



South East Coast Ambulance Service



NHS Foundation Trust

JOB DESCRIPTION

JOB TITLE:	Assistant Head of Legal Services
AfC BAND:	
HOURS:	37.5
DIRECTORATE:	Corporate Governance
DEPARTMENT:	Legal Services
ACCOUNTABLE TO:	Head of Legal Services
RESPONSIBLE TO:	Head of Legal Services
BASE:	Trust Headquarters Crawley. Flexibility is required and the post holder will be required to work out of any Trust site or other location to meet the business needs of the organisation

JOB SUMMARY

The Assistant Head of Legal Services will have key responsibility for a portfolio of claims and inquest cases. This will include close working with senior managers and clinical leads by providing expert guidance, advice, support and training in accordance with current legislation and associated guidance. The post holder will also be required to supplement the Head of Legal Services in providing ad hoc legal advice to the Trust and to manage the services that provide documentation to the Police and Solicitors acting for potential claimants.

LEVEL OF ACCOUNTABILITY

The post holder is responsible for supporting the Head of Legal Services in the management of legal services and line management of legal administrative staff.

The post holder will work to agreed objectives for the service and manage their own workload as appropriate. The Head of Legal Services will provide guidance and support through management supervision. In addition, objectives will be set and there will be regular review and monitoring.

JOB SPECIFIC RESPONSIBILITIES

The post holder will have specialist knowledge of coronial law. They will also require detailed knowledge of general healthcare law and in-depth knowledge of NHS Resolution and their relationship with panel law firms. A detailed knowledge of clinical and non-clinical claims management together with other areas of the law is also essential, including the ability to interpret and act upon court orders. The post holder will be required to plan and prepare for sensitive legal hearings and to attend and advocate at inquests, with the ability to make verbal and written submissions to the court, often in a hostile and contentious atmosphere.

Coroners Inquests

The post holder will ensure effective legal conduct of all inquests involving the Trust by:

- Conducting own portfolio of Coroners' Inquest cases by exercising autonomy, sound judgement in relation to legal practice and handling of highly complex inquests
- Providing advice to all levels of staff on the management of inquests and coronial matters
- Planning and preparing for sensitive legal hearings which may involve a number of witnesses over a considerable amount of time.
- Providing advocacy for the Trust at Inquest and have the ability to examine and cross-examine in court, often in a hostile and contentious environment.
- Ensuring the learning from inquests is understood by all those involved in the inquest process with wider learning across the Trust, including provision of reports and audits to Trust directorates as required.
- Providing specialist training to NHS clinical and non-clinical staff on aspects of Coronal law and processes
- Managing the relationship between the Trust and key legal stakeholders such as the NHS Resolution, panel solicitor firms, Counsel and HM Coroner.

Claims Handling

The post holder will conduct a portfolio of clinical and non-clinical claims by exercising sound judgement in relation to legal practice and handling of highly complex issues and undertake the following:

- Ensure claims are conducted In accordance with NHS Resolution's Clinical Negligence Scheme and Risk Pooling Scheme for Trusts.
- Provide advice to all levels of staff on the management and settlement of claims
- Ensure the learning from claims is understood by all those involved in the claims process with wider learning across the Trust, including provision of reports and audits to Trust directorates as required.
- Provide specialist training to NHS clinical and non-clinical staff on aspects of tort law and court processes
- Manage the relationship between the Trust and key legal stakeholders such as the NHS Resolution, panel solicitor firms and Counsel within the claims process

- Ensure accurate filing of all claims related documentation
- Ensure claims are reported and copied to the relevant clinical and managerial staff and statements obtained in a timely way.
- Follow the system set up to manage clinical and non-clinical negligence claims in accordance with the Trust's policies and NHS Resolution's Clinical Negligence Scheme for Trusts (CNST) and Risk Pooling Scheme for Trusts protocols.
- Obtain relevant medical records and arrange for the disclosure of the same
- Conduct further investigations as requested by the Trust's solicitors. Such investigations may include obtaining supplementary witness statements and identifying Trust "expert" witnesses.
- Obtain sufficient information from Trust staff either by correspondence or personal contact, to enable a thorough evaluation of the claim to be made
- Establish and maintain contact with relevant current and former staff in order to facilitate obtaining comments and witness statements and ensuring their attendance at case conferences and trial during the claims process.
- Draft briefings on cases for circulation to members of the senior management team
- Manage archived claim files in accordance with legislation; create reports and databases of claims and other departmental functions
- Support training for clinical staff on medico-legal issues
- Liaise closely with and advise staff managing the Trust's complaints and risk management departments in particular where there are potential wider legal and clinical governance issues associated with Inquest and claims.
- Liaise with the Communications Departments of the Trust where there may be potential media interest
- Ensure confidentiality at all times, only releasing confidential information obtained during the course of employment to those acting in an official capacity in accordance with the provisions of the Data Protection Act and its amendments Undertake such duties as may be required from time to time as are consistent with the responsibilities of the grade and the needs of the service.

