

Legal Services for Dental Practitioners

As legal specialists acting for healthcare organisations across the country, we're experienced at understanding the commercial challenges you face. Our expert team has in-depth sector knowledge and this gives us an unparalleled edge in delivering strategic and practical legal advice on a wide range of issues affecting your dental practice, whether private or NHS.

Buying and selling a dental practice

Buying or selling a dental practice is different from buying and selling any other business. You will need to navigate a complex regulatory framework whilst ensuring the proper transfer of the NHS Contract and compliance with the requirements of the CQC. We will combine our expertise in healthcare legislation with our extensive commercial knowledge and understanding of CQC procedures to guide you throughout the entire process.

Incorporation

Incorporation of dental practices (in particular private practices) has become increasingly popular over the past few years. This is another complex area and you need specialist lawyers who genuinely understand these complexities, and how to work around them. We will work with your accountant and assist in transferring your practice to a limited company, as well as advising on all of the legal aspects associated with the incorporation.

Disputes

In the event of a dispute, our dispute resolution team will advise and support you throughout the whole process, including providing a comprehensive mediation service to help you resolve your dispute without resorting to expensive litigation, if at all possible. If litigation is unavoidable, our team is experienced in handling court hearings at all levels, and will always consider the implications of your contractual relationship with NHS England.

Associate agreements

It is important to have a written contract in place if you engage associates at your practice or if you are an associate working at a practice. This ensures that the relationship between all parties is properly regularised. We are experienced in the preparation of bespoke associate agreements and regularly advise on them. In our experience, problems can arise if the engagement is solely based on verbal arrangements. This becomes particularly important when considering the protection of goodwill and restrictions on working post-termination.

Partnerships and expense sharing arrangements

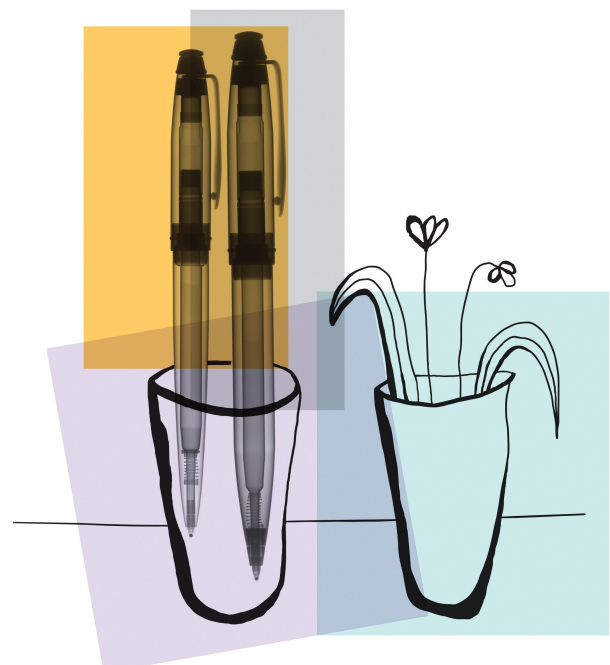
We have wide experience in the preparation of expense sharing agreements and new partnership deeds. These need to be robust and up to date to support the good governance and subsequent stability of your business.

Premises

As premises are typically the largest asset of any dental practice, it is essential to receive specialist advice. Capsticks has a large, national specialist healthcare property team which acts for all types of public and private providers of healthcare services in England and Wales, including dentists. We advise on all types of property work, including sales and leasebacks, grants of leases to third party occupiers within the practice, freehold purchases and all types of landlord and tenant law.

Employment

We can deal with all your employment law queries, including reviewing employment contracts, policies and procedures, the application of TUPE on practice sales and acquisitions. We can also provide advice on disciplinary and redundancy procedures. We also offer 'CapFix', a flexible HR support package for practices at fixed, competitive monthly rates.



HR Advisory

We understand that dealing with day to day employee relations can be time consuming. Our HR specialists support practices reduce sickness absence, conduct investigations and can support you through change management programmes. Because our HR advisory service is embedded in a law firm, we provide joined-up solutions that incorporate human resources best practice and employment law compliance.

CQC

We can provide advice in relation to CQC inspections, including providing vital training sessions prior to inspection and, if necessary, assistance in challenging erroneous findings afterwards. We know how important a good rating is and have unrivalled experience in supporting providers of health and social care with these issues and a proven track record in delivering successful outcomes in relation to CQC inspection.

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