



**Buckinghamshire County Council**  
**Select Committee**  
Finance, Performance and Resources

**Date:** Tuesday 5 November 2019

**Time:** 2.30 pm

**Venue:** Mezzanine Room 1, County Hall, Aylesbury

**AGENDA**

**2.00 pm Pre-meeting Discussion**

This session is for members of the Committee only. It is to allow the members time to discuss lines of questioning, areas for discussion and what needs to be achieved during the meeting.

**2.30 pm Formal Meeting Begins**

Agenda Item	Time	Page No
<b>1 APOLOGIES FOR ABSENCE/CHANGES IN MEMBERSHIP</b>		
<b>2 DECLARATIONS OF INTEREST</b> To disclose any Personal or Disclosable Pecuniary Interests		
<b>3 MINUTES</b> To agree the Minutes of the Meeting held on 10 <sup>th</sup> September 2019.		<b>5 - 16</b>
<b>4 PUBLIC QUESTIONS</b>		



Public Questions is an opportunity for people who live, work or study in the county to put a question to a Scrutiny Committee about any issue that has an impact on their local community or the county as a whole.

Members of the public, who have given prior notice, will be invited to put their question in person.

The Cabinet Member and responsible officers will then be invited to respond.

Further information and details on how to register can be found through the following link:-

<https://www.buckscc.gov.uk/services/council-and-democracy/getting-involved/how-to-get-involved/>

**5 CHAIRMAN'S REPORT**

For the Chairman of the Committee to provide an update to the Committee on recent scrutiny related activity.

**6 INFORMATION MANAGEMENT**

**14:35**

**17 - 26**

The Committee will receive an update on the Council's new centralised Information Management function and gain an insight into how preparatory work for the new Buckinghamshire Council is progressing in this area.

**Contributors:**

**Mr John Chilver, Cabinet Member for Resources**

**Mr Matt Everitt, Head of Insight and Business Intelligence**

**7 LEGAL SERVICES UPDATE**

**15:05**

**27 - 32**

The Committee will receive an update on recent changes to the Council's Legal Services.

**Contributors:**

**Mr John Chilver, Cabinet Member for Resources**

**Mr Jamie Hollis, Head of Legal and Compliance**

**8 FPR SELECT COMMITTEE - A RETROSPECTIVE**

**15:35**

**To  
Follow**

An opportunity for members of the Committee to consider the work the Committee has undertaken since 2017 and how this has contributed to driving improvements. The Committee will also be able to highlight specific issues that the new Unitary Council might want to monitor going forwards.

**Contributors:**

**Mr David Watson, Chairman**

**Mrs Kelly Sutherland, Committee & Governance Manager**

**9 DATE AND TIME OF NEXT MEETING**

This is the final meeting of the Finance, Performance and

Resources Select Committee.

Budget Scrutiny 2020 will be undertaken by the Budget Task and Finish Group comprising of members of the Shadow Overview and Scrutiny Committee, chaired by John Gladwin.

### **Purpose of the committee**

The role of the Finance, Performance and Resources Select Committee is to hold decision-makers to account for improving outcomes and services for Buckinghamshire.

It shall have the power to scrutinise all issues in relation to the Council's strategic performance, financial management and corporate issues. This will include all areas under the remit of the Council's Assistant Chief Executive's Service (ACES) and Resources Business Unit. This includes, but not exclusively, responsibility for scrutinising issues in relation to:

- The Strategic Plan and Medium Term Financial Plan
- ACES responsibilities — including Council Communications, Business Intelligence.
- Resources responsibilities - including the Council's Technology Strategy, HR, procurement and Legal services and the strategic commissioning of Council resources.
- The overall effectiveness of the scrutiny function
- Strategic alliances and partnerships with others externally—nationally, regionally and locally.

*By convention the Chairmen of the other Select Committees are invited to participate in the annual budget scrutiny inquiry, whereby the Executive's draft budget is automatically referred for scrutiny as part of the annual budget setting process.*

### **Webcasting notice**

Please note: this meeting may be filmed for subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

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Therefore by entering the meeting room, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If members of the public do not wish to have their image captured they should ask the committee clerk, who will advise where to sit.

If you have any queries regarding this, please contact Democratic Services on 01296 382343.

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*For further information please contact:* Kelly Sutherland on 01296 383602; Email [ksutherland@buckscc.gov.uk](mailto:ksutherland@buckscc.gov.uk)

## **Members**

Mr W Bendyshe-Brown

Mr T Butcher

Mr A Christensen

Mr C Clare (VC)

Mr D Martin

Mr D Shakespeare OBE

Ms J Ward

Mr D Watson (C)





**Buckinghamshire County Council**  
**Select Committee**  
Finance, Performance and Resources

# Minutes

## *FINANCE, PERFORMANCE AND RESOURCES SELECT COMMITTEE*

**MINUTES OF THE FINANCE, PERFORMANCE AND RESOURCES SELECT COMMITTEE  
HELD ON TUESDAY 10 SEPTEMBER 2019, IN MEZZANINE ROOM 1, COUNTY HALL,  
AYLESBURY, COMMENCING AT 2.35 PM AND CONCLUDING AT 4.23 PM.**

This meeting was webcast. To review the detailed discussions that took place please see the webcast which can be found at: <http://www.buckscc.public-i.tv/core/portal/home>  
The webcasts are retained on this website for 6 months. Recordings of any previous meetings beyond this can be requested (contact: [democracy@buckscc.gov.uk](mailto:democracy@buckscc.gov.uk))

### **MEMBERS PRESENT**

Mr T Butcher, Mr C Clare (Vice-Chairman), Mr D Martin and Mr D Watson (Chairman)

### **OTHERS IN ATTENDANCE**

Mr N Haddock, Ms L Hazell, Ms K Jackson, Mr R Nash, Mr A Rush, Mrs K Sutherland,  
Mr T Vouyioukas, Mr N Whitley and Ms E Williams

### **1 APOLOGIES FOR ABSENCE/CHANGES IN MEMBERSHIP**

Apologies for absence were received from Mr Bendyshe-Brown, Mr Christensen, Mr Shakespeare and Ms Ward.

