**Deputy Chief Legal Advisor– HSE Corporate**

**Job Specification & Terms and Conditions**

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| **Job Title, Grade Code** | Deputy Chief Legal Advisor– HSE Corporate(*Grade Code: 0091)* |
| **Campaign Reference** | NRS14643 |
| **Closing Date** | Monday 20th January 2025 at 3:00pm |
| **Proposed Interview Date (s)** | Week of 17th February 2025. Please note these dates are provisional and are subject to change. Candidates will normally be given at least two weeks' notice of interview. The timescale may be reduced in exceptional circumstances. |
| **Taking up Appointment** | A start date will be indicated at job offer stage. |
| **Location of Post** | There is currently one permanent and whole-time vacancy availableThe HSE Office of Legal Services has offices in 63-64 Adelaide Road, Dublin 2 and in Limerick City. The successful candidate will be based primarily in either office (to be agreed with the Chief Legal Advisor) with requirement to attend meetings of court as appropriate. The Chief Legal Advisor is open to engagement as regards the expected level of on-site attendance, in the context of the requirements of this role and the HSE’s Blended Working Policy. A panel may be formed as a result of this campaign for **Deputy Chief Legal Advisor – HSE Office of Legal Services** from which current and future, permanent and specified purpose vacancies of full or part-time duration may be filled.  |
| **Informal Enquiries** | Máire Lennon, Chief Legal Advisor**Email:** maire.lennon@hse.ie**Mobile:** 087 0696408 |
| **Details of Service** | The HSE is a statutory body established by the Health Act 2004, with responsibility for the delivery of health and personal social services to a population of over 5 million people living in Ireland. The HSE Office of Legal Services is responsible for the managing the organisation’s legal risks in addition to managing the purchase of legal services by the HSE and the provision of legal advice to HSE management. It sits within the HSE Centre and reports directly to the HSE CEO. |
| **Reporting Relationship** | The post holder will report directly to the HSE Chief Legal Advisor. |
| **Key Working Relationships** | The post holder will be a member of the HSE Office of Legal Services Team and will work collaboratively with other members of OLS in supporting the Chief Legal Advisor on all matters relating to the provision of in-house legal advices to the CEO and the senior leadership team, the oversight of law firms contracted to provide legal services to the HSE and the engagement of Counsel by the HSE.In the execution of the role, the Deputy Chief Legal Advisor will also work with the Regional Executive Officers (REOs) and other key senior management stakeholders across acute and community settings within the HSE. |
| **Purpose of the Post**  | The primary purpose of the Deputy Chief Legal Advisor – HSE Corporate role is to support the delivery of legal services to the HSE in the most efficient manner, maximizing opportunities for cost savings and enhancing the delivery of in-house legal advices to the CEO and senior leadership team.* To establish and oversee a dedicated Audit function within OLS to ensure the highest standard of legal advice and representation is provided by HSE contracted law firms and Counsel in the most cost effective manner.
* To lead on the management of relationships with contracted law firms.
* To be a dedicated resource for the provision of legal support directly to the CEO and senior leadership team.
* To lead on the direct engagement of Counsel on issues of strategic importance and sensitivity to the HSE.
* To directly support the Chief Legal Advisor generally with particular focus on identifying and implementing legal spend cost containment measures
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| **Principal Duties and Responsibilities** | The following are the key duties and responsibilities for this role:**Leadership:**Supporting the Chief Legal Advisor in:* Leading in the design, implementation and management of a structured programme of audits of HSE contracted law firms.
* Leading in identifying instructions of particular strategic importance to the HSE which are appropriate for the direct engagement of Counsel.
* Deputise, as required, for the HSE Chief Legal Advisor
* Leading on all applications to Department of Health, Department of Children, Equality, Disability, Integration and Youth, and Department of Public Expenditure, National Development Plan Delivery and Reform for sanction of legal settlements.
* Design and implement programme of educational legal seminars to be delivered by OLS to REOs and HSE senior management
* Ensuring that systemic learnings from key HSE legal cases are communicated and implemented within HSE
* Leading on compilation of Strategic Report on Strategic legal matters and support the Chief Legal Advisor in the management of those matters.
* Lead on engagements with legal units of other State stakeholder such as State Claims Agency, Office of DPP etc.
* Lead on the preparation and evaluation of future Tenders for HSE legal services and oversee the running of mini competitions for discrete legal instructions.
* Oversee the preparation of financial reports on legal spend.
* Identify opportunities for value for money initiatives.
* Undertake such other duties as may be assigned to them by the Chief Legal Advisor.
* Responsible for investigating and resolving service issues involving external legal advisors and monitoring the external advisors compliance with KPIs as contained in their respective contracts.
* Responsibility for completion of management reports post carrying out of audits
* Attend at HSE ADR hearings and provide a direct support to HSE senior management in preparing for and attending these hearings

