



# YOUR MONTHLY E-BULLETIN

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**Issue 83; September 2020**

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## LATEST CONSORTIUM NEWS

### Coming Soon - Consortium Quarterly Autumn 2020

The second edition of your new magazine is out soon – we are hoping to publish on the day we would have been enjoying our Annual Training Day at Aintree.

In this edition we have topical articles and top tips from our Partner Firms as well as pieces from some of our member organisations.

We have the start of a regular update from LLG and we find out a little more about colleagues and the leads from our Partner firms and there's a photo competition for Trainees/NQs.

Don't miss it.

As you know this year's **Annual Training Event** was sadly cancelled but we look forward to our event next year – we have booked **Aintree Racecourse for Tuesday 5th October 2021** and bookings are now open on the website.

One for the diary!

### NWLC AGM – 6th October, 1.30pm

This year's AGM will be held via Microsoft Teams.

All are welcome to attend.

If you would like to join the meeting please let Beryl Heath know by email at [bh\\_nwlconsortium@btinternet.com](mailto:bh_nwlconsortium@btinternet.com)

### Summer Webinar Programme

Many of you have enjoyed our Summer Webinar Programme with record numbers 'attending' our live sessions on line.

All of those webinars were recorded and are available to view to those who missed out or want to listen again.

To access the link to a recorded session you need to log into the website secure area – Publications tab and go to Webinars/Podcasts.

### Annual Training Programme 2020/21 - starting in October 2020

We are going to continue to provide our FREE training programme on line.

All our Webinars are free to attend to staff from member organisations including client department staff of course.

To attend the live webinar, individuals need to register in advance using the individual link provided for each webinar.

Registration links are published in the secure area of the website – courses pages.



Following each webinar the recorded session will be available to view – by accessing the recording link on the website as above.

**The full Annual Training Programme is available in the Consortium Quarterly, Autumn edition and will be published to the website shortly.**

## REMINDERS

### Looking After Ourselves

**Lawcare** is the Charity supporting and promoting mental health and wellbeing in the legal community. Their resources are available to everyone studying law or working in the legal profession.

For more information visit [fitforlaw.org.uk](http://fitforlaw.org.uk)

If you need emotional support call LawCare on 0800 279 6888 or visit [www.lawcare.org.uk](http://www.lawcare.org.uk) to access webchat, email support and other resources.

Lawcare have some new resources - a new **podcast** series The Legal Mind has launched, the first two are on sleep and digital wellbeing, have a listen and please share. They will be releasing a new podcast each month. They have also launched **sleep tips** and **time management tips**.

They are also continuing to add new resources to their **Covid hub**, including a **webinar** former Chair Brownen Still took part in about mental health and regulation. All Lawcare's open access webinars are listed on their **events page**

Lawcare can be contacted through Ann Charlton, Co-ordinator (England and Wales)

01952 730728 or [www.lawcare.org.uk](http://www.lawcare.org.uk)

### 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)

**User Profile on the Consortium Website** – is your profile up to date?

Did you know that you can tailor your profile as a registered user on the Consortium website?

By using the user profile skill areas you can use the website Directory to search for colleagues with similar profiles to offer help and assistance, or maybe to ask for it!



**We have added a new skill/profile option – Trainee/NQ**

Please do update your profile if you fall into this category.

Its very easy to do and might be really helpful in terms of keeping in touch and gaining or providing that really important support from colleagues in a similar position to yourself.

Why not log into the website and take a look and create or update your profile today?

**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)

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)



### **Air Ambulance reaches 2,531 missions in 12 months**

From 1st September 2019 – 31st August 2020, the charity has completed 2,531 missions across the North West. With three helicopters and four rapid response vehicles across its Barton and Blackpool air bases, the charity's crew of highly skilled specialist doctors and helicopter emergency medical services (HEMS) paramedics can deliver enhanced medical care to the most critically ill and injured patients. In cases of serious incidents and accidents, their care can make a lifesaving difference to patients. Alex Rose is one such patient.

