

Notice of Meeting

Orbis Public Law Joint Committee

**Date & time**

Monday, 15 April
2019 at 2.00 pm

Place

Room 154, BHCC,
Hove Town Hall,
Norton Road, HOVE,
BN3 3BQ

Contact

Joss Butler
Room 122, County Hall
Tel 020 8541 9702

Chief Executive

Joanna Killian

joss.butler@surreycc.gov.uk

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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.

Elected Members

Ms Charlotte Morley (Cabinet Member for Corporate Support)

Independent Representatives:

Councillor David Elkin (East Sussex County Council), Cllr Leslie Hamilton (Brighton and Hove City Council) and Bob Lanzer (West Sussex County Council)

AGENDA

1 APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2 MINUTES OF THE PREVIOUS MEETING

(Pages 3
- 8)

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 INTEGRATION UPDATE

(Pages 9
- 28)

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

5 IT ENABLING PROJECTS UPDATE

(Pages
29 - 34)

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

6 FINANCE UPDATE

(Pages
35 - 48)

To provide an update on the Orbis Public Law joint operating budget.

Joanna Killian
Chief Executive

Published: Friday, 5 April 2019

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Thank you for your co-operation

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 Monday, 15 April 2019.

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 (WSCC)
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 (WSCC)
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 (WSCC)
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: 15 APRIL 2019

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

SUBJECT: INTEGRATION UPDATE

PURPOSE OF REPORT:

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

INTRODUCTION

Orbis Public Law (OPL), the shared legal service between Brighton & Hove City Council (BHCC) and the County Councils of East Sussex, Surrey and West Sussex, continues with the development 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) A single case management platform
- 3) A joint operational budget

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

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

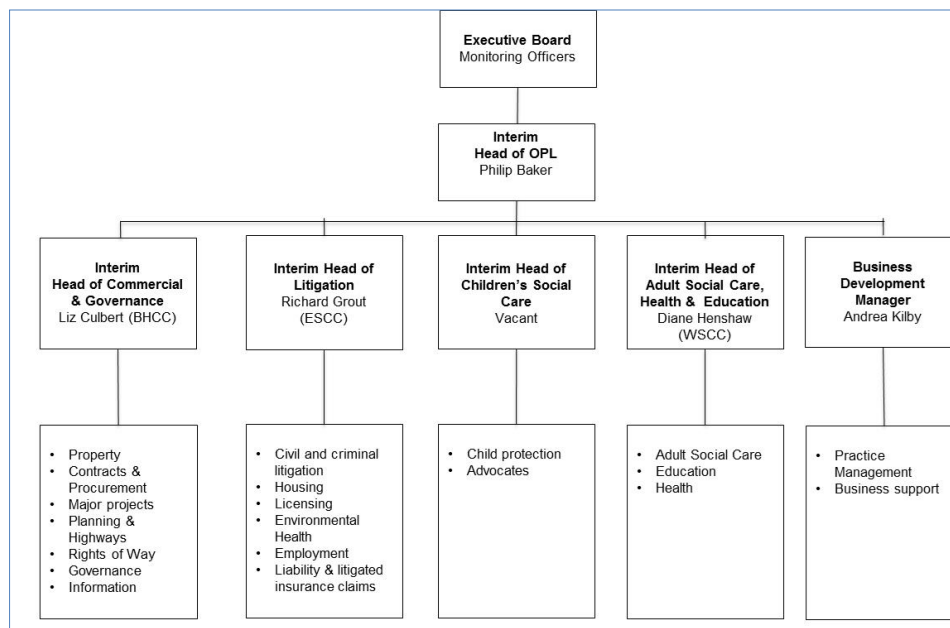
To ensure Members have oversight of the design and plans for the delivery of Orbis Public Law.

DETAILS:

Integrated teams

1. The OPL Interim Leadership Team (ILT) continues to work on designing a staffing model that will deliver an integrated service by areas of specialism across OPL. This is being delivered within existing resources.
2. The wider specialist groupings include:
 - a. Commercial and governance
 - b. Litigation
 - c. Children's social care and advocacy
 - d. Adults, health and education
 - e. Practice management

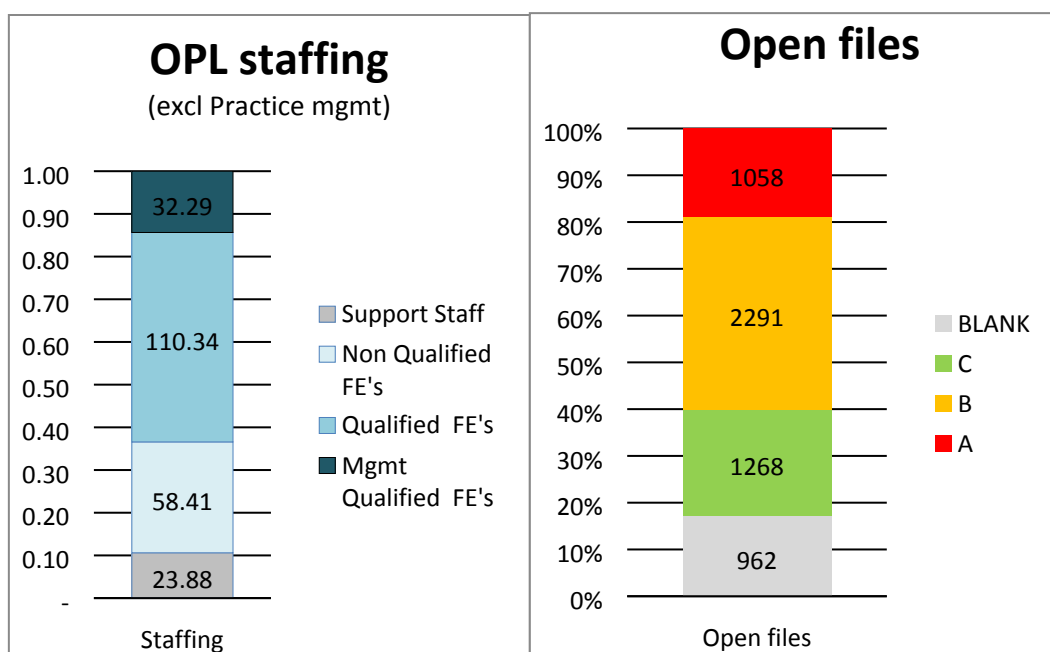
Figure 1 – OPL Interim Leadership Team:



3. ILT members were tasked with collating and analysing data to support the design of the single staffing structure and the benefits of integration. The objectives of the analysis phase were to:
 - review the staff and skills currently available across OPL as a whole and compare this with the work demands in each of the four discipline areas;
 - identify best practice and where improvements could be made;
 - use this evidence to move into the 'design' phase to draw up a structure that will support each of the disciplines and
 - model a 10% cost efficiency.

4. This was a big piece of work and involved significant data collection, workshops, meetings and input from Orbis Human Resources & Organisational Development.
5. Using this data, ILT started work on the design of the single service. A number of design principles have been agreed by ILT and the Executive Board (Sponsors and Monitoring Officers). These inform the approach to the design. The design principles are summarised as follows:
 - (1) OPL will deliver legal services which meet the needs of each of the four authorities.
 - (2) OPL will deliver cost-efficiencies.
 - (3) OPL will use a risk management approach to determine staffing levels and structure.
 - (4) Work will be undertaken at the 'lowest' appropriate level.
 - (5) OPL will make the most effective and efficient use of resources and identify, adopt and promote areas of best practice.
 - (6) OPL will reduce the call on external specialisms and build resilience by pooling skills in specialist areas.
 - (7) The structure will be evidence driven.
 - (8) OPL will recognise achievement and provide development opportunities where possible.
 - (9) OPL will ensure the coherence and effectiveness of the service in each locality.
6. Initial proposals for Commercial, Litigation, Adults & Education and Practice Management were presented to the OPL Executive Board in early February. Design principle number 4 states that work will be undertaken at the 'lowest' appropriate level. To analyse this, ILT have assessed the current staffing versus the complexity of work. Complexity of work was assessed using an ABC methodology:
 7. In broad terms:
 - A is specialist and complex legal work with a high financial or reputational risk.
 - B is 'business as usual' and legal analysis is required but it's not complex.
 - C which is more routine advice and process/template driven.
 8. While it's not an exact science, the current staffing can be broken down into type of role and compared to the complexity of open files as illustrated in figure 2.