### **2 DECLARATIONS OF INTEREST**

There were none.

### **3 MINUTES**

The minutes of the meeting held on 18<sup>th</sup> June were agreed as a correct record.

### **4 PUBLIC QUESTIONS**

There were none.



## **5 CHAIRMAN'S REPORT**

The Chairman reported that he had met with the Finance Directors for Children's Services and Communities, Health and Adult Social Care (CHASC) and Alistair Rush, Interim Deputy Director of Finance, over the summer in preparation for today's meeting and thanked them for accommodating his drive for increased visibility of the finances.

## **6 MID-YEAR REVIEW OF BUDGETS FOR CHILDREN'S SERVICES AND ADULT SOCIAL CARE**

The Chairman welcomed Lin Hazell, Cabinet Member for Health and Wellbeing, Ms Karen Jackson, Service Director (Integrated Care), Mr Neil Haddock, Head of Finance (CHASC) and Mr Alistair Rush, Interim Deputy Director of Finance to the meeting.

The Cabinet Member and her team gave an overview of the report and Mr Haddock took members through the supporting spreadsheets in the appendix. The following main points were noted:

- The report was based on end of Quarter 1 figures which indicated a balanced budget currently. However it was noted that Adult Social Care was a demand led service and small changes could have significant impacts on the budget. The CHASC budget was being very closely monitored and the delivery of savings associated with the implementation of the Better Lives strategy were tracked at fortnightly budget meetings.
- Adult Social Care currently supported 4900 individuals and 50% of their budget was spent on nursing or residential care. The Better Lives strategy aimed to help people to live independently at home for longer.
- Uncertainties remained regarding the future long term funding of Adult Social Care as the government's green paper had still not been published.
- Contingencies were built into the Council's budget in respect of pressures around living wage which could impact the sustainability of the care market.

In response to Member's questions the following main points were noted:

- The Better Lives strategy was divided into three tiers – Tier 1 – Prevention/ Front Door & Signposting, Tier 2 – Integration and closer working with Health and Tier 3 – Review of existing services – improvements through recommissioning, increasing community capacity and use of direct payments.
- Mr Haddock explained that it was easier to measure financial savings made as a result of reviewing an individual client's placement, than it was to quantify savings achieved by reducing demand at the 'front door' through effective sign-posting and offering prevention services.
- In response to a question regarding the health of the local care market, it was noted that the service was not aware of any providers who were struggling. It was also confirmed that open book accounting arrangements were in place with block providers and larger national providers would have to alert the Care Quality Commission (CQC) if they had any financial difficulties. This has happened earlier in the year with Allied Healthcare.
- It was noted that Buckinghamshire had seen a significant number of clients who had initially self-funded their care, reaching a point where they had exhausted their funds. Through Tier 1 of the Better Lives programme potential clients were signposted to alternatives to residential care homes such as reablement, care at home or extra care housing, as appropriate.
- It was noted that Direct Payments(DPs) accounted for £20million. The Chairman asked for additional information about the governance around DPs and how the money could be spent. It was explained that in the main DPs were used as an

alternative to domiciliary care and the funds could be spent on anything that meets the support needs of an individual.

- DPs could be paid directly into a bank account, paid onto a pre-paid care or the Council could hold the funds and spend it as directed by the individual client. Clients had to provide receipts and accounts for their expenditure and often did not spend their full amount of DP.
- Social workers would check that money was being spent appropriately and if money is not all spent then the Council would claw this back.
- As a guideline, members asked for an indicator of how much it might cost for someone to attend a day centre. It was suggested this might be £70-80.

The Chairman thanked the Cabinet Member and the officers for attending the meeting.

## **Children's Services**

The Chairman welcomed Mr Warren Whyte, Cabinet Member for Children's Services, Mr Tolis Vouyioukas, Executive Director, Children's Services, Mr Richard Nash, Service Director, Children's Social Care, Mr Nathan Whitley, Head of Children's Care Service and Ms Liz Williams, Head of Finance, Children's to the meeting.

The Cabinet Member highlighted the following points before taking Members' questions:

- The total Children's Services budget was £75million. The budget was monitored regularly to enable any trends to be spotted.
- The main pressures on the budget were 1) Placements – which accounted for a third of the spend and could be pushed up by rises in unit costs or an increase in the number of children coming into the service. 2) Legal costs – although this year a small underspend was currently forecast and 3) staffing costs which again accounted for over a third of the budget. It was however vital that key staff were kept in post and it was important to manage caseloads.
- It was recognised that social worker recruitment was a national issue but the Council were being proactive in this area and taking part in new initiatives.

In response to Members' questions the following main points were noted:

- £250,000 from a review of all services and £570,000 of Early Help savings were on track to be delivered by year end.
- A slight underspend was forecast for the legal budget. It was difficult to predict what new cases might be required through the year, but the majority of legacy cases arising from the Ofsted inspections had now been dealt with.
- Whilst the service had increased spending on in-house fostering by £100,000 this had reduced residential placement costs by £130,000.
- Week on week more children were being placed in-house either through adoption, fostering or the Council's new residential homes. This has been most successful for younger children and it was hoped that this trend would continue.
- 13 children were currently going through the Adoption process and a Member asked if all adoption opportunities were optimised. In response, Mr Whitley confirmed that adoption and other forms of permanence, e.g. Special Guardianship Orders, were pursued and where appropriate, children can return home too.
- The Chairman commented on the variance in unit costs. The Cabinet Member explained that a small change could have a significant impact on the budget, e.g. if you budgeted for one young person to be placed in a secure unit during the year but then had to place two, this alone would drive up the average unit placement cost.
- It was also acknowledged that it was easier to place younger children internally. Older young people coming into care often had more complex needs which could lead to more expensive external placements.

