



Guide to Solicitors with Experience in GP Partnership Agreements

Practice Management

Introduction

Having an up to date partnership agreement in place is vitally important in avoiding costly and prolonged disputes which can cause great instability and uncertainty in a practice. However it's crucial that you get the right support and advice in developing an agreement which covers all likely issues and provides protection for all parties.

We have created this guide to help practices access legal advice in producing a new agreement, or reviewing or updating an existing agreement. We urge you to treat the information in the guide as a starting point when it comes to making your choice. The best solicitors will support you through future changes and keep you up to date with legal or regulatory changes. Contact a range of providers to discuss your requirements and how they can support you.

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The information in this guide is correct as at June 2018 but is subject to updating. Please check with each legal firm listed for confirmation of their pricing prior to entering into any agreements.

BMA Law

Legal Firm	Services/expertise	Costings
<p data-bbox="197 400 577 480">BMA Law</p>  <p data-bbox="163 555 405 584">www.bmalaw.co.uk</p> <p data-bbox="163 627 591 762">Contact: First Response Unit: 0300 123 2014 or info@bmalaw.co.uk for an initial discussion free of charge.</p> <p data-bbox="163 805 376 834">Offices in London</p>	<p data-bbox="640 368 1364 791">“BMA Law was established (and is ultimately owned) by the British Medical Association as an independent, not for profit law firm to provide expert legal services to the medical profession. We have considerable experience in GP partnerships and our relationship with the BMA places us in a unique position since we work closely with its internal departments and committees (including the General Practitioners Committee (GPC)), putting us at the forefront of the healthcare arena. We also offer preferential rates to BMA members and reinvest any surpluses generated from the provision of our services in the BMA for the ultimate benefit of its members.</p> <p data-bbox="640 834 1364 938">Aside from partnership drafting, we can also offer advice and mediation in GP partnership disputes, as well as a range of other services for GP practices.”</p>	<p data-bbox="1393 368 2098 539">Drafting a new partnership agreement: £1,000 plus VAT for preparing a draft agreement, then an hourly rate of £175 plus VAT for any further work needed to finalise the agreement. Overall fee is usually around £1,600 plus VAT.</p> <p data-bbox="1393 582 2098 791">Amending an existing partnership agreement: Making specific changes (e.g. updating following the retirement of a partner): hourly rate of £175 plus VAT. An estimate would be provided at the outset having seen the partnership agreement and details of the changes required.</p> <p data-bbox="1393 834 2098 938">General review and update – £750 plus VAT for an initial review of the existing agreement and then an hourly rate of £175 plus VAT for making any amendments.</p>

Capsticks

Legal Firm	Services/expertise	Costings
 <p>www.capsticks.com</p> <p>Partnership Agreements: Mike Clifford mike.clifford@capsticks.com 0121 230 1513 Francesca Hedges francesca.hedges@capsticks.com 020 8780 4675 Kevin Unwin kevin.unwin@capsticks.com 020 8780 4838</p> <p>Partnership Agreement Disputes: Daniel Kirk daniel.kirk@capsticks.com 0208 780 4747 Jo Bower joanna.bower@capsticks.com 020 8780 4805</p> <p>Offices in London, Birmingham, Leeds and Winchester</p>	<p>“Capsticks LLP is the leading healthcare law firm in the country. We have a dedicated team which acts for GPs and practice managers, and were very proud to be named Legal Team of the Year at the 2015 and 2016 General Practice Awards.</p> <p>Why is a partnership agreement important? A partnership agreement is essential in order to ensure that good governance arrangements exist between the partners. This means that the intentions of the parties, their business relationships, liabilities, decision making, exit strategies and more should be agreed on and properly and comprehensively documented. In the absence of any written agreement, the partnership will be governed as a “partnership at will” under the Partnership Act 1890, which is an inherently unstable business relationship and is unlikely to reflect the intended operation of the partnership.</p> <p>When should you review and update your partnership agreement?</p> <ul style="list-style-type: none"> • Changes in law • CQC registration • New partners • Property changes” 	<p>Fixed fee for first draft of partnership agreement - £1,750 plus VAT.</p> <p>Fixed fee for first draft re-run of deed with updated partners and profit/loss/capital schedules - £500 plus VAT.</p> <p>Fixed fee for separate deed of adherence for new partner to update profit/loss schedules - £750 plus VAT. This excludes work relating to property buy-ins.</p>

