

Notice of Meeting



Orbis Public Law Joint Committee



SURREY

Date & time	Place	Contact
Friday, 12 October 2018 at 11.30 am	Members' Conference Room, SCC, County Hall, Penrhyn Road, Kingston-upon-Thames KT1 2DW	Joss Butler Room 122, County Hall Tel 020 8541 9229 joss.butler@surreycc.gov.uk

If you would like a copy of this agenda or the attached papers in another format, eg large print or braille, or another language please either call 020 8541 9122, write to Democratic Services, Room 122, County Hall, Penrhyn Road, Kingston upon Thames, Surrey KT1 2DN, Minicom 020 8541 8914, fax 020 8541 9009, or email joss.butler@surreycc.gov.uk.

This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Joss Butler on 020 8541 9702.

Members of the Committee

Councillor David Elkin, (East Sussex County Council), Councillor Les Hamilton (Brighton & Hove City Council), Councillor Helyn Clack (Surrey County Council) and Councillor Bob Lanzer (West Sussex County Council)

AGENDA

1 APOLOGIES FOR ABSENCE

To receive apologies for absence.

2 MINUTES OF THE PREVIOUS MEETING

(Pages 5
- 10)

To agree the minutes of the last meeting as a correct record of the meeting.

3 DECLARATIONS OF INTEREST

To receive any declarations of interest.

4 PROCEDURAL MATTERS

4a Members' Questions

The deadline for Members' questions is 12pm four working days before the meeting (8 October 2018).

4b Public Questions

The deadline for public questions is seven days before the meeting (5 October 2018).

5 INTEGRATION UPDATE

(Pages
11 - 26)

To update the Orbis Public Law Joint Committee on the progress to an integrated service.

6 IT ENABLING PROJECTS

(Pages
27 - 32)

To update the Orbis Public Law Joint Committee on a number of IT projects which enable the operation of the single service.

7 FINANCE UPDATE

(Pages
33 - 38)

The partners have agreed to establish a Joint Operating Budget from 1 April 2019. In advance of this, the management team and committee are monitoring a shadow operating budget.

This report provides a note of the position for the shadow budget at 31 July 2018, latest 2019/20 savings targets and upcoming finance project activities to support the establishment of the joint budget.

Philip Baker
Assistant Chief Executive
East Sussex County Council

Joanna Killian
Chief Executive
Surrey County Council
Published: Thursday, 4 October 2018

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MINUTES of the meeting of the **ORBIS** Public Law Joint Committee held at 2.00 pm on 2 July 2018 at Committee Room - County Hall, Lewes.

These minutes are subject to confirmation by the Committee at its meeting on Friday, 12 October 2018.

Elected Members:

- * Councillor David Elkin (Chair)
- * Councillor Les Hamilton
- * Councillor Helyn Clack
- * Councillor Jeremy Hunt

In attendance

Philip Baker, Assistant Chief Executive (ESCC) and Interim Head of Orbis Public Law
Rachel Crossley, Director of Strategy Commissioning (SCC)
Abraham Ghebre-Ghiorgis, Executive Lead Officer, Strategy Governance and Law (BHCC)
Tony Kershaw, Director of Law and Assurance (WSCC)
Andrea Kilby, Business Development Manager (OPL)
Emma Nash, Project Manager (OPL)
Susan Smyth, Head of Strategic Finance (Orbis)
Adrian Stockbridge, Head of Strategy, Performance & Change (Orbis)

5 MINUTES OF THE PREVIOUS MEETING [Item 1]

The minutes of the previous meeting held on 25 January 2018 were approved as a correct record.

6 APOLOGIES FOR ABSENCE [Item 2]

There were none.

7 DECLARATIONS OF INTEREST [Item 3]

There were none.

8 URGENT ITEMS [Item 4]

There were none.

9 REPORTS [Item]

Reports referred to in the minutes below are contained in the minute book.

10 ORBIS PUBLIC LAW - INTEGRATION UPDATE [Item 5]

The Committee considered a report on the work done to integrate the Orbis Public Law partnership, introduced by Philip Baker.

Witnesses:

Philip Baker, Assistant Chief Executive (ESCC) and Interim Head of Orbis Public Law

Rachel Crossley, Director of Strategy Commissioning (SCC)

Abraham Ghebre-Ghiorgis, Executive Lead Officer, Strategy Governance and Law (BHCC)

Tony Kershaw, Director of Law and Assurance (WSCC)

Key Points:

- 1) Philip Baker set out the work to be done in the coming months by the Interim Leadership Team (ILT) in assessing the current work and complexity levels, to provide an understanding of the collective demand and resource available. The ILT will then design the best model to deliver OPL's objectives and the single service. This will lead to best practice and procedures being shared across the partnership and allow centres of excellence to be developed.
- 2) The current work on developing a shared case management system was highlighted, together with the results of the staff engagement survey and the alignment work being undertaken with teams which were not part of OPL pathfinder projects.
- 3) The Committee reflected on the survey results and the differing level of take up among the authorities. Abraham Ghebre-Ghiorgis set out that some BHCC staff had commented that the pace of change was not fast enough. Philip Baker explained the ways that the ILT were engaging with the staff, via email and office noticeboards, using the results of the survey as a guide. He also set out the benefits that had already accrued in terms of peer support and training opportunities.
- 4) The Committee commented on recruitment and retention of staff, and the potential for developing staff within OPL.
- 5) The Committee reviewed the performance data and commented on the differential in child care applications between the authorities and the associated external expenditure. This was discussed later in the agenda under the advocacy project which sets out OPL's strategy to address this external spend.
- 6) Officers present emphasised the importance of consistent data across the partners, and the challenges posed by approaches to time-recording. A data review is underway to ensure that the data supports the delivery of the business plan. Officers also explained the workshare principles which will be developed further, but which were welcomed as a way of seeing how other teams approach similar issues. An update with case hours at the next meeting was offered.
- 7) Members were supportive of OPL's achievements so far, are very keen that the partners keep up the pace and deliver the business plan on time.

RESOLUTIONS

The Joint Committee RESOLVED to endorse the approach taken towards an integrated service.

11 CHILD CARE ADVOCACY STRATEGY AND BUSINESS PLAN [Item 6]

The Committee considered a report on the Child Care Advocacy Strategy and business plan introduced by Philip Baker.

Witnesses:

Philip Baker, Assistant Chief Executive (ESCC) and Interim Head of Orbis Public Law

Rachel Crossley, Director of Strategy Commissioning (SCC)

Abraham Ghebre-Ghiorgis, Executive Lead Officer, Strategy Governance and Law (BHCC)

Tony Kershaw, Director of Law and Assurance (WSSC)

Andrea Kilby, Business Development Manager (OPL)

Susan Smyth, Head of Strategic Finance

Key Points:

- 1) Philip Baker set out that the report was a response to a request at a previous committee meeting, The strategy sets out a number of measures underway to collectively manage the demand. It highlighted the advantages of using in-house advocates in relation to child care proceedings. He also informed the Committee of a recent recruitment of an advocate, but that OPL had hoped to appoint more than one candidate. Officers continue to explore joint recruitment.
- 2) Philip Baker explained that the courts were also content with the greater familiarity with cases of the in-house advocate, which led to fewer case management hearings overall and a greater efficiency throughout the system. OPL contributes to the Court Users Groups, to assist the judiciary and administration with maximising efficient use of court time, and the roll out of the Digital Court programme was highlighted.
- 3) The Committee commented on the difference in pension contributions between the partner authorities. It was clarified that staff pay the same contribution to pensions, it is the employers rate that accounts for this difference.
- 4) The Framework for securing the best price for when external advice or representation is ne being developed,

RESOLUTIONS

The Joint Committee RESOLVED to approve the Child Care Advocacy Strategy and Business Plan, and endorse the approach to reducing expenditure on external counsel to represent OPL authorities in child care proceedings.

12 DIGITAL COURT [Item 7]

The Committee considered a report on the digital court pilot and roll out introduced by Andrea Kilby.

Witnesses:

Philip Baker, Assistant Chief Executive (ESCC) and Interim Head of Orbis Public Law

Rachel Crossley, Director of Strategy Commissioning (SCC)

Abraham Ghebre-Ghiorgis, Executive Lead Officer, Strategy Governance and Law (BHCC)

Tony Kershaw, Director of Law and Assurance (WSSC)
Andrea Kilby, Business Development Manager (OPL)

Key Points:

- 1) Andrea Kilby informed the Committee that the digital court pilot had been featured in the Law Gazette, and set out the principle features of the project in reducing the production of paper copies of documents for Family Court proceedings. The project is live at Surrey based courts (Guildford and Staines) and is now being rolled out to the other family courts in Sussex (Brighton, Worthing, Horsham and Hastings), It was set out that the project included video link capability, to assist vulnerable witnesses.
- 2) The Committee commented on the benefits to children that would result from the streamlined, more efficient court proceedings, and felt that the project should be more widely publicised. Officers agreed to initiate further publicity through their communications teams.

RESOLUTIONS

The Joint Committee RESOLVED to note the update and plans and congratulate Andrea Kilby and all involved in the successful pilot.

