



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

**ORBIS PUBLIC LAW JOINT COMMITTEE**

**DATE: 2 JULY 2018**

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

**SUBJECT: ORBIS PUBLIC LAW – INTEGRATION UPDATE**

**PURPOSE OF REPORT:**

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

**INTRODUCTION**

The revised Orbis Public Law (OPL) business plan was approved by the JC in January 2018, subject to some actions which have been addressed through the reports for this July meeting.

In addition to this service integration update paper there are separate agenda items:

- Child care advocacy strategy and business plan;
- The digital court project and
- OPL finance and integrated budget

**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.

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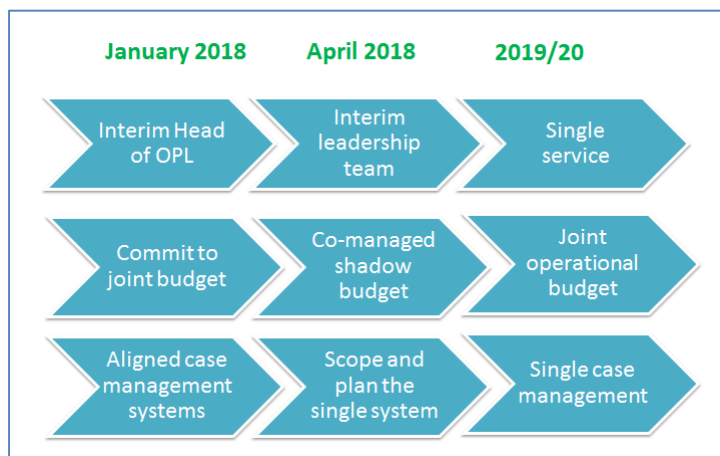
**DETAILS:**

**Background and context**

1. Orbis Public Law (OPL), the shared legal service between Brighton & Hove City Council and the County Councils of East Sussex, Surrey and West Sussex, has a vision to be a single, resilient, sustainable, cost effective legal service with a public service ethos with an ability and ambition to grow.
2. The partners have entered into an Inter Authority Agreement (IAA) which sets out the basis and terms of the partnership, and the arrangement for making officers available to the other partners.
3. A number of work streams and projects are being pursued to deliver the shared service. These include:
  - a) Service integration – establishing a single service structure
  - b) Advocacy – jointly trying to manage the costs associated with child protection proceedings
  - c) Systems – consistent case management and time recording
  - d) Practice management – aligning the processes
  - e) Finance – budget alignment and monitoring
  - f) People – culture, communications and training
  - g) Work sharing – work exchange across the partners

**Timescales to the single service**

4. OPL is committed to three essential areas to deliver a single service in 2019/20:
  - a) An integrated staffing structure; organised by disciplines
  - b) A joint operational budget
  - c) A single IT case management platform
5. The timescales are detailed in the following chart:



## Designing integrated teams

6. OPL is pleased to report that in January 2018, Philip Baker, Assistant Chief Executive of ESCC, took on the lead project role - Interim Head of OPL. During 2018/19 a number of key actions need to be delivered and a single point of leadership will greatly assist with this.
7. Philip is supported by the Interim Leadership Team (ILT), who were appointed in May 2018 and manage and deliver the Business Plan. A key action for the OPL ILT is to design a staffing structure that will align officers across OPL within disciplines (areas of specialism) and for those service areas to be planned and developed so that they can operate as a single service for their area of OPL business. OPL are supported by Orbis HR & OD.
8. ILT responsibilities are as follows:
  - Sarah Baker, Interim Head of Children's Social Care;
  - Liz Culbert, Interim Head of Commercial and Governance;
  - Richard Grout, Interim Head of Litigation;
  - Diane Henshaw, Interim Head of Adult Social Care, Health and Education;
  - Andrea Kilby, Business Development Manager and
  - Emma Nash, OPL Project Manager.
9. June – October 2018 is an analysis phase where the ILT members will each work closely within their specialist area and undertake the following tasks:
  - Identify the current staff resources and skill levels across OPL for their discipline.
  - Assess work volumes current and expected, including work type and complexity levels.
  - Undertake a review of current working arrangements and systems.
  - Undertake an assessment of practice and procedures being used.
  - Undertake a review of client/customer relations and expectations.
  - Identify gaps in resources, including workforce expertise and skills e.g. particularly where external legal work is bought-in.
10. Alongside this, an audit is underway to ensure robust and reliable data supports this important analysis phase.
11. Following this the ILT will work collectively to design the optimal service structure.

12. Alongside the integration of existing legal services teams, Orbis Finance and OPL have agreed the transfer of the handling of liability and litigated insurance claims for BHCC and SCC from Orbis to OPL (ESCC claims handling is already carried out by OPL) including the relevant staff and budget. The consultation with staff affected by these changes ended on 15 June and responses are being considered.

### **Single IT case management system**

- 12.1 Common and aligned IT case management systems have been adopted and since September 2017 all four councils have been running a common time recording system to monitor work volumes and activity levels. The system has taken time to bed in and staff have been supported to improve time recording compliance and practice.
13. A critical project in the development of the integrated service is implementing a single instance of the case management system. This will be achieved by the merger of the 4 Prescient Plus case management systems into one single database instance. Under the umbrella of the Database Rationalisation (DR) project our aim is to create a single case management system by the end of 2018. This will allow access to case belonging to any partner files (within reasoned measure by role case security). This will involve one partner (Surrey CC) hosting the database on their system and other partners will access this. Contracts will be aligned into one.
14. As well as accessing case files across the partner sites, the single system will realise administration and technical management efficiencies. These processes will no longer need to be replicated x 4.
15. Once in place, OPL will be able to launch a single access portal for instructing departments.
16. OPL, supported by Orbis IT&D and Orbis procurement are currently negotiating with Civica to amalgamate the contracts into one and expect this to be concluded in the next month. Following this, transition planning will commence.

### **Workstream progress**

17. There has been significant progress across each of the other workstreams as listed in point 3. Appendix 1 provides a timeline of the key OPL milestones. Progress on the workstreams includes:

18. Year 1 of the co-monitored shadow joint budget has been achieved. OPL moves into year two which focuses on a co-managed approach to spend and decision making. OPL is supported by an Orbis Finance Lead to develop the joint operational budget for 2019/20. Progress on the development of a joint operational budget follows in a separate report.
19. A number of initiatives are underway to collectively control child care external expenditure and this is detailed in the advocacy business plan.
20. The other significant development in this area is our work with local courts to develop a digital court facility which removes the need to print, transport and store large volumes of paper for court proceedings. A separate report also expands on this.
21. Work sharing in discipline groups commenced in September 2017 aiming to embed arrangements for working for other partner authorities. We are aligning the way we work including precedents, templates and instruction arrangements.
22. The Practice Management resource across the partners is well established and supports the alignment of all processes.
23. Work is underway to establish a shared framework agreement for all areas of spend on external advice. This is expected to launch in July with new contracts commencing in March 2019.
24. Work is paused on the income and marketing strategy while OPL prioritises service integration and focuses on reducing external spend; both of which should increase capacity to then take forward the strategy.

### **Staff engagement and developing a single culture**

25. Establishing a single team across four councils at four sites is very challenging but essential to the success of the partnership. Effective working relationships are developing and the ILT and managers have helped to facilitate this. Cross border engagement has happened through the early change management sessions, work sharing, pathfinder groups and the training programme.
26. A staff survey carried out in April has gathered useful information on how our teams perceive the OPL project, how it is being delivered and how colleagues prefer to be kept updated and involved.
27. 129 colleagues (BHCC 26, ESCC 24, SCC 22 and WSCC 57) participated in the survey and the high level statistics include:
  - 91% understand the purpose
  - 77% understand the vision / picture
  - 61% understand the planned approach and timelines

- 58% understand their part during the transition
- 69% are positive about OPL.

The findings and resulting actions are included in Appendix 2.

