

Appendix 2 – Schools SLA



Service Level Agreement 2023-2024

Southampton Schools (Maintained & Academy)

Southampton, Fareham & Havant Legal Partnership

1. Introduction

The Southampton, Fareham & Havant Legal Partnership has been awarded Lawyers In Local Government Legal Team of the Year together with a number of other awards and commendations and provides a full range of legal services covering all areas of local government / public law to Southampton City Council, Fareham Borough Council, Havant Borough Council and other public sector partners. The Partnership includes a full range of Barristers, Solicitors, Paralegals, Trainee Solicitors and support services.

This Service Level Agreement (SLA) is between the school governing body / Academy Trust and the Legal Services Partnership on behalf of Southampton City Council. The agreement will apply for the 1 year period from 1 April 2023 to 31 March 2024.

2. Service Options for Maintained and Academy Schools

This SLA will operate on a retainer basis.

Gold Package:

Provides up to Fifteen **(15)** hours of included legal advice and / or training (excluding disbursements, third party costs and expenses which shall be charged in addition to retainer costs) in relation to the following legal services:

- Advice to schools on all subject areas supported by legal services (Procurement / Contracts / Property / Projects / Information Law / General Education Law including Admissions and Exclusions matters where not in conflict with a Council appointed IAP / IRP / Litigation & Debt Collection / Employment / Licensing / Planning / Environment / Highways / Land Management / Events / Public Liability / Complaints and Ombudsman Advice (not investigation), Housing / Immigration / Intellectual Property (Copyright / Trade Marks) / Safeguarding & Child Protection and a range of ancillary subjects.
- Advice to schools on school specific issues and policies
- Briefing notes for schools on legal issues
- Planned and Bespoke training on a legal subject / subjects of choice
- Information Governance / Data Protection Package (Review of Policies, Practices and Privacy Notices or General Advice)(NB – Does not include acting as Data Protection Officer for the school. If this is something of interest to a school the Partnership is happy to discuss for an additional fee, subject to resources being available).

Silver Package:

Provides up to ten **(10)** hours of included legal advice (excluding disbursements, third party costs and expenses which shall be charged in addition to retainer costs) in relation to the following legal services:

- Advice to schools on all subject areas supported by legal services (Procurement / Contracts / property / Projects / Information Law / General Education Law including Admissions and Exclusions matters where not in conflict with a Council appointed IAP / IRP / Litigation / Debt collection / Employment/ Planning / Environment / Highways / Land Management / Events / Public Liability / Complaints and Ombudsman Advice (not investigation), Housing / Immigration / Intellectual Property (Copyright / Trade Marks) / Safeguarding & Child Protection and a range of ancillary subjects.
- Advice to schools on school specific issues and policies
- Briefing notes for schools on legal issues
- Planned and Bespoke training on a legal subject / subjects of choice

Bronze Package:

Provides up to five **(5)** hours of included legal advice (excluding disbursements, third party costs and expenses which shall be charged in addition to retainer costs) in relation to the following legal services:

- Advice to schools on all subject areas supported by legal services (Procurement / Contracts / property / Projects / Information Law / General Education Law including Admissions and Exclusions matters where not in conflict with a Council appointed IAP / IRP / Litigation / Debt Collection / Employment / Planning / Environment / Highways / Land Management / Events / Public Liability / Complaints and Ombudsman Advice (not investigation), Housing / Immigration / Intellectual Property (Copyright / Trade Marks) / Safeguarding & Child Protection and a range of ancillary subjects.
- Advice to schools on school specific issues and policies

3. Pricing

Annual Retainer Cost:

Gold: £930 per Annum

Silver: £695 per Annum

Bronze: £510 per Annum

Disbursements (third party expenses not covered by retainer and notified to the school during the course of instructions) are charged in addition to the above retainer fees and will be invoiced to schools on a case by case basis at the conclusion of any matter undertaken.

Additional Hours / Services Purchase:

Schools wishing to 'upgrade' their retainer may do so during the financial year but will be charged the full difference between the cost of the package they initially ordered and the package they wish to upgrade to regardless of when in the year any upgrade is purchased.

If you wish your package to include advice and assistance relating to data Protection or freedom of information matters we strongly encourage you to opt for the Gold package at the outset to avoid any delay in dealing with those time sensitive matters later in the year and to provide the best possible VFM for the school over the course of the year.

Should any school wish to "buy in" additional services not covered by the LEA or purchase further advice over and above the package of hours chosen outside of the upgrade offer then these may, subject to availability of resources, be purchased on a case by case basis at an hourly rate to be agreed upon instruction which will depend on the seniority of the solicitor involved (to be determined and allocated by the Legal Partnership at its sole discretion). The Partnership cannot guarantee the availability of resources to support additional hours and we reserve the right to decline instructions if we do not have the capacity to assist in relation to additional requests.

Hourly Rates for any additional hours over retainer / services purchased will be charged at:

Head of Legal Partnership:	£140.00
Senior Solicitor:	£109.00
Solicitor:	£98.00
Trainee Solicitor:	£66.00
Legal Executive:	£60.00
Other:	£45.00

VAT will be chargeable in addition to these rates.

NB: the Legal Services Partnership cannot represent a Governing Body / Academy Trust in dispute with the LEA or in any matter to which the LA is also a party (such as contractual arrangements between the school and LA), as this would represent a conflict of interests. In the rare event that a GB / Trust should require legal advice concerning a dispute with the LEA, this advice is not covered by the SLA and must be obtained separately from outside the City Council. The Legal Partnership may be able to assist schools in identifying appropriate local or regional advisors who may be able to accept instructions but do not offer recommendations, endorsements or otherwise accept liability for instructions in this regard. Schools must satisfy themselves as to the appropriateness and suitability of any advisors they approach.

The Package rates offered representing a better than 1/3 discount on combined hourly rates for spot purchase of services and represent a saving on average of £50-£150 per hour on comparable private sector legal rates.

Billing and payment

The retainer fee will be payable annually advance in April or May. The method of payment will be a journal transfer for schools using Business World. An invoice will be issued to any schools which do not use Business World. Invoices should be paid within 28 days of receipt.

Charges for additional hours over and above purchased packages will be made monthly or quarterly in arrears (depending on the type of instruction and as agreed with the individual school) using Business World or by invoice as appropriate and may attract VAT in addition to the above rates depending on the nature of the services provided.

4. Service contacts and performance review

For schools signing up to a package of services we are happy to supply a Partnership Directory upon request setting out who advises on what area and relevant contact details. Instructions may be issued to any Solicitor / Team Leader within the Directory and a file maintained for each school with overall school billing and hours data available on request. Queries will be dealt with within the timescale agreed with the school at the time the query is made. If you are unsure who to contact please email legal@southampton.gov.uk and your query will be sent to the appropriate lawyer / team to make contact with you and assist further. Urgent requests for advice may be sent to the same address (monitored daily) or to the Head of Legal Partnerships using the contact details below but please ensure you flag the urgency.

In exceptional circumstances Legal Partnership staff will have the power to refuse to deal with a query from a school, if they believe it would not represent value for money for the matter to be taken up by them, e.g. pursuing a minor bad debt or where there is any potential conflict of interest with the City Council or they have identified a conflict of interest between the school and the Authority which precludes our being able to act for one of the parties.

Any queries, concerns or complaints about the overall operation of the scheme or for signposting to specialist advice within the Partnership should be addressed to Sarita Riley, Head of Legal Partnerships, Southampton & Fareham Legal Services Partnership, Southampton City Council, Civic Centre, Civic Centre Road Southampton, SO14 7LY.
sarita.riley@southampton.gov.uk 023 8083 3218.