**Performance Management*** Assume an extensive role in the strategic management of litigation which has the potential to impact on policy and practices in the provision of legal services.
* Support the Chief Legal Advisor in ensuring that the legal strategy of the HSE aligns with the organization’s statutory objectives and values.
* Provide input into the development of a Performance Management system.
* With the assistance of the knowledge management post holder, utilize the OLS knowledge management system to provide enhanced in-house triaged and substantive advices.
* Support the Chief Legal Advisor in contract management duties
* Support the Chief Legal Advisor in identifying opportunities for more use of mediation and alternative dispute resolution practices
* Oversee implementation by HSE contracted firms of the State Litigation Principles
* Implement defined Key Performance Indicators (KPIs) which are appropriate for use in auditing delivery of legal services.
* Develop action plans to address non-attainment of KPI targets
* Oversee the development of improved capacity and capability within OLS to provide triage and substantive in-house legal advices to divisions of the HSE.
* Drive and promote a performance management culture in relation to the appropriate use of legal services
* Ensure financial practices across the system inform decision making and promote probity, value for money and a culture of cost consciousness and cost improvement.
* Ensure that all financial resources are used in the most effective and efficient manner in the delivery of day-to-day services across the Health Region.

**Communication*** Demonstrate pro-active commitment to all communications and develop strong working relationships with internal and external stakeholders.

**Critical Analysis and Decision Making*** Develop and implement early warning and corrective action planning systems with respect to deviations from planned financial performance.
* Appraise the Chief Legal Advisor in a timely manner with respect to performance against planned positions.
* Analyze and review financial information and reports and provide constructive commentary thereon.
* Provision of governance advice to office of CEO and senior management cognizant of the statutory and regulatory environment in which the HSE operates.

**Other*** Adequately identify, assess, manage and monitor risk within the area of responsibility.
* Engage in the HSE performance achievement process in conjunction with your Line Manager and staff as appropriate.
* Act as spokesperson for the Organisation as required
* Demonstrate pro-active commitment to all communications with internal and external stakeholders
* Support, promote and actively participate in sustainable energy, water and waste initiatives to create a more sustainable, low carbon and efficient health service
* Have a working knowledge of the Health Information and Quality Authority (HIQA) Standards as they apply to the role for example, Standards for Healthcare, National Standards for the Prevention and Control of Healthcare Associated Infections, Hygiene Standards etc. and comply with associated HSE protocols for implementing and maintaining these standards as appropriate to the role.

**The above Job Specification is not intended to be a comprehensive list of all duties involved and consequently, the post holder may be required to perform other duties as appropriate to the post which may be assigned to them from time to time and to contribute to the development of the post while in office.** |
| **Eligibility Criteria****Qualifications and/ or experience** | **Candidates must have at the latest date of application:*** Hold a professional legal qualification as a solicitor or barrister and be a practicing member of the Law Society of Ireland or the Bar of Ireland for a minimum of 10 years
* Significant experience in a legal advisory role in a large complex organisation to include experience in managing or overseeing audits and the implementation of cost containment measures
* Significant experience of working collaboratively and cross functionally within a complex working environment with multiple internal and external stakeholders, as relevant to the role
* Have the requisite knowledge and ability (including a high standard of suitability and management ability) for the proper discharge of the duties of the office.

**Health**A candidate for and any person holding the office must be fully competent and capable of undertaking the duties attached to the office and be in a state of health such as would indicate a reasonable prospect of ability to render regular and efficient service.**Character**Each candidate for and any person holding the office must be of good character. |
| **Other requirements specific to the post** | Have access to appropriate transport to fulfil the requirements of the role |
| **Skills, competencies and/or knowledge** | **Professional Knowledge & Experience** Demonstrates:* Knowledge of the Irish Health system
* Detailed knowledge of the statutory and regulatory context surrounding health as well as current best practice and international trends in the delivery of legal services in health
* Demonstrates knowledge and experience relevant to the role as per the duties & responsibilities, eligibility criteria and post specific requirements of the role.
* Detailed knowledge of the legal framework of the HSE, the corporate governance framework of the HSE, good governance standards and all the supporting governmental policies
* Excellent communication/writing/editing/summarising skills, presents information in a confident logical and convincing manner

