



# Your partnership agreement

Is your partnership agreement up to date? Does it take account of the 2008 budget to ensure you don't pay more tax on retirement than you need to? Does it cater for new issues facing your partnership, like GP Commissioning, CQC registration and revalidation?

We can provide an ideal solution for you at a fixed cost which will:

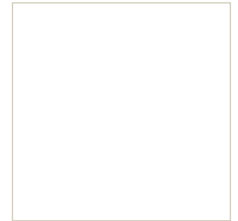
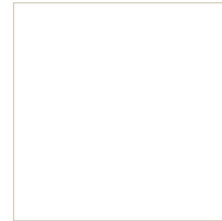
- avoid costly disputes in the future
- ensure continuity of partnership, avoiding the threat of dissolution
- ensure you comply with the requirement to have a partnership agreement under your PMS or GMS contract
- ensure compliance with the CQC's requirement that you have a partnership agreement.





## Why do you need a partnership agreement?

- 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 him or her. Indeed, one partner can dissolve the partnership on notice, which could potentially lead to your PMS/GMS contract being retendered, your bank loan being called in, and all of your staff being entitled to redundancy payments. It may well also mean that retiring partners pay capital gains tax at a higher rate than they need to.
- We recommend partnership agreements are brought up to date every three to four years because of the rapid pace of change that primary care is subject to.
- We can help you produce a partnership agreement that is right for you and reflects the culture of your practice. We are happy to work to fixed fees and the level of service you require from us can be adjusted according to your budget.
- We also offer to “future proof” your agreement by sending you periodic updates when the law or regulations change.
- Recent changes have involved:
  - the addition of a clause to avoid Property Owners having to pay more capital gains tax than necessary as a result of the 2008 budget;
  - provisions to take account of the introduction of revalidation and regulation by the CQC;
  - changes to provisions on retirement and sickness to reduce the risk of discrimination claims, and
  - incorporating the new duties and pressures on practices arising out of GP Commissioning.





## Other services our Healthcare team offers

Our Healthcare team gives specialist legal advice to the primary healthcare sector on a range of legal issues including:

- surgery ownership and developments
- partnership disputes
- commercial arrangements
- employment advice
- advice on joint working arrangements
- partners buying into surgery premises
- regulation by the CQC
- procurement advice to clinical commissioning groups
- immigration
- health and safety
- wills and probate and advice on personal affairs.



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Oliver Pool is an Associate in the Commercial Healthcare team. He takes a particular interest in partnership arrangements. Oliver has been advising on Primary Care since 2005 and is a committee member of the Healthcare Group of ICAEW. Legal 500 described him as *'a pleasure to work with'*.



## Our prices and services

### **Recommended deed only - fixed fee on application**

This is our most basic service. We will send you our recommended draft deed, which we have built up over 25 years of advising in the primary care sector.

### **Basic tailored service - fixed fee on application**

We will send you a detailed questionnaire, which will enable us to prepare a first draft deed that should be substantially in its final form.

### **Full tailored service - fixed fee on application**

In addition to the basic service, we will receive your comments and further instructions on the draft deed provided and we will revise it as many times as necessary to bring it to a final form which you are ready to sign.

### **Meeting - fixed fee on application**

We would be happy to meet with the partners at the practice to help you with any of the above elements of preparing your deed. Travel time will not be charged (although travel disbursements will be).

### **“Future Proofing” service - £350 + VAT**

We will send you for a period of three years, without further charge, any updates to our recommended agreements which we deem to be necessary due to changes in the primary care environment.

### **Changes to partnership - £200 + VAT**

It will 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.

For more information, please contact Oliver Pool on 0117 314 5429 or at [opool@vwv.co.uk](mailto:opool@vwv.co.uk)

### **Team Contacts**

Ben Willis - Partner - Property ownership and development

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Oliver Pool - Associate - Partnership arrangements

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### **What our clients say about us**

*‘The firm has an excellent reputation of being the local experts on all things general practice including partnership agreements and the mine field that is GP development. They run seminars to support GPs locally and in general are the firm most GPs within Bristol and the surrounding area will have heard of’*

Neil Kerfoot, Kingswood Health Centre

*‘You have been so easy to deal with throughout everything, very communicative, efficient and easy to reach. I would have no hesitation in recommending you to a friend/colleague’.*

Local Practice Manager