

Recruitment Information Pack



About KCHFT

We provide wide-ranging NHS care for people in the community, in a range of settings including people's own homes; nursing homes; health clinics; community hospitals; minor injury units and in mobile units.

We are one of the largest NHS community health providers in England, serving a population of about 1.4 million across Kent and 600,000 in East Sussex and London. We employ more than 5,000 staff, including doctors, community nurses, physiotherapists, dietitians and many other healthcare professionals.

We firmly believe our trust belongs to our people – both the people we care for and the people who work here. Our people are our most valued asset and the best resource we have to deliver all that is required of us. They shoulder enormous responsibility for the lives of patients and their working life must reflect this; they should be trusted, have compassionate leadership and be duly recognised for their contribution.



Our values

KCHFT colleagues are expected to be kind and responsive, professional and informative and to contribute to the quality of our services by demonstrating our 'CARE' values:



Compassionate

This is about putting our patients and service users at the heart of everything we do so that the way we deliver our services empowers them, meets their expectations and caters for their needs. It is characterised by having a positive attitude, being kind and polite, understanding diversity and demonstrating respect, patience and tolerance. It is equally about making staff feel truly valued so they feel cared for and are engaged with our vision and values and display these values to each other, whatever their role in the trust.



Aspirational

This is about empowering and being aspirational for ourselves and our patients and service users. It is seeking and supporting continuous improvement, a focus on research, generating ideas and innovations and being adaptable to change. Sharing information, resources and ideas to deliver excellent outcomes. It is characterised by openness, transparency, and thinking creatively.



Responsive

This is about listening and acting and is characterised by effective relationships, communicating clearly, doing what we say we will when we say we will, asking and taking account of opinions, planning with patients and service users and working across organisational boundaries. It is about working with and being responsive to our commissioners and stakeholders and designing services with them. It is also about effective working relationships within teams and across internal boundaries to deliver outcomes that improve our patients' experience. It is equally about applying these principles every day, working with staff so they feel valued and empowered.



Excellent

This is about striving to deliver the best care we can. It is about providing high quality services and wanting the best for our patients. It is also about leading by example and supporting and growing a culture of excellence in our teams. It is characterised by challenging complacency, tackling inappropriate and challenging behaviour and striving for continuous improvement.

Claims and Inquest Manager Job Description

AFC Banding:	7	Base:	Hybrid
Hours:	37.5 hours per week	Contract Type:	Permanent
Responsible to:	Chief Nurse	Directorate/ Division:	Clinical, Care & Quality

Role overview

The post holder will co-ordinate the management and investigation of claims and potential claims in liaison with NHS Resolution, and will co-ordinate and manage the preparation and representation of the Trust at Inquests. The post holder will be further responsible for provision of legal information and advice on ongoing and potential legal proceedings to management of various levels, Committees and the Board as required. The post holder will provide support guidance and advice to Trust staff on all aspects of legal services by way of training, written policies and ad-hoc legal advice on a variety of clinical and non-clinical law issues and will proactively engage with services to ensure that lessons are learnt and disseminated across the Trust.

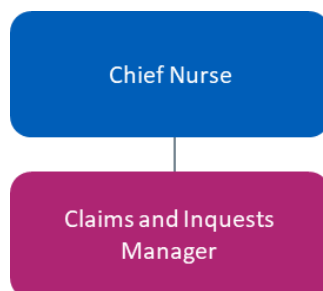
Service overview

The Clinical, Care and Quality Directorate follow the six Cs - care, compassion, competence, communication, courage and commitment. The directorate seizes every opportunity to create a culture where people are placed at the heart of their care and treated with compassion, dignity and respect. Committed to ensuring services are safe, effective, responsive, and high-quality, the directorate provide professional leadership to deliver training and education, robust governance, specialist expertise, guidance and support, and innovation and research. This post holder will play a key role in delivering the vision of the service, disseminating lessons learnt across the directorate and Trust.

Key working relationships

Internal: Clinical and non-clinical staff, senior management, executive etc.
External: External lawyers, outside agencies, NHSR, etc.

Organisational chart



Job Summary

This post has great potential for influencing patient care quality improvements, and changing policy procedures as a result of the lessons learned through claims. Key duties will include:

General Duties

- Ability to communicate and present highly complex and often contentious information clearly, concisely and confidently a wide range of people from different backgrounds, including both lay and professional people.
- Negotiating, drafting, and reviewing legal documents and agreements and providing legal guidance and support to Trust staff on legal issues.
- Proven ability to analyse and interpret complex information and make recommendations for action. Analyse and challenge multiple strands of information provided by senior members of the Trust and sense check it to ensure consistency and rationality.

