JOB DESCRIPTION QUESTIONNAIRE (J.D.Q.)

HMI CATEGORY CODE:	
DIRECTORATE:	Deputy Chief Constable
AREA/DEPT:	Legal Services
FAU:	
SECTION:	Civil Litigation Unit
JOB TITLE:	**CIVIL LITIGATION INVESTIGATOR**
REPORTS TO:	Head of Civil Litigation
CURRENT RANK/GRADE:	**CONSTABLE/GRADE E**
DATE:	March 2020

1. JOB PURPOSE: (Briefly state your job's overall objectives. To.....")

To investigate and objectively vet files relating to claims made against the Chief Constable in order to reduce the threat, risk and harm to the organisations reputation and finances. (i.e. Public Liability, Employer Liability and Police Road Traffic Accident).

To promote the highest levels of integrity, professionalism and behaviour within the Force and to ensure that points of learning are disseminated..

2. PRINCIPAL ACCOUNTABILITIES:

(Describe the important end results you are expected to achieve).

a) Preserve and gather evidence and to investigate claims within given timescales in order to prepare comprehensive evidential files.

b) Conduct thorough research of Force IT Systems to recover relevant documents / media to ensure the duty of disclosure is fulfilled thus enabling a considered assessment of threat harm and risk. Obtain evidence form external sources interviewing witness as required and recording evidential statements.

c) Prepare suitably redacted disclosure bundles with consideration being given to sensitive documentation and Data Protection Act issues. Undertake all responsibilities in relation to information management, data quality, and information sharing, intelligence and information security.

d) Objectively vet files having reviewed all available material relating to claims and to make factual determinations based upon the available evidence and relevant law. Make risk based assessments as to liability and provide a written rationale as to the decision making processes and to provide feedback to relevant staff and Senior Officers in terms of individual and Force learning.

e) Check draft defences statements prepared by Force Solicitor for factual accuracy and sign statements of truth on behalf of the Chief Constable.

f) Consider compensation/legal cost assessments and make recommendations in accordance with guidelines to reduce the financial costs to the organisation.

g) Provide instructions to the Force Solicitor / Consortium Solicitors and to discuss case management strategies and progress further enquiries / actions as directed.

h) Attend pre-trial conferences and trials (when necessary) to provide instructions and support witnesses and discuss relevant issues with the Force Solicitor / Barrister.

i) Provide suitable advice, support and guidance to the organisation to ensure an understanding of civil claims process, the financial considerations and risks and to promote learning.

j) Promote Health and Safety in the workplace by identifying points of learning and providing suitable advice upon request by the organisation via presentations to Health and Safety Courses.

k) Carry out other investigations as directed by the Force Solicitor and Civil Claims Manager. These will include bespoke enquiries, Employment Tribunals, Coroners enquiries, Statutory Payments enquiries and any Anti-Social behaviour or Domestic Violence investigation.Develop,

l) Be accountable for all Health and Safety issues, including risk assessment, pertaining to the post holder's area of responsibility in order to fulfil the statutory obligations of the Health and Safety at Work Act 1974.

m) Undertake all responsibilities relating to information management, data quality and information sharing, intelligence and information security to ensure accordance with the Authorised Professional Practice (APP) on Information Management, issued by the College of Policing, including the Home Office Code of Practice on the Management of Police Information (MoPI).

3(a) KNOWLEDGE AND EXPERIENCE:

(What kind of knowledge, skills and experience are necessary to enable satisfactory performance in the job and why are they necessary?).

Previous investigative experience of civil or criminal investigation is essential (including intelligence handling and CPIA, which is desirable as training will be provided).

Awareness of Civil Law, further in-house guidance/training will be provided.

Detailed knowledge of criminal law and specifically evidential requirements, the Police and Criminal Evidence Act and ECHR / Discrimination legislation.

Detailed knowledge of damages and legal costs in order to reduce costs to the organisation.

Knowledge of relevant Force Policies / processes / ACPO guidance.

Knowledge of Complaints and Conduct Legislation and procedures, further in-house guidance/training will be provided.

Proficiency of use of IT systems and conversant with all Force systems and technology to be able to recover data.

Must be able to identify lines of enquiry and secure evidence, have good research and analytical skills, be able to identify legal and evidential weaknesses in files, be fluent at file compilation / management / report writing / preparation including complex and protracted investigations.

Must be highly motivated, focussed and committed to achieve objectives and deadlines. To be extremely organised and work flexibly responding to demand.

There will be a need to adhere with strict deadlines with the post holder being able to work flexibly and under pressure and prioritising accordingly

Excellent inter personal and communication skills with the ability to effectively verbally communicate with colleagues and legal /insurance professionals.

Post holder must be confident and assertive, whilst conducting themselves in a professional manner.

Post holder must be able to work as part of a team.

