



# YOUR MONTHLY E-BULLETIN

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**Issue 80; June 2020**

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## LATEST CONSORTIUM NEWS

### Annual Training Survey – out now!

You may have already seen our invitation to take part in this year's Annual Training Survey.

Follow this link to take part if you haven't done so already: [www.surveymonkey.com/r/NWLC-Training](http://www.surveymonkey.com/r/NWLC-Training)

Completing the survey will take just a few minutes of your time and there is a prize draw for those who participate with a £25 Amazon voucher for our lucky winner.

### DATE FOR YOUR DIARY

We have confirmed our booking at Aintree for the next **Consortium Annual Training Event for Tuesday 6th October 2020**

As time moves on we are not sure whether we will be able to hold our event as planned.

For now, please do save the date and hopefully you and your colleagues can join us there.

[More information on this as soon as we have it.](#)

### Calling All Trainees – Get Involved

Two members of the current Consortium Management Board are trainees. They are doing some work to establish how best the Consortium can offer support to trainee solicitors and legal executives within member organisations.

They already have a range of ideas about building a virtual, supportive, community of trainees, about a dedicated webpage and specialist content for trainees in our new quarterly newsletter and also about engaging with the Partner firms and their trainees.

If you are a trainee or you have colleagues who are trainees and you/they are interested in having access to support through the Consortium then please let Beryl Heath at [bh\\_nwlegalconsortium@btinternet.com](mailto:bh_nwlegalconsortium@btinternet.com) have their names and contact details as soon as possible - but ideally by Monday 15th June.

### FREE Consortium Training Programme 2019/20

**As you already know as a result of the current Coronavirus pandemic all face to face Consortium training courses to the end of the current Annual Training Programme (end June 2020) have now been CANCELLED**

**In the meantime, our 4 new Partner Firms** - Bevan Brittan LLP, DAC Beachcroft LLP, Geldards LLP and Weightmans LLP have all developed resources around the Covid 19 issues and beyond.



See how you can access their resources below:

Partner Firm	Website Link	Resources Include
Bevan Brittan	<a href="http://www.bevanbrittan.com/insights">www.bevanbrittan.com/insights</a>	Webinars, webcasts and articles
DAC Beachcroft	DACB main website: <a href="http://www.dacbeachcroft.com">www.dacbeachcroft.com</a> DACB COVID-19Collection: <a href="http://www.dacbeachcroft.com/en/gb/collections/covid-19">www.dacbeachcroft.com/en/gb/collections/covid-19</a>	A collection of articles and newsletters relating to the impact of COVID-19 (covers a wide range of legal topics)
Geldards	<a href="http://www.thriveatgeldards.co.uk/webinars">www.thriveatgeldards.co.uk/webinars</a>	Sign up for marketing updates <a href="http://www.geldards.com/sign-up.aspx">www.geldards.com/sign-up.aspx</a> Webinar recordings and copy slides
Weightmans	<a href="http://www.weightmans.com/landing-pages/coronavirus">www.weightmans.com/landing-pages/coronavirus</a>	A 'coronavirus hub' with relevant information and insights Webinars and events at <a href="http://www.weightmans.com/events">www.weightmans.com/events</a>

## REMINDERS

### The new NWLC Solicitors Framework 2020-2024 – Now Live!

The new Framework Contracts are now in place with 14 firms of Solicitors, across 5 Lots.

All the firms' details and tendered rates are available to staff from Consortium member organisations in the secure area of the Consortium website and you can commission work from the new Framework straight away.

### Looking After Ourselves

Lawcare are there to help at [www.lawcare.org.uk](http://www.lawcare.org.uk).

Lawcare have added new resources to their covid support page on their website which includes webinars, managing furlough, practical steps to stay well when working from home and tips for leaders  
[www.lawcare.org.uk/covid-19](http://www.lawcare.org.uk/covid-19)

In particular there is a recording of their free webinar 'Working well, staying well in the home office'.



