



**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