### **Performance data**

28. Appendix 3 details the 2017/18 performance data for OPL. Data is captured on:
- a) Volumes and types of work
  - b) Cost per chargeable hour
  - c) Staff make up
  - d) Child care advocacy
  - e) Financial data is reported separately as noted above.
29. At the January Joint Committee, Members requested a quality measure which will be achieved through tracking customer satisfaction. On 1 July OPL launches a new digital way to capture and collate client feedback and the results of this will be included at the next Committee.
30. Overall, OPL's success will be measured through:
- Reducing the cost of legal services to each authority. This is for both operational and non-operational budgets.
  - Reducing the cost per chargeable hour.
  - Allocating work to the correct level of fee earner.
  - Staff continuing to be engaged and feel part of OPL.
  - Increasing income opportunities.
31. Collating and analysing data across four authorities is challenging and the process has highlighted some data integrity questions. A data audit is underway and a report will be presented to the ILT highlighting areas of strength, weakness or uncertainty. Recommendations will be made to secure a reliable data set to underpin the OPL Business Plan.

### **CONCLUSION AND NEXT STEPS**

32. Over the summer months the ILT will work closely with colleagues across the partnership to analyse and design the single service. Workshops with all staff will be taking place to involve them in this work to ensure continued engagement.
33. The delivery of a number of key milestones towards the end of the year will set OPL in good stead to deliver the single service in 2019/20.

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**Contact Officer:** Emma Nash, OPL Project Manager

**Appendices:**

**1 – Key milestones**

**2 – Staff survey results**

**3 – Performance pack**

**Sources/background papers:** None

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# orbis

public law

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

## APPENDICES 1-3



## Appendix 1 – Key milestones





**Milestones 18/19**

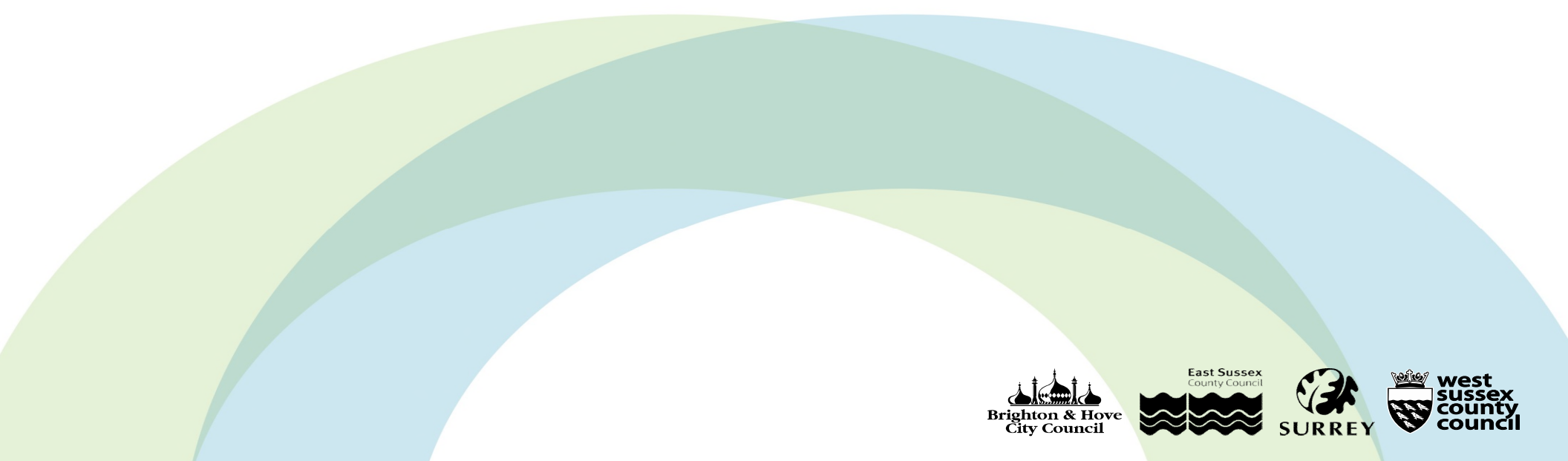
	Jan – Mar 18	Apr - Jun 18	Jul - Sept 18	Oct – Dec 18	Jan – Mar 19	Year 19/20
<b>Service integration</b>	● Interim Head of OPL	● Interim OPL Interim L'ship team ● ILT commences analysis phase ● Orbis Insurance consultation closes		● Orbis Insurance go live* ● Complete ILT analysis phase ● Plan next stage		● Integrated teams
<b>Finance</b>		● Start shadow year		● Draft joint budget to JC	● Joint budget approval	● Start joint budget
<b>IT / Case mgmt</b>		● Agree approach	● Transition planning			● Integrated IT systems
<b>Digital court</b>	● Start Surrey pilot	● Surrey courts live ● Start Sussex pilot	● Sussex courts live			
<b>Advocacy</b>	● Ongoing recruitment campaign		● Business plan to JC ● OPL advocate starts			
<b>Frameworks</b>			● OJEU notice ● Tender submission deadline	● Eval ● SCC Cabinet approval ● Standstill and awards		● Contract commencement

**KEY:**  
 Complete ●  
 Planned ●

\* Subject to the consultation

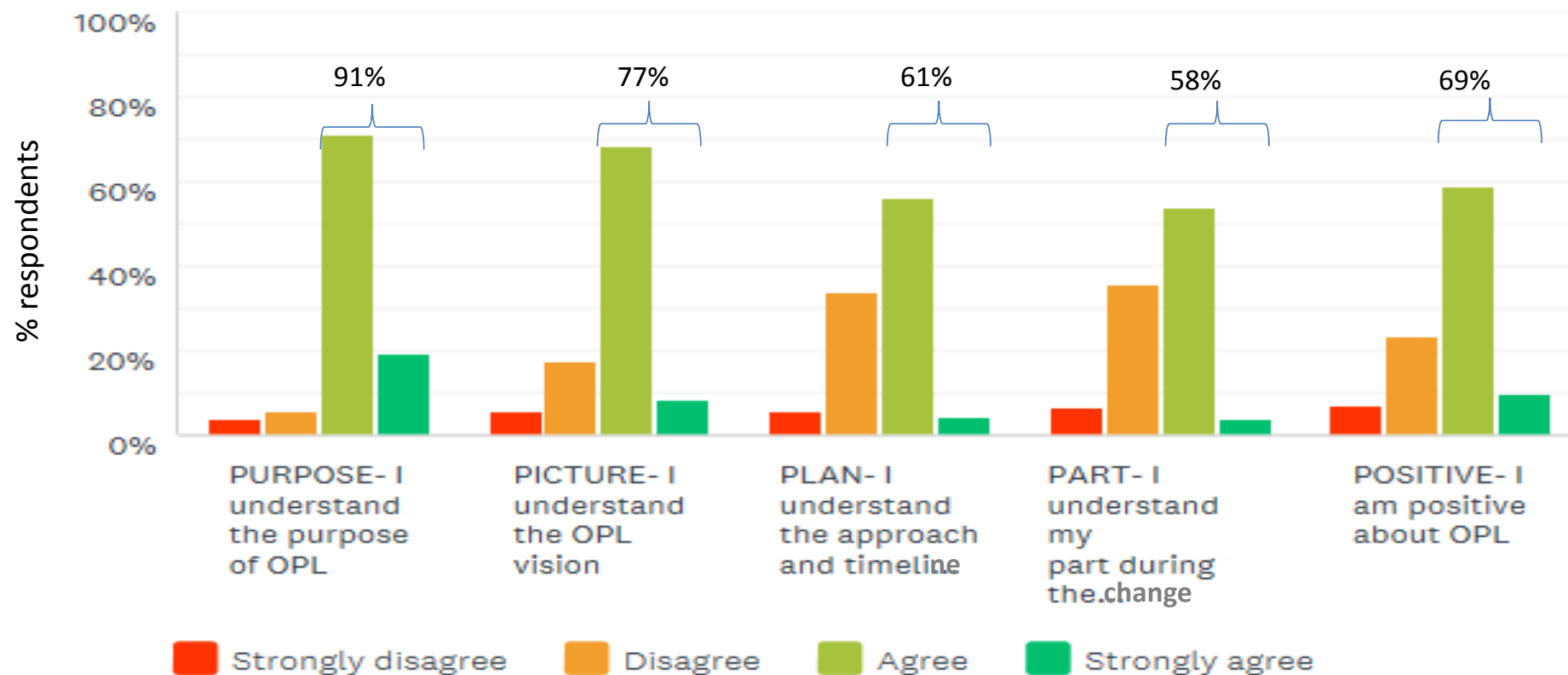
# Appendix 2 - OPL – staff survey results

