

Early Bird Discount:
15% off course fees
when booking and
payment made before
the 19 October 2018



TWO DAY COURSE IN ESSENTIAL LEGAL SKILLS FOR OCCUPATIONAL HEALTH PROFESSIONALS

13 and 14 December 2018

To be held at Legal Experience Training, Unit 7, The Walmer Courtyard, 225-227 Walmer Road, Holland Park, London, W11 4EY.

Fee for the 2 days is £398 + VAT – **Total fee £477.60** (£199 + VAT per day)

**INFORMATION GOVERNANCE: CONFIDENTIALITY AND CONSENT: GDPR:
BEST PRACTICE RECORDS: EXCELLENCE IN REPORT WRITING: JUSTIFYING
YOUR ADVICE AND RECOMMENDATIONS IN REPORTS TO MANAGEMENT
AND IN LEGAL PROCEEDINGS**

Who is this course designed for?

This course will equip Occupational Health Practitioners (“OHP”) with essential legal knowledge and skills to ensure that they are competent and confident to undertake their duties. The training supports the Information Governance standards as set out in the SEQOHS accreditation. This training ensures compliance with legal, regulatory and professional practice standards.

Delegates will learn about relevant legislation, regulations, guidance and protocol governing their practice. This will include guidance on the General Data Protection Regulations (“GDPR”) 2018. The training is designed to support safe and effective practice. OHP frequently face difficult questions concerning confidentiality, consent and disclosure. They must also meet best practice standards in relation to occupational health clinical records, in particular recording matters concerning consent. These records may become the subject of Court Orders and be vital in the litigation process. Delegates are provided with detailed competency criteria for records, these are used during the training to identify the requirements of record keeping. OHP are required to write reports for management. It is vital that these reports are clear, justifiable and actionable. These reports may also be scrutinised and challenged in internal complaints or disciplinary matters, tribunals, courts or other legal proceedings. Delegates may also consider how to prepare for and give evidence in legal proceedings.

Delegates will be equipped with a toolkit of essential legal knowledge, practical skills and the confidence to meet best practice standards. The courses are fun, innovative and interactive with practical case studies, discussions and role play designed to equip delegates with “real life” experiences during the training.

Who delivers the training?

The training will be delivered by a solicitor or barrister who is also experienced in delivering skills based interactive training. The Legal Experience Training tutors have a track record of delivering high quality interactive training in which delegates learn by doing and by experience.

Day 1. Legal, Regulatory and Compliance Professional Standards

OHP are under a duty to keep up to date and to adhere to relevant legislation, case law, codes and policies in relation to information governance and record keeping. An Occupational Health Service (OHS) must ensure that their staffs are competent to undertake their duties.

Delegates will consider their obligations in relation to the General Data Protection Regulations 2018 (“GDPR”), Human Rights Act, Data Protection Act, Access to Medical Records and the GMC Guidelines on consent in relation to disclosure of medical records/reports. An Occupational Health Service (OHS) must ensure that staff understand their responsibility to protect confidentiality within the existing ethical and legal framework but also how to process data in accordance with the GDPR. An OHS must ensure that occupational health clinical records, wherever held or transported, are accessed, stored and disposed of safely and securely. It is absolutely vital that OHP understand what can go into a report to management based on the consent of the employee, as well as understanding the best practice procedure for obtaining informed consent. The principle of confidentiality will be explored in the context of pre-employment questionnaires, the Equality Act and Code 2010, court orders, statute, public interest and at common law.

Learning outcomes

- Understanding the ethical duty of confidentiality and consent
- Understanding the legal duties of confidentiality; common law, contractual and statutory
- Considering and rationalising the meaning of confidentiality within the Equality Act/Code 2010
- Implementing best practice to obtain informed consent in a referral and for the report content
- Considering the GDPR in processing data - record sharing, confidentiality and disclosure
- Handling disclosure by consent, by law, in the public interest and in the case of serious risk

Day 2. Best Practice Records and Excellence in Report Writing

Best Practice record keeping by OHP is essential for safe and effective practice and to protect individuals and their organisation in the event of complaints, disciplinary matters, employment claims and civil litigation. An OHS must ensure that occupational health clinical records meet legal and professional practice recommendations. Best Practice records of the history, examinations, diagnosis, assessment, consent, arrangements, and follow up are essential. This audit trail is vital to support the recommendations made and to evidence the proper handling of confidentiality, data processing, consent and disclosure issues. Delegates will use competency criteria to assess clinical records to assist their own practice and to provide a vital audit tool.