Figure 2 – File complexity and staffing level



9. There is an ambition for OPL to re-profile teams and work to achieve efficiencies and best use of OPL's collective resource. Early modelling suggests that £500k capacity could be unlocked across Commercial, Litigation and Adults & Education, in relation to a staffing budget of £6.5m. It is important to recognise that at this stage the figure is indicative and further work will have to be undertaken to provide a greater degree of certainty. OPL does not intend to simply reduce these staffing levels but collectively and strategically look at all posts, vacancies and work demands to build resilience and efficiency across the partnership. It would be preferable and more economically advantageous to use identified capacity to bring work back in-house and this will need to be subject to rigorous performance management.

10. In February the Executive Board agreed that ILT had come as far as they could with designing the structures and to move to the next stage, a full time Interim Head of OPL would be appointed to develop more detailed proposals that could provide a basis on which staff could be consulted on. However the programme was effectively paused at this time while Surrey County Council (SCC) undertakes a review of its participation in OPL. Timescales and next steps, including moving forward with the appointment of the Head of OPL are dependent on the outcome of this.

11. Some notable benefits of work sharing and team integration have already been realised:
 - a. The development of an integrated insurance claims team (refer to para 12).
 - b. The recruitment of an OPL children's social care advocate to represent all OPL authorities at court (refer to para 15).

- c. An Environment Lawyer maternity leave is being covered by OPL, removing the need to backfill. Work sharing with Adult Social Care has helped alleviate a staffing pressure experienced by one partner.
- d. Standard templates and precedents have been agreed between OPL and Orbis Procurement. There is a database of procurement projects which will enable OPL and Orbis to plan their workload.
- e. OPL 'shared hours', where one lawyer acts for all partners is recorded (Annex 1 – OPL Performance data). To February 2019 OPL has reached nearly 1300 shared chargeable hours, equivalent to 1 Full Time Equivalent (FTE). This is therefore between 2-4 FTE worth of work because work is done once, not 2, 3 or 4 times over. Work sharing is quite a forced process and requires high input by senior management. The focus has moved to designing the joint teams to enable the full benefits to be realised.
- f. OPL has facilitated networking across the partners through workshops, pathfinder projects, staff forums and joint training. To date 708 places of free training have been provided by Chambers which if notionally costed at £100 per head is in the region of £70k worth of free training.

Insurance claims

- 12. 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. East Sussex County Council (ESCC) and West Sussex County Council (WSSCC) claims handling is already carried out by OPL where there is extensive expertise in this area.
- 13. Line management has been transferred to the OPL Interim Head of Litigation who is responsible for forming the combined team as part of the wider OPL single service design. Insurance Fund and Policy management remains with Orbis Finance.
- 14. A transition plan is underway and progress and plans include:
 - a. A joint Orbis and OPL Insurance Claims Board formed to oversee the transition.
 - b. The number of claims that OPL can handle for BHCC and SCC has been determined.
 - c. A contingency plan for handling excess highways claims (mainly pothole claims). Recent support was provided from the ESCC team to handle a high level of highways claims received at SCC.
 - d. Support to SCC from ESCC and WSSCC teams for litigated claims handling.

- e. A plan for all partners to move to a single Local Authority Claims Handling System (LACHS).
- f. The majority of liability and litigated claims for BHCC are handled by the insurance company. OPL plan to in-source as many of these claims as possible and plans are in place to train staff to carry out this work.
- g. Business improvement workshops to design a common workflow process for liability claims.

Since the transfer in September, the experience of managing staff located in other partners' offices has provided a useful test run prior to the wider introduction of cross partner teams. It has also demonstrated how team members at different partner offices can work together to deliver the service in an efficient manner. In the period 1 September 2018 to 31 March 2019 a saving of approximately £40k was generated for OPL by the joint working in liability and litigated claims.

Child care advocacy

- 15. Progress on the child care advocacy project has been reported regularly to Members and continues to be a key priority for OPL. The desired outcome is reduced spending on external counsel to represent OPL authorities in child care proceedings.
- 16. Members agreed the business plan in July 2018 and the latest position against this plan includes:
 - a. The first 'OPL advocate' started in August and has successfully completed an induction period. She is now carrying out advocacy for all partners. Further recruitment is planned for two posts in 2019. The clerking arrangements will also be considered.
 - b. Data for Q1-3 (April – Dec 2018 - Annex 1) shows that our in-house advocates notionally saved OPL £98k, a projected full year saving of £123k. This is a reduction on the saving reported at Q1 because resignations and a temporary change in work pattern mean that our complement of advocates has reduced by 1.5 FTE. Where possible, advocate work is being prioritised on 'longer hearings' which are expensive to buy in and therefore a good use of our internal resource.
 - c. Following training and support, childcare lawyers are now doing more of their own advocacy. Our data shows that advocacy with a notional value of £278k was carried out by the teams between Q1-3. Lawyers are being encouraged to attend court where practicable.
 - d. Recruitment and retention remains an ongoing challenge. The recruitment market for advocates is difficult with competition from other sectors locally and restrictions on the salary we can offer. However OPL continues to explore talent through local contacts and external advertising.

Legal services framework

- 17. OPL has jointly procured a new Legal Services Framework, with Surrey County Council as lead partner with whom providers shall

enter into framework agreements. This framework covers 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 is also accessible to Districts & Borough Councils within those counties.

18. Implementation of the framework commenced on 1 March 2019 and will run for 3 years plus 3 year optional extension.
19. External legal services support and complement the OPL in-house offer; enabling better demand management; specialist advice and advocacy services to be sourced quickly and in a cost effective way.
20. Following from point 16.b, a reduction in some of the rates for external spend on child care proceedings has meant that OPL are reviewing the in-house advocacy savings projections and performance data. This will be available for 2019/20.

Monitoring activity pilot

21. Since January 2018, ESCC has been running a pilot to monitor the time spent on certain types of work. Time recording data is good in terms of understanding hours spent on a file. However it does not record whether matters are being dealt with efficiently. In a drive to review and improve efficiency, fixed amounts of time have been established for a number of work types. Practice management monitor time spent and if the established time is exceeded on a file this is looked at in more detail. This has helped build a picture of the common tasks and the average time taken for these.
22. Initial analysis concludes that where the trigger has been reached the work has either been completed or there are good reasons why time needed to be extended. On a small number of files it highlighted work that should have been done by a client department before the file was taken by legal. Looking strategically at risk, some time was also excessive and this has been addressed.
23. This is now embedded for these work types and with the introduction of a single system and joint teams, OPL will consider whether the pilot is extended to other work areas. This will also strengthen the common approach to undertaking work.

Q3 2018 (Apr-Dec) performance data

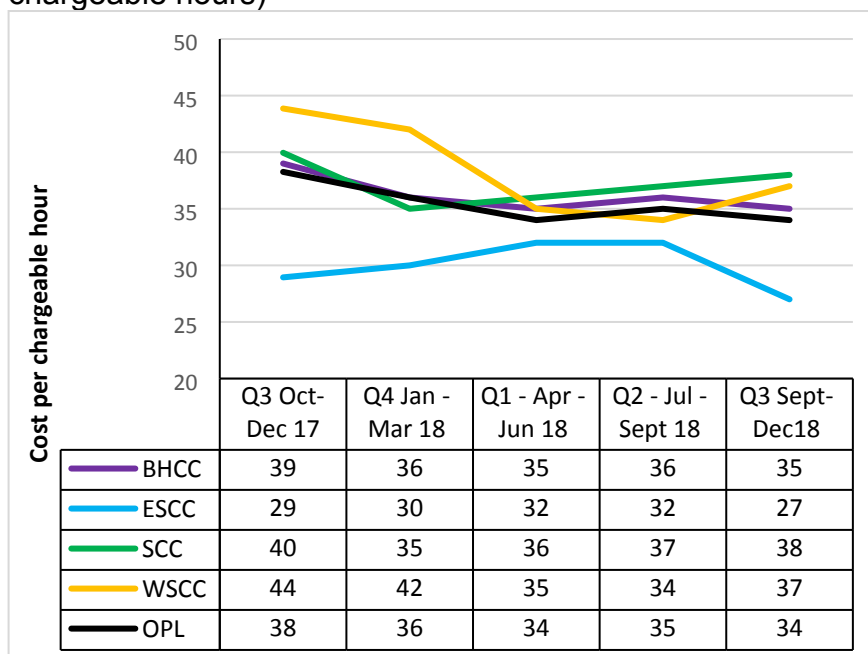
24. Annex 1 details the OPL performance data up to 2018/19 Q3 (Dec 18). Data is captured on:
 - a. Volumes and types of work

- b. Cost per chargeable hour
- c. Staff make up
- d. Work sharing
- e. Child care advocacy
- f. Financial data is reported separately.