April 2018

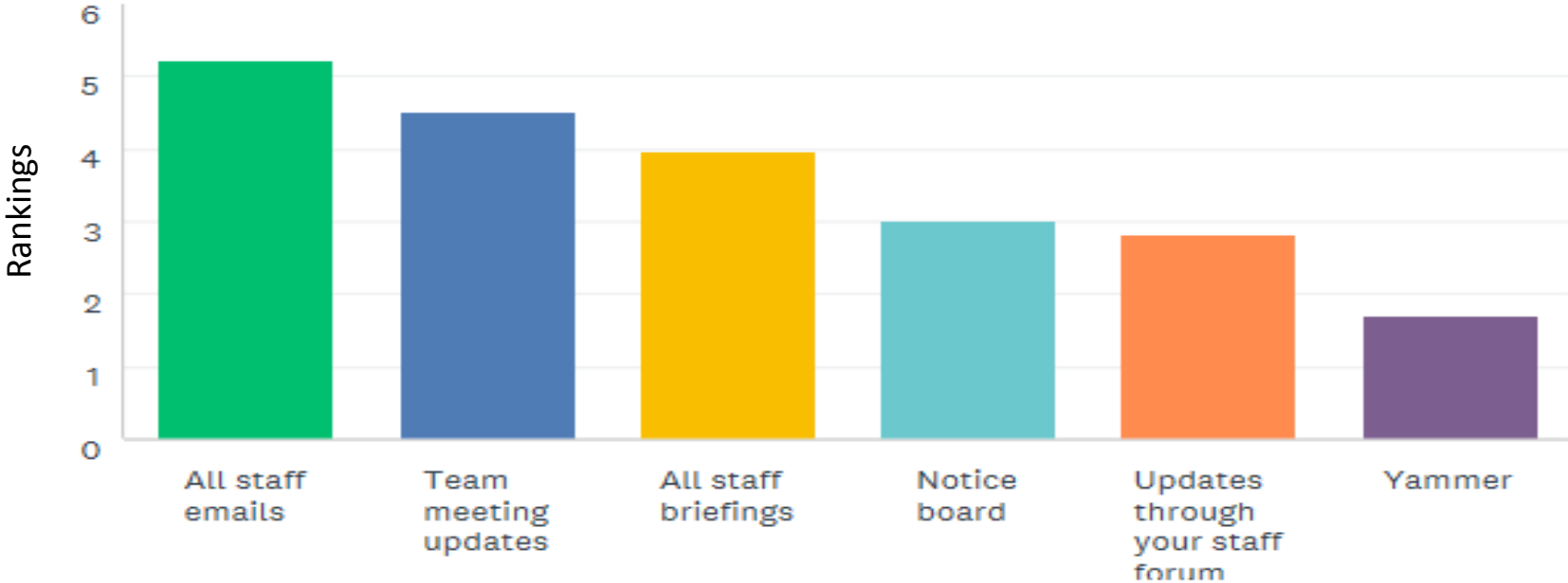


129 responses

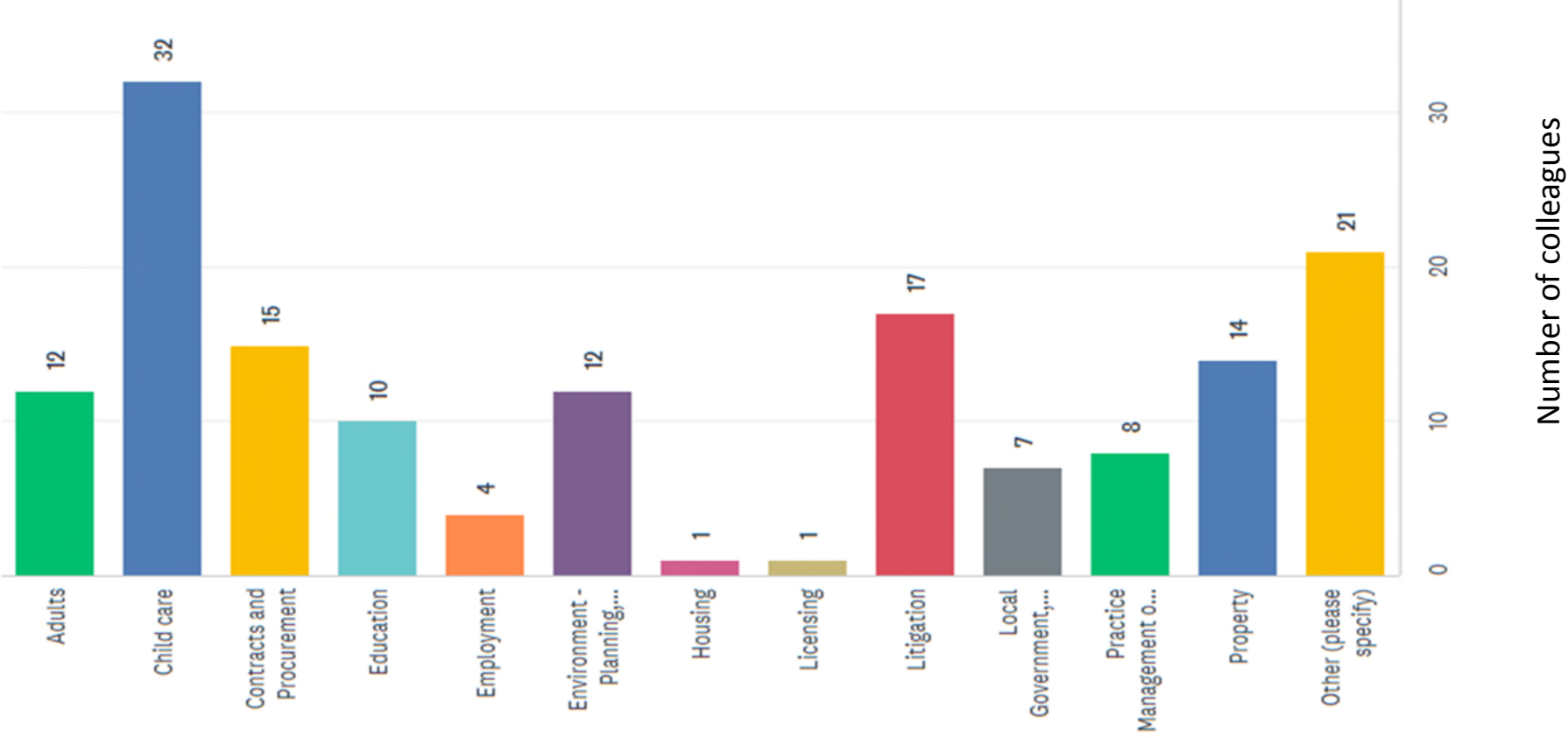
## 5 P's – rating the level of agreement



