

THE NATIONAL INSTITUTIONS OF THE CHURCH OF ENGLAND

MANAGING EMPLOYER: ARCHBISHOPS' COUNCIL

DEPUTY HEAD OF THE LEGAL OFFICE

JOB PROFILE

JOB TITLE: Deputy Head of the Legal Office of the National Institutions of the Church of England

GRADE: Band 1 (Market Rate Salary post)

LOCATION: Church House, Great Smith Street, London SW1P 3AZ

ACCOUNTABLE TO: The Head of the Legal Office

RESPONSIBLE FOR: Up to three legally qualified staff

KEY RELATIONSHIPS:

- The Archbishops of Canterbury and York, the House of Bishops and its Standing Committee;
- The Archbishops' Council;
- The First and Third Church Estates Commissioners and the 'QC Commissioner';
- The Board of the Church Commissioners;
- The Chairs of (i) the General Synod and its commissions and committees and (ii) the statutory Commissions which the Legal Office is responsible for servicing;
- The Chief Executive Officers and other senior staff of the Archbishops' Council, the Church Commissioners, the Church of England Pensions Board and the other National Church Institutions ('NCIs'); and
- The Head of the Legal Office and the other staff of the Legal Office.

BACKGROUND:

The Legal Office provides legal services to the National Institutions of the Church of England, of which the Archbishops' Council, the Church Commissioners and the Church of England Pensions Board are the largest. It currently comprises 6 solicitors, 3 barristers, 1 legal executive and 2 support staff.

The Legal Office is one of a number of 'common service' units that provide services to all the National Church Institutions and are managed by Church of England Central Services. (Other common services include IT, Human Resources, Office Services and the Church of England Records Centre.) The Head of the Legal Office is the Chief Legal Adviser to the Archbishops' Council and the General Synod and Official Solicitor to the Church Commissioners.

The Advisory Team of the Legal Office is responsible for:

- the legislative functions of the General Synod and providing legal and procedural advice to its Commissions and Committees
- providing legal advice to the National Church Institutions and their respective Committees (including advice on proposed Government legislation)
- the conduct of the national function in relation to clergy discipline.

The Property Team of the Legal Office is responsible for some transactional property matters and some other legal work relating to the Commissioners' property.

The Legal Office is located within Church House, Westminster.

JOB SUMMARY:

The Deputy Head of the Legal Office is the Deputy Legal Adviser to the Archbishops' Council and the General Synod and the Deputy Official Solicitor to the Church Commissioners. It is a senior role in the National Institutions of the Church of England, immediately below Director level, and requires the provision of legal services with an exceptionally high level of independent professional and personal responsibility.

MAIN DUTIES AND RESPONSIBILITIES:

The role involves sharing responsibility for overseeing the work of the Legal Office and deputising for the Head of the Legal Office.

Responsibilities of the post include:

- the timely, effective and efficient delivery of legal services, at an advanced level, to the National Institutions of the Church of England in accordance with the Legal Office Service Level Agreement
- personal responsibility for the delivery of such services to the General Synod and its Houses, commissions and committees and to the Archbishops' Council, the Church Commissioners and the Church of England Pensions Board (and their respective committees)
- representing the Church to Government, Parliament and other external organisations.

The job requires the provision of legal advice and analysis to internal and external stakeholders at the highest level, including in relation to matters which, internally, have strategic significance for the Church of England and/or affect its internal dynamics and, externally, affect the way in which the Church is perceived. By virtue of its influence on the Church's central decision-making processes, the legal advice given by the post holder has a significant impact in relation to all these areas. Because such advice that is in any way inadequate or misjudged can have a seriously adverse impact it is essential that the advice provided by the post holder is entirely reliable and always well-judged and accurate.

Furthermore, the environment in which the job is carried out is a demanding one. Factors contributing to that include:

- the complexity of the surrounding framework of ecclesiastical, public and administrative law, charity law and of the legislative and other Synodical processes,
- the diversity of views held within the Church of England on many matters,
- the potential for legislative proposals from Government to impact on the Church in highly sensitive areas and
- the need to respond rapidly, under pressure, to situations that unexpectedly arise.

The job involves producing imaginative and effective solutions to complex and novel legal problems in order to ensure the organisation's strategic outcomes are achieved.

