

qualification

Practical OH Law Certificate

8 – 10 July 2019
Central London

A practical three-day qualification from **The At Work Partnership** designed to provide occupational health professionals with an in-depth understanding of occupational health law at work.

Course director: *Prof Diana Kloss*, barrister

- **Introduction to OH law**
Prof Diana Kloss, barrister
- **Disability discrimination and ill health at work**
Nick Hanning, Anthony Gold Solicitors
- **Discrimination law – an overview**
Emily Yeardley, BakerLaw LLP
- **Employment law and fitness for work**
Prof Diana Kloss, barrister
- **Consent, confidentiality and data protection in OH**
Prof Diana Kloss, barrister
- **Employment tribunals**
Nick Hanning, Anthony Gold Solicitors

An important qualification from
The At Work Partnership



With the support of
Brunel University London



CPD: Self certification schemes: 17½ hours

Additional CPD can be gained after the event via our CPD scheme

SPECIAL OFFER
Book and pay
by 10/5/19
and save up to
£100 +VAT!

Programme

DAY 1: Monday 8 July 2019

- 9.45 Registration and coffee**
- 10.00 Introduction to occupational health law**
- Prof Diana Kloss, barrister**
- Legislation and common law
 - Criminal law and civil law
 - European law
 - Ethics of the health professions
 - Criminal law of health and safety as it affects OH professionals: *Health and Safety at Work etc Act*
 - Management of Health and Safety at Work Regulations
 - Statutory health surveillance
 - Liability of OH professionals and employers
- 1.00 Lunch**
- 1.45 Discrimination law: key concepts and legislation**
- Nick Hanning, Anthony Gold solicitors**
- The *Equality Act* and discrimination arising from:
 - Age
 - Disability
 - Sex
 - Pregnancy
 - Race
 - Gender reassignment
 - Religion or belief
 - Direct discrimination
 - Indirect discrimination
 - Harassment
 - Victimisation
- 16.30 Close of day and course drinks reception**

DAY 2: Tuesday 9 July 2019

- 8.45 Registration and coffee**
- 9.00 Consent, confidentiality and data protection in OH**
- Diana Kloss, barrister**
- The common law and the *Human Rights Act*
 - Principles of ethics relating to confidentiality, including the Faculty of Occupational Medicine guidance on ethics (2018)
 - Reporting to management: informed consent
 - Disclosure in the public interest
 - GDPR and the *Data Protection Act 2018*
 - Data controllers and data processors
 - The data protection principles
 - Lawful bases for processing
 - *Access to Medical Reports Act*
 - *Access to Health Records Act*
 - The rights of the data subject
 - Subject access request
- 12.45 Lunch**
- 1.30 Disability discrimination and ill health at work**
- Emily Yeardley, BakerLaw LLP**
- The definition of disability
 - Pre-employment screening
 - The employer's knowledge of disability (actual and constructive knowledge)
 - The duty of reasonable adjustment
 - Section 15 *Equality Act*: discrimination arising from disability
 - Protection of carers
- 17.00 Close of day**

DAY 3: Wednesday 10 July 2019

- 8.45 Registration and coffee**
- 9.00 Employment law and fitness for work**
- Diana Kloss, barrister**
- Fitness for work
 - The definition of employee/worker/self-employed
 - The gig economy
 - Sick pay
 - Unfair dismissal
 - Whistleblowing
 - The duty of care and vicarious liability
- 11.20 Course assignment**
- 11.50 Law in practice**
- Practical group work on the legal and management implications of cases
- 12.45 Lunch**
- 13.30 Employment tribunals: procedure**
- Nick Hanning, Anthony Gold Solicitors**
- Keeping notes
 - Legal privilege: criminal and civil law
 - Discussions with solicitors and preparing a statement for legal proceedings
 - What tribunals like to see – and don't like to see – in OH reports
 - Giving evidence in a tribunal: witnesses of fact and expert witnesses
- 15.30 Legal Q&A**
- Your chance to put your legal queries to our experts
- 16.00 End of course**