# Preferred methods of communication



# Area(s) of work



## Employing authority

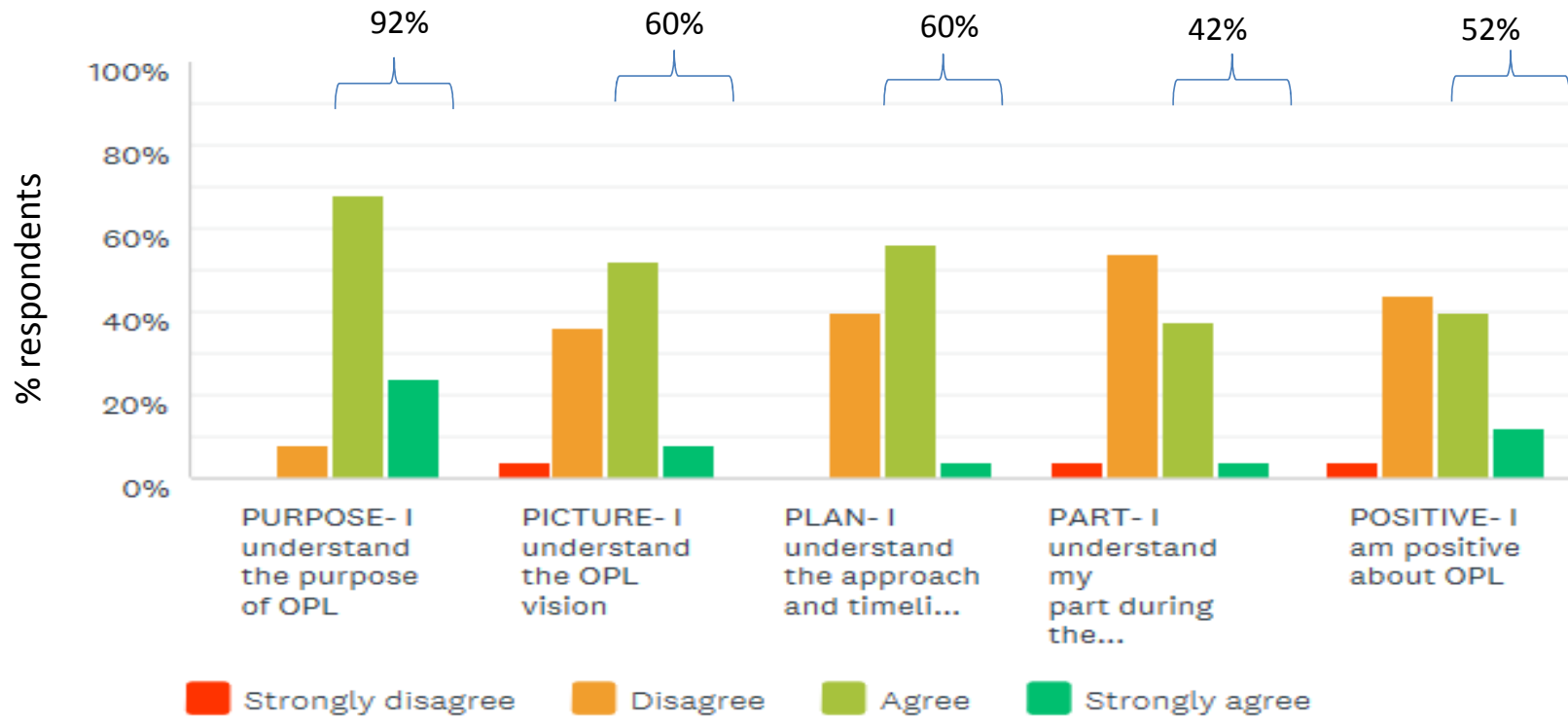


Partner	Number of responses	% of total responses	% of employing authority staff
BHCC	26	20%	54%
ESCC	24	19%	57%
SCC	22	17%	34%
WSCC	57	44%	90%
<b>Total</b>	<b>129</b>	<b>100%</b>	<b>59%</b>

