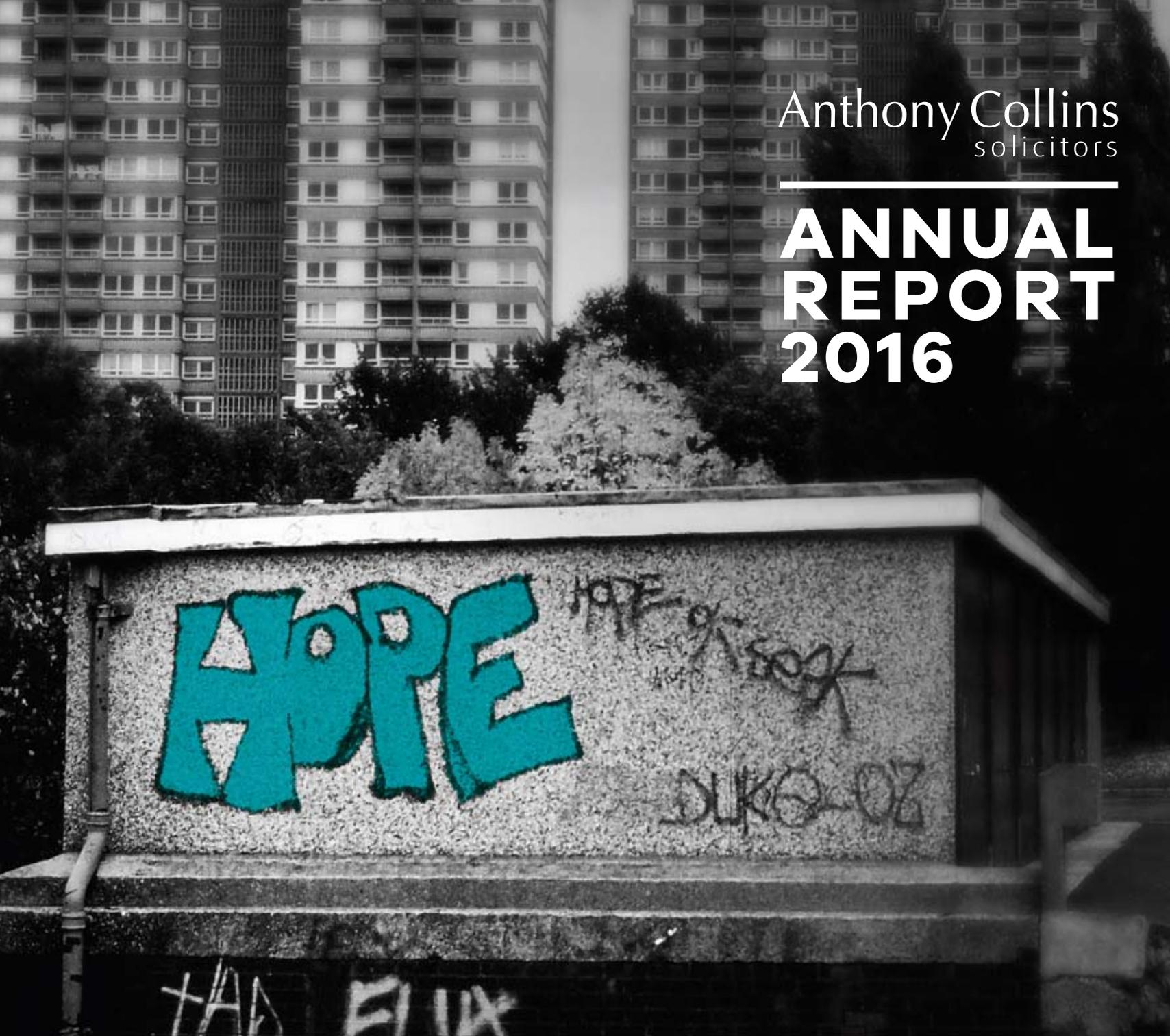


Anthony Collins
solicitors

ANNUAL REPORT 2016



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We're Anthony Collins Solicitors.
A specialist law firm with a clear
purpose – to “improve lives,
communities and society.”

A sector-specialist law firm... founded over 40 years ago, we specialise in advising clients in these sectors:

Charities

A top-five nationally-leading charities practice, with a specialism in advising faith-based charities.

Health and social care

An emerging leader, advising social-care providers nationally, both in the commercial and not-for-profit sectors.

Education

A growing schools, academies, and Multi-Academy Trust (MAT) practice, with strong links to a number of Dioceses.

Housing

National, leading and multi-disciplinary housing association practice, advising on developments in national housing policy and regulation.

Local Government

Reputation as national advisors to local authorities and the wider public sector, especially in the commissioning of publicly-funded services.

Social business

A leading advisor for community regeneration and co-operatives, as well as for social enterprises and values-driven businesses.

Private individuals

Nationally, award-winning practice, advising individuals with critical events and those undertaking life-stage planning.

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Foreword

Many annual reports contain a range of facts and figures with performance reporting for the past year, setting out the goals reached and where the challenges have been. We could have told you in more detail about how we think we achieved a 5% increase in our turnover in 2015/16, in some challenging market conditions, or the outcome of our inaugural learning and development programme. All these are laudable aims for an annual report and I hope we will turn to these in future years.

