

Long Term Plan 2024-34 Activity Plan

# Legal Services

- *High quality, cost effective legal services*

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			Signature	Date of sign-off
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# 1. What this activity delivers

Services		Contributes to Community outcomes
	<b>Legal Services</b> – High quality, cost-effective legal services by internal and external lawyers to enable Christchurch City Council to comply with its statutory obligations and effectively manage legal and commercial risks in advancing its organisational goals, including the strategic priorities.	<ul style="list-style-type: none"> <li>This is an internal service</li> </ul>

## A snapshot of provision and use

- ✓ Of the 111 respondents of the November 2022 satisfaction survey, 35% had used the services provided by Legal Services
- ✓ Overall satisfaction score of 86%
- ✓ Satisfaction for being treated with courtesy and respect 93%
- ✓ Satisfaction for resolving enquiries within the agreed timeframes 90%
- ✓ Satisfaction for the availability and accessibility of the service 90%



## What our community is saying




*Overall service satisfaction for Legal Services is the highest it has been.*




*Te Hononga Civic Offices, Christchurch*

## 2. Why we deliver this activity

### 2.1. Community Outcomes: How this activity contributes

Community Outcomes	Contribution*	Key contributions to achieving our community outcomes
 <p><b>Collaborative and confident</b> Our residents have the opportunity to actively participate in community and city life, have a strong sense of belonging and identity, and feel safe.</p>	<p>★★★★</p>	<ul style="list-style-type: none"> <li>• We are the Council’s internal legal team. We provide specialist legal advice, drawing on the skills of lawyers who have practised externally and who also have a knowledge and understanding of considerations that are unique to local government.</li> <li>• We provide a full legal service, covering commercial and property advice including contract negotiations, advisory and drafting, transactional advice and services, specialist procurement knowledge, and specialist knowledge within resource management, local authority governance, building claims, the sale and supply of alcohol, debt recovery, climate change, legislative reform and general litigation</li> <li>• In addition to the above, we provide legal and strategic advice to our operational units with risk assessment and mitigation and elimination strategies</li> <li>• We assess all legislative amendments for how they will affect each applicable business units and the Council as a whole, we advise staff and Council on these changes and work with the business units and Council to amend and update processes, policies, and strategies to take account of such changes</li> <li>• We are a connector between the Council and our CCOs and CCTOs</li> <li>• We assist, support, and facilitate the provision of community services by the operational business units</li> </ul>
 <p><b>Green and liveable</b> Our neighbourhoods and communities are accessible and well connected, supporting our goals to reduce emissions, build climate resilience and protect and regenerate the environment, especially our biodiversity, water bodies and tree canopy.</p>	<p>★</p>	<ul style="list-style-type: none"> <li>• We work with the business units advising on and preparing various legal arrangements (each being suitable to its own circumstances) to enable and facilitate planting and forestry right agreements on private land.</li> <li>• We remain up to date with and advise on (1) litigation risk in relation to decisions that affect Council operational emissions or district emissions and climate adaptation and (2) sustainability requirements for Council legal documents</li> </ul>
 <p><b>Cultural powerhouse</b> Our diverse communities are supported to understand and protect their heritage, pursue their arts, cultural and sporting interests, and contribute to making our city a creative cultural and events ‘powerhouse’.</p>	<p>★</p>	<ul style="list-style-type: none"> <li>• In addition to providing legal advice, we work with the operational business units in terms of policy and strategy to support the work that they do and work to find appropriate ways to partner with the very wide range of community stakeholders. We work to enable and support our business units to be innovative in their community partnering engagement, while still meeting all local government requirements</li> <li>• We work with our business units and our CCOs and CCTOs to support and facilitate working as partners to benefit our communities.</li> </ul>







