

Role profile

Role title	Senior employment advisor
Department and directorate	Member employment relations, Member relations
Job family level	Grade 4
Reports to (job title and name)	Employment relations delivery manager
Direct reports (job title and name)	No direct reports

Summary – purpose of the role

Describe as concisely as possible the overall purpose of the job and including the core duties/responsibilities required to be performed in the role (eg, to provide a full range of administrative support services to the department including x,y,z)

Advising/Representing/Recruiting Members

- **To provide comprehensive employment law, employee relations advice and support to members on complex matters and to liaise with relevant internal and external departments, as appropriate**
- Determine the level and nature of support to be made available and agreeing this with the members concerned including referral of members to appropriate professional advisers where issues fall out with the BMA's remit
- In response to requests from members, provide expert advice on employment, contracts, training and local/national agreements across all grades
- Prepare and present cases representing members to employers, internal or external appeal panels, etc
- Appear as required at Employment Tribunals as witnesses or to assist legal counsel
- Negotiate, advise and sign advice certificates on settlement **agreements** for members
- Provide a mediation service, particularly to GP Members
- Assist in the delivery of training to members (e.g., Employment law for GPs, Establish and maintain effective working relationships with senior personnel in NHS Trusts, CCGs, Deaneries, s, Universities, etc and develop relations with new providers
- Participate in the support and development of Employment Advisers
- Contribute to the core programme of activities, including campaign work, designed to promote the Association and recruit and retain members across all grades
- Contribute to supporting BMA committees and medical school events within the region
- Develop areas of specialist interest and work within agreed team to develop and update guidance as necessary



Summary – purpose of the role

- Participate in Member Employment Relations **Liaison Groups**, Working Parties and other groups as deemed necessary to elicit and feedback key information to colleagues
- Provide ad hoc advice where appropriate with regard to general contract law, small claims, directorships and partnership law.
- Cover for colleagues as appropriate during absence / unavailability.

Skill (level and breadth of application)

What relevant experience is necessary to undertake this role? What specialist, technical or professional qualifications are required to be able to perform the job?

How far does the role extend out across the organisation, eg confined to own team, involves co-ordination with another department or requires regular negotiation with many other parts of the organisation. Why is this necessary? Describe the range of issues that are involved in this, eg resolving people's IT problems, collecting information on key research items or advising members on a particular issue.

- Graduate or equivalent with extensive working experience of complex casework, advising/representing employees and/or employers (may hold Law or CIPD qualification)
- Up to date and in-depth expert knowledge of employment law, employee relations, human resource policies, procedures and good practice, and terms and conditions under which NHS doctors work
- Highly IT literate as work is carried out at home and remotely so requires both electronic research and record-keeping
- Highly developed ability to gather, filter, assimilate and analyse complex information and develop a strategy for handling extremely complex individual cases often for very senior members (SEAs will generally undertake the most complex and difficult individual cases including senior consultant/medical director level). This is often done under tight or very tight time constraints
- Excellent interpersonal skills, facilitating the development of effective relationships at very senior levels with members and with colleagues to ensure consistent collaborative and effective working relationships
- Excellent oral and written communication skills including case presentation and advocacy skills
- Excellent negotiating and dispute and conflict resolution skills.
- Ability to motivate self and others, prioritise and manage own caseload and work effectively with minimal supervision
- Ability to be flexible and adaptable in dealing with varying situations, personnel and competing demands
- Excellent planning and organisational skills required to identify economies of scale and deal effectively and efficiently with the issues raised by members and their cases
- It is essential that an excellent working knowledge of employment law, terms and conditions of service plus local and national policies is maintained, taking into account frequently occurring changes, so that advice given to Members is correct and appropriate at all times. Advice is subject to review and challenge by counsel (both ours and opposing) and potentially by Employment Tribunals and Courts

Intellectual demands (complexity and challenge)

What sorts of problems, situations or issues are typically dealt with? Give any illustrative examples. How are the problems, situations or issues dealt with (eg undertaking original research and analysis or seeking specialist advice)?

