
IN-HOUSE ESSENTIAL LEGAL TRAINING

FOR

HEALTH PRACTITIONERS



CME
&
CPD
Approved

Health Records

Good health records are an integral part of safe and effective healthcare, as well as an essential tool in risk management and clinical audit. These records are legal documents. A successful outcome to a Clinical Negligence claim may depend on the quality of the health records.

Common errors in record keeping will be highlighted through trainer-led discussions and case studies. The detail of what to include regarding history, examination, diagnosis prescribing, information on risks and benefits, consent, treatment and follow up will be discussed.

Key Learning Points

- ◆ Best practice for care, treatment and support
- ◆ Accountability
- ◆ Understanding the legal requirements in relation to record keeping
- ◆ Appropriate use of shared care records
- ◆ Electronic records
- ◆ Requirements of the NHS Care Records Service
- ◆ Cross-examination to reinforce the importance of accurate record keeping

This course carries 6 CPD/CME points

Delegate numbers for this course: up to 20

Statement Writing & Report Writing

Cases are won and lost on the strength of the written evidence. Good written evidence can save a court appearance and legal costs. Statements and Reports need to be clear, accurate, professional and well presented.

Statement & Report Writing is a one-day course that enables all healthcare practitioners to understand what lawyers and the courts require from their documents. Delegates are asked to bring their own documents from completed cases and will receive advice on the formal requirements and constructive feedback on their writing style. Delegates will learn the skills needed to create their own personalised format suited to their field by using the information received during the training.

Key Learning Points

- ◆ Identifying the issues to be addressed
- ◆ Pitching the language at the right level
- ◆ Using appendices
- ◆ Using exhibits, photographs, diagrams and plans
- ◆ Formal requirements
- ◆ Amending a standard format to the individual's specific requirements
- ◆ Compliance with professional guidelines
- ◆ Ensuring all conclusions have a sound factual basis
- ◆ How to set out the writer's qualifications and experience
- ◆ Writing with the reader of the report in mind

This course carries 6 CPD/CME points

Delegate numbers for this course: up to 20

Clinical Responsibility - the Legal Perspective

Clinical Responsibility - a practical introduction led by a specialist Health Services Lawyer, which looks at the duties owed by health practitioners to their patients and clients and distinguishes between negligence and error of judgement. Strategies to minimise the risk of litigation and complaint will be explored to help practitioners practice safely and lawfully, without resorting to defensive practice. The sessions are interactive and extensively illustrated by case studies and decided cases.

Health practitioners are given insight into their accountability to society, the patient or client, their employer and their profession and how to resolve the tension inherent in competing expectations. The day includes information on the law of negligence, risk management and governance.

Key Learning Points

- ◆ The concept of Clinical Responsibility in the context of Risk Management and Governance
- ◆ The Health Professional's Duty of Care
- ◆ Principles of vicarious liability
- ◆ Possible defences to allegations of negligence
- ◆ Issues of accountability in the light of recent cases
- ◆ How to implement best practice Clinical Audit and Risk Management in a fair blame culture

This course carries 6 CPD/CME points

Delegate numbers for this course: up to 20

Call Bond Solon on 020 7549 2549 for further information

Consent for Examination or Treatment

In today's NHS, with its recognition of the patient's rights of autonomy and self-determination and the practitioner's duty to work in partnership, a comprehensive understanding of consent is now an essential requirement for all health practitioners.

This one day course will give participants an introduction to the key principles and ethos underpinning consent. Through practical examples and trainer-led discussion, delegates will learn to apply these principles to difficult and sensitive situations. Guidance will be given on how to assess capacity and how to deal with situations where the patient is unable to give effective consent. A comprehensive workbook with the Department of Health and Judicial guidance is provided.

Key Learning Points

- ◆ The fundamental principles and human rights
- ◆ What is consent?
- ◆ Form of consent
- ◆ Capacity to consent
- ◆ Treatment of patients who lack capacity
- ◆ End of life issues
- ◆ Withholding of treatment
- ◆ Advance decisions
- ◆ The legal position of the child
- ◆ Consent issues for under-18s

If you would like to include the impact of the legislation relating to the use and retention of human tissue during this course, please let us know.

This course carries 6 CPD/CME points

Delegate numbers for this course: up to 20

"At the end of the course, one has the ability to visualise a framework around which one presents the medical facts to make them coherent and digestible."