**How might the NWLC and information held on the website ([www.nwlegalconsortium.com](http://www.nwlegalconsortium.com)) help you during the current Coronavirus restrictions?**

Here's just a few ways:

A problem shared	Need to get a second opinion, share a problem, get a new perspective?	Through the website, contact colleagues in other member organisations by logging in and going to the Directory page.  Even better if users have registered their specialisms – you can search for colleagues using the search tool based upon the subject of your query.
Registering your specialism	Why not update your user profile to identify your specialisms/skills	To do this log into the secure area and click on User Profile in the left hand menu.  Assign your skills and then just click OK at bottom right of screen.
Keeping up to date	The Thomson Reuters Updater accompanies each E-Bulletin	Access recent Updaters by going to the website Home Page and clicking on the E-Bulletins going back in time.
Refreshing your knowledge	Resources are available	Presentations and handouts from Consortium training sessions or the sessions at the Annual Training Event are all available to you once you are logged into the secure area in the Documents area of the website.
Assistance with workloads	Perhaps one of the other member organisations can help you out?	Contact details for organisation leads are published in the secure area in the Organisation Directory.
Keeping in touch	While you are all working remotely just keeping in touch with colleagues can be very important – for whatever reason	Log in to the website and access the People Directory to contact a colleague.

**Course Materials**

**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](mailto: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.

**Why not take the time to tidy up your registered users list?**

You can see the users currently registered for your organisation by logging in and going to the Directory page.

Click on People Directory and in search criteria add in the name of your organisation.

A list of your users will appear on screen for you.

Just let us know about deletions and additions by emailing Beryl at [bh\\_nwlconsortium@btinternet.com](mailto:bh_nwlconsortium@btinternet.com)

**New Roles up for grabs**

We publish a range of vacancies on the website jobs page at [www.nwlegalconsortium.com/jobs](http://www.nwlegalconsortium.com/jobs)

Currently, Knowsley are looking for a Legal Assistant (Property)

If your organisation wants to advertise any vacancies on the website for free contact Beryl Heath on [bh\\_nwlconsortium@btinternet.com](mailto: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](http://nwaa.net)

### On May 19th the North West Air Ambulance Charity turned 21!

Back in January we were planning lots of celebrations for this year but with the changing times our plans changed too. What hasn't changed however is our service – our teams of doctors and paramedics are still delivering lifesaving treatment across the North West every single day to the people that need it most and that is all thanks to people like you who support us at all times so thank you for your continued support.

Please join us to celebrate our 21st birthday year by joining one of our events from the comfort and safety of your own home! We wouldn't be here without you, and in these uncertain times we need your support more than ever before!

#### • **Go21! Challenge**

Go21 is the perfect way for you to support our charity by staying active while you stay home and save lives! You could walk 21,000 steps in a month, or cycle 21 miles in a week. You could run 21 miles in your own back garden, or climb your stairs for 21 minutes each day. Challenge your friends to a 21 second plank off (or 2 minutes 10 seconds if you're really fit!) or host a 21 hour danceathon on zoom.

Simply choose your activity, set yourself a target, and get going!

This can be a sponsored event (visit [www.justgiving.com](http://www.justgiving.com)), or you can simply text to donate (and maybe nominate your friends too!)

**Register right now** so we can email you a fundraising pack with loads of ideas and inspiration, and then cheer you on from our sofas! [nwaa.net/21bday](http://nwaa.net/21bday)

#### • **Children's Activity Pack**

You can request your activity pack by following this link [nwaa.net/21bday](http://nwaa.net/21bday)

With colouring in sheets, word search, a simple family quiz sheet and an opportunity to design a birthday card for our 21st birthday – simply, print and share your creations using the hashtag #NWAAturns21.

#### • **Brew with YOUR crew**

Get your friends, your family or your colleagues together online for a virtual coffee morning (or cocktail hour?!) to celebrate our 21st birthday year! It's so important to stay connected at the moment, and if you all donate the cost of one coffee, cocktail, or loaded milkshake to us, we can keep connecting people across the north west to the best medical treatment with one of our three helicopters or four rapid response units.

**Click here** to find out more or 'buy' us a birthday brew on our website here: [nwaa.net/donate](http://nwaa.net/donate)

If you want to join in or have any questions about any of the events above please don't hesitate to contact Megan Nolan ([Megan.nolan@nwaa.net](mailto:Megan.nolan@nwaa.net)), or if you have your own idea of a 21st fundraiser she'd love to hear about that too!





# NWLC MONTHLY LEGAL UPDATER

POWERED BY THOMSON REUTERS AND PRACTICAL LAW

01/06/20

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](https://www.westlaw.co.uk) or [uk.practicallaw.com](https://www.uk.practicallaw.com)

## CASES

### **CIVIL PROCEDURE. *Human rights; Landlord and tenant.***

**Access to justice; Coronavirus; Jurisdiction; Pilot schemes; Possession claims; Practice Directions; Protection from eviction; Right to fair trial; Stay of proceedings; Vires.**

Arkin v Marshall. [2020] EWCA Civ 620. Court of Appeal (Civil Division) (CA (Civ Div)). Sir Geoffrey Vos C; Underhill LJ; Simler LJ. May 11, 2020

CPR PD 51Z had been properly authorised by CPR r.51.2 as a pilot scheme for imposing an automatic 90-day stay of proceedings as a result of the coronavirus pandemic and it was not inconsistent with either the Coronavirus Act 2020 or the principle of access to justice under ECHR art.6. Although the court had jurisdiction in principle to lift a stay imposed under PD 51Z, it was difficult to envisage a case in which it would do so, given the purpose of relieving the burden on court staff and protecting public health during the coronavirus pandemic.

