

FOI 2019/088

1. Whether agency doctors are still being, (a) mandated to or, (b) requested to work through the Brooksons/+us shell arrangement?

LCFT has never mandated agency doctors must work via the Brooksons/+us model. The Trust is currently reviewing arrangements following the HMRC announcement and so it is too early to confirm whether agency doctors are still being requested to work through this model.

2. Whether the trust intends to seek compensation for breach of contract by Brooksons/+us and /or rely on any indemnity provided by Brooksons/+us should HMRC seek to recover backdated taxes?

This would be a legal matter for LCFT to consider if required and such speculation cannot otherwise be commented on at this time.

3. Whether the trust intends to use a newly modified service with the same provider to try to continue to avoid or mitigate VAT, and please share any legal and tax advice that you have sought?

LCFT is reviewing all arrangements currently in place with Brooksons/+us including future options. LCFT is not at liberty to discuss or disclose any legal or tax advice which would be commercially sensitive and confidential in nature.

4. Whether the trust considers the contract with this provider is void on the basis that the contract specification can no longer be met and any changes proposed to the supply model would be so material as to render it void?

This question is asking for speculation and LCFT is not at liberty to, nor obligated to discuss such speculation. You should seek the advice of your own legal counsel if you require advice on the validity or otherwise of Brooksons/+us contracts following the HMRC announcement.