Dr David Oram, Portsmouth

"The course proved worthwhile with one of the best legal trainers it has ever been my privilege to learn from."

Mr Wright, Chief Executive, International Glaucoma Association

"...excellent - thought provoking and made one question one's own action"

Graham Rigby, Team Leader, Ashworth Hospital

"The judge praised our witnesses. We won our case and my client...was pleased with me for taking the initiative of engaging your firm."

Toby Graham, Taylor Wessing

"After attending a Bond Solon training course, I organised a number of in-house training days for staff within the trust. The feedback from the training has been fantastic, increasing both awareness and understanding of legal requirements. This type of training should be made mandatory for all health practitioners."

Dawn Selkirk - Health Records Manager Lincolnshire Partnership NHS Foundation Trust

Patient Confidentiality, Access to Records and Data Protection

While lip service to the concept of confidentiality is readily given, practice all too often falls short of the legal requirements. Confidentiality, Access to Records and Data Protection is a one day course that looks at these issues from the perspective of the patient, the professional and the Trust. It explores disclosure in the public interest and justifiable disclosure to third parties.

Participants will also look at conflicts of interest that may arise and, in the context of governance, those situations where whistle blowing may be necessary. Case studies based on real situations will be reviewed and participants will be asked to justify the conclusions they have reached in answer to the problems posed.

Key Learning Points

- ◆ Confidentiality in the context of patient care
- ◆ Patient's rights
- ◆ Rights of access to information and records
- ◆ The potential tensions between legal and clinical demands
- ◆ The concept of confidentiality within the contract of employment
- ◆ Responsibilities in connection with staff who may be unsafe and 'whistle blowing'
- ◆ Confidentiality in the context of professional and personal liability

This course carries 6 CPD/CME points

Delegate numbers for this course: up to 20

Call Bond Solon on 020 7549 2549 for further information

Mental Capacity Act

Until recently the legal principle that no adult can consent on behalf of another has caused significant problems for all health practitioners with responsibilities for the welfare and wellbeing of those who are unable to make their own decisions. The Mental Capacity Act 2005 provides a completely new system for addressing these issues.

All NHS bodies are required to ensure that their staff have been trained and are able to comply with the legislation and its associated Code of Practice. The training provides a detailed exploration of the relevant provisions supported by practical case studies drawn from everyday practice. The principles and safeguards applying to decisions made in the patient's best interests will be looked at on the course.

Key Learning Points

- ◆ The Capacity Test
- ◆ Best Interests
- ◆ Lasting Power of Attorney
- ◆ Advance Decisions
- ◆ Restraint and Restriction of Liberty
- ◆ Deprivation of Liberty Safeguards
- ◆ Independent Mental Capacity Advocates
- ◆ The Court of Protection and Public Guardian
- ◆ Criminal Offences
- ◆ Research

This course carries 6 CPD/CME points

Delegate numbers for this course: up to 20

Complaints Handling and Investigations

In light of 'Listening, Improving, Responding' Bond Solon's Complaints Handling and Investigation courses have been developed to ensure that clinical and administrative staff involved in resolving concerns and complaints can do so confidently and effectively.

The Advanced Professional Award in Complaints Handling and Investigation:

- ◆ Module 1: Law, Evidence and Procedure in Complaints Handling and Investigations
- ◆ Module 2: Communication, Questioning Techniques and Interviewing Skills in Complaints Handling and Investigations
- ◆ Module 3: Report Writing in Complaints Handling and Investigations

Advanced Professional Award:

Delegates can attend individual 1-day courses or complete 3 days of training with assessments to be eligible for the Advanced Professional Award in Complaints Handling and Investigations accredited by Edexcel at BTEC Level 7 (equivalent to NVQ level 5)

These courses carry 6 CPD/CME points per day

Delegate numbers for these courses: up to 16

Witness Skills for Courts/Inquiries/Tribunals etc.

All practitioners may be called upon to give evidence. Being cross-examined is a challenging and stressful experience. Witnesses commonly feel unsupported and exposed by the process.

Participants gain knowledge of the procedures involved in giving evidence, the roles of the different people involved, what is expected of them and what preparation they can make. The various difficulties that can arise in cross-examination and how to handle them are considered. The workshop culminates in mock cross-examination. This enables participants to experience the process and learn in a safe and supportive environment.