Alex, 25, Preston, was attended to by NWAAC in March 2019, whilst out on his motorbike riding between Slaidburn and Devil's Bridge, Kirkby Lonsdale. Finding himself on an unfamiliar road, Alex was going at a careful speed. However, coming up to a blind bend, his bike skidded on stones in the road – throwing the bike to one side and catapulting Alex into an iron fence in a nearby field and knocking him unconscious. When he awoke, he saw the helicopter descending.

The accident left him with three broken back bones, a fractured sternum, bruised lungs and a painful gash along his arm. Two HEMS paramedics from NWAAC were able to stabilise Alex at the scene, to ensure no further damage was done – his broken back bones had missed his spinal cord by just 1mm. They administered pain relief before carefully airlifting Alex to the Royal Preston Hospital in ten minutes, for scans and further treatment. Alex was miraculously discharged four days later, despite his initial extensive injuries.



“Waking up and seeing the helicopter land was when I realised how serious a state I was in. I think the adrenaline was kicking in though, because I kept trying to get back on my bike. Even a slight movement risked even worse injuries and pain, and I’m so grateful the air ambulance was there to calm me down and treat me.

“Being in such a remote spot, which was difficult to reach by car, I’m sure I wouldn’t have recovered as quickly as I did without their care, they were amazing. They knew exactly how to handle me and get me the treatment I needed as quickly as possible. I don’t know whether I would be fighting fit today without the charity.”

In cases of serious trauma or illness, the crew are able to administer highly advanced interventions before reaching the hospital, such as anaesthesia, blood transfusion or intubation. It can make the difference between life and death for many patients.

As a charity funded operation, NWAAC must raise over £9.5m a year, relying on generous donations, fundraisers and volunteers to maintain its 365-days-a-year service. Just a few months after his accident, Alex asked for donations in lieu of birthday presents, raising over £400.

“I just wanted to do anything to say thank you and give back, and be there for other people who might be in my position one day. I’m hoping to do more fundraising going forward.”

Less than two years after that fateful day, and Alex is back playing football and feeling fitter than ever. He hopes one day to get back on his bike.

“I love being out on my bike, and I’m very lucky that someday I could be back on the road again. I just have to make sure my parents are fine with it!”

Heather Arrowsmith, CEO at the charity, commented: “Hearing from patients like Alex really drive home how important the charity’s work is. Our crew are out there every day, having a life changing impact on patient’s lives, and it just wouldn’t be possible without the incredible support we receive.”

“The nature of our work means there will always be patients in need, and public support, no matter how big or small, makes an incredible difference to this work. It keeps our helicopters in the air, our rapid response vehicles out on the road, and provides vital funds for research into how we can adapt our service to make sure we’re always improving the impact we have on patient’s lives.”



# NWLC MONTHLY LEGAL UPDATER

POWERED BY THOMSON REUTERS AND PRACTICAL LAW

01/09/20

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

### **ADMINISTRATIVE LAW. *Social welfare; Health; Education; Constitutional law; Legislation.***

**Administrative decision-making; Children's welfare; Consultation; Coronavirus; Education health and care plans; Irrationality; Justiciability; Ministers' powers and duties; Secretaries of State; Special educational needs; Statutory instruments; Subordinate legislation.**

R. (on the application of Shaw) v Secretary of State for Education. [2020] EWHC 2216 (Admin). Queen's Bench Division (Administrative Court) (QBD (Admin)). Kerr J. August 14, 2020

The secretary of state's decision to enact the Special Educational Needs and Disability (Coronavirus) (Amendment) Regulations 2020, which temporarily amended the Special Educational Needs and Disability Regulations 2014 by relaxing time limits relevant to the preparation of Education, Health and Care assessments and plans was valid and lawful. In particular, the absence of a formal consultation process had not breached the duty to consult and the speed at which the Regulations had been enacted was not irrational. The court outlined the scope of its powers to intervene in ministers' exercise of their political functions.