However, we are taking the opportunity this year to talk about why we are in business, and how we consider our clients benefit from commercially-trained, highly-motivated and values-aligned lawyers, who are experts in your sector. Of crucial importance for all of us is what motivates us to get out of

bed each morning and come to work at Anthony Collins Solicitors. These motivations include being able to:

- Advocate on behalf of individuals in disadvantaged circumstances
- Qualitatively improve businesses that are having a positive social impact
- Help reconfigure services to deliver greater responsiveness to customers and deliver value for money
- Advise on property developments to bring a range of new housing to a community
- Complete a transaction designed to improve the outcomes for a community

If you are interested in finding out how we can use our specialist sector knowledge, commercial acumen and legal advice to benefit you and your organisation then we would be delighted to talk to you.



Peter Hubbard

Peter Hubbard
Senior Partner

About us

Founded in Birmingham in 1973, our business started with a commitment to serve individuals and the community in a way not seen before. Since then, we have pursued our social purpose through the work we do and how we do it. We are now nationally recognised across our specialist sectors – with a reputation for advising individuals, businesses, not-for-profit organisations, local authorities and public-sector bodies throughout the UK.

For over 40 years we've been successfully combining market-leading legal expertise with a commitment to excellence and long-term relationships – all underpinned by a strong set of values.

We:

Are purpose driven

Driven by our purpose, we see profit as a means, not an end. We aim to make sufficient profit to invest back into the growth of our firm. Which in turn, furthers our purpose, and ensures our partners and staff are fairly and appropriately rewarded for all of their hard work.

Show respect

We aren't about roles or status. As demonstrated in our open plan offices, we treat each and every member of staff equally – encouraging them to flourish in an honest and trusting environment. After all, we're a team, and have the humility to know that in order to succeed, we should work as one.

Build relationships

Our people are at the heart of everything we do. Whether it's showing care and concern for our staff and those we work with, or by building relationships with our clients based on more than just business. This way, we gain a consistent understanding of their goals, and support them, every step of the way.

Demonstrate integrity

To us, this means doing the right thing for our clients – putting them first, even when this might not be to our advantage. We'll always operate consistently and fairly, being open and honest at all times. And once we have committed to something, we'll work hard to deliver it.

Deliver excellence

Excellence and innovation are important to us. That's why we'll take the time to understand our clients and their individual goals, allowing us to deliver the most appropriate and relevant solution. Internally, we encourage learning and development and exploring new ways of doing things, so we are able to provide new solutions to our clients' problems.

01 CHARITIES

Sector lead:
David Alcock – Partner





Profile: Edwina Turner – Associate

I'm passionate about charities whose aim is to empower those that are often overlooked. I take a lead role in the firm's work with faith-based organisations, and I have a strong connection to the sector, as my husband is a pastor in inner-city Birmingham. As a "pastor's wife", I have a keen grasp of the issues from "the other side".

As a lawyer I specialise in governance issues, often assisting clients with complex group

structures, international work and board or trustee duties. I'm told my clients appreciate my calm and common sense approach to often knotty problems.

As well as giving legal advice, I help look after the next generation at Anthony Collins Solicitors, by coordinating work with trainee solicitors. I assist with their recruitment, appraisals and monitoring, as well as giving careers advice and providing a listening ear.

Case study: Camphill Village Trust

Our client, Camphill Village Trust (CVT), had a unique model of delivering social care, based on principles of anthroposophy. They were concerned their current model exposed them to significant tax, employment, charity law and safeguarding risks. Our employment team helped them to implement a programme that would change their model of engagement with employees. However, this was unpopular with some, who were not prepared to

change. So they set up a separate entity to try and take over work from CVT.

We advised CVT on the complex legal and regulatory issues arising from the concerns and complaints that were raised. These included allegations of breach of trust, potential charity proceedings, liaison with the Charity Commission and a contentious AGM. We also supported them in dealing with the implementation of the new process and the myriad

concerns they had. This helped them implement changes and continue to deliver high-quality social care in a community setting.

"I couldn't have navigated this without your expert, balanced, considered, nuanced, flexible and constant advice".

Felicity Chadwick-Histed,
CVT

Challenges in the charities sector

For those working in the third sector – and for us all – the Brexit outcome creates some profound uncertainties, and tells us some difficult truths. There are also some immediate practical implications:

Leadership

In the days after the vote there were disturbing attacks on community centres used by EU nationals. It's important we focus on maintaining and growing relationships of trust. Our third-sector and faith-based clients will be central to this process.

Devaluations

The devaluation of currency and other assets will impact on organisations involved in building schemes, particularly community-led housing. There may also be indirect impact if, for example, there is an increase in borrowing costs for the public sector from the Public Works Loan Board (PWLB). Costs of these schemes may increase to the point where they are no longer viable. Charities, with legacy defined benefit pension schemes, may face increasingly problematic deficits if markets fall and investment income reduces.

Funding and policy

There may well be future changes in funding, as many charities are funded directly or indirectly from EU sources. For example, the Building Better Opportunities Fund is timetabled to run until 2020 – whether it will or not is another matter.

If there is a shift in policy, it is likely to be a shift to a more right-wing agenda, given the position of much of the “leave” camp. We have already seen the indirect impacts of public sector reforms on charities supporting the poorest in our society. Currently, the policy position is very unclear, and we all need to watch carefully as events unfold.