			<ul style="list-style-type: none"> <li>Working closely with the operational business enables legal services to add value, and to alleviate and/or mitigate risk to the organisation.</li> </ul>
	<p><b>Thriving and prosperous</b> Our city is a great place for people, business, and investment where we can all grow our potential, where enterprises are innovative and smart, and where together we raise productivity and reduce emissions.</p>	★	<ul style="list-style-type: none"> <li>Our expanded legal team allows us to better support and provide advice to our innovative business teams such as City Growth, Smart Christchurch.</li> </ul>

**\*Level of contribution – what this means**

- ★★★★ This activity is critical to the Council’s contribution to achieving this community outcome – we measure our impact with specific levels of service
- ★★★ This activity strongly supports the Council’s contribution to achieving this community outcome – we measure our impact with specific levels of service for some elements
- ★★ This activity supports the Council’s contribution to achieving this community outcome – we measure our impact with specific levels of service if practicable
- ★ This activity may provide incidental support to achieving this community outcome – it’s not cost-effective to measure our impact

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## 2.2. Strategic Priorities - How this activity supports progress on our priorities

Strategic Priorities		Contribution*	How our strategic priorities influence the way we work
	Be an inclusive and equitable city which puts people at the centre of developing our city and district, prioritising wellbeing, accessibility, and connection.		<p>Legal Services can help ensure the Council is on track to meet our strategic priorities by providing advice and support to business units.</p>
	Champion Ōtautahi-Christchurch and collaborate to build our role as a leading New Zealand city.		
	Build trust and confidence in the Council through meaningful partnerships and communication, listening to and working with residents.		
	Reduce emissions as a Council and as a city, and invest in adaptation and resilience, leading a city-wide response to climate change while protecting our indigenous biodiversity, water bodies and tree canopy.	★	
	Manage ratepayers' money wisely, delivering quality core services to the whole community and addressing the issues that are important to our residents.		
	Actively balance the needs of today's residents with the needs of future generations, with the aim of leaving no one behind.		
<b>*Levels of contribution - what this means</b>			
★★★★	This activity is critical to the Council's contribution to achieving this community outcome – we measure our impact with specific levels of service		
★★★	This activity strongly supports the Council's contribution to achieving this community outcome – we measure our impact with specific levels of service for some elements		
★★	This activity supports the Council's contribution to achieving this community outcome – we measure our impact with specific levels of service if practicable		
★	This activity may provide incidental support to achieving this community outcome – it's not cost-effective to measure our impact		

## 2.3. Climate Resilience Goals: How this activity supports climate resilience goals

### Net zero emissions Christchurch

#### Key sources of greenhouse gas emissions from this activity includes:

##### Operational/embedded emissions

- *Office facilities:* Emissions from Te Hononga Civic Office facilities used by Legal Services staff. This includes printing, materials, electricity, etc.
- *Work travel:* Legal services staff sometimes travel for work purposes and there are travel emissions associated with this. However, travel for Legal services staff is rare and usually limited to travel for key training/conferences that are specifically relevant to local government or in-house lawyers. Travel within the city can be done on public transport, shared bike fleet, or the shared EV fleet.
- *Commuting:* Legal services staff commuting emissions.
- *Upstream suppliers:* Emissions from the external legal providers, and the providers of legal resources (such as case law search databases and matter management software etc). While these emissions are indirect and currently unquantified, they are still an emissions-source associated with our activities.

##### Emissions from users of activity

- *Legal advice on emissions:* Users of legal services include Council officers and elected members who require legal services input on projects, policy, and decisions, which in turn can affect Council operational emissions, and/or Christchurch district emissions

#### Legal Services are taking the following actions to reduce greenhouse gas emissions:

##### **Operational/embedded greenhouse gas emissions**

- *Office facilities:* Responsibility for operational emissions from Te Hononga Civic Office falls to the facilities management team.
- *Work travel:* Where travel for work purposes is required, we encourage and implement remote options to avoid travel where possible, or use of low emissions options such as the Council's EV fleet. Where remote options are not possible, we will rely on the Council offsetting policy/process to offset the effect of these emissions.
- *Commuting:* Our flexible working policy allows and encourages working from home where appropriate to reduce commuting emissions.
- *Upstream suppliers:* Quantification of emissions from legal resources and external legal suppliers will enable legal services to determine whether we can assist with reduction of these emissions through procurement processes.

