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User Guide | Ref No: 001164

Legal Services - WPS

Framework Agreement



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About YPO

YPO provides procurement solutions for public sector organisations to set up or renew contracts for a widerange of services.

Established in 1974 by a group of 13 local authorities, we're one of the UK's largest public sector buying organisation and we're still 100% publicly owned today. We work closely with our suppliers and collaborate with other public sector buying organisations to achieve efficiencies and value for money, returning all our profits back into the heart of the public sector.

Our team of qualified procurement professionals can offer advice, guidance and expertise on procurement, as well as regular engagement and communication to make sure your objectives are achieved.

Overview

Start date

8 October 2024

Expiry date

7 October 2028

Extension(s) (if applicable)

N/A

Contracting authority (CA) call-off period

CA's can specify a contract period, based on the term that will best suit their requirements. YPO generally recommend a call-off period of no longer than 4 years.

Contract notice reference number

TBC

Rebate

Paid by supplier based on spend through the solution:

Total spend per supplier	Rebate
£0 - £10m	1.3%
£10 - £30m	1.2%
£30 - £50m	1.1%
£50m +	1%

Geographical location(s)

England & Wales (some Firms may have additional jurisdiction in other areas, see later slides)

Overview

In this saturated market, YPO wants to offer its members and the wider public sector a new and compliant, cost-effective route to market for professional legal support.

YPO will work collaboratively with its customers and suppliers to develop and improve this solution throughout its lifetime. With spend on legal services being considerable and the current budget constraints faced by our Public Sector customers, we aim to deliver cost savings and the best available market discount rate on external legal advice whilst maintaining quality at the forefront of our supply base. The unique training offering that this solution provides supports YPO in becoming pioneers on the new Procurement Act 2023 by helping both customers and suppliers prepare and innovate the way the public sector procures.

This Framework is for the provision of legal advice and services in the law of England and Wales. The Framework also covers other jurisdictions for the specialisms in each lot. Coverage of other jurisdictions is not a mandatory requirement for suppliers, however, should advice regarding other territories be required by the Contracting Authority, this may be provided by suppliers who have qualified and practising lawyers and are appropriately authorised to act in such jurisdictions.

*YPO will work **collaboratively with its customers and suppliers** to develop and improve this solution throughout its lifetime*

Lot	Description
1	Childcare Law
2	Adult Social Services and Community Care Law
3	General Litigation
4	General Conveyancing / Routine Property
5	General Contracts, Commercial and IT
6	Planning, Compulsory Purchase, Highways and Environmental
7	Major or Complex Projects
8	Local Government Law and Corporate Governance
9	Employment Law and Pensions
10	Public Health
11	Commissioning / Procurement Training - for WPS
12	Legal Training - for WPS
13	Commissioning / Procurement Training - for YPO Suppliers



Lot 1 - Childcare Law

Description

Including but not limited to:

- All aspects of childcare matters arising from but not limited to the:
 - Children Act 1989
 - Adoption and Children Act 2002
 - Children Act 2004
 - Children and Adoption Act 2006
 - Care Act 2014
 - Children and Social Work Act 2017
- Deprivation of Liberty Claims
- Fostering
- Judicial Review
- Public Interest Immunity

Lot 2 - Adult Social Services and Community Care Law

Description

Including but not limited to:

- Adult Social Care Finance
- All aspects of Court of Protection proceedings including but not limited to:
 - Appointment of Deputies
 - Medical Treatment Decisions
 - Registration of Powers of Attorney
 - Safeguarding Responsibilities of Local Authorities
- Care Act 2014
- Deprivation of Liberty
- Judicial Review
- Mental Capacity Act 2005
- Mental Health Law including but not limited to:
 - Admission of Expert Testimony or Other Psychiatric Evidence in Court
 - Criminal Law
 - Education Law
 - Employment Law
 - Housing Law
 - Insurance Law
 - Involuntary Commitment and Guardianship Law
 - Right to Treatment
- Medical Treatment including but not limited to:
 - End of Life Care and Funding
 - Informed Consent and Medical Malpractice
- Public Interest Immunity
- Social Services Law

Lot 3 - General Litigation

Description

Full range of Civil Litigious Work including but not limited to:

- Alternative Dispute Resolution such as Arbitration and Mediation
- Advocacy at all stages of each type of litigation including but not limited to;
- Local Authority Prosecutions (such as car parking fines, education welfare, planning enforcement, highways, environmental and food standards).
- Judicial Reviews of Council functions (not suitable for any other lots).
- Work for West Yorkshire Trading Standards.
- Local Authority Licensing
- Debt Recovery and Local Taxation; Council Tax / NNDR recovery, fraud
- Negligence
- Housing:
 - Social Housing
 - Housing Nuisance
 - Trespass
 - Possession Claims and Advice
 - ASBO's
 - Injunctions
 - Homelessness
- Personal Injury Litigation for Customers (cases not dealt with directly by the insurers)
- Appeals to the Magistrates Court and/or Crown Court against Decisions of the Authority (e.g. Building Act 1984, Environmental Protection Act 1990 and Public Health Act 1936)
- Preparation of Witness Statements
- Preparation of Evidence
- Other Civil Litigation and ADR not suitable for any of the other Lots

Lot 4 - General Conveyancing/ Routine Property

Description

Including but not limited to:

- Acquisitions and Disposals
 - Freehold
 - Leasehold
- Agricultural Tenancies
- Landlord and Tenant
 - Residential
 - Commercial
 - Social Housing
- Leases and Licences (including telecoms)
- Property Litigation
 - Residential
 - Commercial
- Right to Buy under the Housing Act 1985

Lot 5 - General Contracts, Commercial and IT

Description

Including but not limited to:

- Charity Law and Social Enterprises
- Commercial Contract Claims against and by the Council
- Competition Law
- Construction Law
- Consumer Law
- Corporate Company Law and Insolvency Law
- Domestic and EU Public Procurement, Tendering for Goods, Works and Services
- E-commerce
- Full procurement support including the drafting of specifications, contracts and associated advice and documentation
- Local Authority Companies
- Insolvency Law
- Intellectual Property Rights
- IT Contracts
- Subsidy Control and Competition Law
- Taxation and VAT
- Any Associated Litigation/ADR as instructed (excepting such work arising from PFI/PPP work, for which see Lot 7 below)

Lot 6 - Planning, Compulsory Purchase and Highways and Environment

Description

Including but not limited to:

- Advice under the Building Act 1984
- Community Infrastructure Levy
- Compulsory Purchase
- Energy, including Natural Resources and Climate Change
- Enforcement Notices
- Environmental Impact Assessment Development
- General Highway Law
- General Planning Law including Advice on and Drafting of S106 Planning Obligations
- Listed Buildings and Conservation Areas
- Local Development Framework
- Orders and Agreements
- Preparation of Proofs, Advice and Advocacy on behalf of the Council at Public Inquiries
- Public Rights of Way
- Statements of Reasons under Highways and Housing CPOs.
- Village Greens and Common Land
- Waste, Recycling and Minerals

Lot 7 - Major or Complex Projects

Description

Including but not limited to:

- Advice on all stages of these major transactions (including those elements listed in Lot 5)
 - Closed PFI's.
 - Major Commercial Property-based Projects including Social Housing
 - Major Outsourcing / Insourcing of Services
 - Partnerships / Joint Ventures.
 - PPP/PFI and Major Regeneration Projects
 - Renewable, District and other major Energy Schemes
 - Associated UK/EU Public Procurement
- Assisting Negotiating Heads of Terms
- Structure and Financing
- Drafting of Documents
- Post Completion Issues that may arise
- Any Associated Litigation/ADR as instructed

Lot 8 - Local Government Law and Corporate Governance

Description

Including but not limited to:

- Advice and representation on these areas of law:
 - Corporate Governance
 - Constitutional advice
 - Data Protection and Freedom of Information Law
 - Immigration Law
 - Licensing Law
 - Local Government Election Law and Election Court
 - Local Government Law and Procedure including Local authority Finance, Education and Housing (where not covered within other lots)
 - Member Codes of Conduct and Standards
 - Standards Investigations
- Attendance at Full Council and Cabinet and Committees where required
- Input into Cabinet/Committee Reports
- Any other services required to support the Council's Statutory Monitoring Officer's role

Lot 9 - Employment Law and Pensions

Description

Advice on all issues arising from the full range of Employment Law issues, including but not limited to:

- Work for Schools, Representation at Employment Tribunals and Settlements
- Equal Pay
- Discrimination Law
- Equal Opportunities
- TUPE
- Recruitment and Redundancies
- Pensions, including the Local Government Pension Scheme
- Health & Safety
- Organisational Change / Management Restructuring and Redundancies
- Trade Union Law Disputes and Industrial Actions
- Whistleblowing matters
- Pay and Conditions Negotiations
- Complex Employment Contracts including Insourcing and Outsourcing
- Any associated Litigation/ADR as instructed

Lot 10 - Public Health

Description

Including but not limited to:

Legal work associated with the Council's Public Health functions under the Health & Social Care Act 2012 which is not suited to call-off under any of the other Lots.

