British Orthopaedic Association

35- 43 Lincoln's Inn Fields,
London, WC2A 3PE

Registered Charity No. 1066994
Company Registration No.3482958

Medico-Legal Committee

Committee Name	**Medico-Legal Committee**
Type	Standing Committee
Purpose	Support the delivery of the BOA strategy by developing and delivering guidance with a focus on learning from medico-legal issues to improve patient outcomes; engaging with relevant stakeholders on medico-legal issues.
Scope	• To promote the improvement of orthopaedic surgery and patient safety by learning from medicolegal claims Prevention of future harm • Data-gathering • Develop relationship with NHS Resolution and other relevant Collaborators • Develop guidance on the avoidance of common issues that lead to patient harm, working with other specialities where appropriate • To maintain an oversight of legal matters in relation to Medico-legal issues relevant to the practice of orthopaedic and trauma surgery; and • To prepare policy positions and informative materials for members of the Association in regard to the law (and changes in the law) relating to the practice of T&O surgery, report writing and giving evidence. These will usually be disseminated via the BOA website 'knowledge hub'. • To co-ordinate the position of the BOA in response to Government and legal profession changes in policy in relation to medico legal expert and professional witness practice. • To oversee regular content for the BOA Congress and the JTO of a medico-legal nature.
Authority	• The Medico-Legal committee will devise and deliver activities and projects in support of the BOA approved strategy. • Council (trustee only) is responsible for the overarching governance and financial approval of the work of all committees. • All new initiatives or significant changes to ongoing projects should be developed within the committee and proposed/recommended to Council for approval. • All publications/position statements/standards documents should be presented to Council for approval before publication. • Where necessary the Executive group, on delegated authority from the Council, can provide financial approval for projects or activities.
Chair	• An open application process will be held: • Using a formal job description and person specification; • An advertisement will be placed in the BOA's Journal of Trauma and Orthopaedics and a BOA newsmail;

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	• The Chair will be appointed by the Executive Group and ratified by Council. • The Chair will be a member of the Orthopaedic Committee • The tenure of the appointment is three years.
Membership	Maximum 9 members in addition to the Chair • Two members of elected Council • Five members appointed through an open application process. • Elected Trustees of BOA Council should not apply for committee vacancies that are advertised, as there is a separate mechanism for Elected Trustees to become members of the committees • One BOTA representative • One Council Lay Representative **Appointed members** • The tenure of the appointed members is three years, with appointments staggered in the interests of continuity, always commencing in January. • An advertisement will be placed in the BOA's Journal of Trauma and Orthopaedics and a BOA newsmail using a brief person specification. • Short listing and interviews (if necessary) conducted by a member of BOA Executive and the Medico-legal Committee Chair. Appointments to the committee will be ratified by elected Council. • Any appointed committee member may stand for re-appointment when their term ends without the requirement for a fallow year. If a committee member chooses to reapply, the same open recruitment process will apply, with no guarantee they will be appointed. There is a maximum of two terms for any appointed committee member. There may be circumstances where a demitting member is responsible for a major piece of work that is not completed at the time they would demit. Such circumstances are likely to be rare as succession planning should allow transfers of responsibilities. However, if a Chair wishes to extend the term of a demitting member, they would need to seek agreement from the Elected Trustees prior to the end of that member's term. The extension should be for no longer than one year and only one person on the committee may be on an extended term at any time. Persistent lack of attendance and/or contribution will lead to resign their membership of the Committee and any additional roles and replacement.
Meeting arrangements	• Three meetings per annum, with teleconferencing used as required • Meetings will usually last for a maximum of three hours held in the morning or afternoon • Committee meetings will often take place virtually (e.g. using Zoom), although at least one meeting will take place in person. • Quorum – 50% of the appointed membership

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	• Non-quorate meetings may still proceed, but no strategic decisions can be made; • The committee will be supported by a member of the BOA staff who will draft agendas and minutes for review by the chair.
Reporting	• The committee will report to Council via the Chair. • A formal report on activities will be provided to Council at each meeting. • New initiatives and requests for projects requiring additionally funding should be formally submitted to Council for approval.
Resources and budget	• A member of the BOA Office will attend meetings of the committee to advise on any resource issue • There will be an allocated budget for committee expenses such as travel • Requests for projects requiring additionally funding should be formally submitted to Council for approval.
Review	Terms of reference should be reviewed and updated in conjunction with review of the BOA strategy.