##### **Greenhouse gas emissions by users of Legal Services**

- *Legal advice on emissions:* Upskilling legal services team in relation to climate legal frameworks to improve advice on legal climate risks and opportunities to ensure robust advice on these issues to Council officers and elected members. This in turn will facilitate robust climate governance, strategy, and risk management.
- *Legal advice on emissions:* Ensuring that legal climate risks and opportunities are recognised in Council decision making and reporting. This includes recent involvement in a project to improve guidance for Council staff on climate considerations in Council reporting.

**Note:** Legal services do not directly manage Council assets or activities that affect district emissions. However, we acknowledge the importance of robust legal advice will assist asset and activity managers to make decisions that reduce district emissions.

### We understand and are preparing for the ongoing impact of Climate change

#### Key climate risks for the Legal Services activity includes:

- *Physical risks to staff:* The changing climate could have direct impacts on our staff. This includes extreme weather (such as rainfall, flooding, extreme hot days, etc) affecting staff's ability to commute and accessibility to Te Hononga Civic Offices. This also includes health effects of changing climate on staff – e.g., increased illness, asthma, and susceptibility to extreme heat waves.





- *Physical risks to our suppliers:* Upstream legal services suppliers (such as resource providers or external legal providers) will have similar commuting/accessibility and health effects for their staff.
- *Changing regulatory framework:* Changing regulatory framework in relation to climate adaptation and emergency management.
- *Management of climate risk in procurement related documentation:* Legal advice to the Council procurement team must include advice on clear allocation of climate risk in procurement documentation, such as contracts for the supply of services and resources.
- *Management of climate risk in project/activity decisions:* Legal advice to the Council on project or activity decisions must include advice on how the legal framework in relation to climate adaptation affects those decisions.

**Options being considered to reduce the risks to the Legal Services activity and the community posed by those climate risks include:**

- *Physical risks to staff:* Direct/physical risks to staff commuting/accessibility is managed through flexible working policies to enable working from home for extreme weather events.
- *Physical risks to our suppliers:* Working with suppliers to ensure that direct/physical risks for their staff are also managed appropriately.
- *Changing regulatory framework:* Current and relevant advice on climate adaptation and emergency management can be achieved through ongoing staff training on the fast-moving developments in these areas.
- *Management of climate risk in procurement related documentation:* Ensuring legal review of contractual documents which allocate climate risk, include clause banks of clear and concise contractual wording to allocate risk.
- *Management of climate risk in project/activity decisions:* Early engagement with project or activity decision makers to ensure that robust, timely and appropriate legal advice can be provided on the legal adaptation framework. This includes recent involvement in a project to improve guidance for Council staff on climate considerations in Council reporting.
- *Training:* Ensuring the legal services team have the skills and training necessary to provide this advice.

**We are guardians of our natural environment and taonga**



**Please describe a pilot project you will undertake in the next three years to increase understanding of emissions reduction options and building resilience to climate risks relevant to your activity.**

Legal Services will continue to work with other business units to support the management of climate change risks.