Graphs by authority

# BHCC

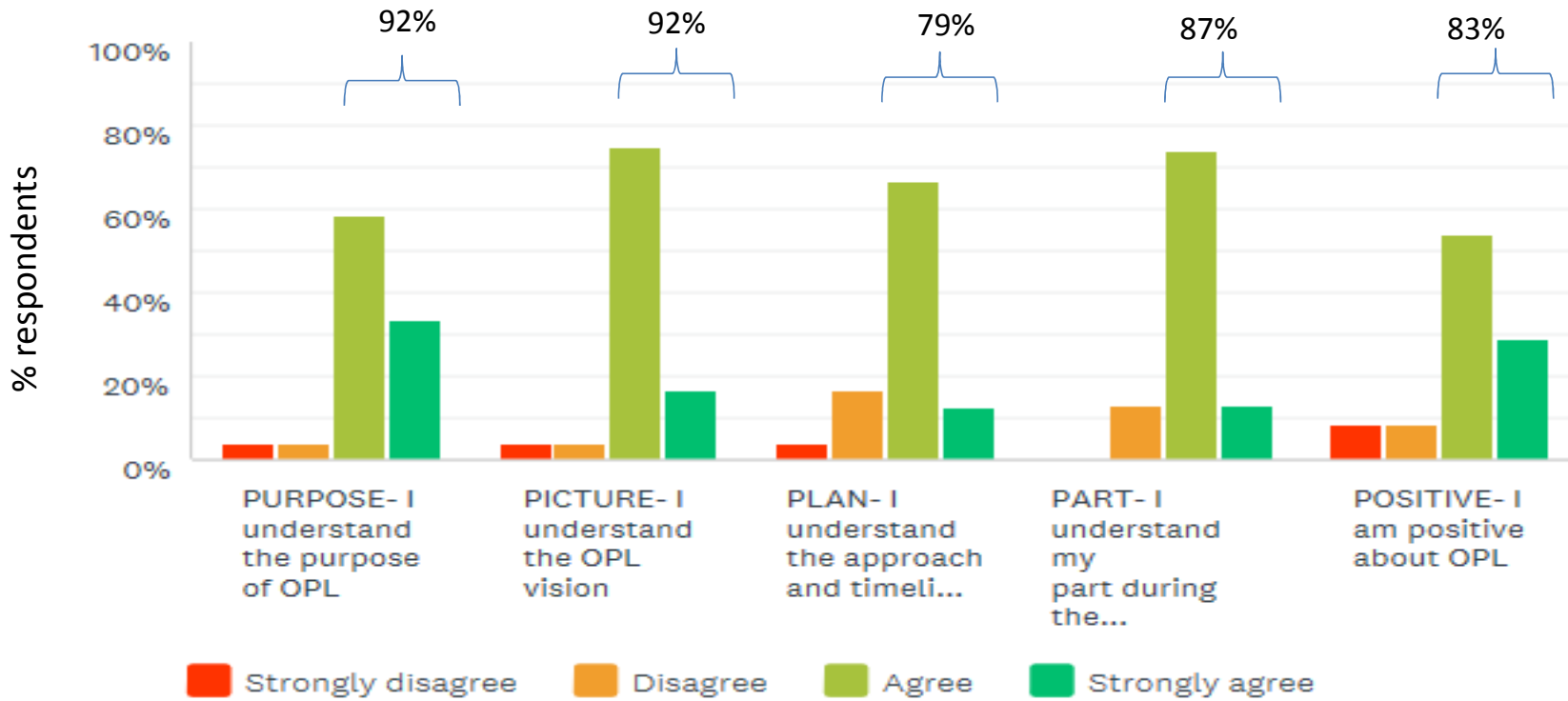
26 responses





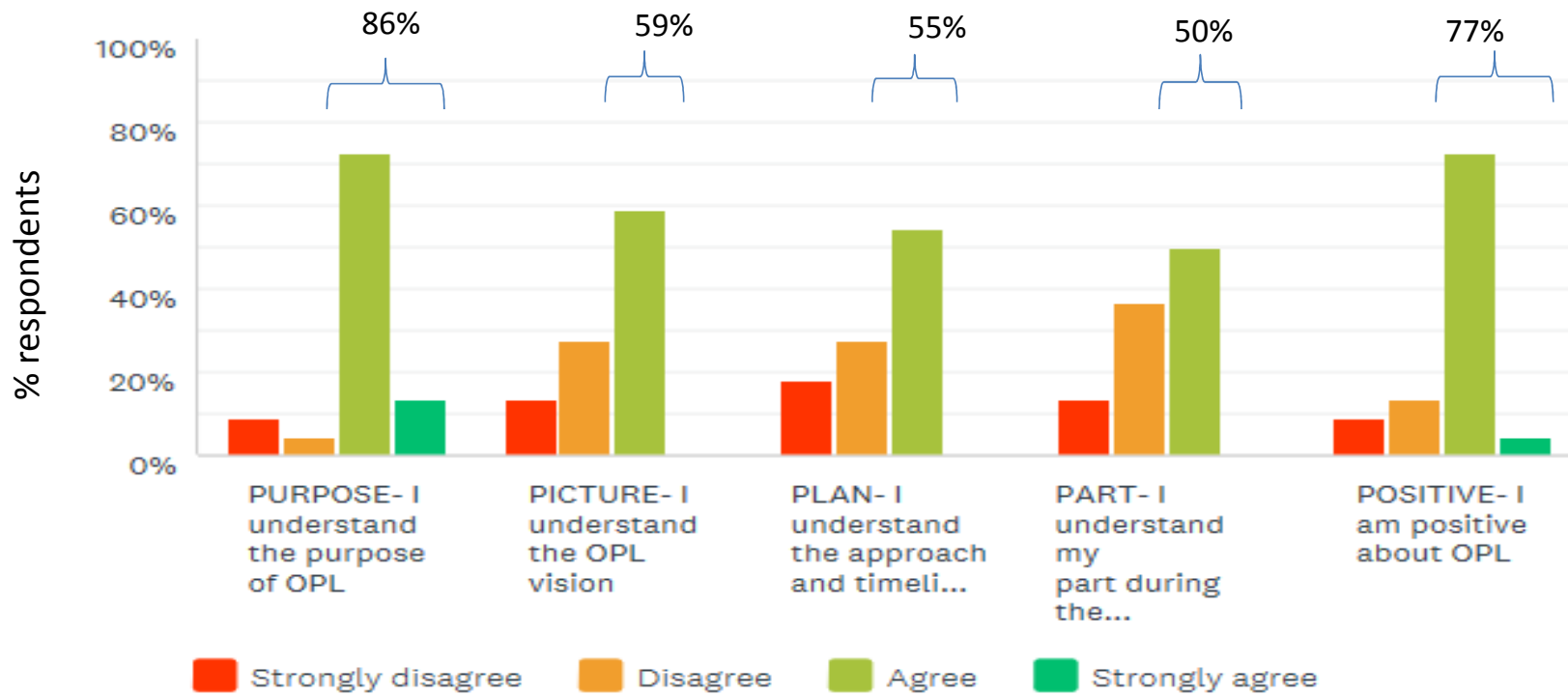
# ESCC

24 responses



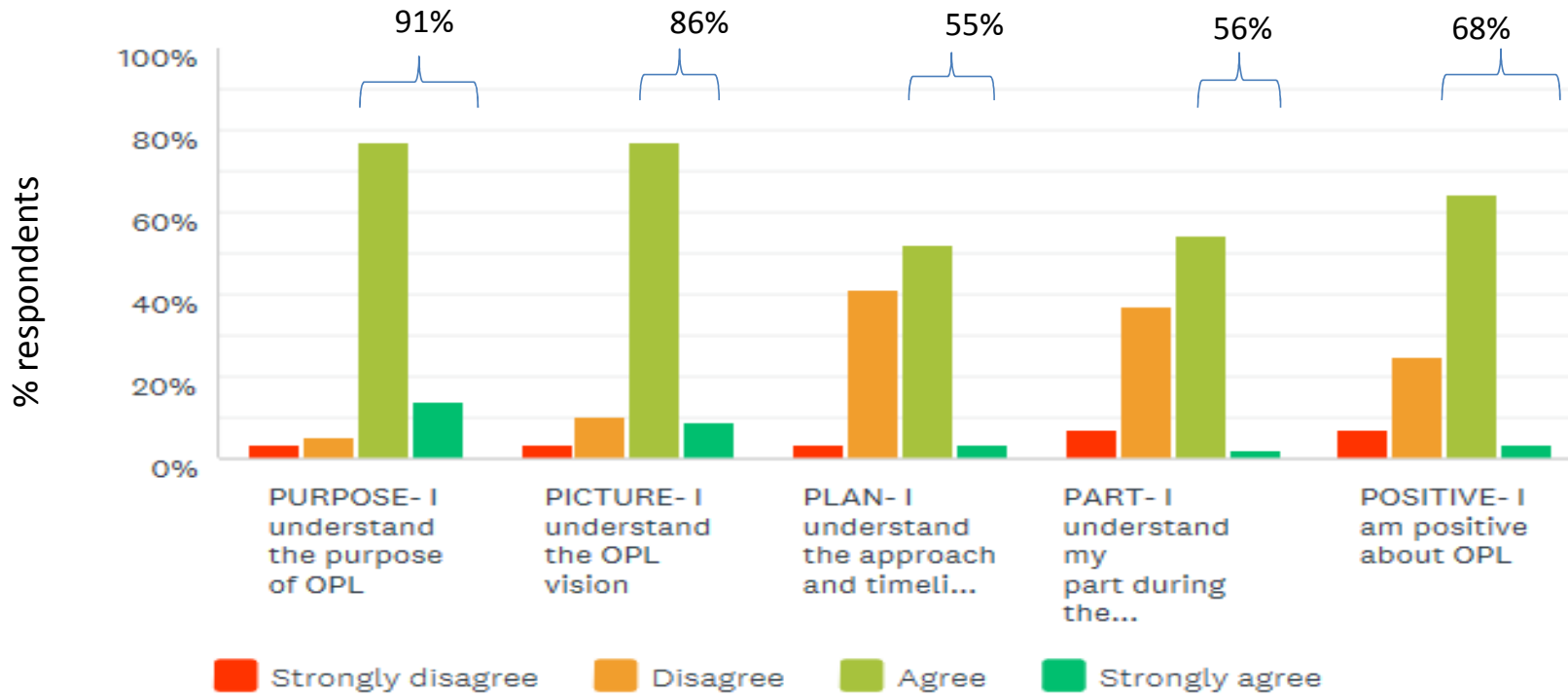
# SCC

22 responses



# WSCC

57 responses



## Initial actions

1. Share the feedback by groups in up and coming workshops.
2. Introduce a monthly email communication, following an ILT meeting.
