



Belfast Health and
Social Care Trust

caring supporting improving together

Legal Services Manager

JOB DESCRIPTION

POST:	Legal Services Manager
LOCATION:	BHSCT Legal Services Department, 6 th Floor, McKinney House, Musgrave Park Hospital, Stockman's Lane, Belfast, BT9 7JB
BAND:	8A
REPORTS TO:	Service Manager, Corporate Standards & Risk
RESPONSIBLE TO:	Co-Director, Risk and Governance
TYPE OF CONTRACT:	Permanent Full-time 37.5 hpw

Job Summary / Main Purpose

The post holder will be responsible through the Service Manager, Corporate Standards & Risk (Service Manager) to represent the Trust in the management of civil legal proceedings for clinical negligence, employers and occupiers liability claims.

The post holder will lead the litigation team to oversee the management of the legal process in accordance with the Trust's procedural arrangements for the management of Claims and Engagement of Legal Services. The post holder will work alongside and support the Clinical Director for Legal Services.

The post holder will provide advice and support to Trust staff involved in legal proceedings and will be the main contact with the Directorate of Legal Services (DLS), Business Services Organisation (BSO) and support the Service Manager in the production of formal reports required for the Trust Assurance Framework, Quality Management System (QMS) and DoH returns.

The post-holder will also lead in the management of ad-hoc legal advice requests to ensure that Trust staff obtain timely advice in compliance with relevant protocols.

The post holder will be responsible for leading and managing the Trustwide service delivery of the Legal Services.

The post holder will establish and continually improve the delivery of high quality services in the management all Trust clinical and social care negligence, Employers Liability, Occupiers Liability and General Litigation claims in accordance with legislative and procedural requirements and support of the Trust's key objectives to become a leader in providing safe, high quality and compassionate care in the UK.

Main Duties/responsibilities

Setting Direction

- To take responsibility for ensuring systems, policies, procedures and guidelines for the Legal Services Department are developed and comply with the DOH/SPPG Pre-Action Protocols and guidance and instructions on claims handling, reflect national guidance, extant standards and legislation, evidenced best practice and kept under regular review and communicated effectively.
- To support the Service Manager, working closely with Senior Management Team (Co-Director, Medical Director, Deputy Medical Director and Clinical Director) and staff at all levels to continually review and modernise processes aligned to litigation.
- To lead, provide clear direction and fully engage the Legal Services Department staff to achieve actions detailed in Corporate, Medical Director and Risk & Governance management plans, as agreed with the Co-Director and Service Manager.
- To ensure the processes and authorisations within the Trust's Procedure for the Management of Claims and the Engagement of Legal Services policy is strictly adhered to and monitored for compliance.
- To lead on the development, maintenance and further enhancement of data, statistics and information to include trend analysis and triangulation of data at Trustwide, Directorate and Divisional level. To ensure continual review of how data from Datix is provided at every level in support of the Charles Vincent model (sometimes referred to as live governance).
- To lead on the development of operational plans for the delivery of legal services in line with regional strategies, relevant Frameworks, DOH Circulars and Trust priorities (eg Inquiries).
- To take responsibility for developing and coordinating litigation reports and responses to statutory and other external bodies, such as the DLS, DoH, NIPSO, Internal/External Audit and Trust internal arrangements (ie Trust Assurance Framework).
- To encourage, support and promote service and quality improvements within Legal Services.
- To develop a culture of informed questioning, identification of learning, thematic analysis, data triangulation, challenge and assurance within Legal Services to support the sharing of learning and adoption of safety and quality changes to improve patient and staff safety.

Service Delivery

- To oversee the day to day operation of and Trust adherence to the legal claims process through application of the Pre-Action Protocol for Clinical Negligence Litigation and the Pre-Action Protocol for Personal Injury Litigation.
- To manage and review the systems in place to ensure the prompt provision of discoverable documents and the investigation of claims, to enable the Trust and its legal advisors to assess liability, quantum and the defence of claims.
- To manage and develop the production of standard and ad-hoc reports from databases and computerised information systems to meet Trust, Directorate, DoH/SPPG information, Quality Management System (QMS) and Assurance requirements.
- To ensure data is available in a timely and useful format which fully supports Directorates at all levels to analyse their litigation performance and safety and quality of services.
- To participate in regular meetings with the Senior Management Team and DLS to progress matters relating to claims.
- In liaison with DLS to attend and participate in consultations with Counsel and Trust staff and ensure that further enquiries and follow-up actions are completed.

