

# Shared Insights: How to manage the "unmanageable"

18 March 2021

*These insights were shared at our fortnightly online forum for NHS professionals on 18 March 2021. To find out more please visit our [Shared Insights hub](#)*

## Download the note

/BrowneJacobson/media/Media/Imported/Shared insights safeguarding forum session summary.pdf?ext=.pdf

This was the first Shared Insights "Safeguarding Forum" which will run quarterly.

Laura Nazar, Senior Associate at Browne Jacobson outlined the practical challenges involved in managing legal proceedings for complex patients. She spoke of her experiences and provided top tips on how to overcome these challenges.

**Karen Aucott** at Nottingham University Hospitals NHS Trust provided an insight on how to manage complex patients when they are admitted to a ward at an Acute Trust. She discussed the importance of regular MDT meetings and family input.

**Lisa Newbould** at United Lincolnshire Hospitals NHS Trust discussed her role as Named Professional in Safeguarding Adults and Mental Capacity Act. Lisa explained her role as 'project manager' in complex cases and what this role entails.

The Shared Insights were:

- The key challenges when legal proceedings are brought for a complex patient include:
  - The process of gathering evidence and drafting witness statements;
  - Limited time as applications are often brought urgently;
  - Co-ordinating professionals in different specialisms who each have their own clinical commitments;
  - Mounting tensions from complex and emotive cases and possible threats of press attention.
- Laura Nazar shared her top tips to overcome the challenges when legal proceedings are brought. These include:
  - Having a project manager at the Trust to work alongside the legal team to obtain evidence and provide a clear point of contact as the case progresses;
  - Regular and effective communication with family, patients and the legal team;
  - Robust care planning and using the project manager to co-ordinate the creation of the care plan with the relevant individuals and agencies.
- Karen Aucott shared her experiences when patients are admitted to an Acute Ward with emotional distress and escalating mental health needs. She explained the importance of knowing the relevant legal frameworks and ensuring one individual in the team understands the Mental Health Act Code of Practice.
- It is important to try to create a clear service level agreement between the Acute Trusts and Mental Health Services.
- Regular MDT meetings are important when complex patients are on acute wards. They should happen as early as possible and require attendance from different agencies such as CAMHS, Social Care and CCGs.
- Involve families where possible in MDT meetings. For example bring them in to the end of the meeting and allow them to ask questions and provide input. This helps avoid confusion among different services/family members if all agencies are present to hear and respond to their queries.
- A care plan involving a complex patient with mental health needs at an Acute Trust should include:
  - The patients' needs

- Information on medication
- How to de-escalate on the ward
- Key contacts at the Mental Health Trust
- How often reviews by the Mental Health Trust will take place
- Lisa Newbould explained how she has taken on the role of 'project manager' in a number of complex patient cases. This role involved:
  - Maintaining some independence in the case to stand back and look at the complex matter from different angles;
  - Supporting frontline staff with witness statements and liaising with the legal team to make this process easier for frontline staff;
  - Creating clear expectations when staff feel distressed or fear the complex patient is not in the correct environment when they have multiple levels of need.
- Getting the legal team involved at an early stage in complex cases can help guide Trusts down the most appropriate pathway to effectively manage complex patients and ensure the care plan is lawful.

## Contacts



**Damian Whitlam**

Partner

[damian.whitlam@brownejacobson.com](mailto:damian.whitlam@brownejacobson.com)

+44 (0)330 045 2332



**Nicola Evans**

Partner

[Nicola.Evans@brownejacobson.com](mailto:Nicola.Evans@brownejacobson.com)

+44 (0)330 045 2962

---

## Related expertise

### Sectors

Ambulance trusts

Health and care regulatory

NHS mental and community health trusts

Commissioner and integrated care systems

Health and life sciences

Primary care

NHS acute trusts