- Every week a Resources Panel chaired by Richard Nash and Nathan Whitley would review placements made in the past week, as well as reviewing existing cases. In addition a Complex Needs Panel met to discuss those children who had special educational needs and/or complex health issues. In this way a holistic approach could be taken to determining the most appropriate placements and costs could be also be shared with Health and Education.
- Head of Finance, Ms Liz Williams confirmed that unit costs would be reviewed during the budget building process for the new Buckinghamshire Council, as well as assessing the success of the Placement Sufficiency strategy.
- The level of agency staff in the service had increased to 30%, with an associated budget pressure of £1million. Mr Nash explained that the service was combining short term measures to recruit additional staff, with longer term initiatives to 'grow our own' social workers. The Council was acting as an Assisted First Year in Employment Academy, taking newly qualified social workers and introducing them slowly to case work, enabling them to build their practice portfolio. This would mean that in 12 month's time, the service would benefit from at least 10 additional social workers, in return for a minimum commitment of two full years of employment, following the initial year in the Academy.
- It was also important that the Council could offer opportunities for career progression and the chance for social workers, particularly those in Child Protection, to be able to take on a different role.

The Chairman thanked the Cabinet Member and the officers for attending the meeting.

## **7 BUDGET SCRUTINY 2019 - 6 MONTH PROGRESS REPORT**

The Chairman welcomed Mr Richard Ambrose, Director of Finance and Procurement to the meeting. Mr Ambrose took members through the six month progress of the Budget Scrutiny recommendations which had been agreed by Cabinet in February. In answer to Members' questions and during the subsequent discussions, the following main points were noted:

- The Chairman commented on the variance reporting produced by the Heads of Finance for Children's and CHASC for the previous item and asked if this increased visibility could be extended across the Council. Mr Ambrose commented that it was possible but the services were very different and discussions were ongoing with district colleagues to determine the best way to present financial information going forward.
- Mr Ambrose confirmed that the building blocks of the budget for the new unitary council had been identified.
- In response to a question about the use of contingencies, it was reported that no contingencies had been released to date, risks were being closely monitored but currently there were no immediate plans to release them. The levels of contingency held centrally were based on previous experience. Ideally it would be good to hold larger contingencies but this wasn't possible as the Council had to produce a balanced budget. Contingency levels would be reviewed as part of the budget building process.
- The Committee's recommendation to incorporate a 5% annual uplift to the capital spend on highways had been rejected by Cabinet. Mr Ambrose explained that this was a political decision but in recent years, when additional monies had been identified, the Council had topped up highways investment to £15million.
- There was a transition budget of £22million - £11million contributed by the County Council and £11million by the four district councils. To date, £13million worth of transition costs had been identified and the Shadow Executive were monitoring the



transition budget regularly. Transition costs would be reviewed during the budget building process as transformational funding would be needed post-vesting day.

- It was noted that the Salix street lighting programme had separate funding lines for street lighting columns and lumieres. Mr Ambrose commented that it was important to consider the programme as a whole and to ensure joined up working around the column and lighting replacement.

The Chairman thanked Mr Ambrose for attending the meeting and it was noted that the Chairman and the Committee and Governance Manager would allocate a RAG status on the progress of recommendations after the meeting and circulate it to members via email.

**ACTION: Chairman/Committee & Governance Manager**

## **8 COMMITTEE WORK PROGRAMME**

### **Work Programme**

The Committee noted the following agenda items for the November meeting:

- Information and Data Management
- Legal Services Update
- FPR Select Committee – A retrospective

## **9 DATE AND TIME OF NEXT MEETING**

Tuesday 5<sup>th</sup> November at 2.30pm in Mezzanine Room 1, County Hall

## **10 EXCLUSION OF THE PRESS AND PUBLIC**

### **RESOLVED**

**That the press and public be excluded for the following item which is exempt by virtue of Paragraph 3 of Part 1 of Schedule 12a of the Local Government Act 1972 because it contains information relating to the financial or business affairs of any particular person (including the authority holding that information)**

## **11 CONFIDENTIAL MINUTES**

The confidential minutes of the meeting held on 18 June 2019 were confirmed as a correct record.

**CHAIRMAN**





## Response to Select Committee Budget Scrutiny Inquiry 2019





**Select Committee Inquiry Report Completion Date:** February 2019


**Date of this update:** September 2019


**Lead Officer responsible for this response:** Richard Ambrose, Director of Finance & Procurement


**Cabinet Member that has signed-off this update:** Martin Tett, Leader

Accepted Recommendation	Agreed Yes/No	Original Response and Actions	Progress Update	Committee Assessment of Progress (RAG status)
1. That additional monies should be added to the 2019-20 contingency budget, to supplement the current Unitary reserve of £7.7m. The Committee suggests that this additional sum could be taken from the County Council's share of additional income anticipated from the Business Rates Retention pilot, which all five Local Authorities in Buckinghamshire will be participating in.	YES	Cabinet agree that additional monies should be added to the current Unitary reserve by allocating funding from the successful Business Rates Retention pilot bid. This will bring levels up to £11m, which is expected to cover 50% of the overall anticipated transition costs.	Closed.	
2. That there should be improved level of visibility in individual budget lines across all portfolios for future Budget Scrutiny Inquiries. The financial data submitted should clearly identify the major costs of running the Council e.g. Home to School Transport, the EfW plant income and costs, on street parking revenue, Skills budget, number of Full Time Equivalent (FTEs) staff, costs of agency staff/interims, key drivers of demand in Social Care and associated unit costs. A high level Budget Book to enable more transparency for Members and the Public is proposed.	IN PART	<p>Significant levels of information were provided to the Select Committee in a high level Budget Book. This included setting out the major costs of running the Council, gross costs and income, FTE's and key drivers and unit costs in Social Care.</p> <p>The new authority will need to decide what information they would like to see for future Budget Scrutiny Inquiries. However, the S151 Officer and the Leader of the Council will meet with the Chair of the Select Committee to discuss this further.</p>	6-month update: Now that the Shadow Overview & Scrutiny Committee chair has been appointed the information requirements for Budget Scrutiny can be discussed and agreed.	