MANAGEMENT AND LEADERSHIP

- Act autonomously in dealing with complex legal issues including healthcare and coronial law
- Work in a highly pressured and sometimes volatile and hostile environment within Legal/court settings.
- Provide advice and senior level support and recommendations to the Trust Directors, senior managers and Clinical Leads on highly complex issues Ensure all inquests and claims are investigated to enable the legal process to progress appropriately.
- Exercise sound judgment in relation to legal practice and often highly complex inquests and other litigation
- Negotiate and advise on the management of inquests and settlement of claims.
- Analyze and interpret complex facts and situations.
- Plan and prepare for legal hearings which may involve a number of witnesses over a considerable amount of time.
- Take evidence from witnesses and present evidence and submissions in the inquest court.
- Ensure the learning from inquests and claims is understood by all those involved in the inquest and claim with wider learning across the Trust.
- Prepare Trust staff to give evidence to Courts and/or inquests.

- Provide advocacy for Trust staff at Inquest and examine witnesses in court.
- Manage the relationship between the Trust and key legal stakeholders such as NHS Resolution, panel solicitor firms, Counsel and HM Coroner.
- Effectively time manage the inquests and clinical claims workload on a day-to-day basis.
- Seek to incorporate mediation as a method for the resolution of claims and reduce conflict with families
- Manage the 'Prevent Future Death' process prior to and following an inquest

COMMUNICATION

- Internal Stakeholders: Chief Executive, Executive team members, Company Secretary, Communications Team, Patient Experience Team, SI team, HR Business partners, Finance, operational and EOC managers
- Other: NHS England and NHS Improvement NHS Resolution Clinical Commissioning Groups
- External: NHS Panel law firms, Counsel, HM Coroner, CPFT funded solicitors, Police, HMCTS, PPO and PHSO, MPs, Professional and Regulatory Bodies
- Take evidence from witnesses and, where necessary, prepare Trust staff to give evidence in court.
- Attend and advocate at inquests, involving complex issues, often in a hostile and distressing environment.
- Writing complex reports, checking documents etc.
- Ensuring all appropriate documentation is accurately reported to demonstrate Trust has met statutory targets and fulfilled its legal duties.
- Collaborative working with the Head of Legal Services, NHS Resolution (NHSR) and panel firms in respect of claims to pro-actively manage the claims profile of the Trust.
- Provide advice to Trust staff on claims and inquest matters. This involves communicating highly contentious, sensitive information on occasions in a hostile and antagonistic atmosphere.
- Provide coronial advice on a range of clinical and non-clinical issues and policies with wide organisational and service impact.
- In conjunction with the Patient Safety Team, and where appropriate, contribute to serious incident investigations and learning from incidents
- Take detailed notes of evidence in court which may be used by others.

RESEARCH AND DEVELOPMENT

- Establish and maintain a panel of legal advisors, including solicitors, barristers and Queens Counsel for use on cases where external legal representation is required
- To undertake research across Trust teams to instruct or inform the Coroner

TRAINING AND DEVELOPMENT

- Provide specialist training to NHS clinical and non-clinical staff on aspects of law e.g. coronial law.
- Ensure compliance with the requirements of the relevant coronial legislation, Civil Procedure Rules and NHS Resolution protocols and relevant codes of conduct

GENERAL RESPONSIBILITIES

Corporate Governance:

- Provide strong leadership to staff within the defined area of management responsibility.
- Maintain good corporate and clinical governance arrangements, including risk management.
- Embrace high standards of employment practice and act in accordance with the 'Managers' Code of Conduct'
- Promote the vision, values and goals of the organization
- Ensure that the Trust's funds are properly used, represent value for money and can withstand public scrutiny.
- Where applicable, provide strong budget management for the defined area of management responsibility and monitor expenditure against those budgets.
- Act within Standing Orders and Standing Financial Instructions of the Trust.

HEALTH, SAFETY AND SECURITY

- Manage health, safety, and security issues in own area of responsibility.
- Meet Health and Safety legislation and move towards an environment where health and safety considerations are firmly embedded in the planning and decision-making processes and the 'culture' of own area of responsibility.
- Promote, monitor and maintain best practice in health, safety and security All individuals have a responsibility, under the Health and Safety at Work Act (1974) and subsequently published regulations, to ensure that the Trust's health and safety policies and procedures are complied with to maintain a safe working environment for patients, visitors and employees. All staff have a duty to protect their own health and safety and that of other persons who may be affected by their acts or omissions.
- In addition, managers have specific responsibilities relating to health and safety activities including consenting to breaches; conniving to breach legislation or neglecting their duties under the legislation. Trust's objectives in accordance with the Trust's risk management strategy and policies.

POLICIES

The duties and responsibilities of the post will be undertaken in accordance with the policies, procedures and practices of the Trust, which may be amended from time to time.

Patient Safety is a key priority for the Trust. It is your responsibility to ensure that you are fully compliant with SECamb policies and procedures in respect of patient safety, for example Risk Management, Infection Prevention and Control, Safeguarding children and vulnerable adults.

VALUES

The post-holder will be required to demonstrate compassionate care in their daily work and adopt the 6 Cs - NHS values essential to compassionate care i.e., Care, Compassion, Competence, Communication, Courage and Commitment. Post-holders will also be required to understand and work in accordance with the NHS constitution and put the patient at the heart of their work.

