



Hempsons

Our team of specialist primary care lawyers works with thousands of GPs and around 350 practices nationwide. We can help you maximise the new opportunities available to general practitioners in the changing healthcare system, as well as offering practical solutions to assist in resolving the day-to-day problems that arise in a busy practice.

For expert help with premises related matters email Bryn Morgan, b.morgan@hempsons.co.uk, and for other areas or just for more information about our services, email Justin Cumberlege j.cumberlege@hempsons.co.uk, or call us on 020 7839 0278.

Primary care networks and integrated care

Our team has between them assisted with the formation of over 100 provider organisations, alliances, primary care networks (PCN) and other joint ventures. We have extensive experience of working with GP practices and primary care networks to assist in the development of organisational models, internal governance arrangements, employment arrangements, the role of clinical director and arrangements with other providers. We also advise on the different options for joint working and associated issues such as data sharing, IT and intellectual property issues, NHS pensions employing authority status, NHS contracting, tendering for contracts, regulatory compliance (including CQC requirements), competition issues, sharing and secondment of staff and premises arrangements.

Property ownership, leases, transfers and developments

We assist with the acquisition and disposal of freehold and leasehold property, surgery construction, development and refurbishment (including arrangements with third party developers), sales and leasebacks and transfers of property interests between partners. We also advise on NHS premises costs reimbursement and prepare declarations of trust to document the arrangements governing jointly owned premises where these arrangements are not dealt with in the practice's partnership agreement. We can also prepare surgery leases and advise on the terms of leases held by or being entered into by a practice.

Partnership agreements

A partnership agreement is essential for ensuring the stability and effective governance of a partnership practice. A well drafted agreement can help to reduce the risk of disputes arising in the first place and be a tool to help resolve disputes. Based on our knowledge of the sector and our experience of working with hundreds of practices, we can prepare for you a partnership agreement which is tailored to the specific requirements and challenges of general practice.

Practice mergers, acquisitions and incorporations

We can guide you through each step of the practice merger process, including providing advice on the different structural models for practices (including limited companies and super partnerships), due diligence, preservation of NHS contracts, dealing with CQC requirements, negotiation of merger terms, transfer of assets and dealing with associated employment and property issues.

Employment

We advise on the full range of employment issues, including employment contracts and the application and implications of the Transfer of Undertakings (Protection of Employment) Regulations on the incorporation, acquisition or merger of practices and formation of joint ventures. We can also advise on secondment arrangements and disciplinary and dismissal procedures, including redundancy.

GMC investigations

As specialists in the field, our regulatory and crime team has years of experience of defending doctors facing fitness to practise investigations by the GMC. Whether you have been asked to submit a written response to a complaint or have been summoned to a hearing before the Medical Practitioners Tribunal Service (MPTS), our team of GMC defence lawyers for doctors has the expertise to help you through what can be a daunting process.

Disputes

Unfortunately, disputes can and do sometimes arise between partners and the effects can be devastating for a practice and the individuals concerned. Our team is experienced in handling complex and sensitive disputes, the aim always being to reach a satisfactory resolution without recourse to formal proceedings. Where this is not possible, our team of specialist litigators can assist with arbitration and court processes. We also advise on disputes between practitioners or practices and third parties, such as landlords or subcontractors.

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