25. OPL is data driven and committed to making decisions based on available and correct data. Since April 2018 all partners have been time recording. Following this implementation, OPL has conducted a data audit to ensure the data is as accurate as possible. The review 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 issues which were addressed. There are cultural issues which are being addressed through improved guidance and clarity on what to record and when. The performance data is so important as it ensures the 'staffing cost per chargeable hour' is accurate and reliable.

26. OPL's efficiency measure is monitored against the staffing cost per chargeable hour (staffing costs divided by chargeable hours). The trends over the prior quarters are demonstrated in Figure 3 below. This is settling into a pattern as the integrity of the time recording and finance monitoring improves. With the move to a single structure and the principle of doing work at the lowest appropriate level, OPL continues to monitor this cost.

Figure 3: Staffing per chargeable hour (staff costs divided by chargeable hours)



CONCLUSION

27. 2019 is an important year for OPL while the blueprint for the single structure is designed. The key priorities of a single structure, joint case management system and a joint budget will

need to dovetail in 2019/20 to achieve the benefits of integration. While timescales have slipped slightly this is still achievable.

28. OPL awaits the outcome of the SCC review. The next steps, which will include a refresh of the business plan and moving forward with the Head of OPL is dependent on the outcome of this.

29. Engagement with staff and stakeholders will continue into the next phase.

Contact Officer: Emma Nash, OPL Project Manager

Annex: 1 – OPL Q3 performance data

Sources/background papers: None

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**Performance data
Q3 (updated to December 2018)**

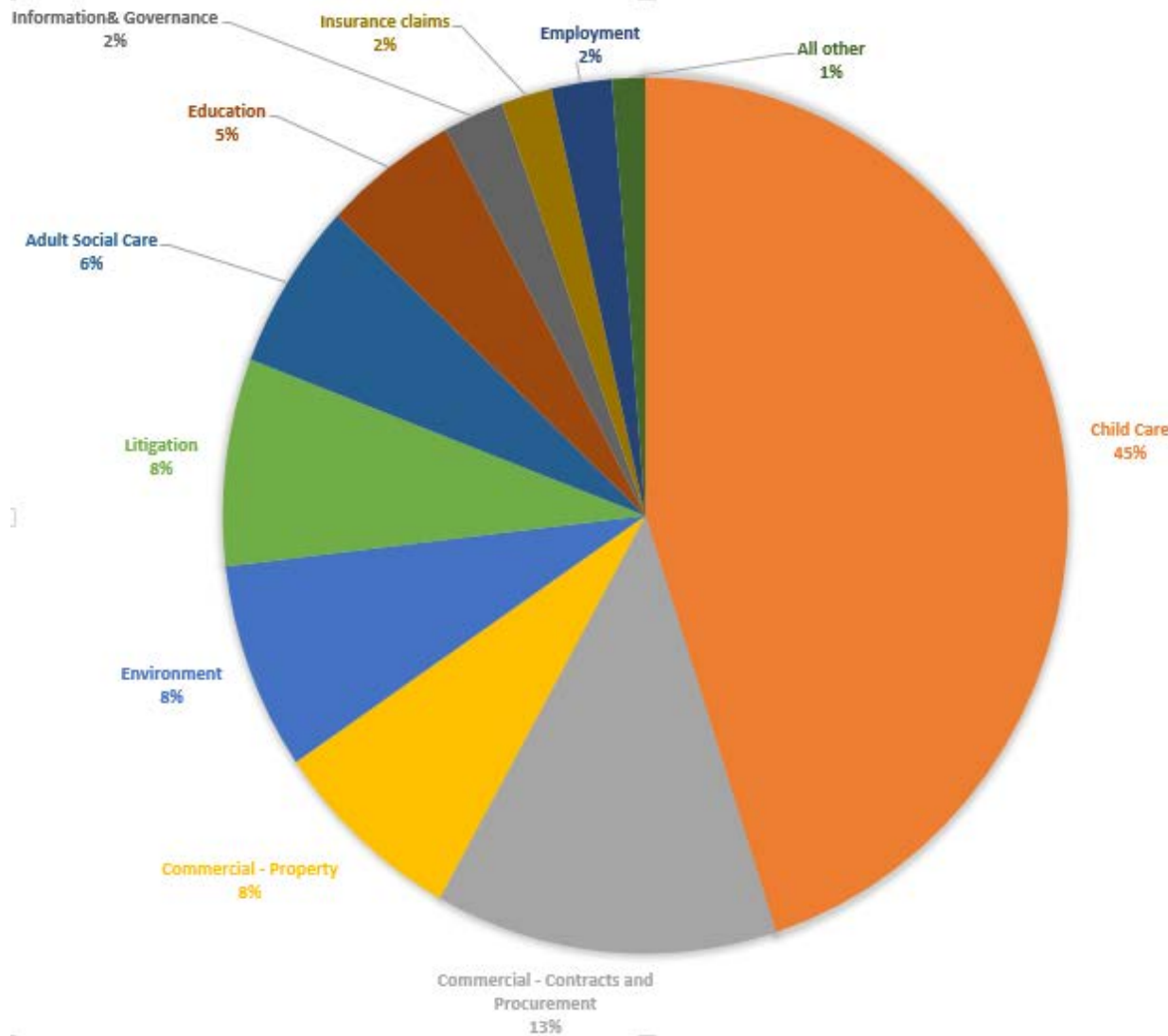


CONTENTS

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

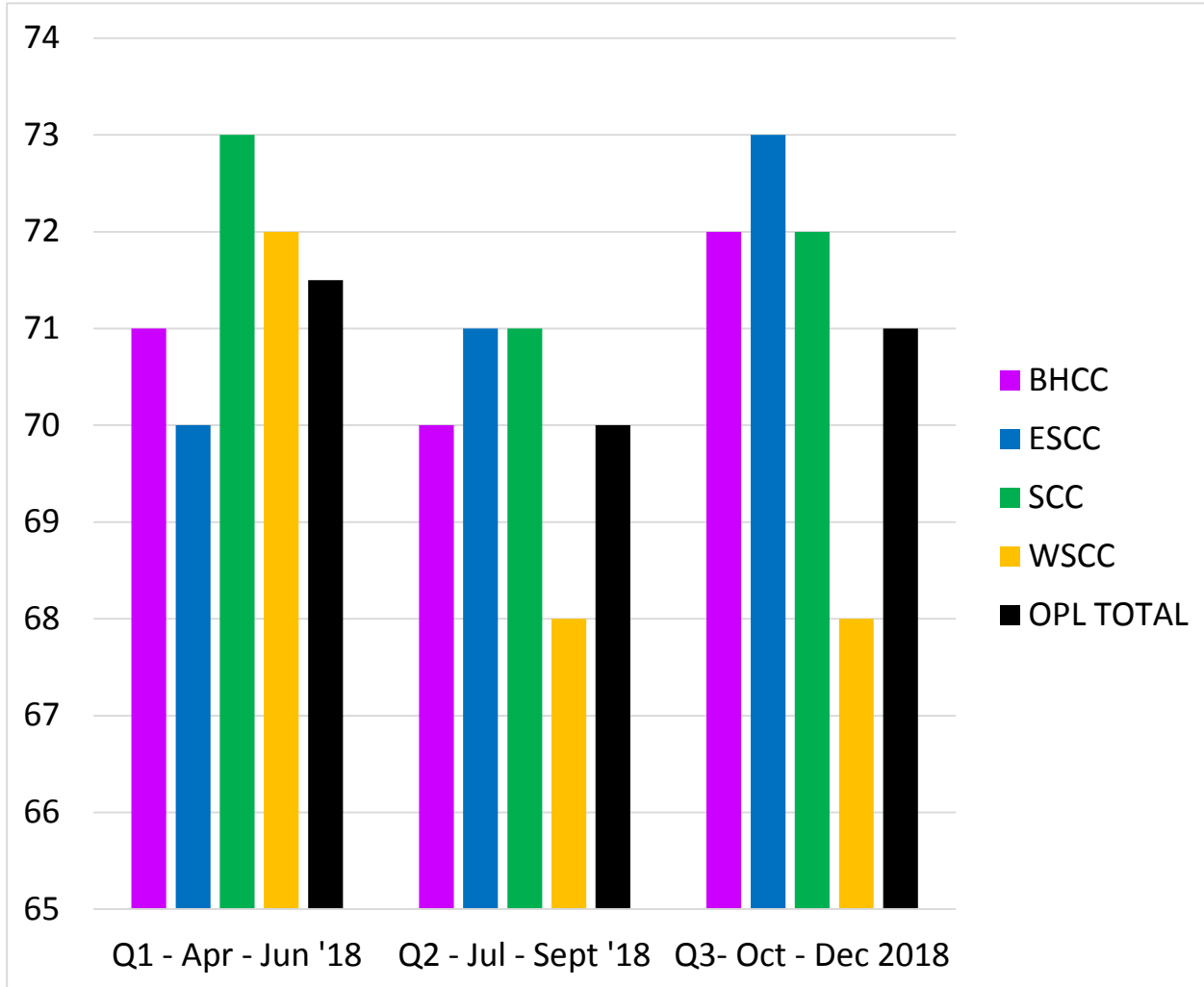
VOLUMES AND TYPES OF WORK ACROSS OPL - Q3