The job therefore requires the ability to provide rigorous, legally correct, well-communicated and well-judged legal advice and analysis, sometimes in highly contested or sensitive circumstances, on a wide range of matters, in such a way as to command respect from senior office holders within the Church and external parties including Government Ministers and senior civil servants.

The post holder is required to exercise personal responsibility for the following functions:

- a leading role in the formulation of the policy of the Church of England, and of its legal strategy and procedures.
- a leading role in the effective performance of the Legal Office, including–
 - ensuring a high quality of service and that service level agreements are met in the areas for which the post-holder has responsibility
 - coaching junior staff in specific areas of legal expertise
- supporting the Head of the Legal Office in developing policy and strategy for the Legal Office as a whole, including management and staffing issues
- advising the Archbishops of Canterbury and York, their chiefs of staff and the CEOs of the Archbishops' Council and the Church Commissioners on controversial and politically sensitive issues
- representing the NCIs in meetings and negotiations with Government ministers and senior civil servants
- appearing before Parliamentary committees as a representative of the Church of England.
- advising bishops, the Church Commissioners (especially the First Estates Commissioner and the QC Commissioner) and the Archbishops' Council on strategic decisions relating to the conduct of litigation, especially on controversial and highly sensitive issues that have implications for the Church of England as a whole, managing such litigation (including by liaising with external solicitors and counsel and giving instructions on behalf of the Church Commissioners) and advising the Director of Communications and other staff on how to respond to press inquiries concerning such litigation, sometimes under extreme time pressure
- giving legal advice on legislative proposals and instructing legislative counsel to draft legislation
- taking legislation through the General Synod and both Houses of Parliament
- advising the Chairs of the General Synod, the Houses of General Synod (especially the House of Bishops) and the Synod's commissions and committees
- advising the Clerk to the Synod and other Synod staff on legal and procedural issues arising out of their work.
- advising the Archbishops' Council, its committees, Secretary General (CEO) and other staff on legal and procedural issues arising out of their work
- advising the Church Commissioners, their Board and committees, Secretary (CEO) and other staff on legal and procedural issues arising out of their work, especially as regards:
 - (i) fiduciary duties
 - (ii) matters relating to the work of the Pastoral and Closed Churches Department and
 - (iii) the payment of bishops' legal costs under the Episcopal Endowments and Stipends Measure 1943).
- advising the Church of England Pensions Board, its committees, Secretary (CEO) and other staff on legal and procedural issues arising out of their work.

- advising the other NCIs and their respective committees and staff as required on legal and procedural issues arising out of their work.
- providing legal advice to House of Lords bishops in relation to parliamentary business and supporting them in the House of Lords as required
- collaborating with senior colleagues in other divisions of the Archbishops' Council, the Commissioners and the other NCIs in developing policy
- monitoring and advising on the impact of Government legislation on the NCIs and the Church of England generally
- Deputising for, and assisting, the Head of the Legal Office
- Promoting the effective delivery of legal services throughout the Church of England generally, including by:
 - responding informally to requests from persons and bodies outside the NCIs; and
 - supporting the work of the Legal Advisory Commission, of the provincial and diocesan registrars and of the Ecclesiastical Law Society, the Ecclesiastical Law Association and the Ecclesiastical Judges Association.
- Carrying out other duties as required.

The post is based in Westminster but the post holder may be required to travel to any part of the country for work purposes when necessary, including for 6 days in York each year at the July group of sessions of the General Synod.

The main duties and responsibilities of your post are outlined in your job description. This list is not exhaustive and is intended to reflect your main tasks and areas of work. Changes may occur over time and you will be expected to agree any reasonable changes to your job description that are commensurate with your banding and in line with the general nature of your post. You will be consulted about any changes to your job description before these are implemented.

PERSON SPECIFICATION:

Essential

Qualifications:

- a solicitor or barrister qualified to practice in England and Wales with significant relevant post-qualification experience.

Skills/Aptitudes:

- strong powers of legal analysis and proven experience of providing effective legal advice on complex and novel issues without supervision and with the capability to quality assure own work
- ability to deal with highly complex, sensitive and controversial matters directly involving the most senior figures in the organisation and other key internal and external stakeholders
- creativity and innovation necessary to overcome complex and demanding challenges and to provide creative solutions
- ability to acquire an understanding of legal principles in new areas of practice quickly and proactively
- ability to apply the law accurately yet imaginatively, taking account of the context
- ability to communicate effectively orally and in writing, including by being able to:
 - present complex legal concepts and arguments clearly to non-lawyers

- write clearly, even when presenting complex ideas
- ability to deal with complex issues without losing sight of the wider context
- ability to assess the wider implications of the analysis/advice provided
- capacity to work under pressure and meet deadlines and work flexibly to meet rapidly changing demands
- ability to work confidently with senior and experienced lawyers and other senior staff and members, both internally and externally
- ability to build effective relationships with senior stakeholders and establish credibility in areas of technical expertise
- capability to absorb and manage detail
- good word processing skills and computer skills.

