



**Business Services
Organisation**

Directorate of Legal Services

— PRACTITIONERS IN LAW TO THE
HEALTH & SOCIAL CARE SECTOR —

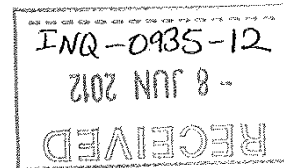
2 Franklin Street, Belfast, BT2 8DQ
DX 2842 NR Belfast 3

Your Ref:
AD -0348-12

Our Ref:
HYP B04/1

Date:
8th June 2012

Ms Anne Dillon
Solicitor to the Inquiry
Inquiry into Hyponatraemia-related Deaths
Arthur House
41 Arthur Street
Belfast
BT1 4GB



Dear Madam

RE: INQUIRY INTO HYPONATRAEMIA RELATED DEATHS- ADAM STRAIN

I refer to the above matter and your letter dated 25 April 2012. Using your numbered paragraphs, please see below the Trust's response.

1. The Directorate of Risk and Litigation Management was established in April 1997. It is the Trust's understanding that this Directorate was formed due to the Royal Hospitals Trust belief that management of risk was an integral part of achieving best practice. Therefore, it was expected that by developing a framework this would enable and encourage a systematic approach to risk management.
2. The remit, function and responsibilities of the Directorate were to develop systems for the identification of risk in clinical and non clinical risk areas, including health and safety, security, environmental (and any other risks), recording, analysing and dissemination of risk management information and good practice throughout the Trust.
3. The Directorate was accountable to the Medical Director and the Chief Executive.
4. The Job Description dated May 1997 for the post Director of Risk and Legal Administration is enclosed. The Trust cannot provide an organisational diagram, as there was none in existence at the relevant time (as previously advised).
5. It is the Trust's understanding that all files from this Directorate in relation to Adam Strain have been provided to the Inquiry. These are located on the Inquiry's website at Files 59 and 60.

Providing Support to Health and Social Care



6. A copy of Dr Murnaghan's CV is attached.

7. These roles did not co-exist. Dr Murnaghan's roles evolved over a period of time. Dr Murnaghan took up the post of Director of Risk and Legal Administration in April 1997. A job description for Dr Murnaghan's previous role as Director of Medical Administration cannot be located.

8. Dr Murnaghan reported to the Medical Director of the Trust.

This completes my client's response to your aforementioned letter.

Yours faithfully

pp R Kelso
Angela Crawford
Solicitor

Enc

THE ROYAL GROUP OF HOSPITALS DENTAL HOSPITAL
HEALTH AND SOCIAL SERVICES TRUST

JOB DESCRIPTION

TITLE OF POST: X DIRECTOR OF RISK AND LEGAL ADMINISTRATION
LOCATION: THE ROYAL GROUP OF HOSPITALS DENTAL HOSPITAL
HEALTH AND SOCIAL SERVICES TRUST
RESPONSIBLE TO: CHIEF EXECUTIVE
REPORTS TO: MEDICAL DIRECTOR

Job Summary

The Royal Hospitals Trust believes that management of risk is an integral part of achieving best practice. The postholder will ensure that a basic framework is in place to enable and encourage a systematic approach to Risk management.

The postholder will play a key role in the promotion of Risk management within the Trust through the development of systems for the identification of Risk in clinical and non clinical areas (including health and safety, security, environmental and other risks). The recording analysis and dissemination of risk management information and good practice throughout the Trust. The postholder will foster a co-operative relationship with medical and other healthcare professionals, safety personnel and other colleagues relative to quality and Risk management. The postholder will also be responsible for providing a claims investigation and management service in relation to claims of litigation, and has special responsibility for the major incident plan.

Principal Duties and Responsibilities

Risk Management

1. Ensure the Trusts statutory duty to comply with legislation in relation to Health and Safety at Work, Control of substances hazardous to Health, Noise at Work, Asbestos Control, Pollution, Environmental Protection, Fire Safety etc. are fully met.
2. Provide an advisory service to the Trust, its Officers, Senior Managers and other Staff members on the technical aspects arising from issues in (1), particularly dealing with relevant new legislation, codes of practice, guidance notes or working practices.
3. Liaise with outside bodies having a statutory or advisory role in risk related subjects to ensure the Trust receives and reacts to the best available advices, amending its working practices in a cost effective manner.
4. Enable and support the work of the Risk Management Steering Group. Develop and implement a Risk Management Strategy for the Trust.