Regulation

Charities are watching developments at the Charity Commission with interest. We've seen new guidance on: trustee oversight of fundraising; charities being involved in commercial partnerships; and the Commission's new powers to give “official warnings” to charities, where they think there has been a breach of trust or misconduct in management.

We await the outcome of the Government's consultation on the process for allowing conversion from charitable guarantee companies to charitable incorporated organisations, and a definite timetable. This raises major practical issues for the Commission, most notably of resources.

Child Brain Injury Trust

A catastrophic injury is a life-changing event that not only affects the injured person but has a rippling, and often devastating, effect on those closest to them. We recognise that cases involving a brain injury require more than just legal expertise in bringing a claim forward. A range of more personal issues can arise, from welfare benefits to disability discrimination and beyond. We understand the many problems people can face, and that rehabilitation is central to the recovery process.

The Child Brain Injury Trust supports children and young people who have suffered an acquired brain injury, and their families – helping them to

understand and cope with what the future holds. They selected Anthony Collins Solicitors, as specialists in brain injury claims, to provide vital legal support services across the East and West Midlands. This support ensures that all children and young people who have suffered a brain injury, and their families, get the right legal support, as soon as possible.

We are developing similar partnerships with other like-minded organisations, including Scope and the Sepsis Trust and see this as an important strategic step so that client services are enhanced. We continue to make a real difference for some of society's most vulnerable people.

02 EDUCATION

Sector lead:
Chris Whittington – Head of Education



Case study: Community hubs

The synergies between our work on schools, as hubs for social transformation, and Oasis' ground-breaking 'community hub' model, of public services provision, demonstrates our shared commitment to helping schools, churches and local agencies collaborate and serve their local communities.

As a result, Oasis asked us to work with them to promote their 'community hub' concept nationally. Our role is much broader than providing legal advice and drafting documentation. We work with them to: refine the proposition, associated consultancy and training

packages; facilitate discussions with bishops, diocesan directors of education, and local authority chief executives; and provide thought leadership and support, with planning and training to help share this idea as widely as possible.

At a time of shrinking public sector budgets, the move from schools to academies and the uncertainty this has created, we are committed to being at the forefront of a growing number of voices seeking to describe a more positive future for all, particularly the weakest and most vulnerable.



Profile: Phil Watts Senior Associate

I specialise in working with education and charity clients, taking a lead role in relation to governance, corporate and commercial work.

Having built up over 20 years' experience, clients know me as a 'safe pair of hands'. Trusted by clients of all shapes and sizes, I provide expert, pragmatic advice on matters such as establishment, governance, funding, reorganisation and group structures, mergers and acquisitions, trading and dealing with the Charity Commission. My experience within the education sector includes leading in the provision of advice to over 100 academies and multi-academy trusts.

Outside of work, I'm active in my local church and lead the local youth group.

Challenges in the education sector

Times of change and challenge often prompt us to reflect on what we do and who we are. The rapidly changing education environment is arguably such a time. In its 'Vision for Education' publication, the Church of England addressed questions, such as 'who are we?' and 'why are we here?' It emphasised that education should support the cultivation of wisdom, hope, community and dignity, as well as excellence and academic rigour. Underpinning this vision of 'education in service to the whole community' is the belief that

we are fundamentally bound up with those around us; leading to the call for "a core focus on relationships and commitments, participation in communities and institutions, and the qualities of character that allow people to flourish together".

With the cultivation of community in mind, let's speculate about what could be built around the unique nexus of local relationships that each school is. What might a wider vision of schools as hubs for social transformation look like?

Can we imagine...

...community organisations, churches, councils, health trusts, housing associations, and charities forming local education partnerships, working together to link aspects of local need to the curriculum, demonstrating a wider, shared responsibility to the local context in which education happens?

...churches, charities and voluntary organisations forming collaborative vehicles along the ground-breaking Oasis 'community hub' model, coming together to ensure that essential community services continue to be provided, as continuing financial cuts put local authorities and other agencies under increasing pressure?

...schools at the heart of new collaborations for community transformation and cohesion?

We believe there are unique opportunities in this time of flux and financial pressure to align the new models of collaboration in education with those for community transformation. And so, we are doing all we can to bring together schools, dioceses, local authorities and others to see what might be created.

03 HEALTH AND SOCIAL CARE

Sector lead:
Matthew Wort – Partner



Case study: Dimensions

Dimensions is a national-not-for-profit provider of services for people with learning disabilities, autism and complex needs. In 2015, it entered into discussions with a local authority, together with a number of other providers, around a proposed tender to provide learning-disability services to adults throughout that authority's area. The commissioner was looking for an organisation that would establish a separate not-for-profit entity to deliver its learning-disability services, involving the transfer of many employees.

We have worked with Dimensions for several years and share the same values and aspirations in relation to empowering people. This understanding and alignment of beliefs meant we were committed to the project in more than simply a professional capacity, equally recognising the potential risks it exposed our client to and the need to mitigate these.

We worked collaboratively to explore the options available to Dimensions – right through to the final contract dialogue. This involved advising on all legal aspects, including: property, employment, pensions, contract, regulatory and governance law. In commercial terms, one of the most difficult issues was around pension liabilities and obtaining the financial security required by the commissioner. Our lawyers worked with the Dimensions team and the local authority to devise innovative and complex solutions.