To what extent are standard procedures and processes followed when undertaking typical tasks, and how is personal initiative used when solving problems? To what extent is creativity used in solving the problems (eg adopting different approaches, trying things that have not been done before within the organisation or improving/changing previous approaches).

Intellectual demands (complexity and challenge)

- Organises and prioritises own workload, balancing competing priorities and managing peaks and troughs in demand. Manages typical ongoing caseload of between 30-40 complex cases at a time. Often workload management will be done while away from the office as typically SEAs are travelling and representing members out of the office for the greater part of the week
- Required to recognise and adhere to specific critical timescales as part of the representational/case handling process arising from employment law requirements and local employer procedures
- Whilst procedures and guidance notes are available to support the role, the SEA utilises these intelligently and works on personal initiative to resolve issues. This involves ability to frequently adapt to new information as cases develop
- Required to think on their feet and respond to the unexpected in highly charged situations (especially in advocacy)
- Required to be sensitive to and assist members manage conflict and changes in their workplace and workload in a way that is designed to preserve the member's employment relationship at the same time as protecting the member's legal rights/position and health and wellbeing
- Required to advise and support very assertive, highly intelligent members with extremely high expectations and demands. The advice may often be met with resistance and necessitates additional explanation of the rationale for the strategy and advice given
- In the short term, these skills are deployed to the immediate advantage of the member and to promote the case. There is a requirement to balance members' needs and expectations with the maintenance of long-term relationships with employers and other health professionals
- Work across a large number and wide variety of employers (SEAs typically have the largest patches in Member Relations). Need to be familiar with policies, procedures and local issues for typically 30+ large NHS employers (Trusts and PCTs) as well as an assortment of other employers including GP practices, universities, private and third sector employers

Judgement (independence and level and impact limitations)

What are the typical decisions that are made in the job without reference to any higher authority? What informs/constrains the decisions (eg expenditure limits, have to follow clearly laid down procedures or working within broad objectives). What influence upon policy, procedures or resources is there (eg giving advice to others)?

Who (or what) is next to be affected by the decisions that are made – for example, supervisor sees them before they leave the team or the whole department sees and has to respond to the change that is made. Give typical example(s) of the consequences of the decisions (eg what impact does the decision-making have on the performance of the team/section/department/organisation)?

- Have freedom to act with significant individual responsibility for providing expert advice in response to queries and in the way in which cases are managed
- Performance, final outcomes and the extent to which objectives are achieved determines the degree of member satisfaction and the way in which the Association is perceived by members and external organisations
- Will occasionally seek guidance from Employment Relations Delivery Manager (ERDM)
- SEA casework is allocated through the gatekeeper process and is of a particularly complex nature (including particular responsibility for issues likely to lead to termination of employment and training)
- Decisions taken and advice given have a high impact on members (including potentially employment / career ending issues) and the credibility of the Association and therefore must be correct
- As Gatekeeper the SEAs have day-to-day responsibility for the timely (often urgent) assessment and allocation of all complex and high level casework to determine the appropriate level of adviser
- SEAs are required to keep other staff groups (IROs, EAs and branch of practice groups) informed of developments of interest to them.

Use of resources (supervision of resources and influence)

What responsibility is there for managing people, equipment, budgets, resources, customer's welfare or confidential information? If this is a staff management role describe what is involved, eg staff reporting, staff development, appraisal, leading a department or the allocation of work.

How does the role fit within the organisation, eg support role, team member, team leader, specialist policy adviser, or leading major areas of core business?

- Whilst SEAs have no direct reports they are involved in the training and development of Employment Advisers (EAs)
- As part of the gatekeeper process they will often work closely with EA on a representational case to assist development. SEAs will often guide and assist EAs with casework more generally (providing opportunities to draft statements of case and shadow at hearings)
- Must be aware of relevant budgets and are required to ensure that events and activities are conducted within them
- Active participation in induction, training and buddying of Member Employment Relations colleagues
- Maintain strict confidentiality of represented members, and BMA-sensitive information, at all times
- Whilst acknowledging that support is available to members via Doctors for Doctors and Counselling line, SEAs should have an awareness of members' welfare issues, supporting and signposting them to other appropriate sources of help such as when there are financial problems or problems that are potentially employment or even career ending.