- To lead the Legal Services team in the provision of support and advice to staff of all disciplines involved in claims investigations and / or required to give evidence in Court on behalf of the Trust in conjunction with the Senior Management Team to actively provide support as required.
- To work collaboratively with the Service Manager to ensure the framework for measurement and monitoring of safety (Charles Vincent Model) is further developed and embedded for the Legal Services Department and participate and actively contribute to weekly safety huddles on matters relating to claims to ensure the Senior Management Team are kept updated on relevant matters.
- To deal with a range of activities relating to litigation, safety & quality, risk, compliance, audit, inspection and staff experience.
- To identify and escalate any anomalies regarding Litigation processes to the Service Manager, Senior Management Team, Directorate and corporate teams for appropriate and timely action.
- To ensure processes are in place within the Legal Services Department to identify lessons from litigation processes that may improve patient and staff safety both within the Trust and regionally and ensure these are shared in line with the Trust Shared Learning policy.
- To ensure robust processes are in place for the provision of relevant information to support the Medical Director's Office revalidation of doctors.
- To support matters pertaining to enquiries and investigations on behalf of the General Medical Council.
- To formulate responses in relation to Freedom of Information (FOI) requests with reference to claims.
- To ensure compliance with the Trust's Record Management policy and procedures and Code of Practice on Protecting the Confidentiality of Service User Information.
- To promote a culture which focuses on the provision of a high quality legal service, promotes continuous improvement, allows staff to maximise their potential and is underpinned by honest, open and compassionate communication and team working.

Collaborative Working

- To work collaboratively with colleagues in the Medical Directorate, Directors, Co-Directors, Service Managers, Clinical leads, Governance and Quality Managers and other Service Managers in developing an integrated approach to litigation matters.
- To manage the interface with the DLS, ensuring the development and maintenance of good working relations and the progression of claims in accordance with legislative and procedural requirements.
- To act as the Trust point of contact between DLS and Directorates on the engagement of legal services and general queries.
- To attend court as a representative of the Trust as required and liaise with Trust Counsel and legal advisors in relation to active management & settlement of legal cases.
- To provide briefings for the Senior Management Team for approval prior to forwarding to Corporate Communications Department on any matters which may attract media attention and ensure DOH/SPPG are informed through the Early Alert process.
- To provide leadership and strive to improve staff engagement within the Legal Service Department, with line management responsibility for a range of experienced staff and managers and their teams within the department.
- To represent the Service Manager at both internal and external meetings as required.
- To work collaboratively with the Medical Directors Office to develop robust processes for the provision of information to meet professional governance requests in relation to Doctors revalidation.
- To develop and maintain productive collaborative working relationships with regional Trust colleagues and other bodies such as DOH/SPPG & NIPSO.

- To ensure processes and guidance are in place to support all staff involved in a claim.

Development and Innovation

- To actively seek electronic solutions to support the continual and effective management of claims and the production of data and reports.
- To work collaboratively with colleagues in further developing improved methods for sharing and learning from litigation.
- To work with colleagues to support the embedding of the Charles Vincent Model.

Quality

- To identify adverse trends or risk management issues arising from legal claims and ensure that they are brought to the attention of the Senior Management Team.
- To identify themes of incidents arising from legal claims and take appropriate action to relay information to Directorates.
- To support the process for learning from claims and disseminating this throughout the Trust as relevant.
- To ensure the Claims management module on the Trust database (Datix) is fully utilised and staff receive the appropriate training and updates.

Financial and Resource Management

- To support the Service Manager in ensuring that the Trust complies with all professional regulatory and requisite standards.
- To oversee and monitor governance information within his/her remit and highlight areas of concern, identify trends and ensure implementation of action plans.
- To promote patient and public involvement in service and quality improvements.

Communication and Information Management

- To ensure the Senior Management Team are kept informed of progress on cases, as required.
- To support the ongoing design and development of electronic systems (eg Datix) to manage and report on litigation performance.
- To ensure that early alerts in relation to litigation cases are completed in conjunction with Directorates and Co-Director.
- To ensure that information in relation to upcoming litigation cases is provided for discussion at Weekly Risk & Governance teleconference call.
- To ensure clinicians are linked against relevant case on DATIX to provide accurate information to support the Professional Governance Information System.
- To ensure systems and procedures for management and storage of information within the Legal Services Department meet internal and external reporting requirements.
- To ensure full compliance in relation to data protection, including access to health records.
- To develop, maintain and keep under regular review the Legal Services Department awareness document (Page Tiger).
- To maintain the Legal Services section on the Trust's Loop site.