The project has been hugely challenging, both in terms of the scope of the tendered services and in the financial impact that taking on such a broad portfolio of

services could have on the client. It has required working with the commissioner and developing a partnering and flexible approach – something very much in line with the principles underlying the Care Act and our own philosophy.

“At Dimensions we have extensive experience in dealing with substantial contracts. However, this particular tender has involved the largest and most complex contract in our history and it was clear early on that its success would only be achieved if all parties worked with a genuine commitment to positive partnership approaches.

Additionally, because the model underlying the tender is relatively ground-breaking, it required the parties to frankly recognise the risks involved and work collaboratively to explore possible solutions. The approach, applied by Anthony Collins Solicitors, matched all of our core values, ambition, respect, courage, integrity and partnership and played a key role in reaching contract signature.”

Luke Joy-Smith,
Managing Director, **Dimensions**

Profile: Emma Watt Solicitor



After spending time training alongside professional Deputies, with private individuals, I identified challenges in relation to needs assessments, eligibility for care and the limited funding options. Now I work with health and social care clients, helping them to overcome these challenges, better manage their care contracts and unlock authority funding.

To ensure that service users are cared for safely, and with the right support, I assist clients to challenge local authority funding decisions and recover unpaid fees, so that businesses don't try to cut corners in order to cut costs. I advise on high-value share purchase agreements, so that providers can expand their businesses and extend their good practice to more people; as well as challenging Care Quality Commission decisions, where inspectors have completely misunderstood the needs of service users and the specialised skills of our clients.

Challenges in the health and social care sector

The health and social care sector has been highlighting its unfortunate situation in many ways but there is little sign of a better settlement for the sector. The latest Association of Directors of Adult Social Services Budget Survey makes clear that the additional funds raised from the social care precept have failed to cover the cost of implementing the National Living Wage. Is it going to take another serious abuse case or major provider failure to raise further questions? Mears is the latest private provider to pull out of a significant home-care contract, on the basis that the rates paid by the local authority are unsustainable, but others have stepped in to continue the delivery of services.

If organisations that achieve significant economies of scale can't make a contract pay, what hope is there for other providers? It remains our long-held view that only if there is concerted action by providers agreeing not to provide services at a price that is not sustainable, that commissioning practice will change. Given that providers operate in local markets, strong local provider associations are a vital means of asserting the rights of providers and the people they look after, to challenge poor commissioning practice.

An exit of a number of high-quality providers from local markets might make the politicians stand up and think to drive

a change in policy. Until that point, providers' best hope is to take a very strong line in negotiations with local authorities.

At Anthony Collins Solicitors, we will continue to work hard to argue for a better financial settlement for our clients and the sector. This will ensure the most vulnerable in our society have the care that they need and deserve, whilst challenging commissioners when the funding models they adopt are in breach of statutory and other public law duties.



Profile:
Stefanie Zandy
Newly-qualified Solicitor

Having recently qualified, I've grown in confidence and developed the skills to hit the ground running as a newly-qualified solicitor. During my traineeship I enjoyed a varied two years, completing seats in governance and commercial, corporate litigation, and property. As a trainee, I had the opportunity to develop skills in client care and file management,

and was given a level of responsibility that you might not find with other firms. It has been really inspiring to work alongside passionate individuals, who are nationally recognised as leaders in their given sectors. I now work as a qualified solicitor specialising in the built environment.

HOUSING

04 HOUSING

Sector lead:
Jonathan Cox – Partner



Case study: Torus Group

Golden Gates Housing Trust (GGHT) and Helena Partnerships (HP) wanted to form a new group structure as equal partners with greater capacity and influence – Torus Group. The increased capacity meant that the new group would enable each housing association to achieve their development aspirations, and become a stronger influence. The overall driver was to benefit communities across Warrington and St Helens.

We were involved early on, looking at the group's aspirations and how best the structural and governance arrangements could support achieving these. Our initial role was to consider the options available, including wider third-sector group structures operating outside the regulation of both the Homes and

Communities Agency, and the Charity Commission. Significant factors included: the current and anticipated regulatory environment; likely future funding needs; the use of commercial trading vehicles in the group; advising on the terms of an existing joint venture; and the procurement and employment arrangements to be adopted. The project required a multi-disciplinary approach, utilising our corporate, funding, employment and housing management teams.

We were heavily involved in negotiating consents from six funders, the respective local authorities, and the regulators, for consent to remunerate board members at parent level. At the same time, we supported them with introducing the new employment arrangements and the

associated restructures, including the suggestion of a 'phased' approach.

As part of the funders' consent process, we were able to negotiate specific exceptions to usual constraints, so far as practicable, to ensure that the group could achieve its key goals in the early stages of the new structure.

Both competition and employment issues were particularly challenging to satisfy on this project due to recent changes to the competition regulatory framework and Torus Group's wish to retain ultimate flexibility over workforce issues. We were successful at delivering full future flexibility for Torus Group without jeopardising the group structure project or the timetable.



Profile: Stephen Round – Solicitor

Since qualifying as a solicitor at Anthony Collins Solicitors, my focus has been on helping our clients to build more housing for those most in

need, allowing them to invest in the communities they serve. This has helped us, as a firm, to further our goal of improving lives, communities and societies, during a time where there is a massive shortage of housing across the country.

