

Services for Mental Healthcare Providers



RadcliffesLeBrasseur

Healthcare experts

HOW CAN WE HELP?

Enjoying a national reputation for first-rate legal services across the healthcare sector and with around 20 partners specialising in healthcare law, RadcliffesLeBrasseur is one of the country's leading medico legal practices.

We are dedicated to building strong relationships with our clients through a culture of accessibility and responsiveness, and we deliver a consistently excellent service. We act for independent healthcare providers, NHS Trusts and other NHS bodies, medical equipment manufacturers, medical insurers and medical charities as well as some of the Royal Colleges. We are particularly renowned for our specialist work in the field of mental health and in advising care home operators.

EXPERTISE AND EXPERIENCE

Our Mental Health and Care Homes team is led by Andrew Parsons, who is recognised by the Legal Directories as a leading solicitor advising healthcare providers nationally. We currently represent a significant number of the UK's private sector psychiatric bed providers and many of the top 20 care home operators. This means we are able to provide legal advice based on a comprehensive and pragmatic understanding of the world in which our clients operate across the country.

Our expertise means that we are often asked to provide training sessions or speak at conferences. We provide our clients with a regular programme of free seminars on relevant legal topics to the mental health sector. Due to the depth of our involvement in mental health we also run an annual mental health law conference attended by delegates from all over the country.

Operational Advice

One of the key areas our Mental Health team provides expert advice on is operational matters. Our lawyers advise on all aspects of the day to day running of a mental health facility. By way of example, the team regularly provides advice on CQC regulatory issues, data protection, confidentiality, capacity, deprivation of liberty safeguards, Mental Health Act administration issues and adult protection issues.

SHARING KNOWLEDGE

Our lawyers provide a fast, efficient and cost-effective legal service focused on your commercial priorities. Working closely with you and establishing regular personal contact, we provide direct access to the individuals who will deal with your work and ensure the process has a client relationship partner.

Our structure enables us to offer all our clients an integrated team which operates seamlessly across the various legal disciplines to service your needs. We also provide regular financial reports to help you keep track

To assist our healthcare clients, we produce the following regular bulletins:

