

Shared Insights round up - Spring 2024

10 April 2024

Welcome to the spring edition of our [Shared Insights](#) round up. As we move into a new season, we are excited to share with you the details of our forthcoming events, as well as a summary of the thought-provoking sessions we have held so far this year.

Welcome and summary

We have hosted three Shared Insights sessions since the start of 2024, which were attended by 392 health, care and education professionals. We have been honoured to welcome some high-profile guest speakers, including the Chief Coroner His Honour Judge Thomas Teague KC and Miss Recorder Zoe Henry, a Family Court Judge. During the sessions, we have explored how [communication with families can be improved through the inquest process](#), shared practical advice and tips on [how to give evidence before the Family Court](#) and discussed the challenging but critical topic of [sexual safety in the workplace](#). These sessions have received some fantastic feedback from delegates, who described them as “very informative”, “excellent” and “enlightening”. The majority of respondents to the feedback surveys also said that the sessions would influence their practice in the future. This newsletter shares the notes and key insights from all of those sessions and includes links to a range of other useful resources, to help keep you up to date.

We are also delighted to share with you our [programme of Shared Insights events](#) for the coming months. Some of the issues we will be discussing in the spring and summer include preparing and delivering organisational learning evidence in the Coroner’s Court, the Patient Safety Incident Response Framework and strategies for handling cyber attacks and data breaches. We will also be holding another Coroner’s Question Time in June, which is always a popular session. Please do share this program with any health and care colleagues you think would be interested in joining us – it includes details of how to register for an event.

Thank you for your continued support, and we look forward to connecting with you at a Shared Insights forum soon.

Shared Insights events

Preparing and delivering organisational learning evidence in the Coroner’s Court

Two of our experienced inquest Partners Nicola Evans and Simon Tait will be joined by senior leaders working within NHS organisations, to explore Prevention of Future Deaths (PFD) reports, which can be issued by Coroners during their investigation into a death. This session will include practical tips on preparing organisational learning evidence for an inquest, so that your organisation is able to assure the Coroner that learning has been identified and embedded – thereby reducing the risk of receiving a PFD report.

[Read more](#) →

Shared Insights: focus on the Patient Safety Incident Response Framework (PSIRF)

Following on from previous Shared Insights on PSIRF, during this session we will discuss the progress being made by organisations in respect of transitioning to and embedding PSIRF and explore what impact the changes are having, and are likely to have, on the management of inquests and claims in the health sector. This session will be led by Amelia Newbold, Browne Jacobson’s Risk

Management Lead and Katie Viggers, Professional Development Lawyer. We will hear insights from other speakers who will share their experiences of PSIRF so far.

[Read more](#) →

Inquest sessions and resources

Justice Committee's new inquiry into the Coroner Service, 12 December 2023

In December 2023, we hosted a special Shared Insights session to discuss [the Justice Committee's new inquiry into the Coroner Service](#). The forum was chaired by senior lawyers from our inquest team, and we were delighted to have been joined by a number of individuals from over 25 different health and social care organisations. Together, we discussed the [specific questions posed by the Justice Committee](#) regarding the coroner service.

We subsequently prepared a response to the Committee's Call for Evidence, incorporating the views of those who attended the session. Our response was submitted to the Justice Committee, and we are pleased to announce that it has [since been published](#). We are very grateful to all those who attended the session and contributed to the response.

Improving communication with families through the inquest process, 24 January 2024

We were thrilled to kick off 2024 by jointly hosting an event with NHS Resolution and Irwin Mitchell. We also welcomed the Chief Coroner, His Honour Judge Thomas Teague KC, and together we discussed the practical steps that organisations can take to improve communication with families throughout the inquest process. Each speaker shared insights from their different perspectives, to help shape and inform best practice in this area. We finished with a question and answer session, with the panel addressing questions submitted by the delegates.

[Read more](#) →

Inquest guides and resources now on Browne Jacobson's updated webpage

Did you know that Browne Jacobson has recently updated its [inquest service web page](#)? The page offers a wealth of information and resources relating to inquests, particularly for health and social care organisations. Among the resources are several inquest guides and a [mock inquest film](#). The film showcases what it may look like to give evidence remotely during an inquest and illustrates how a witness can assist the coroner and the family during a remote inquest hearing.

[Read more](#) →

Death certification reforms in England and Wales: what it means for healthcare providers and commissioners

In April 2024, death certification reforms will come into force, requiring an independent review of every death in England and Wales, without exception. This will either be independent scrutiny by a medical examiner or investigation by a coroner. The reforms will be underpinned by new medical examiner regulations.

[Read more](#) →

Family law sessions and resources

Giving evidence before the Family Court – a practical session, 6 February 2024

Our February Shared Insights session was hosted by Browne Jacobson's Naomi De Silva, an Associate in the Social Care team and Julia Catherall, a Senior Associate specialising in Court of Protection work. We were delighted to be joined by Recorder Henry, specialist Children Act Barrister and Recorder Judge sitting in the Family Court, and Naomi Hickman, a Solicitor in the Safeguarding and Education Legal Team at Derbyshire County Council.

This was a practical session aimed at health, education and social care providers who are involved in Family Court proceedings. The aim of the session was to demystify the Family Court and offer guidance on how to navigate these types of proceedings. Additionally, the session provided advice on how to overcome common challenges when dealing with this particular court.

[Read more](#) →

Is parental alienation a tool for domestic abuse?

Naomi De Silva, an Associate in our Social Care team, [explores the complex issue of parental alienation](#) and how to deal with it in the context of Family Law cases.

[Read more](#) →

Sexual safety in the workplace

Sexual Safety in the Workplace, 5 March 2024

Chaired by Browne Jacobson Partner Helen Badger and involving a panel of experienced speakers, this crucial Shared Insights session provided attendees with an opportunity to understand the legal and regulatory framework surrounding workplace abuse and harassment and to discuss the programs and actions being taken by employers to address this issue.

The panel discussed a range of topics, including the journey towards a change in culture, how to respond to complaints of sexual harassment, managing overlapping police investigations and civil claims and vicarious liability.

[Read more](#) →

Further resources

New NHS England guidance on NHS subsidiary companies

NHS England (NHSE) has published new guidance on the approvals process for those NHS trusts and foundation trusts implementing plans to form or materially change subsidiaries.

[Read more](#) →

Guidance on menopause and the workplace

On 22 February, the Equality and Human Rights Commission (EHRC) published guidance for employers on menopause in the workplace, setting out employer's legal obligations under the Equality Act 2010.

[Read more](#) →

Government updates guidance on holiday rules: What employers need to know

In January we brought you news of the biggest changes to holiday entitlement and holiday pay since the Working Time Regulations were introduced in 1998.

To assist employers to get to grips with the changes, the Government published non-statutory guidance. However, rather than clarify the new rules, parts of the guidance created further confusion. In response to concerns being raised, the Government has now updated its guidance and below we summarise the key changes.

[Read more](#) →

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