

# North Lanarkshire Council Report

## Finance and Resources Committee

Does this report require to be approved?  Yes  No

Ref AA Date 26/02/25

## Strategic Performance Framework - latest performance results for Legal and Democratic

**From** Archie Aitken, Chief Officer (Legal and Democratic)

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### Executive Summary

Legal and Democratic comprises the following service areas :-

- (1) Democratic & Resources, with a responsibility for governance arrangements, committees, Members Services, elections, licensing, registration services, the administration of Children's Panels, employment law advice, community councils, serious organised crime issues/ counter terrorism, the civic square complex, and veterans issues;
- (2) Enterprise, supporting, with legal advice and representation, all contractual, planning and property matters, together with an advisory and co-ordinating role in respect of data protection and freedom of information; and
- (3) Litigation, which provides all other legal advice and assistance, and representation in court proceedings.

Performance across all of these areas is monitored, as required, at fortnightly extended management meetings chaired by the Chief Officer.

As can be seen from the above summary of the Service, significant areas of service delivery are carried out in support of other Council Services and, accordingly, performance targets are sometimes not within the sole gift of Legal and Democratic. The indicators set out in Appendix 1, therefore, focus on those areas where the Service does have control of performance.

### Recommendations

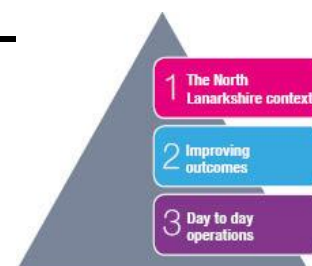
It is recommended that the Finance and Resources Committee:

- (1) Reviews the high-level performance overview presented in Appendix 1, and the supporting data contained within the linked Excel spreadsheet and identify where further information is required to understand or investigate performance further.

### The Plan for North Lanarkshire

Priority All priorities

Ambition statement	All ambition statements
Programme of Work	Statutory / corporate / service requirement



## 1. Background

- 1.1 There are six inter-related strategic frameworks which are key to evaluating the success of The Plan for North Lanarkshire and assessing delivery towards achieving the overall vision by ensuring each stage is appropriately aligned, planned, guided, implemented, monitored, and governed.
- 1.2 The six frameworks focus on ensuring a corporate one council approach in respect of Policy, Governance, Performance, Self-Evaluation, Project Management, and Demonstrating Improved Outcomes for Communities.
- 1.3 The Strategic Performance Framework comprises performance measurement at three levels (as per the diagram on the right). This aims to collectively provide an overview of performance to help understand the impact of council activities on improving services and outcomes for the people and communities of North Lanarkshire. The measures in this Framework allow for day to day activities, and progress towards achieving the long-term vision set out in The Plan for North Lanarkshire, to be regularly monitored, reported, assessed, and scrutinised.
- 1.4 The Strategic Performance Framework is aligned to the Accounts Commission' *Statutory Direction* which places a requirement on councils to report a range of information in terms of (1) improving local services and outcomes, and (2) demonstrating Best Value. Key points of note in this respect are that the Accounts Commission also expect to see:
- A balance in terms of reporting that captures highlights of good performance as well as areas of performance requiring improvement.
  - Reporting that is undertaken in a timely manner.
  - Easy access to performance information for all citizens and communities.
  - Comparisons of performance (i) over time (e.g. compared to previous years), and (ii) with others (e.g. other local authorities or the national average (where available and appropriate)).

The council's comparative performance in Local Government Benchmarking Framework (LGBF) indicators can be viewed through the Improvement Service's online dashboard: <https://www.improvementservice.org.uk/benchmarking/explore-the-data>

- 1.5 A Performance Reporting Schedule supports the timely submission of a range of performance information to ensure fully informed review, reporting, scrutiny, and decision making processes by Elected Members and senior management. This Schedule, endorsed by the Audit and Scrutiny Panel in February 2024, includes Chief Officer's individual Performance Reviews at Service Committees in line with the Strategic Performance Framework.
- 1.6 This report therefore presents the Finance and Resources Committee with the latest performance results for Legal and Democratic for Members' further review and scrutiny.