Lot 11 - Commissioning/ Procurement Training for WPS

Description

Including but not limited to training on the following topics:

- Introduction to the Procurement Act
- What the new regulations are and what impact they may have for that Contracting Authority
- New flexible procurement; how this will work and what benefits this may have for a Contracting Authority
- Challenges under the new regime
- A guide to Notices
- The differences between Dynamic Marketplaces and Frameworks
- Effective and lawful evaluation and debriefing bidders
- Contract modifications

Lot 12 - Legal Training for WPS

Description

Including but not limited to training on the following topics:

- Legal training for non-legal professionals e.g. procurement, hiring managers
- Deep dive training for any topics from lots 1 – 10 (to which you are appointed) e.g. on IPR law, health and safety
- Updates following case law
- Public sector legal updates, e.g. PPNs
- Any other ad hoc requests by Contracting Authorities

Lot 13 - Commissioning/ Procurement Training for YPO Suppliers

Description

Including but not limited to training on the following topics:

- Introduction to the Procurement Act
- What the new regulations are and how it will influence how they do business with the public sector
- The new more flexible procurement procedures and changes to framework agreements
- The differences between Dynamic Marketplaces and Frameworks
- Challenges under the new regime
- How to prepare / adapt to the new regime



Benefits of using the framework

YPO's framework agreements are established to allow customers to purchase goods, works or services from suppliers/providers via either direct award or further competition. Benefits of using this framework agreement include:

- YPO have sourced the best available market discount rate with savings of between 2% - 69% per hour*.
- An additional percentage discount for Member and Associate Member Authorities of between 2.5% - 7%*
- Innovative training Lots for both the new Procurement Act 2023 and standard legal training.
- Access to multiple added value initiatives available to customers with an active call off:
 - Annual Webinar Training Programme with topics covering key areas of each Lot within the Framework (through a "customer only" website)
 - Quarterly e-Newsletter
 - Free Helpline for non-complex legal matters for a minimum of 10 minutes
 - Free meeting room use at supplier offices
 - Attendance at the YPO Legal Services Annual Conference
- Direct Award or Further Competition call off mechanism available.

*YPO have sourced the best available market discount rate with savings of between 2% - 69% per hour**

*An additional percentage discount for Member and Associate Member Authorities of between 2% - 69% per hour**






*This varies by supplier, level of Lawyer and by Lot

Suppliers


The following table contains the suppliers included on the framework (in alphabetical order, they are not ranked in any way), the Lots they have been awarded to, and the geographical areas they have jurisdiction within.

Supplier	Lots	Contact details	Coverage
 <p>Anthony Collins Solicitors LLP</p>	<p>Lot 3 General Litigation</p> <p>Lot 4 General Conveyancing/Routine Property</p> <p>Lot 5 General Contracts, Commercial and IT</p> <p>Lot 6 Planning, Compulsory Purchase, Highways and Environmental</p> <p>Lot 7 Major or Complex Projects</p> <p>Lot 8 Local Government Law and Corporate Governance</p> <p>Lot 9 Employment Law and Pensions</p> <p>Lot 11 Commissioning/Procurement Training - for WPS</p> <p>Lot 12 Legal Training - for WPS</p> <p>Lot 13 Commissioning/Procurement Training - for YPO Suppliers</p>	<p>Contact: Matthew Gregson</p> <p>Job title: Partner</p> <p>Email: matthew.gregson@anthonycollins.com</p> <p>Tel: 0121 212 7430</p>	<p>England and Wales</p>
 <p>Bevan Brittan LLP</p>	<p>Lot 1 Childcare Law</p> <p>Lot 2 Adult Social Services and Community Care Law</p> <p>Lot 5 General Contracts, Commercial and IT</p> <p>Lot 9 Employment Law and Pensions</p> <p>Lot 10 Public Health</p> <p>Lot 11 Commissioning/Procurement Training - for WPS</p> <p>Lot 12 Legal Training - for WPS</p> <p>Lot 13 Commissioning/Procurement Training - for YPO Suppliers</p>	<p>Contact: Ash Woodcock</p> <p>Job title: Partner, Head of Central and Local Government</p> <p>Email: ash.woodcock@bevanbrittan.com</p> <p>Tel: 0370 194 5081</p>	<p>England and Wales</p>
 <p>Browne Jacobson LLP</p>	<p>Lot 1 Childcare Law</p> <p>Lot 2 Adult Social Services and Community Care Law</p> <p>Lot 3 General Litigation</p> <p>Lot 4 General Conveyancing/Routine Property</p> <p>Lot 5 General Contracts, Commercial and IT</p> <p>Lot 6 Planning, Compulsory Purchase, Highways and Environmental</p> <p>Lot 7 Major or Complex Projects</p> <p>Lot 8 Local Government Law and Corporate Governance</p> <p>Lot 9 Employment Law and Pensions</p> <p>Lot 10 Public Health</p>	<p>Contact: Craig Elder</p> <p>Job title: Partner</p> <p>Email: craig.elder@brownejacobson.com</p> <p>Tel: 0115 976 6089</p>	<p>England & Wales</p> <p>Subcontracting arrangements in Northern Ireland and Scotland</p>