3(b) (Does your post require any Police Powers, and if so what are they, and why are they necessary?)

N/A

4. RELATIONSHIPS:

(a) Supervisory responsibilities:

None. Post Holder works as part of a team that includes Administrative Staff and other Police Officers and Legal Professionals

(b) Supervision Received:

Post holder reports to the Head of Civil Litigation who will provide advice and guidance on relevant issues.

(c) Other Contacts:

(i) Within Merseyside Police:

Daily Contact with Officer and Staff of all ranks and grades from all Strands / Departments.

(ii) Outside Merseyside Police:

Consortium Solicitors / Barristers representing the Chief Constable
Other Police Force's representatives involved in the Civil Litigation process
The Claims Handlers and Insurance Brokers
The Claimant/plaintiff and their solicitors

5. CONTEXT:

***(a) Operating Environment*:** (Services provided, work patterns, who are the customers).

To investigate claims the post holder will be expected to work Core Hours (0800/1600 or 0900/1700) or within the Force Flexitime Scheme. There will be occasions when there is a requirement to work outside normal office hours or at another location if necessary.

***(b) Framework and Boundaries*:** (Policies and procedures which affect you and how these can be changed).

Work within and in accordance with Force Policies , Procedures and Legislation

The conduct and progress of the claim is dictated by a variety of external factors, i.e. the plaintiffs and their Solicitors. The County Court administration and Judiciary, the Insurers and Claims Handlers.

(c) ***Organisation*****:** (For each type of post that reports directly to you, outline below the posts overall responsibilities).

N/A

6. DIMENSIONS: (Indicate in quantitative terms, key areas on which your job has an impact).

Financial: Failure to effectively manage administrative processes which relate to Civil Files will:

a) Negatively impact upon the reputation of the Force

b) Inhibit the claims management process and thus increase legal costs unnecessarily and negatively impact on the Force Budget.

The civil claim reduction strategy involves communication of management information to influence learning and enhance professionalism, to highlight risk claimants, risk staff and risk claim issues.

Staff: N/A

Other: N/A

7. JOB CHALLENGES: (Describe the most challenging or complex parts of your job).

The post holder requires a high degree of personal integrity, effective interpersonal skills and professionalism.

The volume, diversity and sometimes complex enquiries and detailed analytical assessment of evidence present the post holder with challenges that require a good measure of self-motivation, leadership and decision making.

Establishing the learning themes and risks to the Organisation to reduce the potential for reputational damages and reduced legal costs can prove to be challenging.

8. ADDITIONAL INFORMATION:

(Provide any further information, not included in your previous answers, which you consider would assist others to achieve a better understanding of your job).

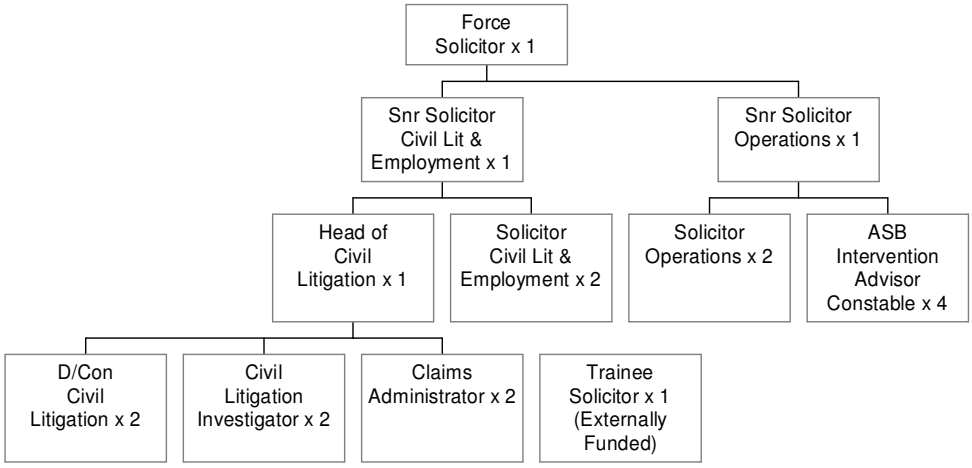
There must be strict adherence to timescales both internal and Civil Procedure Rules

Failure to ensure tasks, enquiries and reports are accurately and effectively completed within timescales could result in increased legal costs and harm to reputation.

The post holder is an integral part of a team, which seeks to robustly defend the organisation when possible.

9. ORGANISATIONAL STRUCTURE:

(Draw an organisational chart of your Department / Section, indicating the position of your post within it).



10. AGREEMENT OF QUESTIONNAIRE CONTENT:

(Please sign when completed)

POSTHOLDER'S NAME:
(Please print in block capitals)

POSTHOLDER'S SIGNATURE: Date: Extn

MANAGER'S NAME:
(Please print in block capitals)

MANAGER'S SIGNATURE: Date: Extn