- Ability to plan and organise complex claims' investigations, possibly involving several parties, services and organisations and to actively contribute to dispute resolution strategies.
- Provide support and guidance on a wide range of clinical and non-clinical issues and policies, including but not limited to healthcare and coronial law, data protection and privacy law, equality and diversity, criminal law, clinical governance and NHS healthcare, general litigation, health and safety, public liability and any other area of law as required from time to time. Seeking advice from external legal advisors where appropriate.
- Advise and influence the Organisation on the interpretation of national policy and guidance relevant to claims and Coronial matters. Ability to interpret regulations and guidance for the benefit of patients, practitioners and the public and develop local policies addressing the law, Trust position and current national guidance.
- Support Trust staff involved in ongoing litigation, providing guidance and assistance to those members of staff asked to give evidence in ongoing Court, regulators' and coronial proceedings involving the Trust, and to review and advise staff on the provision of external statements and reports, including, but not limited to, police witness statements and reports for the Coroner.
- Ensure a comprehensive database is developed and maintained thus facilitating effective and comprehensive reporting of claims to the Board, its committees and heads of service and to ensure diligent reporting in respect of legal activity including claims, inquests, outcomes and learning to senior managers and Committees.
- Represent at meetings as and when required, including meetings with witnesses to prepare robust statements or provide support, at departmental meetings, or external meetings with Counsel and/or NHSR panel solicitors.
- Proactively engage with relevant directorates (e.g. Communications) to assist with reputation management.
- Undertake audits or surveys of own work as necessary.
- Work with Patient Experience teams to promote local resolution where possible and reduce the prevalence of claims, and to triangulate with Patient Safety and Risk Management teams to ensure that lessons are learnt across services, and to disseminate such lessons Trust wide.
- When required, to provide information to understand and use the claims procedure.
- Develop and deliver specialist training packages to Trust staff on a wide range of medicolegal issues including, but not limited to, documentation. Responsible for identifying and responding to training and development in the wider Organisation.

Claims Management

- To ensure all clinical negligence, employer's liability and public liability claims and potential claims are managed to a high standard and in accordance with NHS Resolution (NHSR) procedures.
- To ensure all potential claims are fully investigated and litigation risks are identified to enable the legal process to progress appropriately.
- Keep abreast with NHSR scheme rules and guidance, Civil Procedure Rules, Pre-Action Protocols rules as they apply to claims against the Trust.
- Provide support, advice and guidance to members of staff who become involved in the process, and to work with staff to empower changes of practices to maximise patient safety and satisfaction, reducing inherent litigation risks.
- Where appropriate, to identify best practice and to provide feedback to various departments/teams within the organisation as to how they might be able to improve on areas of care, and to make recommendations for local implementation.

- To ensure that sensitive and patient focused responses are provided to potential claimants and to focus on resolution whilst protecting Trust's position.
- To manage own caseload of claims and attend Court hearings, case conferences, Round Table Meetings, etc. as required.
- To ensure that all relevant evidence is identified at the earliest possibility and preserved, obtained and considered; to review patient medical records in order to identify relevant members of staff implicated in the claims, to gain knowledge of the clinical and legal issues, to identify what further information is needed to investigate, ascertain areas of strength and weakness of the parties' cases and to determine Trust's position.
- To obtain external legal advice for Trust staff on legal matters outside of area of expertise.
- To ensure agreeing, authorising and progression of payments of claim excess, damages, court, and case costs. Responsibility for overseeing consideration of financial consequences when advising on and considering settlement of claims, impacting on Organisational budgets.
- To advise the Chief Nursing Officer of matters that are settlement / defence / admission stage and to seek appropriate instructions on the same.

Management of Coronial Matters

- Ensure all Coroner's Inquests and Investigations involving the Trust are managed to a high standard and in accordance with local policies, that all relevant evidence is identified at the earliest possibility and preserved, obtained and considered to ensure all Coronial matters are investigated fully and potential risks are identified to enable the legal process to progress appropriately.
- Ensure appropriate representation of the Trust at Inquests, ensuring that very clear and concise instructions are provided to advocates.
- Provide support, advice and guidance to members of staff who become involved in the process, and to work with staff to empower changes of practices to maximise patient safety and satisfaction, reducing inherent litigation risks.
- Where appropriate, to identify best practice and to provide feedback to various departments / teams within the organisation as to how they might be able to improve on areas of care, and to make recommendations for local implementation.
- To manage own caseload of Inquests and to attend Court hearings.
- To review patient's medical records in order to identify relevant members of staff, to gain knowledge of the clinical and legal issues, to identify what further information is needed to investigate, ascertain areas of strength and weakness and to determine Trust's position.
- To identify risks to Trust's reputation and continue to review issues as they arise during the course of an Inquest, working closely with the clinicians and internal stakeholders (such as Communications Department, senior Trust management, etc.).