Appeal dismissed

### **HOUSING. *Local government; Health.***

**Coronavirus; Furnished lettings; Homelessness; Housing allocation; Interim relief; Local authorities' powers and duties; Suitability; Vulnerable adults.**

R. (on the application of Escott) v Chichester DC. 2020 WL 02132945. Queen's Bench Division (Administrative Court) (QBD (Admin)). Martin Spencer J. May 05, 2020

In an interim relief application, the court refused to order a local authority to provide furniture and white goods in an unfurnished self-contained accommodation which had been provided to a homeless individual during the coronavirus pandemic. The local authority faced many competing demands due to the pandemic, and it had not acted unlawfully in not providing a cooker, fridge and bed so that the individual could more easily self-isolate in the flat.

Application refused

### **MENTAL HEALTH. *Administration of justice.***

**Best interests; Court of Protection; Injunctions; Local authorities' powers and duties; Personal welfare; Persons lacking capacity; Social media; Vulnerable adults.**

SF (Injunctive Relief), Re. [2020] EWCOP 19. Court of Protection (CP). Keehan J. April 20, 2020

The Court of Protection had the power under the Mental Capacity Act 2005 to grant injunctive relief in support of its decisions as to the best interests of patients. It was therefore unnecessary to rely on the High Court's inherent jurisdiction to make injunctions, as the Court of Protection could enforce its own orders.

Judgment accordingly





## LEGISLATION

### CRIMINAL LAW. *Family law.*

#### **Domestic violence and abuse.**

Domestic Abuse Bill 2020 (HC Bill 96).

A Bill to make provision in relation to domestic abuse; to make provision for and in connection with the establishment of a Domestic Abuse Commissioner; to prohibit cross-examination in person in family proceedings in certain circumstances; to make provision about certain violent or sexual offences, and offences involving other abusive behaviour, committed outside the UK; and for connected purposes.

Website: [bit.ly/2w4tas0](https://bit.ly/2w4tas0) [Accessed at 30 March 2020]

Hansard: HC Vol 672 col 778 (1st Reading), Vol 675 col 233 (2nd Reading)

Commons 1st Reading: 3/3/2020 (HC Bill 96) | HC Vol 672 col 778; 2nd Reading: 28/4/2020 | HC Vol 675 col 233

### EDUCATION. *Environmental health; Health.*

#### **Appeals; Contingency planning; Coronavirus; England; Infectious disease control; Maintained schools; Parents; Pupils; School admissions; School exclusions; Temporary provisions.**

School Admissions (England) (Coronavirus) (Appeals Arrangements) (Amendment) Regulations 2020. SI 2020/446

These Regulations amend the School Admissions (Appeals Arrangements) (England) Regulations 2012 for appeals brought under the School Standards and Framework Act 1998 s.94 and 95 (as amended) and lodged: on or after 24 April 2020 but on or before 31 January 2021; before 24 April 2020 but where the appeal has not been fully determined on or before that date.

In Force: 24 April 2020

Made under School Standards and Framework Act 1998 s.94(5)(5A), s.95(3)(3A), s.138(7)

Legislation amended: School Admissions (Appeals Arrangements) (England) Regulations 2012 (SI 2012/9)

### LOCAL GOVERNMENT.

#### **Access; Contingency planning; Coronavirus; Local authorities; Meetings; Procedure; Publication; Wales.**

Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020. SI 2020/442 (W.100)

These Regulations make provision in relation to local authority meetings, and the publication of and access to certain local authority documents.

In Force: 22 April 2020

Made under Coronavirus Act 2020 s.78; Local Government and Housing Act 1989 s.20, s.190; Local Government Act 2000 s.22, s.105





## GOVERNMENT AND REGULATORY DEVELOPMENTS

### EMPLOYMENT. *Social security.*

**Adoption leave; Coronavirus; Entitlement; Parental leave; Statutory adoption pay; Statutory maternity pay.**

Furloughed workers to receive full parental leave entitlement. By Department for Work and Pensions; Department for Business, Energy and Industrial Strategy. 24 April 2020

The Government has laid before Parliament a statutory instrument to provide that furloughed workers planning to take paid parental or adoption leave on or after 25 April 2020 are entitled to pay based on their usual earnings rather than a furloughed pay rate, in the wake of the coronavirus pandemic.