Annex 1



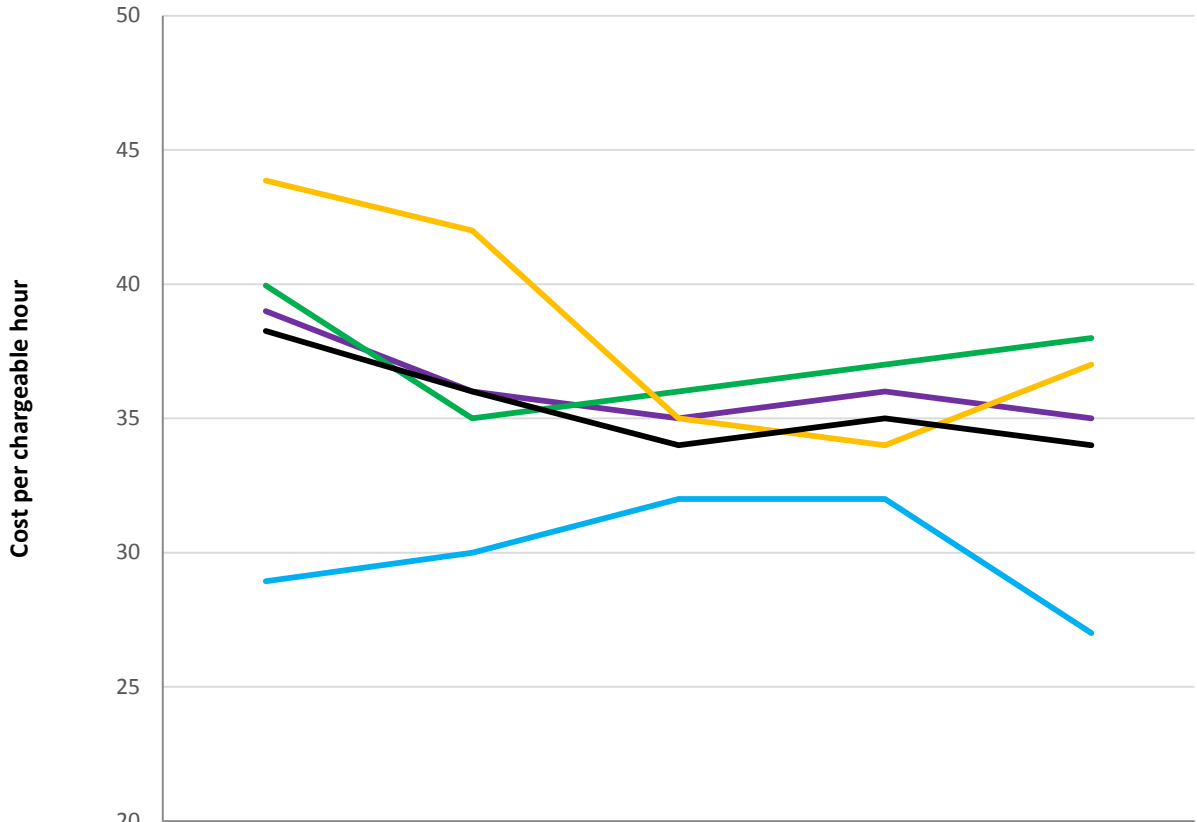
- The volume and type of work has proportionately remained static over the last 4 quarters.
- This supports the apportionment of OPL resource by discipline in designing single structures.

% CHARGEABLE HOURS



- Chargeable hours are i.r.o. 71% for OPL.
- Following the data audit we noticed a small dip in Q2 due to improvements in time recording and a better reflection of non-chargeable hours.
- The staffing cost data for WS is being reviewed.

STAFFING COST PER CHARGEABLE HOUR

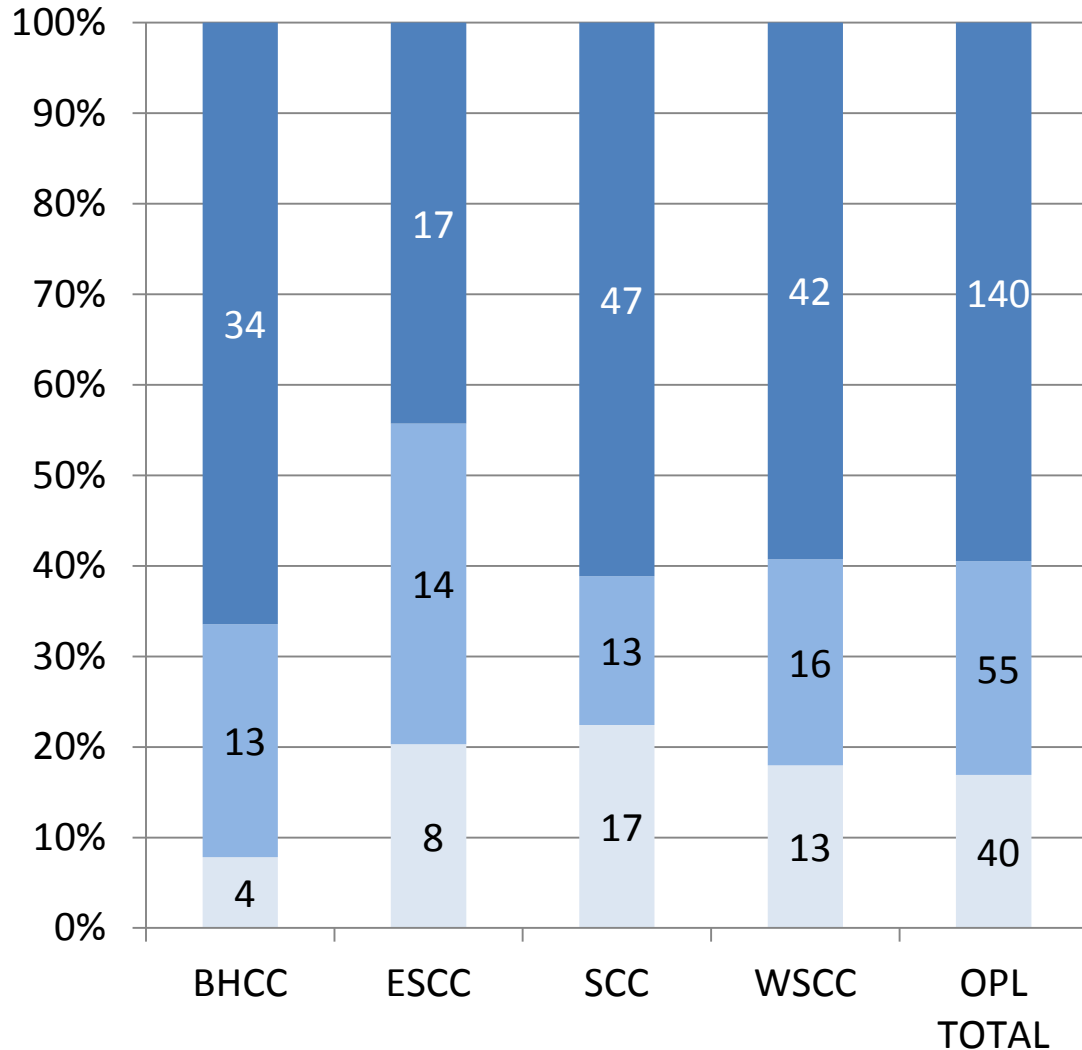


	Q3 Oct-Dec 17	Q4 Jan - Mar 18	Q1 - Apr - Jun 18	Q2 - Jul - Sept 18	Q3 Sept- Dec18
BHCC	39	36	35	36	35
ESCC	29	30	32	32	27
SCC	40	35	36	37	38
WSCC	44	42	35	34	37
OPL	38	36	34	35	34

- Staffing cost divided by chargeable hours
- This is settling into a pattern as the integrity of the time recording and finance monitoring improves.
- In Q3 '18 B&H and ES have seen increases in chargeable hours which has therefore reduced the c.p.c.h.
- SCC – Q3 saw an increase in the use of locums.
- WS – increase in staff costs for Q3 to be reviewed.