<b>3. That a balance sheet and cash flow budgets should be prepared to support the capital, treasury investments and revenue costs over the four year period.</b>	IN PART	This is already prepared for the year ahead. The new authority will need to consider how best to extend this to cover a four year period.	6-month update: This is being considered by the Finance & Procurement Workstream and will be discussed with Members, as appropriate.	
<b>4. The Committee has concerns that the root cause societal issues driving the increase of Looked After Children may continue to grow over the coming years and therefore there is the possibility that the budgeted growth in demand may not be sufficient. It is recognised that assistance from Government may be required; in the meantime a significant contingency is recommended.</b>	IN PART	Significant funding has been added to the Children's Social Care Portfolio in 2019/20 (c£11m). The assumptions around Looked After Children numbers and type of placements have been reviewed to ensure that they are as robust as possible.  Furthermore, contingencies have been included in the 2019/20 budget for demography (£370k) and high cost placements (£500k) together with a general contingency relating to social care pressures (children's and adults) of £2.7m.	6-month update: The Q1 revenue forecast position for Children's Social Care is roughly breakeven. Furthermore, there are contingencies included as previously stated.	 Members are pleased to hear that the budget is forecast breakeven at Q1, but given the unpredictable nature of demand and high placement costs, concerns remain.
<b>5. That a realistic figure is included in the final Children's Services budget for legal fees.</b>	YES	The assumptions around the budget required in relation to Children's Services legal costs has been reviewed and a further £750k added as compared to the draft budget proposals for 2019/20.	Closed.	
<b>6. That the Health and Wellbeing contingency should be reviewed to ensure that it offsets the risk areas outlined above. A significant contingency is recommended.</b>	IN PART	Contingencies have been included in 2019/20 for demography (£1.35m) together with a general contingency relating to social care pressures (children's and adults) of £2.7m.	6-month update: Closed.	
<b>7. That a minimum 5% per annum uplift should be applied to this budget line to take into account inflation, growth of the</b>	NO	Cabinet have already recognised capital highways maintenance as being a priority by allocating £15m	N/A	RECOMMENDATION NOT ACCEPTED

asset and impact of increased traffic on the highways.		p.a. which should ensure that the overall condition of roads improves year on year. Furthermore, £4m has been allocated to plane and patch works over the remaining part of 2018/19 and 2019/20.		
<p><b>8. That the additional funding for gully cleansing and weed management which had been added into the budget as a result of Budget Scrutiny recommendations over the past two years, should be maintained. This will prevent further decline of the asset and should be viewed as an 'invest to save'.</b></p>	IN PART	<p>Cabinet's agreement to add £500k to the weeds programme as a one-off in 2019/20 will result in TfB being able to carry out three weed spraying treatments across all of the urban areas in the County. Furthermore, two two-man crews will be deployed during the growing season to deal with hot spots and remove heavier type growth, self-seeded buddleia and the like as well as clearing slabbed areas of dead weed growth. This work will have significant visual impact across the network and will help our District colleagues with their sweeping programme.</p> <p>For gully maintenance the previous funding from Scrutiny will be retained in 2019/20. Information gathered will then be used to feed our new gully maintenance management system.</p>	<p><b>6-month update:</b> Routine weed spraying commenced across the county in May, the first spray is complete and die-back is evident in most areas. Follow up work through mechanical sweeping is ongoing to remove dead weeds/detritus.</p> <p>Growth in the Spring and early Summer has been vigorous.</p> <p>Spray 2 will progress through August. Mechanical sweeping will continue. Spray 3 is programmed for late September/October.</p> <p>Two man crews have been active across the network removing detritus, self-seeded growth and sign cleaning. This work will continue through summer and autumn.</p> <p>The new GullySMART system was introduced for 01 April and is now integrated into maintenance activities, providing enhanced and robust information relating to activities carried out and building asset history to assist future planning.</p>	

<p><b>9. That a Street Lighting Survey should be undertaken to establish the location, ownership and condition of all columns in the County, including an assessment of the current status of all lights. In addition, if a further £2m could be funded from within the Capital envelope, this should be added to fund an acceleration of Column Replacement works. The use of smart technology should also be investigated.</b></p>	<p>IN PART</p>	<p>We are working with Parish and Town Councils to determine the extent of assets that are in their ownership and will be looking to display this information on the 'Fix-My-Street' reporting site. The County asset will be collected and reconciled as a part of a technology trial that is underway; the primary purpose of which is intended to collect data relating to outages and the like. There is no further funding available to increase the Council's budget from £1.5m p.a. However, the County has recently been awarded £4.2M of innovation type funding that will permit the limited roll-out of a Central Management System and intelligent control gear (dimming etc.). In addition we will be investigating the development of alternative material lamp columns.</p>	<p><b>6-month update:</b> A questionnaire was sent in early 2019 to all Parish and Town Councils asking for confirmation if they are responsible for the maintenance and ownership of any footway lighting within their local areas and if so, to confirm their understanding of the stock for which they are responsible. They were also asked to confirm if they have a strategy in place for management of their asset.</p> <p>Responses have been prompt, all have responded. However, very few have full spatial data on assets under their control, the majority are now undertaking that collection. Once provided, TfB will populate into the county's asset management system.</p> <p>A number of the Parish Councils have followed up to seek details of the equipment that is being used on County Council projects so that they can install similar but distinguishable equipment.</p> <p>The trial of smart equipment has now been incorporated into the larger £4.2m innovation project being delivered by BCC directly, as it was seen that the two work streams were duplicating efforts and that a joined up approach would be preferable and provide</p>	
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			a more coherent solution. This project is progressing well.	
<b>10. That preparations for the new authority should include both the Unitary Opportunities and Future Budget Scrutiny recommendations detailed on slides 45 to 47. The opportunity that the creation of a new Council presents should not be missed.</b>	IN PART	It will be for the new authority to decide how best to take these suggestions forward.	6-month update: No further update.	



