Job Description

Job title: Legal Adviser
Pay band: S1
Reports to: Managing Director
Location: London (with travel to Manchester).

Job Purpose

To lead and manage the Ombudsman’s legal services division and be accountable for providing a high-quality, effective and legal service to the organisation. The division will provide a number of functions and resources, and the Director will be responsible for:

- **Legal services** - providing technical legal advice on casework and providing legal counsel to the Ombudsman, Managing Director and Leadership Team.
- **Data Protection and Freedom of Information** - handling data protection and Freedom of Information queries and requests received by the PHSO.
- **Review** - effectively and efficiently handling complaints and requests for review about any aspect of the PHSO service and enquiry and investigation decisions.
- **Supervision of Trainee Solicitors** in accordance with Solicitors Regulation Authority requirements

Working as part of the Leadership Team you will help set strategic priorities and make strategic business decisions across the Office and work collaboratively with senior management to deliver and embed the Strategic Plan.

Key Accountabilities

Strategic leadership and management accountabilities

- Provide high quality leadership and development to enable individual managers to meet their own, team and corporate business objectives.

- Provide support to the Managing Director and through her the Ombudsman and Unitary Board, to deliver the Strategic Plan for 2013-18.

- As Head of Legal, you will support and lead Executive Team colleagues to make improvements in the business processes, training, policies and procedures, particularly those that are related to legal issues.

- Manage resources and budgets, ensuring we can set and achieve our business performance targets as set out in the business plan.
• Provide comprehensive and best practice legal advice to PHSO and ensure management of legal risks and legal compliance processes are in place and properly executed.

• Monitor the provision of commercial agreements and contracts from external legal firms where relevant.

• Ensure contribution to and delivery of the Equality and Diversity aims and objectives, and monitoring of the equality impact of activities within the remit of the division, as well as the development of human rights considerations in our work.

• Provide legal advice on audit and compliance functions to ensure they are aligned with the objectives of PHSO and the legal department.

• To develop legal strategies and public policies to help reduce lawsuits, and to overcome differences and problems with external parties.

• Monitor laws and regulations that affect the operation of PHSO and present views to senior management with recommendations.

Operational accountabilities

Legal services

• Provide counsel to the Leadership Team, the Managing Director and the Ombudsman regarding the best interests of PHSO and ensure it is operating within the relevant statutory and legal frameworks at all times in the delivery of its role.

• Provide technical legal advice on casework across PHSO.

• Provide advice, policy development and lead management on potential changes required to PHSO’s legal framework needed to deliver future aspects of the Strategic Plan.

• Responsible for developing, managing, and delivering legal strategies and delivery of legal issues to achieve our Strategic Plan.

• Work with Leadership Team colleagues and across the business to build understanding and good practice in the legal issues and implications of delivering our core role (eg through legal surgeries, development of legal toolkits, briefing material etc).

• Monitor, manage and report on legal services and the legal risk exposure of PHSO in a proportionate and timely way.

• Understand the business vision of PHSO and translate this into best practice legal operations thereby operating as a trusted legal Adviser for the senior management team.

• Support the Ombudsman and the Unitary Board to apply the governance and delegations framework for the Ombudsman’s Strategic Plans Aims and Objectives.
• Provide general legal support and counselling to PHSO including advising on strategic initiatives, regulatory compliance and employment matters.

• Research legal issues impacting the organisation by identifying applicable legislation, case law, and guidance.

• Keep abreast of legislative changes that may affect the organisation.

• Perform pre-litigation work to minimise risks and maximise legal rights.

• Act as PHSO’s legal counsel, and represent and advise management at all court hearings and meetings.

Review
• Provide an efficient and effective complaints service about any aspect of the PHSO service including enquiry and investigation.

• Design, develop and deliver improvements to review process, to handle more cases more quickly where possible.

• Define approach and criteria for acceptance of review cases.

• Provide insight generation on causes of review.

• Maintain contact and engagement throughout the review.

Data Protection and Freedom of Information

• Handle data protection and Freedom of Information queries and requests received by PHSO within the statutory time limits, PHSO service standards and ICO guidance.

• Work with the Knowledge and Information Management team to develop information assurance, security and data protection policy and improvements.

• Feedback lessons learned on handling information.

• Maintain the Publication Scheme

The post will involve regular travel to the Manchester site with possible overnight stays.

This job description is not intended to be exclusive or exhaustive. It is an outline indication of the areas of activity and may be amended to reflect the changing needs of the organisation.
Person Specification - Legal Adviser

Knowledge

- Qualified solicitor with at least 5 consecutive practicing certificates including the current one;
- An understanding of the services provided by PHSO and the Ombudsman’s role and the strategic context and framework within which we operate;
- An understanding of the complaints landscape in the public sector, particularly the NHS, central government and executive agencies.

