

TO: **EMPLOYMENT COMMITTEE – 16 MARCH 2005**

SUBJECT: **LEGAL SERVICES STAFF RESTRUCTURE**

FROM: **LEGAL SERVICES**

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**1. PURPOSE OF REPORT**

- 1.1 To request the Committee to approve the changes to the Staff structure of Legal Services according to the recommendation below.

**2 BACKGROUND**

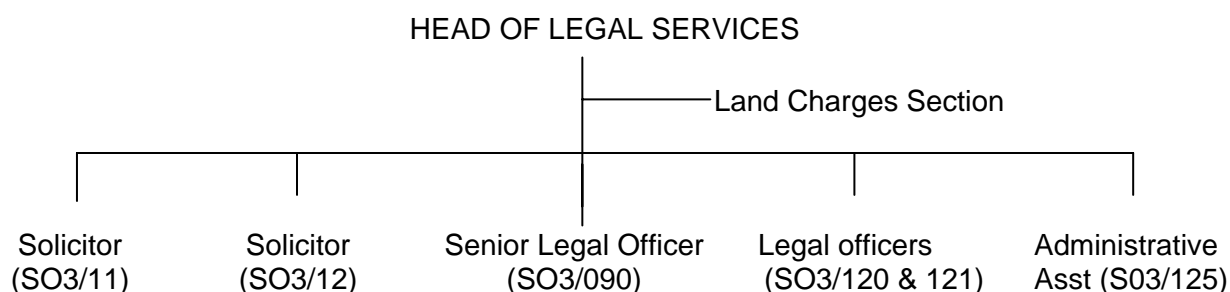
- 2.1 Principal Legal Officer, Jim Tildsley, will be taking early retirement as from 30 June 2005, (Minute 377).
- 2.2 The Head of Legal Services, Mary Sue Stathe, will be sixty years old in June 2005 and has expressed a wish to retire at a mutually convenient date later in 2005.
- 2.3 This has presented an opportunity to restructure the Senior Legal establishment, i.e. Head of Service (S02/010), Solicitor (S03/011), Principal Legal Officer (S03/010).

The rest of the Legal Section, (Senior Legal Officer, two Legal Officers and Administration Assistant), remain unchanged as does the Land Charges Section.

- 2.4 Over the last few years the need for legal advice has been growing as a result of new legislation, and various corporate initiatives. The implementation of the Freedom of Information Act 2000 and the Licensing Act 2003, nicely illustrate this, as does advice on equalities legislation as part of the Council's objective of achieving Equalities Standard 4 by 2007/8.
- 2.5 Added to this, when Nigel Roberts, Strategic Director (Environment), left the Authority in December 2003, Robert Inman (Assistant Chief Executive – Members' Services), was appointed Acting Monitoring Officer. It was always intended that this would be an interim appointment. The reorganisation of Legal Services provides the opportunity for that role to be added into the responsibilities of the Head of Legal Services. It is proposed that Robert Inman will continue to be involved as the Deputy Monitoring Officer.
- 2.6 To accommodate these changes, the job description of each Post have been substantially re-written. The Head of Service will apportion time between the roles of Monitoring Officer, provider of corporate legal advice, e.g. Freedom of Information, Data Protection, Human Rights and the management of the service, (including Land Charges at least until that service is fully automated).
- 2.7 The designation of Principal Legal Officer has been changed to Solicitor. In practice, the current Postholder, given his experience, has acted as a Solicitor for many years and this is reflected in the Post's current evaluation.

The two Solicitor Posts will be responsible for the provision of specialist legal advice to other Business Units within the Council, including advice to the Licensing and Planning Committees.

- 2.8 It is intended that all three Postholders act jointly as a Senior Legal Team. This will allow flexibility to meet the challenge of legal advice on new areas of law, and support of the Head of Service in giving corporate advice and managing the Unit. In that respect, Post SO3/011 will deputise in the absence of the Head of Service on holiday or sick leave.
- 2.9 This restructure has been the subject of informal consultations last year, (September-December 2004), and formal consultation on the first and final proposals with Staff and the Unions during January/February 2005.
- 2.10 The structure of the Unit will look as follows:-



### 3. **POLICY AND BUDGET FRAMEWORK**

- 3.1 These changes are taking place in order to support the ongoing Best Value programme.
- 3.2 The Posts of the two Solicitors (SO3/010 & 011) have been evaluated and resulted in no change of grade.
- 3.3 The Post of Head of Legal Services is being evaluated externally and any change in grade, resulting perhaps from the addition of Monitoring Officer duties, will be reported to the Committee. The cost of that potential re-evaluation will be found from corporate budgets.

### 4. **RECOMMENDATION**

- 4.1 To approve the restructure of Legal Services as set out at paragraphs 2.3 to 2.10.
- 4.2 In particular, to approve the addition of the role of Monitoring Officer to the Head of Legal Services Post (SO2/010); and
- 4.3 To approve the re-designation of Post SO3/010 from Principal Legal Officer to Solicitor.

Mary Sue Stathe  
Head of Legal Services

## **BACKGROUND PAPERS**

NIL

Areas in District Affected:	None
Key Decision:	No
Included in Forward Plan:	No

### **For further information about this report please contact:**

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