



JOB DESCRIPTION

Job Title: Mental Health Legislation Assistant
Grade: Band 4
Hours: Full-time 37.5 hrs Mon-Fri
Reporting to: Mental Health Legislation Administrator
Accountable to: Mental Health Legislation Manager
Location: TBC

Job Purpose:

To assist with the provision of a Mental Health Act administrative service across the Trust. Liaising with all relevant and appropriate services and departments to ensure a high quality, efficient and effective service is provided. To maintain patients' MHA files, following the Trust Care Records Policy and Procedures.

Job Summary:

- To arrange Hospital Manager Panels for review of patients' detention under the Act, make arrangements for Tribunals, chase reports, liaise with professionals and service users. To assist with ensuring that all hearing proceedings run smoothly.
- To enter MHA paperwork onto the RIO system in a timely manner, ensuring a high degree of accuracy at all times.
- To deal appropriately with all incoming and out-going post as required.
- To provide activity reports at the request of the Mental Health Legislation Administrator or Mental Health Legislation Manager as and when required.
- To carry out archiving as and when required.
- To assist in the administration of the Mental Capacity Act and Deprivation of Liberty Safeguards (DoLS) process.

Organisational Chart



Key Communications and Working Relationships

Internal: service managers, clinical managers, community mental health teams, home treatment teams, assertive outreach teams, matrons, Mental Health Legislation Manager, legal department, complaints, care records, administration managers, responsible clinicians, medical staff, medical and team secretaries, ward administrators other mental health professionals and administration staff across the Trust.

External: Patients, visitors, carers, Care Quality Commission, Tribunal Service, Lay Managers, GP's, Ministry of Justice, HMP Prisons The Police, Probation services, Solicitors and other external agencies and professionals.

PRINCIPLE DUTIES AND RESPONSIBILITIES:

1. To act as first point of contact to patients and visitors to the Mental Health Legislation Department, communicating with them in a polite and courteous manner, ensuring good customer relations are practiced at all times. To deal with any enquiries taking messages and forwarding them on in an appropriate and timely manner.
2. To write to patients and nearest relative (where appropriate) to inform of their detention this should include CTO's in the absence of the MH Legislation Administrator.
3. To maintain confidentiality and know when it is appropriate and acceptable to share patient information (CoP ch10)
4. To receive and record correspondence for the statutory requirements of Tribunals, Reviews and Renewals of detention undertaken by the Hospital Managers of patients subject to detention under the MHA 1983. From the receipt of correspondence to the final outcome of each case, accurately processing documentation in an effective and confidential manner with speed and efficiency.
5. To receive and scrutinise all MHA documentation for accuracy, in line with legal requirements, to ensure patients are detained legally; notifying all relevant personnel of any illegal detentions revealed (Patients, Ward staff, Responsible Clinician, MH Legislation Administrator, Mental Health Legislation Manager and Trust Legal Department.
6. To ensure Mental Health Act documentation is forwarded to the duty Responsible Clinician for medical scrutiny and returned within the 14 day as specified in Section 15 of the MHA 1983.
7. To ensure that Consent to Treatment forms are received, requesting any outstanding paperwork to ensure patients are treated in accordance with legal requirements. To input details onto RIO. To notify relevant Health Professionals of any due Consent to Treatment expiry dates.
8. To assist the MHLA in the maintaining accurate records of all steps in both MHA and DoLS process, including manual, standalone and NHS database systems, maintenance of accurate diary and systems
9. To communicate with all relevant professional staff, hospital managers (MHA) and outside agencies to arrange hearing dates.
10. To process documentation, organise and confirm hearing dates and advise relevant parties of outcomes. Including photocopying Tribunal Decision Forms to the relevant RC, Care Co-ordinator and ward if applicable.
11. To collate and maintain statistical information for reporting activity under the MHA and assist in the preparation of required reports.
12. To organise, maintain and close files as appropriate.
13. To assist and provide general administrative support.

14. To ensure that MHA procedures are adhered to both locally and across the Trust.
15. To ensure that any up-dates to MHA procedures are implemented as and when required.
16. To maintain accurate records of Trust services, contact points and key personnel.
17. Input all legal status activity onto patient record system RIO accurately and in a timely manner.
18. To be responsible for prioritising own workload.

