civil service
- be more proactive in helping our staff take advantage of these greater opportunities
- support work/life balance, which is an important component of our offer
- support managers, staff and teams as we embrace more remote working
- providing advice on some of the highest profile issues of the year, including the Scottish Referendum and subsequent proposals for further devolution to Scotland and Wales; the decision to opt back into the EU Justice and Home Affairs measures; responding to the threat of Ebola; the reform of the benefits system to address the entitlements of migrants; and the transformation of the probation service
- acting for the UK in 66 new cases in the Court of Justice of the European Union
- providing legal support to over a dozen independent reviews and inquiries

Our achievements in 2014-15

Legal achievements

We have again delivered high quality legal services to government, enabling the delivery of Departmental priorities, including through the government's legislative programme and successfully representing government in litigation. Highlights have included:

- acting for government clients in nearly 66,000 litigation, employment and commercial cases and achieving a successful outcome in judicial reviews challenging government action in 75% of cases. This has included appearing in 17 Supreme Court cases, including a challenge to the Benefits Cap, and the requested disclosure of communications between the Prince of Wales and various government departments. We have been successful in 65% of such cases
- delivering the government's primary legislation programme, including the Modern Slavery Act, the Criminal Justice and Courts Act and the Deregulation Act
- producing around 800 statutory instruments to implement government policy, including contributing to £850 million savings per year for business through the "red tape challenge"

Sharing legal services

In 2014-15, we made further significant progress in developing the new shared legal service for government. The legal advisory teams from DWP and DH and the HMRC Employment team joined on 1 April 2014 and the advisory team from Department for Transport joined on 1 October 2014. The programme will be completed when the MOD advisory team join on 1 May 2015.

In June 2014, we established a further expert service - the Commercial Law Group. This brought together the majority of the government's commercial advisory and litigation lawyers into a single specialist unit. This is now one of the largest commercial law teams in the country and its creation:

- has put us in the best position to provide expert, high quality, commercial law services to our central government clients
- offers potential to widen our client base and range of work further
- will facilitate closer working and better sharing of knowledge and expertise between our commercial lawyers
- will help us to achieve operational efficiencies and savings for clients

- will provide increased scope and greater variety of work for commercial lawyers

Develop a four year strategy for the new organisation

To lead the organisation through a period of significant transition and transformation to establish a new and larger Department, the appointment of new executives and senior leadership teams were finalised in June 2014. A new governance structure was also introduced in June 2014, in readiness to support our core purpose, vision and strategy, which were formally launched in December 2014. Four Committees now support our Board:

- Legal Quality
- Performance and Client
- People
- Change Delivery

To support the Department's overarching corporate strategy, underpinning technology, people, client and accommodation strategies have also been developed.

As a visible sign of our progress to build a strong, unified legal function for government, we changed our name from the Treasury Solicitor's Department to the Government Legal Department on 1 April 2015. However, there will be no change to the statutory role of the Treasury Solicitor.

Civil Service Reform

To contribute to the Civil Service Reform commitment that staff have a modern workplace, we implemented improved video conferencing facilities and provided mobile devices to support people working away from the office. Our accommodation strategy will address the issues of how and where we work and includes actions for us to grow our presence in the north of England and to move away from being a predominantly central London based organisation.

We published our Capabilities Plan in December 2014, which sets out our plans to meet the four central Civil Service priorities:

- leading and managing change
- commercial skills and behaviours
- delivering successful projects and programmes
- redesigning services and delivering them digitally

In addition, we have agreed two additional contextualised priorities for the Department; namely:

- line and business management
- other professions/specialists

We rolled out a talent toolkit to Grade 6 and 7 staff and three people were accepted onto the Senior Leaders and Future Leaders Schemes. The Permanent Secretary, Directors General and Non Executive Directors are also mentoring people from groups with protected characteristics, which is in accordance with the commitments made in our comprehensive diversity and equality objectives.

Best quality legal services

A new legal quality programme of work was introduced bringing together existing and new quality initiatives. A Legal Quality Team was also established to support the work of the Legal Quality Committee, which provides a focus for the capture and co-ordination of quality activity across the Department. The legal quality programme includes a new approach to delivering Statutory Instruments (SIs) which is being piloted across four advisory divisions, bringing people together in one "hub" to test if the approach improves the quality, consistency and efficiency of SI delivery. The work programme also includes improving Knowledge Management, creating centres of excellence on particular legal topics and improving guidance on legal risk and

presenting legal advice. A single Government Legal Training Committee has also been established under the oversight of the Legal Quality Committee to deliver legal training across GLD and other legal teams in the wider Government Legal Service.