People Management and Development

- Overall management responsibility for staff within the Trust's Legal Services Department.
- To deputise for the Service Manager when required.

- To promote the corporate values and culture of the organisation through the development and implementation of relevant policies and procedures and appropriate personal behaviour.
- To delegate appropriate responsibility and authority to the level of staff within their control consistent with effective decision-making whilst retaining responsibility and accountability for results.
- To provide leadership to staff within the Legal Services Department in order to encourage team working and continuous quality improvement.
- Where appropriate, review the organisational plan and establishment levels and ensure that each is consistent with achieving objectives and recommend change where appropriate.
- To contribute as an effective member of the Risk & Governance Department.
- To participate in the Trust's performance review scheme. To review the performance of those reporting to him/her on a regular basis and to provide direction on personal development requirements and appropriate action.
- To take responsibility for their own performance and take action to address identified personal development areas.
- To act as a pre-emptive, self-regulating professional who horizon scans to ensure the Trust litigation activities remain in line with current best practice and ensuring continuous improvement in their area of responsibility.
- To maintain good staff relationships and morale amongst the staff reporting to him/her, through effective feedback, recognition, appraisal and development.
- To participate as required in the selection and appointment of staff reporting to him/her in accordance with Trust procedures.
- To take such action as may be necessary in disciplinary matters in accordance with Trust procedures.
- To promote the Trust's policies on "equality of opportunity" and the promotion of "good relations" through his/her own actions and ensure that these policies are adhered to by staff for which he/she has responsibility.

Management Responsibilities

The Trust supports and promotes a culture of collective leadership where those who have responsibility for managing other staff:

- To establish and promote a supportive, fair and open culture that encourages and enables all parts of the team to have clearly aligned goals and objectives, to meet the required performance standards and to achieve continuous improvement in the services they deliver.
- To ensure access to skills and personal development through appropriate training and support.
- To promote a culture of openness and honesty to enable shared learning.
- To encourage and empower others in their team to achieve their goals and reach their full potential through regular supportive conversation and shared decision making.
- To adhere to and promote Trust policy and procedure in all staffing matters, participating as appropriate in a way which underpins Trust values.
- To actively participate in the development and work of regional networks relevant to the area of claims, agreeing regional work objectives, which will ensure the ongoing growth of regional approaches to claims

General Responsibilities

Employees of the Trust are required to promote and support the mission and vision of the service for which they are responsible and:

- At all times provide a caring service and to treat those with whom they come into contact in a courteous and respectful manner.
- Demonstrate their commitment by their regular attendance and the efficient completion of all tasks allocated to them.
- Comply with the Trust's Smoke Free Policy.
- Carry out their duties and responsibilities in compliance with the Health and Safety Policies and Statutory Regulations.
- Adhere to Equality and Good Relations duties throughout the course of their employment.
- Ensure the ongoing confidence of the public in-service provision.
- Maintain high standards of personal accountability.
- Comply with the HPSS Code of Conduct.
- The post holder will promote and support effective team working, fostering a culture of openness and transparency. The post holder will ensure that they take all concerns raised with them seriously and act in accordance with Belfast Trust's Whistleblowing Policy and their professional code of conduct, where applicable.
- The post holder will, in the event of a concern being raised with them, ensure it is managed correctly under the Belfast Trust's Whistleblowing Policy, and ensure that feedback/learning is communicated at individual, team and organisational level regarding the concerns raised, and how they were resolved.

Information Governance

All employees of Belfast Health & Social Care Trust are legally responsible for all records held, created or used as part of their business within the Belfast Health and Social Care Trust, including patient/client, corporate and administrative records whether paper based or electronic and also including e-mails. All such records are public records and are accessible to the general public, with limited exceptions, under the Freedom of Information Act 2000, the Environment Regulations 2004, the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. Employees are required to be conversant and to comply with the Belfast Health and Social Care Trust policies on Information Governance including for example the ICT Security Policy, Data Protection Policy and Records Management Policy and to seek advice if in doubt.

For further information on how we use your personal data within HR, please refer to the Privacy Notice available on the Loop or Your HR.

Environmental Cleaning Strategy

The Trusts Environmental Cleaning Strategy recognises the key principle that "Cleanliness matters is everyone's responsibility, not just the cleaners" Whilst there are staff employed who are responsible for cleaning services, all Trust staff have a responsibility to ensure a clean, comfortable, safe environment for patients, clients, residents, visitors, staff and members of the general public.