DEPARTMENTAL

1. To cover across the relevant divisions during times of sickness or absence.
2. To supervise and train lower grade administration staff as required i.e. temporary staff.
3. To report any equipment faults to the MH Legislation Administrator as necessary.
4. To be responsible for local stationery/stock ordering for the Department on a monthly basis and to control the issue of stationery etc
5. To be the point of contact for information/notices to be displayed/distributed throughout department.
6. The post holder is responsible for reading, understanding and complying with all relevant Trust and Statutory Policies and Procedures.
7. To work using own initiative with minimal supervision, prioritising own workload in line with the objectives of the MH Legislation Administrator.
8. The post holder will be responsible for ensuring the security of both electronic and manual patient information (manual being the MHA File). This information should be kept safe and secure at all times; adhering to the Trust's Care Records Policies and Procedures at all times.
9. To attend mandatory training/away days and to actively participate in new developments within the Department and the Trust.
10. To be responsible for participation in the Trust's Appraisal/PDP process, identifying own professional and personal development and training needs.
11. To undertake any new service improvements/modernisation initiatives.
12. To adapt well to change in the light of the developing service

Education and Training

- 1.** To attend courses and undertake training and development activities in order to ensure up to date knowledge of case law in relation to the Mental Health and any other training, as well as continuing professional and personal development.
- 2.** All staff have responsibility to participate in regular appraisals with their manager to identify training and development needs

General

Confidentiality

It is a condition of employment that staff will not disclose any information obtained in the course of their duties other than to those entitled to receive it. The post holder must ensure that the confidentiality of personal data remains secure and the terms of the Data Protection Act and relevant trust policies are met in respect of information held on the Trust's computerised systems.

Equal Opportunities

The Trust is committed to equality of opportunity. All staff are required to comply with current legislation, trust policies and guidance good practice and the NHS Executive's Planning & Priorities Guidance 1996/7.

Conduct

It is expected that all employees will conduct themselves and represent the Trust in a responsible manner and comply with all policies and procedures;

Risk Management and Health & Safety

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, employees and visitors from harm, and stress that all employees have a responsibility to minimise risk. The post-holder will be required to observe local Health & Safety arrangements and take reasonable care of him/herself and the persons that may be affected by his/her work;

Safeguarding

All members of employees have a duty to safeguard and promote the welfare of vulnerable adults, children and young people in all relevant areas of their work. This will include any timely attendance at relevant training events and compliance with the Safeguarding Procedures;

Training, Education and Development

All employees have a responsibility to participate in regular appraisal with their manager and to identify performance standards of the post. As part of the appraisal process every employee is responsible for participating in identifying his or her own training and development needs to meet their KSF outline;

Research and Development

Research and development is at the heart of providing effective treatment and high quality services, supporting a culture of evidence based practice and innovation amongst employees. All employees have a duty to be aware of and comply with their responsibilities for research governance, whether as researchers, as part of the team caring for those participating in research or as research participants themselves;

Control of Infection

All employees whether clinical or non-clinical are required to comply with the Health and Social Care Act 2008: Code of Practice for health and adult social care on the prevention and control of infections and related guidance;

Therefore the post-holder is expected to keep patients, visitors, themselves and other employees safe by continuously reducing the risk of healthcare associated infections;

As a manager the post holder is required to ensure that infection control responsibilities are clearly identified, allocated and understood within your team and that appropriate

resource, training and support is provided to ensure that they are compliant with Trust policies and procedures on Infection Control and Hygiene;

As a manager the post holder is required to ensure that employees are supported in attending the necessary training and on-going professional development to support their responsibilities and ensure full awareness of infection control and hygiene;

Governance Standards

Comply with the relevant Governance Standards applicable to the Trust as communicated to the post-holder from time to time;

Records Management

Maintain Trust and patient records (both paper and electronic) in accordance with Trust policies to facilitate clinical care and effective administration;

Freedom of Information

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;

Standards of Professional and Business Conduct

The post-holder will be required to comply with the Trust's Standing Orders and Stranding 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. The post-holder will also be required to comply with the Code of Conduct for NHS Managers and/or the relevant professional Codes of Conduct;

Data Protection

Comply with Trust Policies and the Data Protection Act in all respects, with particular relevance to the protection and use of personal and patient information;

Security

Comply with Trust policies to ensure there is a safe and secure environment that protects patients, employees and visitors and their property, and the physical assets and the information of the organisation;

Smoking

The Trust operates a No Smoking Policy.