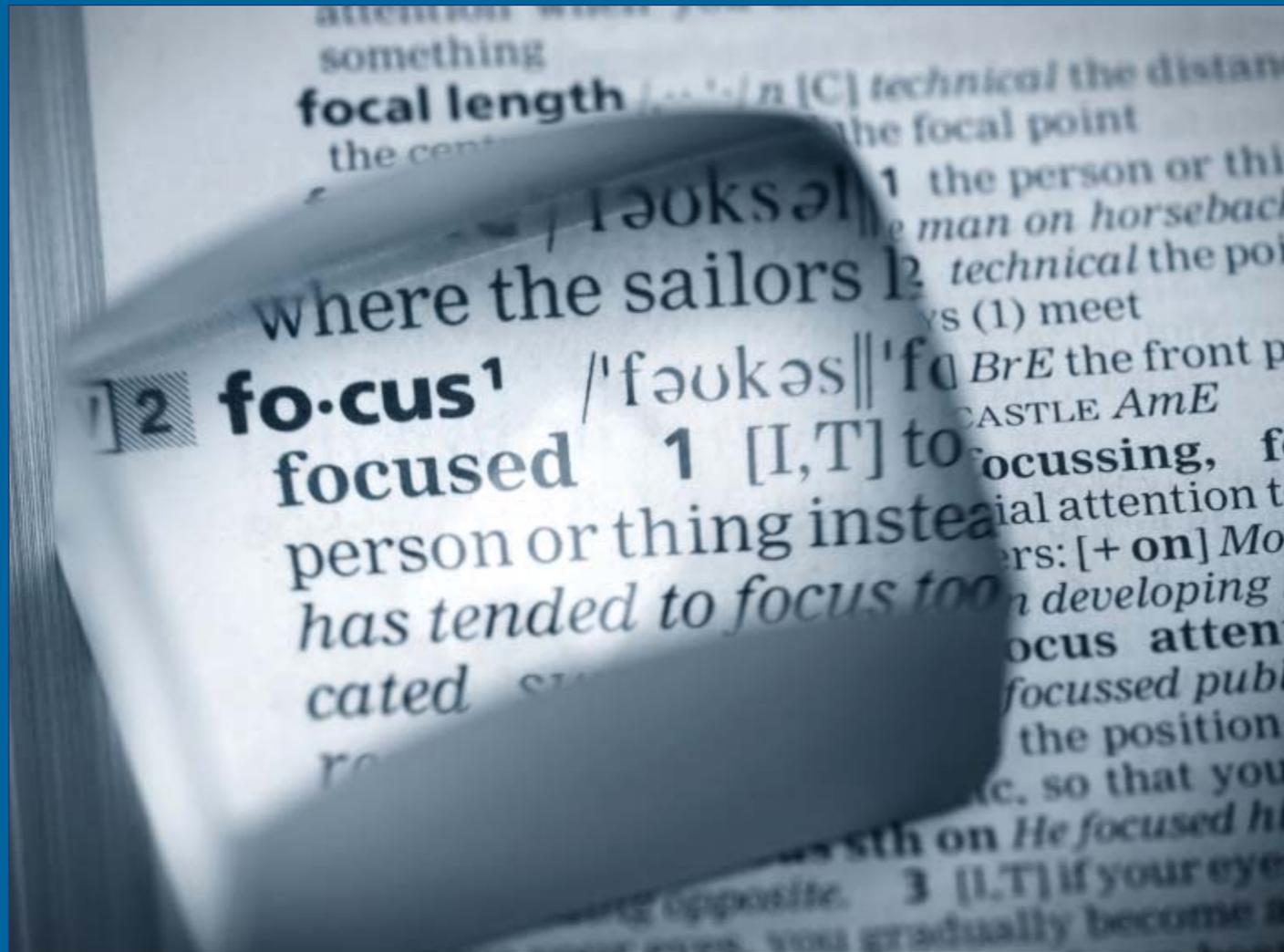
- Mental Health Law Briefing
- Care Home Briefing
- Healthcare Briefing
- Employment Law Briefing

The latest editions of these publications, as well as a complete archive of previous issues, are available to download from our website at www.rlb-law.com, where you can also sign up to receive free future bulletins by email.



'Andrew Parsons is calm, unflappable and smart,' and is widely admired for his knowledge of the regulatory environment and judicial reviews. He advises several of the largest national psychiatric care providers.'

A focused approach



MEETING YOUR NEEDS

In addition to general legal services, we provide specialist advice on operational issues including:

- advice on the Health & Social Care Act
- CQC registration issues and other regulatory matters, including representation at the Tribunal
- advice on the Mental Health Act, consent and patient treatment issues
- advice on data protection and confidentiality
- advice on adult safeguarding issues
- representation at inquests and enquiries
- health & safety
- advice on NHS law and practice
- advice on contracts and commissioning

- advice on untoward incidents (including staff, resident or visitor injury claims), liaising with the police and statutory bodies
- advising on PR issues and press statements arising from untoward incidents
- all types of litigation
- advice on policies and protocols including matters such as sexuality, and residents' property
- advice on commissioning issues and disputes
- advice on termination of placement contracts
- advice on employment law and practice
- advice on issues regarding palliative care
- mental capacity issues and the Court of Protection
- Deprivation of Liberty Safeguards

- advice on Nursing and Midwifery Council (NMC) and General Medical Council (GMC) referrals

We also provide legal services for property transactions, planning issues, corporate transactions and financing. In addition, we have a dedicated Employment Team experienced in acting for employers in the health sector. Our service includes an early 'merits' analysis and advice on risk management.