OHP reports for management must address specific questions in management referrals. These reports require findings of fact, recommendations or opinion and provide the basis for decisions by the employer on the future action steps and adjustments in employment. It is vital reports are clear, justifiable and actionable. Additionally, occupational health reports may be challenged in litigation and delegates must be able to justify the reason for actions, advice or recommendations. Delegates learn to structure a report to provide supporting evidence of the reason behind their opinion. Delegates will consider different types of evidence such as records, tests, examinations, assessments, the workplace role and environment, research and the opinion of others such as Consultants or GPs that they rely on.

The course will consist of plenary sessions, exercises and role-play. It will be a very practical day and delegates will learn by reviewing records and reports. There will also be some practical cross-examination based on occupational health reports to demonstrate how these reports are scrutinised in the legal process.

Learning outcomes

- Identifying the pitfalls in record keeping
- Understanding the legal obligations and duties in record creation, maintenance and disclosure
- Analysing the key stages in writing a report; issues, facts, assumptions and opinions
- How to provide a factual basis to justify advice, recommendations or opinions in the report
- Dealing with strengths and weaknesses in the facts
- How to write in a clear, concise and accessible manner
- Analysis of the structure, content and style of a report
- Practical exercises critiquing records and reports using objective competency criteria for best practice
- Experiencing cross-examination on records and reports to demonstrate how they are challenged.

Booking Form: 2 DAY COURSE IN ESSENTIAL LEGAL SKILLS FOR OCCUPATIONAL HEALTH PROFESSIONALS at 09.00 until 16.30 on 13 and 14 December 2018 at Legal Experience Training, No. 7 The Walmer Courtyard, 225-227 Walmer Road, Holland Park, London, W11 4EY.

Fee inclusive of the 2 days = £477.60 including VAT. Lunch and teas/coffees included.

Please complete an electronic booking form on our website or this booking form by scanning and emailing the booking form to client@legalexperiencetraining.com. Telephone 0207 221 2453.

Name of delegate(s)	
Organisation	
Address and post code	
Mobile and Landline	
Email	
Date & sign	
Payer details: Contact name and email	
Organisation	
Address and postcode for invoice	

Method of payment Payment can be by bank transfer or BACS. Payment by credit card or cheque is not accepted. Payment must be in £ sterling. Registration will not be processed until payment is received.

Bank Transfers or BACS to HSBC 46 The Broadway, Ealing, London W5 5JR

Legal Experience Training Limited Sort Code 40 02 26 Account No 02398311

Bank transfer /BACS £ Payment reference Date of transfer

Please put **your name and name** of your organisation as a reference on any bank payment made.

Booking Form Terms and Conditions:

This event is organised by Legal Experience Training Limited. On completion this booking form represents a binding contract in which the following terms and conditions apply:

- Payment is required with the booking form and no place can be reserved without payment.
- Confirmation of the receipt of the booking form will be emailed to acknowledge the booking.
- A receipted invoice will be sent on receipt of payment.
- Cancellations are non - refundable but substitution of delegates will be accepted at any time.
- Legal Experience Training reserves the right to change the venue (within London) and the speakers or to cancel the event and will not be liable for any expenses incurred by the delegates in association with booking or attending the event. A full refund of the course fees will be given if Legal Experience Training cancel or postpone the event.
- Legal Experience Training Limited VAT registration number 988688225
- We may process your personal information for carefully considered and specific purposes which are in our interests and enable us to enhance the services we provide but which we believe also benefits our clients. Our website at www.LegalExperienceTraining.com explains these interests and when we may process your data.