EQUALITY AND DIVERSITY/EQUAL OPPORTUNITIES

The Trust recognises the need for a diverse workforce and is committed to Equal Opportunities. It seeks to eliminate unlawful discrimination against colleagues, potential

employees, patients or clients on the grounds of sex, marital status, disability, sexual orientation, gender identity, age, race, ethnic or national origin, religion, pregnancy/maternity, political opinion, or trade union membership and to promote equality of opportunity and good relations between staff and clients. Individuals, including volunteers, contractors and temporary workers, must at all times indicate an acceptance of these principles and fulfil their responsibilities with regard to equality legislation and the Trust's Equality Diversity and Human Rights Policy and protocols. Similarly, all individuals have a responsibility to highlight any potentially discriminatory practice to their line manager, human resources department or trade union/professional associations, ensure that they treat everyone with respect and consideration and attend relevant mandatory training.

CONFIDENTIALITY / DATA PROTECTION / FREEDOM OF INFORMATION

Individuals (including volunteers, contractors and temporary workers) must maintain the confidentiality of information about patients, staff and other health service business in accordance with the Data Protection Act 1998. Individuals must not, without prior permission, disclose any information regarding patients or staff. If any individual has communicated any such information to an unauthorised person that individual(s) could be liable for disciplinary action which could result in dismissal. Moreover, the Data Protection Act 1998 also renders an individual liable for prosecution in the event of unauthorised disclosure of information.

Following the Freedom of Information Act (FOI) 2005, individuals must apply the Trust's FOI procedure.

In addition, managers have specific responsibilities to ensure that their staff maintain the confidentiality and security of all information that is dealt with in the course of performing their duties it is in accordance with the requirements of the Data Protection Act 1998 and the principles of Caldicott. Managers should also ensure that their staff are aware of their obligations under legislation such as the Freedom of Information Act 2000; Computer Misuse Act 1990, and that staff are updated with any changes or additions relevant to legislation.

REVIEW

This role brief reflects the principal duties of the post as identified at date of issue. It may be subject to amendment in the light of the changing needs of the service and will be reviewed periodically in discussion with the post holder.

PERSON SPECIFICATION

Post:		Assistant Head of Legal Services	
Directorate:		Corporate Governance	
	Essential Criteria	Desirable Criteria	Assessed By
Education/Qualifications	A legal qualification/degree and/or extensive claims management and/or inquest experience	Degree or equivalent level of experience	A/I
	Evidence of further professional and personal development		A/I
Experience	Extensive knowledge and experience of legal provisions, structures and policies	Experience of working within legal practice	
	Demonstrable experience working with clinical and/or non-clinical negligence claims in a healthcare environment.	Experience of working in the public or private sector in a legal role.	A/I/
	Line management experience	Experience of using the NHSLA Extranet and Claims Wizard	A/I
		Data management and statistical experience	A/I
		Experience of attending Coroners Court and providing advocacy	
Skills/Ability/Knowledge	Excellent communication skills at all levels, confident when speaking in public and at large meetings.	Developing & delivering training programmes	A/I
	Very high standard of written and spoken English.	Knowledge of corporate and clinical governance in NHS	
	Proven ability to build a rapport with clinical, administrative, clerical and managerial teams		
	Presentation skills and the ability to speak in court to present legal arguments		

	Knowledge of coronial law and process		A/I
	Ability to make decisions and solve complex problems, which require analysis, interpretation and comparison of a range of options,	Experience in setting objectives and performance management and holding people to account	A/I
	Knowledge and understanding of the functions of NHS Resolution (NHSR)	Good working knowledge of data protection legislation	A/I
	Knowledge of the processes for incident and claims investigation	Knowledge of NHSR extranet, including the extrapolation of claims data	A/I
	Ability to communicate contentious, sensitive and complex information (both written and oral)		A/I
	Ability to plan and organise complex activities or programmes, requiring formulation and adjustments, including planning and preparation for legal hearings		A/I
	Ability to engage and motivate others, including very senior staff, and to use influencing skills		A/I
	Ability to engender trust and to develop and maintain constructive relationships with staff at all levels within the Trust including the Executive, Divisional Managers, Clinical Leads and senior clinicians. with key external organization's		A/I
	Excellent abilities in concise and accurate report writing and presentation of information		A/I

	Proficient in the use of MS Office applications: Microsoft Word, Outlook, Explorer, PowerPoint and Excel		A/I
	Strong organisational skills with a methodical approach in all aspects of work, with the ability to act professionally working independently and autonomously		A/I
	Ability to work under pressure and within set timescales, dealing with conflicting demands and meeting deadlines		
	The ability to maintain and respect confidentiality - Information Governance, Issues of confidentiality (Data Protection, Freedom of Information Act, Caldicott)		A/I
	Understanding of relationship between NHS medical claims and risk management		
Personal Attributes	Commitment to continuous improvement activities		A/I
	Positive attitude toward change		A/I
	Commitment to staff development		A/I
	Occasional flexibility to work outside of normal office hours		A/I
	Demonstrable enthusiasm and commitment to Improvement focused patient safety and quality initiatives, research and its application to practice		A/I
	Personal resilience when faced with exposure to information relating to distressing or emotional circumstances such as death, handicaps, disfigurements and injuries as a result of clinical negligence		A/I
	Completer finisher working to tight deadlines		A/I
	Commitment to improving the quality of patient care		A/I

