

Shared Insights round up - Winter 2023

18 December 2023

We're thrilled to announce the launch of Shared Insights round up - Browne Jacobson's quarterly Shared Insights newsletter.

Shared Insights is a monthly forum that connects leaders and professionals from across the health and care sector to share learning, ideas and best practice and tackle some of the sector's biggest challenges together.

Over the past five months, we have connected more than 600 leaders and professionals from over 260 health, care and education organisations to discuss a range of national issues and hear insights from legal experts and eminent guest speakers. We discussed some pressing and challenging issues, such as tackling racial disparities in maternity care and the challenges caused by disordered eating in a range of community settings. We considered how communication with patients and families can be improved in the context of incidents, complaints and claims. We also examined new NHS 'Fit and Proper Persons' Regulations and looked at some hot topics in the realms of data, information governance and HealthTech.

This newsletter shares our notes and key insights from all of those sessions and includes links to a range of useful resources to help you stay on top of the latest healthcare developments.

Looking ahead, we have a session planned in relation to inquests, where we will hear from the Chief Coroner. You may also be interested in our popular mock inquest training sessions, which start again in February 2024. You are also welcome to share these invites with any health and care colleagues you think would be interested in joining us.

We look forward to connecting with you at a Shared Insights forum soon.

Shared Insights events

Improving communication with families through the inquest process, 23 January 2024, 9.30am - 11am, Online

We are delighted to be joined by the Chief Coroner, NHS Resolution, and Irwin Mitchell solicitors to discuss improving communication with families throughout the inquest process.

This event will provide helpful insights into best practice when communicating with families during this challenging time.

[Register](#) →

Shared Insights round up

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

Our most recent Shared Insights session was a discussion on the Justice Committee's new inquiry into the Coroner Service.

We were joined by over 100 health and care leaders and Heads of Legal from across the country, to share experiences and insights relevant to the nine questions which form the basis of this call for evidence.

We are now collating our written submissions to capture those insights and share them with the Justice Committee in response to this call for evidence.

The deadline for written submissions is 15 January 2024 - please get in touch via our contact details below, or a member of our [inquest team](#) if you have any insights you would like us to include in these submissions.

Coroners Question Time, 5 December 2023

In December, our popular Coroners Question Time was chaired by Nicola Evans, a partner in our Inquest and Health Advisory team. The panel consisted of two experienced coroners as well as Professor Alan Fletcher, the National Medical Examiner for England and Wales.

The session generated lots of questions and debate and attendees found it hugely interesting and informative.

[Read more](#) →

The challenges caused by disordered eating in education, health and social care settings: Safeguarding Forum, 7 November 2023

Our November Shared Insights session was hosted by Browne Jacobson's Vicky Wilson, specialist in Education Law, and Ed Pollard, a Partner in our Inquest and Health Advisory team. We were delighted to be joined by Sam Channon, Chief Operations Officer at West Sussex Alternative Provision College.

Disordered eating in children and young people is a sensitive topic, and the session aimed to provide advice and guidance in complex areas such as confidentiality, parental responsibility, capacity and consent, information sharing, social media, risk assessments and complaints. There was also a helpful discussion about how education, health and social care authorities can collaborate and work together to support children and young people.

[Read more](#) →

Improving communication with patients and families when responding to incidents, complaints and claims, 12 October 2023

In a first for Shared Insights, we co-hosted a session with Tania Harrison, Partner at Irwin Mitchell solicitors who is a Claimant lawyer acting for patients and their families. We were also joined by Cameron Kennedy from the Parliamentary and Health Service Ombudsman (PHSO) and Karen Urbicki, Associate Safety and Learning Lead from NHS Resolution.

Tania shared the reasons that patients and families come to her seeking her help, as well as tips and insights on what constitutes a good, sensitive response to patients or their loved ones when a serious incident (or even death) has occurred.