Infection Prevention and Control

The Belfast Trust is committed to reducing Healthcare associated infections (HCAs) and all staff have a part to play in making this happen. Staff must comply with all policies in relation to Infection Prevention and Control and with ongoing reduction strategies. Standard Infection Prevention and Control Precautions must be used at all times to ensure the safety of patients and staff.

This includes:-

- Cleaning hands either with soap and water or a hand sanitiser at the appropriate times (WHO '5 moments');

- Using the correct '7 step' hand hygiene technique;
- Being 'bare below the elbows' when in a clinical environment;
- Following Trust policies and the Regional Infection Control Manual (found on intranet)
- Wearing the correct Personal Protective Equipment (PPE);
- Ensuring correct handling and disposal of waste (including sharps) and laundry;
- Ensuring all medical devices (equipment) are decontaminated appropriately i.e. cleaned, disinfected and/or sterilised;
- Ensuring compliance with High Impact Interventions.

Personal Public Involvement

Staff members are expected to involve patients, clients, carers and the wider community where relevant, in developing, planning and delivering our services in a meaningful and effective way, as part of the Trust's ongoing commitment to Personal Public Involvement (PPI).

Please use the link below to access the PPI standards leaflet for further information.

http://www.publichealth.hscni.net/sites/default/files/PPI_leaflet.pdf

Clause: ***This job description is not meant to be definitive and may be amended to meet the changing needs of the Belfast Health and Social Care Trust.***

JOB SPECIFICATION

POST:	Legal Services Manager
BAND:	8A
DEPARTMENT/ DIRECTORATE:	Risk & Governance/ Medical Directorate
LOCATION:	BHSCT Legal Services Department, 6 th Floor, McKinney House, Musgrave Park Hospital, Stockman's Lane, Belfast, BT9 7JB
HOURS:	37.5 per week

Notes to applicants:

- 1. You must clearly demonstrate on your application form under each question, how you meet the required criteria as failure to do so may result in you not being shortlisted. You should clearly demonstrate this for both the essential and desirable criteria.*
- 2. Shortlisting will be carried out on the basis of the essential criteria set out below, using the information provided by you on your application form. Please note the Trust reserves the right to use any desirable criteria outlined below at shortlisting. You must clearly demonstrate on your application form how you meet the desirable criteria.*
- 3. Proof of qualifications and/or professional registration will be required if an offer of employment is made – if you are unable to provide this, the offer may be withdrawn.*

ESSENTIAL CRITERIA

The following are **ESSENTIAL** criteria which will initially be measured at shortlisting stage although may also be further explored during the interview/selection stage. You should therefore make it clear on your application form whether or not you meet these criteria. Failure to do so may result in you not being shortlisted. The stage in the process when the criteria will be measured is stated below.

Factor	Criteria	Method of Assessment
Experience Qualifications Registration	1. A university degree or relevant professional qualification or equivalent /Higher qualification AND at least 2 years' experience at middle management level (Band 5/6 or above) in a role involving legal services or governance or risk management. OR	Shortlisting by Application Form

	<p>HNC / HND or equivalent / higher qualification AND 3 years' experience in a role involving legal services or governance or risk management.</p> <p>OR</p> <p>5 years' experience in a role involving legal services or governance or risk management including at least two at middle management level (Band 5/6 or above).</p>	
Other	<p>Hold a current full driving licence which is valid for use in the UK and have access to a car on appointment. This criteria will be waived in the case of applicants whose disability prohibits driving but who have access to a form of transport approved by the Trust which will permit them to carry out the duties of the post.</p>	Shortlisting by Application Form

SECTION 2: The following are **ESSENTIAL** criteria which will be measured during the interview/ selection stage:

Skills / Abilities/ Knowledge	<ul style="list-style-type: none"> • Ability to provide effective leadership to teams. • Good knowledge of HSC processes for managing litigation / claims. • Have worked with a diverse range of stakeholders, both internal and external to the organisation, to achieve successful outcomes. • Excellent organisational skills, including high level of accuracy and the ability to work to tight deadlines. • Have excellent communication skills, both orally and in writing. • Ability to interpret complex data. • Demonstrate a commitment to the provision of high quality and safe services with an ability to drive a culture of continuous improvement. 	<p>Shortlisting by Application Form</p> <p>And/ Or</p> <p>Interview/ Test</p>
--------------------------------------	---	---

DESIRABLE CRITERIA

Desirable criteria will **ONLY** be used where it is necessary to introduce additional job related criteria to ensure files are manageable. You should therefore make it clear on your application form how you meet these. Failure to do so may result in you not being shortlisted.

