

Overview - The NSCSO Partnering Agreement between the London Borough of Barnet and Capita Business Services Limited

The Contract Body, or Partnering Agreement, consists of 79 Clauses that are the primary legal mechanism governing the relationship between the Council and Capita. Each contract clause contained within the agreement is aimed at defining the rights, privileges, and commitments that each party has determined represent the terms governing the working relationship.

The Contract Schedules form part of the Contract or Agreement and refer to materials and information that could be in the main contract but are instead moved to the end usually due to their length in an effort to achieve clarity and brevity in the main contract. The majority of the schedules are contained within the Model Contract Schedules document with the exception of the following which are separate documents and are further listed below;

Schedule 1 - Output Specifications
Schedule 2 - Service Delivery Plans
Schedule 4 - Price and Performance Mechanism
Schedule 35 - Service Provider Commitments

The legal precedence given to these documents is as follows and determines which document would be given the most precedence in the event that a court were required to rule in a dispute;

1. the Partnering Agreement clauses 1 to 79 inclusive;
2. Schedule 1 (Output Specifications);
3. Schedule 4 (Payment and Performance Mechanism);
4. Schedule 35 (Service Provider Commitments);
5. Schedule 8 (Authority's Obligations);
6. the other Schedules of this Agreement;
7. any ancillary documents entered into to give efficacy to this Agreement, including but not limited to the property documents.

A summary of the reasons why information is being withheld in each of the document sets is shown on the refusal notice published on the Councils website.