

## Capacity and Liberty Assessor / Training Officer

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**Department:** Health and Community Services

**Division:** Adult Mental Health

**Reports to:** Team Manager – Legislation team

**JE Reference:** HCS1040

**Grade:** 11                                      **JE Date:** 23/8/21

### Job purpose

The Capacity and Self Determination (Jersey) Law 2016 (the CSDL) took effect on 1<sup>st</sup> October 2018. The CSDL provides legal safeguards for people who lack capacity in Jersey and heralds a significant reform in the delivery of health and community services on the island.

A Training Officer is required to support the delivery of a wide range of training to increase knowledge base and thereby increase compliance in the roles and responsibilities of the CSDL. This exciting role is split with the additional function of undertaking a number of Capacity and Liberty Assessments (CLA). The CLA is responsible for ensuring that restrictions in place to protect people who lack capacity to consent to their care and treatment are appropriate, proportionate and legally compliant

### Job specific outcomes

The post holder will have the following responsibilities:

1. Work with the Team Manager, Mental Health and Capacity Law Administrator, CSDL Lead, partner agencies and provider networks to develop, manage and co-ordinate processes that assure compliance with Part 5 of the CSDL across all public sectors in Jersey. Ensure that the primacy of clients is recognised and respected under the best interests process as defined in the CSDL, associated legislation and Code of Practice.
2. Working with the Director, Team Manager, CSDL Lead, and other relevant professionals with a key emphasis including highlighting any developing areas of operational risk that require prompt response or political awareness.
3. Working with partner agencies and networks to manage and co-ordinate the development of training which will improve and enhance compliance with the CSDL across multiple sectors in Jersey. Contribute to generalist and specialist training for a wide group of stakeholders in relation to the principles of capacity and self-determination and associated legislation.
4. Develop, manage and co-ordinate quality assurance guidelines, measures and controls within the legislative framework to gather and provide information and

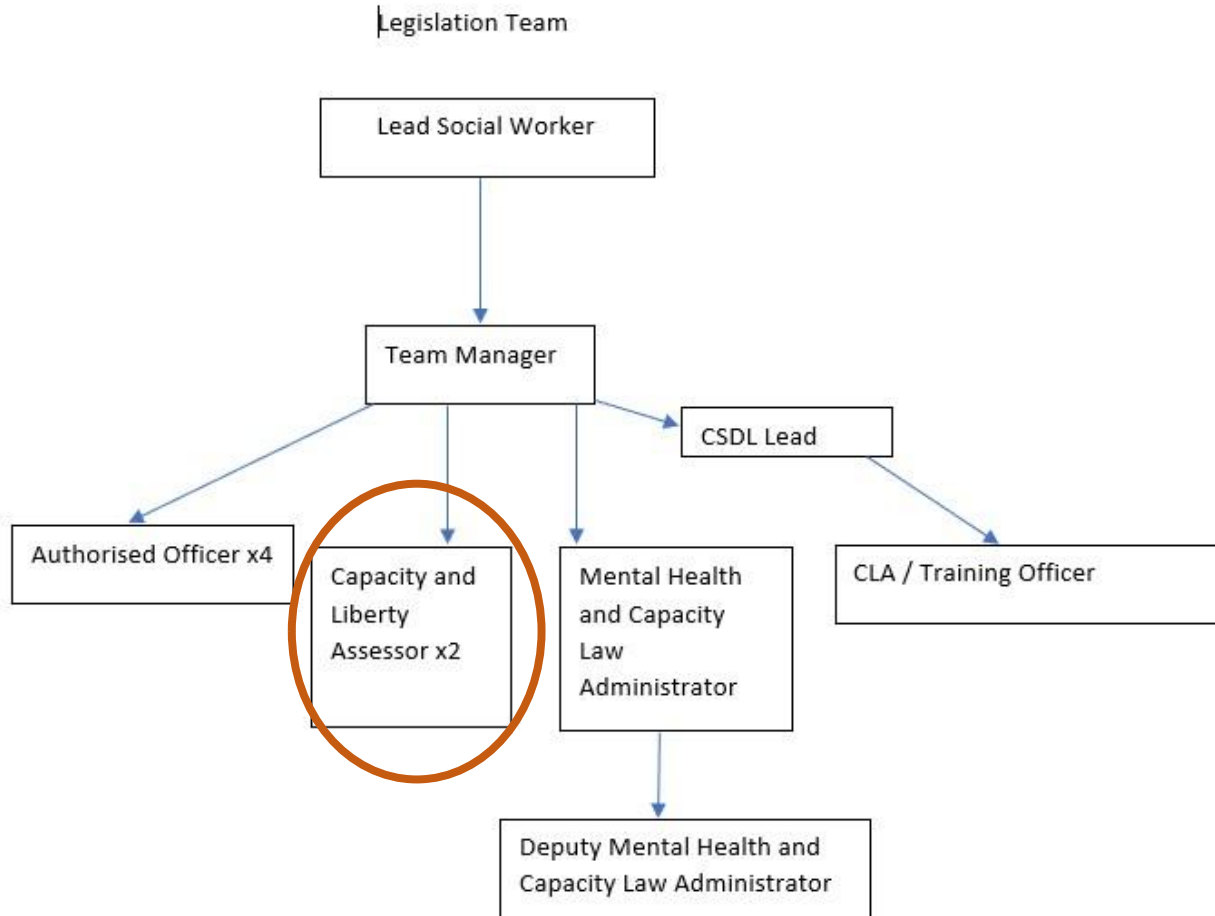
data in support of the Mental Health and Capacity Law Administrator's responsibilities to report to the Minister and States Assembly.

