

Welcome to Simpkins and Co's monthly e-newsletter

Keeping you up-to-date with the changes in legislation, interesting cases and issues that arise in the following areas of the law; Personal Injury, Clinical Negligence and Employment. We hope you will find it interesting and useful.

We've listened to your feedback and have produced an A4 version of our newsletter which we hope you will find more user friendly if you wish to print it.

You've already
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This is a printable
A4 version of our
newsletter

At Simpkins & Co Solicitors
we are proud to announce that
for the second year running, we
feature in the Spinal Injuries
Association Directory for
Approved Firms



Simpkins & Co Solicitors have achieved Gold Corporate Membership of the Spinal Injuries Association (SIA). This means that we are accredited by the SIA as having successfully handled personal injury compensation claims where the claimant has a spinal cord injury. The directory recognises that all SIA solicitor members: -

- treat their clients with sensitivity, understanding and consider the distressing circumstances that individuals experience after spinal cord injury
- ensure the client is properly compensated and receives appropriate rehabilitation services
- always act in the best interests of the client
- regularly attend SIA training courses to help understand fully the needs of those with spinal cord injury
- ensure that clients have the opportunity to receive financial advice on the investment of compensation.

The SIA helps people with spinal cord injuries to rebuild their lives through all aspects such as advice, help and support, campaigning and healthcare information. We specialise in all aspects of personal injury law. We are members of the Law Society Personal Injury Panel and the Association of Personal Injury Lawyers (APIL). With offices in Highcliffe and London, we cover the whole of the south coast area, London and the Home Counties. If you have been affected by personal injury through no fault of your own, then contact Simpkins & Co Solicitors for a **FREE** initial consultation on **01425 275555** or **FREEPHONE 0800 0832755**, email info@simpkinsand.co.uk or visit the website www.simpkinsand.co.uk

"Excellent is indeed the only description of the final outcome regarding my settlement. It is my belief that I could not have been better advised."

Case study: Dental negligence compensation claim



Kevin Blake of Simpkins & Co qualified as a Solicitor in 1993 and has worked exclusively in claimant personal injury and clinical negligence litigation. His expertise encompasses all types of personal injury litigation including road traffic accidents, employers' liability, public liability and clinical negligence. Kevin is a member of the Association of Personal Injury Lawyers (APIL) and is also a member of the Law Society Personal Injury Panel.

Our client, Mrs R, consulted her dentist when several of her teeth had become loose. The teeth were extracted and 5 dental implants were inserted in her upper jaw and 5 in her lower jaw. 2 implants were inserted so close together that it made local hygiene difficult and consequently, a bone infection developed, causing Mrs R great pain.

After the original dentist refused to correct the problem, Mrs R consulted another dentist who removed 2 of the implants and then 2 more at a later date, due to bone loss in her jaw. She then had to undergo a lengthy course of treatment which would not otherwise have been required, with the associated pain, suffering, inconvenience and expense.

Mrs R consulted Kevin Blake of Simpkins & Co, who secured a substantial compensation settlement for her. Even though the implants had been inserted 6 years previously and therefore she would be 'out of time' to make a claim (which needs to be done within 3 years of the injury), Mrs R did not know that she had suffered harm as a consequence of her dental treatment until years later, so the 3-year time limit began when she became 'aware' of the problem.

She remarked to Kevin: "Thank you so much for persevering with this matter on my behalf. Your input & support over the last 2 plus years have been very much appreciated."

The national charity, Citizens Advice, has found that patients are paying to fix damage caused to their teeth by dentists despite rules which say dentists should pick up the costs if they are at fault.

It's been reported that dentists, among other things, are cracking healthy teeth during treatments and not fitting dentures properly. In a quarter of those cases patients also said dentists refused to offer a refund or a free repair.

One woman in her 70s had paid £500 to have her teeth capped but the dentist chipped her two front teeth during the treatment. The dentist refused to repair the teeth or offer any compensation, and so she had to pay a further £700 to a different dentist to get the damage fixed.

The Citizens Advice is calling on dentists to follow the rules by correcting their mistakes free of charge instead of passing costs onto patients. While many people get a good service from their dentist, some patients are having treatments that leave them with a new problem. If this happens, the law states that in most cases the dentist should be offering a repair at no extra charge. Asking patients to pay could put their health at risk if they are unable to afford the further treatment.

The Citizens Advice also stated: "Dentists need to make sure that they aren't charging patients for their mistakes and that they provide patients with clear information about how they can claim compensation if something goes wrong."