2018/19 - YTD
BHCC 35
ESCC 30
SCC 37
WSCC 35
OPL 34

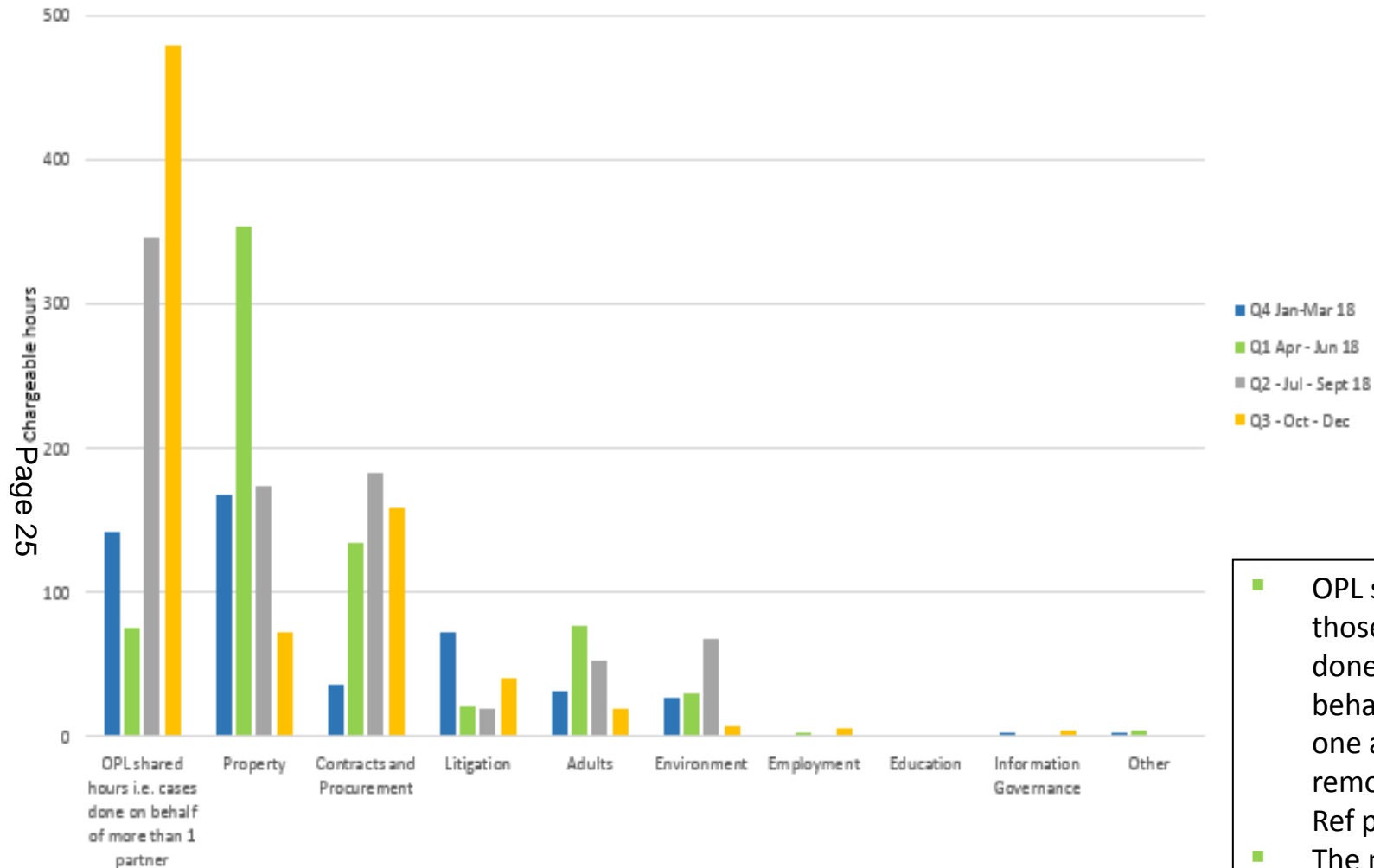
STAFF MAKE UP



- There will only be marginal changes until a single structure is implemented.
- OPL has an ambition to undertake work at the lowest possible level.
- Posts are reviewed as they become vacant and considered between ILT leads.

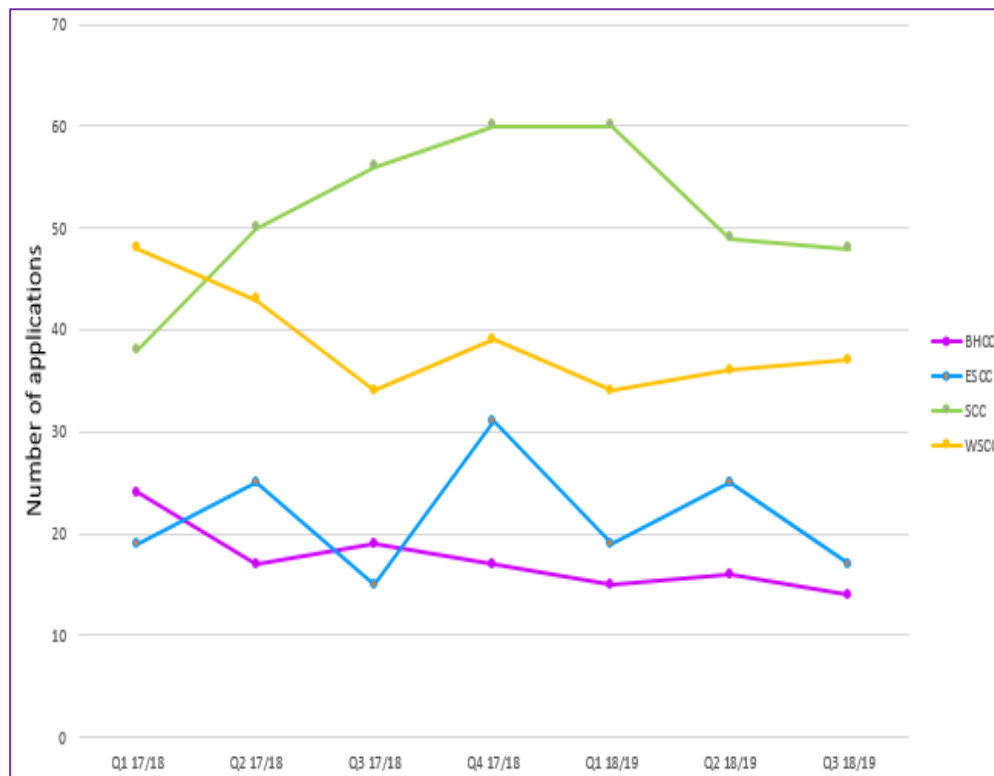
- Qualified Fee Earners
- Non Qualified Fee Earners
- Support Staff

WORK SHARE



- OPL shared hours are those cases that are done once by OPL on behalf of more than one authority and removes duplication. Ref para 11.d.
- The number of work share files has dropped as the focus has moved from a forced work share process to designing single teams.

CHILD CARE APPLICATIONS – QUARTERLY



- Children’s social care is iro 40% of OPL’s volume as evidenced in graph 1. The volatile trend demonstrates the challenges in resourcing in this area and the benefits of strategic use of external spend.
- SCC - There is a new programme of working with families being introduced that is proven and designed to focus resources at an earlier stage, thereby reducing the demand for statutory intervention. This will take time to embed and realise changes. The rate of issue has slowed however there remains significant activity at a pre proceedings stage
- ESCC - There is no known reason for the small increase between Q1 and Q2 '18 –it is expected that it will even out over the year.
- BHCC and WSCC are quite stable and slowing. WS notes the issue rate slowed down but there was then the corresponding high no of final hearings to prepare for following the earlier increase in issue rate (not all cases finish within 26 weeks).

