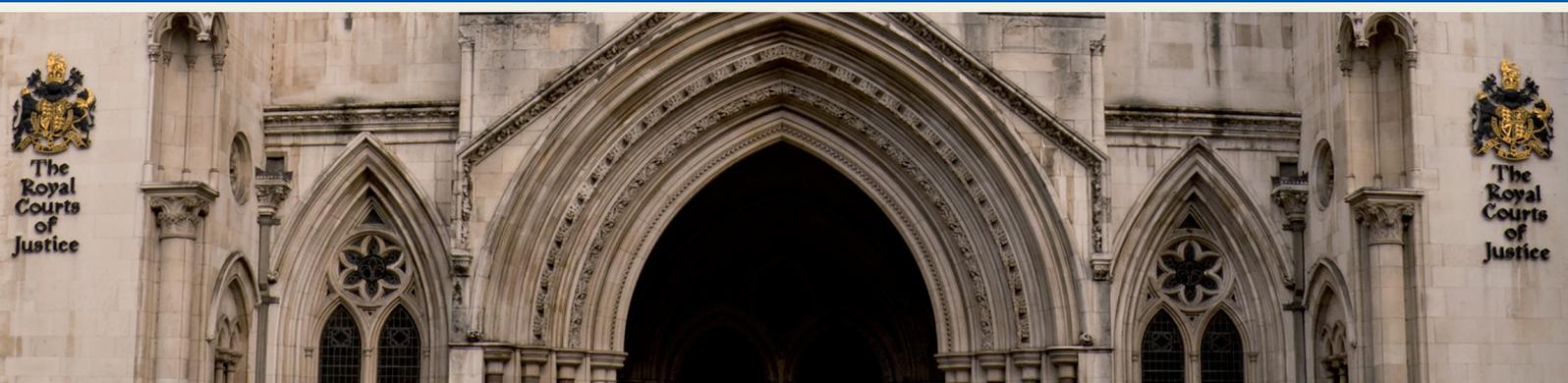


# Essential Legal Training for Health Practitioners

A range of unique in-house training programmes designed to give all practitioners increased competence and confidence to provide excellence in clinical care.





## Why undertake Essential Legal Training?

The emphasis on quality of care and ever-increasing patient expectations inevitably makes health practitioners anxious. Training is essential to give staff the knowledge and confidence to practice safely. Defensible practice means that staff maintain professional standards are able to give a good account of themselves and decisions taken.

It is important that all health practitioners are equipped with the key legal knowledge and skills to enhance their day-to-day professional roles and to act effectively and to best practice standards. The ability to apply the legal principles will assist in ensuring patient safety and continuity of care.

The training is delivered in-house at your organisation and tailored to meet the needs of specific teams or disciplines.

Areas of training include:

- Record Keeping
- Statement and Report Writing
- Coroner's Court
- Mental Capacity Act
- Clinical Responsibility
- Consent
- Safeguarding
- Confidentiality
- Complaints Handling and Investigation

## Essential Legal Training for Health Practitioners will:

- Equip practitioners with the necessary skills, knowledge and ability to fulfil their roles to best practice standards
- Provide the legal framework for best practice
- Help to implement effective assessment and monitoring of standards
- Help to meet the requirements of external bodies and regulators
- Increase the quality of care and so reduce the risk of complaints and claims
- Increase the confidence of practitioners
- Complement and enhance existing skills

*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**

*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**



## Unique approach in both the design and delivery of your training needs

Bond Solon will provide your organisation with the most up-to-date, relevant, useful and effective courses by working closely in partnership with you.

Courses delivered in-house are tailored to meet your organisation's specific needs. Bond Solon will work with key personnel to ensure the training incorporates key legislation and responsibilities, your organisation's policies and procedures, and relationships with other agencies.

As a dedicated training company, Bond Solon is fully aware that delegates require a range of learning styles. This will ensure that everyone acquires the necessary knowledge and skills to carry out their roles to best practice standards. Each course utilises a number of training approaches including case studies, exercises and role-play.

The training, which is delivered by lawyers, is interactive. Delegates will learn by their participation and receiving feedback and support from their peers and trainers.

## Who should attend the training?

All those providing care, treatment and support to patients, clients and their families.

Health practitioners that have attended our programmes include:

- Doctors
- Nurses
- Midwives
- Dentists
- Pharmacists
- Health, psychological and social work professionals

Each programme is tailored to meet the needs of a specific team or discipline. It will address key legislation and the issues that face practitioners on a day-to-day basis.

