Event focuses on legal issues of new contract

Chris Baker of Corona Design & Communication reports on a very informative day at the Lowry Hotel in Manchester...

Time was when most dentists would only require the services of a solicitor when they either bought or sold a practice. Times they are a-changin’! The law firm Pannone recently organised an excellent conference which discussed the way that the new dental contracts have had a significant impact on practitioners and the legal issues that can arise.

Dr Colin Hancock, Chairman of Denticare – kicked the day off with a discussion on 2 really big issues, Clawback and Goodwill. He began with a Samuel Goldwyn quote, “A verbal contract is not worth the paper it is written on”. This was to be a theme of the whole day – if you don’t record it, it didn’t happen. On the issue of clawback his message was clear: challenge the underperformance demand and detail the issues that were out of your (the practitioner) control and not part of a reasonable underperformance. Also, ongoing costs such as heat, light etc. will be incurred anyway and should be offset against the demand. A practical way to do this with examples that showed even an inept bosses to terminate dental contracts without cause or notice. It is not worth the paper it is written. The afternoon session got going with Simon Butler of Ely Place Chambers talking us through dental agreements between PCTs and practitioners and the ‘fair and sensible’ test. Simon was the barrister who represented Eddie Crouch in his case against South Birmingham PCT and the clause in the NHS Dental Contract that allowed houses to terminate dental contracts without cause or notice.

The principle of Promissory estoppel means that when two people enter into a contract, if one leads the other to believe that a certain state of affairs exists, they cannot go back on it when it is unjust or inequitable to do so. For instance, if a PCT should have clawed back funds in Year 1 or 2, it would be unfair to do so. However, there is a shortage of work. In reality, redundancy is related to certain state of affairs exists, they cannot go back on it when it is unjust or inequitable to do so. For instance, if a PCT should have clawed back funds in Year 1 or 2, it would be unfair to do so. However, there is a shortage of work. In reality, redundancy is related to the majority of cases.

The afternoon session got going with Simon Butler of Ely Place Chambers talking us through dental agreements between PCTs and practitioners and the ‘fair and sensible’ test. Simon was the barrister who represented Eddie Crouch in his case against South Birmingham PCT and the clause in the NHS Dental Contract that allowed houses to terminate dental contracts without cause or notice. It is not worth the paper it is written.

The principle of Promissory estoppel means that when two people enter into a contract, if one leads the other to believe that a certain state of affairs exists, they cannot go back on it when it is unjust or inequitable to do so. For instance, if a PCT should have clawed back funds in Year 1 or 2, it would be unfair to do so. However, there is a shortage of work. In reality, redundancy is related to the majority of cases.

The afternoon session got going with Simon Butler of Ely Place Chambers talking us through dental agreements between PCTs and practitioners and the ‘fair and sensible’ test. Simon was the barrister who represented Eddie Crouch in his case against South Birmingham PCT and the clause in the NHS Dental Contract that allowed houses to terminate dental contracts without cause or notice. It is not worth the paper it is written.

The principle of Promissory estoppel means that when two people enter into a contract, if one leads the other to believe that a certain state of affairs exists, they cannot go back on it when it is unjust or inequitable to do so. For instance, if a PCT should have clawed back funds in Year 1 or 2, it would be unfair to do so. However, there is a shortage of work. In reality, redundancy is related to the majority of cases.