**Leadership & Direction**Demonstrates: * An ability to influence and negotiate effectively in furthering the objectives of the role
* The ability to provide leadership and direction to the OLS legal team
* Brings a focus and drive to building and sustaining high levels of performance and addressing any performance issues as they arise
* The ability to remain fully informed in a dynamic and challenging environment, while at the same time having a clear view of what changes are required in order to achieve immediate and long term corporate objectives.
* The ability to maintain focus, intensity and persistence even under increasingly complex and demanding conditions.
* Demonstrates resilience: ability to cope with difficult interpersonal situations, competing demands and tight timescales in new and changing environments.
* Is open to new ideas and initiatives
* Remains fully informed in a dynamic and challenging environment, while at the same time having a clear view of what is required in order to achieve immediate and long term corporate objectives.
* An aptitude for strategic thinking, coupled with leadership skills and the ability to motivate others.
* The ability to balance change with continuity – continuously strives to improve service delivery and to create a work environment that encourages creative thinking.

**Managing & Delivering Results (Operational Excellence**) Demonstrates: * A proven ability to prioritise, organise and schedule a wide variety of tasks and to manage competing demands and tight deadlines while consistently maintaining high standards and positive working relationships and places strong emphasis on achieving high standards of excellence.
* The ability to develop / implement strategic action plans and programmes.
* Commits a high degree of energy to well directed activities and looks for and seizes opportunities which are beneficial to achieving organisation goals.
* The ability to take personal responsibility to initiate activities and drive objectives through to a conclusion
* Champions measurement on delivery of results and is willing to take personal responsibility to initiate activities and drive objectives through to a conclusion
* Adequately identifies, manages and reports on risk within area of responsibility
* Demonstrates the ability to plan and organise own workload and that of others in an effective and methodical manner within strict deadlines, ensuring deadlines are met.
* Sets realistic goals and time-scales, taking account of potential problems and competing priorities.
* Evidence of effective planning and organising skills including awareness of resource management and importance of value for money
* Strong focus on achieving high standards of excellence and measurement of performance.

**Working with and Through Others (Influencing to Achieve)**Demonstrates: * The ability to be flexible, team oriented and a relationship builder and have a significant track record of achievement in the area.
* The ability to set team targets and to use influencing and negotiating skills to achieve high standards of service
* The ability to work independently as well as work with a wider multidisciplinary / multi-agency team in a complex and changing environment.
* Is persuasive and effectively sells the vision; commands attention and inspires confidence.
* The ability to set high standards for the team and puts their work and the work of the organisation into meaningful context.
* Excellent influencing and negotiation skills.
* Effective communication skills including: the ability to present information in a clear and concise manner; the ability to facilitate and manage groups through the learning process; the ability to give constructive feedback.

**Critical Analysis and Decision Making**Demonstrates: * Strategic thinking, planning and analysis skills with the ability to develop creative solutions to support transformation.
* The ability to rapidly assimilate and analyse complex information; considers the impact of decisions before taking action; anticipates problems.
* Recognises when to involve other parties at the appropriate time and level.
* Makes timely decisions and stands by those decisions as required.
* Exceptional problem solving, analytical, and critical thinking skills.

**Communication & Interpersonal Skills**Demonstrates: * Highly effective interpersonal and communication skills to establish and develop trust based, high-stake partnerships and relationships with a range of external partners and stakeholders.
* A track record of building and maintaining key internal and external relationships in achieving organisational goals
* Has a strong results focus and ability to achieve results through collaborative working
* Possesses the ability to explain, advocate and express facts and ideas in a convincing manner, and actively liaise with individuals and groups internally and externally.
* The ability to support the effective development of the OLS team.
* Excellent presentation skills and report writing skills including an ability to produce reports to publication standard.