Knowledge/Experience:

- significant post-qualification experience including substantial experience of personally and without supervision–
 - advising on complex legal issues
 - representing clients and
 - drafting complex legal documents
- knowledge of one or more of the following:
 - public and administrative law
 - ecclesiastical law
 - charity law
- experience of utilising a focussed approach and delivering results
- high level client/stakeholder liaison
- caseload management
- advanced knowledge of legal research methodology.

Personal Attributes:

- willingness to work sympathetically within a Church context
- ability to deal sensitively yet objectively with people from a range of backgrounds and theological positions
- respect for the views of others, including willingness to work constructively as a member of a team
- ability to inspire confidence
- ability and willingness to work proactively and without unnecessary formality
- willingness to keep up to date in all relevant areas of law
- willingness to use IT systems
- a commitment to personal, staff and organisational development
- a strong commitment to high standards of service delivery and excellent customer care
- a high level of personal integrity and a commitment to upholding professional standards.

Circumstances:

- a communicant member of the Church of England or a Church in communion with it.

Desirable

Skills/Aptitudes:

- advanced IT skills.

Knowledge/Experience:

- awareness of the structures, dynamics and culture of the Church of England, including of the range of religious beliefs held within it; and/or
- experience of the legislative process and of dealing with Government; and/or
- some professional experience of court / tribunal proceedings.

Personal Attributes:

- willingness to develop additional legal and personal skills.

GENERAL CONDITIONS:

Diversity

Equal treatment amongst people from diverse backgrounds and with diverse perspectives is one of the central precepts to the Church of England's mission and theology. The Church of England and its national employing bodies value the richness which this equal treatment brings to the workplace. It therefore has an equal opportunities policy in place. This policy not only requires the employer to fulfil certain obligations but also places responsibilities on staff. Staff found to be contravening the policy or acting outside its spirit will be subject to disciplinary action, which could lead to dismissal.

The National Church Institutions wish to implement the terms of the Disability Discrimination Act and are committed to improving opportunities for people with disabilities. If you feel that you could carry out this post with some adjustments please let the Human Resources Department know. If you require particular arrangements made for interview etc. (signing, access), please indicate with your application form.

Standards of Behaviour and Conduct

Staff are expected to act at all times with due consideration for others and in a manner befitting their position as employees of the Church and as professionals, whatever their job.

Health and Safety Responsibilities

All NCI staff are required to ensure that they understand and accept the legal duties placed on them by the Health and Safety at Work Act not to endanger themselves or others and by the Management of Health and Safety at Work Regulations to co-operate with colleagues and management in the control of health and safety at work. And therefore:

- to read and understand and abide by the NCI health and safety policy;
- to make themselves familiar with accident and emergency procedures on their site;
- to make themselves familiar with the findings of any departmental risk assessments which might affect them;

- to inform their management team immediately of any health or safety deficiencies or dangerous situations or near misses;
- to set a good personal example in respect of health and safety.

Confidentiality

Staff must not pass on to unauthorised persons, any information obtained in the course of their duties without the permission of their Head of Department.

TERMS OF EMPLOYMENT:

- Starting Salary:*** Circa £100,000 per annum.
- Pension Contributions:*** You will be enrolled in the Church Administrators Pension Fund (CAPF-Defined Benefit Section) unless you choose to opt out.
The retirement age for men and women is 65 years.
- Hours of Duty:*** Normal hours of work are 35 per week, Monday to Friday, with an hour's unpaid break for lunch.
- Annual Leave:*** 30 days paid leave per leave year. This is exclusive of public holidays and additional holidays approved by your employer. The leave year runs from 1st January to 31st December.
- Season Ticket Loan:*** Staff are eligible to apply for an interest-free travel season ticket loan for their journey to and from work.
- Contract:*** The post is offered on an open-ended contract, subject to a trial period of 30 working days.