Experience

- A highly experienced generalist lawyer who is familiar with most areas, in particular public law
- Experience gained either in-house or in private practice dealing with Government Departments, Executive Agencies, statutory regulators, other Ombudsmen or Local Government, with the ability to demonstrate a sound understanding of the challenges facing PHSO;
- Excellent written and verbal communication skills;
- Must be able to work independently and interact with all levels of management;
- Strong understanding of workflow process;
- Attention to detail and strong organisational skills;
- Consultative approach to supporting business objectives while mitigating risk;
- Experienced people manager able to lead and manage a large team through change;
- Experience of working at Board level or equivalent.

Competencies

DELCERING RESULTS

1. Planning & Delivering Work

- Translates strategic priorities into clear direction and associated plans for own area of responsibility.
- Maintains a focus on priorities, holding others to account for delivery against them and responding nimbly to changing circumstances, reprioritising as strategy and context evolve.
- Monitors overall progress, measuring success and addressing performance shortfalls in a timely manner.
- Anticipates upcoming threats and opportunities before they arrive and responds with decisive leadership.
- Demonstrates high levels of personal resilience even when faced with obstacles and setbacks.
2. Quality Outcomes & Customer Focus

- Builds stretching customer focussed strategies and targets, with a clear focus on raising standards in customer service.
- Uses all available customer insights to develop services, alongside delivery partners, that meet the diverse range of customers’ current and future needs.
- Role models desired customer service behaviours and promotes a culture based on ensuring customer needs are met.
- Keeps abreast of changing legal and regulatory requirements and ensure they are adhered to within department.
- Drives and implements the structures, systems and resources needed to ensure high quality service provision and provision of ‘value for money’.

SETTING DIRECTION

3. Decision Making/Problem Solving

- Gathers data systemically from a wide range of sources, internal and external, to ensure a well-rounded and objective view of situations.
- Rigorously analyses all aspects of a problem, including the consideration of root causes, prior to developing direction and is flexible in the face of change.
- Breaks down complexity for themselves and communicates complex situations in simple terms to their team and key stakeholders.
- Identifies and mitigates risks (including reputational risk) associated with different approaches.
- Involves others and consults appropriately but also takes decisive action where required.

4. Changing, Innovating & Improving

- Challenges thinking to generate breakthrough ideas that enable better ways of delivering services, giving people the space to think creatively.
- Flexes the overall goal, plan or activities within it in response to changes in the environment.
- Streamlines organisational processes, challenging inefficiencies and unnecessary bureaucracy.
- Builds and uses external partnerships to expand influence in shaping policy to provide best quality services.
- Role models and encourages behaviours in others that promote ‘managed’ risk taking across the business.

5. Vision & Strategic Thinking

- Establishes and communicates a vision and strategy for their area that supports the achievement of the organisation’s overall strategic aims.
- Takes time to build critical support for the vision and strategy, tailoring the way they present it so that it is understood by everyone at all levels.
- Considers and rigorously analyses a range of options before formulating direction and making decisions.
- Proactively builds and maintains relationships with key external stakeholders.

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- Stands back from immediate solutions and takes account of the bigger picture when setting goals.

6. **External Sensitivity**

- Builds external relationships and networks that go beyond immediate gain.
- Scans the environment (economic, political, social, technological) to identify future challenges and opportunities that will create the need for change. Keeps up with trends and cutting edge practice from beyond their own context.
- Utilises external factors in deciding recommendations and policy.
- Contributes to strategy formulation based on understanding of relevant external trends and the broader environment.

**ENGAGING PEOPLE**

7. **Leading & Managing**

- Works to gain the team’s buy in to direction, effectively communicating the context in order to build their understanding of what is important and why.
- Leads from the front as a visible leader, modelling desired behaviours for the team to follow.
- Fosters a culture where talent management and personal development are highly valued and models this with own team and self e.g. coaching team members with long term development needs in mind.
- Acts as an ambassador for the organisation externally and internally, publicising the vision and promoting their reputation.
- Actively promotes diversity and equal opportunity, inside and outside of the organisation.

8. **Communicating & Influencing**

- Clearly identifies all relevant stakeholders that need managing for both the short and longer term, internal and external, including the less obvious ones.
- Possesses strong interpersonal skills, based on self-awareness and the ability to empathise with others.
- A credible and impactful communicator who clearly articulates their message and adapts it for a variety of audiences, dependent on their needs and concerns.
- Employs sophisticated influencing strategies when required e.g. indirect influencing through 3rd party channels.
- Leads by example through encouraging diversity of opinion and challenging others if they inhibit this.

9. **Working Together**

- Develops effective networks and encourages contributions from a wide range of stakeholders for a variety of purposes.
- Facilitates collaborative working across departments in order to drive wide reaching improvements, role modelling ‘boundary-less’ behaviours.
- Focuses on the delivery of shared goals and actively encourages knowledge and resource sharing across departments.
• Constructively reconciles conflicting views, effectively integrating others opinions and drivers to create a way forward.
• Builds and develops high performing teams that work well together to deliver effective outputs.