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 Q1-3
Q1-3	5.5	£424,925	£327,210	£97,715	23%	£123,000

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

	Q1	Q2	Q3	TOTAL
BHCC	15,850	24,325	14,475	54,650
ESCC	6,825	14,450	19,550	40,825
SCC	39,450	45,625	25,200	110,275
WSCC	30,225	17,275	25,050	72,550
TOTAL	92,350	101,675	84,275	278,300

- OPL advocates continue to add value for OPL, a projected full year saving of £123k. This will be reviewed against the new OPL framework prices for 2019/20.
- Lawyers doing their own in-house advocacy. It would have cost OPL £278.3K if we were to buy in the work.

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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: 15 APRIL 2019

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

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

Orbis Public Law's (OPL) 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.

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 case bundles by Orbis Public Law (OPL) partners to the family court in hard copy lever 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.
2. The project is now fully implemented in the Sussex and Surrey family courts. Tier 1 Magistrate implementation for Surrey and Sussex is planned for April 2019.

BENEFITS

3. 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 details only the cost savings to OPL partners, however it will seek to share anecdotal benefits realised by stakeholders too.

CASHABLE COST SAVINGS

4. OPL have paid back the initial investment within the first 6 months of implementation. Using the data from this period, conservatively the annual savings for OPL in relation to digital bundles will be £90k in 2019/20 shown in table 1.

Table 1 – Total Predicted Cost v Savings 2019/20

	2019/20 Full year
Identified Saving (administration staff and stationery, paper, print, courier, postage and destruction of papers).	£263K
Less total annual cost (CaseLines and internet)	£173K
Total Saving	£90K

EFFICIENCIES

5. OPL will make efficiencies in the legal teams in family court matters through the use of CaseLines. This is not costed as a cashable saving in this report as it is too early to assess the impact.

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. Solicitors and Advocates have reported similar benefits.

7. Court time saving functions include:
 - a. 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.
 - b. It provides the ability to access the full master bundle and previous documentation presented in court if required.
 - c. 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.
 - d. Court administration staff have reported time savings as there is no need to receive, process and move physical bundles to court rooms.

OTHER BENEFITS

8. There are significant benefits that cannot easily be quantified, however the impact that they have on OPL staff as well as stakeholders should not be underestimated:
 - a. Security of information as the information is not sent by email or post.
 - b. The positive impact on OPL's reputation and stakeholder relationships in delivering an innovative solution to support better outcomes for children.
 - c. 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, Surrey County Council (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 £52,000 project costs) and deliver a **£68,572 saving** against remaining on current contracts.
11. Benefits of the single contract:
 - a. Enables OPL to operate as a single service.
 - b. 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.
 - c. 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 training systems as well as ensuring that there are no contacts in the system which cannot be identified.

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.

13. There is significant work for the OPL practice management team to undertake in early 2019 in terms of system readiness based on the operational requirements from the Interim Leadership Team (ILT) and system testing to ensure the single database is fit for purpose.

14. OPL plans to have the single system in place over the summer/autumn period in 2019.

CONCLUSION

15. OPL has made substantial progress to implement the infrastructure and operational processes to support the single service.

16. As well as being the key platform for OPL, learning 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

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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: 15 APRIL 2019

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

SUBJECT: ORBIS PUBLIC LAW OPERATING BUDGET 2019/20

SUMMARY OF ISSUE:

Following two years of a shadow operational budget it is recommended that the Orbis Public Law operating budget becomes a joint operating budget from 1 April 2019. A joint operating budget is effectively a pooled budget. The Joint Committee will be responsible for the effective financial management of the Joint Operating Budget. This report sets out the recommended 2019/20 budget and contributions from each partner.

RECOMMENDATIONS:

The Joint Committee is asked to:

1. Approve the introduction of a Joint Operating budget from 1 April 2019.
2. Recommend the draft 2019/20 Orbis Public Law Joint Operating Budget
3. Agree the basis for calculating the contributions to the Joint Operating Budget.

DETAILS:

4. The Operating budget for Orbis Public Law (OPL) is primarily the cost of staffing, associated team costs and all external income relating to these costs. Some costs are excluded from the operating budget since there is inconsistency of treatment across organisations and this would prevent the sharing of costs. External legal fees are outside of this budget as the accountability for them is not consistent across the partnership, in SCC and WSCC these costs are met from the Legal Services budget and in BHCC and ESCC these budgets are in other services. Other excluded costs include internally

allocated costs such as postage recharges where there may be little or no influence over the cost.

5. The OPL leadership team has agreed that the OPL budget should be pooled from April. This will enable OPL to operate effectively and efficiently from a Joint Operating Budget. It means that budgets can be pooled based on functions, such as Litigation. For example a manager employed by ESCC can be responsible for managing staff employed by each partner, allocating resources effectively from a joint operating budget, paid by for all four authorities. This allows true integration and collaborative working.
6. SCC is reviewing its position regarding OPL. If SCC decides to withdraw from OPL the financial principles in this report would remain unchanged. However, the scale of the budget would reduce by the SCC contribution.

2019/20 OPL Joint Operating Budget

7. The 2018/19 OPL shadow budget forms the basis of the 2019/20 budget and contributions from each partner, 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.
8. Work is still underway to agree the final OPL 2018/19 base budget so the proposed 2019/20 budget may be subject to minor change but it gives an indication of the likely amount. A final budget will be provided at the next Joint Committee.
9. As set out in the period 11 budget monitoring report (annex 2) the shadow OPL 2018/19 budget is as shown in table 1.

Table 1: OPL
2018/19 Summary

	Budget £000s
TOTAL	
Staff	10,982
Temporary Staff	242
Non-Staff	392
Income	-1,465
Net Expenditure	<u>10,151</u>

CONTRIBUTIONS

BHCC	19.07%	1,936
ESCC	16.37%	1,662
SCC	30.52%	3,098
WSCC	34.04%	<u>3,455</u>
Total		<u>10,151</u>

10. All partners, apart for ESCC, expect savings from their Legal Services budgets. The expected level of savings are shown in the table 2 below:

Table 21: Legal Services 2019/20
Savings

	BHCC £000s	ESCC £000s	SCC £000s	WSCC £000s	Total £000s
2019/20 Savings	-93		-339	-250	-682

11. These savings could be achieved from OPL or from the council's external legal fees budgets. The OPL concept is based on the idea that collectively the partnership can deliver legal services more cost effectively and efficiently than the separate councils can, as shown by the child care advocacy project. This should lead to increased capacity in OPL leading to savings in the more costly external fees. It also follows that where there are external fees it might be appropriate to increase the size of OPL in order to reduce external fees.
12. The external fees budgets are only part of the Legal services budget in SCC & WSCC. In BHCC and ESCC these budgets are held by services. However there is still an incentive to reduce the external fees for each council regardless of where the budgets are.
13. The BHCC savings have been made through efficiencies and an increase in projected income, therefore reducing its share in OPL but not the hours it will receive. SCC has decided to make its savings from its share in OPL partly in line with the level of vacancies it has in 2018/19. This means that until OPL efficiencies are achieved a reduced level of service will be delivered to SCC, compared to its 2018/19 budgeted amount. WSCC has decided to reduce its external fees budget in order to maintain their levels of service from OPL and therefore minimise the cost of external fees.
14. The proposed draft 2019/20 Joint Operating Budget is £9.9m and is shown in table 3. This includes savings of £0.4m, inflationary pressures of £0.2m on pay and a net reduction of £0.03m on non-staffing and income inflation.

Table 3: OPL 2019-20 Budget	BHCC	ESCC	SCC	WSCC	Total
	£000s	£000s	£000s	£000s	£000s
2018/19 OPL Budget	1,936	1,662	3,098	3,455	10,151
Less savings	-93		-339		-432
Revised base budget	1,843	1,662	2,759	3,455	9,719
Pay inflation					216
General inflation					8
Income inflation					-29
					194
2019/20 OPL Budget					9,913
Contributions					
BHCC					1,880
ESCC					1,695
SCC					2,814
WSCC					3,524
					9,913

15. The Contributions are an estimate based on existing or budgeted service delivery requirements. If these change then the contribution would change. The budget will be shown by function once new structures are in place.
16. The budget for managing litigated and liability insurance claims for BHCC & SCC is currently part of Orbis (£0.3m), this will transfer to OPL in 2019/20. This will increase the OPL budget and will be included in the final budget presented to the next Joint Committee.

