

A one day workshop from The At Work Partnership
in association with the journal *Occupational Health [at Work]*

TRAINING



OH law essentials

Monday 5 December 2016
Central London

A one day workshop from The At Work Partnership offering an introduction to OH law, and a chance to refresh your knowledge.

Chaired by: Dr John Ballard, editor of *Occupational Health [at Work]*

Course tutors

Prof Diana Kloss, barrister

Nick Hanning, partner and personal injury and employment lawyer with Dutton Gregory LLP

This workshop offers an introduction to OH law and is designed for:

- > Occupational physicians, OH nurses and technicians
- > HR and H&S professionals
- > Allied health professionals, including those working in case management, mental health, EAP counselling, occupational therapy, occupational physiotherapy and vocational rehabilitation

CPD: Self-certification schemes:
5 hours



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Programme

9.00 Registration

9.20 Welcome and introduction to the day

*Dr John Ballard, editor of
Occupational Health [at Work]*

9.25 The legal system: where does our law come from, how is it applied and what happens when we get it wrong?

Prof Diana Kloss, barrister

- Acts, regulations and codes of practice
- European directives
- The *Health and Safety at Work Act 1974*, and the *Management of Health and Safety at Work Regulations 1999*
- Case law – why are the courts so important in developing the law?
- Negligence – when work causes ill health or injury
- The different courts and tribunals

10.20 Consent and confidentiality

Diana Kloss

- What the law says – and which laws apply when
- Professional ethics – how do they fit in?
- Who owns the information?
- What do you do if a lawyer asks you for health information about an employee?
- What does it all mean for day-to-day practice?

11.10 Coffee

11.30 Disability (and other) discrimination

Nick Hanning Partner, Dutton Gregory LLP

- The *Equality Act 2010*
- When is a person disabled under the Act?
- Pre-employment health screening – what you can ask when

- What is a reasonable adjustment and how far does the employer need to go?
- Pregnancy and age discrimination
- Disability discrimination case study

12.40 Lunch

13.40 Fit for work

Diana Kloss

- Unfair dismissal law
- Sickness absence as a potential reason for dismissal – your role in the process
- Advising employers on fitness for work of employees – legal compliance and good practice
- Fit for disciplinary – what happens if the employee goes off sick with ‘stress’ as a result of the disciplinary process?
- Implications of the new Fit for Work service

14.40 OH legal surgery

Diana Kloss and Nick Hanning

- Your chance to have your questions answered

15.00 Tea

15.20 OH professionals and the legal system

Nick Hanning

- Legal liability of the OH professional
- Importance of keeping excellent records
- Preparing for tribunal

16.10 Final questions

16.15 Close of conference

About The At Work Partnership

Dedicated to bringing high quality, good value conferences and specialist professional development courses to OH, H&S, and HR professionals, **The At Work Partnership** researches the subjects that really matter to professionals in your field, and sources speakers who are true subject experts. We ensure that each conference is of the highest quality, and provide you with useful documentation to which you can refer time and time again.

We also publish the journal *Occupational Health [at Work]* as well as a new online service, *OH Law Online*, and we produce two free OH email newsletters, one focusing on OH law, and the other on general OH news. Visit www.atworkpartnership.co.uk to get your copies and find out more.

OH law essentials

- What are the rules regarding confidentiality and consent?
- Which legal issues should you consider when you advise employers on the fitness for work of employees?
- When is sickness absence a legally justifiable reason for dismissal?
- Can you advise an employer on reasonable adjustments and how far they need to go in making adjustments?
- How do you keep excellent records to support your decisions, if a case should ever go to court?

These and many more questions will be answered in **The At Work Partnership's** new one-day workshop, '**OH law essentials**'. The workshop is designed to provide you with an introduction to the law surrounding health issues in the workplace, and does not assume any prior knowledge. Whether you are new to this area – or if you are looking to update your knowledge and ensure your practice is compliant with the law and best practice – you'll come away with an essential understanding of the way the law affects your work.

The training is specifically designed to focus on the main legal areas that are vital to the work of all professionals who look after the health of employees. It is designed by the editor of *Occupational Health [at Work]*, Dr John Ballard, and led by two important legal experts, barrister Diana Kloss, and Nick Hanning, a personal injury and employment lawyer. They offer delegates vast experience of teaching occupational health law and drawing out the implications for OH practice.

Who should attend?

This workshop will be of great value to:

- Occupational physicians, OH nurses and technicians
- HR and H&S professionals
- Allied health professionals, including those working in case management, mental health, EAP counselling, occupational therapy, occupational physiotherapy and vocational rehabilitation

How will attending this training benefit you?

The training takes you through the key legal areas that you need to understand – and on which, crucially, your employer may expect you to advise.

- If you are new to this area, the workshop starts from basics and does not assume any prior knowledge, starting from the fundamentals of where our law comes from and how it is applied.
- If you are looking for a refresher, you'll be able to enhance your knowledge to bring it right up to date! We look at some key cases – illustrating how a basic understanding of the law can help prevent things from going wrong.
- From dealing with issues of confidentiality and consent in the workplace to advising on reasonable adjustments and fitness for work issues, you'll comprehend how the law affects your day to day work.
- You'll gain an understanding of how you can prepare and protect yourself – and your employer – if a court case should arise.