Suppliers

Supplier	Lots	Contact details	Coverage
<p>Capsticks Solicitors LLP</p> 	<p>Lot 1 Childcare Law Lot 2 Adult Social Services and Community Care Law Lot 3 General Litigation Lot 4 General Conveyancing/Routine Property Lot 5 General Contracts, Commercial and IT Lot 6 Planning, Compulsory Purchase, Highways and Environmental Lot 7 Major or Complex Projects Lot 8 Local Government Law and Corporate Governance Lot 9 Employment Law and Pensions Lot 10 Public Health Lot 11 Commissioning/Procurement Training - for WPS Lot 12 Legal Training - for WPS Lot 13 Commissioning/Procurement Training - for YPO Suppliers</p>	<p>Contact: Mary Mundy Job title: Partner Email: mary.mundy@capsticks.com Tel: 07423 000 016</p>	<p>England & Wales Subcontracting arrangements in Northern Ireland and Scotland</p>
<p>DWF Law LLP</p> 	<p>Lot 3 General Litigation Lot 8 Local Government Law and Corporate Governance Lot 11 Commissioning/Procurement Training - for WPS Lot 12 Legal Training - for WPS Lot 13 Commissioning/Procurement Training - for YPO Suppliers</p>	<p>Contact: Jonathan Branton Job title: Partner, Head of Government and Public Sector Email: jonathan.branton@dwf.law Tel: 07736 563 202</p>	<p>England and Wales Multiple other Countries (list available upon request)</p>
<p>First North Law Limited</p> 	<p>Lot 1 Childcare Law Lot 2 Adult Social Services and Community Care Law Lot 3 General Litigation Lot 4 General Conveyancing/Routine Property Lot 5 General Contracts, Commercial and IT Lot 6 Planning, Compulsory Purchase, Highways and Environmental Lot 7 Major or Complex Projects Lot 8 Local Government Law and Corporate Governance Lot 9 Employment Law and Pensions Lot 10 Public Health Lot 12 Legal Training - for WPS</p>	<p>Contact: Nigel McCloy Job title: Director Email: nigel.mccloy@firstnorthlaw.co.uk Tel: 01609 532 383</p>	<p>England & Wales</p>

Suppliers

Supplier	Lots	Contact details	Coverage	
 <p>Forbes Solicitors LLP</p>	Lot 1	Childcare Law	England, Wales and some work in Northern Ireland in specific practice areas. Links with various global firms (more information available on request)	
	Lot 2	Adult Social Services and Community Care Law		
	Lot 4	General Conveyancing/Routine Property		
	Lot 6	Planning, Compulsory Purchase, Highways and Environmental		
	Lot 7	Major or Complex Projects		
	Lot 10	Public Health		
	Lot 11	Commissioning/Procurement Training - for WPS		
	Lot 12	Legal Training - for WPS		
	Lot 13	Commissioning/Procurement Training - for YPO Suppliers		
				Contact: Chris Booth Job title: Provider Framework Manager Email: chris.booth@forbessolicitors.co.uk Tel: 07976 261 111



How to award/call-off from the framework

To access the framework agreement, customers should complete and return the Customer Access Agreement.

A call-off under this solution can be done via direct award or using a further competition approach, dependent on a Contracting Authority's own internal governance.

Direct Award

A direct award requires a Contracting Authority to carry out an assessment on the criteria set in the YPO framework documentation to decide which supplier they would like to award a call-off to, this can be based on price, quality and social value / sustainability.

At direct award stage you need to ensure that the supplier has all the relevant information required to deliver the service you need.

Once the supplier has been selected, customers simply need to complete the order form and send it to the supplier. The order form contains the standard terms and conditions that suppliers have already agreed to, and these cannot be amended for a direct award.

Further Competition

A further competition gives Contracting Authorities the ability to create a specification, method statements (questions) and pricing that is relevant to their own organisational requirements.