In 2014-15, we met our performance target for client satisfaction. We achieved 95% of our clients rating our service as good or excellent. We also retained our Lexcel accreditation – the Law Society’s “gold star legal quality mark” in relation to the conduct of litigation in our litigation, employment and commercial groups. This successful assessment, which identified an increase in the examples of good practice, and no compliance issues, is independent confirmation that we remain an extremely efficient and very well run organisation and can be regarded as a “centre of excellence” for litigation. It exemplifies our commitment to continuous improvement and how all staff can contribute to the strategic aims of GLD as a whole – in this case – delivering high quality, efficient litigation services to our clients.

We identified, as a result of our detailed quarterly forecasting exercise, that we were heading for an in year surplus of income over costs due to higher levels of demand for our services coupled with higher utilisation rates, and savings in advisory costs. Consequently we were able to provide a rebate of £2.78m to our clients shared amongst our litigation (£2.6m) and advisory clients (£0.18m). This rebate was on top of the consecutive 5% and 2% hourly fee rate reductions, which we have held since December 2012, and the £4m rebate in 2013-14.

We reviewed our system for collecting time recording information on advisory work after a year of operation to see if any improvements or other changes were necessary. A number

of recommendations were made, including the piloting of a balanced scorecard for advisory divisions.

We ran successful pilots for paralegals at HEO and EO level in both our litigation and employment groups to see if we could deliver a quality service at a lower cost, and will be making greater use of paralegals going forward.

Providing a working environment that supports our people on training and career development

79% of our staff participated in the 2014 People Survey and our overall engagement index was 60%, meaning we have stayed at broadly the same level for the last three years. Significantly, we remain above the Civil Service average, which is quite an achievement given the changes we are going through as an organisation.

There were external recruitment campaigns for staff at AO, EO and Grade 7 attracting a large number of applicants demonstrating that GLD is seen as an attractive place to work. In excess of 150 lawyers were recruited in addition to 120 other professional and support staff to help meet the needs of a growing organisation.

To demonstrate our commitment to a fair and inclusive workforce, new diversity and equality objectives were agreed by the Board in December 2014.

Further details of our achievements can be found in our 2014-15 Annual Report and Accounts on www.gov.uk/gld

Objectives, actions and performance measures for 2015-16

Objectives and actions

Vision: Trusted by government to provide consistently excellent and value for money services so government departments want to come to us to meet their legal needs

Build on our partnership with clients to improve our ability to provide an effective and efficient service to them

- embed consistent understanding and ways of working across Relationship Managers
- develop an action plan to improve our client satisfaction
- review training for new joiners on relationship management and make any necessary adjustments
- develop a plan for improving our staff's ability (particular at Grade 6 and Deputy Director) to manage demanding client relations, in particular, business planning

Demonstrate the benefits to clients of our services and to help inform their decisions about the use of legal resource

- produce coherent and consistent client facing pack of management information (MI) for major Whitehall clients
- produce Balanced Scorecards for Advisory Division Directors
- deliver legal awareness training, facilitated by creating a shared library of materials

Identify new ways of working in GLD that reduce cost, add value and maintain quality

- bring addressable external commercial work in-house that demonstrates better value to clients
- ensure the benefits of the increased use of paralegals are demonstrably realised for clients
- deliver improvements to CMS that further improve efficiency and service delivery
- review the provision of business management support to the Legal Directors

Vision: Known throughout the legal profession for the quality of our legal work

Deliver consistently excellent advice across all divisions/groups that supports the delivery of policy/operational objectives and takes a proportionate and constructive approach to legal risk

- embed legal risk guidance in all divisions/groups
- implement recommendations from the Cabinet Office Review of the impact of legal advice on policy development
- deliver a quality assurance framework/procedures for all divisions/groups building on existing good practice and processes (including Lexcel)
- roll out the "Excellence in Advisory Work" guidance
- deliver an effective Government Legal Training programme
- deliver the "centres of excellence" project
- embed clear and effective approach to knowledge management across all divisions/groups