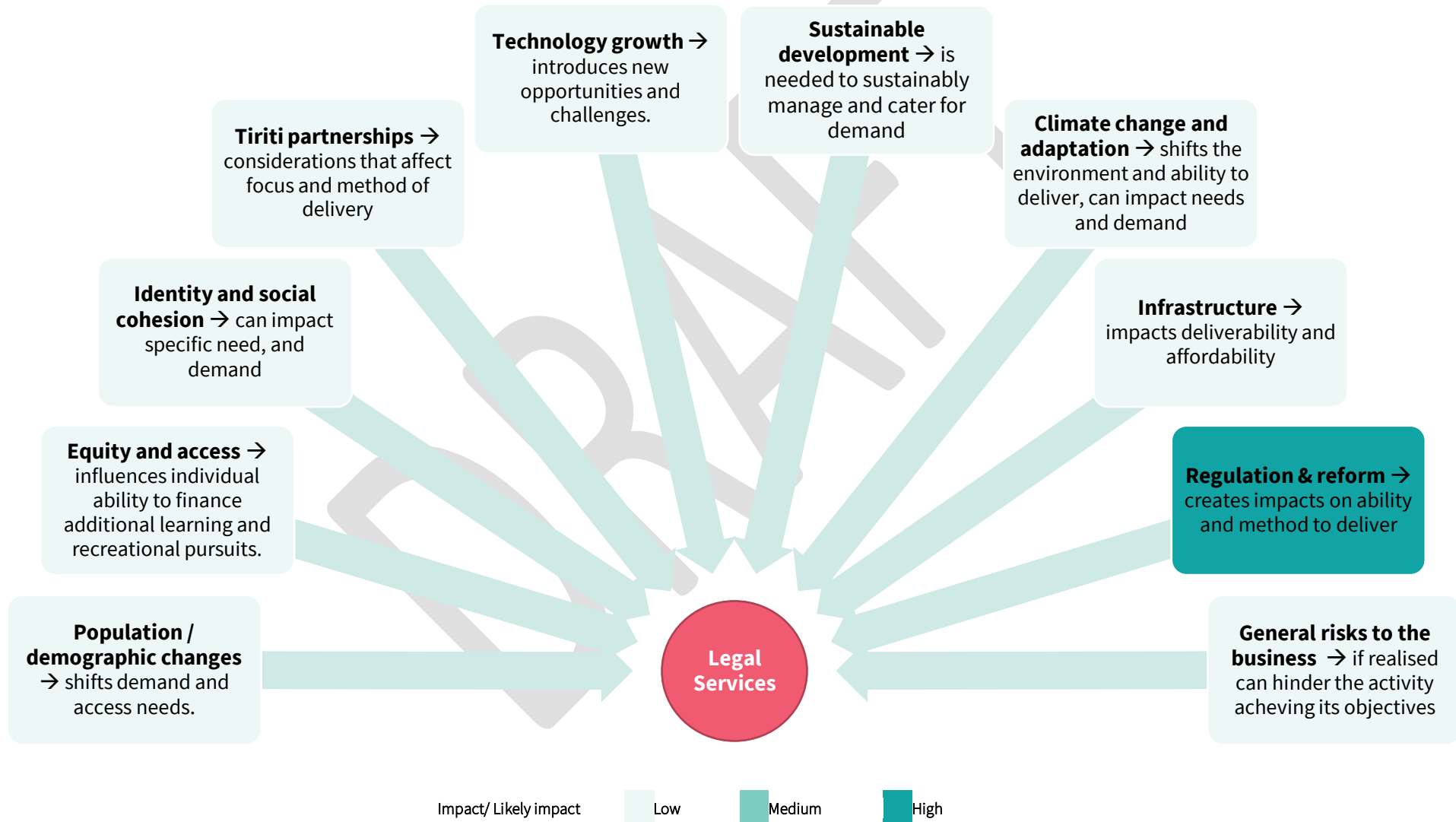
**Please explain any levels of service changes in this LTP, or that may be required in the future because of climate change.**

- This activity has no level of service changes that may be required because of climate change.

### 3. How we are planning for future impacts

There are various factors influencing current and future demand for Council library facilities and the ability to deliver them. These are listed below.

#### 3.1. Issues impacting current and future activity demand and deliverability



## 3.2. The high impact issues and mitigations planned

The more prominent ones that in particular effect our Community Outcomes or Strategic Priorities are summarised on this page. For further details on issues, including the current status, future projections, likely impact and mitigations please see Appendix B.

→ Regulation and reform

This will **impact the community outcomes and strategic priorities**

**A collaborative confident city**

**A cultural powerhouse city .**

**Mitigating actions** to ensure we manage regulation and reform include

Working with business units to understand impacts

Keeping abreast of changes in regulation

Continuing professional development

**Legal  
Services**

## 4. Our levels of service

Council's Levels of Service (LoS) measures enable us to monitor and report against our outcomes and service performance. See Appendix A: Levels of Service Details for more detail.

