



**Corporate Services
Select Committee**

6 December 2017

Orbis Public Law Business Plan

Purpose of the report: Scrutiny of Services and Budgets

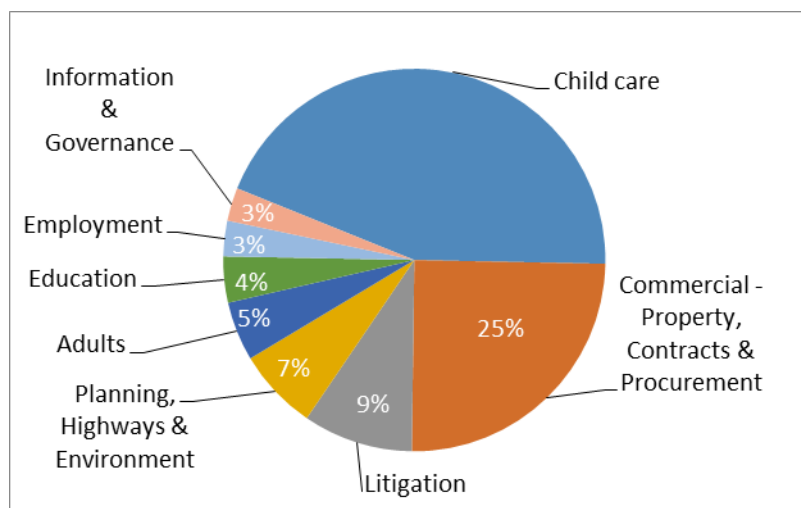
The Select Committee is asked to scrutinise the Orbis Public Law (OPL) business plan and to agree any areas for further consideration by the Orbis Public Law Joint Committee (the Joint Committee).

Introduction

1. Since launching OPL in 2016, a number of pathfinder projects have been underway and considerable progress has been achieved. OPL's ambition for the future and planning for how this may be realised is set out in the business plan attached to this report at **Annex 1**.
2. The Joint Committee considered the business plan on 16 October 2017 and requested the inclusion of targets, financial information and a timeline within the business plan. This is an ongoing and developing piece of work for the partnership.

OPL Background

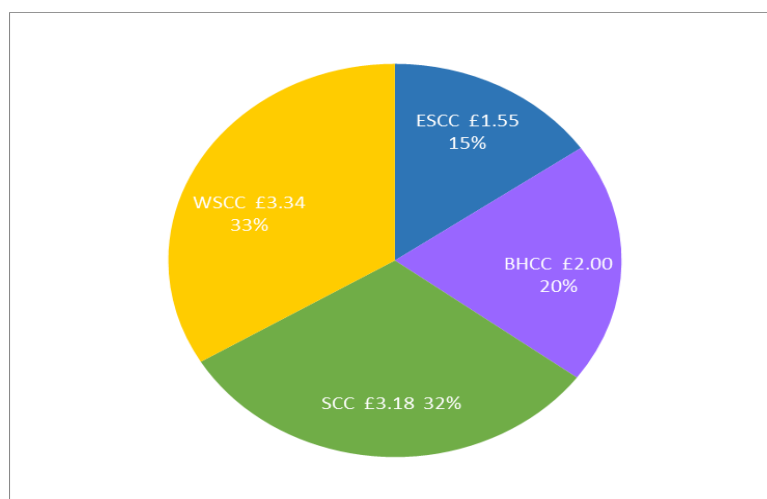
3. Orbis Public Law (OPL) is a legal services partnership between Brighton and Hove City Council and the county councils of East Sussex, Surrey and West Sussex.
4. OPL has a vision to be a single, resilient, sustainable, cost effective legal service with a public service ethos with an ability and ambition to grow.
5. OPL has a combined net operational budget of £10m and a workforce of 250 (160 solicitors and legal executives). The work we do is summarised in the chart below.



Achievements so far

6. A staged approach to implementation has been adopted, and we are currently increasing the level of collaboration between the partners and working towards an integrated service by 2019/20.
7. We have agreed financial principles for the partnership and are working to achieve a joint operational budget. The net cost of the partnership to each authority will be based on a system of Agreed Contribution Ratios (ACRs) using 2017/18 budgets as a starting point. A shadow year of monitoring processes has commenced, and the operational budget for the year is as set out in the table and chart below. During this period, each of the partners is responsible for making the savings required by its authority.