**Personal Effectiveness**Demonstrates: * A strong willingness and ability to operate in the flexible manner that is essential for the effective delivery of the role.
* A commitment to further education and learning.
* Demonstrably understands, identifies with and is committed to the core values of the HSE and places a high emphasis on achieving high standards of excellence.
* Demonstrate achievement at excellence and quality outcomes
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| **Campaign Specific Selection Process****Ranking/Shortlisting / Interview** | A ranking and or shortlisting exercise may be carried out on the basis of information supplied in your application form. The criteria for ranking and or shortlisting are based on the requirements of the post as outlined in the eligibility criteria and skills, competencies and/or knowledge section of this job specification. Therefore it is very important that you think about your experience in light of those requirements. Failure to include information regarding these requirements may result in you not progressing to the next stage of the selection process. Those successful at the ranking stage of this process (where applied) will be placed on an order of merit and will be called to interview in ‘bands’ depending on the service needs of the organisation. |
| **Diversity, Equality and Inclusion**  | The HSE is an equal opportunities employer.Employees of the HSE bring a range of skills, talents, diverse thinking and experience to the organisation. The HSE believes passionately that employing a diverse workforce is central to its success – we aim to develop the workforce of the HSE so that it reflects the diversity of HSE service users and to strengthen it through accommodating and valuing different perspectives. Ultimately this will result in improved service user and employee experience. The HSE is committed to creating a positive working environment whereby all employees inclusive of age, civil status, disability, ethnicity and race, family status, gender, membership of the Traveller community, religion and sexual orientation are respected, valued and can reach their full potential. The HSE aims to achieve this through development of an organisational culture where injustice, bias and discrimination are not tolerated. The HSE welcomes people with diverse backgrounds and offers a range of supports and resources to staff, such as those who require a reasonable accommodation at work because of a disability or long term health condition. Read more about the HSE’s commitment to [Diversity, Equality and Inclusion](https://www.hse.ie/eng/staff/resources/diversity/diversity.html)  |
| **Code of Practice** | The Health Service Executive will run this campaign in compliance with the Code of Practice prepared by the Commission for Public Service Appointments (CPSA).The CPSA is responsible for establishing the principles that should be followed when making an appointment. These are set out in the CPSA Code of Practice. The Code outlines the standards that should be adhered to at each stage of the selection process and sets out the review and appeal mechanisms open to candidates should they be unhappy with a selection process.Read the [CPSA Code of Practice](https://www.cpsa.ie/pdf/?file=https://assets.cpsa.ie/media/275828/b88e3648-c663-4293-9471-d2d75bd1d685.pdf).  |
| The reform programme outlined for the health services may impact on this role, and as structures change the Job Specification may be reviewed.This Job Specification is a guide to the general range of duties assigned to the post holder. It is intended to be neither definitive nor restrictive and is subject to periodic review with the employee concerned. |