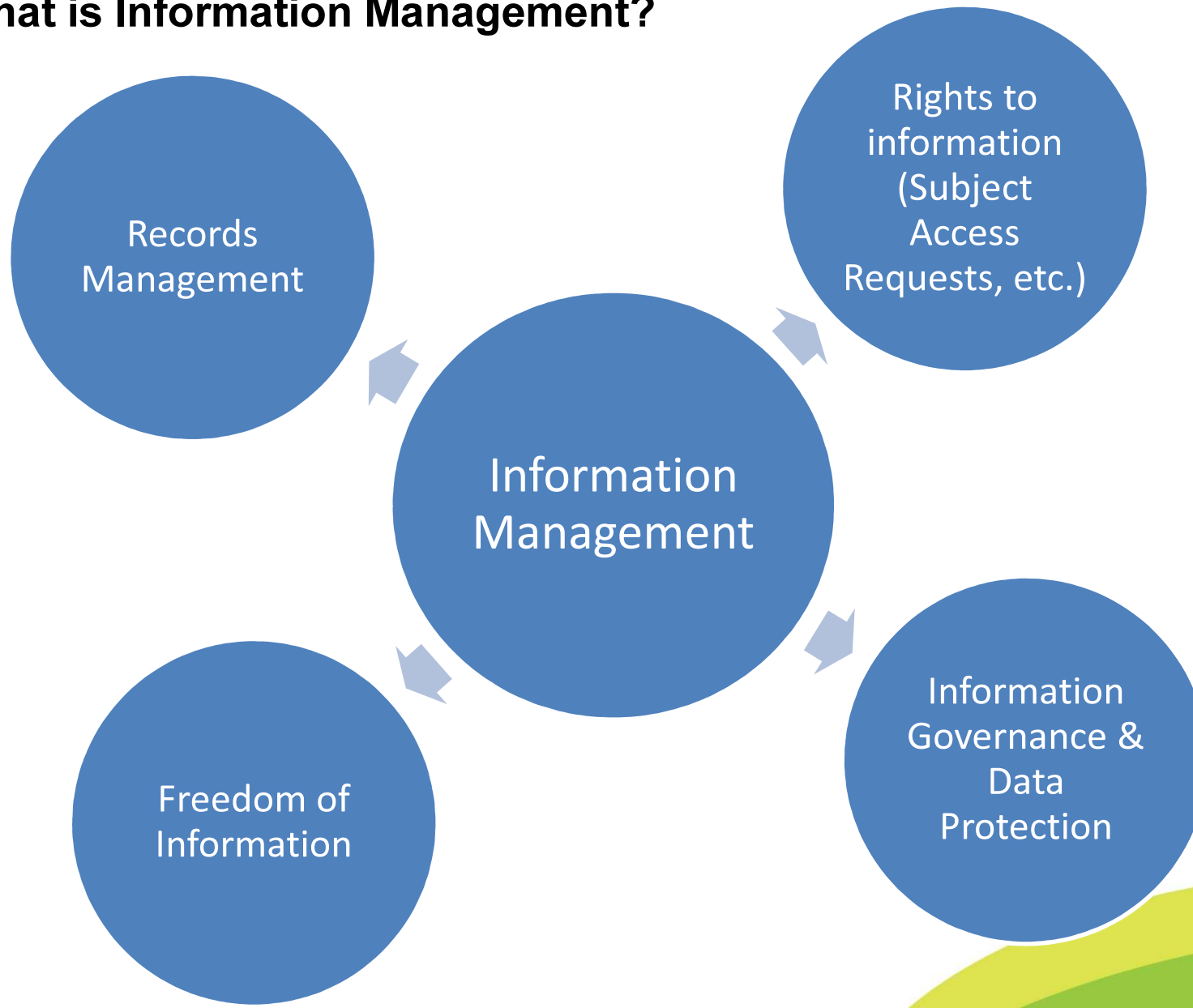


# Information Management

November 2019



## What is Information Management?



## Information Management at Buckinghamshire County Council

- November 2018: Information Governance and Data Protection (IGDP) were reviewed across Buckinghamshire County Council.
- May 2019: New unified Information Management Team established to manage demand, reduce risk and identify opportunities for improvement
- Information Management Team includes:
  - Data Protection & Information Governance
  - Rights to Information
  - Freedom of Information
  - Modern Records
  - Business Partners
  - Information Strategy & Governance Manager



## Focus of last 6 months

### Roles & responsibilities

- Reconfigured the Information Governance Task & Finish Group to an Information Governance Strategic Group – focus shifted from GDPR implementation to strategic development
- Revised membership to ensure senior representation from Business Units and key service areas
- Clarified roles and responsibilities

### Information Management Standards

- Developed 7 Standards to underpin overarching Data Protection Policy
- Standards provide more detailed guidance and outline processes to ensure we have a consistent and effective approach
- Includes Standards regarding Data Loss Incidents/Breaches and Subject Access Requests

### Data collection and reporting

- Made progress to ensure that the Respond system is used across all areas of the Council to record data loss incidents, breaches, and subject access requests.
- Established a Respond Information Management User Group to identify challenges and drive improvement
- Reviewed and refined reporting suite from Respond to ensure these are accurate and consistent
- Further work ongoing in this area

## Focus of last 6 months

### Recruitment

- Created specialist capacity where needed with 2x Business Partners and 1x Information Strategy & Governance Manager
- Recruitment to Business Partner Roles completed in May & June
- Recruitment to Information Strategy & Governance Manager completed at end September

### Team Development

Workshop sessions to identify Strengths, Weaknesses, Opportunities & Threats across each team and for the function as a whole  
Resultant workplans focusing on capitalising on strengths and addressing areas of weakness

### Accessibility

- Developed intranet resource to ensure key data protection information is accessible across the Council
- Ensured that public-facing information and forms are up-to-date and correct

## Latest Performance & Trend

- All figures reported for April to September 2019:
- Data Breaches (reportable to the Information Commissioners Office): 2 – decreased from 3 in the same period of 2018 following unification of team. Volume for 2019 to date returned to pre-GDPR levels.
- Data Loss Incidents: 78 – increased from 61 in the same period of 2018 due to better understanding & reporting
- Subject Access Requests: 76% completed within timescales – highest volume processed in Children's Services. Increased compliance due to better coordination, guidance & understanding supported by new posts
- Freedom of Information Requests: 836 received – increased from 757 in the same period of 2018. High volume across BCC and continuing to increase post GDPR.