5. Liaising with employees at all levels in order to identify and assess training and development needs relating to the CSDL with a view towards enhancing the provision of training needs analysis.
6. To be a catalyst in organisational change by developing skills and practice in order to better develop performance across the service in relation to compliance with the new legislation. Undertake research, data analysis and surveys to inform business and team development under the supervision of the CSDL Lead.
7. Provide specialist assessments in the most complex cases that pertain to the role and its associated functions.
8. Support the implementation of the CSDL and undertake projects related to the enactment of the law, ensuring agreed business plan objectives are delivered within the structured governance framework.
9. Maintain the highest standards of personal and professional conduct while adhering to the standards and code of conduct of their registrant professional body, policies and procedures and relevant legislation. Ensure that members of the public and other professionals have confidence in the service.
10. Carry out other duties as requested by the CSDL Lead, Team Manager, or other relevant Senior Officers.

#### **Statutory responsibilities**

- The post-holder must comply with all relevant Government of Jersey law including the CSDL, the Mental Health (Jersey) Law 2016, the Health and Safety at Work (Jersey) Law 1989, the Data Protection (Jersey) Law 2018 and associated legislation, standing orders, financial directions and relevant codes of practice.
- This role is politically restricted. The post-holder is not permitted to undertake political activity involving standing for election to the Government of Jersey or as a Parish Constable, or publicly supporting someone who is standing for election or playing a public part in any political matter.
- This post has a significant impact on Health and Community Services' ability to implement and enact the CSDL, which now has statutory legal effect. The post-holder will work across a number of departments and independent sector organisations.
- The post-holder will occupy a high profile and distinctive professional role with a responsibility for promoting human rights and capacity legislation, safeguarding citizens of Jersey who may need support with decision-making.
- The post holder is a key agent in the development and enactment of practice excellence, using the CSDL to enable the Minister to fulfil their statutory functions under the CSDL and Human Rights (Jersey) Law 2000.

## Organisation chart



## Organisational structure



## Person Specification

### Specific to the role

ATTRIBUTES	ESSENTIAL	DESIRABLE
<p><b>Qualifications</b> <i>Please state the level of education and professional qualifications and / or specific occupational training required.</i></p>	<p>A recognised professional qualification in health (Nurse/Occupational Therapy/Psychology) or social work</p> <p>Registration with the appropriate UK professional governing body and local registration with the Jersey Care Commission.</p> <p>Enhanced DBS clearance.</p> <p>Capacity and Liberty Assessor (“CLA”) or Best Interests Assessor (“BIA”) training certificate.</p> <p>Experience of delivering training/presentations or facilitating groups</p>	<p>Have a recognised professional qualification or experience in the training and development of individuals.</p>
<p><b>Knowledge</b> <i>This relates to the level and breadth of practical knowledge required to do the job (e.g. the understanding of a defined system, practice, method or procedure).</i></p>	<p>Highly developed specialist knowledge underpinned by theory and relevant experience, demonstrated by holding the CLA training certification (or equivalent). The post is dependent on maintaining this qualification via annual training.</p> <p>A detailed understanding of the CSDL with a focus on capacity assessment, best interests decision-making and significant restriction on liberty, and an understanding of the operation of civil courts.</p> <p>Knowledge of Health and Community Services policies and procedures, including an understanding of the application of safeguarding principles and policy across the organisation.</p> <p>Understanding of the management of risk when supporting vulnerable people in hospital and community settings, and of making complex decisions concerning risks that may be disputed in court.</p> <p>Understanding of maintaining records according to confidentiality and data protection protocols.</p>	
<p><b>Technical / Work-based Skills</b> <i>This relates to the skills specific to the job, e.g. language fluency, vehicle license etc.</i></p>	<p>Excellent analytical, interpretative and research skills in addition to report writing and presentation skills.</p> <p>High level of computer literacy and a very good knowledge of Microsoft Office applications and other role-critical software.</p> <p>Organisational and administrative skills.</p> <p>A good and demonstrable level of research, report writing and presentation skills.</p>	