13 FINANCE UPDATE [Item 8]

The Committee considered a report on the Orbis Public Law partnership finances introduced by Susan Smyth.

Witnesses:

Philip Baker, Assistant Chief Executive (ESCC) and Interim Head of Orbis Public Law
Abraham Ghebre-Ghiorgis, Executive Lead Officer, Strategy Governance and Law (BHCC)
Tony Kershaw, Director of Law and Assurance (WSSC)
Rachel Crossley, Director of Strategy Commissioning (SCC)
Susan Smyth, Head of Strategic Finance (OPL)

Key Points:

- 1) Susan Smyth outlined the underspend of £1m, which is in part attributable to a staffing underspend. The officers set out how they were addressing recruitment issues.
- 2) The Committee remarked on the challenges posed by departmental spending on legal advice beyond the control of OPL, and the need for a collective responsibility within authorities to address spending on external legal advice.
- 3) Susan discussed that the plan is that the Agreed Contribution Ratio (ACR) will move in accordance to the work done, measured through time recording data. This will be presented at the next meeting,
- 4) Susan Smyth set out the objectives for the final shadow budget year of having all the OPL Finance resources in one team, the VAT registration and implications and support for the income generation strategy. The OPL Finance team will produce a proposed budget for 2019/20 for the Joint Committee to consider and each authority to authorise.

RESOLUTIONS

The Joint Committee RESOLVED to:

1. Note the shadow operating budget variance of £1.0m for 2017/18 due to staffing underspends.
2. Note a total spend on external legal costs of £5.9m. This includes spend on court fees, counsel, expert witnesses as well as external legal advice, and therefore not all this spend is addressable by OPL.
3. Note changes to the notional contributions to the shadow operating budget as a result of differences between the partners in expectation for savings and changes in headcount.

14 ANY OTHER ITEMS PREVIOUSLY NOTIFIED UNDER AGENDA ITEM 4 [Item 9]

The Joint Committee noted the date of the next meeting which will be held on Friday 12 October 2018 at Kingston, in conjunction with the Orbis Joint Committee meeting.

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**BRIGHTON AND HOVE CITY COUNCIL, EAST SUSSEX
COUNTY COUNCIL, SURREY COUNTY COUNCIL AND
WEST SUSSEX COUNTY COUNCIL**

ORBIS PUBLIC LAW JOINT COMMITTEE

DATE: 12 OCTOBER 2018

**LEAD OFFICERS: PHILIP BAKER (ASSISTANT CHIEF EXECUTIVE, ESCC),
RACHEL CROSSLEY (DIRECTOR OF STRATEGIC COMMISSIONING, SCC),
ABRAHAM GHEBRE-GHIORGHIS (EXECUTIVE LEAD OFFICER FOR STRATEGY, GOVERNANCE AND LAW, BHCC),
AND
TONY KERSHAW (DIRECTOR OF LAW AND ASSURANCE, WSCC).**

SUBJECT: INTEGRATION UPDATE

PURPOSE OF REPORT:

To update the Orbis Public Law Joint Committee on the progress to an integrated service.

INTRODUCTION

Orbis Public Law (OPL), the shared legal service between Brighton & Hove City Council and the County Councils of East Sussex, Surrey and West Sussex, continues with the implementation of the integrated shared service.

OPL is committed to delivering this single service in 2019/20 in the following key areas:

- 1) An integrated staffing structure
- 2) Single processes to support this
- 3) A single case management platform
- 4) A joint operational budget

The single case management platform (alongside other IT enabling projects) and the joint operational budget are reported separately.

RECOMMENDATION

It is recommended that the Orbis Public Law Joint Committee reviews the progress of the partnership and endorses the continued approach.

REASON FOR RECOMMENDATION

To ensure Members have oversight of the design and plans for the delivery of Orbis Public Law.

DETAILS:

Integrated teams

1. As reported at the July 2018 meeting, the OPL Interim Leadership Team (ILT), is currently designing a staffing model that will deliver an integrated service by areas of specialism across OPL.
2. The wider specialist groupings include:
 - Commercial and Governance
 - Adults, Health and Education
 - Litigation
 - Child care and advocacy
3. The ILT members are in the process of collating and analysing data which will give a thorough understanding of the following areas:
 - The current staff resources and skill levels across OPL.
 - The work volumes, current and expected, including work type and complexity levels.
 - The current working arrangements and systems.
 - An assessment of practice and procedures being used, identifying what we do well and what we don't.
 - The current client/customer relations and expectations.
 - Gaps in resources, including workforce expertise and skills e.g. particularly where external legal work is bought-in.
4. This analysis phase is expected to conclude in October. Following this the ILT and Executive Board will then start work on designing the structure of the service. OPL are working towards implementing this structure in 2019/20.
5. Last year, OPL started to develop the integrated model in the Commercial law teams (Contracts & Procurement and Property) and this group recently added Environment and Governance. Some notable benefits include:
 - An Environment Lawyer maternity leave vacancy is being covered by OPL, removing the need to recruit a backfill.
 - A joined up approach with Orbis Procurement has made significant progress with the development a protocol for setting out at which points in the process Procurement and OPL needs to be engaged in contract and procurement matters. A pipeline is being developed to identify joint projects and the team are nearly complete in producing a complete suite of procurement templates.

6. Work sharing within Adult Social Care has helped alleviate a short term staffing pressure experienced by one partner.

Insurance claims

7. OPL and Orbis Finance have been developing an area of expertise for insurance claims. Following detailed analysis and consultation with staff, in September 2018, Orbis Finance transferred the handling of liability and litigated insurance claims for BHCC and SCC from Orbis to OPL. ESCC and WSCC claims handling is already carried out by OPL and has extensive expertise in this area. Line management responsibilities have been transferred to the OPL Interim Head of Litigation who is responsible for forming the combined team.
8. The transition will happen over the next six months and includes plans to:
 - clear a backlog of highway claims at SCC,
 - train BHCC claims handling staff while the remaining term of the current contract runs until April 2019,
 - develop single processes,
 - move over the budget to OPL,
 - integrate and form the combined team.

Child care advocacy

9. The child care advocacy project has regularly been reported to Members, and continues to be a key priority for OPL. Members agreed the business plan in July and the latest position against this plan includes;
 - The first 'OPL advocate' started in August and is being inducted into OPL. Further recruitment is planned for the autumn to fill two posts.
 - Data for Q1 shows that our in-house advocates notionally saved OPL £49k, a projected full year saving of £170k. The data demonstrates that more 'longer hearings' are being carried out by our advocates. These are expensive to buy in and therefore a good use of our internal resource.
 - Support has also been provided to childcare lawyers generally to do more of their own advocacy. The data tracked shows that advocacy with a notional value of £92k was carried out by the teams during Q1. This has been a significant cultural shift for some partners, and one that lawyers have welcomed.
 - Recruitment and retention remains an ongoing challenge.

Legal services framework

10. OPL are working together to procure a new OPL Legal Services Framework to cover the provision of external legal services advice, representation and casework where this is used to supplement in-house capacity or specialist expertise. The framework is a joint tender process across the OPL authorities

and will also be accessible to Districts & Boroughs within those counties.

11. The introduction of the framework will commence on 1 March 2019 and run for 3 years plus 3 year optional extension. The benefits of the OPL framework to the partnership are:

- To ensure an up to date specification that meets OPL's requirements;
- To deliver a cost effective service;
- To obtain up to date competitive rates;
- To achieve savings through efficiencies and monitoring usage more closely;
- To offer OPL staff more flexibility and access to a wider range of specialist expertise.

Q1 2018 (Apr-Jun) performance data

12. Since the July JC, OPL has conducted a data audit which has concluded that overall the time recording data is reasonably robust and provides a firm basis to underpin the OPL business model. The review identified system and cultural issues which need to be addressed so that performance information including 'cost per chargeable hour' is accurate and reliable.

13. Appendix 1 details the performance data for the period 2018/19 Q1 (Apr-Jun). Data is captured on:

- Volumes and types of work
- Cost per chargeable hour
- Staff make up
- Child care advocacy
- Financial data is reported separately as noted above.

CONCLUSION

14. Detailed integration plans for 2018/19 will be developed following the current state analysis phase. Consultations with staff and stakeholders will continue through the next phase.

Contact Officer: Emma Nash, OPL Project Manager

Appendices: 1 – Q1 performance data

Sources/background papers: None

orbis

public law

A single, resilient, sustainable, cost effective legal service with a public service ethos and an ability and ambition to grow.