JOB DESCRIPTION RECORD

This job description reflects the current main organisational priorities for the post. In the context of rapid change taking place within the NHS/Trust, these priorities will develop and change in consultation with the post holder in line with service needs and priorities



JOB DESCRIPTION

JOB TITLE:	Head of Legal Services
AfC BAND:	8b
HOURS:	37.5
DIRECTORATE:	Corporate Governance
DEPARTMENT:	Legal Services
ACCOUNTABLE TO:	Director of Corporate Governance
RESPONSIBLE TO:	Director of Corporate Governance
BASE:	Trust Headquarters Crawley. Flexibility is required and the post holder will be required to work out of any Trust site and other location to meet the business needs of the organisation

JOB SUMMARY

To ensure the provision of a proactive and effective legal service to support staff across the Trust:

- To conduct inquest cases independently including advocacy, submissions and witness support
- Providing the Trust's executive, senior management and clinical/non-clinical staff with expert legal and practical advice in the area of healthcare law, specialist litigation, and Coronial legal work.
- To independently conduct and provide expert legal advice upon a portfolio of clinical negligence claims, coroners' inquest cases and personal injury claims and identify opportunities for learning
- To foster and maintain external and internal working relationships and to assist in the delivery of bespoke internal legal training sessions, as required
- Working closely with the quality governance, operational and corporate management teams and staff at all levels in the organisation.

LEVEL OF ACCOUNTABILITY

The post holder is responsible for the daily management of the Legal Services allocated budget and line management of legal services staff.

The post holder will work to agreed objectives for the service and manage their own workload as appropriate. The Company Secretary will provide guidance and support through management supervision. In addition, objectives will be set and there will be regular review and monitoring meeting.

KEY RELATIONSHIPS

These will include, but not be restricted to:

- Director of Corporate Governance
- Chief Nurse
- Executive Directors
- Quality Leads
- Patient Experience Team
- Senior clinical team

JOB SPECIFIC RESPONSIBILITIES

Coroners Inquests

Accountable for the effective legal conduct of all inquests involving the Trust, including adherence to professional standards of all Legal staff and compliance with evidentiary and Coronial rules by,

- Independently conducting a portfolio of Coroners' Inquest cases and to provide expert legal advice on all aspects of such matters, ensuring compliance with the relevant legal and regulatory framework
- Acting as a confident advocate, including the ability to examine and cross-examine witnesses, present evidence and make submissions to Coroners on relevant law. To understand the medical complexities of each case in conjunction with senior clinicians and recognise potentially problematic areas, both clinically and legally, which may require further investigation and reporting for the purposes of the inquest. To provide advice on the preparation and content of witness statements. To liaise with the Coroner and his/her Officers to meet the requirements of the Court. In exceptional cases to instruct Counsel where necessary.
- Analysing, briefing and advising the relevant Executive Leads, Divisional Manager and Clinical Leads of the Coroner's findings and, where appropriate in conjunction with the relevant clinical/management staff, prepare the Trust's response to any Regulation 28 Reports that are binding on the Trust. This may involve significant risk investigations and the redrafting of Trust policy and procedures.
- Ensuring close liaison with the patient safety team and divisional quality and clinical leads, highlighting areas of risk identified in inquests investigations to ensure that lessons learned in the claims and inquest process are implemented within the Trust.

- Provide Trust witnesses with empathetic and practical support in attending Coroner's Court and giving evidence
- There will be a necessity to work extended daily hours reasonably regularly to attend inquests in all parts of the SECamb area. Regular travel to Maidstone, Woking, Lewes, Horsham and Brighton, with occasional travel to Portsmouth, Winchester and London, is required. Travel to other destinations will be needed from time to time.

Legal Advice

To ensure the provision of the highest level of prompt and accurate expert legal advice by:

- Providing advice on matters including, but not limited to, patient consent, withholding/withdrawing of life sustaining treatment and end of life decisions, capacity, confidentiality, access to patient information, medical ethics, mental health law, trust law, contract law, criminal law, dealings with the police, child protection, occupier's liability, interpretation of relevant legislation, legal principles and case law.
- Reporting on key issues via the trust's governance structures.
- Briefing, as necessary and appropriate, the Trust's Executive Team, Divisional Management Teams, Clinical Leads, Communications Team and other senior Management on sensitive legal matters that might have significant operational or financial implications and/or may attract public and media interest.
- Participating in and providing legal advice to Trust Working Groups and Committees in the development and implementation of policy, ensuring the Trust's compliance with the relevant legal frameworks.