Communication (level, internal and external demands and significance)

*What people are typically contacted (regardless of the medium) **inside** the Association, eg immediate colleagues, senior managers or administrators? Committee members are the only members classed as internal communication. Normal non-committee membership and doctors are external (see below)*

*Who is in regularly contact with the role holder **outside** of the Association, eg members who are not committee members, suppliers, members of the public? Approximately what percentage of the time is spent on external communications?*

What is the purpose of these contacts, eg conveying information, gathering data?

- Required to develop excellent contacts and close working relationships with members (including members at director level such as Medical and Public Health Directors), senior managers and directors of NHS organisations, solicitors, representatives of medical defence organisations (such as the MPS and the MDU), NCAS and Deaneries, university personnel, directors and managers of private companies
- The significant majority of SEA communication (perhaps 80%) is to the abovementioned members and external bodies. Usually this communication will be undertaken with the intent of persuading or influencing these parties (for example formal grievance letters, appearances at external hearings, etc.)
- Must develop and maintain good relationships with branch of practice secretariats and other expert departments within the Association (e.g. Legal, Ethics and Pensions) including membership of branch of practice specific liaison groups
- Must develop and maintain supportive relationships between colleagues to facilitate organisational aims and members' cases being progressed effectively and efficiently
- Requires well developed interpersonal skills and must be able to obtain case history from and build working relationships with members, who are often extremely distressed and occasionally mentally unwell, then manage expectations which are often unrealistic in order to reach agreement on objectives
- Presentation of cases requires well developed influencing and negotiating skills. In many cases, these have to be displayed in formal external hearings where advocacy and persuasive skills are vital
- In the short term, these skills are deployed to the immediate advantage of the member and to promote the case. There is a requirement to balance this with maintaining long- term relationships with employers and other health professionals

Physical demands & coordination (physical effort and mental strain)

Are there any unusual physical or mental demands of the role; for example, lifting heavy objects, standing for long periods, using VDUs extensively or high levels of concentration?

- There will be normal physical demands typically associated with an office environment and there will be limited requirement to engage in lifting/carrying or other exertion. There will be a requirement to use office technology and systems as provided or recommended by the BMA.
- The role holder will be required to travel in order to carry out the role, in line with Member Relations and BMA policy. Attendance at meetings at a variety of locations (e.g. hospitals & trusts) will be required.
- There are internal health and safety policies and guidance to be followed and adhered to by the post holder. These policies apply both in the normal office environment and also when visiting other locations in the execution of duties.

Working conditions and emotional demands)

What are the environmental conditions in which the work is conducted, the social and emotional demands faced by the role and the pressures resulting from these?

- The job is typically conducted either in a normal office (including home office) environment or external location as required to carry out the role and is not considered to be exposed to hazardous conditions or extreme anti-social behaviour (which should be reported through the appropriate internal channels). There may be times where the post holder is involved with a case that involves an emotionally charged situation. This can be raised through the appropriate internal channels to ensure support is given to the role holder as required.

Values and behaviours

The post-holder is expected to execute their role in line with our five organisational values. These are currently being translated into behavioural indicators that will form part of our new performance management process.

The following examples illustrate how we are using our values to inform how we act:

We are **leaders** because:

- We strive to always improve
- We take responsibility for our actions
- We collaborate with each other and work as one BMA for the good of our members
- We are proactive and prepared to guide our members and each other

We are **experts** because:

- We understand our members
- We draw on our collective experience and knowledge to solve problems
- We use our insights and research to make decisions
- We provide accurate, credible, relevant and engaging information
- We recognise our strengths and act upon them

We are **committed** because:

- We listen to our members and put them at the heart of everything we do
- We are respectful, inclusive, open and honest with our members and each other
- We approach everything we do with confidence and sensitivity

We are **reliable** because:

- We deliver on what we say we will do

- We are accessible and approachable
- We build trust by being consistent and supportive
- We are positive and decisive whatever the situation

We are **challenging** because:

- We fight, ethically and fearlessly, for the interests of all our members
- We work as a brave, assertive and effective champion for high quality health services and the advancement of the profession

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