*"This training was probably the most beneficial training I have ever put clinical staff through. It really brought home their accountability in regards to their documentation and there was a demonstrable difference in their compliance to documentation almost immediately in the clinical areas."*

**Justine Hiller**  
**Matron**  
**Nuffield Health**

*"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**



## Record Keeping (1 day)

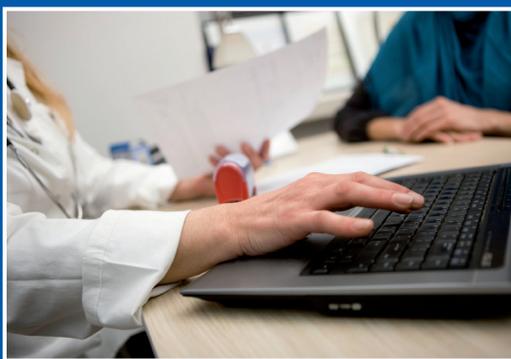
Good health records are an integral part of safe and effective care, as well as providing an essential resource for risk management and clinical audit. The records are a tool which enables health practitioners to discharge their duty of care. At the same time they ensure patient safety, continuity of care and may later have crucial evidential value.

Case studies and trainer-led discussions will be used to highlight the way to create, maintain and use records that will stand up to scrutiny. The detail of what to include regarding history, examination, diagnosis, prescribing, consent, treatment and follow up will be discussed. Strategies for minimising the risk of common errors will be explored.

This is an intensive training day. Delegates will work in groups to prepare a statement on which some participants will be cross-examined to reinforce the importance of accurate record keeping.

### KEY LEARNING POINTS

- Understanding the importance of good communication within records
- Understanding the legal requirements in relation to record keeping
- Ensuring continuity of care with shared care records
- Examining the impact of electronic care records



## Statement and Report Writing (1 day)

As part of their clinical practice, practitioners will be required to produce statements or reports that will later be scrutinised. They may be used internally for audit or responding to complaints and externally in tribunals, inquiries, regulatory proceedings or the courts. All too often, excellent clinical knowledge and skills are undermined when statements or reports fall below an acceptable standard.

This course explores what is required from statements and reports. Practitioners will identify the issues to be addressed and the relevant evidence to be included. They will use objective criteria to assess what has been written and receive feedback to help improve their skills.

### KEY LEARNING POINTS

- Identifying the issues to be addressed
- Distinguishing between fact and assumption
- Ensuring any opinion is based on fact
- How to use records and notes as the basis for statements or reports
- Appropriate format, layout and style
- Understanding the formal requirements governing statements and reports and, where applicable, the relevant procedural rules
- Developing an objective and critical approach to written evidence



## Coroner's Court (1 day)

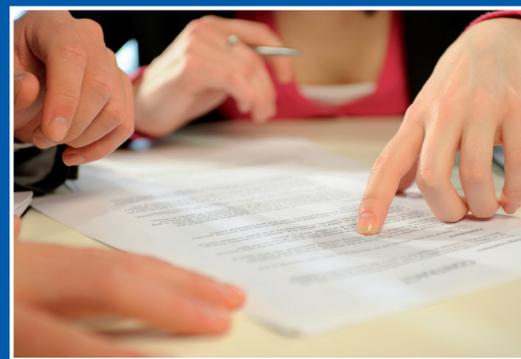
Often witnesses are unprepared for the experience of presenting evidence at an inquest and can find the process daunting. Many professional witnesses feel they are on trial, as if they are standing in the dock, rather than giving evidence to assist the coroner. Doubt may be cast on witnesses' experience, qualifications, methods and opinions. Their knowledge of their specialist area of work may be tested. Technical terms have to be explained simply and clearly, and families often have questions of their own.

This one-day course is designed to ensure that delegates have the support, knowledge and confidence to give truthful, confident and coherent account at a Coroner's Court inquest. In the morning we look at the theory, practice and procedure of giving evidence in order to demystify the inquest process. In the afternoon we set up a mock inquest in which delegates will be questioned on a realistic case study.

### KEY LEARNING POINTS

- The key skills to presenting effective evidence
- How the inquisitorial works
- Preparing for the Coroners' Court
- Lawyers' techniques and how to handle them
- Confident, clear testimony under cross-examination
- Introducing yourself and your experience powerfully
- Whom to speak to in court and what to call them
- Possible findings and verdicts of the Coroner

*Bond Solon also offers a Court Skills course to healthcare professionals. One of the most daunting prospects for any healthcare professionals is attending court. This practical, structured Court Skills training course is designed to ensure that healthcare professionals who give evidence are familiar with the procedure involved. Call or email us for more information.*



### Mental Capacity Act (1 day)

The House of Lords Select Committee post legislative scrutiny published in 2014 advises that the Act is a “visionary piece of legislation” and continues to be held in high regard, however implementation has not met expectations due to lack of awareness and understanding, and compliance with the Act being an “optional add on” rather than “central” to everyday work.