EXCEEDING EXPECTATIONS

As well as covering those fields in which mental health providers typically seek assistance, we have expertise in most areas of healthcare law and are able to complement our specialist knowledge with the following services:

Advice and Assistance

As recognised leaders in the field, we offer advice and assistance on all issues concerning the regulation of hospitals, the Mental Health Act and the many legislation and trading issues already listed. With a service that includes providing immediate telephone advice - often on technical issues where it is essential to have access to specialist legal expertise - our understanding of the healthcare industry and record of representing care providers allow us to provide concise, expert answers more quickly and confidently than less experienced practitioners.

Our healthcare experience covers all relevant areas of legal work, from criminal law to regulatory advice, from consent to treatment to contractual or financial disputes. We encourage dialogue with our clients whenever they have a legal issue, and we do not charge for short telephone calls. Experience has taught us that discussing issues at an early stage assists with risk management and can prevent a problem becoming larger.

Written advice

Where written advice is required, it is always direct and focused - drawing on our experience of acting throughout the healthcare sector.

24-hour advice

We find that unit managers appreciate the ability to access at short notice expert advice across the full range of healthcare law, so we provide a 24-hour advice line offering assistance outside office hours. Of particular use in adult safeguarding and other untoward circumstances, we also offer to provide a solicitor at your unit within a matter of hours to assist in critical incidents.

Inquests and Hearings

We have an impressive track record in representing healthcare operators at inquests and hearings, and have developed a special inquest service. Inquests can often be a traumatic experience for staff, so our service includes meeting with employees to discuss the process, advising and assisting in the preparation of statements, and representation at the inquest hearing. A detailed report is produced as part of the advice we give, and we often provide advocacy services ourselves to avoid the cost of instructing a barrister.

Regulatory Issues

Regulation plays an increasingly important role in healthcare and includes the CQC, the GMC, the NMC and the Health & Safety Executive. We have wide experience of regulatory issues and prosecutions, including supporting healthcare staff when called for interview under caution. It is important to take an early view of the issues and the approach, and we offer a full service in this area.

Training

Our expertise in this field means that we are often called on to provide training for staff and run seminars. For example, we have developed a seminar for private sector providers entitled *Defensive Note Taking* to assist staff (and their employers) in obtaining the best protection from their records when adverse incidents arise.

Insurance for Employment Claims and Employer Protection Scheme

This comprises an audit of your current policies and practices, ongoing support including immediate telephone advice, and claims handling backed by a flexible insurance policy which provides cover as specified by the client for legal fees and awards.

Taking the next step

WHAT NOW?

If you feel that we may be able to offer assistance, please do not hesitate to get in touch. A short conversation may be all it takes to start a long and fruitful relationship, and we welcome the opportunity to find out more about the unique circumstances and challenges faced by current and prospective clients alike.

More about us

RadcliffesLeBrasseur is a national firm with over 120 lawyers. Our principal office is in London and we also have regional offices in Leeds and Cardiff. We provide a high quality legal service with particular emphasis on the following sectors:

- healthcare
- corporate
- property investment and development
- private client services
- charities

Service specifications

We will deal with telephone calls wherever possible on the same day and letters within 48 hours. We offer a 24-hour advice line for urgent matters. Our service also includes:

- provision of a named dedicated team
- review meetings
- periodic overview reports
- database management for recording incidents and advice requirements