<p><b>General Skills/Attributes</b> <i>This relates to more general characteristics required to do the job effectively, e.g. effective written communication skills, ability to delegate, motivation or commitment etc.</i></p>	<p>Able to work autonomously, with the capacity for independent, responsible, professional decision making, often whilst under considerable pressure</p> <p>Able to create, develop, and lead training, including workshops, presentations, and multi-agency events, to deliver increased knowledge regarding roles and responsibilities under the CSDL at several different levels.</p> <p>Able to process complex facts or situations requiring analysis, interpretation, and comparison of a range of potential statutory outcomes.</p> <p>Be a team player, contributing knowledge and expertise to all aspects of work carried out by the Department as required to achieve departmental and corporate objectives.</p> <p>Ability to communicate calmly and clearly using a variety of media on sensitive and complex issues, including legislation, often in emotive situations.</p> <p>Ability to facilitate the involvement of a range of stakeholders (public and private sector) to deal effectively with complex issues relating to vulnerable service users.</p> <p>Able to follow policy and understand the implications and ramifications of decisions outside of their own area of responsibility.</p> <p>Highly resilient – good coping mechanisms for dealing with challenging, stressful and emotional situations.</p>	
<p><b>Experience</b> <i>This is the proven record of experience and achievement in a field, profession or specialism. This could include a minimum period of experience in a defined area of work if required by an external body (for example a period of post-</i></p>	<p>A minimum of two years' post-qualification experience as a registered health or social care professional.</p>	<p>Experience of supporting practice learning and development or line management experience, either in operational or practice matters.</p> <p>Proven ability to influence a wide range of people both in and outside to the</p>

qualification experience).		applicant's department, demonstrating that they possess a high level of interpersonal and communication skills.
<b>Criteria relating to Safeguarding</b>	Enhanced DBS Registration with Social Work England or equivalent  This post is also subject to annual refresher training and development.	

### Knowledge, Training and Experience

**Level 6:** *Specialist knowledge across the range of work procedures and practices, underpinned by theoretical knowledge or relevant practical experience.*

**Specialist knowledge** refers to a level of knowledge and expertise which can be acquired through either in-depth experience or theoretical study of a broad range of techniques/processes relating to the knowledge area. This equates to post-registration/graduate diploma level or equivalent in a specific field. This level also refers to the specialist organisational, procedural or policy knowledge required to work across a range of different areas. The jobholder is influential within the organisation in matters relating to his/her area and provides detailed advice to other specialists and non-specialists.

**Level 7:** *Highly developed specialist knowledge across the range of work procedures and practices, underpinned by theoretical knowledge and relevant practical experience.*

**Highly developed specialist knowledge** refers to knowledge and expertise which can only be acquired through a combination of in-depth experience and postgraduate or post registration study, such as that obtained through a master's degree or equivalent experience/qualification or doctorate, or significant formal training or research in a relevant field, in addition to short courses and experience. Jobs requiring a doctorate or equivalent knowledge as an entry requirement such as medical, dental, scientific or specialist management qualifications should be assessed at this level as a minimum.

### Core Accountabilities, Attributes and Behaviour Indicators

Appointees to this role will be required to adhere to and perform their duties in line with the standards identified in the States of Jersey tier 6 core accountabilities attributes and behaviour indicators.

**The standards relevant to this tier, identified in the States of Jersey core accountabilities attributes and behaviour indicators, are to be attached in a separate document.**