I also advise housing-sector clients on a range of matters, including: EU procurement law, concession agreements, and commercial and construction contracts.

Over the past year, I've worked with colleagues and clients, across different practice areas, to advise on how

registered providers can best structure their affordable housing, outright sale and market-rent developments. This has become more relevant than ever in light of the significant changes in the housing sector over the past year. The structure tends to involve the establishment of one or more subsidiaries to ensure our clients are able to comply with their regulatory, charity law and procurement obligations – whilst structuring their development programme in the most efficient way.

Challenges in the housing sector

Everyone is concerned about the housing sector; concerned about the market's ability to satisfy demand (for sale and for market rent), concerned about the lack of social housing, (especially the rise in the number of homeless and the "almost homeless"), and concerned about the provision for supported housing (in all its forms).

The plethora of announcements at the 2016 Conservative Party Conference, here in Birmingham, appear to show a change of direction; an appreciation that home ownership isn't achievable for everyone; and shared ownership is not viable for many (both individually and regionally).

Here's my (personal) take on the current issues in the sector:

- Would a new social-housing business be what we have now or something different? Many landlords are embarking on a different relationship with their customers based on expectations on both sides (akin to the private-rental sector); taking advantage of the latest technology to provide social-housing solutions effectively.
- New housing – will the £3billion Home Building Fund be entrusted to developers or will the Government appreciate the sector, being not-for-profit and dedicated to solving the housing crisis, and be a true partner?
- Deregulation is going to see the rise of non-housing association (non-Registered Providers) landlords and (Charitable) Housing Investment Trusts (CHIT). Rent freedoms will mean innovative tenure models.
- Rented housing – Pay to Stay is likely to take off. Rent to Buy awaited!
- Supported housing – we don't think the Government's [announcement](#)¹ is sufficient to kick-start stalled supported housing schemes. With an ageing population, and the NHS bursting at the seams, just what does it take to combine the budgets of health, social care and housing?
- Funding – the sector continues to be attractive to funders, but there are new forms of financing property-backed funding arrangements, such as where we acted for [SYHA with Cheyne Capital](#)².
- New development – we have seen an explosion in the number of joint ventures, the win/win of the sector combining its financial capacity with developers to produce new housing. An example of a joint venture we are working on is the [London & Quadrant and Trafford Housing Trust](#)³ in Manchester. There is a real sense of the sector rolling up its sleeves and being creative.

The sector has shown it can adapt to change – let's hope the new administration and new policies truly mark a step change for housing.

1. http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2016-09-15/HCWS154/?dm_i=3R33,36VG,Q8B1S,9F14,1

2. <http://www.socialhousing.co.uk/south-yorkshire-ha-agrees-off-balance-sheet-deal-with-cheyne/7015981.article>

3. <http://www.insidehousing.co.uk/lq-enters-joint-venture-with-manchester-landlord/7016414.article?adfesuccess=1>

Nehemiah Foundation

Our firm was the birthplace of what is now an independent charity – Nehemiah Foundation. Set up by a former partner of Anthony Collins Solicitors, it explores the roots of neighbourhood issues, rather than managing the symptoms, while providing practical training and support for individuals involved in these neighbourhoods.

Nehemiah Foundation currently works nationally on projects in London, Luton, Rochdale, Bradford, Oldham and Birmingham. It was registered as a separate charity with the Charity Commission in 2008. Since then, the Foundation has aimed to build neighbourhood capacity to:

- identify the needs, issues and aspirations of local residents;
- understand the needs, issues and pressures on organisations providing services within those neighbourhoods. Particularly within the context of cuts in public funding;
- collaborate on ideas, projects and solutions to address those needs, issues and aspirations; and
- develop strategies and plans that will meet those issues, needs and aspirations.

We continue to have strong links with the Foundation and hosted their 10th birthday celebrations earlier in 2016. Mark Cook, a partner of the firm, continues to be a trustee and, over the last year, we have been exploring how we might better support the Foundation's work in the future. Our trainee solicitors also help raise funds, by taking part in fundraising activities – one being their challenge to cover 500km by entering 5k, 10k and half marathons across the country. We see the Foundation's work as complementing our own support for communities across the country, and we want to see it continue to grow and flourish.

05 LOCAL GOVERNMENT

Sector lead:
Olwen Dutton – Partner





Profile: Alex Lawrence – Solicitor

I trained at Anthony Collins Solicitors before spending several years in-house with a local authority, advising on matters ranging from governance and decision making to public procurement and the devolution agenda. Working in-house gave me a real passion for local government law and in 2015 I was awarded the Law Society Diploma in Local Government Law and Practice.

In this time of radical change for local government, my experience within the sector means that I understand the issues that local authorities and other bodies have

to deal with, and the political world within which advice has to be provided.

Returning to Anthony Collins Solicitors enables me to provide support to more authorities in improving the communities they serve. Since moving back I have been heavily involved in advising on the increasing commercialisation of councils, especially around local authority companies, and how this interacts with political oversight and councils' duties to comply with procurement law and state aid.

Case study: Public Sector PLC

Public Sector PLC (PSP) is an initiative that was developed to support the resourcing of public services in the days of compulsory competitive tendering. We have been working with PSP since its inception 19 years ago.