DR Solicitors

Legal Firm	Services/expertise	Costings
 <p>www.dr solicitors.com</p> <p>Contacts: Daphne Robertson, d.robertson@drsolicitors.com 01483 511555</p> <p>Joanne King j.king@drsolicitors.com 01483 511555</p> <p>Offices in Guildford</p>	<p>“Respected and long established (15 years), DR Solicitors is the leading specialist law firm advising primary care providers across the full spectrum of legal needs. As the most experienced team in the sector, our work and knowledge are assured to the highest standard and is regulated by the Solicitors Regulation Authority. Founder and senior partner, Daphne Robertson, is recognised as one of the country’s two leading experts on all aspects of NHS partnership and regulatory law and oversees all our clients’ matters including partnership deeds; premises transactions; mergers; disputes and more.</p> <p>We work flexibly to fit around our clients’ schedules and surgery hours, so can resolve issues swiftly and efficiently. We don’t just cut and paste templates or previous versions, but diligently review each situation freshly to ensure total integrity at all times. Our clients recognise the advantages of working with a firm of real professional legal experts who totally understand the complexity, challenges, and risks that they face in developing their practices.”</p>	<p>Free 15 minute initial consultation</p> <p>Free legal health-check of your current partnership arrangement</p> <p>Partnership Agreement: £1800 + VAT (fixed fee)</p> <p>Partnership Agreement updates: from £350 + VAT</p> <p>Indicative rates for non-fixed price work: hourly rates are £145 to £295 + VAT. A cost estimate will be agreed at the outset.</p>

Harrison Drury

Legal Firm	Services/expertise	Costings
<div data-bbox="170 328 568 560" data-label="Image"> </div> <p data-bbox="165 603 470 632">www.harrison-drury.com</p> <p data-bbox="165 687 577 868"> Contact: David Filmer Head of Corporate David.Filmer@harrison-drury.com 01772 258321 </p> <p data-bbox="165 914 622 975"> Offices in Kendal, Lancaster, Garstang, Clitheroe and Preston </p>	<p data-bbox="674 296 1440 504"> “We have acted for several GP practices in relation to a variety of matters, including preparing partnership agreements (both where there is no existing agreement, and also where there is a new partner entering into the partnership), sales and mergers of partnership practices and retirements/dissolutions of practices. </p> <p data-bbox="674 549 1440 756"> The agreement would focus on the specific requirements of the practice, and in particular would deal with profit shares, governance and control, holiday and other benefit entitlements, locum support, sessions per week, the NHS contract, as well as usual matters which any partnership agreement would pick up. </p> <p data-bbox="674 801 1440 900"> We offer a full range of commercial services which would be of use to practices, including employment, regulatory, and property (purchases, sales, leases and SIPPs).” </p>	<p data-bbox="1467 296 2085 432"> Starting fee for preparing a basic 2 partner partnership agreement would be £950 + VAT and disbursements (fee is dependent on the number of partners and a number of other factors). </p> <p data-bbox="1467 477 2051 505"> Currently director rates are £210 + VAT per hour. </p>

Hempsons

Legal Firm	Services/expertise	Costings
 <p>www.hempsons.co.uk</p> <p>Contact: Ross Clark Partner r.clark@hempsons.co.uk 01423 724012 0777 5925078</p> <p>Offices in London, Harrogate, Manchester, Newcastle</p>	<p>“Hempsons are the largest specialist health and social care legal practice in the UK. We have acted for thousands of GPs in relation to their primary care needs. With the pressures facing GP Partnerships we have also seen a dramatic increase in the number of Partnership disputes we are handling. These are highly sensitive and emotive and demand an unparalleled knowledge of Partnership law and the web of complex regulation surrounding the primary care practice, so that we can advise on and deal with issues such as notional rent / rent reimbursement, NHS Pensions eligibility and access, retaining dispensing rights and variation of GMS Contracts / PMS Agreements.</p> <p>This extensive experience is brought to a focus and applied when we review or draft Partnership Agreements, the fundamental basis of every Partnership. This enables us to provide options and solutions for common issues, such as avoiding the “last man standing” concern, incorporating “green socks” expulsion clauses or avoiding common causes of dispute such as premises valuation provisions.</p> <p>We offer a complete package of services for GP Practices.”</p>	<p>Further information about fixed price services available from Hempsons can be obtained from the LMC Secretariat on request.</p>

