

FOCUSED ON HELPING THE WIDER PUBLIC SECTOR

RM6240 Public Sector Legal Services

Lot 1a: Full Service Provision - England and Wales

DAC Beachcroft Prospectus
Version 5 – February 2025



CONTENTS

MANDATORY SERVICES

<u>Introduction</u>	<u>03</u>
<u>Team Structure</u>	<u>04</u>
<u>Social Value</u>	<u>05</u>
<u>Administrative and Public Law</u>	<u>06</u>
<u>Non-Complex Finance and Investment</u>	<u>06</u>
<u>Contracts</u>	<u>07</u>
<u>Competition Law</u>	<u>07</u>
<u>Corporate Law</u>	<u>08</u>
<u>Data Protection and Information Law</u>	<u>08</u>
<u>Employment</u>	<u>09</u>
<u>Information Technology</u>	<u>09</u>
<u>Infrastructure</u>	<u>10</u>
<u>Intellectual Property</u>	<u>10</u>
<u>Litigation and Dispute Resolution</u>	<u>11</u>
<u>Partnerships</u>	<u>11</u>
<u>Pensions</u>	<u>12</u>
<u>Public Procurement</u>	<u>12</u>
<u>Property, Real Estate and Construction</u>	<u>13</u>
<u>Energy, Natural Resources and Climate Change</u>	<u>13</u>

OPTIONAL SPECIALISMS

<u>Retained EU Law and EU Law</u>	<u>14</u>
<u>Planning</u>	<u>14</u>
<u>Projects</u>	<u>15</u>
<u>Restructuring and Insolvency</u>	<u>15</u>
<u>Education Law</u>	<u>16</u>
<u>Food, Rural and Environmental Affairs</u>	<u>16</u>
<u>Franchise Law</u>	<u>17</u>
<u>Health, Healthcare and Social Care</u>	<u>17</u>
<u>Life Sciences</u>	<u>18</u>
<u>Telecommunications</u>	<u>18</u>
<u>International Trade, Investment and Regulation</u>	<u>19</u>
<u>Public International Law</u>	<u>19</u>
<u>Charities Law</u>	<u>20</u>
<u>Health and Safety Law</u>	<u>20</u>
<u>Licencing Law</u>	<u>21</u>
<u>Transport Law (excluding Rail)</u>	<u>21</u>
<u>Tax</u>	<u>22</u>
<u>Outsourcing/Insourcing</u>	<u>22</u>
<u>Media Law</u>	<u>23</u>
<u>Immigration</u>	<u>23</u>
<u>Public Inquests and Inquiries</u>	<u>24</u>
<u>Mental Health Law</u>	<u>24</u>

INTRODUCTION

We are delighted to have been appointed to your Wider Public Sector Legal Services Panel. Having worked with CCS since the inception of the General Legal Advice Services (GLAS), we are looking forward to continuing our work with the wider public sector and sharing our experience and expertise with you.

DAC Beachcroft has a long standing public sector practice, working on projects for central government, local authorities, NHS Trusts and educational organisations. Our reputation has been built on supporting public bodies with the open and fair implementation of policies and procedures and the successful completion of transactions and projects vital to their objectives. We offer a legal network across the UK, with a full service offering across England & Wales, Scotland and Northern Ireland, and access to the very best talent, wherever and whenever you require it.

We provide a comprehensive and diverse range of legal services. Whatever the service we offer, our lawyers are brought together by a common vision; to be recognised for our insight and our outstanding commitment to clients. Our Cultural Principles describe the way we work together, in support of your success. We are committed to providing advice that is innovative, practical and tailored. We pride ourselves on service delivery and getting to the heart of the issues which matter to you.

We have a dedicated Client Listening & Relationship Management Programme, which measures customer satisfaction and uses customer feedback to drive continuous improvement and strengthen relationships. This includes integrating client feedback into our learning and development programmes and reward and recognition schemes, and using it to improve technical and operational delivery.

Our commitment to quality management is underpinned by ISO9001 and ISO27001.

OUR CULTURAL PRINCIPLES

Supportive: We are approachable, open-minded and inclusive. We take time to listen and understand and we value and respect others' abilities, contribution and views. We are trusted and appreciated as individuals and embraced as part of a team.

Determined: We act with integrity and are relentless in our pursuit of quality and excellence. We are confident and empowered to do our best for our clients, our colleagues and ourselves, to deliver whatever the challenge.

Creative: We share knowledge and insights and encourage constructive debate and challenge. We work collaboratively to generate new ideas and provide imaginative solutions.

Clear: We have clarity of purpose, objectives, roles, reward and lines of communication. We are transparent and straightforward in our behaviour and intent.

TEAM STRUCTURE

We offer a legal network across the UK, with offices in Birmingham, Bristol, Edinburgh, Glasgow, Leeds, London, Manchester, Newcastle, Newport and Winchester.

We have over 230 partners and 570 lawyers throughout the country, across all areas of law, enabling CCS and Central Government Departments to draw upon further DACB resources whenever required.

This offers you a genuine strength in depth, ensuring you have access to the best talent, wherever and whenever you require it.



Alistair Robertson
CCS Lead Partner for RM6240/SRM
T: +44 (0)20 7894 6020
M: +44(0)7595 122 733
arobertson@dacbeachcroft.com



Katherine Calder
Deputy Client Partner
T: +44(0)191 404 4060
kcalder@dacbeachcroft.com



Nathan Butcher
Deputy Client Partner
T: +44 (0) 117 918 2159
M: +44 (0) 7841 322 479
nbutcher@dacbeachcroft.com



Jenny Smith
Bid/tender opportunity contact
T: +44 (0) 117 366 2494
M: +44 (0) 7738 832 845
bidteam2@dacbeachcroft.com



Rebecca Richter
Relationship Manager
T:+44(0)191 404 4164
M:+44(0)7824 334 177
rrichter@dacbeachcroft.com

Our Offices

- DAC Beachcroft office
- Representative office
- Legalign Global
- Associations
- Bestfriends
- Collaboration



*DAC Beachcroft has offices in New York as well as a representative office in Miami. For states where we do not have a physical presence, we have established robust relationships with leading partner firms, ensuring that our clients receive seamless, high-quality legal services across the country.

SOCIAL VALUE

We drive equality, diversity and inclusion through:

- Ensuring inclusive and accessible recruitment, retention and promotion practices
- Our graduate recruitment Springboard Scheme ring-fences 10%+ of assessment centre places for Under-Represented Groups who apply via our diversity partners
- Promoting alternative routes into law by offering work placements/mentoring to Under-Represented Groups via our diversity partners (eg. Social Mobility Foundation, Aspiring Solicitors and 10,000 Black Interns programme)
- Promoting an inclusive working environment via our internal D&I Network Groups including Spectrum (LGBT+); Women+; ACCESS (ethnic minority); Disability Working Group; and Parents & Carers' Forum

We support our colleagues health and wellbeing through:

- Appointing external consultants (Corporate Citizenship) to engage with a cross section of our colleagues to help determine the most important issues to prioritise and inform/shape our Health & Wellbeing Strategy
- Implementing, and continuing to review and update the Mental Health Standards with respect to our workforce. This is evidenced by DACB signing the Mindful Business Charter where we committed to a specific work plan (using the talks/webinars/training outlined below) to tackle mental health stigma and discrimination within 24 months
- Promoting wellbeing support to our colleagues, as evidenced by our trained DACB Wellbeing Representatives in each office who offer support services, promote events via our Health & Wellbeing Calendar and shape our wellbeing agenda
- Holding wellbeing talks/webinars at least once a month. For example, our financial wellbeing webinars, anxiety and stress workshops and the art of mindfulness
- FlexForward, which promotes a healthy work life balance giving all staff the choice on where, when and how they work
- Delivering specialist mental health training to 100+ colleagues via our Mental Health First Aiders and Champions Programme

- Running weekly in person or virtual exercises classes and/or talks with nutritionists
- Encouraging open conversations with those who may be struggling, as evidenced by our free of charge, confidential Employee Assistance Programme, available 24/7 to everyone at DACB and their immediate families
- Offering support to colleagues balancing careers with family life e.g. through our membership to Work Life Central who provide free access to events/webinars/resources
- Reporting publicly on the health and wellbeing of the Contract Workforce and engaging with them on key issues to address

We deliver on our promise to be a responsible business through four key workstreams:

Social Mobility & Inclusion: DACB provides a wide range of career development opportunities by championing all routes to qualification. The firm runs BPP Business Services and Paralegal Apprenticeships which combine work and study post A-Level. Following the successful completion of a Paralegal Apprenticeship, there is the opportunity to continue this by undertaking a Level 7 Solicitor Apprenticeship, which lasts 6 years and incorporates a law degree.

