

HEALTH AND DISABILITY COMMISSIONER

POSITION DESCRIPTION

POSITION: Director of Proceedings / Pouārahi o Ngā Hāmenetanga

DEPARTMENT: Proceedings

REPORTS TO: Health and Disability Commissioner

Ko wai tātou | Who we are

Under the Health and Disability Commissioner Act 1994 (the Act), the Health and Disability Commissioner is required to promote and protect the health and disability services consumers' rights and facilitate the fair and efficient resolution of complaints relating to infringement of those rights.

Mō tēnei tūranga mahi | About this role

The Director of Proceedings exercises statutory functions under sections 15 and 49 of the Health and Disability Commissioner Act 1994. The Director is required to make independent decisions on cases referred by the Commissioner and to take proceedings before the Health Practitioners Disciplinary Tribunal and the Human Rights Review Tribunal, or undertake any of the other functions referred to in section 47 of the Act.

The Director of Proceedings is responsible for the efficient, effective and economical management of the activities of the Proceedings function in accordance with section 15(3) of the Act. This includes the effective leadership and management of a small litigation team.

The Director of Proceedings is a member of the Commissioner's executive leadership team and has a strategic leadership role across the whole organisation.

He aha tāu e mahi ana | What you'll be doing

Leadership and Management

- Provide effective leadership and management of the Proceedings team and ensure the development and delivery of high quality services.
- Manage and maintain an overview of all day-to-day Proceedings team activities, and monitor resources needed to enable the team to function effectively.

- Undertake recruitment, training, support, and performance management of staff in accordance with organisational policy.
- Provide professional support and development to enhance the capability and responsiveness of the Proceedings team to deliver high quality results and culturally appropriate services.

Proceedings Function

- Decide upon referral from the Commissioner and Deputy Commissioners whether to issue proceedings in the Health Practitioners Disciplinary Tribunal and the Human Rights Review Tribunal.
- Decide upon referral from the Commissioner and Deputy Commissioners whether to issue any other proceedings or provide representation under section 47 of the Health and Disability Commissioner Act 1994.
- Engage in, supervise, and manage litigation in the Health Practitioners Disciplinary Tribunal, the Human Rights Review Tribunal, and the appellate courts.
- Manage and, where appropriate, recover costs in respect of proceedings to ensure efficient and effective use of the Commissioner's resources.
- Comply with policies and procedures of HDC.
- Manage and liaise with external legal counsel as required.

Planning and Strategy

- Contribute to the strategic leadership and management of HDC and in the development of organisational performance.
- Develop an annual proceedings business plan, in support of the HDC strategic plan, and prepare and manage the annual proceedings budget.
- Monitor proceedings performance and provide regular management reports on progress and variance.
- Provide advice to the Commissioner on HDC processes, as required.

Relationship Management

- Establish and maintain excellent relations and networks with key personnel in organisations, tribunals and bodies relevant to the role.
- Develop and maintain effective relationships with other HDC teams and staff, including senior management team colleagues.
- Undertake education and promotional presentations as required to promote the Act and Code of Health and Disability Services Consumers' Rights (the Code) and the role of the Director of Proceedings.

Ko ngā mea ka hiahiatia e koe kia angitū te haere | What you'll need to be successful:

You will be a qualified senior lawyer with at least seven years post-qualification experience and the ability to hold a current practising certificate. While a post-graduate qualification is not a requirement it would be an advantage.

You will also have/be:

- A proven track record in managing and undertaking litigation.
- Sound understanding and experience of New Zealand's medico-legal environment.
- Sound leadership and management skills to motivate and manage a team.
- A high level of personal resilience and ability to manage competing priorities and deadlines.
- Excellent interpersonal skills and the ability to build effective relationships internally and externally.
- A clear logical thinker who can analyse complex situations and provide practical solutions and recommendations.
- Highly credible in managing relationships in complex settings.
- Flexible and able to relate to a wide range of people from varying cultural and ethnic backgrounds.
- An understanding of the Principles of the Treaty of Waitangi and the aims and aspirations of Māori.
- An understanding of the social, religious beliefs and values of different cultural and ethnic groups in New Zealand.

Te Aronga o te Ratonga Tūmatanui | Public Service Purpose

Ka mahitahi mātou o te ratonga tūmatanui kia hei painga mō ngā tāngata o Aotearoa i āiane, ā, hei ngā rā ki tua hoki. He kawenga tino whaitake tā mātou hei tautoko i te Karauna i runga i āna hononga ki a ngāi Māori i raro i te Tiriti o Waitangi. Ka tautoko mātou i te kāwanatanga manapori. Ka whakakotahingia mātou e te wairua whakarato ki ō mātou hāpori, ā, e arahina ana mātou e ngā mātāpono me ngā tikanga matua o te ratonga tūmatanui i roto i ā mātou mahi.

In the public service we work collectively to make a meaningful difference for New Zealanders now and in the future. We have an important role in supporting the Crown in its relationships with Māori under the Treaty of Waitangi. We support democratic government. We are unified by a spirit of service to our communities and guided by the core principles and values of the public service in our work.

The Health and Disability Commissioner welcomes and supports people of all gender identities, ages, ethnicities, sexual orientations, disabilities, and religions.

Note: This position description, both in terms of actual responsibilities and focus, is subject to change over time, as the role and the organisation develop