Performance data
Q1 – APR – JUN 2018

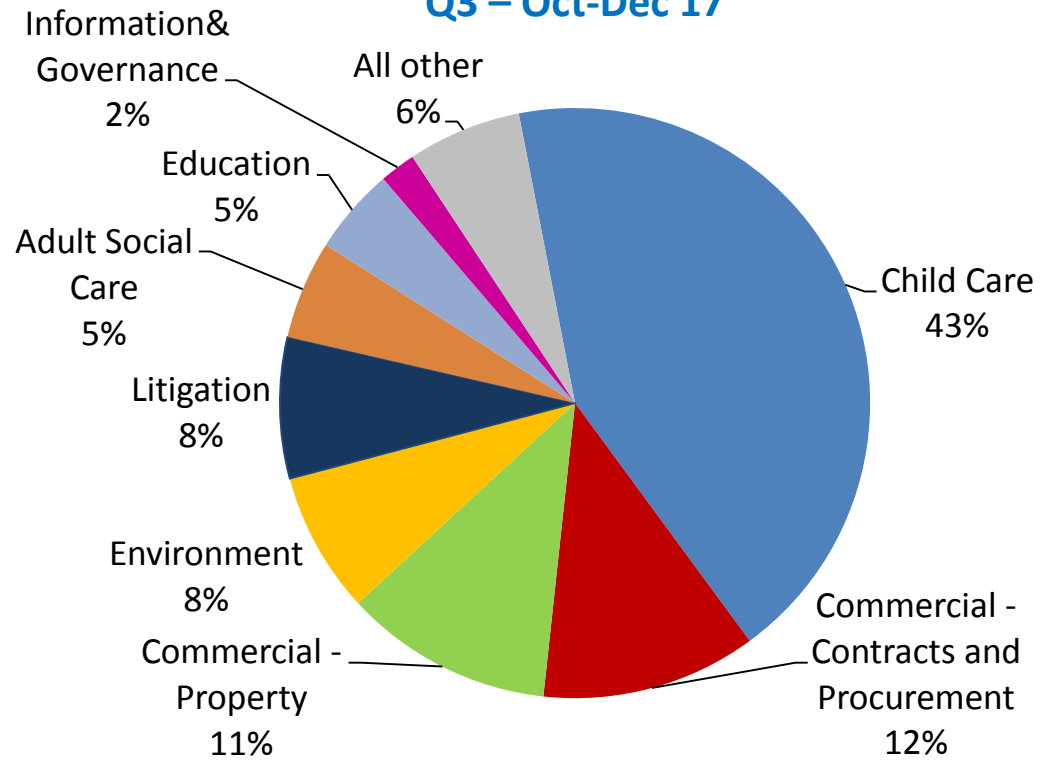


PERFORMANCE DATA - 2018-19 Q1

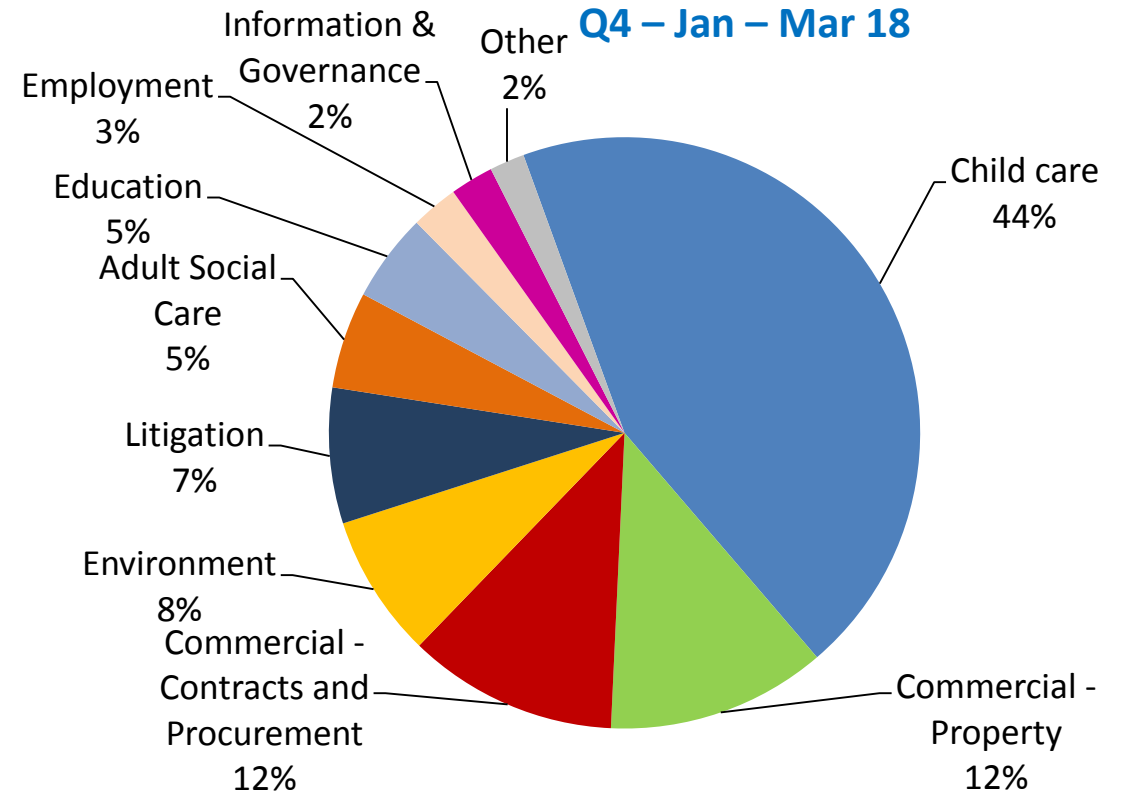
1. Volume and type of work
2. Chargeable hours
3. Cost per chargeable hour
4. Staff make up
5. Work sharing
6. Child care advocacy