About The At Work Partnership: The At Work Partnership specialises in providing expert information to OH professionals. It runs a number of high quality, good value conferences as well as specialist professional development courses, mainly run with the support of Brunel University. These include the *Certificate in OH Case Management*, the *Certificate in Managing OH Services*, the *Certificate in CBT Skills for OH Professionals*, and the *Certificate in Managing Mental Health at Work*. In addition, we publish the journal *Occupational Health [at Work]*, and the online service *OH Law Online*.

About Brunel University London: The Department of Clinical Sciences is part of the College of Health and Life Sciences at Brunel University London. It specialises in courses that enable graduates and postgraduates 'to make a real difference to the world around them'. The Department has four divisions: i) Occupational Therapy and Community Nursing ii) Physiotherapy and Physician Associate iii) Social Work and iv) Health Sciences. Brunel University London aims to be a key part of health research in the UK. For more information, please visit www.brunel.ac.uk/chls/clinical-sciences

Practical OH Law Certificate

A practical three-day course designed to provide occupational health professionals with an in-depth understanding of OH law at work. This qualification will provide you with a detailed comprehension of the full scope of your legal responsibilities – so that you can ensure that your work, and the work of your department, is fully compliant with legislation and case law.

This qualification is organised by **The At Work Partnership** with the support of **Brunel University London**. The course brings together some of the top experts in their fields. Prof Diana Kloss, the course director, is a leading authority on OH law, and is renowned for her clear explanations and expert guidance. Two legal experts join Diana in lecturing on the course, providing specialist contributions on different aspects of OH law.

The outstanding subject knowledge and easily accessible presentations of the lecturing team will ensure that you come away with a detailed knowledge and understanding of your occupational health legal responsibilities, and how to meet these in practice. The course lectures are supplemented by in-depth case discussions, where students learn how to apply the law to a range of workplace scenarios.

The course provides an updated, shorter, OH-focused version of **The At Work Partnership's** highly regarded five-day course, the *Certificate in OH Law*, which ran from 2008 to 2017. The content has been condensed to focus on topics of direct interest to the majority of occupational health professionals.

Who is the course designed for?

The course is designed for occupational physicians, occupational health advisors and OH managers.

How will gaining this qualification benefit you and your organisation?

You will gain:

- A comprehensive knowledge of key occupational health legal issues, from medical confidentiality and consent to disability discrimination, employment law and fitness for work
- Insight into the liabilities of the employer and OH professionals in criminal and civil law
- Advice on best practice and avoiding cases reaching an employment tribunal
- Guidance on tribunal legal procedure
- An understanding of how to apply the law to different workplace scenarios and put it into context

Assignment and certification

Delegates must attend at least 80% of the course.

There are two forms of assessment, as follows:

- During the course, at the end of each module, students will provide written answers to questions relating to that particular module.
- In the three months following the course, students will undertake a written assignment, demonstrating their understanding of occupational health law and their ability to apply it in a given workplace scenario.

Students who successfully complete the above will be awarded the *Practical OH Law Certificate*.

About our expert tutors

COURSE DIRECTOR

Prof Diana Kloss MBE

Diana is a barrister, former employment judge and honorary senior lecturer in OH law at the University of Manchester. Her publications include *Occupational Health Law* (Wiley Blackwell, 2010), and she jointly edited *Discrimination Law and OH Practice* (The At Work Partnership, 2010). She is consultant editor of *OH Law Online*. Diana is an honorary fellow of the FOM, an ACAS arbitrator, and she is honorary president of the Council for Work and Health. Diana was the course director for the At Work Partnership's *Certificate in Occupational Health Law* from 2010 – 2017.

