



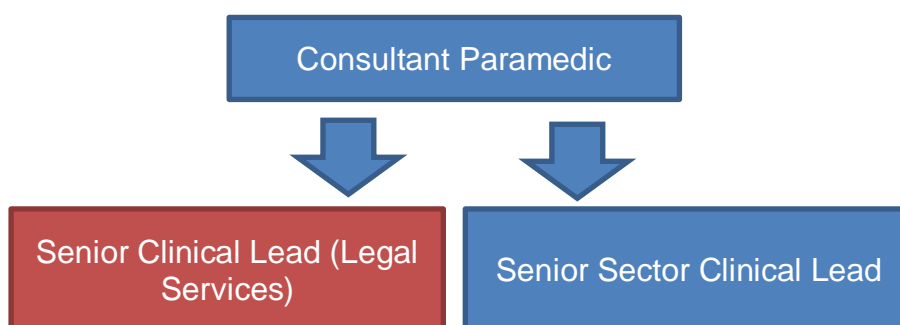
Job Description

Job Title	Senior Clinical Lead Legal Services and Mental Capacity
Band	AfC Band 8B (indicative)
Department/Directorate	Clinical Directorate
Location	Headquarters
Reporting to	Consultant Paramedic

Job Purpose

This is a key role supporting the Legal Services through the provision of clinical advice and support on the handling of problematic inquests, clinical negligence and public liability claims, represent the Trust at Inquests and external meetings, and linking together clinical claims, inquests with claimants and incidents. Is the Trust's Mental Capacity Act (MCA) lead. Ensuring Trust compliance with MCA legislation and standards. ensuring the trusts compliance in respect of the Mental Capacity Act and associated codes of practice.

The post-holder will also undertake an operational role in order to maintain their professional registration and maintain clinical expertise.



Key Result Areas & Performance Indicators

Provide clinical advice, support and guidance to the Legal Services Department on the management of problematic Inquests and clinical negligence claims, represent the Trust at Inquests and external meetings. This will include reviewing all relevant information including national clinical guidelines, procedures and protocols, witness statements, and expert opinions from other Trust clinical experts, where there may be a requirement for the Trust to be legally represented, and providing a written clinical opinion.

Following an investigation, advise the Head of Legal Services, Claims and Inquests Managers, Consultant Paramedic and Chief Medical Officer on whether the Trust may have acted in breach of its duty of care and may have caused harm in an incident which may give rise to a problematic inquest, inquest or a claim.

Support the Head of Legal Services and Claims and Inquests Managers during further investigations advised by panel solicitors on instructed claims in clinical negligence, or public liability, or a problematic

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inquest. This will include presenting the trusts evidence in court.

Attend Case Management and other case conferences on behalf of the Trust as and when required, together with the Head of Legal Services and Claims and Inquests Manager to advise on staff's compliance with the contemporaneous clinical guidelines, protocols, procedures and policies, training, and operational practice.

Work closely with the senior managers for control services, LAS 111 and operational sectors in preparing the clinical opinion / statement for problematic Inquests and clinical negligence claims. Work closely with the Claims and Inquest Managers on problematic Inquests and provide an opinion on compliance with relevant national clinical guidelines, protocols, policies, and procedures to facilitate an informed decision to be taken on whether to instruct legal representation.

Represent the Trust at Inquests and external meetings as required.

Act as an advocate for the profession and maintain a high level of clinical creditability by undertaking regular operational shifts demonstrating the ability to provide high quality clinical care for all patients groups.

Develop and lead on MCA requirements ensuring compliance and providing quarterly nreports on compliance.

Provide expert clinical input into educational programmes and deliver specialist teaching sessions to clinical staff

Provide support to staff attending a court hearing in accordance with the procedure for Responding to Enquiries and Giving Evidence at Coroners' Inquests and Statements at Police Interviews.

Offer support and feedback in pre-inquest witness meetings to LAS staff called to give evidence at an inquest when appropriate, and with their operational / departmental manager and / or local clinical team leader.

