

YOUR MONTHLY E-BULLETIN

Issue 67; March 2019

LATEST CONSORTIUM NEWS

2019 ATE

Your Management Board is potentially looking to a new venue for the Annual Training Event this year. With news of this next month, for now please save the date of **1st October** for the event.

Solicitors Framework Re-Procurement

With the current framework expiring at the end of March 2020 theres no time to waste in reprocuring a new NWLC framework. Work is now beginning on this important task.

If you have any comments about how the current framework works, the lots, the numbers of appointed firms etc we would love to hear from you.

Please send any comments or requests as soon as possible to **bh_nwlconsortium@btinternet.com**Its your framework – let us make it work for you.

CONSORTIUM FREE TRAINING PROGRAMME 2018/2019

You can book yourselves, colleagues or clients on to our FREE courses through the website at **www.nwlegalconsortium.com**

With this latest programme we have aligned **all course start times as 10am** to avoid confusion and assist all delegates in making their travel arrangements.

Please note that 10am is the actual start of the training session.

Coming up you've got:

GDPR Update on 3rd April, presented by Hill Dickinson at their Liverpool office.

Planning Update on 10th April presented by Weightmans at their Liverpool office and,

Employment Law Update on 1st May, presented by DAC Beachcroft at their Manchester office.

More detail can be found on the website courses page at www.nwlegalconsortium.com/courses

Don't forget that all this training is **free** and is open to legal staff at member organisations as well as to client department staff.

And finally a request....

Booked on to a training course but now find that you can't make it?

If this happens to you.....and it might and it does, please try to let us know as soon as you can.

Recent training sessions have had a significant number of delegates not attending and this can make things difficult for presenters and other delegates.





If you can cancel your place please do so with as much notice as possible.

There is a facility to manage your bookings on the website – just click on 'Book a Course' and you will see 'Manage your Bookings'. Then just highlight the booking you want to manage and you have a choice to edit or cancel that booking.

Or call or email Beryl to let us know not to expect you. It really does help us to manage the training better and shows respect for the trainers and other colleagues.

Many thanks.

REMINDERS

Course Materials

Presentations and handouts from Consortium training sessions or the sessions at the Annual Training Event are all available in the documents area of the website at www.nwlegalconsortium.com

Website Authorised Users - Are all your colleagues signed up to use the Consortium website?

There is no limit on the number of users that each member organisation can register.

Some organisations have registered all their legal staff, others have been selective.

If you want to add new users we will need the approval of the Head of Service but from there we will sort it out for you!

Please either complete the form on the home page of the website or contact Beryl Heath on **bh_nwlconsortium@btinternet.com** to add more authorised users for your organisation

Also, if you have staff leaving you please let us know and we will keep your user list up to date.

Website Log In If you are an authorised user and you do not think you have received your website log in details then do get in touch with Beryl Heath at **bh_nwlconsortium@btinternet.com** and we'll do all we can to assist you.

New Roles up for grabs?

We publish a range of vacancies on the website jobs page at www.nwlegalconsortium.com/jobs

We are always adding new roles so keep checking.

If your authority wants to advertise any vacancies on the website for **free** contact Beryl Heath on **bh nwlconsortium@btinternet.com**

NWLC NOMINATED CHARITY OF THE YEAR



Please support the North West Air Ambulance Charity

For the Charity's latest events go to: nwaa.net





NORTH WEST AIR AMBULANCE CHARITY MARCH 2019

North West Air Ambulance Charity launch blood on board in conjunction with Blood Bikes Manchester, Salford Royal Hospital NHS Foundation Transfusion Service and North West Ambulance Service



Roadside and in-the-field blood administration is possible across the North West for the first time as paramedics and consultants aboard the North West Air Ambulance Charity (NWAA) introduce blood on board to its helicopters, in collaboration with Blood Bikes Manchester, North West Ambulance Service (NWAS) and the Salford Royal NHS Foundation Trust Transfusion Service (SRFT). The initiative has been funded by the Henry Surtees Foundation, a charitable organisation supporting those with physical injuries caused by accidents.

NWAA paramedics and consultants have undergone comprehensive training to administer blood in the field, led by Salford Royal, further extending the service's capability to bring the skills and life-saving procedures of an emergency department to the scene of injuries.

With the charity flying out to over 2,000 missions each year, many being major trauma incidents, the charity estimates two to three urgent transfusions will be required each week in the North West. Of those, patients with major trauma who are attended to at the roadside by enhanced care teams then have a greater chance of survival.