PSP offers local authorities funding in connection with their property portfolios, enabling them to meet their statutory legal and financial obligations. This enables a broad range of projects to be delivered, covering property in all its forms.

In times when councils need to find new ways of resourcing crucial services for the public, the model helps public sector bodies to:

- realise revenue savings
- establish new or enhanced revenue income streams
- generate improved levels of capital receipts from projects
- make more efficient use of their property assets
- de-risk property transactions
- benefit from value created by the private sector

Our role is to make these models legally robust and resistant to challenge, and then to implement the projects. We have supported the establishment of 11 Limited Liability Partnerships (LLPs), between councils and PSP, and there are another seven in the pipeline. We have worked

closely with each of the councils to ensure that they look after their interests as a landowner and member of the LLP, as well as ensuring the validation tests are genuinely met in relation to, what are essentially, land transactions.

“These councils are uniquely cooperating together, through the Council Consortium Group, and sharing their experiences of how this hybrid model, developed with the assistance of Anthony Collins Solicitors, can ultimately make a contribution to a council’s budget setting process.”

Richard Smith,
Chair, **Public Sector PLC**

Challenges in the local government sector

Councils are, not unusually, at a bit of a crossroads. The implications of the Brexit vote for the sector have yet to be worked through, but nothing stands still to wait for the dust to settle. These are, of course, tied up with matters the sector is facing in any event, and serve to complicate already difficult matters.

Finance for councils is tight and unlikely to get easier, with councils having lost around 40% of their budgets since 2010. This has been managed without a huge growth in dissatisfaction from the populations they serve, and councils have struggled to keep as many services as possible open. There is little doubt that, when it comes to achieving reductions in spend in the most sustainable way, local authorities lead the public sector, but authorities report that they will struggle to make further cuts.

One of the biggest challenges is adult services, especially adult social care. With the schools budget now largely removed for local authority control, adult social care is, most often, the biggest spend in councils. The situation around funding this came under great tension with the advent of the National Minimum Wage, and the pressure that put on social care providers. The erosion of the margin of profit, or surplus, for them has been so large that many have closed their doors to local authorities, leaving a shortage of care home places and a knock-on effect on the NHS.

Add Brexit into the mix and councils face losing, it is estimated, around 6% of adult social care staff nationally as eastern Europeans either go home or don't come here. Those essential carers doing a difficult and low paid jobs or workers are very difficult to replace.

Other challenges: finance generally and the changes to councils being self-funding through business rates by 2020 with, in many places, a sizeable safety net; concerns about infrastructure funding when Brexit bites; providing sufficient housing, especially social and affordable housing.

But there are some positives. A devolution agenda to combined authorities will bring a reversal of the creeping centralisation of the last 60 years, and may provide a renewed interest in local democracy. Councils are becoming far more commercial in their outlook, setting up trading and investment companies at a rate never seen before, and exploiting their property assets to achieve real growth in some imaginative and successful ways.

So it's not all bad, by any means. But challenges? There are plenty of those!

Launching our volunteering project

We are committed to making a difference in society. Our social-purpose volunteering project policy provides:

- The opportunity for the firm to provide some support for those of us who volunteer for the benefit of others.
- The opportunity for those who have not done so before to explore opportunities for volunteering.
- For the commitment of those people who volunteer to be a demonstrable example of our fundamental commitment to improving the lives of others and wider society.

We have up to 250 days available each year for staff and partners to take volunteering time for the benefit of the community. This time can be taken as whole or part days out of the business to volunteer in an organisation that improves lives and communities that aligns with our values.

Can you help us reach our target to give away a year of time?

If your organisation has projects that you would like help with, please let your contact at Anthony Collins Solicitors know, or email info@anthonycollins.com.

06 LEGAL SERVICES FOR INDIVIDUALS – LIFE STAGE PLANNING

Sector lead:
Elizabeth Wyatt – Partner



Case study: Mr and Mrs Brown*

Mr Brown was the benefactor for a charitable trust. He was unwell and also needed a Power of Attorney putting in place in order to sell a property owned by his company. Mrs Brown had been in touch with us to establish whether we were holding deeds for the property in question. As we started working with the Browns, it became apparent the couple were wealthy, but didn't have wills in place and needed assistance simplifying their affairs – particularly important due to Mr Brown's ill health. We advised on the importance of the wills and took instructions for them. They were signed quickly due to Mr Brown's deteriorating health. He unfortunately died shortly after signing the will and we have since assisted Mrs Brown with his estate.

We assisted the Browns at a difficult time and our quick response ensured that Mr Brown's substantial estate will ultimately benefit his charitable trust. The estate was complex, with assets held in company structures, offshore assets, and an on-going trust. The estate currently totals over £12m with a £6m charitable trust in Guernsey, which needs to be dealt with on an on-going basis.

Our work ensured that a sizable estate will be used for charitable purposes and, going forward, that the estate and surrounding matters are dealt with properly and efficiently in order to ensure the maximum benefit to trust.



Profile: Chris Lloyd-Smith Senior Associate

I joined Anthony Collins Solicitors' private legal team in 2015. During this time, I've dealt with a range of complex cases, for example, concluding a high-value matrimonial financial matter.

With such cases, I understand the great deal of stress and turmoil my clients can go through. That's why I look to limit their stress, and provide reassurance, guidance and a degree of certainty.

