

## Lead Lawyer – Rōia Ārahi

### Position Description

The Teaching Council of Aotearoa New Zealand is the professional body for all teachers. We are independent, and act in the interests of teachers to enable and support leadership to teachers and direction for the education profession, including teacher education and continued professional and leadership development.

We establish and maintain criteria for teacher registration, standards for ongoing practice, and criteria for the issue of practising certificates of different kinds. Alongside this, we monitor and maintain the requirements relating to conduct, competence, and impairment, and establish and maintain a code of professional responsibility for teachers.

### Our Vision

The Teaching Council will enable and support leadership by the profession to maximise the success of every learner in Aotearoa through highly effective leadership and teaching.

### Our Behaviours

- Whaihua i a tātou anō  
*Value our colleagues by listening and being open to what they say.*
- Mahi ngātahi  
*Work together with integrity by respecting each other and the profession*
- Whai whakaaro ki ngā mahinga katoa  
*Adopt a solution focussed attitude when working with others*
- Whakarangatira i ngā iwi katoa  
*Honour our bicultural partnership by being culturally competent*
- Whakaaturia te mana Māori me te Ahurea ki ngā reanga katoa o te Kaunihera  
*Demonstrate and foster leadership at all levels of the council*

### Our Values

- Whakamana  
*Empowering all learners to reach their highest potential by providing high-quality teaching and leadership*
- Manaakitanga  
*Creating a welcoming, caring, and creative environment that treats everyone with respect and dignity*
- Pono  
*Showing integrity by acting in ways that are fair, honest, ethical, and just*
- Whanaungatanga  
*Engaging in positive and collaborative relationships with our learners, their families and whānau, our colleagues and the wider community*

## Summary

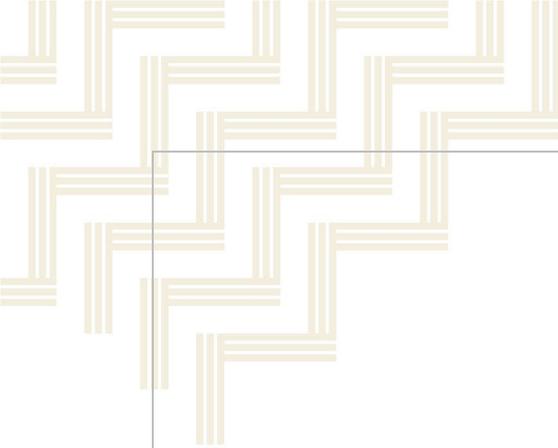
Position Title	Lead Lawyer
Reports To	Manager Professional Responsibility
Financial Delegation	According to the Delegations Policy
Direct Reports	3
Purpose	<p>Lead and direct the team of lawyers to provide accurate, correct, timely and appropriate legal advice on disciplinary and competence matters, including providing advice around process improvements and changes so that all decisions are made within an appropriate legal framework.</p> <p>Seek and sustain partnerships with legal networks including other regulatory bodies.</p> <p>Represent the CAC in the Disciplinary Tribunal and manage the Council's disciplinary and competence litigation.</p>
Date	July 2022

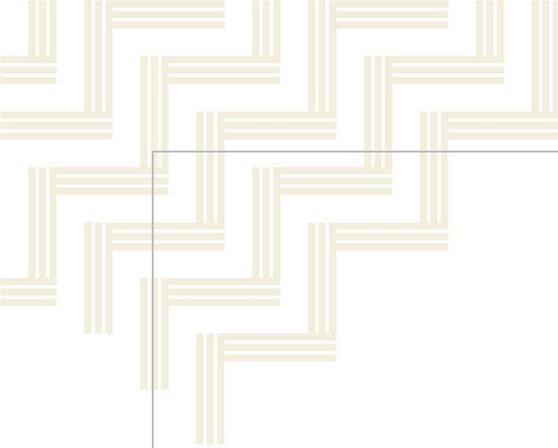
## Key Relationships

External	Nature of relationship
Other education and regulatory agencies	<ul style="list-style-type: none"> <li>• Provision of information and liaison</li> </ul>
Ministries of Education and Justice	<ul style="list-style-type: none"> <li>• Provision of information and liaison</li> </ul>
Professional leaders, teachers, Boards of Trustees	<ul style="list-style-type: none"> <li>• Provision of information and liaison</li> </ul>
External lawyers	<ul style="list-style-type: none"> <li>• Provision of information and litigation/prosecution management</li> </ul>
Disciplinary Tribunal	<ul style="list-style-type: none"> <li>• Advocacy as counsel for the CAC</li> </ul>
Internal	Nature of relationship
Manager Professional Responsibility	<ul style="list-style-type: none"> <li>• Reports to</li> </ul>
PR Team Leads	<ul style="list-style-type: none"> <li>• Support, inform and advise</li> </ul>
Chief Executive, Executive Team, and Management team	<ul style="list-style-type: none"> <li>• Support, inform and advise</li> </ul>
Complaints Assessment Committee (CAC), Impairment Committee, Competence Authority, Triage Committee	<ul style="list-style-type: none"> <li>• Support, inform and advise</li> </ul>
Governing Council, teams, and staff	<ul style="list-style-type: none"> <li>• Support, inform and advise</li> </ul>