Provide and present reports and briefings for the inter-departmental, quality governance and round table review meetings on the synopsis of Inquests and clinical negligence / public liability claims that were closed in the previous quarter, reviewing the actions taken to reduce the incidence of similar claims in the future, and submitting recommendations for discussion.

Working with the Head of Legal Services ensure the Chief Medical Officer and Consultant Paramedic are briefed around upcoming problematic inquest and claims.

Coordinate the triangulation of claimants, claims, inquests and incidents to ensure a consistent approach and awareness across teams.

Working 2/3 days per week at LAS HQ as a base ensuring visibility within Trust

Key Relationships & Stakeholders

Internal: Legal Services, Governance and Assurance, Clinical Directorate, 999 and Ambulance Services, LAS 111, operational staff and managers Executive Directors and Senior Managers

External: HM Coroners and Coroners' Officers, NHS Litigation Authority, panel solicitors and legal advisors, NHS provider organisations and Commissioners and NHSE stakeholders

Key Responsibilities

Strategy

Working with the Head of Legal Services ensure the Chief Medical Officer and Consultant Paramedic are briefed around upcoming problematic inquest and claims.

Advise on the application and feasibility of clinical practice recommendations made in a serious incident investigation report, or root cause analysis report, or Regulation 28 Preventing Future Death report, or by panel solicitors in connection with a clinical negligence claim or problematic inquest. Prepare draft response in respect of Regulation 28 reports and coordination with the relevant teams to contribute to such reports and develop associated action plans.

Lead in the design and delivery of trust wide clinical policies, procedures and models of care which contribute to the delivery of high quality patient care services across the organisation and implement them at a local level monitoring their compliance

Be aware of the financial implications of decisions to change clinical practice and factor those in to business change planning process.

Strengthening the paramedic contribution to patients requiring emergency care in all settings and exercising a high level of professional autonomy as benefits an expert practitioner in the field of pre hospital paramedic care.

Interpret and advise on local and national clinical policies seeking advice as necessary

Clinical Operational Delivery

There is a requirement to maintain a high degree of clinical credibility both within the Trust and in dealings with external agencies. You will be required to be registered clinician. The clinical experience and knowledge required will require knowledge and experience of working autonomously in a pre-hospital environment and a good understanding of the current Standards of Proficiency published by the Health and Care Professions Council and the Joint Royal College Liaison Committee national clinical protocols, to allow you to discuss pre-hospital clinical care confidently with doctors and other senior healthcare professionals.

Analyse clinical compliance and standards in relation to patient safety and outcomes, performance targets, strategic objectives, business plans and advise in areas where expert opinion differs, this includes highly complex clinical scenarios or situations requiring analysis,

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interpretation and comparison of a range of options

Produce new, unbiased information from different and conflicting sources and communicate it in terminology, which is appropriate for patients, carers, healthcare professionals and managers.

Deliver feedback sessions to frontline clinicians around patient care including providing and receive highly complex or sensitive information using developed persuasive, motivational, empathetic and re-assurance skills.

Attend training and development programmes, as appropriate including all elements of Statutory and Mandatory education.

Quality Care & Governance

Work closely with the Governance and Assurance Managers on Serious Incident investigations and provide an opinion on compliance with relevant national clinical guidelines, protocols, policies, and procedures to facilitate an informed report where incidents are likely to be subject to legal proceedings.

Provide expert clinical advice and reports which can be submitted in evidence

Develop innovative techniques to share clinical learning in a pan-London organisation with a dispersed workforce which are accessible, user friendly and meet information governance standards.

Interpret and evaluate information from diverse sources and make informed judgments about its quality and appropriateness to disseminate to others

Personal Development

Take the lead in identifying personal development requirements and participate in activities that lead to personal development both as a manager and as a practicing Paramedic.

Attend training and development programmes, as appropriate and relevant to the role

Participate in supervisory and appraisal activities as required.

Infection Prevention & Control

All Trust employees, whether involved directly or indirectly in the provision of healthcare, have a duty to co-operate with and implement Trust policies and procedures in preventing and controlling infection. This includes co-operation with colleagues and contractors also involved in the provision of healthcare so far as is necessary to enable the Trust to meet its obligations under the Health and Social Care Act 2008.

