

Education & Inclusion

Assistant to Conciliation, Mediation & Tribunal officer Job Description and Person Specification

Amended 09.04.2019

Job Description

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| Job Title: | Assistant to Conciliation, Mediation & Tribunal Officer |
| Department: | Education & Inclusion |
| Function: | Access & Inclusion |
| Team: | SEND, Conciliation, Mediation and Tribunal Team |
| Post number: | TBC |
| Grade: | LBR7 |
| Hours/weeks: <i>E.g. 36 hours/52.14 weeks</i> | 36 hours / 52.14 weeks |
| Base location: | Lynton House |
| Reports to: <i>Job title</i> | Conciliation, Mediation and Tribunal Officer [Team Manager] |
| Responsible for: <i>Job titles of direct reports</i> | Supervise the SEND Conciliation, Mediation and Tribunal Administrator May be responsible for the supervision of trainee and work placement employees on occasion' |
| Role purpose and role dimensions: <i>Overview of the job</i> | <p>Work alongside the Conciliation, Mediation & Tribunal Team Manager [CM&TTM] and the SEND Tribunal Administrator to prepare legal documents including undertaking related research in SEND Tribunal appeal related case management; Judicial Review claims and Disability Discrimination claims.</p> <p>To work collaboratively and cooperatively with other members of the SEN & Access and Inclusion Service; the Education Service; Schools, Health, Clinical Commissioning Group and Social Care;</p> <p>Liaise with parents, schools, specialist services staff and practitioners in relation to SEND appeals, dealing with enquiries and providing legal advice and briefings as appropriate.</p> <p>To attend mediation meetings with parents / young people, school staff and other professionals, providing advice as necessary.</p> <p>Organise and circulate relevant information for the monthly multi professional Tribunal meetings</p> <p>Maintain an ongoing record of relevant caselaw and Tribunal decisions in a manner that can be shared as lessons learnt with the Inclusion and SEND service.</p> <p>Provide advice and training to LA witnesses</p> |
| Key external contacts: <i>Organisations</i> | Parents, Schools; Special Education Needs & Disability Tribunal; Her Majesty's Court Services; Department for Education; officers in other Local Authorities, Solicitors, Independent Schools & Colleges, North East London Trusts [NELFT"] |
| Key internal contacts: <i>Job titles or groups of staff</i> | Education Psychology; Schools, Clinical Commissioning Group, Specialist Service providers; Independent Mediation Service (Community Accord); Legal services Operational Directors, Heads of Departments; Members, all relevant Directorates, |

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| Financial dimensions: <i>Budgetary responsibility & amount. Equipment, cash, property etc. for which employee is responsible.</i> | Support the monitoring and management of the Functional Unit Budget |
| Key areas for decision making: | Tribunal and other Administrative Undertake Initial Case Analysis Case Management decision making Day to day supervision, performance Management and Development Review of the Mediation and Tribunal Support Administrator |
| Other considerations: <i>E.g. working patterns</i> | To attend and participate positively in meetings promoting an integrated SEND, Health and Social Care disagreement resolution service Provide cover for the Team during absence To participate in the performance management and personal development scheme To maintain at all times a courteous, helpful and polite response to parents, member of the public, council members, outside agencies and Council employees To undertake any other duties appropriate to this area of work consistent with the level of the posts as may be required |

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| Key accountabilities and result areas: | Key elements: |
| Day to day, primary responsibility for the administration and clerical duties working together with the Conciliation, Mediation & Tribunal Officer [C M&TO] Manager and Conciliation, Mediation & Tribunal Assistant | This will involve: To administer and comply with orders made by the SENDIST as required and conduct the necessary enquires in accordance with relevant legislation and Court Rules |
| Providing support and assistance to the Tribunal manager in Appeal Case Management. | This will involve: |
| Mediation | This will involve: Upon receipt of notice that parents wish to engage in mediation liaise with the Independent Mediation Service Provider; inform each relevant commissioning body. to arrange and attend the meeting as appropriate Ensure that the body (or bodies) arranging the mediation inform the parent or young person of the date and place of the mediation Prepare and circulate documentation to the relevant officers ensuring that the parent or young person tells the local authority matters he or she wishes to mediate about and or the provision they wish to be specified in the plan |
| Case Management SENDIST Tribunal | This will involve: Analyse the SEND appeal documents / the Judicial Review applications brought against the Local Authority ["LA"]; Draft the Local Authority response to the appeal; the LA Statement of case; the LA position Statement and where specified the LA supplementary Case statement Assess the case directions issued with the TCMH Order and prepare, a case summary Identifying any issues that need to be progressed with a Tribunal Judge and the list of attendees at the TCMH Action the Directions in the SEND Order issued following TCMH (usually within 10 working days) and / or follow up as required |
| Telephone Case Management Hearing (TCMH) | |
| Case Management (Judicial Reviews) | This will involve: Respond promptly to pre- action protocol Process Judicial review applications within timescales set by the Administrative Court including, checking that all other options for remedy have been exhausted prior to the application for judicial review |

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| Organisation | <p>This will involve: Upon receipt of the appeal, convene Multi-disciplinary professionals to discuss and agree the response to the appeal Arrange pre-hearing meetings to brief LA expert witnesses</p> <p>Attend Case Conferences with Counsel</p> <p>Attend Monthly Multi Agency Tribunal Meetings</p> <p>Prepare and table appeal cases for residential placements for consideration by the Multi Agency Resource Panel ["MARRP"]</p> <p>Provide general advice and guidance to staff, pupils and others.</p> |
| General accountabilities and responsibilities | |
| To contribute as an effective and collaborative member of the team | <p>This will involve:</p> <ul style="list-style-type: none"> ▪ To keep up to date with changes in legislation, Court Rules, policies, national directives, procedures and best practice developments. ▪ Taking responsibility for continuing self-development and participating in training and development activities. ▪ Participating in the ongoing development, implementation and monitoring of the service plans. ▪ Supporting and contributing to value for money, service efficiencies and improvements. |
| Flexibility | <p>This will involve:</p> <ul style="list-style-type: none"> ▪ The above-mentioned duties are neither exclusive nor exhaustive. From time to time you may be required to undertake responsibilities outside the normal remit of your Job Description as required by the line manager, and are broadly within the grading level and competence. |