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## 2. Strategic Performance Framework

### Finance and Resources Committee responsibilities

2.1 In line with the terms of reference outlined in the Scheme of Administration, the Finance and Resources Committee is responsible for monitoring and reviewing performance information for the following Ambition Statements from The Plan for North Lanarkshire.

21. Continue to identify and access opportunities to leverage additional resources to support our ambitions.
25. Ensure intelligent use of data and information to support fully evidence based decision making and future planning.

2.2 The high-level performance overview in Appendix 1 presents Members with a summary of the latest results for each performance indicator within the remit of the Chief Officer (Legal and Democratic).

2.3 The information in Appendix 1 comprises the undernoted. Appendix 2 provides additional context in respect of the council’s approach to the measurement of indicators and setting of targets.

- An *ideal direction* arrow - this indicates whether a higher or lower figure is the preferred direction of travel.

↑	A higher figure is better
↓	A lower figure is better

- *Measurement unit* - for example whether the result is a %, a number, a unit cost (in £), or a ratio.
- *Performance results* for the most recent financial years (depending on availability of data) along with the latest year’s target and corresponding RAG status (for indicators where it is appropriate to set targets).

Key to RAG status	
<b>Green</b>	Performance is on target and/or within acceptable thresholds
<b>Red</b>	Performance does not meet target and is outwith acceptable thresholds
<b>Blue</b>	Performance surpasses the target and exceeds expectations

- The most *recent monthly or quarterly results*, along with the corresponding target and RAG status. Note the inclusion of this information is dependent on the measurement frequency of the indicator and availability of data as at the time of reporting.
- A *trend graph* - this captures the direction of travel achieved over the years and includes the most recent monthly or quarterly results where available.
- *Comments* - narrative summarising the current position and providing an explanation for any significant variations in performance. Where applicable, this narrative also highlights any internal or external factors impacting on service delivery as well as any residual effects of the pandemic, e.g. any increase or decrease in the volume of transactions or enquiries processed.

2.4 A large volume of data supports the high-level performance overview in Appendix 1. This is outlined in the **latest performance results for Legal and Democratic** Excel spreadsheet which is available through the following link for Members to carry out a deep dive and review and scrutinise each performance indicator further. The *Menu* on the second tab of the spreadsheet contains built in hyperlinks that automatically take the user to a tab for each performance indicator and therefore provides a useful navigation aid to review the contents of the file.

- [Latest performance results for Legal and Democratic.xlsx](#)

**Current context**

2.5 The Service restructured in April 2024 reducing the number of sections from four to three; Democratic and Resources, Litigation and Enterprise. The implementation of the structure is to be finalised, but the Service continues to face pressures on account of vacancies as a result of a difficulty in recruiting and retaining some posts. This has resulted in increased pressures on meeting demand, but all possible and practical steps are being taken to address this, including increasing resources and introduction of a case management system. The Service has implemented efficiencies in service delivery in Licensing, including streamlining processes and adopting a more digitised strategy. This has improved the customer experience and reduced the time that matters are brought before the Licensing Board and Regulatory Committee for determination. The Service is continuing to review and implement efficiencies in Registration both to meet customer demand and in preparation for One Number.

**Recent Performance highlights**

2.6 The Service continues to perform well in the processing of Freedom of Information and Registration which are assessed by national regulators in the terms of quality and accuracy of service reports. These are reported to Committee on an annual basis and these will continue to be monitored to ensure that each Service area achieves the best possible performance outcomes. Given the digitisation of Service areas, consideration is being given to key performance indicators for both internal clients and external customers and should meaningful performance information be available, these will be reported in due course.

**Areas of performance requiring improvement**

2.7 With reference to Appendix 1, the reason for the red status in respect of the increased cost per hour for legal services is set out in the comments column. In essence, this is due to a combination of increased staffing costs, due to further national collective bargaining, together with the associated on-costs. With regards to the hours spent providing legal services, this figure was revised following a reduction in sickness absence leading to an increase in the overall staff time recorded. As these are factors outwith the control of the Service, consideration will be given to an adjustment of the targets so that these reflect the position going forward.