Scope of the training day and further study

Occupational health law is a very complex subject area, and it is only possible to give an introduction in the space of a one-day workshop. Anyone attending this training, and then going on to study the law in more depth at The At Work Partnership's five-day *Certificate in Occupational Health Law* course, will receive a booking discount for the five-day course.

About our expert speakers

Prof Diana Kloss MBE

Diana Kloss is a barrister, former employment judge and honorary senior lecturer in OH Law at the University of Manchester. Her publications include *Occupational Health Law* (5th edition, Wiley Blackwell, 2010), and *Discrimination Law and OH Practice* (At Work Partnership, 2012). She is the consultant editor of The At Work Partnership's new online service, *OH Law Online*.

Diana is an honorary fellow of the Faculty of Occupational Medicine, an ACAS arbitrator, chair of the Council for Work and Health, and is a visiting professor at London South Bank University.

Nick Hanning

Nick Hanning is a partner and personal injury and employment lawyer with Dutton Gregory LLP where he specialises in psychiatric injury claims especially those involving bullying and harassment or occupational stress.

Nick acted for the claimant in the seminal case of *Majrowski v Guy's and St Thomas's NHS Trust*, and also in a separate case that resulted in the largest ever employment tribunal award of £4.5 million. Nick is a past-president of the Chartered Institute of Legal Executives and he speaks and writes regularly on the implications of OH law.

Booking Form

OH law essentials

Central London – Monday 5 December 2016



A B C D E F G

First delegate

Early bird rate – save £70!

For bookings received and paid **before** 31 October 2016

£299 + VAT (£358.80) per delegate – **save £70!**

Main rate – For bookings received and paid **after** 31 October 2016

£369 + VAT (£442.80) per delegate

Title _____ First name _____
Surname _____
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Position _____

Second delegate – save 25%

Early bird rate

For bookings received and paid **before** 31 October 2016

£225 + VAT (£270.00) per delegate

Main rate – For bookings received and paid **after** 31 October 2016

£275 + VAT (£330.00) per delegate

Title _____ First name _____
Surname _____
e-mail _____
Position _____

Organisation details

Organisation _____
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VAT no (for overseas orders only) _____

I have read and agree to the cancellation terms: Authorised signature _____
(This booking is not valid unless signed)

Forthcoming events *please send me information on the following events*

Certificate in CBT Skills for OH Professionals, Jan – Feb 2017, London Workplace Health 2016, 13-14 October 2016, Warwickshire

Administration

Venue

The conference will be held at a hotel or training centre in central London. Details will be confirmed in your administration details.

Bookings

Places can be booked by post, telephone or e-mail. In cases where your organisation's paperwork may take a couple of weeks to reach us, please telephone us on 0345 017 6986 to reserve a no-obligation provisional place.

Conference administration details

Please contact us if you do not receive written confirmation of your booking within two weeks of making the reservation. Details of the venue, a map and any final information will be sent to paid delegates approximately two weeks before the conference. If you have not received these one week before the event, please telephone us on 0345 017 6986, or e-mail conferences@atworkpartnership.co.uk

Cancellation policy

For cancellations received in writing 14 days before the conference, we will provide a refund, less a 25% administration fee to cover administration costs. If the cancellation is received within 14 days of the conference, no refund will be made, but we will accept an alternative delegate from your organisation at the event. Refunds are not available to delegates who fail to attend after confirming a booking.

Hotel accommodation

Hotel accommodation can be arranged through Venuehunt.
Tel: 01722 500675. Online: www.venuehunt.co.uk

In order to process this booking, your details will be held on our system. We would like to keep you informed of future relevant events and information from The At Work Partnership by post, 'phone, fax or e-mail. Please contact us if you do not want to be kept up to date with this information.

This programme was correct at time of going to press. In unavoidable circumstances, we reserve the right to change or cancel this event. If we do need to cancel this event, our liability is limited to a refund of fees.

Payment information

Main rate: £369 + VAT per delegate. Early Bird Rate: £299 + VAT per delegate for bookings received and paid for by 31 October 2016. (Bookings made by 31/10/16, but not paid by this date, will be charged at the higher rate). A 25% discount will apply to bookings made for second and subsequent delegates from the same organisation. To qualify for the discount, places must be booked at the same time and paid for on a single invoice.

Documentation, refreshments and a buffet lunch are all included in the price.

The fee must be paid in advance of the event. Invoices will be sent when a booking is received, and payment can be made:

- **By cheque** – payable to The At Work Partnership Ltd
- **By BACS** – please contact us for our bank account details.
- **By credit card** – Expiry date _____ / _____ 3 digit security number _____
Card No. _____ / _____ / _____

Special requirements

If you have any special needs, please let us know in advance and we will be delighted to try and help.

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BOOK NOW and return your completed form to:

16/12

Post: The Registration Secretary, The At Work Partnership Ltd, 3 Woodfield Way, Bounds Green, London N11 2NP

Telephone: 0345 017 6986 or 0208 344 2328 **e-mail:** conferences@atworkpartnership.co.uk

Visit our website at www.atworkpartnership.co.uk