Customers will be able to evaluate providers on quality, social value / sustainability and price in their further competition.

The customer will be responsible for the further competition process with assistance from YPO on the process and documentation review if required.

The specification detailed in the further competition template should give providers a good understanding of the specific services you want them to deliver. There

are no set questions for CAs to include in their further competition, however we would suggest that these are related back to your specification.

Once you have created your further competition document you are required to publish the documents to all providers on the relevant Lot(s). This can be published via your own e-Tendering system or by using the YPO portal.

There are no minimum or maximum timescales that a further competition should be published within, however YPO would suggest that the timescales are proportionate to the detail of the specification and documents you publish. Please ensure that providers have sufficient time to respond to your further competition template.

Once the deadline has ended, the response documents should be evaluated in accordance with the criteria in the further competition.

Clarification responses, evaluation of submissions, drafting of award letters and contracts, and applicable Contract Award Notices are elements of the process that will need to be completed by the customer.

Customers must inform YPO of the outcome of any further competition they undertake themselves.

A 10-day standstill period is then voluntary under the YPO framework. YPO would suggest carrying out a standstill period for a long term or high value call-off contract.



How to award/call-off from the framework

Support from YPO

It doesn't matter if you are carrying out a direct award or a further competition, we can offer support and documentation.

Documentation

- Call-off Contract Terms and Conditions - the terms and conditions reflect the requirements of the market
- Hourly Rate Pricing by supplier
- Template documents
- Award letters

Support

YPO can manage customers further competitions, which includes:

- Advertising the further competition
- Managing clarifications
- Downloading submissions
- Awarding the further competition

Clarification responses, evaluation, drafting of award letters and completing the letter of appointment will need to be completed by the customer.

Criteria for Further Competitions - Lots 1 - 10

Criterion	Percentage weightings
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<p>Cost</p> <ul style="list-style-type: none"> • Customer must fully re-open at the Further-competition stage. • Contracting Authorities will be able to use their choice of pricing structure for example fixed fee, capped fee, conditional fee arrangements and retainer fee. 	<p>30%</p> <p>Customers have the option to amend the weightings + 10% at further competition stage</p>
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<p>Quality</p> <ul style="list-style-type: none"> • Customer can fully re-open at the Further-competition stage or scores can be carried through from the Framework establishment stage. 	<p>30%</p> <p>Customers have the option to amend the weightings +/- 10% at further competition stage</p>
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<p>Delivery and Customer Service</p> <ul style="list-style-type: none"> • Customer can fully re-open at the Further-competition stage or scores can be carried through from the Framework establishment stage. 	<p>25%</p> <p>Customers have the option to amend the weightings +/- 10% at further competition stage</p>
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<p>Social Value/Sustainability</p> <ul style="list-style-type: none"> • Customer can fully re-open at the Further-competition stage or scores can be carried through from the Framework establishment stage. 	<p>15%</p> <p>Customers have the option to amend the weightings +/- 10% at further competition stage</p>
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Criteria for Further Competitions - Lots 11 - 13 Only

Criterion	Percentage weightings
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<p>Cost</p> <ul style="list-style-type: none"> • Customer must fully re-open at the Further-competition stage. • Contracting Authorities will be able to use their choice of pricing structure for example fixed fee, capped fee, conditional fee arrangements and retainer fee. 	<p>60%</p> <p>Customers have the option to amend the weightings + 10% at further competition stage</p>
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<p>Quality</p> <ul style="list-style-type: none"> • Customer can fully re-open at the Further-competition stage or scores can be carried through from the Framework establishment stage. 	<p>40%</p> <p>Customers have the option to amend the weightings +/- 10% at further competition stage</p>
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Terms and conditions

YPO has agreed a set of framework terms and conditions; these are between YPO and the supplier. These framework terms and conditions cannot be amended by the contracting authority or the provider.

To supplement the framework terms and conditions, YPO has created call-off terms and conditions for contracting authorities to put in place with the provider.

The call-off terms and conditions can be utilised to ensure that they fit your requirements and if both parties agree, they can be amended to support the delivery of the service (for further competition only)

Once the call-off terms and conditions are agreed you will need to specify these within the order form under the “amendment to terms and conditions” section.

The order form then forms the legally binding contract between you the customer and the provider.

Contact information

For further information or to discuss individual requirements, please use the contact details below:

Name	Amy Whitehead
Job title	Category Buyer
Category	Legal Services
Telephone	07423 503 136
Email	legalservices@ypo.co.uk

[Email Legal Services »](#)



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