VOLUME & TYPES OF WORK 2017/18 Q3 & Q4

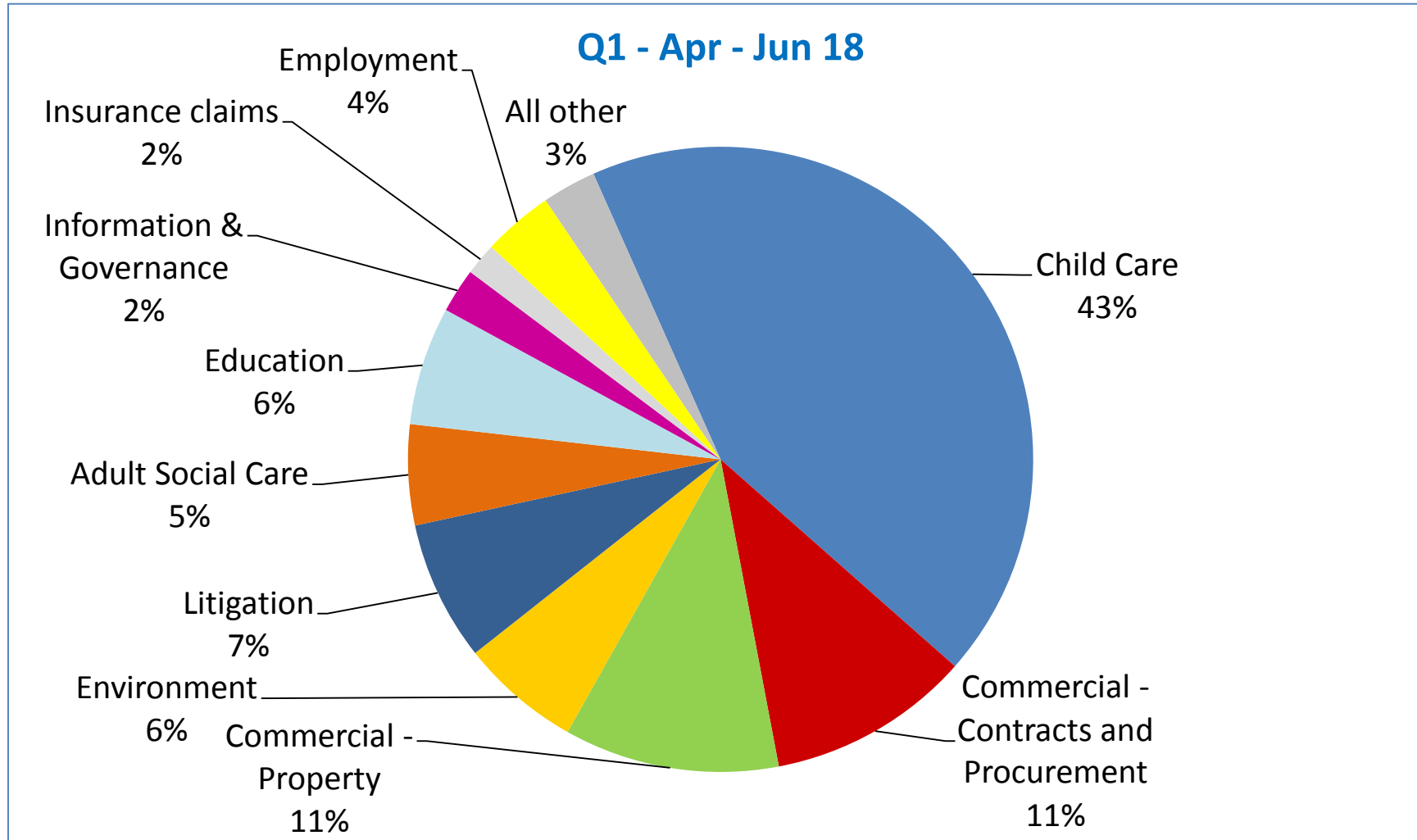
Q3 – Oct-Dec 17



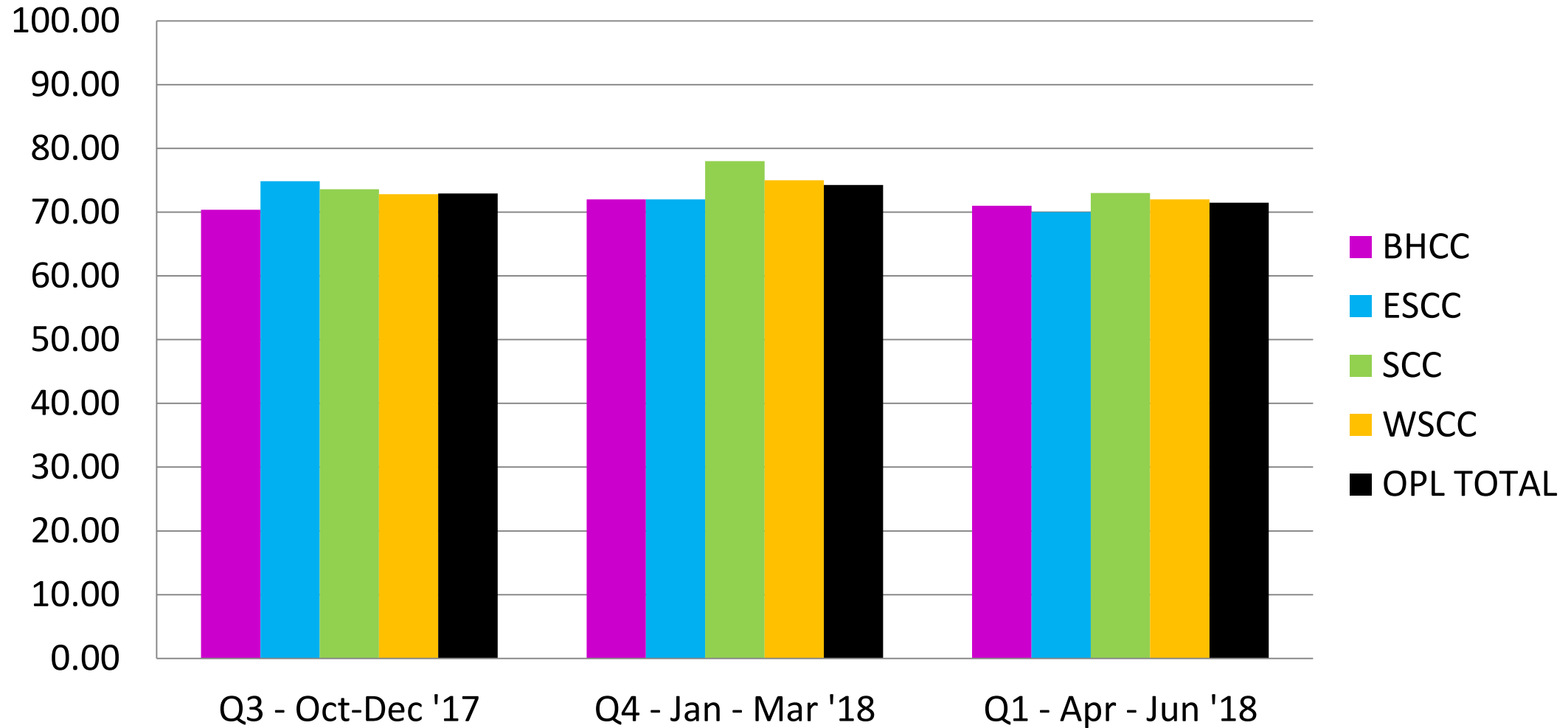
Q4 – Jan – Mar 18



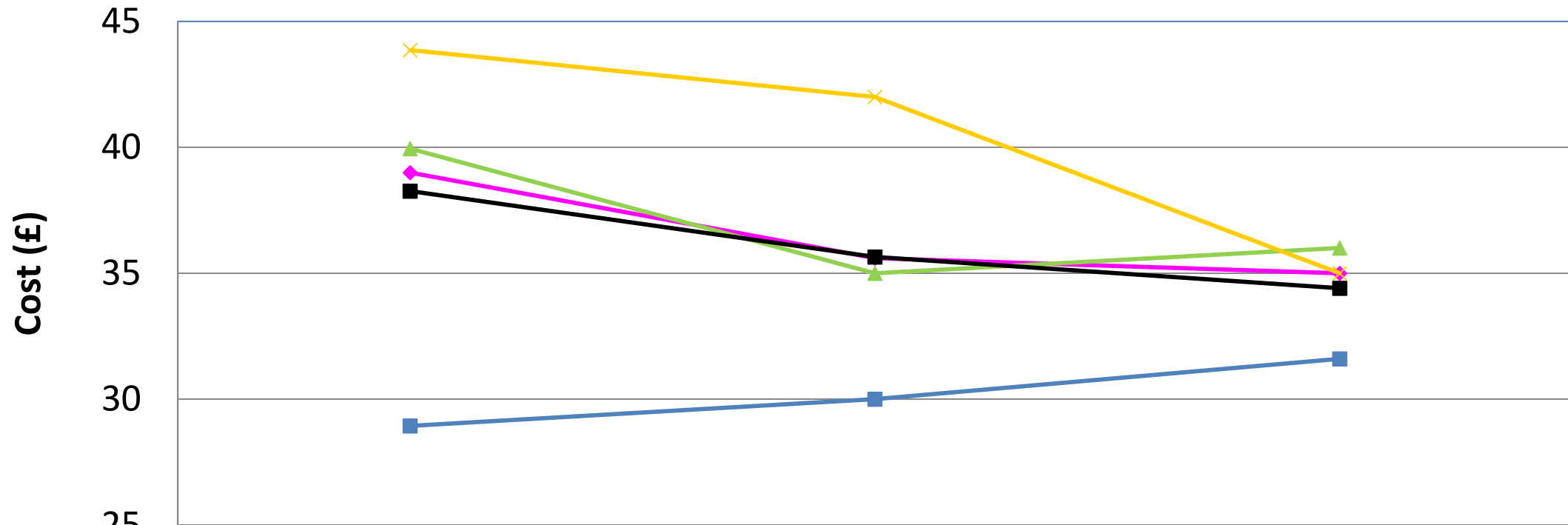
VOLUMES & TYPES OF WORK 2018/19 Q1



% CHARGEABLE HOURS

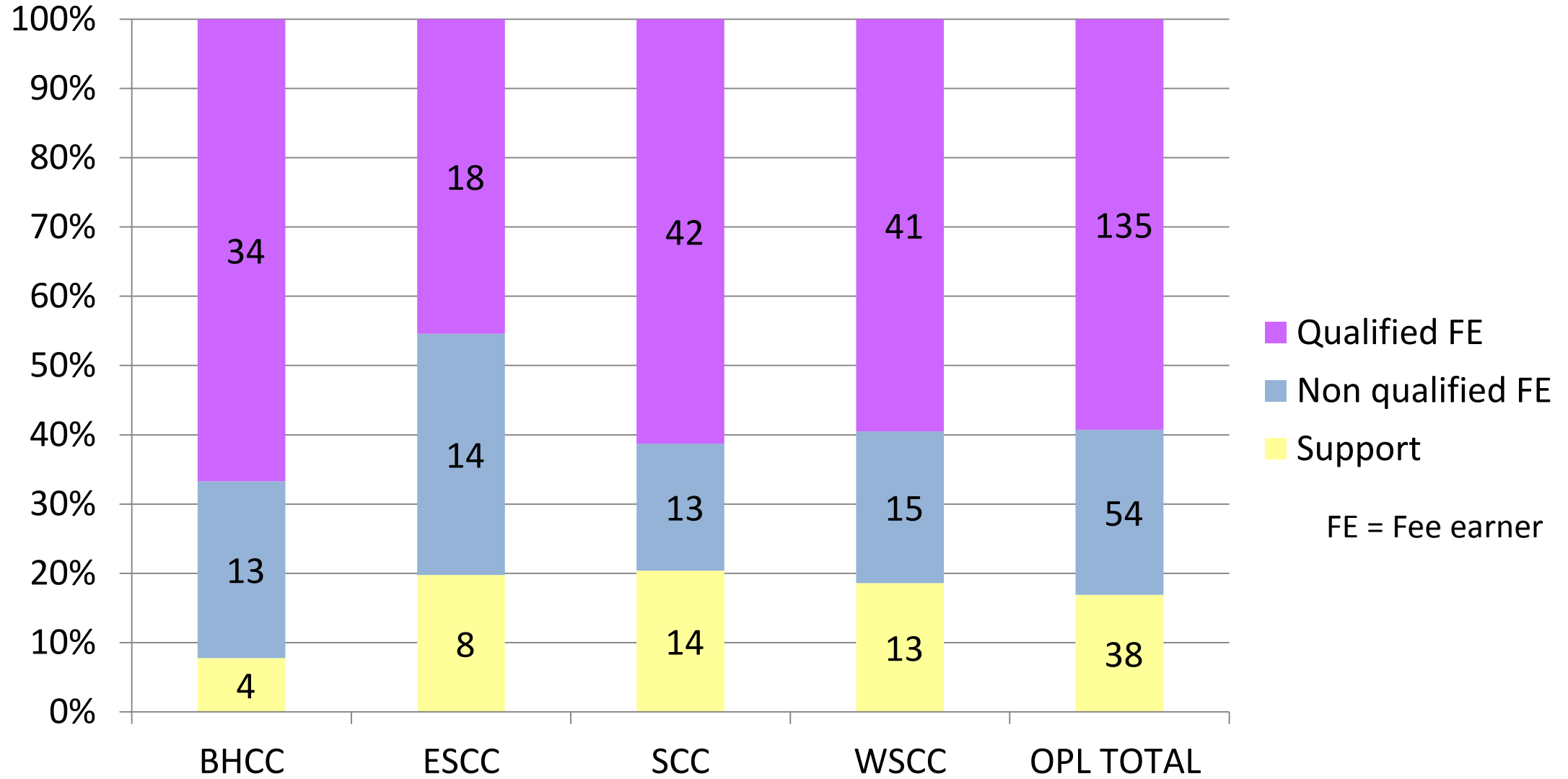


COST PER CHARGEABLE HOUR



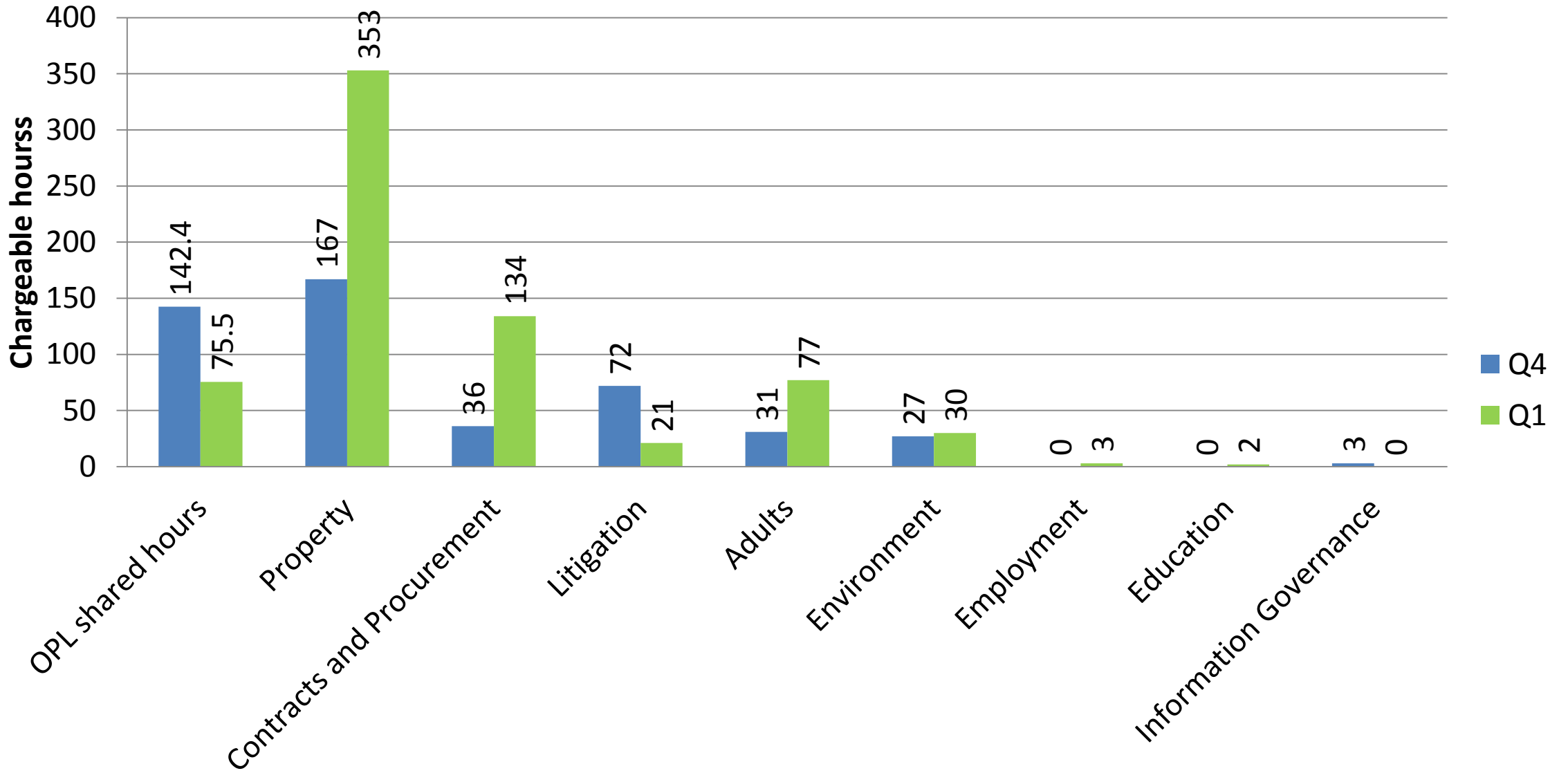
	Q3 Oct-Dec 17	Q4 Jan - Mar 18	Q1 - Apr - Jun 18
◆ BHCC	39	36	35
■ ESCC	29	30	32
▲ SCC	40	35	36
✕ WSCC	44	42	35