OTHER TUTORS

Nick Hanning

Nick is a specialist personal injury and employment lawyer and independent practice consultant with Anthony Gold Solicitors and Dutton Gregory LLP. He specialises in psychiatric injury claims and 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. He is past president of the Chartered Institute of Legal Executives, and has lectured extensively on OH law, including on The At Work Partnership's *Certificate in Occupational Health Law* course.

Emily Yeardley

Emily is an associate solicitor specialising in employment law with BakerLaw LLP. Emily has a particular interest in advising on ill health and disability in the workplace and regularly speaks on this topic in addition to contributing to the At Work Partnership's journal and other publications. Emily provides training and legal updates on employment law to OH and HR professionals and businesses, and has lectured on The At Work Partnership's *Certificate in Occupational Health Law* course. She also writes legal case notes for the journal *Occupational Health [at Work]*.

Booking Form

Practical OH Law Certificate 8 – 10 July 2019, Central London



A B C D E F G

Please book places for _____ delegate(s), at the rate of:

Early bird rate: for bookings paid **before** 10 May 2019

- £1325 + VAT (£1590) per delegate or
 £1125 + VAT (£1350) per delegate, reduced rate for NHS Health at Work network members

First delegate

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

Main rate: for bookings paid **after** 10 May 2019

- £1425 + VAT (£1710) per delegate or
 £1225 + VAT (£1470) per delegate, reduced rate for NHS Health at Work network members

Second delegate

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

Organisation details

Organisation _____
Address _____
Postcode _____
Tel _____

To process your order, we keep your details securely on our database and we NEVER pass on your details to 3rd parties. We'd like to keep you updated about relevant events and information from the At Work Partnership. You can unsubscribe at any time by emailing info@atworkpartnership.co.uk. To receive our updates, please tick the boxes below:

- Yes – update via **post, email and phone**.
 Yes – by **post** (for training info and journal samples – usually 5x per annum).
 Yes – by **email** (for the free monthly OH email newsletter).
 Yes – by **phone** (we are very unlikely to call unless it is for a specific reason)
 No, please do NOT contact me via any method.

I have read and agree to the cancellation terms: Authorised signature

.....
(This booking is not valid unless signed)

Administration

Venue

12 Bloomsbury Square Training Centre, 12 Bloomsbury Square, London, WC1A 2LP. Tel: 020 7421 7444.

The fee includes lunch, documentation and refreshments.

Booking procedure

Due to high levels of interest in this course, please call us on 0345 017 6986 or 0208 344 2328 to reserve a no-obligation provisional place. We can hold this for a maximum of 30 days

Cancellation terms

For cancellations received in writing 28 days or more before the course commences, we will provide a refund, less a 10% cancellation fee. If the cancellation is received less than 28 days before the course start date, no refund will be made. At any time before the course commences, we will accept an alternative delegate from your organisation. Refunds are not available to delegates who fail to attend after confirming a booking. Transfers to future courses can only be arranged up to 28 days prior to the start date of the course booked, subject to a £75 + VAT administration fee.

Course 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 four weeks before the course. If you have not received these two weeks before the event, please telephone 0345 017 6986, or e-mail: conferences@atworkpartnership.co.uk

Attendance requirements

Delegates must attend a minimum of 80% of the course. This is essential in order to undertake the assignment and gain the Certificate.

Payment information

Course price: £1425 + VAT per delegate (or £1225 + VAT for NHS Network members). Bookings made and paid by 10 May 2019 will be charged at the Early Bird Rate of £1325 + VAT per delegate (or £1125 + VAT for NHS Network members). Bookings made before 10/5/19, but not paid by this date, will be charged at the higher main rate.

Payment can be made:

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

N.B. Please do not email a PDF of this form with your credit card details.

Special requirements

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

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.

19/04

BOOK NOW and return your completed form to:

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Post: The At Work Partnership Ltd, Office 1(i), Highstone House, 165 High Street, Barnet, EN5 5SU

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

Book online www.atworkpartnership.co.uk