



THE QUEEN ELIZABETH HOSPITAL

JOB DESCRIPTION

JOB TITLE:	Legal Officer
SALARY SCALE:	S4
DEPARTMENT:	Administration
REPORTS TO:	Chief Executive Officer
DIRECT REPORTS:	Legal Assistant; Clerk/Typist

JOB SUMMARY

The Legal Officer is responsible for providing legal support and guidance to the hospital and its staff, ensuring compliance with healthcare regulations, and protecting the institution's legal interests. This role involves advising on a variety of legal issues, including patient rights, medical malpractice, contracts, and regulatory compliance.

MAJOR DUTIES AND RESPONSIBILITIES

The duties listed below are intended only as an illustration of the various types of work that may be performed:

Claims Manager

1. Ensure that all clinical negligence and personal injury claims are investigated and managed efficiently in accordance with QEH policies and procedures.
2. Ensure that all claims are managed in accordance with Pre-action and Civil Procedure Rules from receipt of the claim until closure. Liaise with the

claimant's Attorney-at-Law. Report all Letters of Claim to the underwriters and prepare Preliminary Analysis reports on exposure and potential outcomes where required.

3. In line with requirements of Clinical Negligence Law and liability ensure that the Legal Services Department liaise with underwriters' Attorneys-at-Law and those for defendants and claimants involved in the handling of the claims. Liaise with relevant clinical and non-clinical staff; attend conferences with Counsel and other legal advisors that are appointed by underwriters and assist in the preparation of claims for trial.
4. Ensure claims are investigated in accordance with the procedures for "Claim Handling Policy".
5. Act as the OEH named point of contact in relation to legal matters for external persons.
6. Ensure that the claims database is regularly maintained, updated and developed to meet the reporting requirements of claims issues to the underwriters or their appointed Attorneys-at-Law.
7. Monitor performance of claims management to ensure compliance with underwriters claims policy and provide reports on claims issues to the underwriters.
8. Ensure all policies and procedures for management of claims are reviewed and updated as necessary on an annual basis.
9. Ensure appropriate and effective methods of communication are in place to alert the Chief Executive Officer, Executive Directors, Head of Communications and the underwriters as appropriate to any risk/publicity exposed by a claim.
10. Undertake audits as part of the overall Quality Governance to demonstrate effectiveness of the policy and management of claims.

Inquests

11. Liaise with the Coroner and his/her Officers to meet the requirements of the Coroner's Court when required.
12. Advise and support on procedures at inquest. Assist with preparation and content of witness statements and prepare staff for the role of witness and giving evidence.
13. Ensure that all staff are provided with support before, throughout and after the inquest.
14. Obtain statements and any other information which the coroner requires.
15. Attend the inquest when staff are giving evidence.
16. Report the outcome/verdict of the inquest and any recommendations made by the Coroner to the Chief Executive and the underwriters.

General in- House Legal Function

17. To act as the first point of contact for any legal issue arising within the QEH in relation to the full range of matters likely to be relevant to the day-to-day operations of the QEH, including, but not restricted to, aspects of employment law, contract law, medical law (including Deprivation of Liberty Safeguards, Mental Health Act), 'data law' (e.g., Access to Medical Records, Data Protection Act, Freedom of Information Act) and law.
18. To provide verbal and written advice on legal matters relating to healthcare where appropriate and within the experience of the post holder.
19. Where the particular legal issue is beyond/outside of the expertise of the post holder, the post holder will nevertheless act as the gatekeeper' to access external legal support.
20. The post holder will maintain a register of all legal instructions to all of underwriters preferred supplier of legal services.

21. To provide Mandatory Training sessions and to provide tuition on topics to clinical and other staff members as requested.

Consent Issues

22. To be the QEH lead for all consent issues.
23. To review the consent policy annually or whenever required (change in the law, etc.).
24. Advise on all issues relating to consent when required.
25. Provide training on consent to all relevant practitioners on an on-going basis.
26. Carrying out audits relating to consent on a yearly basis and present the outcome at the Chief Executive Officer and to whom delegated.

Strategic

Clinical Governance

27. Provide advice to the QEH Clinical Governance/Clinical Risk Management Team, patient experience on the potential for legal liability associated with the incidents and complaints.
28. To act as lead member for the QEH core compliance with the Clinical Risks Department, working alongside colleagues in Clinical Risk Management and patient experience teams in order to produce aggregate organizational learning information which can be disseminated throughout the QEH and satellites to improve service delivery.
29. To attend meetings, as required, where claims/legal issues, serious incidents and complaints are due to be discussed.