Person Specification

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| Job Title: | Assistant to Conciliation, Mediation & Tribunal officer | | |
| <i>Method of candidate assessment: A = Application form I = Interview T = Test. Weighting: 3 = most important, 2 = least important</i> | | A - I - T | Weighting |
| Minimum education/ qualifications: | None specific Desirable if qualified in children's education or related professional qualification eg: Teacher, Teaching assistant, youth worker, law, volunteer advisor, guidance etc | A - I | 2 |

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| Minimum experience/ knowledge/ skills: | Understanding of The Children and Families Act 2014 & The Special Educational Needs and Disability Regulations 2014; SEN legislation and statutory processes | A - I | 3 |
| | An understanding of working within legal system – | A - I | 2 |
| | Some knowledge of SEN appeal and Tribunal processes | A - I | 2 |
| | Experience of assessment and case analysis | A - I-T | 2 |
| | Experience of Court Directions and protocols | A - I | 2 |
| | Experience of working in challenging scenarios with tight timelines, challenging casework, difficult decisions | A - I | 2 |
| | Confident decision making to work in high conflict situations | A - I-T | 3 |
| | Proven experience and competency in the effective use of ICT databases and record storage and retrieval systems, including standard Microsoft Office products: Word and Excel - essential, PowerPoint | A - I - T | 3 |
| | Proven ability to handle confidential personal information in an appropriate and secure manner | A - I - T | 3 |
| Minimum behaviours: Customer service | Demonstrate empathy with children & families | A - I | 3 |
| | Able to work working persuasively with young people family and professionals on behalf of children with SENs | A - I | 3 |
| | Reflective and accountable | A - I | 3 |
| | Ability to ensure a high standard of customer care | A - I | 3 |
| | Ability to manage continuous interruptions, including phone calls, ensuring courtesy and attention as required | A - I | 3 |
| | Ability to reassure parents and witnesses who may be showing some concerns about their role in a legal process | A - I | 3 |
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| Communicating and influencing others | Ability to communicate in a clear and effective manner (oral and written) | A - I | 3 |
| | Ability to provide structured advice in specialist area | A - I | 2 |
| | Can be gently assertive | A - I | 2 |
| | Persuasive and skilled negotiator | A - I | 2 |
| | Ability to provide proactive support to officers | A - I | 2 |
| Working together | Ability to joint work with a range of professional staff and the public, to build and nurture good working relationships; to establish confidence, trust and credibility | A - I | 3 |
| | Demonstrable experience of participating with other colleagues on an inter-agency basis to ensure an effective response to complex issues | A - I | 3 |
| | Ability to work flexibly and constructively in a team and make a positive contribution. | A - I | 3 |

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| Analysis and judgement | Ability to assess risk based on information available and to achieve defensible decision making | A - I | 2 |
| | Can apply evidence in a report, law report, set of regulations etc to a casework scenario | A - I | 2 |
| | Ability to identify situations of high stress, anxiety and sometimes anger amongst stakeholders, especially parents and young people with SEN | A - I | 3 |
| | Resilient and organised in dealing with challenging clients | A - I | 3 |
| | Able to prepare different types of documents using research information and written reports and evidence. | A - I | 3 |
| | Ability to interpret and analyse complex reports, and to demonstrate good analytical skills, synthesis and précis skills. | A - I | 3 |
| | Proven record of achievement in high quality, accurate and timely work and thorough with an eye for detail | A - I | 3 |
| Driving improvement | Ability to apply learning and technical aspects from one case to another | A - I - T | 3 |
| | Ability to manage a complex workload and meet tight timescales, using ICT skills to support office procedures | A - I | 3 |
| | Demonstrates a determination to provide a quality service and achieve challenging targets | A - I | 3 |
| | Commitment to embrace the principles of equality in the delivery of the service & Integrate diversity into practice | A - I | 3 |
| Adaptability & Problem solving | Ability to analyse and quickly, identifying solutions including court applications | A - I | 3 |
| | Ability to engage those who are unsure to secure agreement through explanation and clarifying | A - I | 3 |
| | Workload management and use of various IT systems to plan; organising monitor and record information | A - I | 3 |
| | Ability to work as part of a team | A - I | 3 |
| | Ability to work in a fast-paced environment | A - I | 3 |
| Leadership and managing people (for those with line management responsibility) | Willingness to take personal responsibility for the delivery of relevant service priorities that pertain to the role. | A - I | 3 |
| | Can provide confidence to witnesses and officers involved in the appeal process through confident transmission of accurate and appropriate information and knowledge. | A - I | 3 |
| Partnership working | Actively contributes to the creation of an open, and interdependent culture. | A - I | 2 |
| | Understands and demonstrates the need to work collaboratively with professionals of different disciplines | A - I | 3 |
| | Ability to provide accurate guidance, information and advice in different modes and approaches according to the stakeholder / client | A - I | 3 |

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| Special conditions: Political Awareness | Understanding of the role of the Council in delivering services to its community | A - I | 2 |
| Signature of Employee: | Name: | Date: | |