Working Conditions	
Physical Effort	Standard IT skills; Ability to travel across the health economy, in a timely manner to ensure completion of role; There will be a requirement for a combination of sitting, standing, bending, stooping, walking and driving.
Mental Effort	Frequent prolonged requirement for concentration to undertake tasks requiring accuracy and attention to detail. Need to switch concentration across several subjects.
Emotional Effort	Managing distressed claimants, in writing, verbally and face to face. Potential exposure to distressing subjects.

Freedom to Act	Works on own initiative as autonomous practitioner within broad occupational policies; Lead practitioner for area of specialism. Professionally accountable and responsible for all aspects of own workload. Seeks guidance as necessary.
Working Conditions	Required to use a computer continuously throughout the day, with most tasks being keyboard based.

This is an outline job description designed to summarise the key responsibilities of the role and is not intended to cover every task that may be required. The post holder will be expected to be flexible to respond to change and organisational need.

Job description agreement		
Job holder's name:		
Job holder's signature:		
Date:		
Line managers name and title:		
Line managers signature:		
Date:		
Person Specification		
	Essential	Desirable
Qualifications	<p>Specialist related degree and evidence of relevant post graduate development at Level 6 or equivalent experience</p> <p>Evidence of Post Graduate Specialist qualifications relevant to area of practice, such as Claims Management Diploma</p>	<p>Medical terminology awareness</p> <p>Law Degree (or other degree with completion of relevant conversion course - GDL)</p>
Experience	<p>Specialist knowledge built through experience of working in the NHS, local authority, solicitor's practice or insurance company handling claims.</p> <p>Theoretical and/or practical knowledge in: understanding key national and local priority targets, implementation of policies and procedures, project management, delivering specialist training and support to staff</p> <p>Management of concurrent projects and conflicting priorities</p> <p>Interpretation of national guidance/legislation and subsequent local implementation</p> <p>Experience of managing Coronial matters</p> <p>Experience of defending claims against healthcare providers</p>	<p>Understanding of NHS Community Services</p>
Knowledge	<p>Thorough knowledge of healthcare law and legislative frameworks and of interpreting legal principles and policy guidelines.</p> <p>Knowledge of data protection and privacy law, equality and diversity, criminal law, health and safety, public liability and any other relevant areas of law.</p> <p>Knowledge of regulations relating to claims management and practical application of pre-action protocols for clinical and personal injury claims and civil procedure rules.</p>	<p>An understanding of the NHS current agenda and challenges</p>

	<p>Knowledge of the legislative framework governing employer's liability, occupier's liability, and clinical negligence.</p> <p>An understanding of the structure and organisation of a comparable NHS organisation.</p> <p>Thorough knowledge of CNST and LTPS Regulations and Rules.</p>	
Skills & abilities	<p>Ability to understand, analyse and interpret complex and sensitive clinical information and other data from different resources, cross check it for consistency.</p> <p>Ability to take evidence from witnesses and submissions in Court or Tribunal</p> <p>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 claims and negotiating and advising on the settlement</p> <p>The ability to develop and deliver training and presentations to audience from non-legal backgrounds</p> <p>Competence in the use of Datix and NHS Resolution portal</p> <p>Organisational skills with a methodical approach in all aspects of work</p> <p>Analytical and problem-solving skills</p> <p>Able to carry out legal research</p> <p>Ability to develop working relationships and to influence others in order to deliver results</p> <p>Ability to communicate best practice in complaints handling to support staff as an integral part of their job development</p> <p>Ability to interpret regulations/guidance for the benefit of both patients and practitioners, and proficiency in developing and implementing legal policies and ability to provide expert legal advice on relevant Trust wide policies</p> <p>Excellent standards of written and verbal communications, with the ability to read and prepare legal documentation and case papers and to clearly communicate complex issues</p> <p>Ability to communicate highly contentious, sensitive and complex information (both written and oral) often within an antagonistic atmosphere.</p> <p>Excellent abilities in concise and accurate report writing and presentation of information</p> <p>High level of organisational skills with the ability to work to deadlines</p>	