Clinical Negligence Claims

Manage the conduct of all claims against the Trust with a view to protecting the Trust's legal and reputational interests, by

- Managing clinical negligence claims to ensure compliance with the relevant protocols, legislation and NHSLR guidelines.
- Ensuring there are mechanisms in place to identify and refer patient safety risks to the Patient Safety Team for appropriate escalation and investigation, and to ensure that all members of the Legal team adhere to these mechanisms
- Developing tools and regular reviews of all claims ensuring that the Executive, Divisional Managers, Clinical Leads, Chief Financial Officer and relevant others are informed of the progress of claims. To prepare detailed financial quarterly reports on liability and quantum to assess the Trust's current outstanding financial liabilities in respect of claims.
- Independently conducting a portfolio of clinical negligence claims made against the Trust.

Personal Injury Claims

Provide expert legal advice with respect to, all personal injury claims against the Trust, including employee and public liability claims, by

- Ensuring compliance with the relevant protocols, legislation and NHSLA guidelines.
- To identify and refer patient safety risks to the Risk & Safety, Estates/Facilities and Workforce Departments and/or Divisions for appropriate escalation and investigation to ensure that lessons are learned.

GENERAL RESPONSIBILITIES

Corporate Governance:

Provide strong leadership to staff within the defined area of management responsibility.

Maintain good corporate and clinical governance arrangements, including risk management.

Embrace high standards of employment practice and act in accordance with the 'Managers' Code of Conduct'.

Promote the vision, values and goals of the organisation.

Performance Management:

Ensure that the Trust's funds are properly used, represent value for money and can withstand public scrutiny.

Where applicable, provide strong budget management for the defined area of management responsibility and monitor expenditure against those budgets.

Act within Standing Orders and Standing Financial Instructions of the Trust.

Health, Safety and Security:

Manage health, safety and security issues in own area of responsibility.

Meet Health and Safety legislation and move towards an environment where health and safety considerations are firmly embedded in the planning and decision making processes and the 'culture' of own area of responsibility.

Promote, monitor and maintain best practice in health, safety and security.

All individuals have a responsibility, under the Health and Safety at Work Act (1974) and subsequently published regulations, to ensure that the Trust's health and safety policies and procedures are complied with to maintain a safe working environment for patients, visitors and employees. All staff have a duty to protect their own health and safety and that of others persons who may be affected by their acts or omissions.

In addition, managers have specific responsibilities relating to health and safety activities including consenting to breaches; conniving to breach legislation or neglecting their duties under the legislation. Trust's objectives in accordance with the Trust's risk management strategy and policies.

Policies:

The duties and responsibilities of the post will be undertaken in accordance with the policies, procedures and practices of the Trust, which may be amended from time to time.

Patient Safety is a key priority for the Trust. It is your responsibility to ensure that you are fully compliant with SECamb policies and procedures in respect of patient safety, for example Risk Management, Infection Prevention and Control, Safeguarding children and vulnerable adults.

Values:

You will be required to demonstrate compassionate care in their daily work and adopt the 6 Cs - NHS values essential to compassionate care i.e. Care, Compassion, Competence, Communication, Courage and Commitment. Post-holders will also be required to understand and work in accordance with the NHS constitution and put the patient at the heart of their work.

Equality and Diversity/Equal Opportunities:

The Trust recognises the need for a diverse workforce and is committed to Equal Opportunities. It seeks to eliminate unlawful discrimination against colleagues, potential employees, patients or clients on the grounds of sex, marital status, disability, sexual orientation, gender identity, age, race, ethnic or national origin, religion, pregnancy/maternity, political opinion, or trade union membership and to promote equality of opportunity and good relations between staff and clients. Individuals, including volunteers, contractors and temporary workers, must at all times indicate an acceptance of these principles and fulfil their responsibilities with regard to equality legislation and the Trust's Equality Diversity and Human Rights Policy and protocols. Similarly, all individuals have a responsibility to highlight any potentially discriminatory practice to their line manager, human resources department or trade union/professional associations, ensure that they treat everyone with respect and consideration and attend relevant mandatory training.

Confidentiality / Data Protection / Freedom of Information:

Individuals (including volunteers, contractors and temporary workers) must maintain the confidentiality of information about patients, staff and other health service business in accordance with the Data Protection Act 1998. Individuals must not, without prior permission, disclose any information regarding patients or staff. If any individual has communicated any such information to an unauthorised person that individual(s) could be liable for disciplinary action which could result in dismissal. Moreover, the Data Protection Act 1998 also renders an individual liable for prosecution in the event of unauthorised disclosure of information.

Following the Freedom of Information Act (FOI) 2005, individuals must apply the Trust's FOI procedure.

In addition, managers have specific responsibilities to ensure that their staff maintain the confidentiality and security of all information that is dealt with in the course of performing their duties it is in accordance with the requirements of the Data Protection Act 1998 and the principles of Caldicott. Managers should also ensure that their staff are aware of their obligations under legislation such as the Freedom of Information Act 2000; Computer Misuse Act 1990, and that staff are updated with any changes or additions relevant to legislation.

Review:

This role brief reflects the principle duties of the post as identified at date of issue. It may be subject to amendment in the light of the changing needs of the service, and will be reviewed periodically in discussion with the post holder.

