

Job Description

R & S 2

Job Title	Mental Health Legislation Clinical Adviser
Department	Mental Health Legislation
Band	Band 7
Reports To	Head of Mental Health Legislation
Operationally Responsible To	Head of Mental Health Legislation
Professionally Responsible To	Head of Mental Health Legislation
Location	Becklin Centre

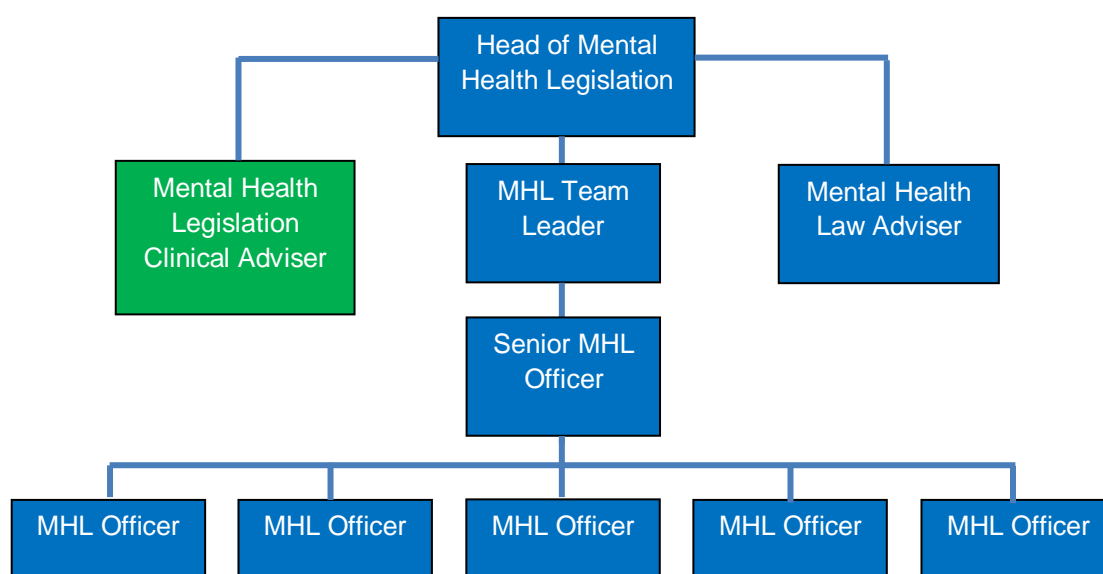
JOB PURPOSE – *The post holder will provide expert, specialist knowledge, support, training and advice to staff regarding the Mental Health Legislation including Liberty Protection Safeguards (LPS).*

Work in partnership with the Local Authority and other key stakeholders.

Make clear autonomous decisions based on an analysis of complex presenting problems and make judgements about available options.

Develop, plan and support the delivery of training strategy and training sessions and resources for staff and stakeholders on a regular basis to include complex practice and ethical issues in relation to Mental Health Legislation.

STRUCTURE



DUTIES AND RESPONSIBILITIES

1. Communication/Relationship Skills

(covers providing and receiving routine, complex or highly complex information, barriers to understanding, communicating sensitive or contentious information)

- Communicates in a manner that recognises difference and ensures that people feel included and their individual communication needs are met.
- Provide and receive complex, sensitive, contentious information using motivation and negotiation.
- Presents highly complex and sensitive specialist information to staff, including those from partner agencies and stakeholders, senior managers, medical staff and third sector services. The information includes legislative requirements and legal complexities, changing and challenging case law, competing legislation and clinical decision making and rationale.
- Communicates effectively using persuasion, empathy, negotiation and reassurance when providing advice in an environment where the information being imparted is highly complex, contentious and emotive.
- Ability to present highly complex written information in the form of reports, policies, strategies and other documents in a clear, concise and unambiguous manner.
- Make clear autonomous decisions based on an analysis of complex presenting problems and make judgements about available options.

2. Knowledge, training and experience

(covers base, intermediate or specialist knowledge (theoretical and/or practical), level of qualifications, training and experience)

- Educated to post degree level in a relevant subject or equivalent level of experience of working at a similar level in a specialist area.
- Qualified Best Interests Assessor (BIA) or Approved Mental Health Professional (AMHP) certificate and willingness to complete / convert to Approved Mental Capacity Professional (AMCP) role.
- Specialist knowledge and expertise across Mental Health Legislation (MHL), including Mental Health Act (MHA), Mental Capacity Act (MCA), Deprivation of Liberty (to be replaced by Liberty Protection) Safeguards.
- Significant experience in communications and stakeholder management
- A good understanding of the health and social care environment and roles and responsibilities within it.
- Specialist organisational procedure and policy knowledge in matters relating to mental health legislation and to provide advice and guidance to service managers, clinicians and all clinical staff regarding the implementation of

related policies and procedures.