Factor	Criteria	Method of Assessment
Experience Qualifications Registration	Relevant specialist postgraduate qualification (e.g. LLM in medical law) or equivalent (e.g. Diploma in Claims Management)	Shortlisting by Application Form

NOTE:

Where educational/professional qualifications form part of the criteria you will be required, if shortlisted for interview, to produce original certificates *and* one photocopy of same issued by the appropriate authority. Only those certificates relevant to the shortlisting criteria should be produced. If educational certificates are not available an original letter *and* photocopy of same detailing examination results from your school or college will be accepted as an alternative.

If successful you will be required to produce documentary evidence that you are legally entitled to live and work in the United Kingdom. This documentation can be a P45, Payslip, National Insurance Card or a Birth Certificate confirming birth in the United Kingdom or the Republic of Ireland. *Failure to produce evidence will result in a non-appointment.*

Where a post involves working in regulated activity with vulnerable groups, post holders will be required to register with the Independent Safeguarding Authority.

Candidates who are shortlisted for interview will need to demonstrate at interview that they have the required competencies to be effective in this demanding leadership role. The competencies concerned are set out in the NHS Healthcare Leadership Model, details of which can be found at <http://www.leadershipacademy.nhs.uk/resources/healthcare-leadership-model>.

Particular attention will be given to the following dimensions:

- Inspiring shared purpose
- Leading with care
- Evaluating information
- Connecting our service
- Sharing the vision
- Engaging the team
- Holding to account
- Developing capability
- Influencing for results.

As part of the Recruitment & Selection process it may be necessary for The Organisation to carry out an Enhanced Disclosure Check through Access NI before any appointment to this post can be confirmed.

THE ORGANISATION IS AN EQUAL OPPORTUNITIES EMPLOYER**Successful applicants:**

- may be required to attend for a Health Assessment
- can expect to be placed at the minimum point of the pay scale, although a higher starting salary, within the range of the pay band may be available if the person appointed has experience relevant & equivalent to the post. If the successful candidate is an existing HSC employee moving to a higher band, AfC Pay on Promotion will apply.

- are able to request Flexible Working from the 1st day of their employment. A number of flexible working provisions are offered by all HSC Organisations including Full-time working, Fixed working patterns, Part-time working, Flexi-time, Compressed/elongated hours, Average hours working patterns, Term-time working, Job-share or Homeworking for some or all of the working pattern, depending on the role being undertaken. Successful applicants are encouraged to discuss with their manager what Flexible Working provisions may be available in the role they are taking up, prior to commencing employment, to help them achieve a positive Work/Life Balance.

HSC Values

Whilst employees will be expected to portray all the values, particular attention is drawn to the following values for this role

What does this mean?	What does this look like in practice?
 <p>Working together</p> <p>We work together for the best outcome for people we care for and support. We work across Health and Social Care and with other external organisations and agencies, recognising that leadership is the responsibility of all.</p>	<ul style="list-style-type: none">• I work with others and value everyone's contribution• I treat people with respect and dignity• I work as part of a team looking for opportunities to support and help people in both my own and other teams• I actively engage people on issues that affect them• I look for feedback and examples of good practice, aiming to improve where possible.
 <p>Excellence</p> <p>We commit to being the best we can be in our work, aiming to improve and develop services to achieve positive changes. We deliver safe, high quality, compassionate care and support.</p>	<ul style="list-style-type: none">• I put the people I care for and support at the centre of all I do to make a difference• I take responsibility for my decisions and actions• I commit to best practice and sharing learning, while continually learning and developing• I try to improve by asking 'could we do this better?'
 <p>Openness & Honesty</p> <p>We are open and honest with each other and act with integrity and candour.</p>	<ul style="list-style-type: none">• I am open and honest in order to develop trusting relationships• I ask someone to help when needed• I speak up if I have concerns• I challenge inappropriate or unacceptable behaviour and practice.
 <p>Compassion</p> <p>We are sensitive, caring, respectful and understanding towards those we care for and support and our colleagues. We listen carefully to others to better understand and take action to help them and ourselves.</p>	<ul style="list-style-type: none">• I am sensitive to the different needs and feelings of others and treat people with kindness• I learn from others by listening carefully to them• I look after my own health and wellbeing so that I can care and support others.

All staff are expected to display the HSC Values at all times