The reason for the red status in respect of children’s panel expenses is also set out in the comment column of Appendix 1. In summary, this was a new indicator for 2023-2024 and as such the target was set at 100%. Consideration will also be given to an adjustment to this target once trends have been established.

**Next steps**

2.8 As noted in paragraph 1.5, the Strategic Performance Framework is supported by a Performance Reporting Schedule. This sets out the arrangements for service, statutory, and Strategic Performance Framework reporting to committee. In this respect the relevant Committee can expect to receive the following in respect of Legal and Democratic areas of work for 2025 to 2026.

Report	Description	Committee	Committee cycle
Freedom of Information annual report	This report provides details of the number of Freedom of Information (FOI) and Environmental Information Requests (EIR) received by the council during the previous financial year and	Finance and Resources Committee	Cycle 1 in 2025

	those completed by the statutory deadlines and also provides further comparative and ancillary information. Latest report in November 2023: <a href="#">link to report</a>		
Registration service performance	This report provides an update on the performance of the registration service, for the latest calendar year. The performance of the Registration Service provided is monitored annually by the District Examiners from National Records of Scotland (NRS). Note, production of this report relies on the timely receipt of the respective performance data from the NRS. Latest report in May 2024: <a href="#">link to report</a>	Finance and Resources Committee	Cycle 2 in 2025
Annual data protection report	This reports on the council's data protection compliance and activity for the latest financial year in line with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA) which came into force on 25 May 2018. The report is from the council's Data Protection Officer (DPO) and provides an update, following the introduction of the legislation, in relation to data sharing, breaches, complaints, and training. Latest report in September 2024: <a href="#">link to report</a>	Finance and Resources Committee	Cycle 3 in 2025

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### 3. Measures of success

#### 3.1 Measures of success include:

- Regular oversight and monitoring of performance across the organisation to gain assurances in terms of governance and accountability.
- Regular review and challenge processes to scrutinise the performance of the council to ensure effective use of resources and that resources are directed in accordance with agreed policy and according to priorities, while ensuring sound decision making and clear accountability for the use of resources in achieving improved outcomes for service users and the local community.
- Performance monitoring, management, and reporting arrangements that support the demonstration of improved performance in local services and outcomes, and the delivery of Best Value.

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### 4. Supporting documentation

Appendix 1 - High-level performance overview.

Appendix 2 - Note for information in respect of performance indicators and targets.



**Archie Aitken**  
**Chief Officer (Legal and Democratic)**

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## 5. Impacts

<b>5.1 Public Sector Equality Duty and Fairer Scotland Duty</b> Does the report contain information that has an impact as a result of the Public Sector Equality Duty and/or Fairer Scotland Duty? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, please provide a brief summary of the impact? If Yes, has an assessment been carried out and published on the council's website? <a href="https://www.northlanarkshire.gov.uk/your-community/equalities/equality-and-fairer-scotland-duty-impact-assessments">https://www.northlanarkshire.gov.uk/your-community/equalities/equality-and-fairer-scotland-duty-impact-assessments</a> Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>5.2 Financial impact</b> Does the report contain any financial impacts? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, have all relevant financial impacts been discussed and agreed with Finance? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, please provide a brief summary of the impact?
<b>5.3 HR policy impact</b> Does the report contain any HR policy or procedure impacts? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, have all relevant HR impacts been discussed and agreed with People Resources? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, please provide a brief summary of the impact?
<b>5.4 Legal impact</b> Does the report contain any legal impacts (such as general legal matters, statutory considerations (including employment law considerations), or new legislation)? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, have all relevant legal impacts been discussed and agreed with Legal and Democratic? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, please provide a brief summary of the impact?
<b>5.5 Data protection impact</b> Does the report / project / practice contain or involve the processing of personal data? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, is the processing of this personal data likely to result in a high risk to the data subject? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, has a Data Protection Impact Assessment (DPIA) been carried out and e-mailed to <a href="mailto:dataprotection@northlan.gov.uk">dataprotection@northlan.gov.uk</a> Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>5.6 Technology / Digital impact</b> Does the report contain information that has an impact on either technology, digital transformation, service redesign / business change processes, data management, or connectivity / broadband / Wi-Fi? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, please provide a brief summary of the impact? Where the impact identifies a requirement for significant technology change, has an assessment been carried out (or is scheduled to be carried out) by the Enterprise Architecture Governance Group (EAGG)? Yes <input type="checkbox"/> No <input type="checkbox"/>