3. Set up meetings and workshops to involve staff in the analysis work.
4. Regularly update the noticeboard.
5. Develop a timeline to share with staff.
6. Showcase the benefits of OPL.
7. Make the legal agreements available.
8. Continue to promote the training programme.

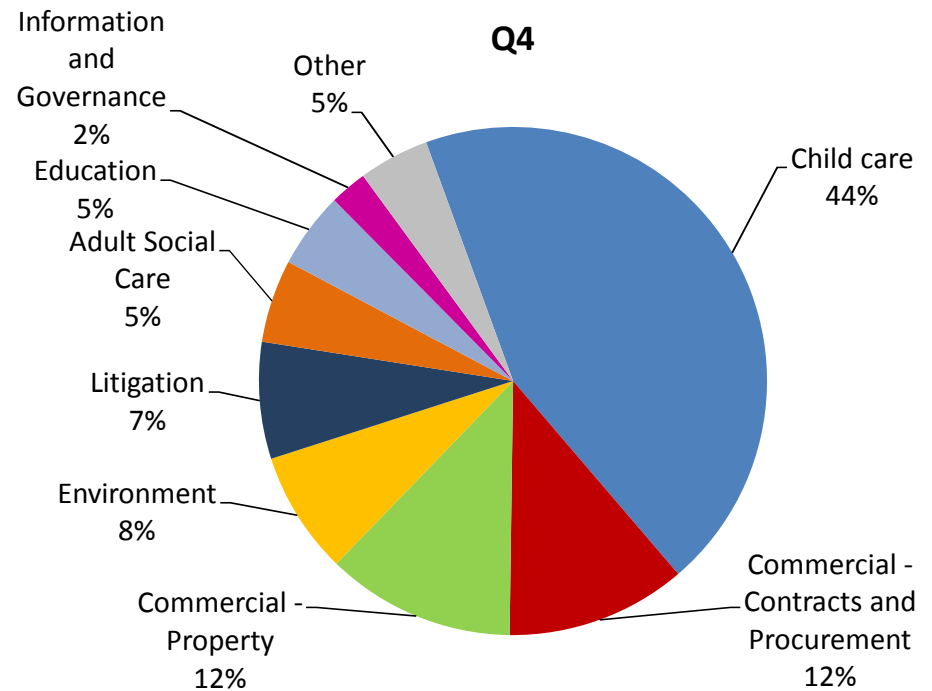
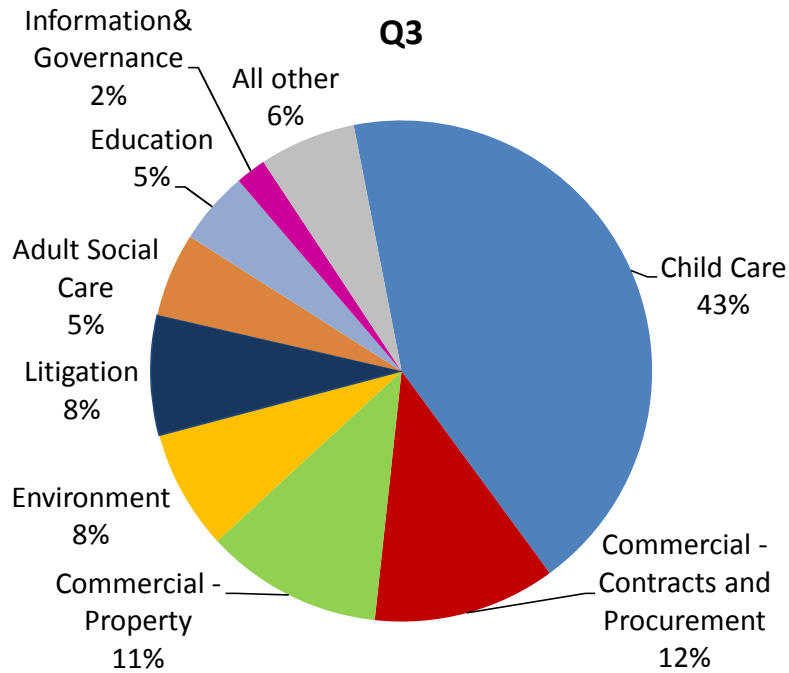
## Appendix 3 – 2017/18 Performance data