5. Establish and support specialist sub-groups responsible for Risk Management in specified areas e.g. Health and Safety, Ergonomics etc.
6. Monitor and advise on the implementation of policies and procedures relevant to risk related areas required by statute on the Trusts instruction.
7. Ascertain, by means of audits inspections or surveys, any area of deficiency which could lead to a breach of the Trusts statutory duty and or loss, disease, injury or death to employees or third parties and recommend a priority for addressing such deficiencies.
8. Identify training needs for the Trust and its staff in conformity with current legislative requirements, policy guidelines and local needs in risk related areas and ensure staff are trained to meet these demands.
9. Communicate the Trusts Risk Management Philosophy and Structures to all staff levels throughout the Trust to achieve ownership and a change in culture and attitude towards risk.
10. Establish, develop and maintain management information systems to enable the recording, analysis and reporting of risk-related statistics (claims and near-misses) to inform the Trust of historical problematic areas and trends leading to prioritised and effective loss-reducing action.
11. Investigate and submit reports in accordance with statutory requirements and the Trusts own wishes, including circumstances surrounding losses, accidents or near-misses, taking the necessary action to eliminate or reduce the risk concerned.
12. Establish and Chair a Claims Review Committee (including amongst its members Senior Directorate Heads, the Trusts Legal Advisers and Risk Management Advisers) to review claims made against the Trust, decide on issues of liability, settlement/defence tactics, quantum and Risk Management action to eliminate/reduce risk.
13. Supervise and monitor the work of the Health and Safety Officer and ensure the Trusts needs in relation to claims/near-miss investigation and general Health and Safety issues are being met.
14. Provide a link between the Quality Audit and Risk Management activities of the Trust thereby integrating information and action.
15. Co-ordination and leadership of major incident plan (disaster plan) for the Trust.

Legal Administration

16. Provide a claims investigation and management service on behalf of the Trust in relation to claims of litigation in respect of employer liability, occupier liability, clinical negligence and associated matters.

Ensure that the relationship between Risk Claim Management and the complaints process is clearly defined and implemented in order to minimise adverse outcomes for the Trust and staff.

X Liaise with the Coroner and other relevant services on behalf of the Trust.

X The postholder will undertake other duties as directed by the Trust Medical Director.

Management Responsibilities

Delegate responsibility and authority to staff within his/her control, consistent with effective decision making while retaining responsibility and accountability.

Participate in the selection and appointment of staff according to him/her in accordance with the procedures laid down and approved by the Trust.

Provide in-house staff training as required.

Retain staff relationships and morale amongst staff reporting to him/her.

Take such action as may be necessary in disciplinary matters in accordance with the procedures laid down and approved by the Trust.

Review the organisation plan and establishment level of the service for which he/she is responsible to ensure that each is consistent with achieving the objectives and recommended changes where appropriate.

Review individually, at least annually, the performance of the immediate subordinate staff, provide guidance on personal development requirements and advise further training where appropriate.

Ensure that the review of performance identified above is performed for all levels of staff for whom he/she has professional management responsibility.

NOTE: THIS JOB DESCRIPTION IS AN OUTLINE OF THE POST AS IT IS CURRENTLY PERCEIVED. THE POSTHOLDER WILL BE EXPECTED TO CONTRIBUTE FULLY TO THE DETERMINATION OF OTHER SPECIFIC OBJECTIVES. THIS JOB DESCRIPTION WILL THEREFORE BE SUBJECT TO CHANGE IN DETAIL AND EMPHASIS IN THE LIGHT OF FUTURE DEVELOPMENTS.

**THE ROYAL GROUP OF HOSPITALS AND DENTAL HOSPITAL
HEALTH AND SOCIAL SERVICES TRUST**

Employees of the Trust are required to support its Mission which states:-

"It is our fundamental purpose in the Royal Hospitals to provide the highest quality cost effective health care, as an outstanding acute general hospital and tertiary referral centre, through exceptional service to our patients, staff and community in an environment of education, teaching and research".

GENERAL RESPONSIBILITIES:

Members of staff are expected at all times to provide a caring service and to treat those with whom they come into contact in a courteous and respectful manner.

Staff are expected to demonstrate their commitment to the Trust by their regular attendance and the efficient completion of all tasks allocated to them.

All staff must comply with the Royal Group of Hospitals and Dental Hospital Health and Social Services Trust's No Smoking Policy.

All duties must be carried out in compliance with the Royal Group of Hospitals Trust's Health and Safety Policy and statutory regulations.

The Trust is an Equal Opportunities Employer. You are required to adhere to the Trust's Equal Opportunities Policy throughout the course of your employment.

To ensure the ongoing confidence of the public in officers of the Trust and to maintain high standards of personal accountability, staff must abide by the Code of Business Conduct.

May 1997

CURRICULUM VITAE

Personal Details

GEORGE ANTHONY MURNAGHAN
MAO, FRCOG, FRCPI

D.O.B. [REDACTED]

Address [REDACTED]

Tel.: [REDACTED]

January 2006 to date

Medico-legal consultant to many firms of solicitors advising both Health Boards and Voluntary Hospitals in both parts of Ireland and those representing claimants.