OPL Contributions

17. The OPL leadership team has reviewed the options for allocating the OPL joint operating costs and recommends that a weighted case hours method is used. This method allocates costs based on the case hours recorded for each partner and weights these hours to recognise the current hourly cost differences between partners. The weighted hours method for allocating costs is simple and transparent whilst being as fair as possible and allows for changes in service delivery. Annex 1 shows the paper that was used to review the options.
18. The OPL leadership team will be provided with monthly updates of the latest OPL expenditure and the calculated contributions. This will ensure that the allocation method reflects service delivery and will also flag any potential variations to budget. The Joint Committee will be provided with monitoring reports quarterly.

WHAT HAPPENS NEXT:

19. A final budget will be presented to the OPL Leadership Team and Joint Committee once the base position is agreed and the SCC review is complete.
20. The budget will be shown by function once structures are in place.
21. Budget monitoring will be reported to the OPL leadership team and Joint Committee monthly and quarterly respectively.

Contact Officers:

Louise Lawson – Senior Principal Accountant

Consulted:

Annexes: Annex 1: paper on options for allocating OPL joint operating costs
Annex 2 – P11 monitoring

Sources/background papers:

Paper presented to OPL Interim Leadership Team 8 February 2019

OPL Contributions – options for allocating costs

The Joint Operating budget for Orbis Public Law (OPL) is primarily the cost of staffing, associated team costs and all external income relating to these costs. Some costs are excluded from the joint operating budget since there is inconsistency of treatment across organisations and this would prevent the sharing of costs. External legal fees are outside of the joint operational budget as the accountability for them is not consistent across the partnership, in SCC and WSCC these costs are met from the Legal Services budget and in BHCC and ESCC these budgets are in other services. Other excluded costs include internally allocated costs such as postage recharges where there may be little or no influence over the cost.

OPL have agreed that the OPL budget is pooled from April. This will enable OPL to operate effectively and efficiently. It means that budgets can be pooled based on functions, such as Litigation. For example a manager employed by ESCC can be responsible for managing staff employed by each partner, allocating resources effectively and from a joint budget, paid by for all four authorities. This allows true integration and collaborative working.

If OPL agrees to operate from a pooled budget form 1 April 2019 it needs to agree the preferred method of calculating the partner contributions.

The options for calculating the contributions are shown below. The examples are based on 2018/19 budgets and actuals to the end of December 2018. Table 1 show the actual position at the end of December.

Table 1: Actual Position December 2018	BHCC £000	ESCC £000	SCC £000	WSCC £000	Total £000
OPL Case Hours	52,238	42,653	67,356	66,517	228,764
OPL Costs	1,654	1,124	2,006	2,148	6,932
OPL Budget	1,614	1,246	2,323	2,591	7,774
OPL Variance	40	-122	-317	-443	-842

Option 1 – fixed ratios, based on the budget

The size of each partner's contribution budget should be a reflection of the service required from OPL and so could be used to allocate the costs to each partner. Table 2 shows the contributions using this method.

Table 2: Option 1 - 2018/19 Budget Ratios	BHCC	ESCC	SCC	WSCC	Total
2018/19 Budget	1,936	1,662	3,097	3,455	10,150
Contribution ratio	19%	16%	31%	34%	100%
OPL Contribution (P9)	1,322	1,135	2,115	2,360	6,932
OPL Budget (P9)	1,614	1,246	2,323	2,591	7,774
Variance	-292	-111	-208	-231	-842

This shows that this method may not reflect the service received where there is a change in service delivery or due to vacancies. For example the actual position for SCC is that it is not

using OPL service as much as anticipated, ie underspending by £0.3m. However if its contribution remains fixed at 31% its cost increase compared to the actual position. This does not allow for flexibility in demand.

Option 2 – case hours

OPL is maintaining a case hours system, this could be used to calculate the contributions. Table 3 shows the contributions using this method.

Table 3: Option 2 - Case Hours	BHCC	ESCC	SCC	WSCC	Total
OPL Hours	52,238	42,653	67,356	66,517	228,764
OPL Contribution (P9)	1,583	1,292	2,041	2,016	6,932
OPL Budget (P9)	1,614	1,246	2,323	2,591	7,774
Variance	-31	46	-282	-575	-842

This illustrates that councils which currently provide services using less senior staff, such as ESCC would pay more than they currently do.

Option 3 – weighted case hours

To reflect the existing service delivery models the case hours could be weighted to take into account differences in pay and seniority of staff. Table 4 shows the contributions using this method.

Table 4: Option 3 - Weighted Case Hours	BHCC	ESCC	SCC	WSCC	Total
Hours weighting	1.04	0.87	0.98	1.07	
P9 OPL Hours					
OPL Case Hours	52,238	42,653	67,356	66,517	228,764
OPL adjusted hours	54,584	37,093	66,200	70,886	228,764
OPL Contribution (P9)	1,654	1,124	2,006	2,148	6,932
OPL Budget (P9)	1,614	1,246	2,323	2,591	7,774
Variance	40	-122	-317	-443	-842

As expected the weighting using December actuals calculates the contributions as per the actual December position. A full year of data would be needed to fix these weightings to assure each partner that they are fair. Periodic review of actual service delivery would be needed to give further reassurance or to propose changed weightings.

For further clarity table 5 shows the contributions using this method if both the case hours and OPL costs increase by 10%.

Table 5: 10% increase in OPL hours (& costs)	BHCC	ESCC	SCC	WSCC	Total
	£000	£000	£000	£000	£000
OPL Case Hours	57,462	46,918	74,092	73,169	251,640
OPL adjusted hours	60,042	40,803	72,820	77,975	251,640
OPL Contribution	1,819	1,236	2,207	2,363	7,625
OPL Budget (P9)	1,614	1,246	2,323	2,591	7,774

Variance	205	-10	-116	-228	-149
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Contribution change (%)	10%	10%	10%	10%
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This shows that each partner's contributions increase by 10% reflecting the increase in hours received.

Table 6 gives a further example of the change in contributions, this time SCC increased hours by 10% & WSCC reduced hours by 15%.

Table 6: Change in hours & costs WSCC (-15%), SCC (+10%)	BHCC	ESCC	SCC	WSCC	Total
OPL Case Hours	52,238	42,653	74,092	56,539	225,522
OPL adjusted hours	54,584	37,093	72,820	60,254	224,751
OPL Contribution	1,648	1,120	2,199	1,820	6,810
OPL Budget (P9)	1,614	1,246	2,323	2,591	7,774
Variance	34	-126	-124	-771	-964
Contribution change (%)	0%	0%	10%	-15%	

This shows that each council's contribution reflects the service it receives.

Recommendation

It is important that the method for allocating costs is simple and transparent whilst being as fair as possible and allowing changes in service delivery. It is recommended that option 3 is used.

The OPL leadership team will be provided with monthly updates of the latest OPL expenditure and the calculated contributions. This will ensure that the allocation method reflects service delivery and will also flag any potential variations to budget. The Joint Committee will be provided with monitoring reports quarterly.

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FINANCIAL MONITORING REPORT: TO END FEBRUARY (P11) 2019
SECTION 1: JOINT OPERATIONAL BUDGET

The table below provides an overview of the shadow operational budget position at the end of February. All partners are forecasting a year end underspend, mainly from staffing. The full year variance is likely to be -£0.9m, a change of -£0.1m since the end of December. External fees expenditure does not form part of the OPL budget so is not included in table 1. The Legal Services (OPL & non-OPL) forecast is shown in Section 4.