Deliver consistently effective litigation outcomes for government

- develop and share best practice across all divisions/groups in relation to the strategic management of litigation (such as setting up litigation strategy boards with clients, where appropriate)
- continue to embed early resolution in Employment Group work

Deliver consistently excellent primary and secondary legislation that meets the government's objectives in the most effective way

- evaluate and (as appropriate) embed the SI Hub as a centre of excellence in drafting practice
- identify and implement systems to monitor quality metrics for SI drafting and Primary Legislation
- embed the new legal issues memorandum and best practice in relation to early commencement and retrospection requests

Vision: The best employer for our people

Build a unified Department with a friendly and supportive environment, where people are encouraged to be the best they can be and are proud to work

- deliver a 'One Organisation' programme, including an All Staff Event
- implement Diversity and Equality objectives
- review and refresh our Values
- appoint Attitude Behaviour Culture (ABC) champions in every part of the Department
- improve support for flexible and remote working
- implement the outcome of the review of pay and terms and conditions, including producing a total reward statement

Improve career development opportunities that attract and retain our staff

- implement an Annual Resourcing Cycle including development moves for Grade 7 and 6, promotion boards, and external recruitment campaigns
- define and develop career pathways for all GLD people and make clear the "career deal" for our staff
- implement proper succession planning for key posts at every level

Provide inspiring, confident and empowering leadership, supporting managers and staff to improve their skills and performance

- implement our Capabilities Plan, prioritising:
 - leadership and managing change
 - commercial skills
 - delivering successful projects and programmes
 - redesigning services and delivering them digitally
 - line and business management
 - development of HR, IT, Finance, Communications and other professionals
- promote five days learning and development for all our staff

We shall additionally continue to contribute to the government's agenda on sustainability, equality and transparency.

Performance measures

The performance measures we have agreed with HM Treasury for 2015-16 reflect our continued commitment to maintain our high professional standards as well as delivering excellent client satisfaction at a reasonable cost.

The measures are:

- to meet client satisfaction ratings measured by the percentage of clients rating our services as 'Good' or 'Excellent'
- to maintain Lexcel (the Law Society's Practice Standard) accreditation
- to recover from clients the full operating costs of chargeable services

Risks and opportunities

Recovery of our operating costs: We want to keep our charges to clients unchanged but this puts us under pressure to be ever more efficient to ensure that our charges cover our operating costs, which are subject to inflationary pressures. We are also embarking on significant structural and delivery changes, including the development of our Commercial Law Expert Service and greater use of paralegals, which has increased the level of financial risk inherent in the budget. Controls are in place to manage this risk and also ensure that clients continue to benefit from better than budgeted financial performance, should this occur.

Meeting client needs: Our clients have a high regard for our services and we have developed ever closer relationships with them. We need to maintain the trust of our clients to provide consistently excellent, value for money services and maintain our focus on quality, which is recognised by our high client satisfaction ratings and through our Lexcel re-accreditation. We need to work collaboratively with our clients and ensure that we can continue to work flexibly and more efficiently in meeting their needs.

Resource capability and capacity: To deliver the service our clients need, we need to recruit and retain the right quality of staff with the necessary skills and capabilities to deliver that service. We need to ensure that our people feel valued and engaged, and that there are opportunities for them to fulfil their potential and do high quality and challenging work. We need to be inclusive and provide a work/life balance that meets both individual and business needs.

Our engagement index in the 2014 People Survey was 60%, meaning that our results have broadly stayed the same for the last three years, which is quite an achievement given the level of organisational change. There was some encouraging feedback on learning and development. In particular, the response to the question “Learning and development opportunities that I have completed in the last 12 months have helped improve my performance” increased by 7%. But perhaps not surprisingly, as we continue through our change programme, and as the shape of the organisation evolves, our ratings fell slightly for questions relating to organisational objectives and purpose, and some of the questions relating to leading and managing change.

Our new core purpose, vision and strategy provides more certainty to our people about the future of the Government Legal Department and also our commitment to be the best employer for our people. Our challenge is to deliver against these expectations.

Client data security remains critical and is assured by our adherence to Cabinet Office Security Standards, maintaining ISO 27001 certification and Public Services Network (PSN) accreditation.