Mental Capacity Act Training will be an intensive and practical day. Through trainer led discussions and practical case studies, the issues facing medical professionals will be examined. When applying the MCA, difficult and sensitive decisions will need to be made. The principles and safeguards to the decision making process will be explored on the course. The application and scope of advance decisions to refuse treatment will be considered.

Delegates will explore the general principles which underpin the Act and its associated Code of Practice and will learn how to make and record Best Interest Decisions. The application of written statement of wishes and Advance Decisions will be considered.

#### KEY LEARNING POINTS

- Understanding the provisions and ethos of the Mental Capacity Act
- Considering and applying the Capacity test
- Appreciation of the concept of Advance decisions
- How to apply the legal framework for restraint and deprivation upon liberty
- Awareness of the powers of The Court of Protection and Public Guardian
- Understanding the application of the Deprivation of Liberty Safeguards

### Clinical Responsibility – the Legal Perspective (1 day)

All health practitioners must understand and maintain the required professional standards. This course identifies the extent of their responsibilities and personal accountability. This training is designed to help equip practitioners with the knowledge and skills to deal with competing expectations and demands on a day-to-day basis.

This course is interactive and extensively illustrated by case studies and case law. Today’s “blame culture” and perceived risk of litigation will be put in context. Practitioners will be helped to act safely, professionally and lawfully without the need to practice defensively.

Delegates will learn how to apply best practice principles of audit, risk management and governance to facilitate evidence-based improvements in clinical practice.

#### KEY LEARNING POINTS

- Interface between clinical and management decisions
- Understanding personal and corporate accountability
- Principles of vicarious liability
- The health practitioner’s duty of care
- Understanding the distinction between negligence and error of judgement
- Highlighting the importance of defensible practice

### Consent for Examination or Treatment (1 day)

Today we recognise the patient’s rights of autonomy and self-determination. The practitioner’s duty to work in partnership means empowering patients to enable them to make their own balanced, informed decisions. A comprehensive understanding of the principles underpinning consent is an essential requirement for all practitioners.

This course will give delegates an introduction to the key concepts and ethos which constitute consent. Through trainer-led discussions and practical case studies, practitioners will learn to apply these principles in difficult and sensitive areas. Guidance will be given on how to deal with situations where the patient is unable to give effective consent.

#### KEY LEARNING POINTS

- The fundamental principles and human rights
- Nature and form of consent
- Provisions of the Mental Capacity Act
- Treatment of those who lack capacity
- Advance decisions
- End of life issues
- Withdrawing or withholding treatment
- The legal position of the child
- Treatment of those under 18



## Safeguarding Children and Adults at Risk of Harm (1 day)

Over the past 30 years there has been an increasing awareness of child protection issues. More recently, it has been recognised that many adults are also vulnerable. Drawing on our experience with children, similar policies and procedures are being implemented for those over 18. With increasing public concern, it is important that practitioners are equipped both to understand and deal with these issues.

The course looks at the historical perspective and identifies both the general principles applying to all members of vulnerable groups and the specific requirements for working safely with a particular group. Practitioners will explore the statutory framework and the provisions and resources in place to deal with all aspects of safeguarding. The course looks at the provisions in place to minimise the risk of inappropriate behaviour, considers inquiry recommendations and highlights the need for effective communication and inter-agency workings.

### KEY LEARNING POINTS

- Understanding individual responsibility for safeguarding
- Increased understanding of the legal requirements
- Applying the principles to clinical practice
- The ability to respond appropriately to safeguarding concerns
- Working safely with those at risk of harm
- Strategies for supporting survivors of abuse
- Learning lessons and implementing change in the light of inquiry recommendations

## Confidentiality and Data Protection in Practice (1 day)

While lip service to the concept of confidentiality is readily given, practice all too often falls short of the legal requirements. This course is designed to ensure that practitioners have both the necessary practical skills and knowledge to comply on a day-to-day basis with best practice, professional standards and the law.

Practitioners will look at conflicts of interest that may arise and how to identify and address concerns which may need to be disclosed. Case studies based on real situations will be reviewed. Practitioners will be asked to justify the conclusions they have reached in answer to the problems posed.