Safeguarding

The London Ambulance Service NHS Trust is committed to safeguarding and promoting the welfare of children and young people and adults at risk and expects all staff and volunteers to share this commitment and ensure they work in accordance with the LAS Safeguarding Child and Adult at Risks Policies and Procedures.

Staff should ensure that they remain up to date with safeguarding training requirements and know how to report safeguarding concerns or allegations against staff and should follow safeguarding policy and procedures and the allegations against staff policy.

Confidentiality

Maintain confidentiality in relation to personal data held for colleagues and patients, ensuring that it is processed lawfully; for no purpose other than that for which it was obtained; is relevant to that purpose; is retained for no longer than is necessary; is processed in accordance with the rights of the subject to access and accuracy; and is protected from accidental loss or damage in accordance with the requirements of the Data Protection Act (as amended), and records management guidance.

Maintain confidentiality of patient-identifiable personal data using a non-identifiable alternative, where practicable, and limiting access on a strictly need to know basis in accordance with the responsibilities of the Trust's Caldicott Guardian.

Risk

Accept personal responsibility for contributing to the Trust's management of risk, including the reasonable avoidance of any action which would knowingly cause unacceptable risk to self, others, or to the Trust.

As far as is reasonably practicable attempt to prevent other people from undertaking tasks or

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actions which would knowingly cause risks to self, others, or to the Trust, in accordance with Trust policy and training.

Identify and report actual or potential hazards/ risks in the work environment in accordance with Trust policies, and take immediate action to minimise risks where it is reasonably practicable to do so.

Identify and report to the appropriate authority incidents of risk, neglect, abuse or endangerment to vulnerable adults and children.

Follow LAS policy on use of PPE (Personal Protective Equipment) e.g. Stab Vests, Hi- Visibility Clothing, Gloves, Visors etc.

Awareness of and compliance with Health and Safety Regulations.

Equality and Diversity

The Trust recognises the benefits of a diverse workforce reflective of the communities that we serve, and is committed to equal opportunities in employment with a devotion to eliminate all forms of unlawful discrimination. The Trust aims to promote equality of opportunity and good relations between staff and patients (including volunteers, contractors and bank staff). All individuals have a duty to adhere to the Trust Equality and Diversity policy and an individual responsibility towards the application and understanding of the Equality Act 2010. Inequitable behaviour will not be tolerated and every person has a responsibility to highlight discriminatory practice.

Health and Safety at work

In addition to the Trust's responsibilities under the Health and Safety legislation, you are reminded of your responsibilities for health and safety at work under the Health and Safety at Work Act 1974 (as amended) and associated legislation. These include the duty to take reasonable care of the health and safety of yourself and others in your work activities and to co-operate with your employer in the discharge of its statutory duties. You must adhere strictly to the Trust's policies and procedures on health and safety and report all accidents, dangerous occurrences, unsafe practices or damage to your manager promptly using the Trust's incident reporting system. You must make use of appropriate training, safety equipment, protective clothing and footwear and attend training. Failure to comply with these requirements may result in disciplinary action.

Disclosure and Barring Service (DBS)

If the post you are undertaking requires you to complete a DBS disclosure, this will be managed and processed in line with the DBS Policy and you will be required to sign up and maintain your subscription to the DBS Update Service.

