


APSE Wales
Innovation, income generation and efficiencies

Legal Forms of Shared Services

PREPARED BY
Richard Auton
WALKER MORRIS

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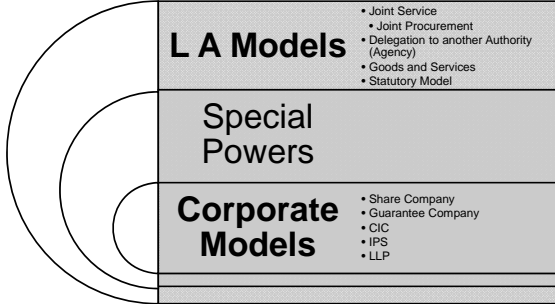


Do you have the power to do work with the body in question?


Local Authority	Other body
<ul style="list-style-type: none">▪ Joint Service▪ Agency▪ Goods and Services	<ul style="list-style-type: none">▪ Well being powers▪ Goods and Services▪ Trading Powers▪ Specific power



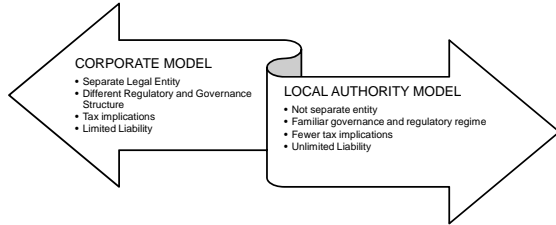
Delivery Models



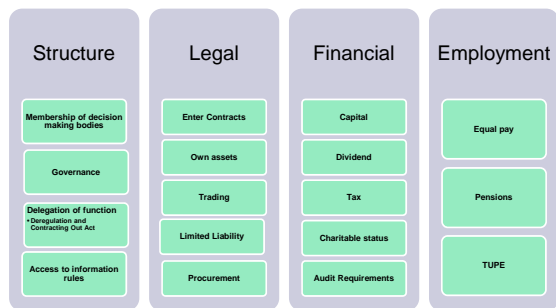
L A Models	<ul style="list-style-type: none">• Joint Service• Joint Procurement• Delegation to another Authority (Agency)• Goods and Services• Statutory Model
Special Powers	
Corporate Models	<ul style="list-style-type: none">• Share Company• Guarantee Company• CIC• IPS• LLP



Relative characteristics



Choice of Delivery Vehicle



Business transfer Issues

- **Assets**
 - Leases
 - Software Licences
- **Contracts**
 - Supplies to the individual partners
 - Supplies by the individual partners
- **Staff**
 - Secondment
 - TUPE
 - Pensions
- **Exit Arrangements**
 - Intellectual property
 - Leases
 - Software Licences



Do Shared Services have to be procured?

No Separate Entity

- Co-operation to carry out a public task
- Not commercial basis
 - Cost sharing only
- No private body given advantage over competitors
- Not trying to get round procurement rules

Separate Entity

- Wholly owned
 - Jointly
 - Control like a department
- Majority of work is for the partners
- No private sector involvement



Procurement by the Shared Services Partnership

- Is the partnership subject to Procurement Rules?
- Can existing contracts be extended to the partnership?
 - Future members
- Procuring for the partnership
 - Central Purchasing body
 - Joint Procurement
 - Whose Contract Procedure Rules and Financial Regulations



What are the key steps?

- Preparation
- Preparation
- Preparation
- Be clear what you want to achieve
- Don't be prescriptive as to how
- Take early legal advice



Any questions?

Richard Auton
Director
(Public Sector & Projects)

Walker Morris
Solicitors
Kings Court
12 King Street
Leeds
LS1 2HL

Richard.Auton@walkermorris.co.uk

0113 283 2500
www.walkermorris.co.uk