### Services & Levels of Service measurements

This activity has no community levels of service.

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## 5. How assets will be managed to deliver the services

This activity does not have assets.

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## 6. Capital expenditure and key capital projects

This activity does not have capital expenditure and key capital projects.

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# 7. Financial resources needed

## 7.1. Resources needed

Financial projections reflect the direction from Council as at the adoption meetings of 14, 21, 27 February 2024.

### Legal Services

000's	LTP 2024/25	LTP 2025/26	LTP 2026/27	LTP 2027/28	LTP 2028/29	LTP 2029/30	LTP 2030/31	LTP 2031/32	LTP 2032/33	LTP 2033/34
<b>Activity Costs Before Overheads by Service</b>										
Legal Services	4,525	4,656	4,759	4,868	4,980	5,090	5,196	5,300	5,406	5,509
	<b>4,525</b>	<b>4,656</b>	<b>4,759</b>	<b>4,868</b>	<b>4,980</b>	<b>5,090</b>	<b>5,196</b>	<b>5,300</b>	<b>5,406</b>	<b>5,509</b>
<b>Activity Costs by Cost Type</b>										
Direct Operating Costs	1,769	1,820	1,860	1,903	1,947	1,989	2,031	2,072	2,113	2,153
Direct Maintenance Costs										
Staff and Contract Personnel Costs	2,718	2,797	2,858	2,924	2,991	3,057	3,121	3,184	3,247	3,309
Other Activity Costs	38	39	40	41	42	43	44	45	46	47
Overheads, Indirect and Other Costs	(4,435)	(4,564)	(4,664)	(4,772)	(4,881)	(4,989)	(5,094)	(5,196)	(5,299)	(5,400)
Depreciation										
Debt Servicing and Interest										
<b>Total Activity Cost</b>	<b>90</b>	<b>92</b>	<b>94</b>	<b>96</b>	<b>99</b>	<b>101</b>	<b>103</b>	<b>105</b>	<b>107</b>	<b>109</b>
<b>Funded By:</b>										
Fees and Charges	90	92	94	96	99	101	103	105	107	109
Grants and Subsidies										
Cost Recoveries										
Other Revenues										
<b>Total Operational Revenue</b>	<b>90</b>	<b>92</b>	<b>94</b>	<b>96</b>	<b>99</b>	<b>101</b>	<b>103</b>	<b>105</b>	<b>107</b>	<b>109</b>
<b>Net Cost of Service</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(0)</b>	<b>(0)</b>
<b>Funding Percentages</b>										
Rates	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Fees and Charges	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Grants and Subsidies	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Cost Recoveries	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Other Revenues	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>Capital Expenditure</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Total Activity Capital</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

## 7.2. Funding consideration and outcome

*Section 101 Local Government Act 2002 - Funding Consideration. The following tables are based on the financials from the previous page.*

Council funds the Legal Services activity predominately through the general rate. This means that most funding comes from ratepayers, mostly on the basis of capital value, with benefits mostly received in the same year as the expenditure is incurred.

- **Operating expenditure:** All operational costs for the Legal Services activity are allocated out to the external activities by way of Corporate Overhead. For explanation of how each external activity funds Corporate Overhead please refer to section 7.2 of those Activity Plans.
- **Capital expenditure:** The Legal Services activity does not have any capital related expenditure.

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More information on the Council's Finance and Funding Polices can be found in the [Financial Strategy](#) and the [Revenue and Financing Policy](#)



## 8. Possible significant negative impacts on wellbeing



**This activity does not expect to have any significant negative effects on social, economic, environmental, or cultural wellbeing of the local community, now or in the future.**

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# Appendices



## 9. Appendix A: Levels of Service detail

### A.1. Continuous Improvement Review (S17A) – Recommendations for change

No Continuous Improvement Reviews (S17A) have been identified for this Activity.