5.7	<p><b>Environmental / Carbon impact</b></p> <p>Does the report / project / practice contain information that has an impact on any environmental or carbon matters?</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If Yes, please provide a brief summary of the impact?</p>
5.8	<p><b>Communications impact</b></p> <p>Does the report contain any information that has an impact on the council's communications activities?</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If Yes, please provide a brief summary of the impact?</p>
5.9	<p><b>Risk impact</b></p> <p>Is there a risk impact?</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If Yes, please provide a brief summary of the key risks and potential impacts, highlighting where the risk(s) are assessed and recorded (e.g. Corporate or Service or Project Risk Registers), and how they are managed?</p>
5.10	<p><b>Armed Forces Covenant Duty</b></p> <p>Does the report require to take due regard of the Armed Forces Covenant Duty (i.e. does it relate to healthcare, housing, or education services for in-Service or ex-Service personnel, or their families, or widow(er)s)?</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If Yes, please provide a brief summary of the provision which has been made to ensure there has been appropriate consideration of the particular needs of the Armed Forces community to make sure that they do not face disadvantage compared to other citizens in the provision of public services.</p>
5.11	<p><b>Children's rights and wellbeing impact</b></p> <p>Does the report contain any information regarding any council activity, service delivery, policy, or plan that has an impact on children and young people up to the age of 18, or on a specific group of these?</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If Yes, please provide a brief summary of the impact and the provision that has been made to ensure there has been appropriate consideration of the relevant Articles from the United Nations Convention on the Rights of the Child (UNCRC). If Yes, has a Children's Rights and Wellbeing Impact Assessment (CRWIA) been carried out?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>

Legal and Democratic

High-level performance overview - as at October 2024

Indicator	id	ideal direction	unit of measurement	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2023/24 target	2023/24 RAG status	2024/25 ytd (for monthly or quarterly monitored indicators only)	2024/25 target	trend	comments
Freedom of information - % of requests responded to within 20 working days	i112	higher figure is better	%	98.3	98.8	94.6	98.3	98.9	98.6	100.0	green	only measured annually	100.0		
Legal services - cost per hour of providing the legal service function	i102	lower figure is better	£	£47.26	£30.15	£32.01	£32.48	£35.66	£37.00	£33.46	red	only measured annually	£34.76		As apportioned expenses were removed in 2019/20, a new formula for calculating the indicator was introduced for 2020/21 onwards but targets were not revised accordingly until trends were established. Targets and thresholds will be reviewed for 2024/25 onwards. The total cost of the service (numerator) has increased for 2023/24 compared with 2022/23 due to an increase in annual salary and oncosts across all grades. The total chargeable hours (denominator) has increased for 2023/24 compared with 2022/23 due to an increase in the number of FTE staff. There is no control or means to predict these changes. These factors account towards the reported increase in the average cost £ per hour (actual) figure. Although the figure is outwith the target threshold of +/- 10% it remains within the year-to-year permitted variance change of +/- 5%.
Legal services - hours spent delivering legal services as a percentage of all staff hours in the service	i101	higher figure is better	%	84.3	80.9	80.8	81.8	76.5	77.4	83.0	green	only measured annually	84.0		
Registration of events - % of entries without errors	i125	higher figure is better	%	99.40	99.17	99.01	97.89	97.91		100.0		only measured annually	100.00		Data for this indicator is provided by the General Register of Scotland for each calendar year; latest data received showing performance of 97.9% covers the year calendar year 2022.
Children's panel expenses - % processed and passed for payment within 3 working days	i122	higher figure is better	%	n/a, new indicator from 2023/24 onwards	n/a	n/a	n/a	n/a	61.7	100.0	red	only measured annually	100.0		This is a new indicator. The target is set at 100% but may be adjusted accordingly once trends have been established. There was a reduction in FTE staff due to secondment elsewhere and other council priorities competing for their time. These factors account towards the reported performance.