The lawyers leading the workshops combine practical experience in law with a real understanding of the concerns and possible misapprehensions of witnesses. This will ensure that delegates are equipped with the knowledge and skills to deal with cross-examination comfortably and effectively. By arranging this workshop, organisations demonstrate that they are providing the support required for their staff, and at the same time enhance the credibility of the witness.

Key Learning Points

- ◆ How to present effective oral evidence
- ◆ The practice, procedure and etiquette of the different legal forums
- ◆ The roles of the various parties at the hearing
- ◆ Preparation and personal presentation at the hearing
- ◆ How the adversarial and inquisitorial systems work
- ◆ Taking the oath or affirmation with confidence (if required)
- ◆ Difficulties that arise in cross-examination and how to handle them
- ◆ Who to speak to at the hearing and how to address them
- ◆ Giving coherent testimony under cross-examination

This course carries 6 CPD/CME points

Delegate numbers for this course: up to 16

1-1 sessions can be arranged

Call Bond Solon on 020 7549 2549 for further information

Why organise specialist legal training for health practitioners?

As claims against the health service increase, pro-active training to reduce the risk of exposure to future claims is essential. Training to improve practice in areas such as health records, consent and confidentiality is now seen as an important component in the risk management process.

Healthcare practitioners are increasingly becoming involved in the legal or complaints process in the course of their professional career. Legal training and good health records not only minimise risk, they aid root cause analysis and help identify fair claims.

Why use Bond Solon Training?

Bond Solon Training is the UK's leading legal training consultancy for health practitioners. We are the market leaders in providing award winning, innovative courses that are highly experiential and participative.

Formed in 1992, we are the longest established legal training consultancy both in the familiarisation of witnesses and on the latest topics and litigious medico legal issues. We train for over 300 Trusts, other private service providers and many professional bodies. Our high quality programmes are consistently rated as essential training by delegates.

We are often instructed to write specialist training programmes where expert advice is required, creating an interactive and practical training. Many have been designed with the organisation's own policies in mind. We use highly relevant case studies to draw on past experiences and encourage interactive debate on the legal principles surrounding patient treatment.

The training can be designed for an individual speciality, for a single discipline or for multidisciplinary groups. For no extra charge, we take a full briefing and design a draft programme. Please refer to the back page for a list of training courses which are not exhaustive and are set out for example purposes only.

Unlike many other training programmes, we do not dictate a list of dos and don'ts. We recognise that every situation is unique and our trainers encourage the sharing of experiences through interactive discussions and debate, guiding the participants to a fuller understanding of the legal principles affecting their practice. Our courses are delivered by independent lawyers to ensure that our training is objective.

In 2008/09, 6,080 claims of clinical negligence and 3,743 claims of non-clinical negligence against NHS bodies were received by the Authority, up from 5,470 claims of clinical negligence and 3,380 claims of non-clinical negligence in 2007/08.

NHSLA Report and Accounts, 2009

What are the key features of the training?

- ◆ Courses taught by top solicitors and barristers who are experienced trainers
- ◆ Specialised course content and delivery
- ◆ Skills based workshops
- ◆ Addresses the issues and concerns of the participants using real life scenarios in a digestible format
- ◆ Tried and tested courses - please ask to speak to a referee in your area
- ◆ Independent and professional guidance to improve current issues in the workplace
- ◆ Bespoke training to meet your exact aims and objectives

What are the key benefits of the training?

- ◆ **Courses accredited for CPD & CME points**
- ◆ Improves participants' understanding of the legal principles resulting in raised standards which thereby reduces the risk of claims and complaints
- ◆ Helps to create effective assessment and monitoring systems
- ◆ Provides the criteria for best practice
- ◆ Written feedback presented to the organiser on the completion of the training

Call Bond Solon on 020 7549 2549 for further information

A selection of our medical clients...