Sustainable Procurement: We buy our FSC-certified paper and other office supplies from award-winning office supplies company Commercial, which has the largest hydrogen-enabled van fleet in the UK. 38% of our office supplies from Commercial are supplied by hydrogen-powered delivery. 56% of our office supplies from Commercial are certified Green products, for example, the bamboo thermo-mugs given to all employees across the UK as part of our recent re-brand.

Community Investment: We have strengthened our support for local communities through a national strategy for pro bono advice and non-legal community volunteering. The firm provides 20 hours per year for each employee, to encourage participation.

Environmental Sustainability: We are a member of the Legal Sustainability Alliance, and we have reduced our Carbon Footprint by 33% over the past 3 years through our occupancy of energy-efficient offices, and by implementing new policies, for example, on agile working.

Dedicated client focused ESG micro-site (<https://esg.dacbeachcroft.com>): can help and advise our clients on their legal requirements and obligations in relation to this topic. We have a team of ESG legal experts who advise on everything from property management and corporate obligations to the use of GreenTech and internal strategy.

ADMINISTRATIVE & PUBLIC LAW

We can advise you on

- Defensible decision-making: acting within your statutory powers, ensuring appropriate stakeholder engagement, lawful delegation, and overall, minimising legal challenge risk
- Judicial review: we have the largest team of specialist defendant judicial review lawyers in the private sector
- Public inquiries: we regularly act for core participants and individuals called to respond to statutory and non-statutory public inquiries
- Organisational change: updating governing documents, policies and procedures; liaising with regulators and oversight; stakeholder engagement; contractual requirements
- Equalities: updating and implementing policies; defending challenges
- Local Government Law

Our experience includes advising:

- NHS England on its response to the UK COVID Inquiry. This instruction is testament to the strength of our public inquiries team and builds on our work advising NHSE throughout the COVID-19 pandemic
- A Police force in a major judicial review
- On the production of a green paper in collaboration with our client to inform government policy on the status of foster carers
- Organisations across the public sector on their obligations towards trans employees and stakeholders, building on our advice to Tavistock and Portman NHS Foundation Trust in a judicial review of its Gender Identity Development Clinic for children

Key contacts



Alistair Robertson
Partner

M: +44(0)7595 122 733
arobertson@dacbeachcroft.com



Darryn Hale
Partner

M: +44 (0)20 7894 6125
dahale@dacbeachcroft.com



Priyesh Patel
Legal Director

T: +44(0) 207 894 6021
prpatel@dacbeachcroft.com

NON-COMPLEX FINANCE AND INVESTMENT

We can advise you on

- General banking matters (domestic and overseas, including loan agreements, guarantees and security arrangements), trade finance and financial litigation
- Real estate finance
- Acquisition finance
- Restructuring/insolvency
- Joint venture financing

Our experience includes advising:

- A leading university on funding being provided by a local enterprise partnership to a joint venture established by the university with a private sector partner (including security and sub-debt arrangements)
- A local authority on a £35m loan to a joint venture established by that authority with a private sector partner
- A regional property developer on the establishment of a £100m property fund
- A local authority on the refinancing of a PFI project
- A local authority on development loans and security

Key contacts



Michael Pearce
Partner

M: +44(0)7843 069 550
mpearce@dacbeachcroft.com



Ioan Davies
Legal Director

M: +44(0)7843 069 546
iddavies@dacbeachcroft.com

CONTRACTS

We can advise you on

- Drafting and negotiating agreements relating to commercial activities including: supply of goods and services; outsourcing/contracting out of services; manufacturing; facilities management; agency & distribution; concession contracts; shared services arrangements; joint ventures; commercialisation and advertising; and, and grant funding
- Supporting relationships including: advising on rights and obligations; variations and implementing change requests; termination/exit and transition between suppliers; advising on complex commercial/contractual reorganisations and restructuring including novations, assignments and changes in ownership; and, associated disputes and commercial litigation support

Our experience includes advising:

- A County Council authority in relation to commercial matters affecting its schools estate including: academisation activities; decarbonisation works; and, power purchase agreements

COMPETITION LAW

We can advise you on

- Contentious and non-contentious advice and support in relation to EU, domestic and international competition law, including cartels, abuse of a dominant market position, Subsidy Control and legacy State Aid and merger clearances including the National Security Investment Act

Our experience includes advising:

- BEIS Automotive Transformation Fund acting on the issue
- Subsidy Control Assessment and risk assessment for a joint £100 million grant and £100 million convertible loan for a £3 billion gigaplant which had to be issued within 7 days of instruction

- A transport authority on the terms of a suite of contracts - with both suppliers and other regional transport operators - for delivering its smart ticketing proposals
- A local authority on the terms of a joint venture arrangement between its role as fire authority and the local police force for the development of shared maintenance facilities
- Acting for the North East Property Fund on a fund extension. The original fund was financed jointly by an LEP and Santander Bank and the initial 50:50 investment was for £10 million. After four successful years of out-performing targets the LEP decided to invest a further £10 million in the fund. The team at DACB dealt with all aspects of the fund extension including the Facility Letter, the intercreditor arrangements, deeds of novation amendment and restatement and debentures.

- On phase 1 merger investigation defences for numerous transport operators in a deregulated transport market
- FW Capital a wholly owned subsidiary of the Development Bank of Wales acting on the assessment of a property fund extension jointly financed by an international bank and a Local Enterprise Partnership to address the shortage of affordable housing
- Numerous manufacturers in the Kitchen and Bathroom production sector on Selective distribution in relation to the proposed changes to the Vertical Block Exemptions post the exit from the EU

Key contacts



Ioan Davies
Legal Director

M: +44(0)7843 069 546
iddavies@dacbeachcroft.com



Alison Martin
Partner

M: +44(0) 117 918 2318
amartin@dacbeachcroft.com

Key contacts



Joanne Finn
Partner

M: +353(0)877 539 160
jfinn@dacbeachcroft.com



Elaine Davis
Senior Associate

M: +353 (0)1 588 2553
eldavis@dacbeachcroft.com

CORPORATE LAW

We can advise you on

- Company Law
- Public and private company transactions
- (including mergers & acquisitions and corporate finance)
- Share acquisition, disposals, capitalisations
- Entity selection and formation of Government companies and Government joint ventures and venture capital advice
- Directors' duties
- Company secretarial services

Our experience includes advising:

- HM Treasury on the implementation of proposals to regulate funeral plan providers and to allow funeral plan providers to be subject to the Financial Services Compensation Scheme
- HM Treasury on the development of special administration rules for electronic money institutions, our deep knowledge of the legal and regulatory context meant that we were able to provide, in real time, technically accurate and practically focused support
- GallifordTry on the corporate and funding aspects of their corporate (LLP) joint venture with Trafford Housing Trust for the development of housing in Trafford (Greater Manchester) with a GDV of c£100 million

Key contacts



Matthew Darling
Partner

M: +44(0)7884 003 091
mdarling@dacbeachcroft.com



Michael Pearce
Partner

M: +44(0)7843 069 550
mpearce@dacbeachcroft.com



Joe Bannister
Partner

M: +44(0)7730 015 271
josephbannister@dacbeachcroft.com

DATA PROTECTION AND INFORMATION LAW

We can advise you on

- The law surrounding the use and control of information by public and private sector bodies including domestic and EU data protection legislation
- International data transfers
- Data protection laws, data requests and complying with the principles of transparency
- Freedom of information

Our experience includes advising:

- The Department for Education on data processing agreements and data sharing arrangements between the Department for Education and the Higher Education Statistics agency
- NHS England with its NHS Whole Systems Integrated Care project, a place-based data sharing initiative in north-west London
- Northumbrian Water on GDPR readiness; providing strategic advice and contractual drafting to NHS England on future data sharing in the NHS; advising on a £multi-million claim for breach of confidentiality and misuse of private information

Key contacts



Alistair Robertson
Partner

M: +44(0)7595 122 733
arobertson@dacbeachcroft.com



Darryn Hale
Partner

T: +44(0)20 7894 6125
dahale@dacbeachcroft.com



Abigail Gray
Associate

T: +44(0) 191 404 2006
abgray@dacbeachcroft.com

EMPLOYMENT

We can advise you on

- Non-contentious employment matters relating to TUPE, COSOP, redundancies, restructuring, outsourcing, changes in terms and conditions, and reorganisations
- Contentious employment law including discrimination / Equal Opportunities and whistleblowing involving sensitive internal situations or external litigation and / or dispute resolution

Our experience includes advising:

- Extensively across a number of central government departments including the Home Office, BEIS, the DfT, and the MOD on a range of TUPE related issues. These include everything from the applicability of TUPE, to who is in scope, to advising on contentious TUPE issues, to advising on TUPE related procurements and advising on the applicability of TUPE, COSOP, statutory transfer schemes and Fair Deal to proposed restructuring of central government departments and transfers to external organisations
- The Government Equalities Office to help shape the Gender Pay Gap Regulations ET, EAT, High Court and Court of Appeal employers on a number of high profile and sensitive internal situations involving allegations of discrimination and whistleblowing
- NHS England on a collaboration to provide regional service delivery, including advice on TUPE, the collective workforce issues and implications for pre and post-merger reorganisation

Key contacts



Udara Ranasinghe
Partner

M: +44(0)7738 695 570
uranasinghe@dacbeachcroft.com



Sarah George
Partner

M: +44(0) 07872 544 051
sgeorge@dacbeachcroft.com



Geetika Bansal
Legal Director

M: +44 (0)7718118923
gbansal@dacbeachcroft.com

INFORMATION TECHNOLOGY

We can advise you on

- Procuring a wide range of Information and Communications Technologies (ICT) software and services (including the use of CCS and other public sector frameworks)
- Use of wide range of public sector templates including the Model Services Contract (MSC) and the CCS Mid-Tier Contract which we work with regularly
- Major projects for complex re-structuring of multi-vendor environments
- Cloud hosting arrangements with global vendors where special terms needed against template supplier terms
- Niche areas such as internet law, e-commerce, etc

Our experience includes advising:

- 2 major regional PTEs and an overseas government on a range of transport related IT projects including smart ticketing procurements
- The FCDO with its procurement of a replacement ERP system covering 14,000 staff in 169 countries
- CCS on its £750m Cloud Compute framework to enable procurement of public cloud capacity direct from hyper scale provider such as AWS, Azure, Google etc
- NHS Digital with a number of urgent and sensitive Covid-related IT projects (including with Oxford University)
- NHS England with its re-tender of its core finance system which manages the (£137 Bn) internal NHS economy

Key contacts



Nick Williams
Partner

M: +44(0) 117 918 2372
nwilliams@dacbeachcroft.com



Alan Pratt
Partner

T: +44(0)7789 926 389
ajpratt@dacbeachcroft.com

INFRASTRUCTURE

We can advise you on

- The structure and financing of infrastructure projects and deals including PFI, PPP and non-profit distributing models
- Procurement and contract strategy
- Asset disposals
- Refinancing and reorganisation
- Advice on regulation

Our experience includes advising:

- The NHS on a major new RRR procurement of a £25m project for the construction and operation of a multi-storey car park for an NHS Foundation Trust
- A local transport authority on a £60m track dualling project for the light-rail network involving an NEC4 target cost contract

- The NHS on a major new RRR procurement of a £25m project for the construction and operation of a multi-storey car park for an NHS Foundation Trust
- A local transport authority on a £60m track dualling project for the light-rail network involving an NEC4 target cost contract
- A NHS Foundation Trust in relation to the procurement of a new-build hospital adopting Modern Methods of Construction
- Communication cable companies in relation to the laying of communication cables from beach landings to data centres
- Guys and St Thomas' NHS Trust on a number of property and construction projects involving an estate valued in excess of £400 million
- Advising Torbay and South Devon NHS Trust on its infrastructure project to build a new hospital (new elective centre and ward block including upgrade of the emergency department and same day urgent care services) under the Government's flagship commitment to deliver 48 new hospitals by 2030 under the New Hospitals Programme

INTELLECTUAL PROPERTY

We can advise you on

- Contentious and non-contentious support and advice relating to patents, copyright (including Crown copyright), trade marks, trade secrets and rights in confidential information, database rights, design rights, and other forms of intellectual property
- OGL and related licensing and international MOUs
- Assignment of rights and commercialisation and exploitation of intellectual property

Our experience includes advising:

- NHS England on Intellectual Property Policy and incentives for staff
- DHSC on trade mark portfolio management and enforcement work regarding the NHS brand
- BEIS on international licensing arrangements with foreign state entities
- Cabinet Office on international MOUs licensing IP
- DHSC on commercial brand licensing

Key contacts



Katherine Calder
Partner

T: +44(0)191 404 4060
kcalder@dacbeachcroft.com



Sally Morris Smith
Partner

M: +44 (0)755 7075948
smorris@dacbeachcroft.com



Alison Martin
Partner

M: +44(0)117 918 2318
amartin@dacbeachcroft.com



Rachel Gibson
Legal Director

M: +44 (0)7738 754566
rgibson@dacbeachcroft.com



Ioan Davies
Legal Director

M: +44(0)113 251 4861
iddavies@dacbeachcroft.com

Key contacts



Andrew Allan-Jones
Partner

M: +44(0)7876 002 216
aallan-jones@dacbeachcroft.com



Kate Loxton
Senior Associate

M: +44 (0)7876 002217
kloxton@dacbeachcroft.com

LITIGATION AND DISPUTE RESOLUTION

We can advise you on

- Commercial disputes and civil litigations arising from contractual obligations, IP rights, and other legal issues. We advise in high court litigation as well as arbitration, mediation, adjudication, expert determination and commercial negotiations towards resolution
- Disputes relating to outsourcing, PFI/PPP, procurement and supply chain contracts, professional services, media issues, IT contracts

Our experience includes advising:

- The Government Legal Department in the successful defence of the Good Law Project's JR claims against the Secretary of State for Health and Social Care arising from PPE procurement during the Covid Pandemic. We conducted the duty of candour and evidence preparation
- A central Government department on the safe termination of complex, long-term PFI agreements relating to core public services
- Successfully defending a consortium of NHS Foundation Trusts in a claim for £70m+ by an outsourced FM provider
- Securing an emergency interim anti-harassment injunction against a trades union on behalf of an NHS client

Key contacts



Alex Paterson
Partner
T: +44 (0) 117 918 2669
apaterson@dacbeachcroft.com



Laura Berry
Partner
T: +44 (0) 20 7894 6343
lberry@dacbeachcroft.com



Lucy Grivell
Legal Director
M: +44(0)7725 683 478
lgrivell@dacbeachcroft.com

PARTNERSHIPS

We can advise you on

- Contentious and non-contentious partnership matters

Our experience includes advising:

- A number of NHS Foundation Trusts on the embellishment of a partnership (formed as an LLP) in order to jointly bid for a substantial and complex services contract
- Two NHS Trusts on a joint venture with a large private sector partner (formed through LLPs) in order to outsource the pathology functions of those Foundation Trusts and provide equivalent services to other NHS Trusts
- Backhouse Housing Limited members including Backhouse Castle Cary, on the formation and establishment of a joint venture with the Housing Growth Partnership (a government backed vehicle to incentivise the housing building sector) to acquire and develop a residential site at Castle Cary

Key contacts



Michael Pearce
Partner
M: +44(0)7843 069 550
mpearce@dacbeachcroft.com



Dan Preddy
Partner
M: +44(0)7967 009 180
dpredy@dacbeachcroft.com

PENSIONS

We can advise you on

- Pension scheme governance and management
- Member matters and Pensions litigation
- Regulatory and compliance matters

Our experience includes advising:

- A Government body in relation to the restructuring of an employer and settlement of its pension liabilities
- On the de-risking considerations in relation to defined benefit pension schemes
- Many non-governmental organisations on all aspects of pension law and practice including scheme governance and regulatory changes, member matters, governing documentation and member communications

Key contacts



Jane Marshall
Partner

M: +44 (0) 161 934 3092
jmarshall@dacbeachcroft.com



Rebecca Smith
Partner

M: +44 (0)7825 722799
rcsmith@dacbeachcroft.com

PUBLIC PROCUREMENT

We can advise you on

- The application of domestic and EU public procurement law
- End-to-end support on procurement exercises, including drafting specifications, evaluation criteria, tender documentation and associated procurement and contractual documentation

Our experience includes advising:

- Department of Work and Pensions on their procurement of a new Telephony and Contact Centre for Universal Credit
- The Department of Health on all aspects of the procurement of its Electronic Staff Record system using the competitive procedure with negotiation
- The Cabinet Office on the re-procurement of pensions administration services for the civil service pension scheme and the Royal Mail Pension Schedule under the Competitive Procedure with Negotiation
- Northumbria Healthcare NHS Foundation Trust on Urgent Care Services Procurement Challenge. We successfully acted for Northumbria in challenging a procurement run by North Tyneside CCG for urgent care services