### KEY LEARNING POINTS

- Confidentiality in the context of care, treatment and support
- The potential tensions between legal and clinical demands
- Disclosure in the public interest
- Justifiable breach of confidentiality
- Information sharing
- Openness, transparency and candour
- Rights of access to information and records
- The concept of confidentiality within the contract of employment
- Reporting a concern

## Complaints Handling and Investigation

Failure to investigate and respond to a complaint properly can increase the stress and dissatisfaction felt by the patient, client or family members. A poor response can also have considerable consequences for an organisation, including reputational damage and adverse media attention, and the complaint being escalated to the Ombudsman or litigation.

Often the practitioners investigating a complaint have had little or no formal training in this area.

Bond Solon provides a range of one-day courses and a national recognised qualification that will ensure practitioners have the essential knowledge and skills to conduct a complaints investigation to best practice standards. Delegates will learn how to carry out a thorough investigation, professionally establish facts and secure relevant and credible information to promote early resolution.

The training course comprises:

- Law, Evidence & Procedure in Complaints Handling and Investigation (1 day); or
- Questioning and Interviewing Techniques in Complaints (1 day); or
- Responding to Complaints - Letter and Report Writing (1 day).

Additionally, days may be combined to provide training extending over 2 or 3 days.

Delegates who undertake all three days of training, and successfully complete the post-course assessments, will be eligible for the Professional Award in Complaints Handling and Investigation, BTEC Level 5, accredited by Edexcel.

Please contact us for more information on our complaints training and qualification.



## A selection of our clients...

We have worked with over 300 trusts and health bodies across the UK. A selection of our clients includes:

Abertawe Bro Morgannwg University Health Board,  
Alder Hey Children's NHS Foundation Trust,  
Ashford and St. Peter's Hospitals NHS Trust,  
Barnet and Chase Farm Hospitals NHS Trust,  
Barnsley Hospital NHS Foundation Trust,  
Basildon and Thurrock University Hospitals NHS Foundation Trust,  
Betsi Cadwaladr University Health Board,  
Brighton and Sussex University Hospitals NHS Trust,  
Burton Hospitals NHS Foundation Trust,  
Care Quality Commission,  
Central and North West London NHS Foundation Trust,  
Croydon Health Services NHS Trust,  
Cwm Taf Health Board,  
Dansac,  
Department of Health,  
East Midlands Ambulance Service NHS Trust,  
East of England Ambulance Service NHS Trust,  
Epsom and St Helier University Hospitals NHS Trust,  
Guy's and St Thomas' NHS Foundation Trust,  
Health and Care Professions Council,  
Health Education East of England,  
Heart of England NHS Foundation Trust,  
Hertfordshire Partnership University NHS Foundation Trust,  
Hollister Limited,  
Hounslow and Richmond Community Healthcare NHS Trust,  
Lewisham and Greenwich NHS Trust,  
London Ambulance Service NHS Trust,  
LSA West Midlands,

Manchester Learning Disability Partnership,  
Medicines and Healthcare products Regulatory Agency,  
NHS Dumfries and Galloway,  
NHS Hartlepool & Stockton-on-Tees CCG,  
NHS Highland,  
NHS Shetland,  
NHS South Tees CCG,  
NHS Tayside,  
NHS Western Isles,  
Norfolk and Suffolk NHS Foundation Trust,  
North West Ambulance Service NHS Trust,  
Parliamentary and Health Service Ombudsman,  
Rotherham Doncaster and South Humber NHS Foundation Trust,  
Royal College of Midwives,  
Severn Hospice,  
Society of Chiropractors and Podiatrists,  
Solent NHS Trust,  
Society of Radiographers,  
South East Coast Ambulance Service NHS Foundation Trust,  
South Staffordshire and Shropshire Healthcare NHS Foundation Trust,  
South Warwickshire NHS Foundation Trust,  
South Western Ambulance Service NHS Foundation Trust,  
South West Yorkshire Partnership NHS Foundation Trust,  
St Andrew's Healthcare,  
The Robert Jones & Agnes Hunt Orthopaedic Hospital NHS Foundation Trust,  
Wirral Alliance CCG

## About Bond Solon

Bond Solon is the UK's leading legal training company for non-lawyers. Over the past 21 years over 250,000 delegates have attended our training programmes. We work with a broad range of public and commercial organisations helping them to ensure that personnel are able to work to best practice standards with confidence and that they are aware of the legal framework in which they operate. Bond Solon delivers training throughout the UK and worldwide.

We are also the leading provider of legal training within the health sector and have worked with over 300 NHS trusts and health bodies. Since 1994 Bond Solon has been working closely with a large number of health groups to design and deliver training solutions which support practitioners to work confidently within the law and provide excellent clinical care. Our courses are CPD/CME approved.