LMC Law

Legal Firm	Services/expertise	Costings
 <p>www.lmclaw.co.uk</p> <p>Contact: Shanee Baker shannebaker@lmclaw.co.uk 07788 313582</p> <p>Offices in Middlesex</p>	<p>“LMC Law has extensive experience in this field and Shanee Baker has 15 years’ experience in general practice law.</p> <p>LMC Law works solely with GPs, LMCs and Federations. We do not work with any other member of the public so we are expert in our core work. We set up general partnerships and super partnerships and the largest super partnership we have set up is in Enfield London consisting of 12 practices.</p> <p>LMC Law is a legal consultancy, Shanee Baker is not a solicitor but qualified at the Bar of England and Wales.”</p>	<p>Full partnership agreement at a fixed cost of £1850 plus VAT which entitles the client to unlimited legal advice until completion, 3 months grace after the agreement has been completed for any changes and ongoing additions and removal of names of partners thereafter at no cost.</p> <p>Any addendums or updates to existing partnership agreements are fixed at £980 plus VAT.</p> <p>Super partnership agreements are costed depending on how many practices are joining.</p>

RadcliffesLeBrasseur

Legal Firm	Services/expertise	Costings
<div data-bbox="170 328 631 523" style="border: 1px solid black; padding: 10px; text-align: center;">  </div> <p data-bbox="170 568 383 595">www.rlb-law.com</p> <p data-bbox="170 639 479 775">Peter Coats Partner and Head of M&A peter.coats@rlb-law.com 020 7227 7441</p> <p data-bbox="170 820 595 847">Offices in Cardiff, Leeds and London</p>	<p data-bbox="674 296 1480 576">“RadcliffesLeBrasseur is one of the leading healthcare law firms in the country, advising GPs and other healthcare professionals on the full range of legal issues affecting them. We act for more than 100 GP practices, including two of the top 10 practices in the country, and Peter Coats has personally drafted or reviewed more than 60 partnership agreements. We also advise on partnership disputes, employment matters, property law, regulatory issues and other relevant areas.</p> <p data-bbox="674 624 1469 791">Preparing a new partnership agreement involves sending a questionnaire, talking it through with the practice – usually via the practice manager – preparing the first draft (which is based on the answers to the questionnaire, and is therefore in close to final form) and then discussing any issues arising from that.</p> <p data-bbox="674 839 1458 975">If the agreement is relatively new it can be updated, however if it is several years out of date, we recommend preparing a new agreement from scratch, as it can be cost-inefficient spending a large amount of time on updating an older agreement.”</p>	<p data-bbox="1505 296 2085 360">Preparing a new partnership agreement: £1,500 plus VAT.</p> <p data-bbox="1505 400 2040 504">Updating an existing agreement: can be significantly less, but only if the agreement is relatively new.</p> <p data-bbox="1505 544 2107 608">Hourly rates: partner rate is £275 plus VAT and the lowest fee earner rate is £120 per hour.</p>

Legal Firm	Services/expertise	Costings
<div data-bbox="168 327 517 678" data-label="Image"> </div> <p data-bbox="168 722 562 794"> www.sjplaw.co.uk/business-and-commercial/gp-practices </p> <p data-bbox="168 847 465 1038"> Contact: Alistair Latham ail@sjplaw.co.uk Direct dial 01482 316728 Reception 01482 324591 </p> <p data-bbox="168 1091 333 1118">Offices in Hull</p>	<p data-bbox="696 296 1458 504"> “We spend our time getting to know each practice; at the beginning of a new relationship, we like to visit the practice and meet the partners and practice manager wherever possible. This allows us to gain a good understanding of the culture and needs of each practice, so we can tailor our advice to that practice. </p> <p data-bbox="696 547 1447 719"> We offer a range of tailored legal services designed to help any practice manage its practice as a business, freeing up the partner and practice manager time and resources, so that they can keep their focus firmly on caring for their patients and the business. </p> <p data-bbox="696 762 1447 1007"> We understand that running a GP practice comes with its own unique challenges, from patient care and day to day management, to the host of industry-specific legal, commercial and employment issues that come with it. So we will act as the practice’s legal partner, helping them to make the right decisions, and protecting them from unnecessary disruption, conflict and risk. </p> <p data-bbox="696 1050 1458 1257"> With decades of combined experience working with GP practices across the region and beyond, any practice can work with our firm in the confidence that we have the knowledge and experience required to effectively support the practice. Our client’s appreciate the practical common sense work we do and they return time after time.” </p>	<p data-bbox="1487 296 1682 323">Indicative rates:</p> <ul data-bbox="1487 331 2107 687" style="list-style-type: none"> • Review of any existing partnership agreement and report on updates or amendments required - £350 plus VAT. • Amending and updating existing partnership agreements, from £350 to £2,500 plus VAT depending upon requirements. • Drafting partnership agreement from scratch (meeting with partners and understanding their requirements): the fee is £1,500 - £2,500 plus VAT depending upon the complexity and issues.