The project brings together three vital local services for the first time, two of which are charity-funded. Packed red blood cells and pre-thawed plasma will be supplied by Salford Royal and delivered by Blood Bikes Manchester, an entirely volunteer-run operation, in temperature-controlled boxes to the NWAA Barton base each day. Any blood not used that day by the air ambulance will be safely returned by Blood Bikes riders for use in the hospital, to ensure precious donations do not go to waste.





Celebrating the medical collaboration of three local services, Clint Jones, Consultant Anaesthetist at the North West Air Ambulance Charity, commented: "This is the first time the entire North West will have access to this life-saving in-the-field medical procedure. It is a proud moment for our charity, and our partners at Blood Bikes Manchester, the Salford Royal and the Henry Surtees Foundation. As a charity that relies completely on public and corporate donations to keep flying, the support and collaboration to make this project possible – from fellow charitable organisations – has been incredible.

"Our priority is to deliver emergency care from the air, bringing pre-hospital interventions to seriously ill and injured people no matter their location. Our crew are often called to treat patients suffering from major blood loss or internal bleeding, so the need for this on-the-scene intervention was clear; being able to administer blood there and then will give people precious time in the race to safely treat and transport them to hospital."

Steve Deakin, Duty Manager at Blood Bikes Manchester, celebrated the collaboration behind the initiative: "Blood on board is an essential public service, and we are proud to work side-by-side the North West Air Ambulance Charity and Salford Royal to bring the project to life. Our team of volunteers understand just how important it is to get blood to patients quickly; traditionally, we've focused on the swift transport of donations and samples to hospital, and it is an honour to now be working to bring blood and plasma to patients wherever they may need it."

Deborah Seddon, Haematology and Blood Transfusion Service Manager at Salford Royal NHS Foundation Trust, said: "Blood loss is a major factor in the survival of trauma patients, and anything that can be done to combat its detrimental effect could undoubtedly save lives. Our purpose is to deliver safe, effective treatment to patients across Salford, so we are incredibly proud to support the North West Air Ambulance Charity in delivering this service to people across the North West."

Clint continued: "After much preparation and planning, it is rewarding to launch the service onboard for the first time. Our thanks go to the Henry Surtees Foundation for their incredibly generous funding, and our partners at Blood Bikes Manchester, the North West Ambulance Service and Salford Royal for making blood on board possible."





PIONEERING CARDIAC ARREST INTERVENTION ACCESSIBLE TO ALL IN THE NORTH WEST



A life-saving medical project between the North West Air Ambulance Charity (NWAA) and Wythenshawe Hospital, part of Manchester University NHS Foundation Trust, has been recognised for Innovation at the National Air Ambulance Awards of Excellence.

As a result of the year-long collaboration, NWAA and Wythenshawe Hospital has been able to streamline potentially life-saving interventions for cardiac arrests for the first time. In one case, it saved the life of a patient whose heart had stopped for 54 minutes.

Approximately 90 per cent of heart attacks which occur outside of a hospital in the UK are fatal. Immediate, uninterrupted CPR, rapid transport to a specialist cardiac centre, and diagnosis and treatment of the underlying cause are vital in increasing the chances of survival. Until recently, these interventions would often be delivered in isolation.

When activated for a cardiac arrest call, NWAA crews can rapidly deploy to the patient by road or by air. There they will carry out an assessment, provide emergency anaesthesia if required, and initiate advanced life support measures. If appropriate for the patient, the Wythenshawe team is activated and the patient transported direct to the cardiac specialists at Wythenshawe Hospital – all in under an hour from call time.

Dr Ian Tyrrell-Marsh, NWAA consultant lead for the project, commented: "In a cardiac arrest situation, it's all about time and access to specialist services – Every second counts, from the moment the call comes in it's a race to get to the patient and then stabilise and transfer them to a centre capable of dealing with the underlying problem. Sometimes we are unable to get the heart to start again which previously would mean the patient would unfortunately die. Thanks to this project, we now have the option to transfer the patient, still in cardiac arrest, direct to the specialist facility at Wythenshawe Hospital where they can be immediately placed on a form of heart lung bypass to support the vital organs. This buys the patient vital time for the cardiologists to investigate the underlying cause of their cardiac arrest."





Access to specialist equipment, not available elsewhere in the North West, has been key to the success of the project. NWAA, a charity which does not receive government funding or National Lottery support, was able to purchase a LUCAS Chest Compression system last year following a generous donation. LUCAS administers automated CPR, allowing NWAA medics to deliver uninterrupted, constant high quality CPR even whilst transporting a patient in the aircraft.

Wythenshawe is the only hospital in the North West offering the highly specialist ECMO (extracorporeal membrane oxygenation) service, which involves placing the patient on a machine to circulate oxygenated blood, essentially acting as an artificial heart and lungs. Wythenshawe Hospital has specially trained the charity's Medical Teams to assess cardiac arrest patients at the scene for their suitability for ECMO.