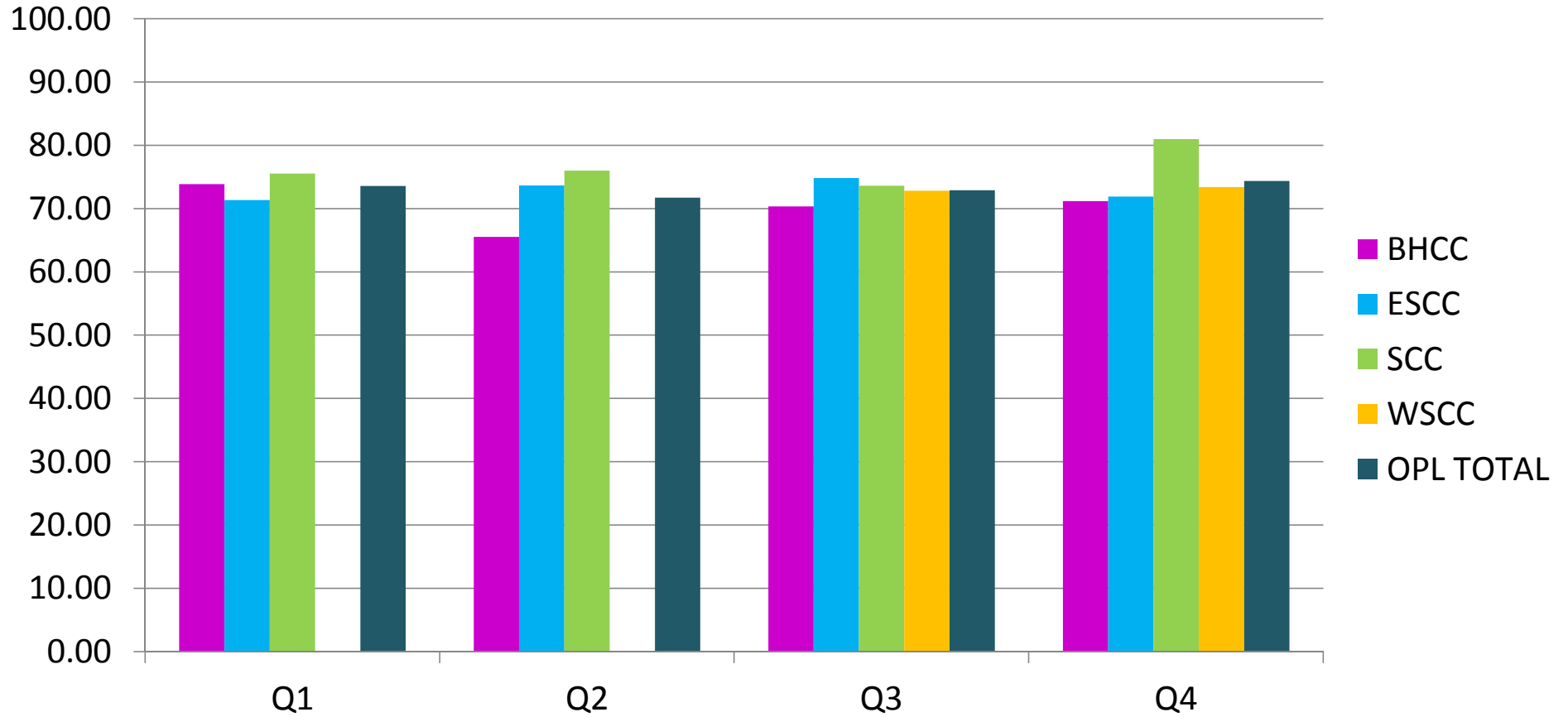
## PERFORMANCE BASELINE – 2017-18

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

# VOLUME & TYPES OF WORK



## 2017/18 - % CHARGEABLE HOURS - BY QUARTER

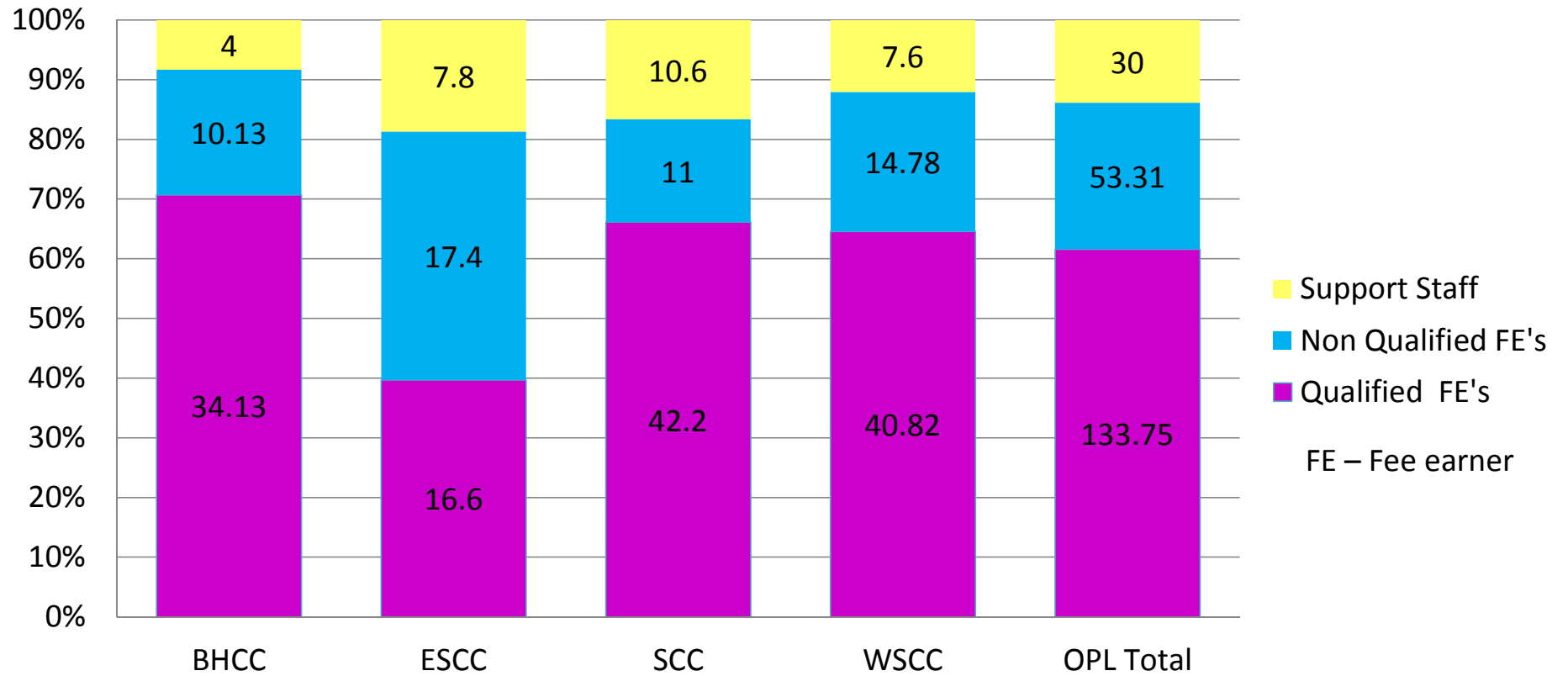


Chargeable hours by quarter



# STAFF MAKE UP

**OPL staff make up – Full Time Equivalent - Mar '18**

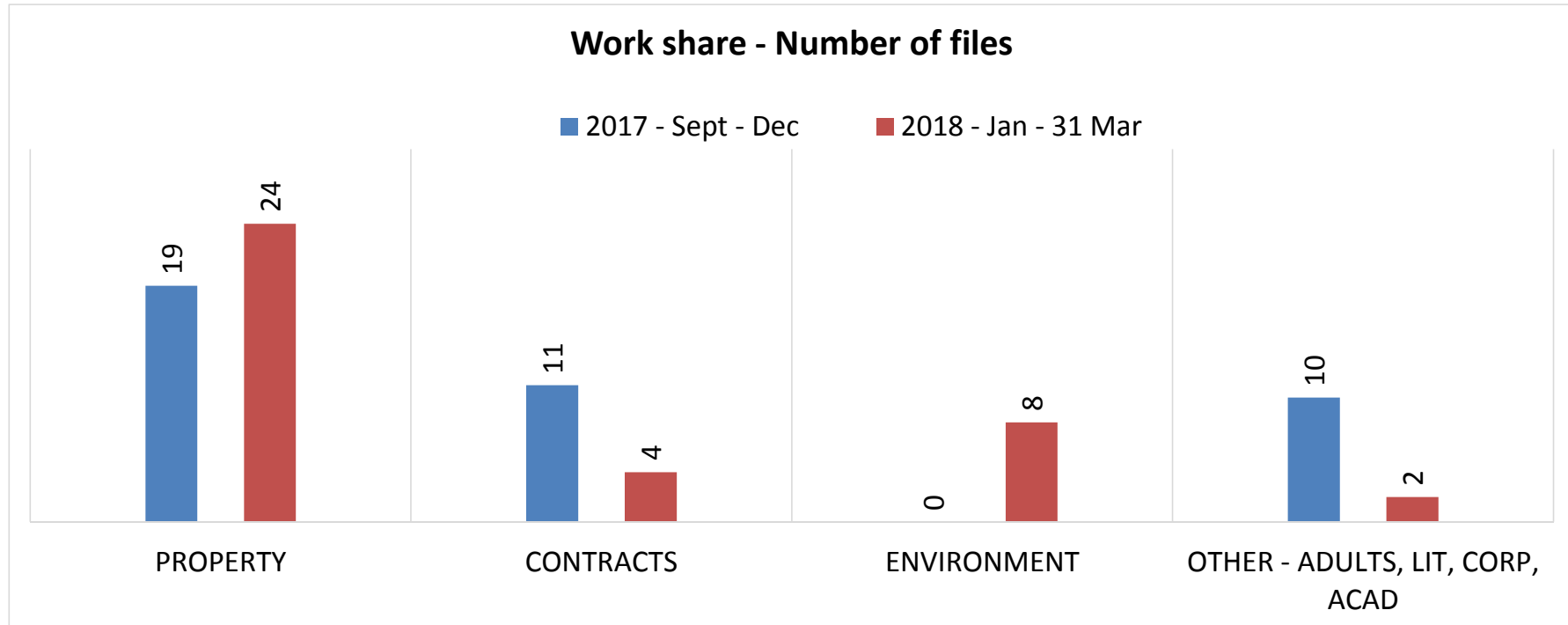


## STAFFING COST PER CHARGEABLE HOUR

Partner	Q3	Q4
BHCC	39	36
ESCC	29	29
SCC	40	35
WSCC	44	42
Average	38	36

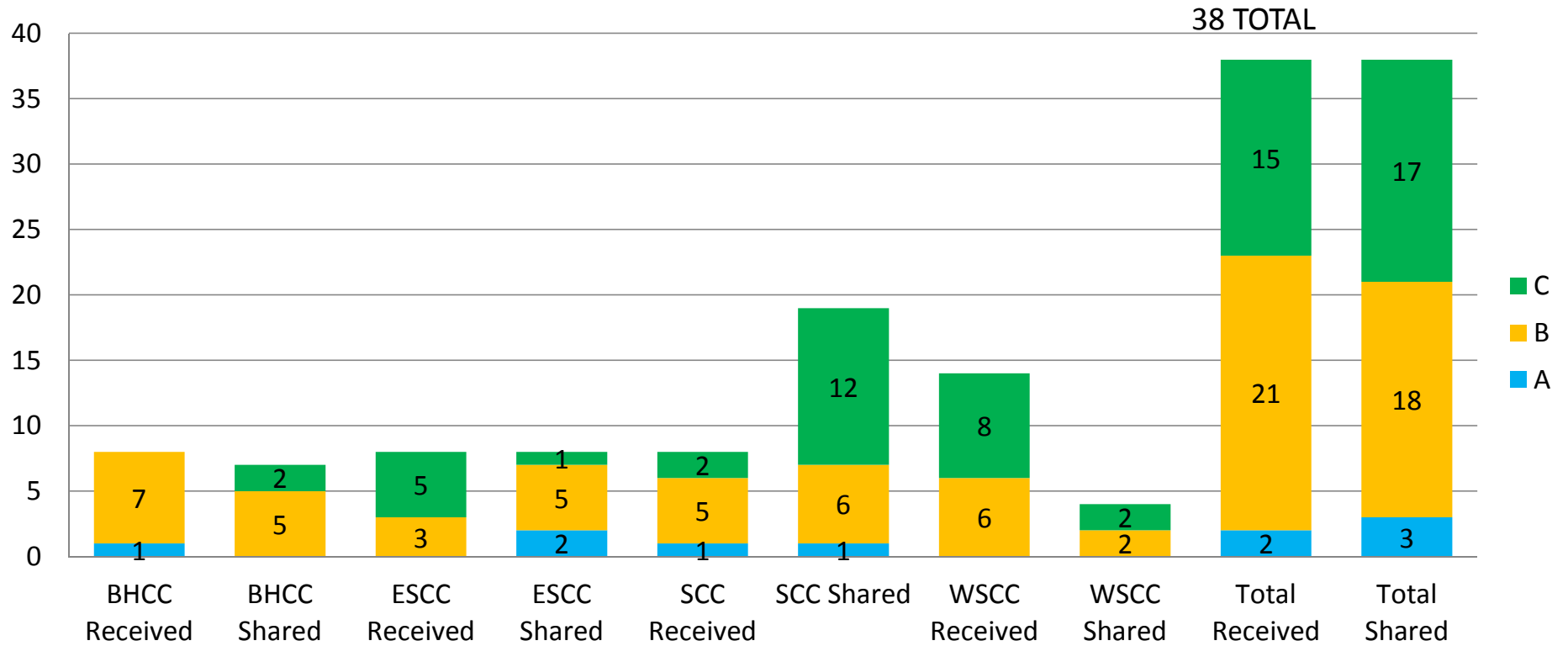
Note time recording data available for all partners from Q3 Sept '17

