

## POSITION DESCRIPTION

# Lawyer

### Our CORE values

Collaboration Openness Respect Empowerment



Organisation	NSW Health
Local Health District / Agency	Illawarra Shoalhaven Local Health District
Position Classification	Health Mgr Lvl 3
State Award	Health Managers (State) Award
Category	Legal   Solicitor
Vaccination Category	Category B
ANZSCO Code	599112 Legal Executive
Website	<a href="http://www.islhd.health.nsw.gov.au/">www.islhd.health.nsw.gov.au/</a>

## PRIMARY PURPOSE

The primary purpose of this position is to deliver timely and solutions focused advice and legal services for ISLHD. Under the supervision of the Head of Legal, the position will provide legal advice in relation to medico-legal, coronial processes, litigated and non-litigated claims of negligence, subpoena and privacy requests and other organisational medico-legal requests.

The position includes coordinating the review of evidence to support the preparation of reports for coronial and medico-legal matters and liaising with internal and external stakeholders to ensure the organisation meets medico-legal requirements in coronial and health liability matters.

## COVID-19 VACCINATION COMPLIANCY

The Public Health (COVID-19 Vaccination of Health Care Workers) Order 2021 commenced on 26 August 2021. The Order establishes mandatory requirements for health staff and persons working in health settings to be vaccinated with a COVID-19 vaccine. Mandatory COVID-19 vaccination will now be required for all NSW Health staff.

## KEY ACCOUNTABILITIES

- Provide advice and legal services in relation to medico-legal, coronial processes, privacy, administrative, contract and guardianship matters across ISLHD under the supervision of the Head of Legal.
- Ensure all legal requests and requirements from legal service providers, Ministry of Health (MOH), Treasury Managed Fund (TMF) and the Coroners Court are reviewed and instructions provided.
- Appear on behalf of ISLHD in the NSW Civil and Administrative Tribunal, District Court and similar jurisdictions as required.
- Ensure all systematic and strategic legal risks are identified and raised with the Head of Legal and proactively work with ISLHD Executive to facilitate solutions.
- Lodge new or potential claims with the TMF, and prepare coronial checklists for lodging with MOH for coronial investigations of significance.
- Collect and coordinate all evidence and expert opinions for coronial and medico-legal matters.
- Prepare and disseminate risk management advice for medico-legal matters.
- Negotiate with internal and external stakeholders, including legal services providers to coordinate medico-legal witness conferences between the legal services provider and relevant parties for the preparation and finalisation of statements.

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- Coordinate and prepare internal and external stakeholders for court appearances for coronial inquests, and medico-legal matters if required.
- Maintain a District medico-legal data base and ensure peak District safety and quality committees, such as the Board Health Care Quality Committee and ISLHD Clinical Governance Council, are provided regular reports on current claims, coronial inquests and investigations, are finalised cases.
- Together with the Patient Safety and Clinical Risk Management team, undertake District-wide review and analysis of performance trends from health liability and medico-legal data and investigation findings to inform the development of proactive systems to improve patient outcomes.

## KEY CHALLENGES

- Determining the appropriate pathway and requirements for all new and potential medico-legal claims and coronial investigations.
- Ensure all requirements for the management and processing of Coronial inquests and investigations, litigated and non-litigated claims of negligence, subpoena and GIPA requests related to medico-legal cases are completed in a timely manner.
- Exercising diplomacy and maintaining legal privilege while collecting and assimilating information for a variety of different sources.

## KEY RELATIONSHIPS

Who	Why
ISLHD Executive	Liaise closely and provide legal advice and services in response to medico-legal and other legal matters.
ISLHD Hubs and Services	Liaise closely with ISLHD Hubs and Services to ensure that responses to medic-legal matters or requests for information are accurate and provided in a timely manner.
Ministry of Health Legal and Finance team	Act as a liaise person for the Ministry of Health, Offices of the Minister for Health, and other Ministers and their offices as required in order to ensure ISLHD meets its medico-legal requirements.
TMF and LHD Legal Services Providers	Develop and maintain strong communication channels with legal services providers to support timely and appropriate management of cases.
Coroner's Courts and Police	Respond to requests for information as required.

## SELECTION CRITERIA

1. A bachelor's degree in law and holding or being eligible to hold a current legal practising certificate as an Australian lawyer.
2. Demonstrated legal practice experience in government and/or private sector practice areas.
3. Ability to undertake legal research and well-developed legal written communication and report writing skills.
4. High level interpersonal skills with the ability to liaise effectively with relevant stakeholders, including

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- ISLHD Executive, staff, medical practitioners, complainants, witnesses, police, counsel and members of the public
5. Demonstrated ability to operate without supervision, manage multiple matters concurrently and contentious or sensitive situations.
  6. Strong working knowledge and experience in checking multiple health information systems, Microsoft Office and electronic clinical and administrative applications used by health services.