Application refused

### **SOCIAL WELFARE.**

**Administrative decision-making; Children's Commissioners; Children's welfare; Consultation; Coronavirus; Looked-after children; Regulations; Secretaries of State; Social care.**

R. (on the application of Article 39) v Secretary of State for Education. [2020] EWHC 2184 (Admin). Queen's Bench Division (Administrative Court) (QBD (Admin)). Lieven J. August 07, 2020

The Adoption and Children (Coronavirus) (Amendment) Regulations 2020, which had the effect of introducing flexibility into regulatory protections for looked-after children, were lawful even though the Children's Commissioner had not been included in the consultation process. In anything less than an urgent national crisis, the court would have been minded to find a consultation unlawful if the Children's Commissioner was not consulted. However, in the unprecedented circumstances, the secretary of state had had to make quick decisions to protect children as effectively as possible and had not behaved irrationally.

Application refused

### **TRANSPORT. *Environment; Planning.***

**Climate change; Environmental impact; Irrationality; Jurisdiction; Rail network; Reports; Time limits.**

R. (on the application of Packham) v Secretary of State for Transport. [2020] EWCA Civ 1004. Court of Appeal (Civil Division) (CA (Civ Div)). Lindblom LJ; Haddon-Cave LJ; Green LJ. July 31, 2020



The government had been entitled, on the basis of an independent review report, to continue with the implementation of phase one of the HS2 rail link project where that report was not commissioned on any statutory basis and did not purport to present an up-to-date assessment of the project's environmental impacts. In matters of national political significance, the exercise of the secretary of state's functions were not constrained by legislation and a challenge by way of judicial review could be made only on irrationality grounds.

Permission to appeal refused, permission to apply for judicial review refused

## LEGISLATION

### **ECONOMICS. *Food; Licensing; Planning; Road traffic.***

**Contingency planning; Coronavirus; Economic recovery; Pavement cafe licences; Planning control; Premises licences; Vehicle licences; Vehicle tests.**

Business and Planning Bill 2019-21 (HC Bill 148).

A Bill to make provision relating to the promotion of economic recovery and growth.

Website: <https://services.parliament.uk/Bills/2019-21/businessandplanning/documents.html>  
[Accessed at 26 June 2020]

Royal Assent: 22 July 2020 | HC Vol 678 col 2168 | HL Vol 804 col 2201

Hansard: HC Vol 677 col 1486 (1st Reading), Vol 678 col 51 (2nd Reading, Committee Stage, Report Stage, 3rd Reading), col 2168 (Royal Assent); HL Vol 804 col 696 (1st Reading), col 900 (2nd Reading), col 1415 (Committee Stage), col 1934 (Report Stage), 2040 (3rd Reading), col 2201 (Royal Assent)

Commons 1st Reading: 25/6/2020 | HC Vol 677 col 1486; 2nd Reading: 29/6/2020 | HC Vol 678 col 51; Committee Stage: 29/6/2020 | HC Vol 678 col 51; Report Stage: 29/6/2020 | HC Vol 678 col 51; 3rd Reading: 29/6/2020 | HC Vol 678 col 51; Lords 1st Reading: 30/6/2020 | HL Vol 804 col 696; 2nd Reading: 6/7/2020 | HL Vol 804 col 900; Committee Stage: 13/7/2020 (1st Day) | HL Vol 804 col 1415; Report Stage: 20/7/2020 | HL Vol 804 col 1934; 3rd Reading: 20/7/2020 | HL Vol 804 col 2040; Ping Pong 21/7/2020

### **LOCAL GOVERNMENT. *Police.***

**Access; Amendments; Contingency planning; Coronavirus; Local authorities; Meetings; Police and crime panels; Procedure.**

Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) (Amendment) Regulations 2020. SI 2020/808

These Regulations amend the provision made by the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 for the conduct of local authority meetings held before 7 May 2021, and for public and press access to these meetings.