## Priorities for the next 6 months

### **Communications**

Develop and implement a communications plan to further raise the profile of Information Management across the Council

### **Respond**

Continue programme of work to improve data capture and visibility of data loss incidents and near misses

### **Accessibility**

Establish regular Information Management Drop-In sessions to provide easy access & advice for staff

### **Subject Access Requests – redaction tool**

Progress with current testing of the Brava redaction tool and seek to implement this as a standard tool if testing is successful

### **Continuous Learning & Improvement**

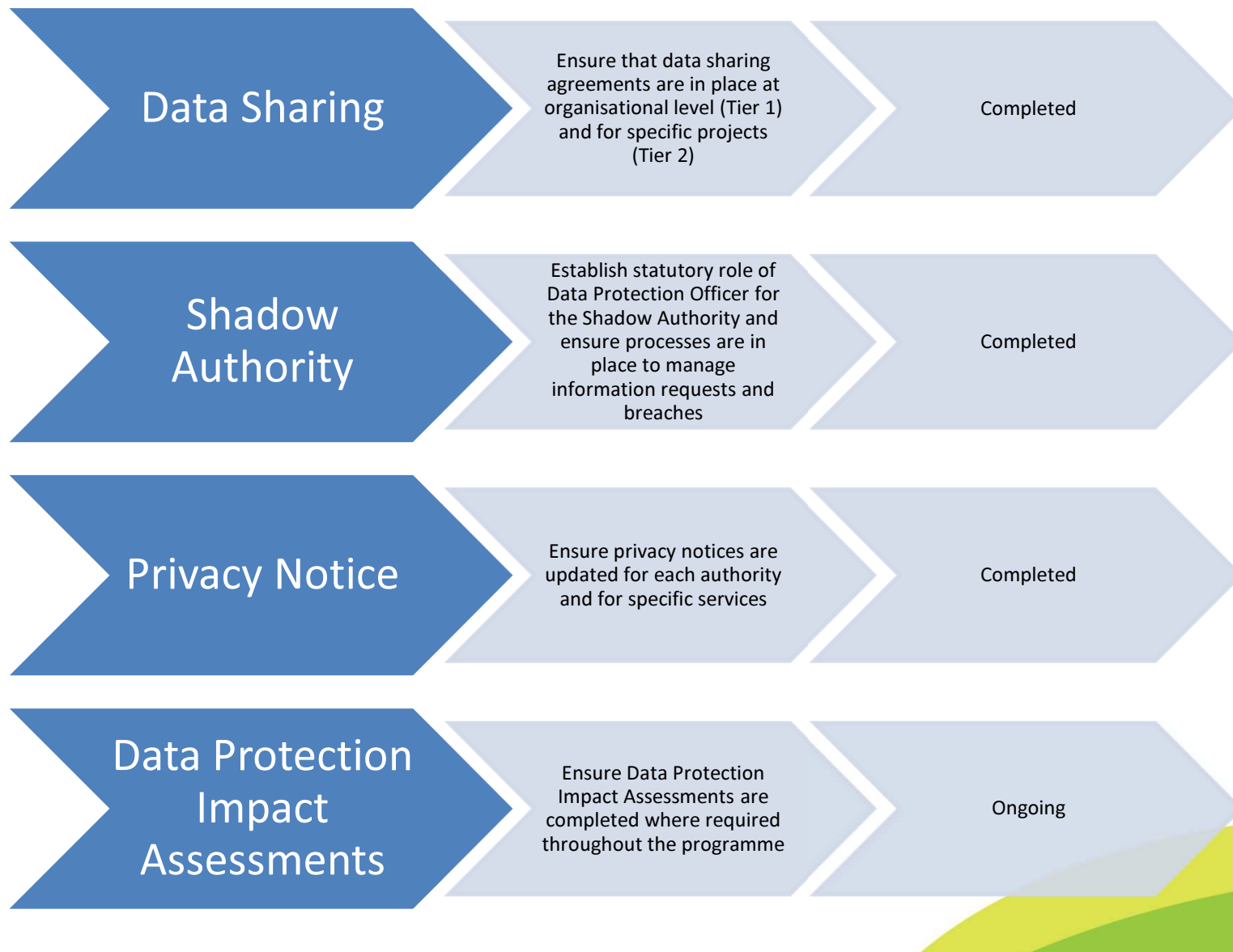
Launch Information Management Learning Review sessions to analyse trends, identify challenges and share learning

### **Information Governance Task & Finish Group**

Establish a new Task & Finish group to oversee and coordinate key Information Governance tasks including development of guidance, reviewing information sharing agreements and identifying performance challenges

