

ROLE PROFILE FOR SENIOR COUNSEL – INVESTIGATION AND TRIBUNALS

About the National Church Institutions (NCIs)

The National Church Institutions comprises a wide variety of teams, professions and functions that support the mission and ministries of the Church of England in its vision to be a church, centred on Jesus Christ, for the whole nation - a church that is simpler, humbler, bolder.

We Include. You Belong.

Our Belonging and Inclusion Strategy aims for everyone in the National Church Institutions (NCIs) to feel that they belong, and are valued for who they are and what they contribute. Together, our people contribute in different ways towards our common purpose, whichever NCI they work in and whatever their background.

Living out our values in all that we do, we:

- Strive for **Excellence**
- Show **Compassion**
- **Respect** others
- **Collaborate**
- Act with **Integrity**

We believe our commitment to belonging and inclusion fuels our progress and drives us forward. The NCIs are a safe, inclusive workplace for people of all backgrounds and walks of life. We welcome applications from people of all faiths and of no faith. We want to encourage applications from a diverse group of people who share our values. Even if you have never thought about working for us before, if you have the skills and experience we're looking for then we would like to hear from you.

About the department

The Legal Office is the in-house provider of legal services to the national policy-making and governance institutions of the Church of England (the National Church Institutions, "NCIs"), the largest of which are the Archbishops' Council, a national policy and strategic decision-making body, and the Church Commissioners, a substantial endowment fund with assets valued at £10.4bn (2023) which has positioned itself at the forefront of Responsible Investment and which supports the mission of the Church. The Legal Office also advises the General Synod, which is a legislative assembly.

We are a small, inclusive team currently comprising twelve legally qualified staff, with two paralegals and two support staff. Our professional backgrounds are diverse, with members coming to us from private practice in law firms, the Bar, from government, and from regulators.

What you'll be doing

As a member of the Legal Office Advisory Team, you will be providing legal services to the National Institutions of the Church of England, with a particular focus on clergy discipline, including acting as an advocate in the relevant statutory tribunals and courts. While the Clergy Discipline Measure 2003 remains in force you will be responsible for performing the national statutory role of Designated Officer.

Information about the statutory clergy discipline process is available at <https://www.churchofengland.org/about/leadership-and-governance/legal-services/clergy-discipline>.

When the new Clergy Conduct Measure comes into force (expected to be 2026) you will lead the Investigation and Tribunals Team. An overview of the new Measure can be found at <https://www.churchofengland.org/sites/default/files/2024-06/gs-2311x2-explanatory-notes-clergy-conduct-measure.pdf>.

You will also be a member of the Legal Office's advisory team, undertaking as appropriate a wider range of duties as a legal adviser within the National Church Institutions.

MAIN DUTIES AND RESPONSIBILITIES

Statutory functions as Designated Officer under the Clergy Discipline Measure/Tribunals Team under the Clergy Conduct Measure

- Initially, fulfilling the role of Designated Officer under the Clergy Discipline Measure; subsequently leading the Investigation and Tribunals Team, in particular by overseeing and investigating complaints of serious misconduct against the clergy
- Conducting proceedings before the relevant court or tribunal, including acting as advocate and taking all necessary steps to prepare the case for hearing
- Acting as advocate on appeals from the decisions of tribunals and courts to the provincial courts of appeal
- Supporting and advising the Clergy Discipline Commission/Clergy Conduct Commission in the exercise of its statutory responsibilities
- Developing and analysing with the Commission new policies and practices, including adapting where needed existing disciplinary processes, advising the Commission in respect of revisions to its national Code of Practice, and drafting proposed amendments to the Code for approval by the General Synod
- Providing advice and guidance, including by organising and providing training, to other persons involved in exercising functions under the Clergy Discipline Measure/Clergy Conduct Measure.

Other advisory and legislative work

- Providing legal advice to the General Synod and its Houses and committees, the Archbishops' Council and its committees and staff (including the National Safeguarding Team) and the other National Church Institutions as appropriate.
- Supporting the development and enactment of legislation (including Rules to be made under the Clergy Conduct Measure); instructing on the preparation of other legislation by Legislative Counsel, being responsible for its passage through the General Synod and Parliament and for its implementation.
- Acting as required as assistant Registrar of the General Synod when in session, by attending sittings of the Synod and advising the Chair as to the interpretation of Standing Orders and the practice and procedure of the Synod.

Your job description is intended to reflect your main tasks and areas of work, but is not exhaustive. 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.

About You

The Church of England is for everyone and we want to reflect the diversity of the community the Church serves across the whole country. Therefore, while of course we welcome all applications from interested and suitably experienced people, we would particularly welcome applicants from UK Minoritised Ethnicities (UKME)/Global Majority Heritage (GMH) and other under-represented groups.

Essential

Knowledge/Experience

- A barrister or solicitor with significant (ideally at least 7 years') experience of advocacy, case management and preparation in courts and/or tribunals
- Proven experience of advising in highly complex, sensitive and contentious matters
- Proven experience of drafting complex legal documentation

Skills & Abilities:

- A highly effective communicator and in particular:
 - a skilled and confident advocate
 - able to present legal concepts and arguments orally and in writing clearly, confidently and concisely to lawyers and non-lawyers alike
 - able to draft documentation in clear and plain English
 - able to gather relevant evidence whilst maintaining impartiality, discretion and total confidentiality

- Strong powers of legal analysis and proven experience of providing appropriate legal advice on complex, sensitive and contentious issues directly to members and other key stakeholders, and the ability to quality assure own work
- Ability to build effective relationships with senior stakeholders
- Ability to absorb and manage detail
- Ability to interpret and apply the law in context, constructing clear, fair and workable legal procedures
- Ability to acquire an understanding of legal principles in new areas of legal practice quickly and proactively
- Ability to deal sensitively yet objectively with people from a range of backgrounds and theological positions, sometimes in circumstances when they feel under threat
- Sound IT skills

Qualifications & Training:

- A barrister or solicitor qualified to practise in England and Wales

Desirable

- Experience of investigative work and gathering and evaluating evidence for proceedings
- Knowledge of human rights law
- Experience of legislative processes
- Ability and willingness to work proactively and without unnecessary formality
- Advanced IT skills
- Proven record of building a reputation for trust and impartiality
- Preparedness to develop additional legal and personal skills

Vacancy Summary

JOB TITLE:	Senior Counsel – Investigation and Tribunals
NCI ENTITY:	Archbishops' Council
DEPARTMENT:	Legal Office
GRADE:	Band 2 Market Rate Salary
SALARY:	c. £90,000
WORKING HOURS:	35
PRIMARY OFFICE LOCATION:	Church House, Westminster SW1P 3AZ
HYBRID WORK ARRANGEMENTS:	2-3 days per week in the office
SUITABLE FOR FULL HOMEWORKING:	<input type="checkbox"/>
HOMEWORKING REQUIRED:	<input type="checkbox"/>
CONTRACT TYPE:	Permanent
IS A DBS CHECK REQUIRED? IF YES, WHICH LEVEL	<input type="checkbox"/> Select level of DBS Check required
IS A FAITH-BASED GOR APPLICABLE FOR THIS ROLE?	<input type="checkbox"/>
ORACLE POSITION CODE:	8017711
COST CODE:	50191
PARENT POSITION:	Deputy Head of the Legal Office (Archbishops Council)