3. Analysis, Problem Solving and Judgmental Skills

(covers judgements/decision making of straightforward, a range of situations, complex or highly complex of facts or situations)

- Expert in field, providing judgements in highly complex situations which have unique characteristics where there are a number of complicated factors to take into account which do not have obvious solutions and may require the engagement of a number of professionals/agencies.
- Recognise and evaluate when expert legal advice is required and facilitate as appropriate.
- The post holder will be working in an environment which is specialised. The interpretation of complex legislation and translation into local policy, process and procedure is required where information from several sources may conflict.
- Make clear autonomous decisions based on an analysis of complex presenting problems and make judgements about available options.

4. Planning and Organisational Skills

(covers planning and organising own tasks, straightforward tasks, complex or a broad range of complex activities or programmes)

- Develop, plan organise and support the delivery of training strategy and training sessions and resources for staff and stakeholders on a regular basis to include complex practice and ethical issues in relation to mental health legislation.
- Contributes towards long term strategic planning of the MHL department.
- Makes plans to implement legislative change.

5. Physical Skills

(covers minimal demand for physical skills, standard driving/keyboard or advanced/highly developed physical skills such as hand-eye co-ordination, sensory skills, moving patients and surgical activities)

- Standard driving and keyboard skills.

6. Patient/Client Care

(covers non-clinical advice, personal care, clinical care, implements or develops care packages/clinical technical services which are specialist or highly specialist)

- Reviewing, monitoring and seeking approval of care packages under the LPS framework.
- Provide clinical advice in respect of mental health legislation.
- To be part of the city wide AMCP rota.

7. Policy and Service development Implementation

(covers responsibility for development and implementation of policies and/or

services i.e. implements in own work area, policy/service development across own area/directorate/organisation)

- In conjunction with senior colleagues assist in the monitoring and development, implementation and review of policy and procedures to ensure that the principles and requirements of mental health legislation and the interface with other associated legislation is fully embedded into, and underpins, practice across all operational areas of the Trust.
- Responsible in collaboration with the MHL team, for enhancing the operational framework of MHL across the Trust and ensuring that improvements are identified and implemented with future strategic and business planning.
- Work collaboratively with clinical, non-clinical, corporate and managerial colleagues at all levels within the organisation to identify service development opportunities and share and spread opportunities.

8. Responsible for Financial and Physical Resources

(covers financial resources i.e. cash, cheques, budgets and physical resources such as clinical, office and other equipment, tools, instruments, personal possessions of patients/clients)

- Effective and efficient use of all resources, reporting and action on inefficiencies as they are identified.

9. Responsible for Human Resources

(covers management/supervision/coordination/teaching, training and development/ including dealing with HR issues such as grievance, disciplinary, absence management and appraisal)

- Develop, plan and support the delivery of training strategy and training sessions and resources for staff and stakeholders on a regular basis to include complex practice and ethical issues in relation to mental health legislation.
- In conjunction with senior colleagues support the development of knowledge and skills in the application of mental health legislation aligning this with the Codes of Practice, as well as national and local guidance.
- Be involved in recruitment processes when required.
- Participate in appraisal and management supervision systems as required within the directorate.

10. Responsible for Information Resources

(covers computerised, paper-based and information systems i.e. records own generated information, data entry, create reports, design/development/use of information systems)

- Responsible for the safety of highly sensitive and confidential information held both manually and electronically.
- Manages and maintains own databases and recording, both paper based and electronic
- Responsible for continued monitoring of information related to mental health

legislation, including identifying emerging developments and trends.

11. Research and Development (R & D)

(covers informal and formal clinical or non-clinical R & D i.e. carries out audits, undertakes R & D, co-ordinates and implements R & D programmes)

- Initiate, develop and participate in audits / complex evaluations in understanding and embedding into practice the LPS, interpreting results and making recommendations. This may include working alongside internal and external stakeholders.
- Responsible for the development of meaningful, effective and accurate tools for audit and systems of monitoring to demonstrate compliance with the requirements of mental health legislation, which requires highly specialist knowledge of the relevant legislation and the ability to apply this effectively.
- Undertake audits of unmet needs in training and practice. Collates and analyses the audit findings in the production of reports and makes recommendations in accordance with findings.

12. Freedom to Act

(covers accountability for own actions and those of others, use of own initiative and act independently and the discretion to take action i.e. works with supervision or is guided by procedures, guidance by others, interprets policy and strategy)

- The post holder is responsible for setting and reviewing their own work with guidance from the Head of Mental Health Legislation.
- The post holder works independently and reports to a more senior person and has a level of freedom to interpret defined policies in relation to their own work, utilising external reference points.
- The post holder is a specialist within their field and reports to the Head of Mental Health Legislation.