Values and Behaviours

Caring

Kindness – be caring and compassionate, polite, welcoming, approachable

Positive – embrace change, be enthusiastic and optimistic, proactive

Empathetic – put myself in other people's shoes, consider other perspectives

Listening – hear others, be open, approachable, give others space to speak

Respect

Equity – be fair, embrace diversity, accept others for who they are

Inclusive – advocate for others, ask for input, seek out alternative views

Understanding – be interested in others' feelings, stories and backgrounds

Appreciative – offer descriptive praise, seek out feedback, value others

Teamwork

Supportive – offer help when you notice others need it, check in regularly

Collaborative – seek opportunities to work together, communicate, clarify

Professional – be accountable, responsible for my attitude, calm and reassuring

Integrity – be honest, share learnings, act in others' and LAS' best interests

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Person Specification

Qualifications, Accreditations, Education	Essential	Evidence
A minimum of a BSc in Paramedic Science or equivalent in a clinically appropriate area	✓	A
HCPC registered Paramedic	✓	A
On-going registration with a Professional body	✓	A
Full driving licence with the ability to drive under blue light conditions	✓	A
Clear evidence of leadership and development in the pre hospital setting	✓	A/I
Demonstrable experience of investigation at the most complex level	✓	A/I
Educated to Masters degree level, equivalent professional qualifications and/or substantial demonstrate experience in a similar role or setting	✓	A
Expert in report writing and appraisal of information from multiple sources	✓	A/I
Knowledge of how risk management can be applied to the handling of liability claims and Inquests	✓	A/I
Sound understanding of the Mental Capacity Act and associated codes of practice and its application in pre hospital care	✓	A/I
Experience	Essential	Evidence
Evidence of working within a clinical leadership role	✓	A/I
Demonstrable achievement in leading and influencing colleagues and clinicians to deliver targets and maintain performance.	✓	A/I
Ability to plan and organise a range of complex activities, which require the formulation and adjustment of plans or strategies.	✓	A/I
Ability to lead, motivate and inspire others.	✓	A/I
Well-developed communication skills including negotiating and influencing skills	✓	A/I
Up to date portfolio including significant demonstrable relevant and recent CPD activity	✓	A/I
Sound political judgement and astuteness in understanding and working with complex policy, and diverse interest groups, and common sense in knowing when to escalate or brief senior managers/clinicians	✓	A/I
Proven ability to analyse complex problems and to develop and successfully implement practical and workable solutions to address them	✓	A/I
Demonstrable experience of providing clinical assessment and advice within a Clinical Hub/ Clinical Support Desk/Integrated care setting.	✓	A/I
Evidence of experience in supporting staff through challenging investigations/reviews of care	✓	A/I

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Experience in report writing in forensic detail and interpreting clinical guidelines	✓	A/I
Expert knowledge in the SI/PSII process		A/I
Understanding of the inquest and claims process		A/I
Knowledge and Skills	Essential	Evidence
Demonstrable experience of providing clinical assessment and advice within a Clinical Hub/ Clinical Support Desk/Integrated care setting.	✓	A/I
Ability to assess risks, anticipate difficulties and successfully address	✓	A/I
Proficient in MS Office based programmes	✓	A/I
Committed to promoting diversity and awareness of equal opportunities	✓	A/I
Highly developed communication skills, both verbal and written.	✓	A/I
Well-developed IT and facilitations skills.	✓	A/I
Excellent interpersonal and influencing skills.	✓	A/I
Possesses a strong positive leadership style	✓	A/I
Can evidence clinically innovative and change management thinking ability	✓	A/I
Ability to discuss evidence-based medicine	✓	A/I
Evidence of well-developed communication skills, both verbal and written. Ability to offer supportive and open feedback to clinical staff (both internally and externally to the Trust)	✓	A/I
A commitment to improving patient services through an ability to sustain a clear performance focus on achieving demanding goals		A/I
Personal Abilities	Essential	Evidence
Adhere to the Trust values and behaviours	✓	A/I
Continuous and committed with a high level of personal motivation.	✓	A/I
Honesty and integrity and a strong commitment to openness in one's own work and interaction with others	✓	A/I
Ability to relate to staff at all levels	✓	A/I
Demonstrable commitment to personal and career development with maintenance of a personal career development portfolio, including up to date personal development plans	✓	A/I
Evidence of reliability	✓	A/I
Ability to think creatively and to prioritise work programmes in the face of competing demands	✓	A/I
Ability to remain calm, controlled and polite in a busy and pressurised environment	✓	A/I
Ability to work to deadlines and produce a high calibre of work under pressure	✓	A/I
Physically capable of carrying out the full range of operational	✓	A/I

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duties		
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Key: A = application, T = test, I = interview

Updated: **September 2022**

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