PERSON SPECIFICATION

Post:	Head of Legal Services (Solicitor)		
Directorate:	Quality and Safety		
	Essential Criteria	Desirable Criteria	Assessed By
Education/ Qualifications	Degree in Law (or other degree with completion of relevant conversion course)	Knowledge and experience associated with NHS specific legal provisions, structures and social care policies	A/I
	Masters level qualification, or demonstrable experience as a senior and expert specialist solicitor or barrister		
	Evidence of further professional and personal development		
Experience	Advanced theoretical and practical knowledge within the specialised field of Health Law, including litigation, inquests and general advice on protection of interests of medical staff and organisations	Experience of Datix	A/I/
	Inquest Advocacy		A/I
		Experience of working within the NHS or public sector environment	A/I
	Experience of managing staff and budgets	Experience of using the NHSLA Extranet and Claims Wizard	A/I
Skills/Ability/ Knowledge	Able to communicate highly contentious, sensitive and complex information (both written and oral) often within an antagonistic atmosphere in order to provide a legal advisory service and associate specialist litigation.	Excellent communication skills at all levels, confident when speaking in public and at large meetings	A/I/Test
	Able to take evidence from witnesses and submissions in court or tribunal	Developing & delivering training programmes	A/I
	Ability to manage multiple demands and a challenging caseload		A/I
	Ability to deal confidently with staff at all levels of an organisation		A/I
	Well-developed interpersonal skills with the ability to work with a range of professionals		A/I
	Able to make judgements in relation to legal practises and highly complex clinical negligence with regard to negotiation and advising		A/I

	on the settlement of claims and litigation		
	Ability to make decisions and solve highly complex problems, which require analysis, interpretation and comparison of a range of options, e.g., making judgements in relation to legal practise and highly complex medical negligence and commercial claims/litigation and negotiating and advising on the settlement of claims.		A/I/Test
	Ability to plan and organise complex activities or programmes, requiring formulation and adjustments, including planning and preparation for legal hearings involving a number of witnesses over a considerable period of time and assisting in the development of long term service provision through advice to clients.		A/I
	Excellent leadership, Influencing and motivational skills		A/I
	Ability to engender trust and to develop and maintain constructive relationships with staff at all levels within the Trust including the Executive, Divisional Managers, Clinical Leads and senior clinicians with key external organisations		A/I
	Strong advocacy skills, including the ability to take evidence from witnesses, cross-examination, presentation of evidence and making complex legal submissions in courts and tribunals		A/I
	Highly developed negotiation skills with the ability to be authoritative and persuasive		A/I
	Excellent abilities in concise and accurate report writing and presentation of information		A/I/Test
	Excellent verbal & written communication skills, with the ability to read and prepare legal documentation and case papers for long periods.		A/I/Test
	Excellent interpersonal skills		A/I
	Proficient in the use of MS Office applications: Microsoft Word, Outlook, Access, Explorer, PowerPoint and Excel		A/I/Test
	Strong organisational and management skills with a methodical		A/I

	approach in all aspects of work, with the ability to act professionally working independently and autonomously without access to higher internal legal authority		
	Knowledge and understanding of professional standards and requirements		A/I/Test
	Highly developed interpretative and analytical skills across legally complex matrices		A/I/Test
	Ability to act under pressure and provide appropriate, immediate and reasoned legal advice in any given circumstance		A/I
	The ability to maintain and respect confidentiality - Information Governance, Issues of confidentiality (Data Protection, Freedom of Information Act, Caldicott)		A/I
	Ability to support a range of staff and quality/ clinical services /professional activity		A/I
	Experience in setting objectives and performance management and holding people to account		A/I
Personal Attributes	Commitment to continuous improvement activities		A/I
	Positive attitude toward change		A/I
	Commitment to staff development		
	Flexibility to work outside of normal office hours		A/I
	Demonstrable enthusiasm and commitment to Improvement focused patient safety and quality initiatives, research and its application to practice		A/I
	Personal resilience when faced with exposure to information relating to distressing or emotional circumstances such as death, and injuries as a result of clinical negligence		A/I
	Completer finisher working to tight deadlines		A/I
	Demonstrates commitment to improving the quality of patient care		A/I

JOB DESCRIPTION RECORD

This job description reflects the current main organisational priorities for the post. In the context of rapid change taking place within the NHS/Trust, these priorities will develop and change in consultation with the post holder in line with service needs and priorities.



South East Coast Ambulance Service



NHS Foundation Trust

JOB DESCRIPTION

JOB TITLE:	Legal Administrator
INDICATIVE AfC BAND:	4
HOURS:	20
DIRECTORATE:	Quality & Patient Safety
DEPARTMENT:	Legal
ACCOUNTABLE TO:	
RESPONSIBLE TO:	Head of Legal Services
BASE:	Crawley HQ, working remotely or hybrid remote/HQ.

JOB SUMMARY

To support the Trust in providing a proactive and effective legal service to Trust managers and colleagues across the Trust:

- Through the development and maintenance of effective systems for the management and handling of enquiries requiring investigation from Solicitors with regard to civil or criminal court action or care proceedings
- To support the handling of enquiries from the Police or Coroners Officers
- To be responsible for supporting Operational Colleagues in the collation of suitable evidence, documentation or statements as required.

The post holder is responsible for supporting colleagues in the collation of suitable evidence, documentation or statements as required.

The post holder will act as a source of advice and support to all staff, in the use of the investigations systems and processes.