As well as being a solicitor, I'm part of the family mediation team at Anthony Collins Solicitors. Building on an already impressive reputation, the team has rapidly grown to be the largest family mediation team in Birmingham and is dedicated to supporting families through difficult times, hopefully without the need to go through the trauma of a court appearance.

Challenges in the life stage planning sector

There is no doubt 2016 has been a turbulent year, causing uncertainty in the sector. Initial volatility in the markets has been quelled, to some extent, but private clients certainly need to keep watch and review investments regularly. What this volatility will look like is uncertain so careful, long-term financial advice to complement personal and estate planning will remain key.

Changes to Capital Gains Tax have seen a more consistent and lower rate of tax applied to both individuals and trustees. An exception to this is in relation to residential property, where if a second home or other residential property is

owned, an enhanced rate of Capital Gains Tax is payable. Also, supporting the Government's push to free up housing is the increase of 3% on stamp duty land tax for second homes.

From April 2017, the Residence Nil Rate Band over the tax years 2017/18 to 2020/2021 will increase the potentially available portion of the estate that you can leave, without inheritance tax being charged. This will be subject to the ownership of residential property within an estate, to £500,000 – and for a married couple, increasing the available Nil Rate Bands to £1million.

For those who hold roles of responsibility for others, such as Trustees, Attorneys, and Deputies, the need to keep finances under regular review has never been more important.

With recent 'promises' that the UK Human Rights Act 1998 would be repealed having been made, the position of Brexit might not be immediately relevant, but what political will would there be for change? Will a British Bill of Rights be more or less likely? Much may depend on exactly how the UK 'Brexit' is in due course – and just how much political and governmental time is taken up in dealing with that.

Suited for Success

Suited for Success is a Birmingham-based charity, created by a group of young professionals who were united by their desire to make a positive impact in the city. The initiative was born out of recognition that unemployment is a major issue that needs tackling.

Along with other Birmingham-based organisations, we have supported the movement since its inception in 2015. Donating good-quality, gently-worn suits and professional workwear for unemployed people going to an interview.

Many individuals referred to Suited for Success have experienced long-term unemployment and

have a history of offending, drug abuse, homelessness or poverty. This results in low self-esteem, and lack of confidence that becomes a barrier to finding employment. Looking and feeling the part for an interview is a step towards succeeding in finding that crucial job and getting their life back on track.

Suited for Success is growing fast, recently employing one of its founders and opening new premises in Ladywood, Birmingham in October 2016. One of our solicitors, Sarah Greenhalgh, has been involved from the start and continues to provide support as a trustee.

07 LEGAL SERVICES FOR INDIVIDUALS - CRITICAL EVENTS

Sector lead:
Rankeshwar Batta – Partner



Case study: XB

When family A's son was born in 1998 he suffered a birth injury that left him severely disabled. At the time they weren't aware that there might have been a reason for the injury and accepted that it was simply a difficult birth. It wasn't until much later on that a possible failure in their son's care came to light. The son didn't have the capacity to litigate and so the parents, as his representatives, approached us in 2009 looking to us for advice.

Our initial role was to investigate grounds for a clinical negligence claim, which we brought against the Secretary of State for Health (because of changes in governance within the NHS). We were keen for our

client to live independently, helped by a team of carers of his choosing. But the other side disagreed, insisting our client would be isolated and it was in his best interests to remain in group living with other disabled people. This escalated to a contested court hearing involving barristers. The judge ruled wholly in our favour, supporting our view of the care packages required.

We came to a provisional settlement of a lump sum of £950,000 and annual payments of £30,000. This might seem like a large amount of money, but we felt that these sums were simply insufficient to provide adequate support and care to

our clients and, after much deliberation and negotiation, we settled on a lump sum of £3.4million with annual payments of £195,000. This result will have a hugely positive impact on our client's quality of life and we're happy that we were able to secure this result for him and his family.

Following this, we went on to assist the client by being appointed as the Court of Protection Deputy for property and finances, instructed as the Court of Protection CPR Part 35 expert in the court case.

Profile: Nev Zaki Associate Solicitor



I'd always wanted to work for Anthony Collins Solicitors because of its strong values and, amongst other things, their belief in helping vulnerable individuals.

Unusual for a firm of our size, we have a full family-law legal-aid offering – testament to how our values and goals translate into the work that I do directly. As a children's lawyer, legal aid enables me to represent some of the most vulnerable members of our society in care proceedings, when the state intervenes in the care that is given to children by their parents and families. I represent parents and family members in what is often a very emotional and difficult

proceeding – and, as a member of the Law Society's Children's Panel, the children themselves.

Recently, I defended the rights of a child who, at the age of 15, wished to keep personal and sensitive information confidential from his parents, despite his social worker knowing. The social worker wanted to tell the parents and I applied for an injunction to stop that, arguing that a child's right to privacy was more important than the parents' right to know. It was eventually decided by the High Court in London that my client's rights should prevail – a decision that we welcomed and is significant for all children in similar circumstances.

Challenges in the critical events sector

More and more clients are failing to access justice, largely due to the removal of legal aid for most clinical negligence claims and nearly all personal injury claims. Pursuing clinical negligence and catastrophic personal injury claims has also become harder and, with the Government set to announce a fixed-fee regime to apply in clinical negligence claims, more change and challenges are imminent.