Key contacts



Katherine Calder
Partner

T: +44(0)191 404 4060
kcalder@dacbeachcroft.com



Ed Williams
Partner

T: +44 (0) 770 276 1534
edwilliams@dacbeachcroft.com



Sarah Foster
Legal Director

M: +44 (0)7718 114659
sfoster@dacbeachcroft.com



Victoria Fletcher
Senior Associate

M: +44 (0)20 7894 6658
vfletcher@dacbeachcroft.com

PROPERTY, REAL ESTATE AND CONSTRUCTION

We can advise you on

- All commercial and residential real estate including investment, site/property re/development, major urban regeneration schemes, acquisition and disposal, compulsory purchase, freehold, leasehold and licenses, all landlord and tenant matters and social housing
- Real estate litigation, real estate tax and related environmental and planning matters
- All aspects of construction advice including building contracts, consultant appointments, third party rights and security documents
- Large scale infrastructure projects including light rail, energy, utilities and telecoms schemes

Our experience includes advising:

- Newcastle University on the acquisition of a former NHS hospital site, involving leaseback, estate maintenance and staggered decant arrangements together with the subsequent procurement and appointment of a joint venture development partner to deliver the Campus for Ageing & Vitality
- Surrey County Council on the disposal of the former County Hall, to a developer, the acquisition of a substantial former HQ facility to provide civic and educational facilities, various academy conversion projects and a land swap as part of a town regeneration scheme
- Burnley Borough Council in relation to the regeneration of Burnley town centre. The Development Agreement provided for freehold land acquisition, linked land transactions to free-up a second site for re-development and planning and construction requirements which also included highway works

Key contacts



Nicola Fairbairn
Partner

M: +44(0)7730 320 717
nfairbairn@dacbeachcroft.com



Ben Thornycroft
Partner

M: +44 (0)7834 308474
bthornycroft@dacbeachcroft.com



Rachel Reynolds
Partner

M: +44(0)7713 388 7511
rreynolds@dacbeachcroft.com

ENERGY, NATURAL RESOURCES AND CLIMATE CHANGE

We can advise you on

- All aspects of renewable and clean energy technology including:
 - onshore and offshore wind; biomass; waste and landfill gas to energy; solar; wave and tidal; hydro generation
- Complex energy and infrastructure projects, energy project development, construction, operation and financing including equity, project and JVs, construction contracts, development agreements and operation and management
- Projects and developments incorporating energy and sustainability requirements aimed at supporting the public sector achieve Net Zero Carbon targets
- Renewable and clean energy including power purchase agreements, EPC contracts, O&M contracts and supply and services agreements
- Planning, land access arrangements and social responsibility issues
- Risk assessment and mitigation strategies including building climate change risks into planning and development projects
- Energy Savings Opportunity Scheme (ESOS)

Our experience includes advising:

- Numerous NHS Trusts and private sector ESCOs on energy infrastructure projects for the installation of carbon and energy efficient measures underpinned by guaranteed energy and financial savings
- A local authority on its PPP waste project
- Major capital investment programmes and developments, such as the HIP2 programme, involving Net Zero Carbon requirements and the installation of green technologies
- An NHS Foundation Trust on setting up a JV company with a local authority to develop a solar PV farm, and the terms of the Power Purchase Agreement to purchase generated electricity from the farm
- On an agreement to install wind turbines coupled with the sale of electricity back to the national grid

Key contacts



Alison Martin
Partner

M: +44 (0)7714 140459
amartin@dacbeachcroft.com



Anne Harrison
Legal Director

M: +44 (0)7894 836329
aharrison@dacbeachcroft.com



James Reed
Partner

M: +44 (0)7968 612580
jreed@dacbeachcroft.com

RETAINED EU LAW AND EU LAW

We can advise you on

- The application of legacy EU laws incorporated into UK law by the TCA , divergence of UK and UK law post the UK's exit from the EU , the relationship and divergence in relation to Subsidy Control and State aid and all contentious and non-contentious EU law procedures

Our experience includes advising:

- On subsidy control and risk assessments for the Ministry of Justice in relation to Community Accommodation Services 2 and 3 which replaced the Bail Accommodation Secure Service , as well as the Independent Accommodation Provision and the Secured Schools Project which is part of the reintegration of the Probation Services
- BEIS ATF issuing a join grant / convertible loan to incentivise a multi-billion pound inward investment ensuring the offer would be compliant with Subsidy Control and the GLD RAG Rated Risk Assessment
- Ministry of Justice on the extension of the Clink Kitchens Project to ensure that the pilot scheme could be extended to 15 further prisons assisting former offenders can avoid worklessness which reduces the risk of re-offending

Key contacts



Joanne Finn
Partner

M: +353 877 539160
jfinn@dacbeachcroft.com



Elaine Davis
Senior Associate

M: +44 (0)1 588 2553
eldavis@dacbeachcroft.com

PLANNING

We can advise you on

- Planning strategy
- Development projects and schemes
- Applications for development, construction and change of use
- Compulsory purchase orders and s106 agreements
- Planning/development inquiries and appeals

Our experience includes advising:

- NHS Trusts and local authorities on the redevelopment and regeneration of their assets including the use of compulsory purchase powers and appropriation
- Cumbria County Council and the NW Legal Consortium on the Development Consent Order process for the Moorside Nuclear Power Station
- Elysium Healthcare on its acquisition of the Lighthouse Healthcare Group with providing planning and due diligence support

Key contacts



Andrew Morgan
Partner

M: +44 (0) 20 7894 6193
amorgan@dacbeachcroft.com



Anne Harrison
Legal Director

M: +44 (0)7894 836329
aharrison@dacbeachcroft.com

PROJECTS

We can advise you on

- Major high-value and complex projects during each phase of a Project's life
- All key sectors, including: health; education; blue-light; waste; leisure; mixed use; housing; transport; prisons; and defence
- All major national PFI/PF2 and other PPP programmes, including: the Mutual Investment Model (MIM) programme; Priority Schools Building Programme; Building Schools for the Future; the Prisons PFI estate programme; the NHS PFI programme; and, NHS LIFT
- Operational issues including:
 - High Value Variations
 - Refinancing
 - Voluntary early termination
 - Handback / Expiry
 - Disputes

Our experience includes advising:

- Gloucestershire Hospitals NHS Foundation Trust: we advised the Trust on the implementation of its £39.5m capital site development programme involving negotiating a major high-value capital works and services PFI variation to reconfigure and extend the Trust's facilities within its operational PFI
- Several local authorities with the refinancing of their respective PFI scheme including: Knowsley (Street-lighting); Liverpool (Leisure); Blackpool (Street-lighting); Oldham (Social Housing); Kirklees (Social Housing); Blackburn with Darwen Borough Council (Schools)
- A local authority in relation to a commercial dispute arising from fire-stopping defects in a PFI facility
- Liverpool City Council across its portfolio of operational PFI projects, including: a grouped schools PFI scheme; a mixed use scheme; and the Central Library redevelopment scheme

Key contacts



Katherine Calder
Partner

T: +44(0)191 404 4060
kcalder@dacbeachcroft.com



Alison Martin
Partner

M: +44 (0)7714 140459
amartin@dacbeachcroft.com



Ioan Davies
Legal Director

M: +44(0)7843 069 546
iddavies@dacbeachcroft.com



Rachel Gibson
Legal Director

T: +44(0)191 404 4004
rgibson@dacbeachcroft.com

RESTRUCTURING AND INSOLVENCY

We can advise you on

- Corporate restructurings and workouts across the full range of stressed and distressed situations, including transactions with a cross-border element, schemes of arrangement, restructuring plans and group reorganisations
- Claims by creditors (including arising out of supplier default) both inside or outside of formal insolvency processes, together with routine and non-routine debt recoveries, asset realisation and tracing (domestic and international)
- Strategies for enforcement of secured and unsecured lending, including contingency planning in advance of formal insolvency appointments

Our experience includes advising:

- HM Treasury on the development of a new special administration regime for electronic money institutions
- HM Treasury on how the Corporate Insolvency and Governance Bill 2020 might be amended so as most appropriately to apply its provisions to financial institutions
- The major local authority creditor to Together Energy Limited in connection with the appointment of a Supplier of Last Resort and its subsequent administration process.
- A major motor manufacturer as a creditor of various distressed suppliers

Key contacts



Joe Bannister
Partner

M: +44 (0)7730015271
josephbannister@dacbeachcroft.com



Kevin Hawthorn
Partner

M: +44(0)7894 836 394
khawthorn@dacbeachcroft.com



Christopher Stoaite
Legal Director

T: +44(0)7894 836 395
cstoaite@dacbeachcroft.com

EDUCATION LAW

We can advise you on

- All aspects of education law across the education sector, including (but not limited to) early years, state and independent schools. Our expertise covers all aspects of advice to allow organisation to operate on a day to day basis relating to areas such as workforce, special educational needs, admissions, exclusions, Equalities issues, pupil/student related litigation, governance etc
- We work closely with colleagues in our charities, public law, procurement and other specialist areas to ensure the full spectrum of advice is provided to education clients
- Reorganisation issues, inspection and regulation, finance and funding issues, higher and further education, academisation, student finance, and education-focused charity, contract and property law issues relevant to the educational sector