■ OPL	38	36	34

STAFF MAKE UP



FE = Fee earner

WORK SHARE HOURS Q4 2017/18 & Q1 2018/19



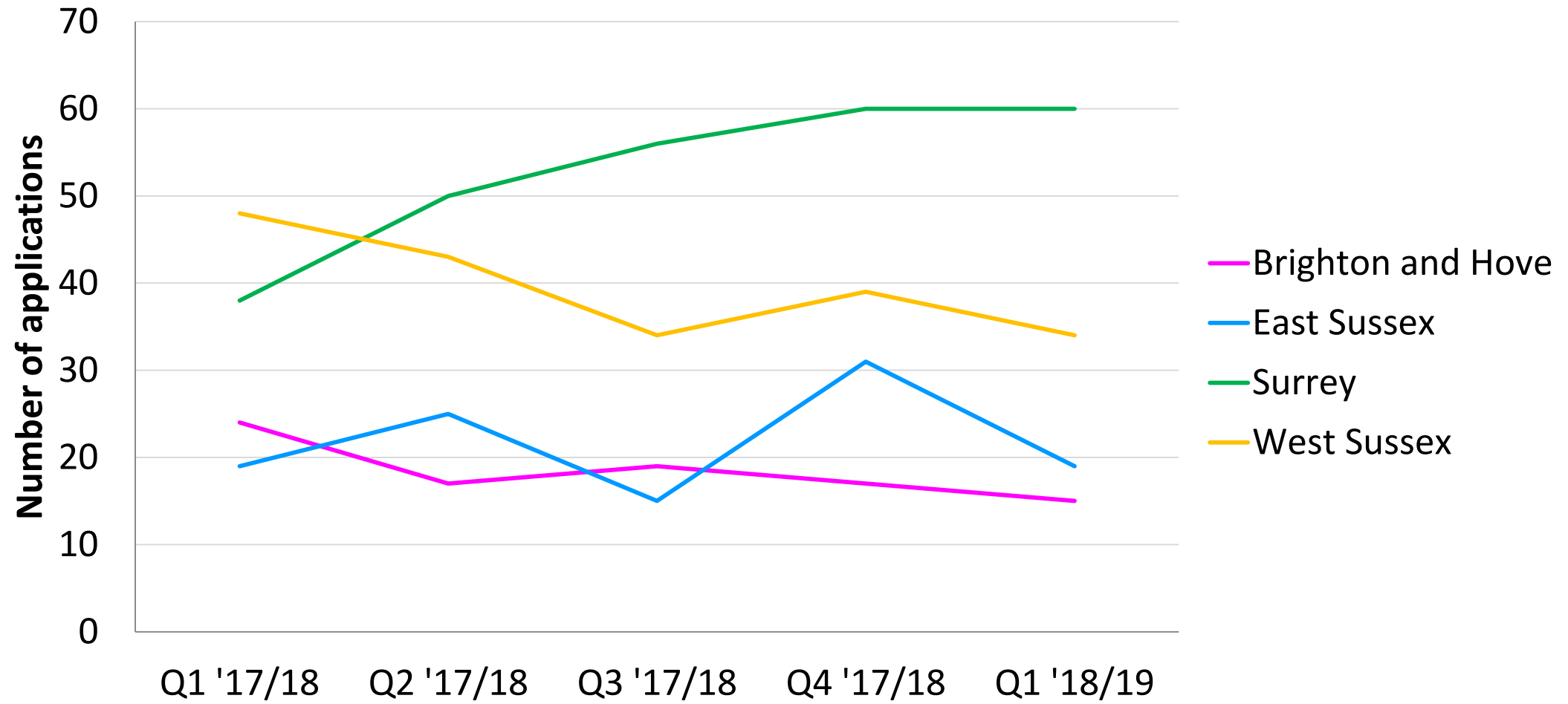
IN-HOUSE EMPLOYED ADVOCATES PRODUCTIVITY

Period	Number of advocates	Total value of work carried out by OPL advocates £000	Cost of employing OPL advocates £000	Notional saving over instructing counsel £000	Notional saving as a percentage of instructing counsel %	Projected full year saving based on Q1
Q1	6.6	£158,725	£117,156	£49,059	30	£169,998