# WORK SHARE

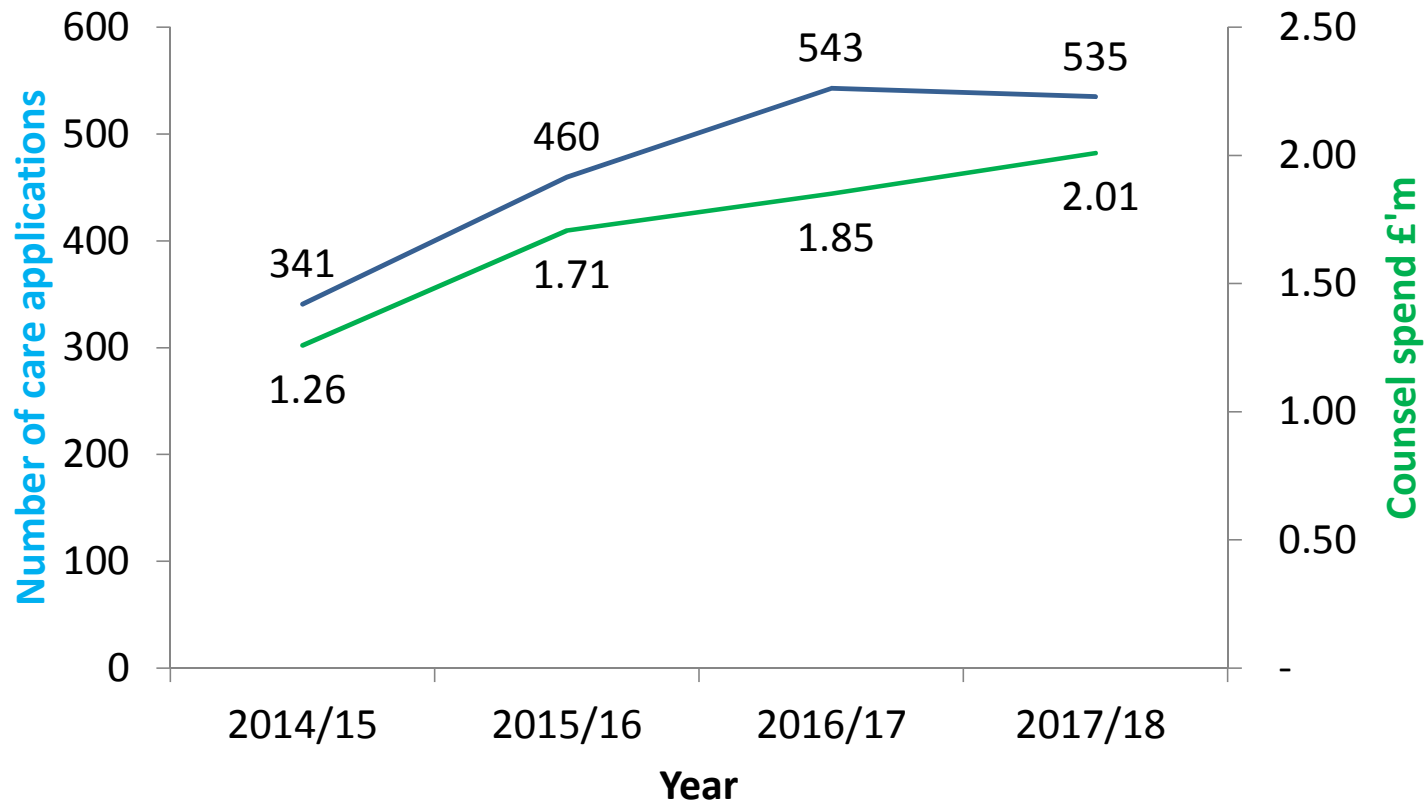


# WORK SHARE

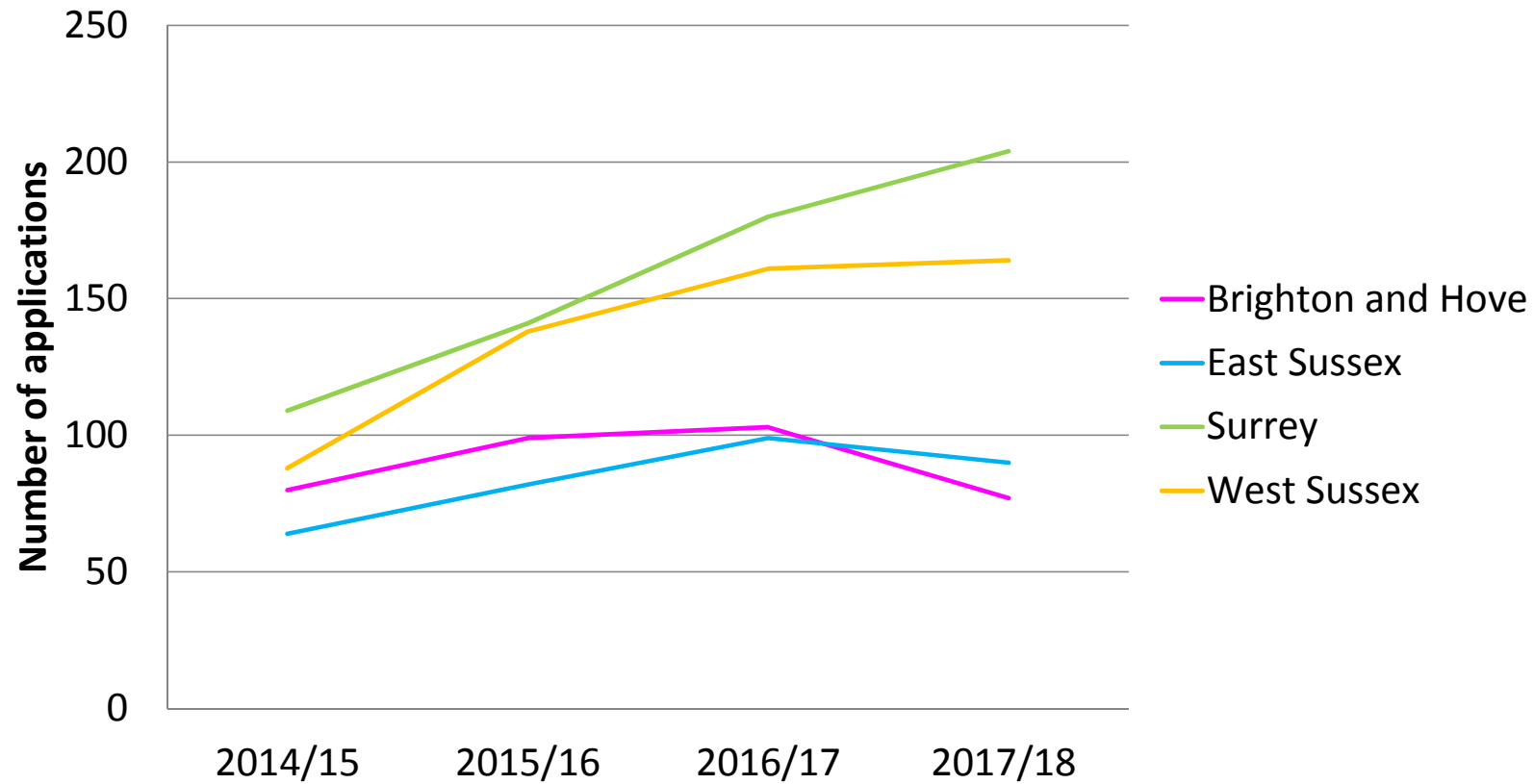
WORK SHARE - 1 Jan - 31 Mar '18



# CHILD CARE – TOTAL APPLICATIONS AND COUNSEL SPEND



## CHILD CARE – APPLICATIONS BY AUTHORITY



## IN-HOUSE ADVOCATE PRODUCTIVITY

Total value of work carried out by OPL advocates 2017/18 £000	Cost of employing OPL advocates 2017/18 £000	Notional saving over instructing counsel £000	Notional saving as a percentage of instructing counsel %
591	446	145	25