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<div data-bbox="168 292 577 507" style="border: 1px solid black; padding: 10px; text-align: center;">  </div> <p data-bbox="168 550 631 577">www.vwv.co.uk/law-sector/healthcare</p> <p data-bbox="168 624 703 756">Ben Willis, Partner - Property Ownership and Development bwillis@vwv.co.uk 0117 314 5394</p> <p data-bbox="168 802 562 935">Oliver Pool, Partner - Partnership Arrangements opool@vwv.co.uk 0117 314 5429</p> <p data-bbox="168 981 418 1082">Paul Werrell, Partner pwerrell@vwv.co.uk 020 7665 0972</p> <p data-bbox="168 1128 412 1228">Sofia Fadra, Solicitor sfadra@vwv.co.uk 020 7665 0875</p> <p data-bbox="168 1275 631 1334">Offices in London, Watford, Bristol and Birmingham</p>	<p data-bbox="730 260 1088 285">“Ideal Solutions at Fixed Cost</p> <p data-bbox="730 296 1447 397">We can provide an ideal solution for you, at a fixed cost and the level of service you require from us can be adjusted according to your budget.</p> <p data-bbox="730 440 1279 466">Why Do You Need a Partnership Agreement?</p> <p data-bbox="730 477 1435 719">Not having a partnership agreement carries serious risks. If there is any dispute between the partners, or if a partner is acting improperly, then there is no implied right to expel them. Indeed, one partner can dissolve the partnership on notice, which could lead to your GMS contract being retendered, your bank loan being called in, and your staff being entitled to redundancy payments.</p> <p data-bbox="730 762 1469 826">Your partnership agreement also regulates your ownership of the surgery, and helps give certainty for succession planning.</p> <p data-bbox="730 869 1435 970">We recommend partnership agreements are brought up to date every three to four years or any major change at the practice.</p> <p data-bbox="730 1013 1099 1038">Recent changes have involved:</p> <ul data-bbox="730 1050 1469 1337" style="list-style-type: none"> • the introduction of entrepreneurs relief • the introduction of revalidation, setting out how costs are allocated if someone fails • changes to provisions on retirement and sickness • incorporating the new duties and pressures on practices arising out of GP Commissioning • taking account of regulation by the CQC and the need for an indemnity for the registered manager” 	<p data-bbox="1503 260 2085 323">Discounted Fees for Practices in the Humberside LMCs Area</p> <p data-bbox="1503 367 2107 499">Recommended Deed Only - £900 + VAT We will send you our recommended draft deed, which we have built up over 25 years of advising in the primary care sector.</p> <p data-bbox="1503 542 2107 643">Basic Tailored Service - £1350 + VAT We will send you a detailed questionnaire, which will enable us to prepare a first draft deed for you.</p> <p data-bbox="1503 686 2085 898">Full Tailored Service - a Total of £2050 + VAT In addition to the basic service, we will receive your comments and further instructions on the draft deed provided, and will revise it as many times as necessary to bring it to a final form that you are ready to sign.</p> <p data-bbox="1503 941 2119 1185">Changes to Partnership - £250 + VAT It may be necessary to produce documents or notices to deal with the retirement of partners the addition of new partners (to avoid a partnership at will arising), and 24 hour retirement. We will provide such documents without further charge for four years.</p>



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