Website: [www.gov.uk/government/news/furloughed-workers-to-receive-full-parental-leave-entitlement](https://www.gov.uk/government/news/furloughed-workers-to-receive-full-parental-leave-entitlement) [Accessed at 27 April 2020]

Legislation referred: Maternity Allowance, Statutory Maternity Pay, Statutory Paternity Pay, Statutory Adoption Pay, Statutory Shared Parental Pay and Statutory Parental Bereavement Pay (Normal Weekly Earnings etc.) (Coronavirus) (Amendment) Regulations 2020 (SI 2020/450)

### FAMILY LAW. *Health; Social welfare.*

**Adoption; Children; Contingency planning; Coronavirus; Foster care; Social care; Temporary provisions.**

Statement on changes to regulations affecting children's social care. By Children's Commissioner for England. 30 April 2020

In a statement on the Adoption and Children (Coronavirus) (Amendment) Regulations 2020, which came into force on 24 April 2020, the Children's Commissioner for England raises concerns with respect to: the relaxation of strict statutory requirements for social workers to visit children who are living in care or who are privately fostered; the relaxation of requirements to review plans for children in care; the optional nature of independent panels; and various requirements with respect to foster care and emergency foster care. It calls for the revocation of the regulations or clear guidance that they will be used only as a last resort.

Website: [www.childrenscommissioner.gov.uk/2020/04/30/statement-on-changes-to-regulations-affecting-childrens-social-care](https://www.childrenscommissioner.gov.uk/2020/04/30/statement-on-changes-to-regulations-affecting-childrens-social-care) [Accessed at 1 May 2020]

Legislation referred: Adoption and Children (Coronavirus) (Amendment) Regulations 2020 (SI 2020/445)

### LOCAL GOVERNMENT.

**Business improvement districts; Funding; Local authorities; Town centres.**

£6.1 million funding boost to help high streets and town centres through pandemic. By Ministry of Housing, Communities and Local Government. 1 May 2020

Hundreds of local business partnerships across England will share £6.1 million to spend on projects that will help their local economies through the uncertainty of the coronavirus (COVID-19) pandemic. The funding, which is in addition to the Government's comprehensive package of support for business and workers during the economic emergency, will offer support to Business Improvement Districts to help with day to day costs over the coming three months. The money will be paid to local authorities for dispersal.

Website: [www.gov.uk/government/news/6-1-million-funding-boost-to-help-high-streets-and-town-centres-through-pandemic](https://www.gov.uk/government/news/6-1-million-funding-boost-to-help-high-streets-and-town-centres-through-pandemic) [Accessed at 1 May 2020]





## NEWS ARTICLES

### **EDUCATION. *Health; Local government.***

**Coronavirus; Infectious disease control; Local authorities' powers and duties; Primary schools; Trade unions.**

Growing number of councils to defy government plans to reopen primary schools. *Times*, 19 May 2020, 6-7. By Rosemary Bennett; Neil Johnston; Charlotte Wace; Bruno Waterfield. Also Reported in *Guardian*, 19 May 2020, 10; *Daily Telegraph*, 19 May 2020, 4

Trade unions have told members that it is "extremely unlikely" that primary schools will reopen on 1 June 2020 in England as a growing number of local authorities have warned that they will defy government plans to do so. Bury has joined Liverpool and Hartlepool, which said that their schools would not open and six others that are also considering their position despite the EU and Australia having reported that reopening schools had not increased the incidence of the virus significantly among either children, families or staff.

### **LOCAL GOVERNMENT. *Education; Human rights.***

**Local authorities' powers and duties; Privacy; Schools; Transgender identity.**

Oxfordshire CC becomes the first in the UK to abolish trans guidance on lavatories after girl's victory. *Times*, 9 May 2020, 6. By Ewan Somerville.

Oxfordshire County Council has become the first local authority in the UK to abolish guidance urging schools to allow transgender pupils to choose which lavatories they use after a 13-year-old girl challenged it at the High Court after claiming that it infringed her right to privacy and had misinterpreted the law by assuming that an array of gender identities had protection under the Equality Act 2010.

Legislation referred: Equality Act 2010