

JOB DESCRIPTION

Organisation	Lancashire & South Cumbria Integrated Care Board		
Department:	Safeguarding Team		
Job Title:	Court of Protection Practitioner		
Band:	Band 6 AFC		
Hours	37.5 hrs		
Base:	Agile working/satellite base LCC County Hall		
Reports To:	Court of Protection Team Manager		
Responsible for:	Court of Protection Delivery		
Disclosure & Barring Check Required:	<u>YES</u>	NO	Standard
			<u>Enhanced</u>

2. JOB SUMMARY

The post holder will uphold the values of the organisation and lead by example supporting a working culture across the Lancashire & South Cumbria Integrated Care Board (LSCICB):

- To lead on Court of Protection (COP) cases to ensure ICB compliance with The Mental Capacity Act (MCA) and Court of Protection (CoP) for a specified cohort of service users.
- To support and advise colleagues in matters relating to the MCA and DOLS, to ensure current case law and legislation is being imbedded into clinical practice to promote best practice and compliance with the law.
- This role sits in the ICB Lancashire & South Cumbria alongside the Safeguarding Team where health funding is in place, supporting patients in receipt of NHS funding including Continuing Healthcare (CHC), joint funding and complex care funding.
- The post holder will be responsible for developing and setting best practice standards relating to the MCA, safeguarding and associated legislation.

3. FUNCTIONAL ROLE

MAIN DUTIES:

Functional responsibilities including key working relationships.

Professional

- To be responsible for initiating and completing CoP applications and advising and supporting patients and their representatives throughout
- Provide advice and support to commissioning colleagues in relation to the MCA, and CoP matters, this will include supporting in capacity assessments and best interest meetings.
- To provide support with the current tracking system of CoP applications required across the ICB, triaging referrals utilising a prioritisation model.
- To provide highly skilled communication to individuals from all care groups and ages with varying levels of communication needs (this includes face-to-face, written and telephone contacts)
- To be skilled in effectively communicating complex sensitive information
- To have the ability to deal with frequent difficult situations arising from the complex nature of CoP applications and applying least restrictive principles as per MCA (2005).
- Providing some cover to the wider team in periods of unexpected colleague absence or service pressures
- To maintain professional confidentiality in all matters relating to patient care seeking advice where required when sharing patient information.
- Maintain contemporaneous clinical records in line with professional responsibilities and Standards for Record Keeping
- To maintain up to date knowledge regarding developments in legislation specifically The Mental Health Act (MHA), Mental Capacity Act (MCA), safeguarding and associated case law

Operational

- Responsible to proactively manage CoP applications and support colleagues with MCA matters.
- To attend Court hearings where needed representing the ICB and follow through the Court process including the completion of statements and reports.
- Support clinical staff in relation to complex MCA or CoP matters and preventively work on cases to reduce the need to apply to CoP, where appropriate
- Clear understanding of the various CoP applications and ability to coordinate and manage a case from start to completion.
- Provide and receive highly complex or sensitive information at times where there may be significant barriers to acceptance, for example when presenting an opposing position to Court to that of the patient or their representative.

- To proactively manage Court applications cost effectively by determining when or if cases would need legal instruction, avoiding excessive legal fees and costs to the ICB.
- To support the development and delivery of the service preparing for the Liberty Protection Safeguards (LPS)

Quality

- Manage CoPDoL applications and MCA matters with equity and consistency.
- Ensure knowledge and practice is up to date with current case law and legislation changes to inform best practice and deliver up to date and relevant leadership and advice.
- Respond to priority matters within short timescales whilst delivering the same quality and equitable service.
- To maintain regular 1-1 meetings with line manager and participate in development programmes within ICB.
- Ensure compliance with professional code of conduct/code of practice and maintain professional registration and training.
- Instil a culture of **customer**-service and continuous improvement across the ICB ensuring all team members understand and deliver their role effectively.
- To maintain the reputational standard of the ICB whilst representing them in legal matters, including attendance at Court hearings

PERSON SPECIFICATION

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Knowledge, training, and experience required for the post	Essential Pre- requisite of Post	Developed within the role.	How Assessed A- Application I - Interview C - Certificate T - Test
	√	√	
Qualifications			
<ul style="list-style-type: none"> First level nurse registered with the NMC or registered Social Worker with Social Work England 	√	√	A/I
<ul style="list-style-type: none"> Evidence of continual professional development 	√	√	A/I