**Deputy Chief Legal Advisor – HSE Corporate**

**Terms and Conditions of Employment**

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| **Tenure**  | The current vacancy available is permanent and whole time. The post is pensionable. A panel may be created from which permanent and specified purpose vacancies of full or part time duration may be filled. The tenure of these posts will be indicated at “expression of interest” stage. Appointment as an employee of the Health Service Executive is governed by the Health Act 2004 and the Public Service Management (Recruitment and Appointments) Act 2004 and Public Service Management (Recruitment and Appointments) Amendment Act 2013. |
| **Remuneration** | The salary scale for the post is: (as at 01/10/2024)€109,630, €114,201, €118,768, €123,334, €127,901New appointees to any grade start at the minimum point of the scale. Incremental credit will be applied for recognised relevant service in Ireland and abroad (Department of Health Circular 2/2011). Incremental credit is normally granted on appointment, in respect of previous experience in the Civil Service, Local Authorities, Health Service and other Public Service Bodies and Statutory Agencies. |
| **Working Week** | The standard working week applying to the post is to be confirmed at Job Offer stage. HSE Circular 003-2009 “Matching Working Patterns to Service Needs (Extended Working Day / Week Arrangements); Framework for Implementation of Clause 30.4 of Towards 2016” applies. Under the terms of this circular, all new entrants and staff appointed to promotional posts from Dec 16th, 2008 will be required to work agreed roster / on call arrangements as advised by their line manager. Contracted hours of work are liable to change between the hours of 8am-8pm over seven days to meet the requirements for extended day services in accordance with the terms of the Framework Agreement (Implementation of Clause 30.4 of Towards 2016). |
| **Annual Leave** | The annual leave associated with the post will be confirmed at Contracting stage. |
| **Superannuation** | This is a pensionable position with the HSE. The successful candidate will upon appointment become a member of the appropriate pension scheme. Pension scheme membership will be notified within the contract of employment. Members of pre-existing pension schemes who transferred to the HSE on the 01st January 2005 pursuant to Section 60 of the Health Act 2004 are entitled to superannuation benefit terms under the HSE Scheme which are no less favourable to those which they were entitled to at 31st December 2004 |
| **Age** | The Public Service Superannuation (Age of Retirement) Act, 2018\* set 70 years as the compulsory retirement age for public servants.***\* Public Servants not affected by this legislation:***Public servants joining the public service or re-joining the public service with a 26 week break in service, between 1 April 2004 and 31 December 2012 (new entrants) have no compulsory retirement age.Public servants, joining the public service or re-joining the public service after a 26 week break, after 1 January 2013 are members of the Single Pension Scheme and have a compulsory retirement age of 70. |
| Probation | Every appointment of a person who is not already a permanent officer of the Health Service Executive or of a Local Authority shall be subject to a probationary period of 12 months as stipulated in the Department of Health Circular No.10/71. |
| **Protection of Children Guidance and Legislation** | The welfare and protection of children is the responsibility of all HSE staff. You must be aware of and understand your specific responsibilities under the Children First Act 2015, the Protections for Persons Reporting Child Abuse Act 1998 in accordance with Section 2, Children First National Guidance and other relevant child safeguarding legislation and policies. Some staff have additional responsibilities such as Line Managers, Designated Officers and Mandated Persons. You should check if you are a Designated Officer and / or a Mandated Person and be familiar with the related roles and legal responsibilities.For further information, guidance and resources please visit: [HSE Children First webpage](https://www.hse.ie/eng/services/list/2/primarycare/childrenfirst/resources/). |
| **Infection Control** | Have a working knowledge of Health Information and Quality Authority (HIQA) Standards as they apply to the role for example, Standards for Healthcare, National Standards for the Prevention and Control of Healthcare Associated Infections, Hygiene Standards etc. and comply with associated HSE protocols for implementing and maintaining these standards as appropriate to the role. |
| **Health & Safety** | It is the responsibility of line managers to ensure that the management of safety, health and welfare is successfully integrated into all activities undertaken within their area of responsibility, so far as is reasonably practicable. Line managers are named and roles and responsibilities detailed in the relevant Site Specific Safety Statement (SSSS). Key responsibilities include:* Developing a SSSS for the department/service[[1]](#footnote-1), as applicable, based on the identification of hazards and the assessment of risks, and reviewing/updating same on a regular basis (at least annually) and in the event of any significant change in the work activity or place of work.
* Ensuring that Occupational Safety and Health (OSH) is integrated into day-to-day business, providing Systems Of Work (SOW) that are planned, organised, performed, maintained, and revised as appropriate, and ensuring that all safety related records are maintained and available for inspection.
* Consulting and communicating with staff and safety representatives on OSH matters.
* Ensuring a training needs assessment (TNA) is undertaken for employees, facilitating their attendance at statutory OSH training, and ensuring records are maintained for each employee.
* Ensuring that all incidents occurring within the relevant department/service are appropriately managed and investigated in accordance with HSE procedures[[2]](#footnote-2).
* Seeking advice from health and safety professionals through the National Health and Safety Function Helpdesk as appropriate.
* Reviewing the health and safety performance of the ward/department/service and staff through, respectively, local audit and performance achievement meetings for example.

**Note**: Detailed roles and responsibilities of Line Managers are outlined in local SSSS.  |
| **Ethics in Public Office 1995 and 2001** | Positions remunerated at or above the minimum point of the Grade VIII salary scale are designated positions under Section 18 of the Ethics in Public Office Act 1995. Any person appointed to a designated position must comply with the requirements of the Ethics in Public Office Acts 1995 and 2001 as outlined below: A) In accordance with Section 18 of the Ethics in Public Office Act 1995, a person holding such a post is required to prepare and furnish an annual statement of any interests which could materially influence the performance of the official functions of the post. This annual statement of interest should be submitted to the Chief Executive Officer not later than 31st January in the following year.B) In addition to the annual statement, a person holding such a post is required, whenever they are performing a function as an employee of the HSE and have actual knowledge, or a connected person, has a material interest in a matter to which the function relates, provide at the time a statement of the facts of that interest. A person holding such a post should provide such statement to the Chief Executive Officer. The function in question cannot be performed unless there are compelling reasons to do so and, if this is the case, those compelling reasons must be stated in writing and must be provided to the Chief Executive Officer. C) A person holding such a post is required under the Ethics in Public Office Acts 1995 and 2001 to act in accordance with any guidelines or advice published or given by the Standards in Public Office Commission. Guidelines for public servants on compliance with the provisions of the Ethics in Public Office Acts 1995 and 2001 are available on the [Standards Commission’s website](https://www.sipo.ie/). |

1. A template SSSS and guidelines are available on [writing your site or service safety statement](https://www2.healthservice.hse.ie/organisation/national-pppgs/writing-your-site-or-service-safety-statement/).

2 Structures and processes for effective [incident management](https://www2.healthservice.hse.ie/organisation/qps-incident-management/incident-management/) and review of incidents. [↑](#footnote-ref-1)
2. [↑](#footnote-ref-2)