

Working with the NHS Terms and Conditions

North of England Commercial Procurement Collaborative

March 2015



sector expertise
commercial strength
connected

agenda

1. Welcome and overview of the day (1100 - 1105)
2. Structure of the new NHS Terms and Conditions (1105 -1135)
3. Core Commercial Principles underpinning the NHS Terms and Conditions (1135-1230)

Lunch 1230-1300

4. Key changes made as part of the August 2014 update (1300-1330)
5. Overview of how to use the documents (1330-1400)

Coffee (1400-1415)

6. Exercise 1 (1415-1445) – Using the NHS Terms and Conditions for the provision of Services (Contract Version)
7. Feedback session for Exercise 1 (1445-1505)
8. Exercise 2 (1505-1530) – Using the NHS Terms and Conditions for the Supply of Goods (Purchase Order Version)
9. Feedback session for Exercise 2 (1530-1545)
10. Concluding thoughts and questions (1545-1600)

16.00 Close

your trainer today



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Sean was previously at the Office of Government Commerce and specialises in major technology, medical equipment and services contracts within the health sector. Sean has spent over 10 years advising on major projects and, whilst at the OGC, Sean was the senior lawyer responsible for the development of OGC's standard contracts and guidance for major technology projects which became an industry standard for technology services contracts with a value in excess of £50 m. More recently, Sean has been working with the Department of Health to develop their standard contracts for goods and services that will be used by NHS bodies to purchase goods and services with a cumulative value of around £20 bn per annum. Sean has significant experience of working with in-house procurement teams and is regularly praised for his pragmatic approach.

a leader in commercial health

Mills & Reeve is a leader in health, and has been at the cutting edge of commercial practice in the sector for many years.

We understand the changing NHS environment and the financial constraints the sector faces. Our team is focussed on structuring your commercial relationships to deliver what you need – whether this is a service transformation, a large scale outsourcing or a business-critical procurement – within the constraints you face.

Our team acts for a wide range of NHS and independent sector clients. This breadth of understanding means that we can represent you effectively whoever you are doing business with – delivering innovative solutions and sound commercial relationships. [So how can we help you?](#)

Some recent examples of our work

Setting the standard documentation

The team at Mills & Reeve have drafted all current NHS standard contracts, and review hundreds of commissioning contracts annually. These include the standard NHS Terms and Conditions for good and services as the Standard NHS Contract. We are currently advising the DH on other such projects.

Our open, collaborative approach has led to some great innovations and helped foster strong and sustainable commercial relationships between suppliers and the NHS.

Smart working tools

Our commercial team developed and now run a highly successful procurement templates portal for NHS buying teams, aimed at rationalising their legal spend, cutting their commercial risk and supporting high quality procurement within the NHS. Over 30 NHS organisations subscribe to this service.

Innovative commercial contracts

We advise on all aspects of commercial contracting, including market-leading outcomes-based contracting currently being rolled out in the East of England.

Outsourcing

We recently worked with an NHS hospital, infrastructure provider and software company to deliver a £200m eHospital project.

Procurement

Procurement is a major specialism. We advise both buyers and suppliers on everything from bidding strategy to resolving issues. We recently helped agree a clinical service provider collaboration between NHS and non-profit organisations bidding for contracts in excess of £700 million.

Managed services

Advising both suppliers and contracting authorities on managed services contracts, for example the appointment of managed business partner for a £600m IT outsourcing for a Midlands hospital trust.

Facilities management

We have advised on a number of major NHS FM and Hotel Services contracts.

Capital projects

We advise on project funding, construction and the various contracts that exist around major projects in the sector. A recent example would be delivering an ambitious biofuel energy project for a large NHS trust, delivering major savings for the client.

Pensions and TUPE

Advising on (inter alia) the pensions and TUPE aspects of Virgin Care's £multi-hundred-million contracts for NHS services in Surrey and Devon. These contracts involved the thousands of staff and a range of different historical arrangements.

Joint ventures

Creating a profit-sharing joint venture between a major European pathology provider and a well-known Foundation Trust.

This was a great result for both parties, as the resulting JV and profit share arrangements were considered much more politically palatable than a wholesale outsourcing.

MILLS & REEVE

about our firm

2013-14

Turnover

£80 million

Charitable donations

£80,000

Best place to work

We have been named a record eleven years running as one of the 100 Best Companies to Work For in *The Sunday Times* annual survey

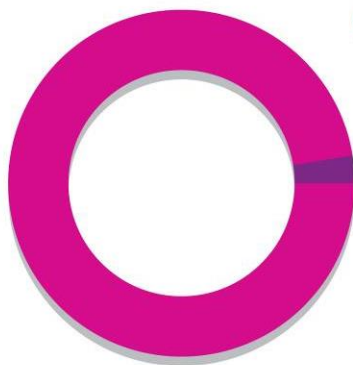


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Staff satisfaction



96% of our staff would recommend Mills & Reeve as a good place to work

Clients include

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SOUTHWOLD

AVEVA

AVIVA

Lend Lease

**WE ARE
MACMILLAN.**
CANCER SUPPORT

PPF
Professional
Players Federation

**UNIVERSITY OF
CAMBRIDGE**

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Office locations and international reach

- 1 Birmingham
- 2 Cambridge
- 3 Leeds
- 4 London
- 5 Manchester
- 6 Norwich



In 2013 our lawyers engaged with more than 75 jurisdictions across the globe working with our trusted international network of independent law firms

Staff make up across the firm