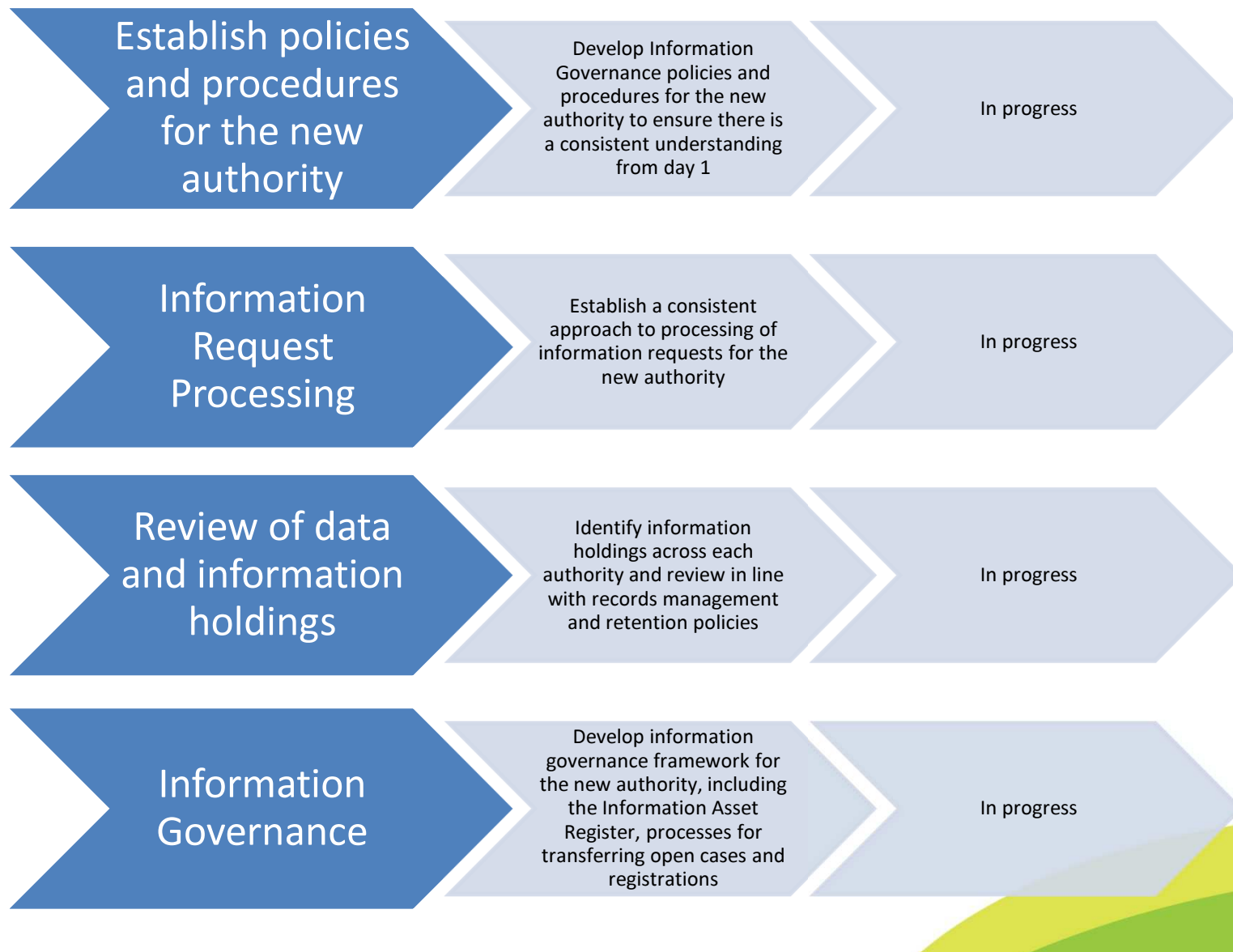


## Information Management for the new authority





## Information Management for the new authority







## Buckinghamshire County Council Select Committee

Finance, Performance and Resources Select Committee

### Report to the Finance, Performance and Resources Select Committee

<b>Title:</b>	Legal Services Update
<b>Committee date:</b>	Tuesday 5 November 2019
<b>Author:</b>	Jamie Hollis
<b>Contact officer:</b>	Jamie Hollis, Head of Legal & Compliance <a href="mailto:c-jahollis@buckscc.gov.uk">c-jahollis@buckscc.gov.uk</a> 01296 383640
<b>Cabinet Member sign-off:</b>	Cabinet Member for Resources

#### Purpose of Agenda Item

This report is to update the Committee on the progress of the design and implementation of the Council's legal service following the conclusion of the previous outsourced arrangements for legal provision.

#### Background

1. Buckinghamshire County Council (BCC) was engaged in a shared service arrangement with HB Public Law, (HBPL) for the provision of its legal services between 1 July 2016 and 30 September 2019. Due to changing circumstances (specifically, the move to a unitary council for Buckinghamshire), a decision was taken to develop a new approach aligned to priorities around local integration of support services. BCC's Inter Authority Agreement (IAA) with HBPL for legal services was therefore brought to an end.
2. A proposal for a new legal service was approved by Cabinet in March 2019, designed both to meet BCC's current legal service requirements and to maximise the potential for early integration and/or savings opportunities from the transition to a unitary council. Equally importantly, the proposed model was designed to ensure that arrangements did not preclude additional functions or staff being added or changed at a later date, in line with the Shadow Authority's decisions on future structures and operating models.
3. The proposals were developed in collaboration with the professional leads for legal services across the district councils, and resulted in a hybrid model: an in-house team to



provide children's and adult's social care legal work (since this is not available/replicated at district level); for the district councils to provide the other legal specialisms required by BCC; plus additional capacity and specialisms via external public and private specialist providers where appropriate.

4. The approved legal service model is effectively an interim model for BCC legal service provision from 1 October 2019 until 1 April 2020. During this interim period, further work is ongoing to further refine the model to ensure the smooth transition of the service to support the new unitary authority.

## Highlights

5. The new legal service went 'live' on 1 October 2019. Key points to highlight to the Committee:

### Recruitment:

- a) All former HBPL staff identified by HBPL as falling within the TUPE Regulations have transferred over to BCC with effect 1 October 2019.
- b) Through a programme of recruitment and internal promotion, the BCC based legal social care team are currently fully resourced.
- c) Simultaneously, recruitment has been undertaken in two tranches to appropriately resource BCC legal provision in non-social care specialisms by District Councils.
- d) It has become evident that in several areas of legal work, a backlog of cases has been inherited by the new service. In response to this additional demand, the legal service is looking at interim measures to ensure service standards are maintained – these measures may include appointment of temporary staff or referral of certain matters or types of matters to framework providers within existing budgets.