Have you received negligent treatment from your dentist or suffered any other clinical negligence? Contact us for a FREE initial consultation on 01425 275555 or FREEPHONE 0800 0832755, email info@simpkinsand.co.uk or visit the website www.simpkinsand.co.uk

We specialise in clinical negligence compensation claims and we are members of the Law Society Personal Injury Panel and the Association of Personal Injury Lawyers (APIL).

Steve Simpkins and Jacque Aitken of Simpkins & Co Solicitors are trustees of the New Forest Citizens Advice and support this vital charity which provides free advice for the problems people face and aims to improve the policies and practices that affect people's lives.

Protect your confidential information: top tips for employers



Know the legal difference between confidential information and trade secrets

Confidential information is protected during employment and it must be made clear to the employee that the information is confidential. After the employment has ended, employees are free to use the information unless they have expressly agreed not to do so.

Trade secrets, which are relatively rare, can be protected during and after an employee's employment without the need for express contractual provisions.

Draft confidentiality provisions

Employers should make it absolutely clear exactly what type of information is confidential. They must ensure that the restrictions on the use of that information apply both during and after employment. The wording in the contract of employment must be specific in relation to the needs of the business and the employee's role, and it must be completely unambiguous. Confidentiality provisions can also be set out in a separate confidentiality agreement.

Reinforce with restrictive covenants

Restrictive covenants can be used, amongst other things, to protect a company's customers and suppliers or to restrict an employee from competing with his or her employer. When carefully

drafted, these can have the additional effect of reducing the possibilities for employees to misuse confidential information.

Regularly review confidentiality provisions

Diarise regular reviews of your confidentiality provisions and any restrictive covenants. Your company's business needs and the employee's role may change over time and it's important to keep a check on the relevance of these provisions.

Have supporting policies in place

In this age of technology, employers have an additional hurdle of protecting confidential information. Information can be transferred at high speed via a range of small portable devices. A network of professional contacts on social media sites is another headache an employer when one of their employees leaves. It is therefore very important to have clear policies, linked to the disciplinary policy, which cover the use of electronic communications and the use of social media within the workplace.

Have regular training sessions with your staff

Keep these policies fresh in the minds of your employees. Have regular training sessions, ask questions to test their knowledge of the policies and encourage them to offer their ideas on how they can be improved upon.

Do you need help with the above or with drafting any type of contract?

Contact us for a **FREE** initial consultation on 01425 275555 or **FREEPHONE** 0800 0832755, email info@simpkinsand.co.uk or visit the website www.simpkinsand.co.uk

We are specialists in employment law, business advice, and litigation and contractual disputes.

We are accredited members of the Employment Lawyers Association.

Here we go again!



Best feet forward to support the Spinal Injuries Association 'Going the Distance' charity walk in London on September 18th, 2016.

Steve, Jacque and Lynn will be joining the 8 mile 'London Bridges' walk and would love you to sponsor them!

Because we work so closely with clients who have spinal injuries, it means a lot to us to do all that we can to help raise funds for this marvellous cause, and we hope you can dig deep and make a donation using the link below. THANK YOU.

<http://www.justgiving.com/SimpkinsandCo-2>

The Spinal Injuries Association helps people with spinal cord injuries to rebuild their lives through all aspects such as advice, help and support, campaigning and healthcare information.

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If you have been affected by personal injury through no fault of your own, then contact us at Simpkins & Co Solicitors for a FREE initial consultation on 01425 275555 or FREEPHONE 0800 0832755, email info@simpkinsand.co.uk or visit the website www.simpkinsand.co.uk

Simpkins and Co Solicitors only deal in certain areas of the law, the ones we specialise in, which means you get the best advice from the right people. We are specialists in [personal injury](#), [employment law](#), [clinical negligence](#) and [business advice](#) claims.

We are always happy to take enquiries from Bureau advisors or clients. We operate a FREE initial consultation where we can also advise in relation to funding options as we appreciate that clients are often concerned in relation to potential legal costs.

**Contact us to arrange an initial FREE consultation: 01425 275555
FREEPHONE: 0800 0832755 or from mobiles: 0333 7777 420**

The above information and the content of this e-newsletter should never be taken as specific legal advice. If you have a legal problem then please contact Simpkins and Co, Highcliffe, Dorset, on 01425 275555 to discuss your issue in detail.

Personal Injury | Clinical Negligence | Employment Law | Business Advice

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