Pricing

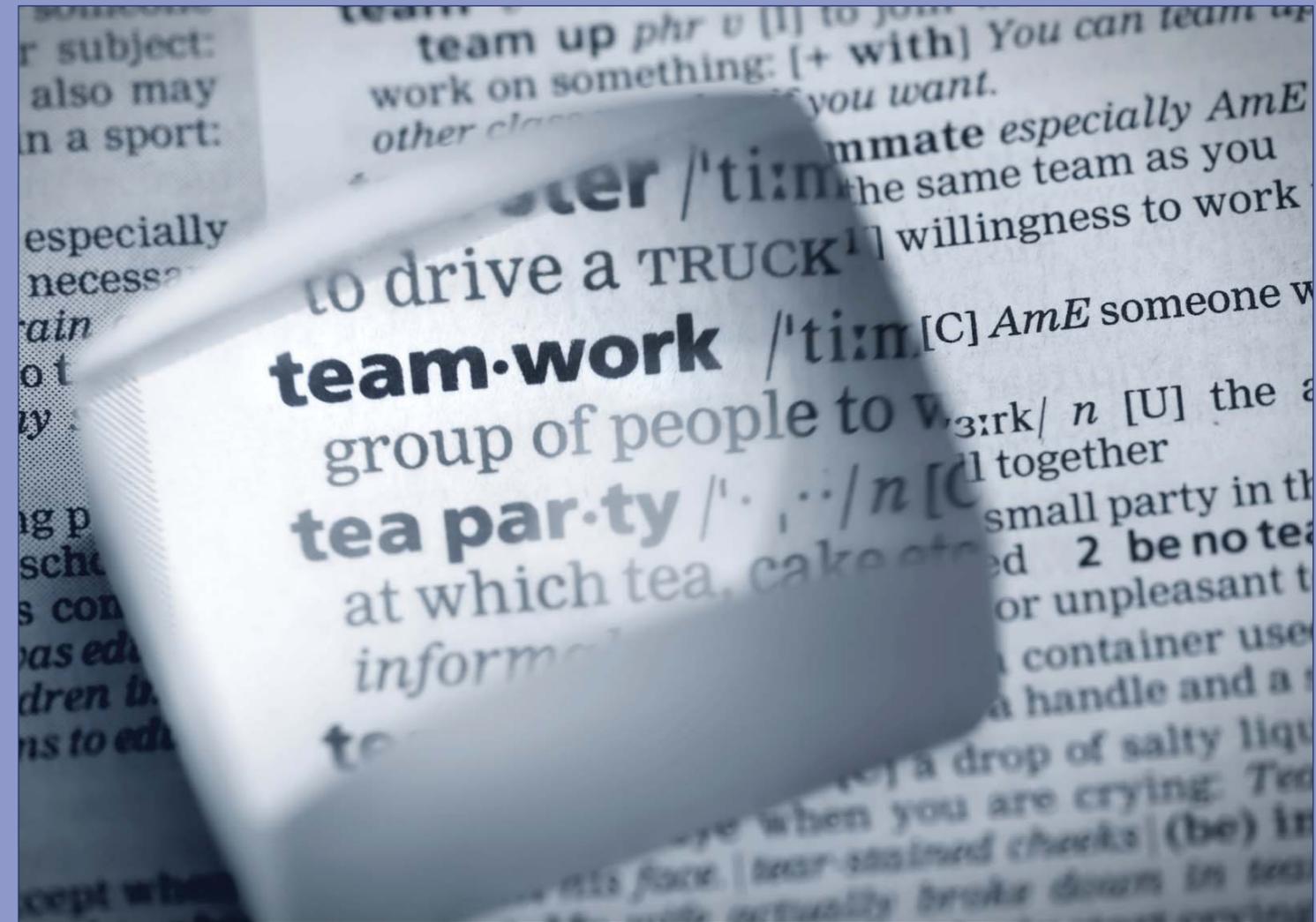
Usually, our services are charged at an hourly rate for the work undertaken, and our current rates are available on request. Alternatively, some private sector providers prefer to have certainty in their budget and prefer us to work on the basis of a monthly retainer, which we are happy to do. In this arrangement, the time spent is set against the sums paid and, at the end of the year, we agree with the client a percentage variation for under - or over-utilisation and either credit back or invoice further for any significant variation.

Contact Us

For further information contact **Andrew Parsons** on: andrew.parsons@rlb-law.com.

Tel: 020 7222 7040

www.rlb-law.com



‘As someone with no relevant knowledge at all I found the session extremely helpful and easy to understand, I thought the trainer was a very good presenter and held everyone’s interest over the session.’

Attendee from an NHS Trust at our Annual Mental Health Conference

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