HEALTH, SAFETY & RISK MANAGEMENT

You must at all times comply with the Leeds and York Partnership NHS Foundation Trust Health & Safety Policies, in particular by following agreed safe working procedures and reporting incidents using the trust's risk incident reporting system.

You are required to inform the line manager of any safety issues that could affect you or others in the work place. You are responsible for your own Health & Safety and must co-operate with the management at all times in achieving safer work processes and work places, particularly where it can impact on others.

You will be trained in the correct use of any equipment provided to improve Safety and Health within the trust. You are required to use the equipment when necessary and as instructed; it is your responsibility to ensure the equipment is safe to use, prior to its use and must report any defects immediately to your manager.

You have a duty to take reasonable care of health and safety at work for you, your team and others, and to co-operate with employers to ensure compliance with health and safety requirements

PLUS FOR SUPERVISORY GRADES ONLY

You are required to provide adequate supervision to ensure compliance with safe work practices.

You will be expected to carry out risk assessments, identify hazards in your work place, and evaluate the level of risk associated with identified hazards and implement adequate controls to eliminate or reduce the level of risk.

OR FOR MANAGEMENT GRADES ONLY

You are responsible for the implementation and adherence to trust Safety Policies and Procedures for areas within your remit.

You are required to ensure suitable and sufficient risk assessments are completed for all areas within your remit. The controls identified must be evaluated and implemented where necessary.

You are required to review all risk assessments periodically and particularly when staffing and/or equipment changes. Monitoring the effectiveness of any control measures implemented

You are to ensure suitable and sufficient equipment is provided to sustain the Health & Safety of staff, patients and visitors to areas within your remit

TRAINING AND PERSONAL DEVELOPMENT

You must take personal responsibility in agreement with your line manager for your own development by ensuring that continuous professional development remains a priority. You will undertake all mandatory training required for the role and participate in supervision/appraisal as necessary.

SAFEGUARDING

Any postholder within the organization will be expected to undertake safeguarding training (Children and Adults) appropriate to their role and adhere to policies and procedures relevant to the area they work in.

INFORMATION GOVERNANCE AND DATA QUALITY

CONFIDENTIALITY

You have a duty to protect the confidentiality of personal information you hold. You should respect patient confidentiality at all times, and protect, and not divulge patient information unless sanctioned by the requirements of the role.

DATA QUALITY

If your job involves collecting and / or inputting data into Trust information systems, and particularly if this relates to service users or other persons, then you must follow Trust policies and procedures to ensure the accuracy and completeness of this information.

Plus for supervisory and management grades

If you supervise or manage staff then you are required to ensure staff understand and comply with Trust policies and procedures concerning the collection and input of data into Trust information systems.

TRUST VALUES

You are required to act at all times in accordance with the Trust values of Improving Lives, Respect and Dignity, Compassion, Commitment to Quality of Care, Everyone Counts and Working Together.

EQUALITY AND DIVERSITY

You have a duty not to discriminate against service users/patients, staff or visitors and to adhere to equal opportunities and equality and human rights legislation.

SPECIAL WORKING CONDITIONS

This section should outline any particular physical or environmental demands of the job but only where this is objectively justified. For example the need to travel from site to site.

INFECTION CONTROL RESPONSIBILITIES

You have the following key responsibilities:

- You must wash your hands or use alcohol gel on entry and exit from all clinical areas and/or between each patient/service user contact.
- You have a duty to attend annual mandatory hand hygiene training (clinical staff) or three yearly mandatory hand hygiene training (non clinical staff) provided for them by the Trust.
- If you develop an infection (other than common colds and illness) that may be transmittable to patients you have a duty to contact Occupational Health or Infection Control and seek advice on its' management.
- Compliance with all infection control policies and procedures will form an integral part of the practice of all staff.

HIGH QUALITY PATIENT CARE

For clinical staff only

You will maintain the highest standards of care and service treating every individual with compassion, dignity and respect taking responsibility not only for the care you personally provide but also your wider contribution to the aims of your team and the NHS as a whole.

You will play your part in sustainably improving services by working in partnership with patients, the public and communities

RAISING CONCERNS

You should aim to raise any genuine concern you may have about a risk, malpractice or wrongdoing at work which may affect patients, other staff or the public or the Trust at the earliest reasonable opportunity. Please refer to the Trust's Whistleblowing/Raising Concerns Procedure

THE NHS CONSTITUTION

Staff within the NHS have legal duties under Section 9 of the NHS Constitution and these should be complied with. A copy of the Constitution can be found on the Trust's staff net or on the NHS Employers web-site.

LINE MANAGER'S NAME

SIGNATURE.....

DATE.....