In Force: 1 August 2020

### **LOCAL GOVERNMENT.**

**Contingency planning; Coronavirus; Documents; Extensions of time; Reorganisation; Transitional provisions.**

Local Government (Structural Changes) (Coronavirus) (Amendment) Regulations 2020. SI 2020/809

These Regulations amend the Local Government (Structural Changes) (Transitional Arrangements) (No. 2) Regulations 2008 to change the date by which certain plans, reviews, schemes, statements and



strategies are required from 24 months to 36 months after the reorganisation date for single tier councils which have reorganisation dates in 2019, 2020 or 2021.

In Force: 24 August 2020

## GOVERNMENT AND REGULATORY DEVELOPMENTS

### ENVIRONMENT. *Local government.*

**Conservation; Environmental damage; Environmental policy; Habitats; Local authorities' powers and duties.**

Five local authorities announced to trailblaze England's nature recovery pilots. By Department for Environment, Food and Rural Affairs; Natural England.

Five pilot areas will test how the recovery of England's landscapes and wildlife can be driven locally. Cornwall, Buckinghamshire, Greater Manchester, Northumberland and Cumbria local authorities have been selected by the Government to pilot "Local Nature Recovery Strategies" (LNRS). The pilots will enable local authorities to set out their local priorities for restoring and linking up habitats so species can thrive, and agree the best places to help nature recover. The forthcoming Environment Bill will go further by requiring all areas in England to establish LNRSs.

Website: <https://www.gov.uk/government/news/five-local-authorities-announced-to-trailblaze-englands-nature-recovery-pilots> [Accessed at 14 August 2020]

### LOCAL GOVERNMENT. *Health.*

**Coronavirus; Government grants.**

£1 billion loss to local economies if COVID-19 grant schemes closed. By Local Government Association. 3 August 2020

Analysis by the Local Government Association (LGA) has shown that local economies risk missing out on more than £1 billion in emergency COVID-19 funding if the Government goes ahead with plans to close business support schemes - namely the Small Business Grants Fund, Retail, Hospitality and Leisure Business Grants Fund and the Discretionary Grants Fund - on August 28 2020. The LGA estimates there could be a total underspend of £1.37 billion if the schemes close.

Website: <https://www.local.gov.uk/ps1-billion-loss-local-economies-if-covid-19-grant-schemes-closed> [Accessed at 4 August 2020]

### SOCIAL WELFARE.

**Elderly persons; Social care.**

LGA responds to Age UK report on self-funders paying for care. By Local Government Association. 24 July 2020

Responding to an Age UK report on people who pay for their own care, including an increase in the number of people who have spent the majority of their savings and assets on care, Paulette Hamilton, Vice Chair of the Local Government Association's Community Wellbeing Board, has said that the "report is an important and timely reminder of the urgent need for major reform of our social care system".

Website: <https://www.local.gov.uk/lga-responds-age-uk-report-self-funders-paying-care> [Accessed at 24 July 2020]





## NEWS RELEASES

### **FAMILY LAW. *Local government.***

#### **Birth registration; Coronavirus; Local authorities' powers and duties.**

Local authorities report backlog in registering births. *Times, 25 July 2020, 2.* By Marc Shoffman; Andrew Ellson; Steven Swinford.

An analysis by The Times of 23 councils in England has found that they have a backlog of almost 40,000 births to register, suggesting that each council has almost 1,700 unregistered births on average, which could amount to hundreds of thousands across all local authorities in the UK. Requirements to register a birth within 42 days have been relaxed due to the coronavirus (COVID-19) pandemic but some register offices only reopened recently and waiting times range from a couple of days to weeks.

### **HEALTH. *Information technology; Local government.***

#### **Applications software; Coronavirus; Infectious disease control; Local authorities' powers and duties.**

Local authorities aim to set up their own COVID-19 track and trace systems. *Times, 31 July 2020, 10.* By Neil Johnston; Charlotte Wace; Chris Smyth.

Sandwell Council in the West Midlands is launching their own track-and-trace systems as concern mounts that too many cases are missed by the national Test and Trace scheme. Other local authorities including Bradford Council are also aiming to install their own local tracing systems. National contact-tracing executives have pledged to test 150,000 people with no symptoms every day by September 2020 and to have a national contact-tracing system ready by winter 2020.