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## A.2. Levels of Service: Performance measures in detail

Level of Service statement (What we will provide)	LOS	Measures of success (What our community can expect)	Performance Targets/Outputs				Method of Measurement	Community Outcome	Historic Performance Trends	Benchmarks	C/M
			2024/25	2025/26	2026/27	2027 - 34					
<b>High quality, cost effective legal services</b>											
<b>High quality, cost effective legal services by internal and external lawyers to enable CCC to comply with its statutory obligations and effectively manage legal and commercial risks</b>	13.5.2.1	Legal contact provided in a timely manner	90% advice provided within timeframes agreed between internal business unit and Legal Services				LEX system captures data on timeframes which can be reported on		2022/23: 97% 2021/22: 98.02% 2020/21: Not Achieved (no record keeping) 2019/2020: 90% 2018/19: 90%		M
	13.5.3	High quality legal advice provision	90% of business units have at least one relationship management meeting every six months to agree and review quality benchmarks				Management records		2022/23: 100% 2021/22: 93.75% 2020/21: 80% 2019/20: 98% 2018/19: 100%		M
	13.5.4	Internal business unit requester satisfaction with the legal service provided	70%	Target to be set per baseline result	Target to be set per baseline result	Target to be set per baseline result	Yearly Shared Services survey		2022/23: 86% 2021/22: 79% 2020/21: 79% 2019/20: No survey 2018/19: 72%		M
	13.5.6.3	Cost effective legal service provision	<or= 0.7-1%				% range of total controllable costs/total controllable organisational expenditure at year end % of In-house controllable legal expenditure/total controllable legal expenditure expressed as a percentage		2022/23: 0.63% 2021/22: 0.63% 2020/21: 0.5% 2019/20: 0.63% 2018/19: 0.64%		M
	13.5.6.4	High quality legal advice provision	Maintain between the range of 50% - 75% internal provision and 25% - 50% external provision				External controllable legal expenditure /total controllable external legal expenditure expressed as a percentage. Provides targeted percentage split e.g., 60% in-house/40% external legal spend		Internal/External 2022/23: 64%/35% 2021/22: 64%/36% 2020/21: 60%/40% 2019/20: 51%/49% 2018/19: 45.2%/54.8%		M

## A.3. Levels of Service changes from Long-term Plan 2021-31, and why

*Related Levels of Service (now known as Measures of Success and Targets) have been grouped together under Level of Service Statements. This provides a reduced suite of levels of service that are most critical and meaningful, rationalising the overall number to be presented in the LTP and included in future reporting to ELT, Council, and the community, while ensuring continued transparency of non-financial performance across services. Applying this process has resulted in no material changes to Measures of Success or Targets beyond those specifically set out below.*

### Amendments

Activity / Level of Service	Change from 2021-31 LTP	Reason/Rationale	Options for Consultation
13.5.2.1 (M) Legal contact and advice provided in a timely manner.  90% advice provided within timeframes agreed between internal business unit and Legal Services	Removal of 'and advice'.	KPI to focus on making contact in a timely manner to enable the method of delivery and advice requirements to be assessed. Business units will no longer set the timeframes for the provision of the advice. This is because Legal Services operates a model where the advisory requirements are assessed before the advice is prioritised and delivered.	Management measure, no consultation required.
13.5.3 (M) High quality legal advice provision. 90% of high-risk complex legal advice evidenced by peer review.	Amend metric. Replace with 90% of business units have at least one relationship management every six months to agree and review quality benchmarks.	Changes to ways of working will lead to a focus placed on benchmarking quality via engagement with business units directly. This change removes the quality assessment from being gauged by legal personnel.	Management measure, no consultation required.
13.5.4 (M) Percentage of internal business unit requester satisfied with legal service provided. Baseline taken from 2021/22 satisfaction result.	Reduction of baseline to 70%.	The baseline is lower as Legal Services changes its operating model to implement the recommendations of the Legal Operations Audit. The changes to prioritising work will impact in the medium term. The changes include, not prioritising work based on first in first served (which is recommended to be removed above) freeing up capacity by providing self-service tools for the business units on the low level, lower risk work to allow Legal Services to prioritise the high risk and strategic work. The initial years will have lower-level satisfaction during the transition.	Management measure, no consultation required.

