


Public matters: September 2024

30 September 2024  Ben Standing

Hybrid working: The right to flexible working and how to make it work for public sector employers

In this article by The MJ, Kerren Daly delves into the complexities and legal considerations for public sector employers navigating the post-Covid-19 landscape of flexible working arrangements. It also look at the implications of new flexible working guidelines, the shift towards hybrid models, and the challenges of balancing employee expectations with the operational and legal realities facing public sector organisations.

[Read more](#) →

Procurement Act 2023 implementation date delayed: Here's what you need to do now

The UK government has announced a four-month postponement in the implementation of the Procurement Act 2023, initially set for 28 October 2024 but now rescheduled to 24 February 2025, to allow for the development of a new National Procurement Policy Statement. This landmark legislation, receiving royal assent on 26 October 2023, signifies a pivotal change from EU-derived procurement laws, aiming to streamline and enhance transparency, efficiency, and integrity in public sector procurement practices.

[Read more](#) →

Delivering EV charging infrastructure: The local government perspective

In the quest to achieve net-zero emissions by 2050, local authorities in the United Kingdom are spearheading the development of electric vehicle charging infrastructure, a critical component in the transition to zero-emission vehicles. This article looks into the challenges and opportunities faced by local government's in enhancing EV charging facilities, exploring various strategies, legislative requirements, and the potential impact on accelerating the UK's journey towards a sustainable, decarbonised transport sector.

[Read more](#) →

Decisions of the Independent Patient Choice and Procurement Panel

We explore the complexities and challenges of the Health Care Services (Provider Selection Regime) Regulations 2023, highlighting the significant shift from traditional procurement challenge routes to a new framework that limits providers' ability to contest commissioning decisions. We also look into the operational intricacies, potential pitfalls for commissioners, and the crucial role of the Independent Patient Choice and Procurement Panel in adjudicating dispute.

[Read more](#) →

Planning reform must be backed by more resources and streamlined processes

In this article first featured on The MJ, Ben Standing looks into the impending comprehensive reforms to the National Planning Policy Framework, highlighting the critical need for more planning officers to successfully implement Labour's ambitious housebuilding strategy. With the government aiming to construct over 300,000 homes annually, Ben explores the proposed changes, the challenges of planning resource shortages, and the potential solutions to revitalise the UK's housing development process.

[Read more](#) →

The future of devolution: How a Labour majority could redefine local powers in England

In this article first published on The MJ, Laura Hughes delves into the future of devolution in England amidst the potential shift in government following the General Election. Exploring the evolution of devolved powers from the establishment of the Greater Manchester Combined Authority to the recent East Midlands Combined County Authority, Laura examines the implications of Labour's manifesto on devolution and the challenges and opportunities that lie ahead for local governance.

[Read more](#) →

Modification of contracts existing before the go-live date of the Procurement Act 2023

The upcoming Procurement Act 2023 introduces a new framework for modifying public contracts, effective from 24 February 2025, with specific conditions for permissible modifications. This article explores the details of these modifications under Procurement Act 2023, contrasting them with the provisions for pre-existing contracts and addressing the challenges and remedies associated with unauthorised modifications.

[Read more](#) →

Contract management and performance

The Procurement Act 2023 introduces significant reforms to UK public procurement, emphasising the entire contract lifecycle and demanding greater transparency and data provision on procurement and contract spend. This article outlines the new requirements for public bodies and suppliers, highlighting the importance of KPI setting, annual reporting, and the management of contract modifications and supplier performance under the new regime.

[Read more](#) →

A long period of voluntary child care does not always mean an entitlement to damages

In a significant shift from the implications of the 2018 Supreme Court decision in *Williams and another v the London Borough of Hackney*, recent rulings, including a pivotal 2023 Court of Appeal judgment, have clarified the use of section 20 of the Children Act 1989 for long-term care placements without automatically infringing human rights or entitling claimants to damages. This development underscores the importance of partnership between local authorities and parents, rigorous care planning, and the nuanced application of legal principles to ensure the welfare of children in voluntary care arrangements.

[Read more](#) →

Local authorities and the management of charities

We understand the unique challenges local authorities face when managing assets that may not be rightfully theirs or are subject to charitable trust obligations. Our dedicated team offer specialised legal advice and support, helping you navigate the complex realms of public and charity law with confidence and compliance.

[Find out more](#) →

Mitigating the £6.2bn black hole: Are councils maximising these resources well enough?

In this article, Anja Beriro addresses the pressing £6.2bn funding gap facing councils in England over the next two years, as highlighted by the Local Government Association. Anja offers insightful strategies for local authorities to harness internal resources and navigate through these economically challenging times, emphasising the importance of careful decision-making to minimise impact on statutory duties and community services.

[Read more](#) →

Communicating numbers clearly to deliver positive customer outcomes with Tim Johnson: Online event, 14th October, 11am – 12pm

[Register here](#) →

L&GC hour: Procurement of AI solutions: Online event, 28 November, 12.30 – 1.30pm

[Register here](#) →

Key contact

Ben Standing

Partner

ben.standing@brownejacobson.com

+44 0330 045 2400