The charity and hospital believe this chain of interventions, and how they are now delivered, has the potential to transform cardiac arrest treatment UK-wide. Dr Tyrrell-Marsh continued: "When a person suffers a cardiac arrest outside of hospital, access to in hospital specialist care can be challenging. You can imagine that for people out in rural areas, further away from hospitals, helicopter emergency medical teams are critical in offering stabilisation at scene and rapid transport to hospital, increasing the chance of patient survival.

"It has been an absolute honour for the charity, and Wythenshawe Hospital, to be recognised for our work. In just over a year, we've introduced a clinical practice which is saving lives in the North West. We hope the hard work and research we're completing will assist other air ambulance services in joining up with their local ECMO-equipped centres to allow access to this potentially lifesaving treatment for the benefit of other patients, all across the country."

To date, NWAA has transferred eight patients to Wythenshawe Hospital as part of the new pathway, five of which received ECMO in the Emergency Department. Two patients were transferred from over 100km away, which would not have been possible without the helicopter emergency medical services to bring the skills and equipment of an Emergency Department directly to the scene.





- 7th July 2019 5 Mile Family Tunnel Ride www.nwae.net/familytunnelride
- 7th July 2019 Liverpool Chester Liverpool Bike Ride www.nwaa.net/Liverpoolchesterliverpool
- 2nd 6th Sept 2020 Euro City Cycle
 271 miles across UK, Brussels & Holland request a brochure for details
- Your date Your ride register at www.nwaa.net/our-story/#fundraising to receive a free fundraising pack, t-shirt and support from our fundraising team

Contact us: Fundataling@nwea.net or 0800 597 4570. Register charity no 1076541







NWLC MONTHLY LEGAL UPDATER

POWERED BY THOMSON REUTERS AND PRACTICAL LAW

01/03/19

This is a selection of legal updates for NWLC powered by Westlaw UK and Practical Law. To read more on these topics, go to **westlaw.co.uk** or **uk.practicallaw.com**

CASES

GOVERNMENT ADMINISTRATION. *Human rights; Social security.*

Disability; Email; Homelessness; Public sector equality duty; Reasonable adjustments; Social security benefits.

R. (on the application of Atherton) v Secretary of State for Work and Pensions. [2019] EWHC 395 (Admin). Queen's Bench Division (Administrative Court) (QBD (Admin)). Jeremy Johnson QC. February 27, 2019

The offer by the Department of Works and Pensions of a "workaround" to email a homeless, disabled man about his benefits instead of communicating with him by post amounted to a reasonable adjustment within the Equality Act 2010 s.20, and complied with its public sector equality duty under s.149.

Application refused

MENTAL HEALTH. Information technology; Local government.

Internet; Learning disabled persons; Mental capacity; Parental contact; Social media.

A (Capacity: Social Media and Internet Use: Best Interests), Re. [2019] EWCOP 2. Court of Protection (CP). Cobb J. February 21, 2019

In undertaking a mental capacity assessment, the issue of whether a patient had capacity to engage in social media for the purposes of online contact was distinct from other forms of direct or indirect contact, or general issues surrounding care. The Court of Protection set out the types of information that a patient needed to be able to understand, retain and weigh, in order to have capacity to engage in internet and social media use.

Judgment accordingly

LANDLORD AND TENANT. Local government; Negligence.

Defective premises; Defects; Duty of care; Inspection; Knowledge; Landlords' duties; Local authorities' powers and duties.

Rogerson v Bolsover DC. [2019] EWCA Civ 226. Court of Appeal (Civil Division) (CA (Civ Div)). Nicola Davies LJ; Moor J. February 26, 2019

There was insufficient evidence to establish that a local authority landlord had a duty under the Defective Premises Act 1972 s.4 to institute a system of regular inspection of a property. However, the local authority had not complied with its duty under s.4(1) to take reasonable care when carrying out inspections of the property to ensure that there was no defect which it should in all the circumstances have known of.

Appeal allowed





LEGISLATION

INFORMATION TECHNOLOGY. Health; Social welfare.

Commencement; National Data Guardian for Health and Social Care.

Health and Social Care (National Data Guardian) Act 2018 (Commencement) Regulations 2019. SI 2019/580 (C. 14)

These Regulations bring into force, on 1 April 2019, all of the provisions of the Health and Social Care (National Data Guardian) Act 2018.

In Force: Bringing into operation the 2018 Act on 1 April 2019.

PUBLIC PROCUREMENT.

Amendments; Brexit; Public procurement; Retained EU legislation.

Public Procurement (Amendment etc.) (EU Exit) Regulations 2019. SI 2019/560

These Regulations make amendments in the field of public procurement.