Mobility

This is a Trust Wide appointment and travel around the Trust may be required;

Flexibility

BSMHFT is currently working in a climate of great change within the NHS. It is therefore expected that all employees will develop flexible working practices both within the Trust on a cross-directorate basis, and across Trust's and other organisations to meet the challenges and opportunities of working within the new NHS, which could include taking on new and changing responsibilities, according to the needs of the directorate;

This job description is a reflection of the current position and a summary of the key tasks and may change in light of the developing organisation and in consultation with the post holder. It is the practice of the Trust to regularly examine employees' job descriptions and to update them to ensure that they relate to the job being performed or to incorporate whatever changes are being proposed. This procedure is jointly conducted by each manager and those working directly to him or her. You will therefore be expected to

participate fully in such discussions and in connection with them and to help re-write your job description to bring it up to date if this is considered necessary or desirable. The aim is to reach agreement on reasonable changes, but if agreement is not possible the Trust reserves the right to insist on changes to your job description after consultation with you;
Work will be managed rather than supervised;

Environment

BSMHFT is a major NHS Trust and we pride ourselves in the unique environment which exists for all employees. An environment where innovation is encouraged, hard work rewarded, and where our employees play an inclusive role in new developments;

Health and Safety

Staff must ensure that they are familiar with the requirements of the Health and Safety at Work Act (1974), the Trust's Health & Safety policies/codes of practice or regulations applicable to the workplace.

Birmingham and Solihull Mental Health Foundation NHS Trust is a major NHS Trust located conveniently to the centre of Birmingham, as a Trust, we pride ourselves on the unique environment, which exists, for all our staff.

An environment where innovation is encouraged, hard work rewarded and where our staff, play an inclusive role in new developments.

This job description is indicative only, and the post will continue to evolve as the Trust's priorities develop. It will therefore be revised in consultation with the post holder from time to time and not less than annually. You may also be required to provide cover in other areas following appropriate discussion.

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Job Description Agreement

Budget Holder **Signature**

..... **Name**

Post Holder **Signature**

..... **Name**

Date

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Prepared by: Cheryl Stewart
Designation: Deputy Mental Health Legislation Manager
Date: October 2021

BIRMINGHAM AND SOLIHULL MENTAL HEALTH NHS FOUNDATION TRUST

PERSON SPECIFICATION

JOB TITLE: MENTAL HEALTH Legislation ASSISTANT

<u>ATTRIBUTES</u>	<u>ESSENTIAL</u>	<u>DESIRABLE</u>	<u>HOW IDENTIFIED</u>
TRAINING AND QUALIFICATIONS	<p>GCSE English & Maths Grade C or above or an equivalent qualification.</p> <p align="center">OR</p> <p>Willingness to undertake training to gain certificate in Mental Health Law and Practice</p>	Certificate in Mental Health Law	Application Form Interview
KNOWLEDGE AND EXPERIENCE	<ul style="list-style-type: none"> • Proficient in Microsoft Office applications including Word, Excel, Access and Outlook • Excellent written and spoken English • Ability to produce electronic reports using Microsoft Software including Outlook, Word, Excel, PowerPoint • A good knowledge and experience of the Mental Health Act & procedures • Good keyboard skills • Experience of working to deadlines 	<ul style="list-style-type: none"> • Knowledge or experience of RIO, or other patient administration systems. • Previous experience as an MH Legislation Assistant or • Experience of using a NHS database • Experience of staff supervision 	<p>A/F</p> <p>A/F</p> <p>A/F</p> <p>A/F and I</p> <p>A/F and I</p>

SKILLS	<ul style="list-style-type: none"> • Ability to demonstrate good written and verbal communication skills. • Ability to work equally well as an effective team member and independently with minimum supervision. • Ability to prioritise and organise workload • Excellent accuracy and numeric skills. • Excellent written and verbal communication skills. • Ability to work within established procedures and guidelines. 	<ul style="list-style-type: none"> • Ability to communicate appropriately with people who have had or are recovering from mental health problems. 	<p>Test A/F and I</p> <p>A/F, I and test</p> <p>A/F, I and test</p>
PERSONAL QUALITIES	<ul style="list-style-type: none"> • Well motivated • Confident mature approach • Reliability and flexibility • Able to work on own initiative • Empathy with client group • Patience, tact and diplomacy • Approachable • Diplomatic • Ability to adapt well to change 	<ul style="list-style-type: none"> • Ability to deal with difficult people and situations. 	<p>A/F, and I</p> <p>A/F, and I</p> <p>A/F, and I</p> <p>A/F, and I</p> <p>A/F, and I</p> <p>A/F, and I</p> <p>A/F, and I</p> <p>A/F, and I</p>

<p>OTHER</p>	<ul style="list-style-type: none"> • Excellent time-keeping and attendance record • Willing to attend training • Understanding of the need for confidentiality. • Understanding of Health & Safety in the workplace. • Ability to travel across the sites. 	<ul style="list-style-type: none"> • Data Protection Act/Freedom of information • 	<p>A/F, and I</p> <p>A/F, and I</p> <p>A/F, and I</p> <p>A/F, and I</p> <p>A/F, and I</p>
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Prepared by:
Designation:
Date:

xxxxx xxxx
Deputy Mental Health Legislation Manager
3/1/2019