We implemented the new Government Security Classifications Policy from April 2014 and rolled out replacement security passes for all staff in line with the Common Access Control Policy initiative. We have also continued to contribute to work carried out by the Cabinet Office on the wider security transformation agenda.

In 2012, the Information Commissioner's Office decided that we had breached the Data Protection Act and issued an Undertaking. This followed the self-reporting of four separate incidents involving unredacted personal information being disclosed to third parties. The Undertaking required us to take a number of steps, including putting in place documented procedures on preparing information for disclosure and a mandatory training programme on compliance with the Act. All these requirements have now been met and we are awaiting the ICO's confirmation that the Undertaking has been concluded.

Business continuity: We enjoy a high level of client satisfaction and it is essential that we are able to maintain our normal quality service whatever the circumstances. Business continuity is assured through the maintenance of an ISO22301 aligned business continuity management system and a comprehensive suite of recovery plans. Incident management exercises are carried out and our disaster recovery facilities are tested on a regular basis.

Our disaster recovery site has remote access capacity, resilience and security, which reduces the risk of service disruption should our main London office be unavailable. This facility and plans were robustly and successfully employed during a major incident between 1 and 20 April, following our evacuation and denial of access to, and utilisation of, our main London Office. In addition, cyber resilience is maintained through comprehensive vulnerability management, penetration testing and protective monitoring policies.

A new risk management framework has been introduced to ensure that all the key risks to the delivery of our service to our clients and the achievement of our objectives are identified. The framework ensures that action is agreed to mitigate the risk, or that contingency plans are developed, where there is limited scope to prevent a risk occurring and it is necessary to respond to the risk, should it occur. The results are captured in our Strategic Risk Register for 2015-16, which is at Annex B and each risk has a Board-level owner. The Register also includes a summary of the main actions required to manage the risk or the contingency plans that are either in place or that need to be developed.

Resources

We plan to use the following number of people to deliver our objectives in 2015-16:

	Total
Litigation Group	571
Employment Group	120
Commercial Group	150
Advisory divisions	732
Bona Vacantia	48
Legal trainees	43
Total front line staff	1,665
Corporate support staff (including GLS Secretariat)	209
Total staff	1,873

We plan to spend £143m, the main components of which are:

	£'000
Staff costs (excludes secondees)	120,211
Legal divisions' operating costs	1,856
Accommodation costs (net of income)	6,061
Depreciation	1,914
Project costs	2,138
Training	921
Other administration costs	8,619
Total operating costs	141,720
Net disbursements	545
Budget impact of Provision Movements	611
Total costs	142,876

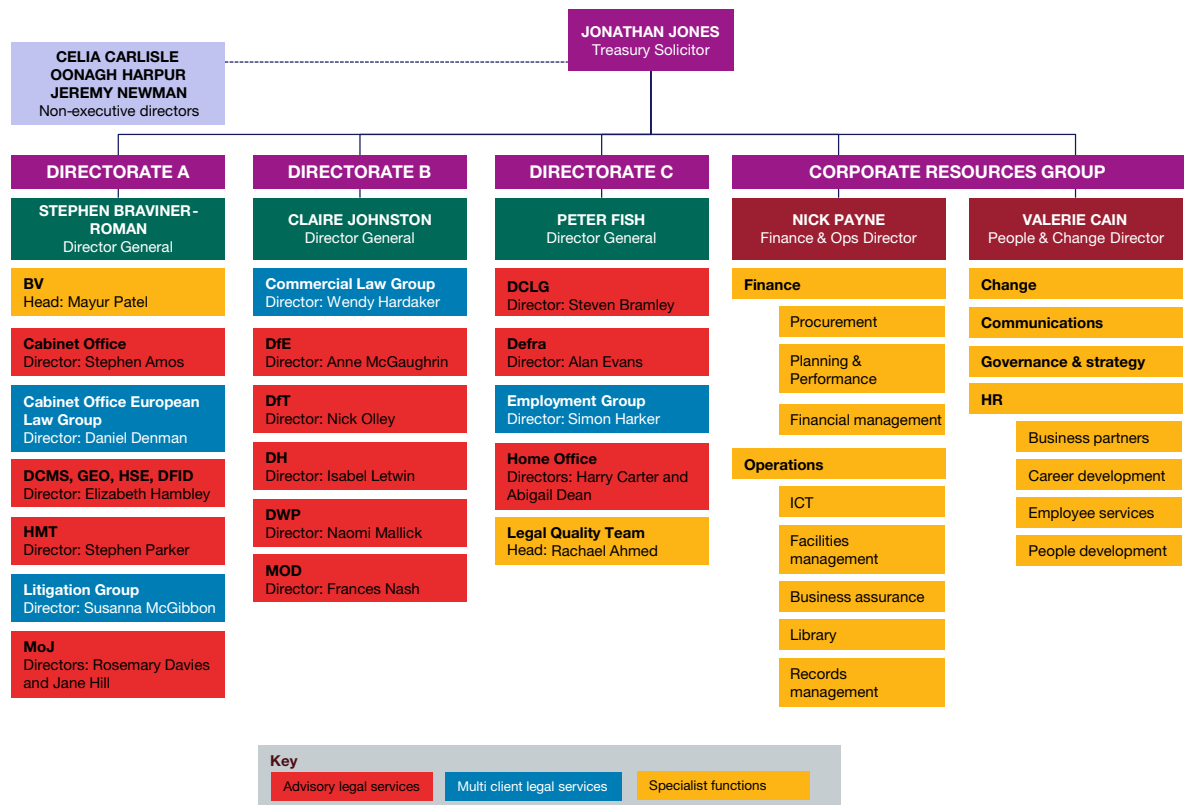
These costs will be funded by:

	£'000
Legal fees and charges to clients	137,494
Recovery of the cost of Bona Vacantia	3,800
Other income	1,046
Funding from the Parliamentary Estimate	1,333
Total income	143,673

Our funding from the Parliamentary Estimate covers the cost of public interest casework we undertake on behalf of the Attorney General's Office, both in terms of time spent and disbursements. This is agreed with HM Treasury as part the Spending Review process. The balance of our operating costs is recovered from our clients; in setting our fixed fees and hourly rates, we apply HM Treasury's guidance on fees and charges contained within their publication, *Managing Public Money*.

In addition to the above, we will receive Parliamentary Estimate funding of £1.35m to meet our requirements for capital expenditure.

Annex A: Organisation structure



Annex B:

Strategic risk register

Strategic risk	Owner	Mitigation
Demands placed on the Government Legal Department do not match expected levels	Stephen Braviner-Roman	Strategic and business planning with clients Service Level Agreements/MoUs agreed with clients
Provision of legal services does not meet the requirements of our clients in terms of quality, management of cases and/or cost and outcomes	Peter Fish	Relationship Management Model Quality Policies and Procedures Standard Client MI reports Service Level Agreements/MoUs Knowledge Management Electronic Disclosure Framework
Lack of resource capacity and/or capability to deliver the service clients need	Claire Johnston	Capability Plan. Talent Management – 9 box grid External recruitment exercises Development moves In-house training programme and TLO Group. Access to Civil Service Learning Diversity and equality objectives Performance management of staff
Failure to provide value for money by procuring or using resources efficiently to meet client needs	Nick Payne	Financial management and monitoring including monthly management accounts, quarterly forecasts, panel reviews Procurement authorities Compliance with Cabinet Office Spending Controls
Failure of clients to use the Government Legal Department efficiently	Stephen Braviner-Roman	Delivery of legal awareness training for clients Relationship Management Model
Injury or harm to staff, loss of Government Legal Department or client assets, or major loss of sensitive or confidential information	Nick Payne	Business Assurance Team Mandated training and security training for new staff Information security policies Regular security messages, security focus group Clear desk policy. Health and safety policy. Compliance with Security Policy Framework and other CO security initiatives Third party information risk management
Significant external events have an adverse impact on our ability to deliver services to our clients	Nick Payne	Business continuity and incident management arrangements in place and tested annually. Fully functioning Disaster Recovery site available for immediate swap over. 300 plus laptops are distributed for use in the event of a business continuity incident plus provision of mobile communications technology to support staff working away from the office. All staff provided with wallet card with basic details of what to do in the event of an incident.



Government Legal Department

One Kemble Street London WC2B 4TS

All content is subject to copyright © Crown Copyright 2015