The post holder will be required to work with sensitive information liaising with internal and external stakeholders regarding investigations. Specifically this will include maintaining structured systems and processes for the reporting and management of investigations, information gathering to create investigation files of required evidence, reporting and highlighting any associated risks resulting from active investigations, trends and themes; the coordination of internal and external reporting including providing data;

providing a point of contact for coroners, the police, solicitors, general public and within the organisation, providing general support to the wider legal services team.

LEVEL OF ACCOUNTABILITY

The post holder works to agreed objectives for the service. In addition, there will be regular review and monitoring meetings. Work will be managed rather than supervised.

KEY RELATIONSHIPS

These will include, but not be restricted to:

- Company Secretary
- Solicitors
- The Police
- Coroners Officers
- Clinical and non-clinical professionals (all levels, all grades)
- The General Public

JOB SPECIFIC RESPONSIBILITIES

Specific tasks/skills include:

Communication and relationship skills:

The post holder will be required to receive and communicate complex and sensitive information with a range of internal and external stakeholders, and must be able to work autonomously.

The post holder is required to communicate and maintain/manage relationships with a wide range of groups, to include:

- Company Secretary
- Solicitors
- The Police
- Coroners Officers
- Clinical and non-clinical professionals (all levels, all grades)
- The General Public

The post holder provides and receives confidential and sensitive information.

The post holder is required to utilise their skill and judgement in relaying sensitive, confidential, complex and contentious information.

The post holder will:

Be a central point of contact (internally and externally) for solicitor enquiries.

Ensure a highly customer focused response to all queries providing helpful and straightforward advice and support on all aspects of the Trust's investigation processes via email, telephone and Microsoft Teams.

Contribute to internal publications as required.

Divert/escalate requests for specialist advice and input to the appropriate team colleague or line manager and respond directly to information requests.

Analytical and judgement skills:

The post holder will:

Interrogate archive systems to identify what information is available and relevant to incidents requiring further action, this may include the Computer Aided Despatch system (CAD), Incident recording system (Datix) and recordings of telephone conversations (Liquid Voice).

Monitor outcomes from investigations to ensure that any actions required are satisfactorily completed, documented on the appropriate recording system.

Interpret and analyse data in the preparation of reports and presentations.

Articulate the requirements of the enquiries to all staff of all grades across the Trust as appropriate.

Actively engage in discussions to develop and maintain administrative systems and processes.

Planning and organisational skills:

The post holder will:

Manage multiple live cases to ensure submission is received within the required timeframes.

Develop local procedural documents which reflect the associated work programmes to achieve systematic ways of working and consistency in approach.

Maintain a central file for each case that is contemporary and accessible.

Support the preparation of quarterly reports.

Support the information requirements of regulators when inspecting services, announced and unannounced.

Undertake routine and non-routine work requests as required at short notice and within a time limited way.

Receive and collate complex, sensitive and confidential data from across the team and the Trust for example patient clinical records, statements and 999 call recordings.

Effectively manage their workload and deliver required information to defined deadlines.

Work flexibly to meet the demands placed on the Legal Services Team.

Physical skills:

The post holder will be IT literate and will have demonstrable IT skills to intermediate/advanced level. A thorough working knowledge of MS Office applications, particularly MS Excel/Word is a pre-requisite for this role and the post holder must be willing and able to learn to use multiple other IT systems.

Responsibilities for patient/client care:

This is not a front line role; however the post holder will;

Work with distressing material requiring a high degree of emotional resilience.

Support actions identified and undertaken to decrease the risk of incidents occurring and improve outcome in relation to patient, staff and visitor safety/incidents.

Responsibilities for policy and service development implementation:

The post holder will develop local procedural documents to achieve systematic ways of working and consistency in approach.

Support the Legal Services department in the development of effective investigation strategies, policies and procedures.

Responsibilities for financial and physical resources:

The post holder is responsible for the security of resources provided to undertake their work e.g. associated IT equipment, mobile telephone, camera, where these have been provided.

Responsibilities for human resources:

The post holder will:

Support appropriate induction and training programmes.

Support training sessions and workshops.

Support staff in the preparation of statements and evidence for court.

Responsibilities for information resources:

The post holder is responsible for the maintenance of accurate records in relation to every case worked upon.

Ensure that appropriate records and evidence relating to both closed and live cases is available and auditable and maintain/update the file records as the matter develops.

Retrieve all medical records and identify relevant witnesses, and request reports and/or statements from relevant witnesses, escalating any problems with locating/retrieving records and statements and ensuring prompt provision of copies to external parties.

Ensure prompt investigation of and responses to requests for specific disclosure (including relevant policies and procedures) by Claimant's solicitors.

Develop procedures to support the use of developed information systems to ensure consistency in approach; this will include associated procedural documents.

Ensure electronic document storage is in accordance with Trust policy and maintain robust filing and database systems.

Responsibilities for research and development:

The post holder is responsible for researching evidence.

Physical effort:

The role may occasionally demand travel throughout the Trust area.

The post holder will have daily requirement to use IT equipment / VDU /keyboard.

Mental effort:

The post holder is required to spend extensive periods of concentration reviewing and collating evidence.