In Force: In accordance with reg.1.

GOVERNMENT AND REGULATORY DEVELOPMENTS

HOUSING. Local government.

Borrowing powers; Housing Revenue Account; Housing stock; Local authorities' powers and duties; Right to buy.

LGA survey: councils to use borrowing powers to accelerate homebuilding programmes. By Local Government Association. 14 March 2019

Following the Government's decision to abolish the housing borrowing cap, a Local Government Association (LGA) survey suggests that new powers to borrow and invest in new and existing housing are likely to be used by the majority of housing stock-owning councils. The survey also reveals that councils want: reforms to Right to Buy (RtB) to allow them to retain 100 per cent of RtB receipts and set discounts locally; and more national advice and guidance.

Website: https://www.local.gov.uk/about/news/lga-survey-councils-use-borrowing-powers-accelerate-homebuilding-programmes [Accessed at 14 March 2019]; https://www.local.gov.uk/housing-revenue-account-cap-removal [Accessed 14 March 2019]





INTERNATIONAL LAW. Public procurement.

Brexit; Businesses; Government contracts; Public contracts; Public sector; World Trade Organization.

WTO agreement secures £1.3 trillion market for British contractors. By Department for International Trade. 27 February 2019

The World Trade Organisation (WTO) has confirmed that UK businesses will be able to continue bidding for public sector contracts around the world after the UK leaves the EU. The UK will join the Government Procurement Agreement as an independent member as soon as possible if it leaves without an agreement, or will remain a member under EU schedules if there is an implementation period.

Website: https://www.gov.uk/government/news/wto-agreement-secures-13-trillion-market-for-british-contractors
https://urldefense.proofpoint.com/v2/url?u=https-3A__www.gov.

uk_government_news_wto-2Dagreement-2Dsecures-2D13-2Dtrillion-2Dmarket-2Dfor-2Dbritish2Dcontractors&d=DwMF-g&c=4ZIZThykDLcoWk-GVjSLmy8-1Cr1I4FWIvbLFebwKgY&r=BQqODTY-r5C7uCSStLGEoXLyyHRo4KXFyzx_pJuHJ_PwF-GwJn_1tS_VoxApbXMLu&m=wzAEgNNTMsWzOCmIHOsO

RKVu9i0103_2QrdXOcqoK0g&s=CsYa8pOwvRIsMAEKI7jDxEz0u6nvx2OG-BrWTph0Bf4&e=> [Accessed at 27 February 2019]; https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2019-02-28/HCWS1365/ [Accessed 1 March 2019]

PLANNING.

Appeals; Pilot schemes; Planning Inspectorate.

Inquiries Review. By Planning Inspectorate. 13 March 2019

The Planning Inspectorate is running a pilot scheme for inquiries in response to the recommendations of the Inquiries Review. It has begun a trial of accelerating a small number of inquiry appeals as part of a pilot of holding inquiries much earlier than at present, and it is starting to work with those appellants and the local planning authorities involved with the appeals.

Website: https://www.gov.uk/government/news/inquiries-review [Accessed at 14 March 2019]

NEWS RELEASES

HOUSING. Local government; Real property.

Local authorities' powers and duties; Local authority housing; Right to buy; Sale of property; Tenants' rights.

Chartered Institute of Housing finds that Right to Buy owners made £6.4bn by reselling homes. Times, 15 March 2019, 19. By Andrew Ellson.

The Chartered Institute of Housing has called for the right to buy to be halted in England as it was in Wales in January and Scotland in 2016, after finding that former council house tenants who bought properties under right to buy have made £6.4 billion profit by selling their homes on.

Organisations Referred: Chartered Institute of Housing





IMMIGRATION. Human rights; Landlord and tenant.

Discrimination; Foreign nationals; Immigration policy; Immigration status; Landlords' duties; Race discrimination; Rent; Tenants.

High Court rules against right to rent scheme. Guardian, 1 March 2019 (Online edition). By Amelia Hill; Diane Taylor.

Part of the Government's "hostile environment" immigration policy has been declared incompatible with human rights law at the High Court. Spencer J said the Right to Rent scheme, which requires private landlords to check the immigration status of tenants, was unlawful because it caused landlords to discriminate against UK citizens from minority ethnic backgrounds and against foreign nationals who have a legal right to rent.

Website: https://www.theguardian.com/uk-news/2019/mar/01/right-to-rent-scheme-ruled-incompatible-with-human-rights-law [Accessed at 1 March 2019]

Cases referred: R. (on the application of Joint Council for the Welfare of Immigrants) v Secretary of State for the Home Department~ [2019] EWHC 452 (Admin); [2019] 3 WLUK 12 (QBD (Admin))