Our experience includes advising:

- Department for Education on delivery of their national Schools Capital Programmes including site due diligence, acquisition and lettings as well as construction contracts and related development matters. The NHS on the introduction of new tax rules relating to personal service companies targeted at the public sector
- An independent school on entering into an interest rate swap related to their c£24 million borrowing together with advice on the creation of a trading subsidiary
- Defending a university against claims brought by a student for failure to properly deal with allegations of sexual assault/rape against another student. This was successfully resolved for the university and avoided media attention which the claimant threatened and was likely to have been significant

Key contacts



Nicola Fairbairn
Partner

M: +44(0)7730 320 717
nfairbairn@dacbeachcroft.com



Ioan Davies
Legal Director

M: +44(0)7843 069 546
iddavies@dacbeachcroft.com



Jonathan Bond
Partner

M: +44 (0)7471711314
jonbond@dacbeachcroft.com

FOOD, RURAL & ENVIRONMENTAL AFFAIRS

We can advise you on

- Water, air and land use, including emissions and pollution
- Water services and quality
- Flooding
- Waste and recycling
- Fisheries and marine
- Food and farming
- Animal and plant health and animal welfare; and wildlife

Our experience includes advising:

- Royal Devon & Exeter NHS Foundation Trust on handling the environmental aspects of the transfer of community services across Devon from North Devon Healthcare NHS Trust to Royal Devon & Exeter NHS Foundation Trust
- South West Water Limited on the largest and most complex prosecution brought against them by the EA to date
- The University of Sheffield acting on the sale of the anchor plot at the new Sheffield Business Park to Boeing. Our role was a principal legal advisor on all aspects of this complex freehold sale of the prominent plot on the business park

Key contacts



Sally Roff
Partner

M: +44(0)7921 890 829
sroff@dacbeachcroft.com



Anne Harrison
Legal Director (Barrister)

M: +44(0)7894 836 329
aharrison@dacbeachcroft.com

FRANCHISE LAW

We can advise you on

- The design and establishment of franchise arrangements
- Advice on contentious and non-contentious aspects of franchise agreements

Our experience includes advising:

- On and drafting a template franchise agreement for a household manufacturer of lock systems to establish a network of mobile “branded” locksmiths
- On training for an international beverage company on the legal benefits and features of franchising and master franchise arrangements in an international context
- A High Court claim, the amount being claimed in excess of £200m; acting for a claimant local authority in a multimillion pound claim for defective goods

Key contacts



Alan Pratt
Partner

T: +44(0)7789 926 389
ajpratt@dacbeachcroft.com



Andrew Allan-Jones
Partner

M: +44(0)7876 002 216
aallan-jones@dacbeachcroft.com

HEALTH, HEALTHCARE AND SOCIAL CARE

We can advise you on

- Healthcare commissioning
- All transactional, litigious and regulatory issues relating to the NHS
- The regulation of health, mental health and social care services or settings as well as internal, public and independent inquiries, and inquests
- Clinical and corporate governance
- Major projects and all aspects of real estate within an NHS setting

Our experience includes advising:

- NHS England across all disciplines but majoring on commercial and public law to NHS England’s New Business Models team. This entails being required to deliver on a range of new contracting and delivery models (as set out in the Five Year Forward View and the Next Steps on the Five Year Forward View)
- NHS England and supporting the development of commissioning and contracting models as well as the drafting of commissioning contracts to underpin the delivery of those new models of care. This includes assisting in rolling this out to the system
- On the review for a large organisation, exploring both regulatory compliance and robustness of governance arrangements, to comment on Board effectiveness and assurance

Key contacts



Charlotte Burnett
Partner

M: +44 (0)7919 241501
ckburnett@dacbeachcroft.com



Hamza Drabu
Partner

M: +44(0)7860 592 042
hdrabu@dacbeachcroft.com



Alistair Robertson
Partner

M: +44(0)7595 122 733
arobertson@dacbeachcroft.com

LIFE SCIENCES

We can advise you on

- Specialist advice on medicines and medical devices
- The defence of significant claims - we have defended the majority of significant pharma and medical device claims over the last four decades on behalf of manufacturers, insurers and the NHS
- How the life sciences sector is being shaped in the UK by changes brought about by Brexit, the COVID-19 pandemic and the expanding use of innovative products including software and AI
- Product safety, regulation and liability; drug development; clinical trial agreements; medical device classification; CE/UKCA marking; software and AI; orphan drugs; supply chain and contractual issues; transactions and acquisitions; licensing; pharmacovigilance; data and information governance; patient complaints, claims and product recall; and the provision of healthcare and pharmacy services

Our experience includes advising:

- NHS Blood and Transplant and all NHS Trusts in the HIV Haemophilia and Hepatitis C litigations
- On responses to COVID-19 therapeutics and medical device issues from those designing and manufacturing ventilators; making and supplying PPE; setting up clinical trials for medicines to treat COVID-19 and for vaccines; and manufacturing and deploying COVID-19 antigen and antibody test kits including the National Testing Programme
- NHS England on the IP issues of drug procurement
- Insurers in respect of claims arising from the Northwick Park Hospital TGN1412 clinical trial that led to reform of phase 1 trials
- Opren, Whooping Cough Vaccine, Benzodiazepine, Oral Contraceptives, MMR Vaccine and Seroquel product liability litigations
- On the manufacture, supply and provision of CAR-T and solid tumour immunotherapy products for cancer treatment

Key contacts



Andrew Allan-Jones
Partner
M: +44(0)7876 002 216
aallan-jones@dacbeachcroft.com



Alison McAdams
Consultant
M: +44(0)7771 725 558
amcadsams@dacbeachcroft.com



Andrew Johnston
Legal Director
M: +44(0)7595 122 777
ajohnston@dacbeachcroft.com

TELECOMMUNICATIONS

We can advise you on

- Contentious and non-contentious advice and support on commercial, regulatory, compliance, transactional and intellectual property matters concerning telecommunications

Our experience includes advising:

- Rutland County Council's Next Generation Broadband project with BT plc funded through the Department of Culture, Media and Sport £530m BDUK Programme
- The City of London for a concession enabling the roll out of wireless infrastructure for the support of both mobile telecoms and public broadband/Wi-Fi
- The Welsh Government on the original procurement for its PSBA private secure managed WAN and, subsequently, voice and mobility services. PSBA was a model for the first PSN procurements and he has since worked on PSN projects in Surrey and the Sussex shared ICT service, LINK

Key contacts



Chris Air
Partner
M: +44(0) 161 934 3167
cair@dacbeachcroft.com



Alan Pratt
Partner
T: +44(0)7789 926 389
ajpratt@dacbeachcroft.com

INTERNATIONAL TRADE, INVESTMENT AND REGULATION

We can advise you on

- All aspects of the law and practice relating to international trade agreements, investments and associated regulations

Our experience includes advising:

- The Financial Ombudsman Service on the first successful judicial review of the Financial Ombudsman Scheme in over ten years
- Partnerships in Care in relation to various acquisitions, including the Choices Lifestyles group of companies, and the mental health division of Care UK
- The FCA on providing full legal and regulatory support on a number of applications for FCA authorisation, change in control and variation of permission

Key contacts



Ioan Davies
Legal Director

M: +44(0)7843 069 546
iddavies@dacbeachcroft.com



Joanne Finn
Partner

M: +44 207 894 6099
jfinn@dacbeachcroft.com

PUBLIC INTERNATIONAL LAW

We can advise you on

- All aspects of public international law

Our experience includes advising:

- An ample number of international investors in pre-arbitral negotiations (cooling-off period) under Article 26 of the ECT before the Kingdom of Spain and the Italian Republic. Our team has also represented international investors before the European Union under the ECT. In fact, our legal team has been the first counsel to formally notified an investment dispute against the European Union under an international treaty, namely, the ECT

Key contacts



Ken Forsyth
Consultant

M: +44 (0)7966 598342
kforsyth@dacbeachcroft.com

CHARITIES LAW

We can advise you on

- All aspects of governance
- Restructures and changes to governing instruments
- Collaborations and joint ventures, including mergers and acquisitions
- All aspects of Charity Commission regulation, including serious incident reporting
- Grant giving and fundraising
- Disputes

Our experience includes advising:

- A group of charities, made up of national and local charities, on an agreement with a County Council for the provision of health and wellbeing services to the population of that County Council as well as an underlying collaboration agreement as to how they would deliver the services
- A charity on a full governance review to identify gaps in compliance with law and best practice and assist with implementing new procedures, policies and changes to governing instruments
- Government departments and arm's length bodies on establishing charitable organisation and ministerial powers to fund such organisations. This included setting up a new charity and providing advice on all areas of its operation
- Charities and not for profit organisations on changes to their corporate structures, including converting community interest companies into charities and advising on the conversion of NHS charities to independence

Key contacts



Emma-Jane Dalley
Partner
M: +44 (0)7584055017
ejdalley@dacbeachcroft.com



Alistair Robertson
Partner
M: +44(0)7595 122 733
arobertson@dacbeachcroft.com



Anne-Marie Gregory
Legal Director
M: +44 (0)790 0137853
amgregory@dacbeachcroft.com

HEALTH AND SAFETY LAW

We can advise you on

- Contentious and non-contentious health and safety matters, including regulatory and criminal investigations, inquests, health and safety at work, food safety, fire safety and associated issues

Our experience includes advising:

- The Maidstone and Tunbridge Wells NHS Trust in the successful defence of the first corporate manslaughter prosecution brought against an NHS Trust
- Prosecuting a Hotel on behalf of a Local Authority following an incident whereby an individual fell through an unlocked door and down a steep concrete staircase, sustaining serious injuries. We drafted the charges and indictment and successfully prosecuted the Hotel for a breach of section 3 of the Health and Safety at Work etc. Act 1974
- Successfully defending an NHS Trust in a prosecution for a breach of section 3 of the Health and Safety at Work etc. Act 1974, following the death of a patient who overcame window restrictors to jump out of a hospital window

Key contacts



Chris Baranowski
Partner
M: +44(0)7966 594 420
cbaranowski@dacbeachcroft.com

LICENSING LAW

We can advise you on

- Licensing for sales of alcohol or regulated entertainment
- Licences and permits for gambling
- Licensing and due diligence
- Marriage and Civil Partnership licences
- Live Music Act, PRS and PPL licences

Our experience includes advising:

- A Premier League Football Club on all its licensing requirements
- On a premises licence for a major housing group following a contested hearing
- Luxury hotels on licensing requirements for opening etc.
- A major shopping centre Landlord on licensable activities undertaken by tenants across its properties

Key contacts



Christopher Dyke
Partner

M: +44 (0) 117 918 2109
cdyke@dacbeachcroft.com

TRANSPORT LAW (EXCLUDING ROI)

We can advise you on

- Road based projects and infrastructure
- Logistics (contentious and non-contentious)
- Haulage
- Road regulatory matters

Our experience includes advising:

- Advising Cumbria County Council and the North West Legal Consortium on the Development Consent Order process for the Moorside Nuclear Power Station Project and North West Coastal Connection (NWCC) connection projects. We are advising on compulsory purchase law, highways, infrastructure, environmental and planning matters. The scope and use of CPO powers is an important issue for the affected authorities and their residents
- FCC Waste Services UK on the promotion of a Transport and Works Act Order in relation to its operations at Calvert. The Order is being promoted by HS2 after FCC successfully persuaded the House of Commons Select Committee that HS2's original proposal should be amended. Includes advising extensively on the extent of rights, restrictive covenants and the use of CPO Powers

Key contacts



Andrew Morgan
Partner

M: +44(0)7525 902 524
amorgan@dacbeachcroft.com

TAX

We can advise you on

- The application of direct and indirect taxation

Our experience includes advising:

- Numerous public bodies on their contractual arrangements focusing on the tax elements. In recent years this has been as a result of IR35 for self-employed contractors and the recovery of VAT through the Contracted Out Services Regulations
- Governmental bodies and related charities to ensure the optimum recovery/minimisation of VAT (including approaches to HMRC and HM Treasury). This always takes into account overarching aims of government bodies to ensure our clients never cross the tax line as to what is acceptable

Key contacts



Michael McCormack
Tax Director

M: +44(0)7917 791 301
mmccormack@dacbeachcroft.com

OUTSOURCING/INSOURCING

We can advise you on

- Piloting first generation outsourcings, re-competing and transforming subsequent generation outsourcings and implementing insourcing projects
- Strategic approaches including contract disaggregation, multi-sourcing, mixed economy sourcing and other strategies for complex services
- Service transformation programmes as part of major outsourcing projects
- IT and BPO (business process outsourcing projects) and facilities management arrangements covering e.g. print services

Our experience includes advising:

- Cabinet Office (2020 onwards) on the re-procurement of pension administration services for the Civil Service Pension Scheme (est £200m+) and Royal Mail Statutory Pension Scheme (est £40m+)
- Transport for Greater Manchester on numerous ICT elements (including hardware, software and communications) of its 'smart ticketing' project in the north of England. We are currently advising on agreements for platform validators and revenue inspection devices (worth approximately £5m in total) that will enable the introduction of smart ticketing infrastructure across the public transport network in Manchester
- The Department of Health with both its original procurement (in 2001) and then its re-procurement (in 2015) of the Electronic Staff Record (ESR) service, providing integrated HR and payroll to over 1.3m staff across the NHS

Key contacts



Alan Pratt
Partner

T: +44(0)7789 926 389
ajprattl@dacbeachcroft.com



Andrew Lucas
Partner

T: +44 (0)20 7894 6301
ajlucas@dacbeachcroft.com

MEDIA LAW

We can advise you on

- Libel, slander and malicious falsehood – acting for both claimant and defendant. We have extensive experience of advising public bodies on strategies under rule in Derbyshire
- Media codes of conduct such as the OFCOM and IPSO codes as well as the BBC Editorial Guidelines
- Content complaints in relation to social media
- Jurisdiction and single publication considerations
- Harassment

Our experience includes advising:

- On securing an interim injunction to prevent the harassment of the leader of a public body by a former senior staff member. The injunction also prevented the defendant from sharing highly confidential and sensitive material with Private Eye and other media
- NHS Foundation Trust on its engagement with the BBC over a Panorama programme
- NHS Foundation Trust on very high profile media coverage over a controversial specialist service it was commissioned to provide
- On securing an apology and retraction from a national newspaper for our independent sector healthcare company

Key contacts



Lucy Grivell
Legal Director

M: +44(0)7725 683 478
lgrivell@dacbeachcroft.com

IMMIGRATION

We can advise you on

- All aspects of UK immigration law including right to work, sponsorship and visa applications. We have a strong track record of successfully resolving complex immigration issues and retaining talented workers
- Strategic immigration advice to employers in relation to international recruitment policies and provide bespoke training on practical immigration considerations for HR and recruitment teams

Our experience includes advising:

- Employers in navigating the various and constantly evolving Covid-19 immigration policies as well as Post-Brexit challenges
- On resolving a situation where an employee started working beyond their immigration permission, following a promotion to a senior role. We liaised with the Home Office and helped the employer to retain their sponsorship licence, avoided any civil penalty being issued and obtained a new visa for the employee to enable them to work lawfully in the senior role
- On recruitment and onboarding of senior workers under sponsored visa routes

Key contacts



Joanna Hunt
Partner

M: +44(0) 20 7894 6285
johunt@dacbeachcroft.com

PUBLIC INQUESTS AND INQUIRIES

We can advise you on

- Inquiries across the public sector, including health, education, social care and local and central government, advising corporate bodies, key individuals and Inquiry panels
- All aspects of inquests, from managing witnesses to advocacy. Additionally, two of our partners being Assistant Coroners ensures we give strategic advice to our clients from all perspectives
- The disclosure process and dealing with sensitive and confidential data. A number of our team have SC level security clearance

Our experience includes advising:

- NHS England and Improvement on all aspects of their response to the Covid Inquiry
- Oxford University Hospitals NHS Foundation Trust as the current embodiment of one of the main haemophilia centres nationally in the relevant period, on the Infected Blood Inquiry
- A core participant in relation to the Grenfell Tower Inquiry and related civil and criminal proceedings Our client was the main contractor during the refurbishment of the Tower which was completed in 2016

Key contacts



Alistair Robertson
Partner

M: +44(0)7595122733
arobertson@dacbeachcroft.com



Corinne Slingo
Partner

M: +44(0)7711 314762
cslingo@dacbeachcroft.com



David Knapp
Partner

M: +44(0)7917557012
daknapp@dacbeachcroft.com

MENTAL HEALTH LAW

We can advise you on

- The complex legal framework covering capacity, mental health and Deprivation of Liberty (DoL), including the significant changes ahead relating to the Liberty Protection Safeguards and MHA reform
- The regulatory framework for mental health services including scrutiny by the CQC, police, ICO and others. We work with NHS and independent sector boards navigating CQC inspection, regulation and enforcement including the challenges of demonstrating 'well led' and responding to the increasing use of criminal prosecution as a regulatory tool in mental health services
- Court of Protection (CoP) proceedings including complex treatment issues such as the withholding/ withdrawal of treatment and the use of restraint

