

5 May 2021

[REDACTED]

[REDACTED]

Request for Official Information responded to under the Local Government and Official Information and Meetings Act 1987 (LGOIMA) – reference: 8204031 (OIR: 2021-229)

I refer to your information request we received on 7 April 2021. The information you have requested is set out below:

1. Total external legal spend

a) What was your total spend on external legal service fees & service providers in the years ending 30 June 2019 and 30 June 2020 respectively?

Total external legal spend for the years ending 30 June 2019 and 30 June 2020 is shown in the table below:

2018/19 Financial year	\$707,751 (GST exclusive)
2019/20 Financial year	\$610,813 (GST exclusive)

2. Amount incurred with each legal service provider (professional service providers IE- firms) also include suppliers such as “Brookers” (above \$5k)

External legal service providers with spend values over \$5,000 (GST exclusive) per year or in total are shown in the table below. This spend includes costs such as legal database subscriptions.

Legal Service Providers >\$5k	2018/19 Financial year	2019/20 Financial year	Grand Total
Simpson Grierson	\$426,969	\$386,025	\$812,994
Buddle Findlay	\$218,579	\$99,328	\$317,907
Thomson Reuters	\$27,098	\$29,189	\$56,287
Macalister Mazengarb	\$7,558	\$23,071	\$30,630
K3 Legal Limited		\$23,913	\$23,913
Breaden McCardle Chubb	\$1,000	\$11,734	\$12,734
TC Stephens		\$11,568	\$11,568
Duncan Cotterill		\$9,564	\$9,564
Heaney & Partners	\$3,048	\$5,677	\$8,725
DLA Piper New Zealand	\$3,729	\$2,461	\$6,190
Local Govt NZ	\$3,766	\$1,407	\$5,173
Grand Total	\$691,747	\$603,938	\$1,295,685

3. For each of the years ending 30 June 2019 and 30 June 2020:

a) Legal team staffing numbers

- **Headcount: how many lawyers were employed or engaged in a legal role by your organisation during each year:**

For the year ending 30 June 2019, Council employed one lawyer on a part time basis (approximately 0.8 FTE), and contracted one lawyer (approximately 0.7 FTE) to provide legal services as the Council's Senior Legal Counsel.

For the year ending 30 June 2020, Council did not employ any lawyers but contracted two lawyers to provide legal services (Senior Legal Counsel and Legal Counsel) equivalent to 1.5 FTE.

- **FTE lawyers: if different, how many full-time equivalent (FTE) such lawyers?**

N/A

b) Non-legal staff in legal team/law department

- **Headcount: how many non-legal staff were employed or engaged during each year in the legal team or otherwise directly associated with or supporting the legal staff in 3(a) above:**

For the years ending 30 June 2019 and 30 June 2020, the Council employed 2 non-legal staff (equivalent to 1.4 and 1.6 FTE respectively) to focus on managing warrants and delegations and also responses to requests received under the Privacy Act and the LGOIMA.

- **FTE non-legal staff: if different, how many FTE such staff?**

N/A

4. Total internal legal spend. In each year ended 30 June 2019 and 30 June 2020 what was your:

- **Direct total investment on internal legal services, including all salaries & service providers:**

Total spend on internal legal salaries for the year ending 30 June 2019 was \$120,300; and for the year ending 30 June 2020 was \$75,000.

Total spend on internal legal service providers for the year ending 30 June 2019 was \$92,750 (GST exclusive); and for the year ending 30 June 2020 was \$284,221 (GST exclusive).

- **The additional indirect costs of internal legal services?**

Total additional indirect spend for internal legal services including telecommunications, travel, training, and membership subscription was \$ 5,088 (GST exclusive) for the year ending 30 June 2019, and \$3,998 (GST exclusive) for the year ending 30 June 2020.

5. Chief Legal Officer reporting. At what organisational level does your most senior lawyer report?

Both the Governance and Legal Services Manager and Senior Legal Counsel currently report to the Group Manager People and Partnerships.

ORGANISATIONAL DATA

6. Total staff numbers. In total, how many of the following were employed or otherwise utilised by your organisation as at 30 June 2019 and 30 June 2020 respectively?

a) Total employees/staff in whatever capacity if different, the full-time equivalent (ie FTE) number of all such employees/staff

The number of employees is publicly available via the Council's published Annual Report, located on the Council's website via the following link:

[Annual Report 2019-20](#) – please refer to page 147.

7. Total amount of legal “work/matters” outsourced to external providers for the organisation as at 30 June 2019 and 30 June 2020 respectively?

As at 31 March 2021, there were approximately 70 files outsourced to external providers. The Council does not currently have a register documenting when each file was opened so it is not possible to identify the number of files opened at the end of each financial year without reviewing each file separately. Please advise if you would like each individual file reviewed.

Please note, should you wish us to review each file, this will involve substantial collation and research and will likely incur a charge. Section 13 of the LGOIMA allows Council to apply a charge for the provision of information. Please find details on our fees and charges at the following link: <https://www.kapiticoast.govt.nz/services/A---Z-Council-Services-and-Facilities/Fees-and-Charges/official-information-request-charges/>

You have the right to make a request to the Ombudsman to review this decision. Complaints can be sent by email to info@ombudsman.parliament.nz, by fax to (04) 471 2254, or by post to The Ombudsman, PO Box 10152, Wellington 6143.

Ngā mihi



Janice McDougall

Group Manager People and Partnerships
Te Kaihautū, ngā Rangapū, Tāngata hoki