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Many of our lawyers are recognised as leaders in their field. In a recent survey 100% of our clients rated us reliable and trustworthy. They also rated us highly for our professionalism, efficiency, dedication and approachability. However, we appreciate that there is always room for improvement and by placing our clients at the heart of our business we aim to continually improve upon their experience and satisfaction. It's the reason our clients return to us time and time again.

We hope you will become one and look forward to meeting you soon.

For further information, please contact John Sheath, who has over 30 years experience of providing specialist healthcare advice and is considered 'direct and honest', and has 'invaluable expertise' Legal 500 2011.

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Healthcare



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Healthcare

Our Healthcare team is a leader in the South East. We provide advice to NHS Trusts, health authorities, Medical Defence Organisations, charities, hospices, care homes and independent private healthcare providers. We also support the clinicians and nursing staff working for those organisations on a full range of health related issues.

These include:

Governance

We advise on all aspects of corporate, clinical and information governance, and can play a key role in ensuring your processes are sufficiently robust. On corporate governance we will advise the Board on the appropriate structures and processes required on directors' and officers' personal liability as well as organisational liability for health and safety and corporate manslaughter.

On clinical governance, our extensive experience in claims enables us to support and add value to your risk management, complaints and report and learn systems to ensure that lessons learned from clinical errors are shared with the clinicians, medical and nursing staff so that practices are changed to reduce risk, improve patient services and avoid expensive litigation and adverse publicity.

On information governance, we will support your internal officers and managers who have responsibility for requests and enquiries under the DPA 1998 and FOIA 2000. In more complex cases we can provide expertise and advice on the balancing exercise which needs to take place to ensure disclosure is made in the public interest but that personal data and privacy is preserved where necessary to avoid inappropriate disclosure or referral to the Information Commissioner's Office.

Confidentiality

All patients have a right to expect that information about their personal medical condition is held in confidence by the NHS and independent healthcare professionals. Confidentiality is central to a relationship of trust between healthcare professionals and their patients even after death. The law surrounding confidentiality is complex and can pose difficult practical situations in relation to children or patients who lack competence to give fully informed



consent as to disclosure. We can support your staff responsible for making difficult decisions using the lessons learned from statute, case law and DH guidance where "need to know" must be balanced against the duty to preserve individual privacy, dignity and respect.

Consent and Capacity

The law of consent is constantly changing and has evolved according to clinical practice and the needs of society in the 21st century. At the heart of consent is the important issue of patient capacity, how that is assessed and respected in accordance with the Mental Capacity Act 2005 and Code. The presumption of capacity, maximising a patient's ability to make decisions, assessing capacity and making decisions in best interests when a patient lacks full or partial capacity poses difficult and complex issues for healthcare professionals. We provide legal and practical support to your clinicians and managers responsible for policy and practice in clarifying the complex labyrinth of guidance, law and ethics.

Inquests

Coronial law is a fast developing field and since the Middleton decision in 2004 the nature and processes of inquest hearings have radically changed from half day hearings with short form verdicts into five day hearings with a jury present, narrative verdicts and cases engaging Article 2 ECHR which are more like public inquiries. Your organisation and people need advice, support and representation at these hearings to equip them for a full, fair and fearless inquiry which enables the Coroner to reach an appropriate verdict. We can provide behind the scenes support or full representation at inquest hearings to suit your requirements.

Clinical Negligence

21st century society places trust in the skill and expertise of our healthcare professionals. In the overwhelming majority of cases, this trust is repaid with excellent care, treatment and dedication.

However, on occasion things can go wrong and claims for death and injury arise. Our expertise over 30 years has been acknowledged in independent legal directories the Legal 500 in the South East and by Chambers nationally as UK leader in the field recognising our "conscientious and professional" approach.

Emergency Declarations

Situations arise where the only remedy is to apply for an urgent High Court declaration on lawfulness. These situations include potentially life-threatening decisions where doctors or hospital managers are faced with refusal by an adult competent patient to accept essential treatment or where there is doubt as to capacity to consent. The enhanced power of the Court of Protection granted under the Mental Capacity Act 2005 to grant interim injunctions and declarations and appropriate orders in relation to serious medical treatment and deprivation of liberty all require expertise and legal input. We maintain a 24 hour, seven days a week service with specialist London Counsels chambers and the court to enable you to obtain emergency declarations in these circumstances.

Foundation Trusts and Private Patient Units

NHS Foundation Trusts (FTs) are the vehicles for decentralisation of public services in creating a patient led NHS. These independent "public benefit corporations" are modelled on co-operative and mutual traditions to enable FTs to provide and develop services according to the principles and standards set by Monitor. We can support your organisation through the change management process and governance requirements that FT status demands.

With the pressure on income generation, private patient units within NHS organisations have become a necessity. We can advise you on the governance and liability aspects of setting up PPU's and ensure that the income generated from the PPU is within the approved DH guidelines.