Our experience includes advising:

- Cumbria, Northumberland, Tyne and Wear NHS Foundation Trust in relation to a homicide and high profile inquest
- Tees, Esk and Wear Valley NHSFT and County Durham and Darlington NHSFT in respect of a pregnant patient who was detained under the MHA. She lacked capacity to make decisions regarding delivery of her baby and developed pre-eclampsia and became overtly psychotic, meaning the baby needed to be delivered pre-term
- NHS Trust regarding the mental health care of a 15 year-old patient who required a social care placement which the Local Authority had failed to identify. She remained on an acute paediatric ward for 4 months, displaying increasingly challenging self-harming behaviours, leading to police officers deploying restraint and highly restrictive measures being used by acute Trust staff

Key contacts



Gill Weatherill
Partner

M: +44 (0)7595 122439
gweatherill@dacbeachcroft.com



Sarah Woods
Partner

M: +44 (0)7739322453
swoods@dacbeachcroft.com



Jemma Gillson
Partner

M: +44 (0)7876 002206
jgillson@dacbeachcroft.com

FOCUSED ON HELPING THE WIDER PUBLIC SECTOR

RM6240 Public Sector Legal Services - General Service Provision

Lot 2a: General Service Provision – England and Wales



CONTENTS

MANDATORY SERVICES

Property and Construction	27
Court of Protection	27
Education Law	28
Debt Recovery	28
Planning and Environment	29
Licensing	29
Pensions	30
Litigation / Dispute Resolution	30
Intellectual Property	31
Employment	31
Healthcare	32
Primary Care	32
Mental Health Law	33

PROPERTY AND CONSTRUCTION

We can advise you on

- All commercial and residential real estate including investment, site/property re/development, major urban regeneration schemes, acquisition and disposal, compulsory purchase, freehold, leasehold and licenses, all landlord and tenant matters and social housing
- Real estate litigation, real estate tax and related environmental and planning matters
- All aspects of construction advice including building contracts, consultant appointments, third party rights and security documents
- Large scale infrastructure projects including light rail, energy, utilities and telecoms schemes

Our experience includes advising:

- Newcastle University on the acquisition of a former NHS hospital site, involving leaseback, estate maintenance and staggered decant arrangements together with the subsequent procurement and appointment of a joint venture development partner to deliver the Campus for Ageing & Vitality
- Surrey County Council on the disposal of the former County Hall, to a developer, the acquisition of a substantial former HQ facility to provide civic and educational facilities, various academy conversion projects and a land swap as part of a town regeneration scheme
- Burnley Borough Council in relation to the regeneration of Burnley town centre. The Development Agreement provided for freehold land acquisition, linked land transactions to free-up a second site for re-development and planning and construction requirements which also included highway works

Key contacts



Nicola Fairbairn
Partner

M: +44(0)7739 226 217
nfairbairn@dacbeachcroft.com



Ben Thornycroft
Partner

M: +44(0)7901 851 285
bthornycroft@dacbeachcroft.com



Rachel Reynolds
Partner

M: +44(0)7713 388 7511
rreynolds@dacbeachcroft.com

COURT OF PROTECTION

We can advise you on

- Assessments of capacity and decision making in a person's best interests
- Applications to the Court of Protection in respect of welfare decisions, serious medical treatment, safeguarding, community care, deputyship and lasting powers of attorney
- Deprivation of liberty in health and social care settings
- The interface between the Mental Capacity Act 2005 and Mental Health Act 1983

Our experience includes advising:

- NHS Trusts in Court of Protection proceedings concerning the obstetric care of women with significant mental health problems who are resistant to care and treatment
- Public authorities in Court of Protection proceedings seeking authority to provide the Covid-19 vaccine to people lacking capacity to consent to it
- An NHS commissioner in a complex safeguarding case concerning the coercion and control of an elderly woman by her son
- A range of public authorities on their safeguarding obligations and the legal avenues open to them when vulnerable people in the community decline offers of care

Key contacts



Paul McGough
Partner

M: +44(0)113 251 4763
pmcgough@dacbeachcroft.com



Sarah Woods
Partner

M: +44(0)7739 322 453
swoods@dacbeachcroft.com



Jemma Gillson
Partner

M: +44(0)7876 002 206
jgillson@dacbeachcroft.com

EDUCATION LAW

We can advise you on

- All aspects of education law across the education sector, including (but not limited to) early years, state and independent schools. Our expertise covers all aspects of advice to allow organisations to operate on a day to day basis relating to areas such as workforce, special educational needs, admissions, exclusions, equalities issues, pupil/student related litigation, governance etc
- Reorganisation issues, inspection and regulation, finance and funding issues, higher and further education, academisation, student finance, and education-focused charity, contract and property law issues relevant to the educational sector
- We work closely with colleagues in our charities, public law, procurement and other specialist areas to ensure the full spectrum of advice is provided to education clients

Our experience includes advising:

- The Department for Education on delivery of their national Schools Capital Programmes including site due diligence, acquisition and lettings as well as construction contracts and related development matters
- The NHS on the introduction of new tax rules relating to personal service companies targeted at the public sector.
- An independent school on entering into an interest rate swap related to their c£24 million borrowing together with advice on the creation of a trading subsidiary
- A university against claims brought by a student for failure to properly deal with allegations of sexual assault/rape against another student. This was successfully resolved for the university and avoided media attention which the claimant threatened and was likely to have been significant

Key contacts



Nicola Fairbairn
Partner

M: +44(0)7739 226 217
nfairbairn@dacbeachcroft.com



Ioan Davies
Legal Director

M: +44(0)7843 069 546
iddavies@dacbeachcroft.com



Jonathan Bond
Partner

M: +44 (0)7471711314
jonbond@dacbeachcroft.com

DEBT RECOVERY

We can advise you on

- Recovering unpaid debts
- Recovery of unpaid rents
- Pursuing payments by mistakes
- Recovering overpayments of salary
- Improving your collection processes
- Using the most appropriate recovery method having regard to the individual circumstances of the debtor and any particular sensitivities, ensuring that your reputation is protected at all times

Our experience includes advising:

- NHS Blood and Transplant on the recovery of the overpayments of salary
- NHS Resolution on the enforcement of a charging order and the set-aside of a declaration of trust
- Shropshire Council on the recovery of unpaid rents in respect of the Charles Darwin and Pride Hill Shopping Centres
- Salisbury NHS Trust on the enforcement of an Employment Tribunal award and the particular risks in taking the matter further
- Debt collection teams across a range of sectors on improvements to their collection processes

Key contacts



Josh Harris
Chartered Legal Executive

M: +44(0)117 918 2342
jharris@dacbeachcroft.com



Larissa Bayliss
Chartered Legal Executive

M: +44 (0)7824 306675
lbayliss@dacbeachcroft.com

PLANNING AND ENVIRONMENT

We can advise you on

- Contaminated land
- Environmental impact assessment
- Habitats Regulations and wildlife protection
- Environmental permitting and compliance
- Environmental prosecutions, enforcement and appeals
- Flood risk management
- Waste management & recycling
- Producer responsibility regimes
- Hazardous substances and COMAH regulation
- Advisory and transactional support including due diligence

Our experience includes advising:

- NHS Trusts on clinical waste management and compliance
- Surrey County Council on liability for a large raised reservoir
- Somerset County Council following the floods of 2014

Key contacts



Anne Harrison
Legal Director

M: +44 (0)755 7075829
aharrison@dacbeachcroft.com



Andrew Morgan
Partner

M: +44 (0) 20 7894 6193
amorgan@dacbeachcroft.com

LICENSING

We can advise you on

- Licensing for sales of alcohol or regulated entertainment
- Licences and permits for gambling
- Licensing and due diligence
- Marriage and Civil Partnership licences
- Live Music Act, PRS and PPL licences

Our experience includes advising:

- A Premier League Football Club on all its licensing requirements
- On a premises licence for a major housing group following a contested hearing
- Luxury hotels on licensing requirements for opening etc.
- A major shopping centre Landlord on licensable activities undertaken by tenants across its properties

Key contacts



Christopher Dyke
Partner

M: +44 (0) 117 918 2109
cdyke@dacbeachcroft.com

PENSIONS

We can advise you on

- Pension sector scheme governance and management
- Member matters and Pensions litigation
- Regulatory and compliance matters

Our experience includes advising:

- A Government body in relation to the restructuring of an employer and settlement of its pension liabilities
- De-risking considerations in relation to defined benefit pension schemes
- Many public sector organisations on all aspects of pension law and practice including scheme governance and regulatory changes, member matters, governing documentation and member communications

Key contacts



Jane Marshall
Partner

M: +44 (0) 161 934 3092
jmarshall@dacbeachcroft.com



Rebecca Smith
Partner

M: +44 (0)7825 722799
rcsmith@dacbeachcroft.com

LITIGATION / DISPUTE RESOLUTION

We can advise you on

- Commercial disputes and civil litigations arising from contractual obligations, IP rights, and other legal issues. We advise in high court litigation as well as arbitration, mediation, adjudication, expert determination and commercial negotiations towards resolution
- Disputes relating to outsourcing, PFI/PPP, procurement and supply chain contracts, professional services, media issues, IT contracts

Our experience includes advising:

- The Government Legal Department in the successful defence of the Good Law Project's JR claims against the Secretary of State for Health and Social Care arising from PPE procurement during the Covid Pandemic. We conducted the duty of candour and evidence preparation
- A central Government department on the safe termination of complex, long-term PFI agreements relating to core public services
- Successfully defending a consortium of NHS Foundation Trusts in a claim for £70m+ by an outsourced FM provider
- Securing an emergency interim anti-harassment injunction against a trade union on behalf of an NHS client

Key contacts



Lucy Grivell
Legal Director

M: +44(0)7725 683 478
lgrivell@dacbeachcroft.com

INTELLECTUAL PROPERTY

We can advise you on

- Contentious and non-contentious support and advice relating to patents, copyright (including Crown copyright), trade marks, trade secrets and rights in confidential information, database rights, design rights, and other forms of intellectual property
- OGL and related licensing and international MOUs
- Assignment of rights and commercialisation and exploitation of intellectual property

Our experience includes advising:

- NHS England on Intellectual Property Policy and incentives for staff
- DHSC on trade mark portfolio management and enforcement work regarding the NHS brand
- BEIS on international licensing arrangements with foreign state entities
- Cabinet Office on international MOUs licensing IP
- DHSC on commercial brand licensing

Key contacts



Andrew Allan-Jones
Partner

M: +44(0)7876 002 216
aallan-jones@dacbeachcroft.com



Kate Loxton
Senior Associate

M: +44 (0)7876 002217
kloxton@dacbeachcroft.com

EMPLOYMENT

We can advise you on

- Non-contentious employment matters relating to TUPE, COSOP, redundancies, restructuring, outsourcing, changes in terms and conditions, and reorganisations
- Contentious employment law including discrimination /Equal Opportunities involving Litigation and / or dispute resolution

Our experience includes advising:

- The Government Equalities Office to help shape the Gender Pay Gap Regulations, ET, EAT, High Court and Court of Appeal employers on a number of high profile and sensitive internal situations involving allegations of discrimination and whistleblowing
- NHS England on a collaboration to provide regional service delivery, including advice on TUPE, the collective workforce issues and implications for pre and post-merger reorganisation

Key contacts



Udara Ranasinghe
Partner

M: +44(0)7738 695 570
uranasinghe@dacbeachcroft.com



Sarah George
Partner

M: +44(0) 07872 544 051
sgeorge@dacbeachcroft.com

HEALTHCARE

We can advise you on

- The structure and implementation of new models
- All aspects of governance, commissioning, inquiries, inquests, and regulatory proceedings, and on all conceivable commercial, employment and contentious matters within the healthcare sector
- Healthcare or mental health law
- Employment tribunals and strategic employment law advice
- Commercial and transactional advice for projects, M&A and all aspects of real estate

PRIMARY CARE

We can advise you on

- Operational matters relating to primary care contractors including contracting and performance issues, pension queries, CQC registrations, premises matters, employment and tax arrangements and corporate reorganisations
- Outsourcing of and the structure/restructure of care arrangements including in relation to “core” primary care services, prison health services, the establishment, purchase (and associated restrictions on the sale of Goodwill in primary medical services) of care arrangements
- Developing primary care strategy, indicating the flexibilities and limitations of primary care regulations and how to operationalise policies to achieve your objectives
- Disputes including NHS dispute resolution

Our experience includes advising:

- NHS England's New Business Models team across all disciplines but majoring on commercial and public law. This involves advising on a range of new contracting and delivery models (as set out in the Five Year Forward View and the Next Steps on the Five Year Forward View)
- An NHS Trust with the development of a Clinical Governance Framework following severe criticism from the Care Quality Commission regarding the lack of clarity and accountability within its Trust wide system for risk management and clinical governance and assurance, including a critical report being published
- An NHS organisation in relation to the strategic management of widespread whistleblowing complaints, with in excess of 50 whistleblowing complaints by more than 30 members of staff

Our experience includes advising:

- NHS England on the successful roll-out of the national Covid-19 vaccination programme including drafting the documentation underpinning delivery by GP practices and pharmacies
- NHS Resolution on adopting approaches for determining all type of primary care contractor appeals and disputes, drafting guidance notes for publication and defending judicial review claims
- On the structure, procurement and contracting for prison health services
- Arrangements for the provision of primary medical services by NHS Foundation Trusts (for example, where traditional practices have failed and an emergency provider is required) and how primary care services can be commissioned as part of a whole population arrangement

Key contacts



Hamza Drabu
Partner

M: +44(0)7860 592 042
hdrabu@dacbeachcroft.com



Charlotte Burnett
Partner

M: +44(0)7919 241 501
ckburnett@dacbeachcroft.com



Udara Ranasinghe
Partner

M: +44(0)7738 695 570
uranasinghe@dacbeachcroft.com



Gill Weatherill
Partner

M: +44(0)7595 122439
gweatherill@dacbeachcroft.com



Charlotte Burnett
Partner

M: +44(0)7919 241 501
ckburnett@dacbeachcroft.com



Hamza Drabu
Partner

M: +44(0)7860 592 042
hdrabu@dacbeachcroft.com



Sarah Foster
Legal Director

M: +44 (0)7718 114659
sfoster@dacbeachcroft.com



Chris Waite
Partner

M: +44(0)7725 221 154
cwaite@dacbeachcroft.com

MENTAL HEALTH LAW

We can advise you on

- The complex legal framework covering capacity, mental health and Deprivation of Liberty (DoL), including the significant changes ahead relating to the Liberty Protection Safeguards and MHA reform
- The regulatory framework for mental health services including scrutiny by the CQC, police, ICO and others. We work with NHS and independent sector boards navigating CQC inspection, regulation and enforcement including the challenges of demonstrating 'well led' and responding to the increasing use of criminal prosecution as a regulatory tool in mental health services
- Court of Protection (CoP) proceedings including complex treatment issues such as the withholding/ withdrawal of treatment and the use of restraint

Our experience includes advising:

- Cumbria, Northumberland, Tyne and Wear NHS Foundation Trust in relation to a homicide and high profile inquest
- Tees, Esk and Wear Valleys NHSFT and County Durham and Darlington NHSFT in respect of a pregnant patient who was detained under the MHA. She lacked capacity to make decisions regarding delivery of her baby and developed pre-eclampsia and became overtly psychotic, meaning the baby needed to be delivered pre-term
- An NHS Trust regarding the mental health care of a 15 year-old patient who required a social care placement which the Local Authority had failed to identify. She remained on an acute paediatric ward for 4 months, displaying increasingly challenging self-harming behaviours, leading to police officers deploying restraint and highly restrictive measures being used by acute Trust staff

Key contacts



Gill Weatherill
Partner

M: +44(0)7595 122439
gweatherill@dacbeachcroft.com



Sarah Woods
Partner

M: +44(0)7739 322 453
swoods@dacbeachcroft.com



Jemma Gillson
Partner

M: +44(0)7876 002 206
jgillson@dacbeachcroft.com

OUR OFFICES

We are delighted to offer full service legal expertise across England, Scotland, Wales and Northern Ireland.



DAC Beachcroft office





[dacbeachcroft.com](https://www.dacbeachcroft.com)

 **Follow us: @dacbeachcroft**

 **Connect with us: DAC Beachcroft LLP**

DAC Beachcroft publications are created on a general basis for information only and do not constitute legal or other professional advice. No liability is accepted to users or third parties for the use of the contents or any errors or inaccuracies therein. Professional advice should always be obtained before applying the information to particular circumstances. For further details please go to www.dacbeachcroft.com/en/gb/about/legal-notice. Please also read our DAC Beachcroft Group privacy policy at www.dacbeachcroft.com/en/gb/about/privacy-policy. By reading this publication you accept that you have read, understood and agree to the terms of this disclaimer. The copyright in this communication is retained by DAC Beachcroft. © DAC Beachcroft.