Legal Issues in Clinical Practice

Date(s):  Friday 2\textsuperscript{nd} December 2011 & Friday 2\textsuperscript{nd} March 2012
Time:  9 am to 4.30 pm
Venue:  Norwich Research Park

Programme led by:

Dr Rob Heywood LLB (Hons), PhD, PG Cert.
Senior Lecturer in Medical Law
Recipient of the UEA Award for Excellence in Teaching 2010
Recipient of the Outstanding Contribution to the UEA Law School Award 2008
http://www.uea.ac.uk/law/Staff/All+People/Academic/rheywood#info

Course Fee  £450 + VAT

Introduction

This is a multi-method course which provides a basic introduction to a number of key legal issues which feature in clinical practice. The course offers the opportunity to explore recent developments in clinical negligence, consent, confidentiality, human rights and allocation of resources. It will enhance awareness and improve understanding of an important range of medico-legal considerations which are increasingly affecting the everyday working lives of healthcare professionals.

Why Should I Do This Course?

Clinicians, administrators and managers are becoming gradually more sensitive to the range of legal issues which impact upon their jobs in the NHS. Amid calls for greater accountability, the threat of legal challenge looms ever present. However, to think of the law as a ‘threat’ is perhaps inappropriate and it overlooks the fact that medicine and the law are two disciplines that can exist in mutual harmony and complement each other. This course offers an interpretation of the law that is aimed at working with healthcare professionals and other NHS employees to improve clinical practice. It is designed to give a general overview of the key legal principles which underpin negligence, consent, confidentiality and human rights. It will allow
participants to develop a greater understanding of how the law works in theory and in
practice, how to prevent complaints arising and how to assess the relative strengths
and weaknesses of a patient’s complaint from a legal perspective.

Who Will Be Delivering This Course?

Dr Rob Heywood is a Senior Lecturer at the UEA Law School. He is module leader
for both Medical Law and Company Law on the undergraduate programme and has
also taught on various postgraduate courses. Rob’s research focuses mainly on
medical law, with a particular interest in consent and clinical negligence. He also
has an interest in assisted suicide and end-of-life decisions, which has led to him
working closely with the charity Dignity in Dying. His work on the final decision of the
House of Lords in which Debbie Purdy emerged victorious was acknowledged by her
legal team and he has commented extensively on recent key decisions such as
Nadine Montgomery v Lanarkshire Health Board [2010] CSOH 104; 2010 WL
3073077 and Birch v University College London Hospital NHS Foundation Trust
[2008] EWHC 2237 (QB); (2008) 104 BMLR 168. Rob has published in a range of
specialist academic law journals including the Medical Law Review, the Journal of
Professional Negligence, Medical Law International, the Tort Law Review, the
has also published articles in general law journals such as the Law Quarterly
Review, the Cambridge Law Journal, the Common Law World Review and Northern
Ireland Legal Quarterly. Rob sits on the editorial board of the Journal of Professional
Negligence and is a committee member of the Norfolk and Norwich Medico-Legal
Society. Rob previously worked as a legal consultant for South Yorkshire NHS
where he delivered a number of legal training days across the region. In 2010 he
won one of the prestigious UEA Excellence in Teaching Awards, which recognises
and celebrates outstanding teaching. Both colleagues and students alike testify to
Rob’s enthusiasm, innovation and ability to engage and motivate in his courses.

Who Should Attend

This course is a basic introduction to important medico-legal issues which affect
everyday clinical practice. The course is aimed at healthcare professionals, NHS
administrators and managers at all levels whose jobs have the potential for legal
questions to arise. The maximum number of participants for this course is 25.

Course Objectives

The purpose of this course is to provide an overview of the basic principles and skills
underlying:
• The assessment and avoidance of clinical negligence claims in clinical practice.
• Good clinical practice in consent.
• Maintaining and breaching confidentiality.
• The fair distribution and allocation of resources.
• Developing recognition of patient rights.
Course Outcomes

At the end of the course, participants will:

- Have developed a breadth of knowledge of a range of medico-legal and ethical issues which feature in both the UK and other jurisdictions.
- Be able to relate legal rules specifically to different areas of clinical practice.
- Be able to evaluate and apply the legal rules in practical and contextual situations in order to assess the potential liability of healthcare professionals.
- Be able to evaluate important questions pertaining to patient rights.

Course Methods

This course will include a mixture of teaching methods. The facilitator will introduce each topic with a short interactive lecture; the focus will then switch to participants who will engage in group work, discussion, feedback and debate. The participant led activities will include the following:

- Two case studies based on recent clinical negligence claims which were heard before the courts.
- Two problem-based scenarios developing group discussion around good practice in consent.
- A group debate on confidentiality and allocation of resources.

Structure

09:00 – 09:30: registration and coffee
09:30 – 10:00: introduction to medical law in clinical practice
10:00 – 11:00: clinical negligence: recent developments affecting healthcare professionals
11:00 – 11:30: morning coffee
11:30 – 12:30: clinical negligence case studies, group work, discussion
12:30 – 13:30: lunch
13:30 – 14:30: consent in clinical practice
14:30 – 15:00: consent case studies, group work, discussion
15:00 – 15:30: afternoon coffee
15:30 – 16:00: legal debate: confidentiality in clinical settings / allocation of resource dilemmas
16:00 – 16:30: a new dawn for patient rights? Discussion, Q & A, close
Please complete and return this registration form along with your payment to the address at the bottom of the page.

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**Payment Details**

Fees must be paid, in full, along with this completed form to secure a place on the course. Fees are payable in UK pounds sterling using one of the following methods. Please indicate which method you will use:

- [ ] Address invoice to be sent to (if different from above):
  - Organisation Name:
  - Address:
  - Postcode:

- [ ] Cheque: please make cheques payable to: UEA Consulting Ltd
  - Delegate’s Name:
  - I enclose a cheque for the total amount of £__

If you would like to pay by credit card please visit our website: [https://www.uea.ac.uk/professionaldevelopment](https://www.uea.ac.uk/professionaldevelopment)

**Cancellation Policy:**

A 10% administration fee will be charged for cancellations made up to two weeks prior to the start of the course. Cancellations thereafter will be liable to the loss of the full fee. Notice of cancellation must be given in writing by letter or fax and action will be taken to recover, from the delegates or their employers, that proportion of the fee owing at the time of cancellation. Delegates who fail to attend may be offered the opportunity to re-book onto a course if it is being delivered at a later date or location, subject to availability. A 50% re-booking fee will be charged.

UEA Consulting Ltd reserves the right to cancel an advertised course at short notice. It will endeavour to provide participants with as much notice as possible, but will not accept liability for costs incurred by participants or their organisations for the cancellation of travel arrangements and/or accommodation reservations as a result of the course being cancelled or postponed. If a course is cancelled, fees will be refunded in full. We also reserve the right to postpone or make such alterations to the content of a course as may be necessary.