Orbis Public Law Operation Budget - 2017/18					
	BHCC	ESCC	SCC	WSCC	Total OPL OB
	£'000	£'000	£'000	£'000	£'000
Staffing	2,290	1,744	3,443	3,572	11,049
Non Staffing	79	82	138	105	404
Gross Expenditure	2,369	1,826	3,581	3,678	11,453
Total Income	-362	-281	-400	-338	-1,381
Net Expenditure	2,007	1,545	3,181	3,340	10,072
ACR	20%	15%	32%	33%	100%



8. Over the past year we have had a number of workstreams and projects, focussing initially on commercial law and childcare advocacy as these two areas represent 69% of the work undertaken within the partnership.

Childcare Advocacy

9. Nationally there is a significant increase in numbers of child care cases and this is reflected across the partnership. Between 2015/15 and 2016/17, the number of cases dealt with by all the OPL authorities increased by 60%. In Surrey, the rise has been particularly marked, from 99 in 2014/15 to 185 in 2016/17 and has continued into the current year. As the number of cases has increased, the cost of instructing external advocates has also increased. OPL cannot influence the number of cases received, but using our own advocates offers a better value solution.
10. An advocacy project was therefore established to increase the number of hearings carried out in-house and reduce the amounts paid to external advocates. Performance data for existing in-house advocates was collated and it was clear that there was potential to make further savings by increasing the resource and ensuring best value. Partnership working allowed us to learn from each other and focus on how we best use our advocates. We have developed a business case and recruitment strategy and we are currently recruiting for four additional advocates, which could make additional savings of £100,000 per year. However, it has so far proved difficult to recruit suitable candidates and alternatives are being considered.
11. Using our combined influence as OPL we are also working with the family courts to enable bundles of documents for childcare hearings to be received by the court electronically and made available to those who need access via cloud based software. This will streamline the way courts work and is expected to save OPL authorities money on processing costs.

Commercial pathfinder and work sharing

12. The commercial pathfinder project was set up to develop a model for integrated working in the commercial teams, which can be used more widely as integration progresses across the partnership. We have aligned work processes, including joint instructions forms and precedents, so that work can be carried out by any of the partners. This is now being tested in a work sharing pilot, which will promote a practice of working across boundaries, enabling us to use our skills and resources as efficiently as possible, develop areas of expertise and identify opportunities for income generation. In developing areas of expertise we will aim to reduce spend across the partnership on external lawyers.
13. The first phase of the pilot is being evaluated and the challenge is to move to the next stage where the process is embedded so that files are routinely allocated to the staff who can most effectively and efficiently deal with them, regardless of location. The OPL Joint Management Board will meet on 1 December

2017 to consider what will happen next, and members will receive an update at the meeting.

14. A major focus for the partnership has been the implementation of the same case management system across all four authorities to further align the way we work. The system adopted was already in use in Surrey, but it has inevitably taken time to procure and implement the system in three different authorities. To achieve this, practice management processes have been aligned and there is a very high degree of collaboration in place under the supervision of an OPL business development manager. We are also looking to exploit new technology and identify innovative software that will drive efficiencies and assist us to meet our objectives, such as the pilot scheme to test a new system for managing contracts.

People and Culture

15. People are at the heart of what we do, and a staff workstream has kept staff informed and supported through change. Joint training brings colleagues together, and we have adopted a joint approach to recruitment. As all partners are experiencing difficulty in recruiting, we are looking at ways of growing our own talent. We have had a joint recruitment exercise for trainee solicitors, and are now adopting the new apprenticeship model to recruit and train chartered legal executives. The pilot scheme for this is taking place in Surrey. This will also assist with our objective of having work done at the most cost effective level.

What will success look like?

16. OPL 's ambition is to be an influential player in the local public sector legal market, enhancing the value of the service to the partner authorities by:
 - a) managing demand pressures and increasing resilience
 - b) developing specialist services in house and reducing external costs
 - c) creating a more attractive offer to staff and improving recruitment and retention.
17. To achieve these objectives, performance indicators and targets are being established in key areas including finance (financial savings and reducing the cost of legal work), efficiency (including using new technologies to create time efficiencies) and staff development (training and development, sharing and learning best practice, working as one OPL team).
18. Following the Joint Committee's request, we are now looking at these in more detail to provide measurable targets and timescales to include in the business plan, which will be revised for approval by the Joint Committee on 25 January 2017. This work is ongoing and up to date details will be provided to members at the meeting.

Conclusions

19. Each of the four councils faces similar issues of increased demand and fewer resources, making it harder to manage the increasingly specialised services Councils rely on individually.
20. The size and approach of OPL will provide an effective vehicle to deliver these services, supported by a robust business plan.

Recommendations:

That the Corporate Services Select Committee,

- a. endorses the OPL business plan and the proposed revisions
- b. agrees any areas for further consideration by the Joint Committee

Next steps:

Joint Committee to agree revised business plan on 25 January 2018

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