### Accommodation:

- a) The legal social care team are located in the office accommodation at NCO previously licenced to HBPL for the same function. In accordance with the BCC accommodation standard, the office is shared with legal colleagues from the District Councils as needed, and the BCC Corporate Complaints Team for a more efficient use of the office space.

### Information Technology:

- a) All legal staff have been issued with appropriate IT equipment and telephony, which has operated without significant issue since the service commenced.
- b) All legal staff have access to the Iken legal case management system. While the software itself is operating correctly, there have been some issues associated with the transfer of electronic files from HBPL to the BCC and WDC Iken installations which have caused minor delays in securing access to certain files. Contingency plans were invoked to minimise these delays, including additional on-site support from the software providers, and alternative manual arrangements for access to files.

All issues were satisfactorily resolved averting any discernible disruption to the service.

### **Project planning and implementation process**

6. The legal services project presented a unique opportunity to design and implement an important new service in close collaboration with district council colleagues ahead of the unitary transition. The project team comprised representatives from the district councils, as well as officers from all relevant disciplines across the County Council including human resources, finance, technology services, accommodation and procurement. A significant amount of scoping work was undertaken with district council colleagues and internal BCC business unit lead officers in order to identify likely service demands and appropriate levels of staff resourcing.
7. An ongoing process of proactive engagement with all stakeholders was undertaken. Feedback on proposals was secured in a number of ways, including through attendance at business unit management and leadership meetings, liaison with business unit lead officers, and surveys to service users.
8. Recruitment efforts focused on legal roles that would build capacity in the right areas with minimal future duplication in the new council. It was highly beneficial to be able to draw upon the expertise of district council colleagues in this respect, allowing decisions to be made in the wider context of current overall provision across the County. The recruitment process presented the opportunities available to appointees to become involved in helping to shape and support the new unitary council. These unique circumstances led to the publication of articles about the project in local and national media, highlighting the proactive and collaborative approach to working adopted in the run up to a single council.
9. The project included a comprehensive communications plan utilising various techniques to inform stakeholders of the changes to the service, and how the service would work after 1 October. Three weeks into the new service, feedback has been positive, and there have been an extremely small number of enquiries expressing uncertainty about the operation of the service.

### **Issues and lessons learned**

1. Data migration issues	Timeframes agreed with case management provider to minimise downtime were tight and left little room for addressing any issues arising with the transfer to BCC and onward to WDC
2. Backlog of cases inherited in certain areas of legal work	Build in a contingency for unexpected initial work pressures around transition time, although very difficult to predict given minimal advance information on caseloads and work pressures.
3. Costs associated with third party IT	Seek to limit total cost in initial agreement with

providers	providers and monitor during work, however this is difficult when no control over third party provider and their fee structure
4. Human resources matters not clarified with staff until close to commencement	Matters relating to TUPE and employment terms and conditions should be clarified in writing at the earliest opportunity. Some system related issues prevented the early issue of some new starter documents on time.

## Resource implications

10. The final six months of the previous legal service, plus the indicative cost for six months of the new service gives a projected expenditure for 2019/2020 as set out below:

<b>HBPL Apr-end Sep</b>	<b>£1,442,025</b>
<b>Proposed Service Option 5 Oct-Mar</b>	<b>£1,099,548</b>
<b>TOTAL</b>	<b>£2,541,573</b>

\* These headline costs exclude disbursements/external costs (barrister fees, court fees and other incidental legal expenses)

11. The financial elements of the project are regularly tracked with reference to a central spreadsheet. Although not all set up costs have yet been finalised, it is anticipated that these will be covered from the allocated budget. Similarly, ongoing costs. Including staffing, are projected to be on track.

## Project Governance

12. Oversight of the project thus far has included the measures set out below.

- a) Resources Board: The project's progress has been monitored through the council's existing governance (specifically, the Resources Business Unit Board chaired by the Cabinet Member for Resources).
- b) Legal service project working group: A working group was established to oversee the development and implementation of the proposed new service, including development of a detailed programme plan with timelines and milestones for all key actions, regular reviews of the plan and periodic risk assessments. The project working group included input from the legal, finance, HR, finance, communications, accommodation, IT and procurement teams, as well as any others as necessary. Invitations were also extended to colleagues from the district councils.

- c) Regular business unit meetings: business unit representatives have helped to design the proposed business model, and will continue to be involved in the implementation phase of the project, and in particular highlight any risks or opportunities in their service areas as the service develops. Business unit involvement was critical in the transition process to ensure the service reflects their needs and wants, and is something they are happy to use and promote within their teams.
- d) HBPL exit: Running alongside the project governance for the new service, Exit Group meetings were held with HBPL in accordance with agreed exit principles. The group met regularly with key officers from both BCC and HBPL to resolve any exit and transition issues arising. It is anticipated that follow up meetings will continue over the coming months to ensure all residual matters are concluded satisfactorily.

## **Next steps – Phase 2**

- 13. Phase 2 of the legal services project is intended to refine service provision in readiness for the transition to a unitary council on 1 April 2020. Legal provision to the new unitary council will need to encompass the requirements of all five existing councils, for 'both business as usual' work and any additional work associated with unitary transition. The new legal service will take the place of the existing in-house arrangements as well as any outsourced provision (such as the external provision of legal services by HBPL to Aylesbury Vale District Council).
- 14. Next steps include:
  - a) Continuation of the project governance measures set out above during the preparation and implementation of phase 2, including oversight by the Legal and Governance Unitary Workstream;
  - b) Phase 2 project scoping by BCC / DC leads and relevant officers to ensure all elements of future service delivery are incorporated into overarching project plan;
  - c) Continued liaison with client Business Unit leads, equivalent leads at District Councils and other stakeholders to gauge needs and preferences;
  - d) Monitoring and quantifying work demands and ensuring sufficient staff resources are in place by 1 April 2020;
  - e) Finalise process mapping and billing approach;
  - f) Agree approach to streamlining duplicated elements of legal provision across county and district councils, for example, migration of case files, electronic subscriptions etc.