<p><u>Experience</u></p> <p>Essential</p> <ul style="list-style-type: none"> • Post registration experience working in community settings. • Experience of receiving and using highly complex, sensitive, and contentious information. • Confident skills in MCA, capacity assessments and best interest meeting <p>Desirable</p> <ul style="list-style-type: none"> • Experience of attending Court hearings and writing witness statements 			
<p>Work Related Knowledge and Skills</p> <ul style="list-style-type: none"> • Experience and knowledge of MCA and DoLS, confident ability to be the decision maker in best interests (or to identify who the decision maker would be) • Ability to identify changes in legislation and policy and apply that to day-to-day practice within the role. • Understanding of the different types of CoP applications and requirements needed to complete an acceptable application. • Understand the sensitive and confidential nature of information discussed in Court and the expectations around the management of that information. • Experience of researching best practice, interpreting its relevance and processes/ practices • Ability to research, prepare, read, and analyse extensive amounts of information in preparation for Court applications, statements, and hearings. • Awareness of safeguarding responsibilities 			

Personal Attributes <ul style="list-style-type: none"> • Resilience skills • Ability to de-escalate and manage challenging situations in a positive way. • Problem-solving skills and ability to respond to sudden unexpected demands. • Independent thinker with demonstrated good judgement, problem-solving and analytical skills. • Passion, enthusiasm and drive to improve services for patients and their representatives. • Able to work professionally when under pressure in a calm and efficient manner. • Used to working in a busy environment as an effective organiser and influencer. • Adaptability, flexibility, and ability to cope with uncertainty and change. • Willing to engage with and learn from peers, other professionals, and colleagues in the desire to provide or support the most appropriate interventions. • Excellent and adaptable communication skills • The post requires routine and unplanned travel across the footprint of LSCICB and other areas 	<div>√</div> <div>√</div> <div>√</div> <div>√</div> <div>√</div> <div>√</div> <div>√</div> <div>√</div> <div>√</div> <div>√</div>	<div>√</div> <div>√</div>	<div>A/I</div> <div>A/I</div> <div>A</div> <div>A/I</div> <div>A</div> <div>A/I</div> <div>A/I</div>
Other Ability to travel around Lancashire & South Cumbria	<div>√</div>		<div>A</div>

Employment Acts and Codes of Practice

All LSCICB employees are required to comply with employment legislation and codes of good practice.

- **Equality and Diversity**

The LSCICB is an equal opportunities employer and will do all it can to ensure that job applicants and employees do not receive less favourable treatment because of their age, sex, marital status, faith, race, disability, or sexual orientation, or for any other reason that is not justified.

- **Health and Safety**

In accordance with the Health and Safety at Work Act 1974, and other supplementary legislation, all employees are required to follow LSCICB Health and Safety policies and safe working procedures, take reasonable care to avoid injury during their work, and co-operate with the LSCICB and others in meeting statutory requirements.

All employees must comply with Prevention and Control of Infection policies and attend any related mandatory training provided by LSCICB.

- **Risk Management**

Employees are required to report every incident where the health and safety of self or others has been jeopardised (including near misses) and to carry out or participate in investigations into such incidents as required.

- **Safeguarding Children and Vulnerable Adults**

All LSCICB employees and volunteers are required to act in such a way that always safeguards the health and well-being of children and vulnerable adults. Familiarisation with and adherence to LSCICB Safeguarding policies is an essential requirement of all employees and volunteers, as is participation in related mandatory training and safeguarding supervision.

- **Data Protection Act**

All employees are bound by the requirements of the Data Protection Act 1998.

- **Rules, Regulations, Policies, Standing Orders and Financial Instructions**

All employees are required to comply with the rules, regulations, policies, standing orders and financial instructions of LSCICB.

- **Research and Development Projects**

Should an employee decide to undertake a piece of research, either as a Principal Investigator or Local Researcher, or Assistant Researcher, you must comply with the principles of Clinical Governance and the Research Governance Framework as determined by LSCICB.

- **Performance Development Review**

Key performance objectives, development needs, and compilation of a Personal Development Plan will be discussed and agreed at Annual Development Review meetings as organised by the line manager.

- **Training**

Postholders are required to attend any relevant and mandatory training for the post.

- **Outside Employment / Outside Interests**

Any other work or outside interests must not conflict with the duties and responsibilities or attendance for work as an employee of LSCICB. In accordance with the Working Time Directive, it is a condition of employment that all employees must inform their line manager before taking up any private practice, work for outside agencies or other employers, other work for LSCICB (including bank work) and / or voluntary work. This is to ensure there is no conflict of interest with ICB/NHS duties or breach of the Directive.

- **Review of Job Description**

This document is not intended to be a definitive description of the duties of the post. Due to LSCICB commitment to continuous improvement it is likely that the post will develop over time. These duties will be subject to regular review and any amendments to this job description will be made in consultation and agreement with the post holder.

- **Miscellaneous**

LSCICB operates a Smoke Free Policy

ACCEPTANCE OF JOB DESCRIPTION

I confirm I accept the duties and requirements contained in the above job description.

NAME: (Please print)

Postholder Signature: **Date:**

Line Manager Signature: **Date:**