Cameron explained that the PHSO was set up by Parliament to provide an independent complaint handling service for complaints that have not been resolved by the NHS. He spoke about the importance of giving apologies to patients and their families and gave his top 10 tips for a good complaint response. Lastly, Karen spoke about the role of NHS Resolution and the research it has conducted into why people make claims against the NHS. She highlighted what patients, families and staff want to happen following an incident and spoke of the importance of apologies, the duty of candour and the new Patient Safety Incident Response Framework (PSIRF).

[Read more](#) →

[PSIRF checklist for Heads of Legal](#) →

The FPPT framework: New guidance and what NHS organisations need to know, 21 September 2023

In September, Browne Jacobson Partners Helen Badger, Charlotte Harpin and Carl May-Smith hosted a session on the new Fit and Proper Person (FPP) Regulations and Framework. These requirements came into force on 30 September 2023, to ensure that NHS directors are "fit and proper" for their roles. Failure to comply with the Regulations and Framework can have significant consequences.

During the session, we discussed how NHS organisations can quality assure their existing processes and improve existing recruitment and exit processes for Board members.

[Read more](#) →

[Employment Healthcare Briefing, December 2023](#) →

Mock Employment Tribunal: for NHS and independent health, 06 February 2024, 9.30am-2pm, London

We are teaming up with employment barristers from St Philips Chambers for our 'Mock Employment Tribunal' event with a difference.

This health sector employment event is specifically for NHS and independent health organisations and designed to be informative, informal and dare we say it, a lot of fun!

[Read more](#) →

Maternity care – racial disparities and the Care Quality Commission’s concerns about quality and safety, 3 October 2023

In October, we held a vital Shared Insights session on racial disparities in healthcare, which was chaired by two specialist claims lawyers in our Obstetrics Division, Kelly Buckley and Rebecca Coe.

The session featured Carol King-Stephens, Equality Diversity and Inclusion Lead Midwife, and Dr. Angie Doshani, Consultant Obstetrician and Gynaecologist, who discussed the findings of the Parliamentary Women and Equalities Committee report. The report revealed that black women are four times more likely and Asian women are 1.8 times more likely to die during childbirth than white women.

The panel shared practical steps that can be taken to address racial inequality, which can be applied to other specialisms and healthcare services.

[Read more](#) →

CQC State of Care in England report: Focus on maternity services

Following this session, the Care Quality Commission (CQC) published its State of Care in England report for 2022/23. Part of this report focusses on the quality and safety of maternity care, which CQC continues to have concerns about.

The overarching picture is one of a service and staff under huge pressure, with leadership, staffing issues, poor communication and inherent inequalities being highlighted as particular areas of concern. However, good practice examples are also shared in the report.

[Read more](#) →

Data, information governance and HealthTech, 13 June 2023

In June, Browne Jacobson partners Charlotte Harpin and Matthew Alderton hosted a Shared Insights session on the importance of data and information governance in the healthcare sector.

The session covered new legislative changes and how to prepare for them, reviews and reprimands from the Information Commissioner’s Office (ICO), common pitfalls when handling subject access requests and top tips for dealing with social media and covert filming. Regulatory developments in relation to the use of AI and other new technologies was also discussed.

[Read more](#) →

ICO consultation on fertility tracking apps

HealthTech is a rapidly expanding area, and in September the ICO conducted a public survey on period and fertility tracking apps available in the UK. The survey followed a poll (also commissioned by the ICO), which revealed that over 50% of women had concerns

about the use and security of their data when using such apps.

[Read more](#) →

Inquest guides and resources

Giving evidence at a Coroner's inquest – guidance for clinical witnesses

We have a range of resources available on our website to assist organisations in dealing with inquests. In particular, we have a number of guides to help navigate you through the coronial process from start to finish.

[Find out more](#) →

Mock inquest training sessions, February - March 2024, online

This is an important training course for practising clinicians and any health and care professionals who would benefit from understanding the inquest process, including social workers and those working in clinical governance, patient safety and risk, complaints, family liaison and in-house legal teams.

The course is split into six modules, all delivered remotely in February and March 2024.

[Find out more](#) →

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