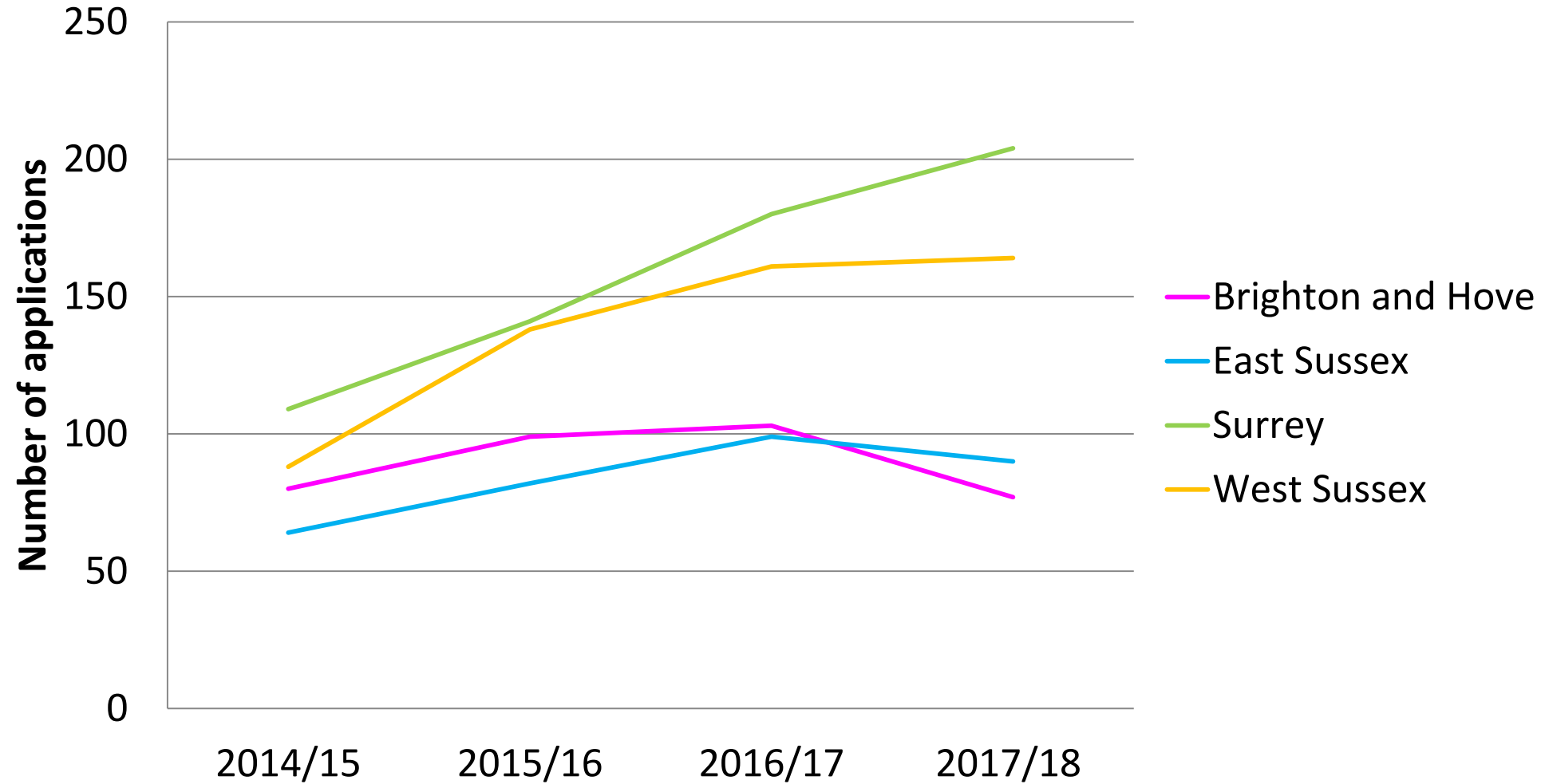
VALUE OF ADVOCACY WORK CARRIED OUT BY IN-HOUSE FEE EARNERS

	Q1 TOTAL
BHCC	15,850
ESCC	6,825
SCC	39,450
WSCC	30,225
TOTAL	92,350

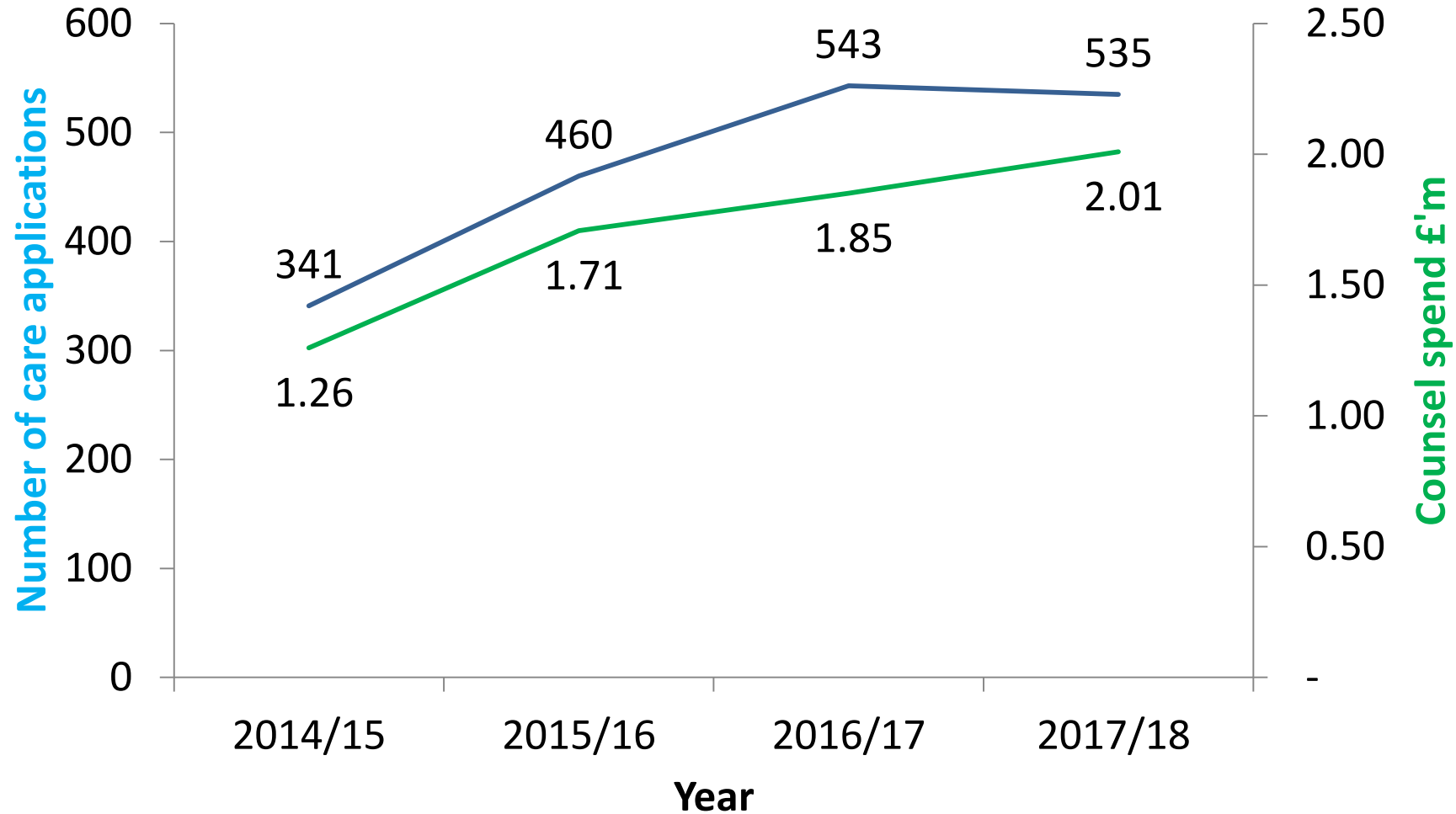
CHILD CARE APPLICATIONS – QUARTERLY 2017-2018



CHILD CARE APPLICATIONS - ANNUAL



CHILD CARE – TOTAL APPLICATIONS AND COUNSEL SPEND





**BRIGHTON AND HOVE CITY COUNCIL, EAST SUSSEX
COUNTY COUNCIL, SURREY COUNTY COUNCIL AND
WEST SUSSEX COUNTY COUNCIL**

ORBIS PUBLIC LAW JOINT COMMITTEE

DATE: 12 OCTOBER 2018

**LEAD OFFICERS: PHILIP BAKER (ASSISTANT CHIEF EXECUTIVE, ESCC),
RACHEL CROSSLEY (DIRECTOR OF STRATEGIC COMMISSIONING, SCC),
ABRAHAM GHEBRE-GHIORGHIS (EXECUTIVE LEAD OFFICER FOR STRATEGY, GOVERNANCE AND LAW, BHCC),
AND
TONY KERSHAW (DIRECTOR OF LAW AND ASSURANCE, WSCC).**

SUBJECT: IT ENABLING PROJECTS

PURPOSE OF REPORT:

To update the Orbis Public Law Joint Committee on a number of IT projects which enable the operation of the single service.

