

## Public Matters - March 2022

Updates include Agile contracting in Government, Liberty Protection Safeguards, survey consultation, Health and safety success for schools at trial and more.

31 March 2022

Welcome to our Public Matters Newsletter.

This month we have:

### [Agile contracting in Government](#)

Kay Chand discusses what agile software contracting is and considers the key benefits and benefits of this. Kay also provides recommendations for government bodies in relation to agile working models.

[Read more >](#)

### [Liberty Protection Safeguards. What are they and will they ever happen?](#)

Chris Stark explains what the Liberty Protection Safeguards will be used for and considers the changes being proposed and what is expected to stay the same.

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### [When is a survey a consultation?](#)

Using recent case law examples for reference, in this article Laura Hughes, provides practical tips for public bodies undertaking a consultation.

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### [Health and safety success for schools at trial](#)

In recent months our insurance litigation specialists have supported a couple of schools' successful defence of claims at trial.

In this article, Katherine Langley takes us through the cases and highlights some learning points other schools should be aware of.

[Read more >](#)

### [Do local authorities owe a duty of care to children living at home with their family?](#)

Do local authorities owe a duty of care to children living at home with their families? Sarah Erwin-Jones and Louise Fisher discuss recent case law including a matter concerning one of Browne Jacobson's long-standing clients.

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## [Aarhus Legal Costs](#)

It has been confirmed that cost protection under the Aarhus Convention does apply to a claim brought by an environmental activist against the Welsh Ministers.

Alistair Taylor explains how this decision confirms that Aarhus cost protection applies where the claim is not based on environmental arguments alone.

[Read more >](#)

## [Court of Appeal \(Civil Division\) upholds Divisional Courts ruling and finds secretary of state's decision to make statutory instruments to change the GPDO 2015 a lawful act](#)

Michaela Burrell summarises the case of R (on the application of Rights: Community Action) v Secretary of State for Housing Communities and Local Government [2021] and the Court of Appeal decision.

[Read more >](#)

## [Annual reviews – timing of local authority action](#)

A recent High Court case has provided much needed clarity on the timescales for action when it comes to amending EHCPs.

In this article, SEND expert Richard Freeth has outlined the judicial interpretation for changing a plan after an annual review – which will have significant impact on both local authorities and schools.

[Read more >](#)

## [The main legal and ethical issues with cancelling procurement contracts](#)

Can public bodies legally terminate their contracts with suppliers such as Gazprom? In this article, Jasmine Shokar considers the legal and ethical implications of termination of such contracts and the options available to public bodies.

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