Our Court of Protection team has seen significant changes, including the Transparency Pilot devised by the

Court of Protection Rules Committee. The default position is now that hearings are held in public, with both the media and the public being able to attend.

The Deprivation of Liberty Safeguards have been extensively criticised as overly complex and bureaucratic and “not fit for purpose”. The Law Commission has undertaken a review of these procedures, and their final report and draft legislation will be published before the end of 2016.

In child-care, we continue to see the impact of the Government’s cuts in public spending and in legal aid.

There has been a rise in litigants in person, in the courts, and an increase in public child-care proceedings being issued by local authorities to safeguard children. All parts of the law surrounding the protection of children is up for review.

There has been a rise in the number of matters where allegations of terrorism are alleged as factors causing harm to children. We have been appointed to represent children involved in both of the first two such cases in Birmingham showing our ability to adapt to new areas and understand new and complex issues.

Jericho Foundation

Law firms produce quantities of paper, some of which has confidential information on it. Our partnership with Jericho Foundation, however, means that our waste disposal achieves a lot more than just paper being shredded carefully.

Jericho Foundation is a ground-breaking social enterprise based in Birmingham. They aim to seek out and engage with people who experience significant barriers to being fulfilled, skilled and employed, including long-term unemployment; homelessness; alcohol or substance misuse; a criminal record; low self-esteem; or mild mental-health problems. Helping those involved overcome

such hurdles, gain relevant vocational skills and secure sustainable employment means they can live more independently.

The Foundation does this through providing work experience in one of their social enterprise businesses, combined with an individually-tailored support package according to each person's needs. Jericho Recycling is one of those social enterprises and they work with us by disposing of our confidential waste, shredding it within 72 hours, and providing us with certificates of destruction.

08 SOCIAL BUSINESS



Sector lead:
David Alcock – Partner



Case study: Stoke-on-Trent City Council

Stoke-on-Trent City Council secured funding from the Department for Education's, Children's Social Care Innovation Programme Grant, to develop, test and share effective ways of supporting children who need help from children's social-care services. We've been working with the Council to provide full legal and business planning support for a young persons' housing co-operative, from the initial options appraisal to transition planning and implementation.

It required unique support from us, in relation to enabling social care leavers to be fully engaged, with work needing to be twin-tracked with both the Council and the young people that are involved in progressing this project. To assist, we gathered a group of experts, from across the firm, specialising in legal, financial and business planning, as well as solicitors that had previously been involved with youth services and care leavers.

Collectively, we worked with both the young people and the Council to transfer knowledge and find solutions to some of the more difficult and unique aspects of the project. These include: Secretary of State consents; providing a legal structure and governance model that can evolve in time as the project grows and develops; consideration of the support transition from children to adult services; and concerns surrounding trustee arrangements for tenancies of young people below the age of 18.

We are also working with the team to produce a range of knowledge-sharing deliverables, to enable the learning of this project to be shared elsewhere. This will include a report to the Department for Education on some of the challenges and obstacles that have been overcome along the way.

Profile:
Alex Tindall
Solicitor



Day-to-day I work on property matters for social enterprises and community organisations that have a real impact in the locality they serve. For instance, I'm currently acting for Crystal Palace Community Development Trust on a lease of the historic town hall, and a community enterprise – Wheeled Sports for Hereford – on the transfer of its internationally-renowned skate park. These projects, and one such as the ground-breaking community-asset transfer of two wildlife reserves from Herefordshire Council, are just a few examples of the exciting work I've been focused on since joining Anthony Collins Solicitors two years ago.

Challenges in the social business sector

The EU has dominated attention for much of this last year, but the behaviour of businesses has continued to attract the interest of mainstream media. Are they paying their taxes? Are they providing a fair service to their customers? How responsible is their use of energy? Do they pay workers the National Minimum Wage? Are they showing proper concern for their local communities and the natural environment? From Sports Direct to Amazon, the answers have not always been positive.

It would be wrong to just focus on the outstanding examples of bad behaviour and overlook the many businesses that behave well, but it is a legitimate question today to ask: how social are businesses?

For the large investor-owned businesses that dominate their sectors in retail, energy, utilities, financial services and other consumer-facing businesses, the answer is sometimes depressing: often only as much as their boards believe they need to be in order to deliver shareholder value. Profitability can be directly improved by minimising tax, wages, and waste disposal costs; doing the right thing doesn't necessarily help the share price.

This year we helped an organisation that supports people with learning disabilities completely change their governance structure, to allow people with learning disabilities to participate as members, and to help elect the board. We have also supported a PLC considering how it might

involve its customers in a new way. We have worked with a football club reviewing new ownership by the wider community. In each case, we have helped that particular group see how its purpose can be reflected in the corporate design of the organisation.

As we know, change takes time and not everyone finds it easy. It can be unsettling and sometimes disruptive. But the transformative effect of change creates new opportunities, new relationships, and can enrich some older ones. It can help clarify purpose, and improve the impact that we all have on the people, communities and society of which we are all part.

We hope this has been insightful...

...and demonstrates to you how focused we are on delivering our purpose. If you have any questions, would like further information, or simply would like to find out how we can help you, please contact us. We'd love to hear from you.

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