INTRODUCTION

OPL's Practice Management Team is implementing a number of projects which will provide the processes and systems to generate savings and enable OPL to operate as a single service.

This paper outlines the progress and benefits of:

- The digital court project,
- A single instance of the case management system,
- Case management developments and
- Video conferencing.

RECOMMENDATION

It is recommended that the Orbis Public Law Joint Committee notes the benefits already realised and the future benefits these key projects will bring for all OPL partners.

REASON FOR RECOMMENDATION

To demonstrate the infrastructure that is required to support OPL, to update Members on the progress and benefits already realised.

DETAILS:

Digital court

1. Digital court is the term used to describe the change of provision of bundles by Orbis Public Law (OPL) partners to the family court in hard copy leaver arch files to electronic bundles (E-bundles). In order to enable this transition OPL partners have procured a cloud based software solution called CaseLines and equipped the family courts in Surrey and Sussex with IT equipment.
1. As the system is embedded at Surrey County Council (SCC), this paper focuses on SCC as a case study and demonstrates the benefits realised, both tangible and non-tangible. It is anticipated that these benefits will be replicated for the other OPL partners once fully implemented and embedded.
2. Following a successful pilot by two judges in the Guildford family court during February and March 2018 the Digital Court was rolled out to all Surrey judges except the magistrates. Since the end of May 2018 as a matter of course no paper bundles are printed except for tier 1 magistrate cases.
3. The project progressed in pilot to two judges in the Brighton family court and following that success the roll out progressed. Implementation is expected to be complete by end October 2018. Tier 1 Magistrate implementation for Surrey and Sussex will follow.

Benefits

4. E-bundles provide both efficiency and cashable cost savings to the local authority and key stakeholders, these being the judiciary, the court service, solicitors and counsel. This paper can only detail direct cost savings for SCC, however it will seek to share anecdotal benefits realised by stakeholders too.

Cashable cost savings

5. SCC paid back the initial investment within the first 6 months of implementation. Using the data from this period, conservatively the annual savings for SCC will be £29k p.a. The detail is as follows:

Table 1 – Predicated savings 18/19 and 19/20

Saving	18/19	19/20
Administration - Staff	£18K	£36K
Stationery, paper and print cost @£21 per hearing.	£13.1K	£26.2K
Reduction of scheduled couriers for bundle collection and DX/Post.	£3.2K	£6.5K
Secure paper	£0.4k	£1.0K

destruction		
TOTAL	£34.7K	£69.7K

Table 2 – Total Cost v Savings 18/19 and 19/20

	18/19 – Remainder predicted	19/20 Full year
Identified Saving (table 1)	£34.7K	£69.7K
Less total Cost (CaseLines and internet)	£20.3K	£40.6K
Total Saving	£14.4K	£29.1K

Efficiencies

6. Judges reported significant efficiencies in hearing preparation. They noted the ability to be able to work at home without the need to transport numerous lever arch files as well as being able to make notes electronically and move swiftly between pages during reading of the bundle. This has also been a reflection of solicitors and advocates.
7. Court time saving functions include:
 - The judge and parties are all accessing the bundle in the same digital cloud location. This saves time as everyone is accessing the same information and therefore pagination matches.
 - It provides the ability to access the full master bundle and previous documentation presented in court if required.
 - During hearings with witnesses in attendance the software is used to automatically direct parties and witnesses to a particular page. This has meant less time is spent moving between the pages of the physical bundle.

For 6 months this has achieved a time saving of nearly 300 hours. Court admin staff have reported a weekly saving of 0.5 FTE.

Other non-tangible benefits

8. There are significant benefits to the LA that cannot easily be quantified and these have been detailed as non-tangible benefits. However the impact that they have on SCC staff as well as stakeholders should not be underestimated:
 - Security of information as the information is not sent by email or post.
 - The positive impact on OPL's reputation and stakeholder relationships in delivering an innovative solution to support better outcomes for children.
 - Environment factors such as the reduced paper and physical consumables and the reduced reliance on couriers.

A single instance of the case management system

9. A key driver to enable the development of teams and efficiencies of practice as part of the single integrated service is the database rationalisation (DR) project. The project aim is to create a single instance of the case management system, Civica Prescient Plus, whereby data may be shared between OPL partners.
10. The OPL Executive Board approved the project in April 2018 and good progress has been achieved. In order for the databases to be aligned Civica confirmed a multi-tenanted licence (a single instance of a software application serving multiple customers) would be required and as a result required each partner to relinquish existing contracts to transfer to a single contract held by the lead database authority, SCC. This agreement marked a watershed moment for the partnership in terms of commitment to full integration and commitment of financial resources. Over 5 years the revised contract will cost the partnership £334,500 (which includes £52K project costs) and deliver a **£68,572 saving** against remaining on current contracts.
11. Benefits of the single contract:
- Enables OPL to operate as a single service.
 - The **£68,572 saving** is based on contracts alone and does not include the operational savings possible for Legal, IT and Procurement had partners separately procured.
 - Despite a **£68,572 saving** new modules will be added to the system as part of the revised contract, these are;
 1. GDPR module - this will ensure that data can be anonymised in the live, test and train systems as well as ensuring that there are no orphan contacts within the system.
 2. By joining the systems all partners will be able to access the Precedent H Litigation costs module (currently only held by SCC).
 3. The client portal module – The portal provides web based access for internal and external clients to submit work requests (instructions), track case progress and share documents between the lawyer and client.
12. Much of the project progress to date has been IT technical, for example scoping the differences and scale of the data transition, in order that accurate timescales for implementation can be established. OPL plans to have the single system in place for April 2019.

Case management developments – flow files

13. OPL aspires to continually provide an efficient and cost effective service. One way to achieve this is through using the case management system to uniform processes where possible.
14. Flow Files are a function of the case management system that allows for standardisation of process, timescales and template documents. Once set up in the system the case worker is alerted to the required actions on a matter and timescales. They best lend themselves to areas of work with regulated steps, set timescales and deadlines.
15. A successful pilot was run at BHCC to design and implement Flow Files for the 'Right to Buy' work area. The output of the introduction of the Flow File was 30% time efficiency in the process.
16. The next area identified to develop Flow Files was the litigation area of debt recovery. This is due to the process nature of the work and that if an established Flow File is in place then more junior colleagues will be able to complete the work, and supports the desire for work to be achieved at the most cost effective level, within risk profiles. The project is expected to go live in October.
17. A working group has developed in the litigation debt recovery area with an established relationship that and can now easily workshare. Colleagues from debt recovery have been keen to both share and hear best practice. Colleagues new to the area of work have been able to share best practice and learnings from other areas of work that have enriched the project.

Video conferencing

18. Video conferencing through skype for business has been available for ESCC and SCC for some time and an area OPL has embraced. BHCC will have this facility by March 2019 with the move to Office 365. WSCC already use Lync (pre-skype) and networks have been opened to allow the partners to communicate the same as skype for business. Additionally, each partner has a conference camera that can link 4 meeting rooms together and removes any location barriers.
19. Whilst recognising there will still be a need to physically meet on occasion to develop relationships, OPL will continue to use and promote these technologies as normal course of business.

CONCLUSION:

20. OPL has made substantial progress to implement the infrastructure and operational processes to support the single service.
21. As well as being the key platform for OPL, the learnings from the database rationalisation project will provide substantial

benefits to the Orbis IT&D teams and may support best practice for future projects of this nature.

Contact Officer: Andrea Kilby, OPL Business Development Manager

Appendices: None

Sources/background papers: None



**BRIGHTON AND HOVE CITY COUNCIL, EAST SUSSEX
COUNTY COUNCIL, SURREY COUNTY COUNCIL AND
WEST SUSSEX COUNTY COUNCIL**

ORBIS PUBLIC LAW JOINT COMMITTEE

DATE: 12 OCTOBER 2018

LEAD OFFICERS: PHILIP BAKER (ASSISTANT CHIEF EXECUTIVE, ESCC),
RACHEL CROSSLEY (DIRECTOR OF STRATEGIC COMMISSIONING, SCC),
ABRAHAM GHEBRE-GHIORGHIS (EXECUTIVE LEAD OFFICER FOR STRATEGY, GOVERNANCE AND LAW, BHCC),
AND
TONY KERSHAW (DIRECTOR OF LAW AND ASSURANCE, WSCC)

SUBJECT: FINANCE UPDATE

PURPOSE OF REPORT:

The partners have agreed to establish a Joint Operating Budget from 1 April 2019. In advance of this, the management team and committee are monitoring a shadow operating budget.

This report provides a note of the position for the shadow budget at 31 July 2018, latest 2019/20 savings targets and upcoming finance project activities to support the establishment of the joint budget.

DETAILS

The Joint Operating Budget for Orbis Public Law (OPL), to be delegated to the Joint Committee by each partner, is primarily the cost of staffing and associated team costs. Some costs, which are the responsibility of each Legal department, are excluded since there is inconsistency of treatment across organisations and thus this would prevent the sharing of costs which is agreed to be based upon the casework delivered to each partner. The report (annex 1) provides a note of the year end forecast for the shadow operating budget for 2018/19.