Operational

30. To be responsible for Legal Services including compliance with relevant policies and procedures at QEH. In this capacity, the post holder is responsible for the management and delivery of the Legal Services, compliance with relevant legislation and regulations, responding to underwriter's appointed Attorneys-at-Law and ensuring that their requests are met in relation to ongoing claims or issues following through these to conclusion.
31. To be responsible with the Clinical Risk Manager for ensuring the development and adherence to a complaints management policy in light of QEH's Policies and Procedures.
32. To be responsible with the Clinical Risk Manager for the relationship with other Health Service entities/organizations and suppliers.
33. To be responsible with Clinical Risk Manager for trends analysis, reporting and action planning to learn lessons from complaints, litigation, incidents, ensuring that learning is disseminated and embedded across QEH.
34. Provide service advice, information, assistance and support to the Chief Executive Officer, Executive Director and Senior Management,
35. Present complex and sensitive information to the Board Committees and the Board when necessary,
36. Ensure systematic risk management processes for clinical and non-clinical risk are in place throughout the OH and its satellites.
37. Ensure that appropriate risk management systems are in place and robustly monitored throughout OEH and its satellites for reporting, management and investigation of incidents.
38. Ensure all incidents are robustly scrutinized and analyzed, carrying out aggregate reviews if the need is identified.

39. Proactively manage the process for the capture of key risks, alongside the Clinical Risk Manager, within the Quality Governance ensuring that appropriate actions are taken to mitigate or respond to governance risks.
40. To be responsible for the management of Datix data entry for all area of legal responsibility ensuring the quality control of reporting on relevant Datix modules.
41. Critically examine Root Cause Analysis (RCA) process for investigating serious incidents and provide expert advice on all aspects of the RCA investigations including report writing.
42. To scrutinize, analyze and quality check RCA reports before submission to board and executives for sign off in line with QEH policy.
43. Identify areas of concern relating to clinical practice/service delivery and liaise with the appropriate professional leads to agree remedial action and the setting and maintaining of standards.
44. Lead, influence and support the culture of fair blame throughout QEH.
45. Analyze, synthesize, and present complex information regarding incidents clearly and persuasively both verbally and in writing.
46. Produce comprehensive reports for the Board and enable an aggregate analysis of trends in relation to safety issues, claims, lead the process in developing mitigation actions.
47. Present information regarding claims and risks to a range of audiences including large groups and senior managers.
48. Be an expert resource for all staff members on relevant aspects of OEH procedures.

Financial and Information Management

49. Develop and maintain a system to ensure all related records are updated in light of new information so that consistency in information is maintained in the documents in the legal office.
50. To ensure that the underwriters preferred supplier of legal services and ensure that all Attorneys-at-law invoices appropriately checked, authorized, and paid within the agree timescales.

Staff Management/Training

51. To provide day-to-day line management to the Legal Services Department
52. Make suggestions for recruitment, retention of staff, actively supporting the development of individuals and the team through appraisal, personal development, coaching and mentoring.
53. Develop the effectiveness and capacity of all staff within the scope of the Legal Office through strong leadership and management, setting an example by maintaining high standards at all times.
54. Ensure that appraisals are regularly conducted for direct reports, documented, and monitored for all staff in the Legal Office.
55. Ensure staff feel fully supported in the workplace, to manage performance, disciplinary, grievance and other employee relations issues as necessary.
56. Ensure absence levels are monitored and significant cases managed accordingly.
57. Maintain a culture of continuous service review and improvement focusing on quality and performance.

KNOWLEDGE, SKILLS AND ABILITIES

1. In-depth knowledge of regulatory law
2. Knowledge of the legal aspects of healthcare

3. Strong leadership and managerial skills
4. Excellent relationship management and communication skills necessary for interaction with the Judicial system and negotiating parties
5. Demonstrate knowledge of and experience with laws dealing with contract administration, particularly contract negotiation, preparation and administration
6. Demonstrate success in managing and conducting a variety of litigation matters
7. Good planning and organization skills
8. Proven ability to delicately solve sensitive matters
9. Ability to provide independent advice (orally and in writing) to senior level management on highly technical matters
10. Ability to critically analyze and solve legal and operational issues
11. Ability to deal effectively with people in difficult situations
12. Ability to deal with and assimilate information relating to a broad range of issues, within a diverse context
13. Ability to assess and process statutory approvals in a timely and efficient manner
14. Ability to accurately interpret and analyse government and associated legislation and make technically sound recommendations for legal or policy review if required
15. Ability to communicate effectively in written or verbal form with a range of people, some at senior levels, on interpretations of legislation
16. Ability to draft material in a variety of styles, for different audiences and within tight deadlines
17. Ability to undertake a variety of tasks within the same time frame

REQUIRED TRAITS

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| • Accountability | • Co-operation |
| • Collaboration | • Ethical |
| • Confidentiality | • Flexibility and Adaptability |

- Initiative
- Reliability
- Meticulousness
- Respect

EDUCATION AND EXPERIENCE

A qualified Attorney-at-law and a minimum of five (5) years' experience as a practising Attorney.