Table 1: OPL Summary	Year to Date Actual			Full Year Forecast		
	Actual	Budget	Variance	Forecast	Budget	Variance
	£000s	£000s	£000s	£000s	£000s	£000s
BHCC						
Staff	2,251	2,236	15	2,439	2,439	0
Temporary Staff	17	0	17	20	0	20
Non-Staff	152	105	47	160	115	45
Income	-388	-369	-19	-688	-618	-70
Net Expenditure	<u>2,032</u>	<u>1,972</u>	<u>60</u>	<u>1,931</u>	<u>1,936</u>	<u>-5</u>
ESCC						
Staff	1,404	1,507	-103	1,532	1,644	-112
Temporary Staff	182	58	124	205	63	142
Non-Staff	50	69	-19	112	75	37
Income	-258	-110	-148	-278	-120	-158
Net Expenditure	<u>1,378</u>	<u>1,524</u>	<u>-146</u>	<u>1,571</u>	<u>1,662</u>	<u>-91</u>
SCC						
Staff	2,759	3,090	-331	3,010	3,371	-361
Temporary Staff	250	0	250	272	0	272
Non-Staff	130	121	9	161	140	21
Income	-585	-379	-206	-615	-414	-201
Net Expenditure	<u>2,554</u>	<u>2,832</u>	<u>-278</u>	<u>2,828</u>	<u>3,097</u>	<u>-269</u>
WSCC						
Staff	2,819	3,234	-415	3,113	3,528	-415
Temporary Staff	139	164	-25	179	179	0
Non-Staff	64	57	7	70	62	8
Income	-422	-288	-134	-422	-314	-108
Net Expenditure	<u>2,600</u>	<u>3,167</u>	<u>-567</u>	<u>2,940</u>	<u>3,455</u>	<u>-515</u>
TOTAL						
Staff	9,233	10,067	-834	10,094	10,982	-888
Temporary Staff	588	222	366	676	242	434
Non-Staff	396	352	44	503	392	111
Income	-1,653	-1,146	-507	-2,003	-1,466	-537
Net Expenditure	<u>8,564</u>	<u>9,495</u>	<u>-931</u>	<u>9,270</u>	<u>10,150</u>	<u>-880</u>

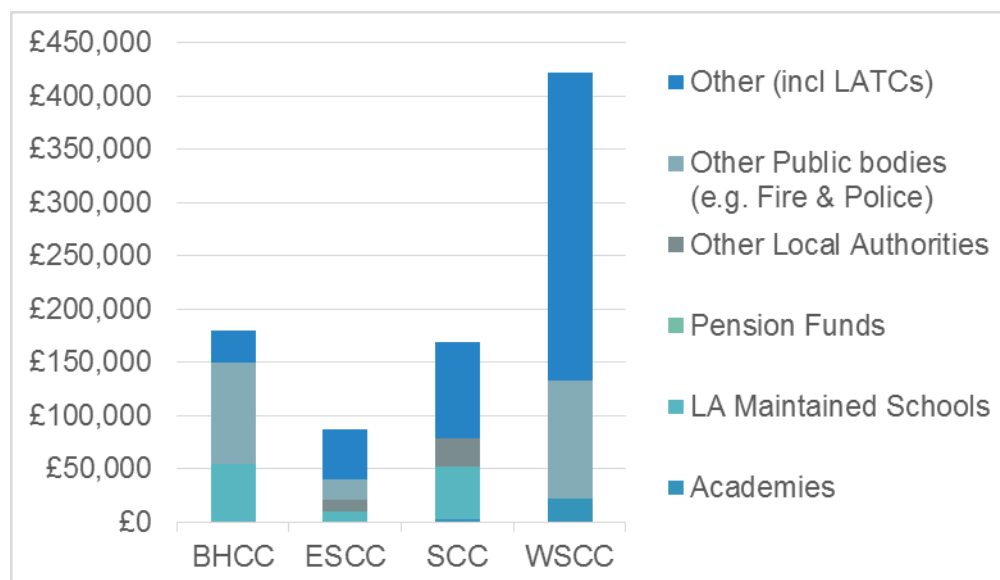
SECTION 2: INCOME

Income is analysed each month to understand the level of likely 'sales' which are managed and controlled by OPL and 'costs awarded' which are largely unplanned for. The position at period 11 is shown in table 2. All partners are forecasting a full year over recovery of income.

Table 2: OPL Income	Year to Date Actual			Full Year Forecast		
	Actual	Budget	Variance	Forecast	Budget	Variance
	£000s	£000s	£000s	£000s	£000s	£000s
BHCC						
Sales	-180	-149	-31	-232	-162	-70
Costs Recovered	-208	-220	12	-456	-456	0
Costs Awarded	0	0	0	0	0	0
[not yet analysed]	0	0	0	0	0	0
Total Income	-388	-369	-19	-688	-618	-70
ESCC						
Sales	-87	-32	-55	-81	-35	-46
Costs Recovered	-140	-50	-90	-128	-55	-73
Costs Awarded	-16	-28	12	-70	-30	-40
[not yet analysed]	-16	0	-16	0	0	0
Total Income	-259	-110	-149	-278	-120	-158
SCC						
Sales	-169	0	-169	-169	0	-169
Costs Recovered	-358	-376	18	-388	-410	22
Costs Awarded	-57	0	-57	-57	0	-57
[not yet analysed]	0	-3	3	-1	-4	3
Total Income	-584	-379	-205	-615	-414	-201
WSCC						
Sales	-422	-288	-134	-422	-314	-108
Costs Recovered	0	0	0	0	0	0
Costs Awarded	0	0	0	0	0	0
[not yet analysed]	0	0	0	0	0	0
Total Income	-422	-288	-134	-422	-314	-108
TOTAL						
Sales	-858	-469	-389	-904	-511	-393
Costs Recovered	-706	-646	-60	-972	-921	-51
Costs Awarded	-73	-28	-45	-127	-30	-97
[not yet analysed]	-16	-3	-13	-1	-4	3
Total Income	-1,653	-1,146	-507	-2,003	-1,466	-537

The source of the year to date 'sales' are shown in chart 1.

Chart 1: Year to Date Sales



SECTION 3: EXTERNAL LEGAL COSTS

All external legal costs are outside of the joint operational budget as the accountability for them is not consistent across the partnership: in SCC and WSCC these costs are met from the Legal Services budget and in BHCC and ESCC these budgets are in other services. 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 February.

Table 3: External Legal Costs managed by Legal	Year to Date Actual				
	BHCC	ESCC	SCC	WSCC	Total
	£000s	£000s	£000s	£000s	£000s
Child Care - Counsel	116	346	885	576	1,923
Child Care - External Solicitors	5	0	0	183	188
Child Care - Expert Fees	0	0	0	0	0
Other External Solicitor / Counsel	136	126	143	134	539
External fees	0	20	-47	0	-27
Total	258	492	981	893	2,623

SECTION 4: LEGAL SERVICES

The table below provides an overview of Legal Services budget which includes OPL and sovereign specific budgets. This is included for clarity as it shows the full year forecast reported to each authority for its Legal Services at the end of February. Both SCC & WSCC are forecasting material overspends on non-OPL budgets, these are partly offset by their OPL underspends.

Table 4: Legal Services	Full Year Forecast		
	Forecast	Budget	Variance
	£000s	£000s	£000s
BHCC			
OPL	1,931	1,936	-5
Sovereign			
Staff	164	164	0
Non-Staff	-36	-36	0
External Fees	0	0	0
Income	-913	-913	0
Total	1,146	1,151	-5
ESCC			
OPL	1,571	1,662	-91
Sovereign			
Staff	8	9	-1
Non-Staff	13	15	-2
External Fees	539	5	534
Income	-489	0	-489
Total	1,642	1,691	-49
SCC			
OPL	2,828	3,097	-269
Sovereign			
Staff	0	0	0
Non-Staff	125	78	47
External Fees	1,415	735	680
Income	0	0	0
Total	4,368	3,910	458
WSCC			
OPL	2,940	3,455	-515
Sovereign			
Staff ¹	0	0	0
Non-Staff	0	0	0
External Fees	1,221	715	506
Income	0	0	0
Total	4,161	4,170	-9

1. Staff in the WSCC non OPL budget are not included in table 4.

SECTION 5: PROJECT COSTS

The total 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: Project investment costs	2016/17	2017/18	2018/19	Savings	Notes
£000s					
Project staffing	73	85	122		1
IT – Case management database rationalisation	0	24	169	69 over 5 yrs	2
IT – Digital court – software and hardware	0	0	15	90 p.a.	3
Training / workshops / miscellaneous	6	7	5	70 to-date	4
Total	79	116	311		

Notes

1 - Project Manager, Business Development Manager and add'l Project support as required.

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. £169k is the year 1 cost for this new contract. This project brings forward and combines the capital and project investment costs for the new contract, these costs would have had to be met in any event over the next 3 years when current contracts expired.

3 - £15k one off hardware costs for the courts. Ongoing service costs of £173k per annum, a £90k saving per annum on the current spend.

4 - 708 training places provided to-date, if notionally costed at £100 per head, £70k cost avoided.

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