## Deletions

Activity / Level of Service	Change from 2021-31 LTP	Reason/Rationale	Options for Consultation
<p>13.5.2.1 (M) Legal contact and advice provided in a timely manner.</p> <p>95% of delays to legal advice provision communicated to business unit at first reasonable opportunity.</p>	Delete.	The date of the request does not establish priority within Legal Services. The service is delivered based on risk-profile of request not the date provided by the business unit.	Management measure, no consultation required.
9.3.2 (M) Notify relevant building related claims to insurer.	Delete.	This LoS transferred to Legal Services when building litigation was amalgamated into the unit. This is a redundant LoS as this is part of business as usual for legal claims.	Management measure, no consultation required.
9.3.7 (M) Respond to building related claims under the appropriate forum.	Delete.	This LoS transferred to Legal Services when building litigation was amalgamated into the unit. This is a redundant LoS as all litigation matters are dealt with in the appropriate forum as a matter of course.	Management measure, no consultation required.

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# 10. Appendix B: Possible issues impacting the Activity & the mitigations planned

## B.1. Changing customer needs

### Population / demographic changes (Low impact)

This Activity has identified no possible population or demographic change issues impacting the Activity.

### Equity and access (Low impact)

This Activity has identified no possible equity or access issues impacting the Activity.

### Identity and social cohesion (Low impact)

This Activity has identified no possible identity and social cohesion issues impacting the Activity.

## B.2. Tiriti Partnerships (Low impact)

This Activity has identified no possible Tiriti partnership issues impacting the Activity.

## B.3. Technological growth (Low impact)

Issue/driver	Present Position	→ Projection	Impact on services	Mitigating plans
Changing technology	Evolving	The use of AI technology for transactional legal services will be able to undertake the low-level work that will be undertaken direct by the other activities	Legal Services is already changing its operating model so that low level transactional legal services will be undertaken direct by the other business units.	None. This is a matter for the other business units.

## B.4. Resilience and environmental considerations

### Climate change & adaptation (Low impact)

This Activity has identified no possible climate change & adaptation issues impacting the Activity.

### Sustainable development (Low impact)

This Activity has identified no possible sustainable development issues impacting the Activity.

## B.5. Infrastructure (Low impact)

This Activity has identified no possible infrastructure issues impacting the Activity.

## B.6. Regulations & reform (High impact)

Issue/driver	Present Position	→ Projection	Impact on services	Mitigating plans
Government reforms	Evolving	Unknown	May change the make up of work that legal services deliver	Keeping up to date with developments Working with the transition team



## B.7. Identified Business Unit Risks

Business Units aligned with this activity, i.e., Facilities and Asset Planning, Legal and Democracy, Digital and Community Support & Partnerships, will collaborate to deliver the levels of service for this activity.

Strategic priorities risk is associated with	Risk Description	Impact	Likelihood	Inherent Risk Rating	Controls / Mitigations Inherent	Residual Risk Rating Residual
Manage ratepayers' money wisely	If business units do not seek legal advice in a timely manner, the consequences can include project delay (which carry increased costs), staff agreeing to a disadvantageous position when they don't have to, contractual disputes, legal action, need to repeat processes and financial losses.	Extreme	Likely	High	Engagement and education with business units. Boiler plates to be included in contracts. Professional Training for all staff.	High
Manage ratepayers' money wisely	If business units do not follow legal advice, without legal strategy legal they may not set appropriate risk tolerances, understand actual (as opposed to perceived) legal risk, the consequences for not following the legal advice or put in place appropriate minimisation/elimination strategies if commercial drivers require that legal advice be followed in part only.	Extreme	Likely	High	Engagement and education with business units. Boiler plates to be included in contracts. Professional Training for all staff.	High