## Key Result Areas

Jobholder is responsible for	Jobholder is successful when
<b>Leading the Legal team</b>	<ul style="list-style-type: none"> <li>• The Legal team receive high quality and timely support, mentoring, and advice to effectively perform in their roles.</li> <li>• Workload is monitored and managed effectively.</li> <li>• Escalated issues are resolved appropriately.</li> </ul>





	<ul style="list-style-type: none"><li>• Work alongside the investigators and Professional Practice Evaluators is carried out and includes:<ul style="list-style-type: none"><li>• Gathering any additional evidence required</li><li>• Co-coordinating witness briefings</li><li>• Briefing witnesses prior to hearing</li><li>• Organising expert witnesses where appropriate</li><li>• Preparation of witnesses</li><li>• Obtaining/assessing original documents where required</li></ul></li></ul>
<b>Management of Disciplinary Tribunal litigation</b>	<ul style="list-style-type: none"><li>• Manage and instruct on a case load of around 150 prosecutions per year, either through external counsel or undertaking these in-house.</li><li>• Manage and instruct on appeals from decisions of the Disciplinary Tribunal and the Competence Authority.</li></ul>
<b>Contribute to the wider Teaching Council</b>	<ul style="list-style-type: none"><li>• All communication both internally and externally is professional, courteous, and timely.</li><li>• Backup support provided to other team members.</li><li>• Skills and knowledge shared.</li><li>• All internal Council policies, such as the Council's Health and Safety processes complied with.</li><li>• Te Tiriti of Waitangi is reflected in all decision making.</li></ul>
<b>Process improvement</b>  Identifying, implementing, monitoring, and reviewing opportunities for process improvements across all Professional Responsibility operations processes	<ul style="list-style-type: none"><li>• Areas for process improvements are identified.</li><li>• Recommendations for improvements are provided to the Manager Professional Responsibility following each review.</li><li>• New processes are clearly communicated, understood, and agreed.</li><li>• Recommendations improve stakeholders' experience with the process as well as achieving Council strategic objectives</li></ul>
<b>Support the Manager Professional Responsibility with a continuous focus on quality improvement</b>	<ul style="list-style-type: none"><li>• They work closely with Manager Professional Responsibility and Lead Investigators, to ensure all staff and processes are compliant with relevant legislation.</li><li>• A collaborative approach within the Professional Responsibility area is maintained all teams work together effectively.</li><li>• Training and continuing professional development are provided on legal matters to the wider team.</li></ul>

<p><b>Financial management</b></p>	<ul style="list-style-type: none"> <li>• Budgets are managed within delegations.</li> <li>• Budgets are maintained and variances reported as soon as they are identified.</li> <li>• Opportunities to reduce costs are identified and capitalised on.</li> <li>• Business plans and reporting are developed and supported the needs of the Council.</li> <li>• All financial management aspects of leadership are completed effectively and timely.</li> </ul>
<p><b>Health, safety and wellbeing</b></p> <p>Complying with the responsibilities under the Health and Safety at Work Act 2015.</p>	<ul style="list-style-type: none"> <li>• A healthy, safe and wellness-oriented workplace is maintained by setting a good example to team members in relation to HSW practices and policies.</li> <li>• Health and safety issues that may impact on the team or wider organisation are identified and reported.</li> </ul>

## Person Specifications

Qualifications	
Essential	Desirable
Qualified lawyer holding a current practicing certificate	
Knowledge and Experience	
Essential	Desirable
Minimum 6 years' experience as a practicing lawyer	Experience in working in a regulatory environment and enjoys core litigation and very hands on advocacy role
Significant litigation experience in Court	Litigation experience with disciplinary bodies
Experience in coaching and mentoring junior lawyers	Staff management
Experience in stakeholder management and building and maintaining relationships	
Key Skills	
<p><b>Expert Level</b></p> <ul style="list-style-type: none"> <li>• Understanding of and provide advice on legal risks in a litigation and in-house context</li> <li>• Relationship management</li> <li>• Strong and effective communicator</li> <li>• Effective time management and ability to meet deadlines</li> </ul>	
<p><b>Advanced Level</b></p> <ul style="list-style-type: none"> <li>• The law and legal issues in relation to disciplinary bodies</li> <li>• Understanding of the requirements of decision-making in a prosecutorial context</li> <li>• Demonstrated ability to understand, analyse and accurately convey complex information in clear and simple written language</li> <li>• Strategic agility</li> <li>• Self-motivated and able to use initiative</li> <li>• Coaching and mentoring staff</li> <li>• Confidence to work with people from diverse backgrounds</li> </ul>	



### **Working Knowledge**

- Culturally responsive practices reflect commitment to Te Tiriti o Waitangi and its relevance and application in the workplace and the education sector