The partners have agreed that external legal fees will not be delegated to the Joint Committee. The report however provides a summary of the actual spend on external legal costs by each partner, to provide an indication of the opportunities available to bring this spend in-house.

Financial planning for 2019/20 is underway in each authority, the Joint Committee will be asked to recommend a 2019/20 OPL budget. As

such the latest 2019/20 savings targets are included in the report, these could be achieved from OPL or Legal Services external costs budgets.

There are a number of joint projects underway. The report provides a summary of the likely 2018/19 cost of these projects and how they will be funded.

RECOMMENDATIONS

The Joint Committee is asked to note:

1. A shadow operating budget variance of £-0.2m for 2018/19 due to staffing underspends.
2. A total spend to date on relevant external legal costs of £0.9m. This excludes spend on court fees and expert witnesses, and therefore is all addressable by OPL.
3. The current 2019/20 savings targets, totalling £0.7m, these could be achieved from either OPL or Legal Services external costs budgets.
4. The likely 2018/19 project costs are £0.4m, to be funded as per the estimated contribution ratio.

REASON FOR RECOMMENDATIONS

The Joint Committee will be responsible for ensuring the sound financial management of the partnership, monitoring the shadow operating budget provides the opportunity to prepare for the joint budget arrangements effective from 1 April 2019.

Contact Officer: Louise Lawson (Senior Principal Accountant)

Appendices: Finance Report

FINANCIAL MONITORING REPORT: TO END JULY (P4) 2018

SECTION 1: JOINT OPERATIONAL BUDGET

The table below provides an overview of the shadow operational budget position at the end of July. SCC is forecasting a very small underspend due to increased income and reduced staffing. WSCC is forecasting an underspend of £0.2m, mainly due to staffing.

Table 1: OPL Summary	Year to Date Actual			Full Year Forecast		
	Actual £000s	Budget £000s	Variance £000s	Forecast £000s	Budget £000s	Variance £000s
BHCC						
Staff	783	868	-85	2,439	2,439	0
Temporary Staff	3	0	3	0	0	0
Non-Staff	55	37	18	115	115	0
Income	-118	-134	16	-618	-618	0
Net Expenditure	<u>723</u>	<u>771</u>	<u>-48</u>	<u>1,936</u>	<u>1,936</u>	<u>0</u>
ESCC						
Staff	509	545	-36	1,654	1,654	0
Temporary Staff	71	21	50	63	63	0
Non-Staff	30	18	12	55	55	0
Income	-103	-40	-63	-120	-120	0
Net Expenditure	<u>507</u>	<u>544</u>	<u>-37</u>	<u>1,652</u>	<u>1,652</u>	<u>0</u>
SCC						
Staff	1,002	1,111	-110	3,042	3,334	-292
Temporary Staff	75	0	75	285	0	285
Non-Staff	78	46	32	155	140	15
Income	-181	-138	-43	-439	-414	-25
Net Expenditure	<u>974</u>	<u>1,020</u>	<u>-46</u>	<u>3,043</u>	<u>3,060</u>	<u>-17</u>
WSCC						
Staff	974	1,176	-202	3,326	3,528	-202
Temporary Staff	49	60	-11	179	179	0
Non-Staff	78	55	23	266	166	100
Income	-195	-105	-90	-400	-314	-86
Net Expenditure	<u>906</u>	<u>1,186</u>	<u>-280</u>	<u>3,371</u>	<u>3,559</u>	<u>-188</u>
TOTAL						
Staff	3,268	3,700	-433	10,461	10,955	-494
Temporary Staff	198	81	117	527	242	285
Non-Staff	241	156	85	591	476	115
Income	-597	-417	-180	-1,577	-1,466	-111
Net Expenditure	<u>3,110</u>	<u>3,521</u>	<u>-411</u>	<u>10,002</u>	<u>10,207</u>	<u>-205</u>

SECTION 2: INCOME

Each authority is implementing new ways of recording income to improve understanding of the different types: 'sales' are managed and controlled by OPL and 'costs awarded' are largely unplanned for. Analysis of the income will inform an OPL income strategy in relation to sales. The position at period 4 is shown in table 2, year to date costs awarded and recovered are offsetting shortfalls in planned sales.

Table 2: OPL Income	Year to Date Actual			Full Year Forecast		
	Actual £000s	Budget £000s	Variance £000s	Forecast £000s	Budget £000s	Variance £000s
BHCC						
Sales	-55	-54	-1	-162	-162	0
Costs Recovered	-63	-80	17	-456	-456	0
Costs Awarded	0	0	0	0	0	0
[not yet analysed]	0	0	0	0	0	0
Total Income	<u>-118</u>	<u>-134</u>	<u>16</u>	<u>-618</u>	<u>-618</u>	<u>0</u>
ESCC						
Sales	-29	0	-29	0	0	0
Costs Recovered	-42	0	-42	0	0	0
Costs Awarded	0	0	0	0	0	0
[not yet analysed]	-31	-40	9	-120	-120	0
Total Income	<u>-103</u>	<u>-40</u>	<u>-63</u>	<u>-120</u>	<u>-120</u>	<u>0</u>
SCC						
Sales	-23	0	-23	-128	0	-128
Costs Recovered	-101	-138	37	-251	-410	159
Costs Awarded	-57	0	-57	-57	0	-57
[not yet analysed]	0	0	0	-2	-4	1
Total Income	<u>-181</u>	<u>-138</u>	<u>-43</u>	<u>-439</u>	<u>-414</u>	<u>-25</u>
WSCC						
Sales	0	-105	105	-200	-314	114
Costs Recovered	-195	0	-195	-200	0	-200
Costs Awarded	0	0	0	0	0	0
[not yet analysed]	0	0	0	0	0	0
Total Income	<u>-195</u>	<u>-105</u>	<u>-90</u>	<u>-400</u>	<u>-314</u>	<u>-86</u>
TOTAL						
Sales	-107	-159	51	-490	-476	-14
Costs Recovered	-401	-218	-184	-907	-866	-41
Costs Awarded	-57	0	-57	-57	0	-57
[not yet analysed]	-31	-40	9	-122	-124	1
Total Income	<u>-597</u>	<u>-416</u>	<u>-180</u>	<u>-1,577</u>	<u>-1,466</u>	<u>-111</u>

SECTION 3: EXTERNAL LEGAL COSTS

All external legal costs are outside of the joint operational budget however there are certain external costs, such as legal advice (counsel), which OPL can control and manage effectively on behalf of the partner authorities. Table 3 shows these external costs managed by Legal Services to the end of July. It should be noted that in SCC and WSCC these costs are met from the Legal Services budget and in BHCC and ESCC these budgets are in other services.

Table 3: External Legal Costs managed by Legal	Year to Date Actual				Total £000s
	BHCC £000s	ESCC £000s	SCC £000s	WSCC £000s	
Child Care - Counsel	12	108	387	177	683
Child Care - External Solicitors	1	0	0	44	45
Other External Solicitor / Counsel	79	0	45	0	124
Total	92	108	431	221	852

SECTION 4: 2019/20 BUDGET

The 2018/19 OPL budget forms the basis of the 2019/20 budget along with any pressures, such as pay inflation, and any agreed savings. As part of each partner's financial planning, savings are proposed and the Joint Committee must respond with a recommended budget.

The currently proposed 2019/20 Legal Services' savings for each authority are shown in table 4 below. These savings could be made from either the OPL or Legal Services External Costs budgets, for completeness these are also shown in table 4.

Table 4: Legal Services 2019/20 Savings and 2018/19 Net Budget	BHCC £000s	ESCC £000s	SCC £000s	WSCC £000s	Total £000s
2019/20 Savings	-93	0	-339	-250	-682
2018/19 Legal Services Budgets					
OPL	1,936	1,652	3,060	3,559	10,207
Legal Services External Costs	0	0	595	715	1,310
Total	1,936	1,652	3,655	4,274	11,517

The Executive Board will review the options available to achieve these savings and recommend the level of OPL savings and pressures to the Joint Committee in January.

SECTION 5: PROJECT COSTS

The total forecast 2018/19 OPL project costs are shown in table 5 below. These costs are funded, from existing budgets, by the four partners in accordance with the agreed contribution ratio.

Table 5: 2018/19 Project Resource	FY Forecast	FY Savings	Notes
	£000s	£000s	
Project resource	115		1
IT – Case management database rationalisation	189	14	2
IT – Digital court – software and hardware	46	120	3
Training / workshops	5	12	4
Total	355	146	
Contributions			
BHCC	66		
ESCC	60		
SCC	103		
WSCC	126		
	<u>355</u>		

Notes

1. Project Manager, Business Development Manager & Project Officer.
2. Case management costs are already included in section 1 (non-staffing). OPL have renegotiated the contract which will total £334.5k over 5 years; a saving of £69k. £189k is the year 1 cost for this new contract.
3. Savings based on SCC case study and will be realised for the Sussex authorities when fully implemented and embedded. SCC hardware costs excluded as already spent in 17/18, contribution adjusted to reflect this.
4. £12k cost avoidance for 6 months of 2018/19 based on 116 places of free training notionally costed at £100 per hour.