Occasional lecturing and postgraduate examiner to RCPI and University of Garyounis at Benghazi, Libya.

Employment History

Associate Dean, Higher Medical Training

The Irish Committee on Higher Medical Training (ICHMT) of The Royal College of Physicians of Ireland
June 2002 to December 2005

Key responsibilities

Acting on behalf of the Dean in

- inspection of posts for approval for higher training
- selection of specialist registrars
- end of year assessment of specialist registrars
- representation of the dean at various Committees

Dean, Higher Medical Training

The Irish Committee on Higher Medical Training (ICHMT) of The Royal College of Physicians of Ireland

August 1998 to June 2002

Key responsibilities

This was a new position created to develop and oversee the entire programme of higher medical training in Ireland.

It involved the development and supervision of the main areas of the training process

1. curriculum development
2. development of relevant documentation
3. introduction of the specialist registrar grade
4. approval of training posts
5. recruitment and selection of specialist registrars
6. the annual assessment of specialist registrars and to verify progress

Additionally, it required regular meetings with appropriate external bodies, (Department of Health and Children, Postgraduate Medical and Dental Board, Medical Council, Hospital CEOs and national specialty directors.

Director of Risk and Litigation Management 1987 - 1998

Royal Group of Hospitals Trust
Grosvenor Road,
BELFAST. BT12 6BA

Key responsibilities

- recruitment and selection of junior and senior medical staff within the Royal Hospitals Group
- co-ordination of medical audit
- responsibility for human resources and budgetary management (approx £stg. 8 million) relating to all paramedical staff (400+ employees)
- conduct of investigative and disciplinary processes for medical staff
- administration, direction and co-ordination of the disaster plans for the Royal Victoria Hospital and Royal Belfast Hospital for Sick Children.
- development and implementation of an organisation wide risk management programme including the changes identified
- accountable to the trust Board for the administration of complaints , legal services and contracts reserve value (£stg 10 million)

Senior lecturer 1974 – 1987

Department of Midwifery and Gynaecology
The Queen's University of Belfast

Consultant obstetrician and gynaecologist 1974 – 1987

Royal Maternity and Royal Victoria Hospitals
Belfast

Key responsibilities

- management and delivery of undergraduate and postgraduate teaching programmes
- postgraduate advisor in obstetrics and gynaecology for Northern Ireland

- promotion of clinical research projects
- clinical care of maternity and gynaecology patients in a tertiary referral centre including providing a lead role for Northern Ireland in the management of patients with the hypertensive complications of pregnancy and in the development of an investigative service for urinary incontinence problems

Educational history

Medical School	University College Dublin	
Degrees and Qualifications	M.B. B.Ch. B.A.O. (NUI)	1962
	L.M. (Coombe)	1964
	D.R.C.O.G	1967
	M.R.C.O.G.	1969
	M.A.O. (NUI)	1969
	F.R.C.O.G	1981
	F.R.C.P.I.	1996
Secondary Education	St. Vincent's College, Castleknock, Co. Dublin	

Achievements

- Blair Bell Fellowship 1983
Royal College of Obstetricians and Gynaecologists
- British Council Visiting Lecturer 1976
University of Zambia

Special Medical Interests

- Hypertension and cardiovascular diseases complicating pregnancy
- The application of computers in obstetrics and gynaecology
- Urinary problems in gynaecology
- Medico-legal issues in obstetrics and gynaecology

Publications

23 chapters and original articles on various aspects of hypertension and vascular disease complicating pregnancy

Additional Information

- Member, Committee of Management, Northern Ireland Bio-engineering Centre, University of Ulster 1990-1998

- Chairman, Northern Ireland Maternity System (NIMATS) Steering Group 1992-1998
- Member, Northern Ireland Regional Rubella Action Committee 1986 – 1992
- Examiner in obstetrics and gynaecology at Queens University of Belfast, The National University of Ireland, The Royal College of Physicians of Ireland, Jordan University Medical School, Garyounis University, Benghazi and Al Arab Medical University Tripoli, Libya.
- Member, Executive Committee, The Institute of Obstetricians and Gynaecologists of the Royal College of Physicians of Ireland 1982 -1998
- Chairman, Hospital Inspection Committee and Examination Committee Institute of Obstetricians and Gynaecologists 1982-1998
- Member, Education and Examination Committee, The Royal College of Physicians of Ireland 1982 -1997
- Chairman, Examination Committee, The Royal College of Physicians of Ireland 1997-1999
- Member, Scientific Advisory and Pathology Committee, The Royal College of Obstetricians and Gynaecologists 1976-1979