Anglia Ruskin University
Ashton, Leigh, Wigan PCT
Barking, Havering & Redbridge Hospitals NHS Trust
Barnsley Hospital NHS Foundation Trust
Basildon & Thurrock University Hospitals Foundation Trust
Bedfordshire and Luton Mental Health and Social Care
Bedfordshire Heartlands PCT
Birmingham St Mary's Hospice
Blackburn with Darwen PCT
Blackpool PCT
Bolton Salford & Trafford Mental Health NHS Trust
Bournemouth and Poole Teaching PCT
British Association of Dermatologists
BUPA
Bury PCT
Cardiff & Vale NHS Trust
Central Lancashire PCT
College of Chiropractors
Coventry and Warwickshire Ambulance Service NHS Trust
Croydon PCT
Dental Practice Board
Derby City PCT
Derby Hospitals NHS Foundation Trust
Doncaster & Bassetlaw Hospitals NHS Foundation Trust
East & North Herts PCT
East Lancashire Teaching PCT
Enfield PCT
General Osteopathic Council
Great Ormond Street Hospital
Hartlepool PCT
HCA International Ltd
Heart of England NHS Foundation Trust
Hereford Hospital NHS Trust
Hospice in the Weald
Imperial College Healthcare NHS Trust
Imperial College London
Ipswich Hospitals NHS Trust
Kent and Medway NHS and Social Care Partnership
Lancashire Care NHS Trust
Leicester City PCT
Leicestershire Partnership NHS Trust
Lifestyle Healthcare Group Ltd
Local Supervisory Authority - Various
Luton & Dunstable Hospital NHS Foundation Trust
Manchester PCT
Middlesbrough PCT
Moordown Medical Centre
National Care Standards Commission
Newcastle PCT
Newham PCT
NHS Borders
NHS Dumfries and Galloway
NHS Grampian
NHS Modernisation Agency
NHS Orkney
Norfolk and Waveney Mental Health Partnership NHS Trust
North Central London Workforce Development Confederation
North East Essex PCT
North Tees & Hartlepool NHS Foundation Trust
North Tees PCT
North West Wales NHS Trust
Northamptonshire PCT
Nottinghamshire Healthcare NHS Trust
Partnerships in Care Ltd
Pentlow Care Group
Portsmouth Hospitals NHS Trust
Prison Health Development Team
Rotherham Doncaster and South Humber Mental Health Foundation Trust
Rotherham NHS Foundation Trust
Rotherham PCT
Royal Bournemouth & Christchurch Hospitals NHS Trust
Royal Centre for Defence Medicine
Royal College of General Practitioners, The
Royal College of Midwives, The
Royal College of Nursing, The
Royal College of Occupational Therapists, The
Royal College of Surgeons, The
Royal Devon and Exeter NHS Foundation Trust
Royal Society of Medicine, The
Sheffield Teaching Hospitals NHS Foundation Trust
Sheffield PCT
South Tees Hospitals NHS Trust
South Warwickshire General Hospitals NHS Trust
Southwark PCT
St Andrews Hospice
St Giles Hospice
Stockport NHS Foundation Trust
Suffolk Mental Health Partnership NHS Trust
Sussex Downs and Weald PCT
Tameside and Glossop PCT
The Royal Hospitals, Belfast
The Royal Marsden NHS Foundation Trust
UNISON
University College London Hospitals NHS Foundation Trust
University of East Anglia
University Hospital Birmingham NHS Foundation Trust
Walsall Hospitals NHS Trust
Westmorland Health Centre, Isle of Man
Wiltshire Primary Care Trust

Other training we offer:

If a topic is not included on our list, we also design bespoke training to meet your exact aims and objectives

In addition to our workshop programmes, we also offer tailor made courses to meet your particular requirements. Past courses include:

- ◆ Safeguarding Children and Vulnerable Adults
- ◆ Impact of Mental Health Act Amendments on CAMHS
- ◆ Non-Medical Prescribing
- ◆ Negotiation and Mediation
- ◆ Interface between the Mental Capacity Act and the Mental Health Act
- ◆ In-House Expert Witness Training
- ◆ Coroners' Court Training
- ◆ Employment Tribunals
- ◆ Employment Investigations

Who to speak to for more information?

Detailed information on each of our in-house workshops is available upon request.

Please call 020 7549 2549 or e-mail: info@bondsolon.com or visit our web site at www.bondsolon.com

Data Protection: Bond Solon may from time to time contact you with details of programmes and services that may be of interest to you and may pass your details to other companies within the Wilmington Group and selected clients. Please contact us if you do not wish to be included in this activity.