	<p>Ability to work independently without day to day supervision</p> <p>Competence in the use of Word, Excel, databases and e-mail and the ability to apply IT skills effectively</p>	
Personal attributes	<p>Initiative, common sense and attention to detail</p> <p>Personal resilience when faced with exposure to information relating to distressing or emotional circumstances</p> <p>Ability to deal calmly with challenging service users and distressed members of staff</p> <p>Ability to maintain constructive relationships with staff at all levels within the Trust including the Executive, Managers, Clinical Leads and senior clinicians with key external organisations</p>	

Additional Information

Standards of Business conduct	<p>The post-holder will be required to comply with the Trust's Standing Orders and Standing Financial Instructions, and at all times deal honestly with the Trust, with colleagues and all those who have dealings with the Trust, including patients, relatives and suppliers.</p> <p>All Trust staff may be involved directly or indirectly with people who are receiving a health service. Therefore, the Trust is exempt from the Rehabilitation of Offenders Act (1974) and this post may be subject to a Criminal Records Bureau disclosure.</p> <p>It should also be stated here if the post holder is expected to adhere to any professional guidelines or codes of conduct, for example the Nursing and Midwifery Council Code of Professional conduct.</p>
Risk Management	<p>The post-holder will ensure compliance with the Trust's risk management policies and procedures. These describe the Trust's commitment to risk management, the recognition that our aim is to protect patients, staff and visitors from harm, and stress that all staff have a responsibility to minimise risk.</p>
Governance Standards	<p>Comply with the relevant governance standards applicable to the Trust as communicated to the post-holder from time to time.</p>
Data Protection	<p>To comply with Trust Policies and the Data Protection Act in all respects, with particular relevance to the protection and use of patient information.</p>
Confidentiality	<p>Trust employees are required to ensure that information about patients and staff is safeguarded to maintain confidentiality and is kept securely in accordance with General Data Protection Regulations (GDPR), Data Protection Act 2018 (DPA18), the Caldicott Principles 1998 and the National Data Guardian Data Security Standards. The trust's Data Security and Protection policy and the Cyber, Network and Information Systems policy provide guidance on how this can be achieved.</p>
Child/Adult Safeguarding	<p>All staff must be familiar with and adhere to Trust child/adult safeguarding procedures and guidelines, in conjunction with Kent Safeguarding Children/Vulnerable Adults Board procedures and supporting policies/guidelines. All staff are required to attend child/adult safeguarding basic awareness training and</p>

	additional training regarding child /adult safeguarding, commensurate to their position and role.
Records Management	To maintain Trust and patient records (both paper and electronic) in accordance with Trust policies to facilitate clinical care and effective administration.
Freedom of Information	To provide advice and assistance to all persons who propose to make, or have made requests for information, and to ensure all requests for information are managed appropriately in accordance with Trust Freedom of Information procedures.
Security	To comply with Trust policies to ensure there is a safe and secure environment that protects patients, staff and visitors and their property, and the physical assets and the information of the organisation.
Infection Control	The post holder will ensure compliance with the Trust's Infection Prevention and Control policies and procedures and the Health Act 2006, ensuring that the risk of healthcare associated infection to service users and staff is minimised.
Freedom to Speak Up (Whistleblowing)	The post holder has responsibility for patient and staff welfare and should raise any concerns relating to a breach of NHS policies and procedures with their manager or refer to the Freedom to Speak Up Policy for alternative options.
Environmental Impact	The post holder will ensure compliance with the Trust's environmental management policies and procedures. These describe the Trust's commitment to climate change and carbon management, the recognition that our aim is to protect the environment and the use of natural resources that all staff have a responsibility towards.
Performance review	<p>This Job Description will be used as a basis for individual performance review between the post holder and the manager.</p> <p>The Job Description covers only the key result areas and, as such, does not intend to provide a comprehensive list of objectives. Specific objectives will be reviewed each April, and may develop to meet the changing needs of the service. The post holder will need to take due account, in the way they achieve the key result areas, of Trust policies and procedures.</p>
Equality and Diversity	The Trust aims to maintain the goodwill and confidence of its own staff, service and users and the general public. To assist in achieving the objective it is essential that at all times employees carry out their duties in a courteous and sympathetic manner. The post holder will carry out their duties in accordance with the Trust's Equal Opportunities Policy respecting the differing backgrounds of colleagues and clients.