Indicator	id	ideal direction	unit of measurement	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2023/24 target	2023/24 RAG status	2024/25 ytd	2024/25 target	trend	comments														
												(for monthly or quarterly monitored indicators only)																	
Appeals hearings - % acknowledged within 5 working days	i035	higher figure is better	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0	green	only measured annually	100.0	<table border="1"> <caption>Trend Data for i035</caption> <thead> <tr><th>Year</th><th>Value</th></tr> </thead> <tbody> <tr><td>2018/19</td><td>100.0</td></tr> <tr><td>2019/20</td><td>100.0</td></tr> <tr><td>2020/21</td><td>100.0</td></tr> <tr><td>2021/22</td><td>100.0</td></tr> <tr><td>2022/23</td><td>100.0</td></tr> <tr><td>2023/24</td><td>100.0</td></tr> </tbody> </table>	Year	Value	2018/19	100.0	2019/20	100.0	2020/21	100.0	2021/22	100.0	2022/23	100.0	2023/24	100.0	
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Appeals hearings - % decision notifications made within 14 calendar days	i037	higher figure is better	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0	green	only measured annually	100.0	<table border="1"> <caption>Trend Data for i037</caption> <thead> <tr><th>Year</th><th>Value</th></tr> </thead> <tbody> <tr><td>2018/19</td><td>100.0</td></tr> <tr><td>2019/20</td><td>100.0</td></tr> <tr><td>2020/21</td><td>100.0</td></tr> <tr><td>2021/22</td><td>100.0</td></tr> <tr><td>2022/23</td><td>100.0</td></tr> <tr><td>2023/24</td><td>100.0</td></tr> </tbody> </table>	Year	Value	2018/19	100.0	2019/20	100.0	2020/21	100.0	2021/22	100.0	2022/23	100.0	2023/24	100.0	
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### **Note for information in respect of performance indicators and targets**

It should be noted that the nature of particular areas of service being measured in order to assess and manage performance do not always lend themselves to a traditional approach to either measuring performance or setting targets, for example:

- Some indicators (and targets) are required to monitor performance against a commitment or minimum standard the council has made in advance to achieve a stated level of performance when delivering a service.
- Some indicators (and targets) are required to assess compliance with legislative requirements.
- Some targets represent the level of performance that the council aims to achieve from a particular activity in either the short, medium, or long-term.
- Some indicators are needed to help present a complete picture of performance in the round, as a single performance indicator used in isolation rarely tells the whole performance story and a range of indicators are required to reflect the economic, efficient, and effective aspects of demonstrating best value.
- Some indicators and targets can help to support accountability to the public in terms of demonstrating best value and an efficient and effective approach to the delivery of services.
- Some indicators are monitored to ensure the council complies with specific requirements, such as information governance or health and safety.
- Some indicators are monitored to provide added context in order to help interpret performance results or supplement other existing measures. Information such as this can be critical to enhance knowledge and decision making in terms of demand to help determine priorities and allocate resources.
- For some indicators it is not appropriate to set targets as it is the trend in the data (i.e. the direction of travel) that provides more meaningful information to allow for an assessment in relation to whether performance has improved.
- Some indicators are national benchmarking indicators where their purpose is to allow for comparisons with other councils and the national average. These benchmarks are, in essence, can openers designed to focus questions on why variations in cost and performance are occurring between similar councils.
- Some indicators are proxy measures, particularly in the case of measuring outcomes, as without directly measurable data for a desired outcome the only alternative is to use a proxy that is an indirect measure of the desired outcome but which is itself strongly correlated to that outcome.