The post holder is required to use analytical and interpersonal skills to review, interpret, articulate and present unfamiliar information for submission to solicitors and court.

The post holder must be able to adapt, be flexible and responsive to requirements/demands with minimal notice.

Emotional effort:

Exposure to distressing information, such as requirement to listen to recordings of emergency calls and/or radio conversations and to read distressing information in records and patient stories.

This post requires a high degree of emotional resilience.

Working conditions:

The post holder will have daily requirement to use IT equipment /VDU /keyboard.

The post holder will occasionally be required to attend the service's bases across the organisation and will be expected to have their own transport to drive/travel.

- Management and fulfilment of Data Subject Access requests from solicitors

Key Administrative Duties

- Management of care proceedings cases, procuring witnesses and statements from staff members
- Management and fulfilment of enquiries relating to coroners inquests and the police.
- To act as contact point for members of the team during office hours, responding appropriately in emergency situations by obtaining relevant information and liaising with organisations and persons involved.
- To ensure compliance with Trust and departmental policies and procedures.
- To provide cover for other administrative staff.
- To undertake the Trust's annual mandatory training, and participate with supervision and the appraisal system.
- General administrative duties for example arranging meetings, providing data for reports.

GENERAL RESPONSIBILITIES

Health, Safety and Security:

The post holder will take due care at work, reporting to any accidents or untoward occurrences.

The Trust operates a "No Smoking" Policy. Smoking is only permitted in designated smoking areas outside of the building.

The Health Act 2008

Code of Practice for Prevention and Control of Healthcare Associated Infections

You are required to ensure that you carry out your duties in a manner that maintains and promotes the principles and practice of infection prevention and control in compliance with national standards, Trust policies, guidelines and procedures.

Equal Opportunities

The Trust's Equal Opportunities Policy affirms our commitment to ensure that no patient, employee or prospective employee is discriminated against, whether directly or indirectly on the grounds of gender, sexual orientation, age, marital status, responsibility for dependents, disability, religion, creed, colour, race, nationality, ethnic or national origin, trade union activity, social background, health status, or is disadvantaged by conditions or requirements which cannot be shown as justifiable.

Values:

Review:

This job description reflects the principal duties of the post as identified at date of issue. It may be subject to change in the light of the changing needs of the service, and will be reviewed periodically in discussion with the post holder.

Principle Terms and Conditions of Service

Hours of duty are 20 per week, though the post holder is expected to work additional hours as required to fulfil the duties of the post. Annual leave allowance is between 27-33 days, subject to service.

PERSON SPECIFICATION

Legal Administrator

Requirements

	ESSENTIAL	A/I/T*	DESIRABLE	A/I/T*
Qualifications/ Education	Good general education (5 GCSE, A to C) or equivalent, including English and Maths Advanced IT and typing skills (Microsoft Office)	A A		
Previous experience	Previous and proven experience of working in an office based administrative or secretarial role Demonstrable working knowledge of Microsoft Office packages including Word, Excel, Outlook, PowerPoint Ability to analyse statistical information and reports to a high standard with good accuracy Experience of maintaining office and filing systems Experience of working as a team, in a busy environment and being able to multi-task effectively Experience of organisational planning including working to deadlines Managing own work load, acting independently but refer more complex issues to manager		Experience working with Datix Risk Management System. Knowledge of key principles of data protection	
Skills/Knowledge/ Ability	Able to provide and receive complex, confidential, sensitive or contentious information both written and verbal.			

	Receiving and collating complex, sensitive and confidential data via a variety of media. Prioritising work to ensure targets are completed in a timely fashion to meet deadlines. Ability to produce own correspondence to a very high standard of written English Using own judgement, skills and knowledge to direct requests appropriately. Using analytical and judgment skills to effectively maintain quality and compliant systems Ability to be able to plan workload using own judgement, skills and expertise Helping to co-ordinate allocation of work to team (through being central contact point for team). Advising staff across the Trust in team systems / ways of working Ability to work on own initiative and prioritise own workload Ability to work to tight deadlines and deal with conflicting demands. Managing, maintaining and developing computer based filing systems Inputting, storing, collecting and collating data. Using a wide range of IT applications Flexible approach			
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Personal Qualities - Team work	Good attendance record Smart appearance Ability to work well under pressure Team player Good time management Frequent requirement for sitting in a restricted position inputting or manipulating incident data on computer more Able to travel across Trust area as required Ability to be able to concentrate for long periods whilst inputting, monitoring and checking data, documents and reports often containing complex, sensitive and confidential information. Ability to manage a work pattern that can be unpredictable and often interrupted whilst responding to queries or unplanned requests for information. Ability to cope with exposure to distressing or emotional information such as death, self-harm or violence due to nature of the work of the team. Demonstrate support for the values and beliefs of the Trust Punctual and flexible across hours of work when required		Ability to influence	

Flexibility	Able to travel to a variety of locations within the Trust			
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JOB DESCRIPTION RECORD

This job description reflects the current main organisational priorities for the post. In the context of rapid change taking place within the NHS/Trust, these priorities will develop and change in consultation with the post holder in line with service needs and priorities.