

## **Access & Inclusion**

## **Conciliation, Mediation & Tribunal Administrator**

## **Job Description and Person Specification**

**July 2020**

## Job Description

<b>Job Title:</b>	Conciliation, Mediation and Tribunal Administrator
<b>Department:</b>	People Directorate
<b>Function:</b>	Access & Inclusion
<b>Team:</b>	SEND, Conciliation, Mediation and Tribunal Team
<b>Post number:</b>	TBC
<b>Grade:</b>	LBR 6
<b>Hours/weeks:</b> <i>E.g. 36 hours/52.14 weeks</i>	36 hours / Fixed Term until 31.03.2021
<b>Base location:</b>	Lynton House
<b>Reports to:</b> <i>Job title</i>	Conciliation, Mediation and Tribunal Officer
<b>Responsible for:</b> <i>Job titles of direct reports</i>	No reportees
<b>Role purpose and role dimensions:</b> <i>Overview of the job</i>	<p><b>The supervision of:</b> Work alongside the Conciliation, Mediation &amp; Tribunal Team to support the efficient and effective administration of SEND casework as well as discharge of Local Authority education functions</p> <p>Work collaboratively and cooperatively with other members of the SEND &amp; Access and Inclusion Service, Education Service; Schools, multi-disciplinary practitioners from Health and Social Care; Her Majesty's Court Service</p> <p>Distribute documentation linked to SEND appeals; Judicial Reviews and Local Government Ombudsman appropriately and within specified time restraints.</p> <p>Attend meetings and case Conferences alongside the Tribunal Officer providing information as necessary</p>
<b>Key external contacts:</b> <i>Organisations</i>	Parents, Her Majesty's Court Services, Central Government Departments, officers in other Local Authorities, Solicitors, Independent Schools & Colleges, North East London Trusts [NELFT"] Councillors
<b>Key internal contacts:</b> <i>Job titles or groups of staff</i>	Schools, Redbridge Clinical Commissioning Group, Specialist Services Independent Mediation Service (Community Accord); Legal services Corporate Directors, Operational Directors, Heads of Departments; Members, all relevant Directorates, Teams and Units
<b>Financial dimensions:</b> <i>Budgetary responsibility &amp; amount. Equipment, cash, property etc. for which employee is responsible.</i>	None
<b>Key areas for decision making:</b>	As first point of contact in the team, circulate Appeal Documents, collect, gather evidence and expert reports and file with Courts within agreed timescales

<b>Other considerations:</b> <i>E.g. working patterns</i>	<p>To participate positively in the performance management and personal development scheme</p> <p>To maintain at all times a courteous, helpful and polite response to parents, member of the public, council members, outside agencies and staff from other sections of the Council</p> <p>To undertake any other duties appropriate to this area of work consistent with the level of the posts as may be required</p>
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<b>Key accountabilities and result areas:</b>	<b>Key elements:</b>
<p>Day to day, primary responsibility for the administration and clerical duties working together with the Conciliation, Mediation &amp; Tribunal Officer</p>	<p><b>This will involve:</b>  First point of contact in relation to appeals to SEND Tribunal, Pre - Action Protocol / and Judicial Review Applications</p> <p>Record and maintain detailed records of mediations; SENDIST appeal and Judicial review proceedings</p> <p>Collaborate with Complaints Team to respond to Freedom of Information [FOI] Requests; Subject Access Request s(SAR); assist with collating and providing documentation directly relevant to an appeals and judicial proceedings</p> <p>Where legal representation and assistance is involved, act as first contact with contracted LA legal services and external Legal Advisers [QC; Counsel]</p>
<p><b>Organisation</b></p>	<p><b>This will involve:</b>  Maintaining accurate electronic and paper files according to the standards and structure determined by the SEND Conciliation, Mediation &amp; Tribunal Team manager.</p> <p>Drafting Agenda for Meetings; take notes and circulate minutes of meetings and follow up actions arising from these meetings</p> <p>Work and liaise closely with the London Borough of Redbridge, Legal Services as well as external legal advisors;</p> <p>Regularly update and circulate the Tribunal; Judicial Reviews and Possible Appeal Schedules</p> <p>Arrange, attend and take notes at the Monthly Multi Agency Tribunal Meetings</p> <p>Prepare appeal cases for residential placements for consideration by Local Authority the Multi Agency Resource Panel ["MARRP")</p>
<p><b>Mediation</b></p>	<p><b>This will involve:</b>  Upon receipt of notice that parents wish to engage in mediation, liaise with the Independent Mediation Service Provider; inform each relevant commissioning body as appropriate and facilitate the arrangement of the mediation meeting ensuring Education (SEND) is represented.</p> <p>Ensure that the parent or young person tells the local authority about the matters they wish to go to mediation about.</p> <p>Prepare relevant documentation to ensure the LA can participate effectively in the mediation and circulate to relevant Officers who will be attending the meeting</p>

<p><b>Case Management</b></p> <p><b>Special Educational Needs &amp; Disability Tribunal (SENDIST)</b> [1<sup>st</sup> Tier and 2<sup>nd</sup> Tier]</p> <p><b>Telephone Case Management Hearing (TCMH)</b></p>	<p><b>This will involve:</b></p> <p>Check all appeals for timelines and identify any immediate actions that may arise from incomplete evidence or cases of where an appeal may not be valid according to Tribunal directions and rules.</p> <p>Arrange multi professionals' meetings with the relevant agencies to discuss and agree the Local Authority response to the appeal</p> <p>Submit to the courts and the appellants / Claimant the LA response to the appeal/ claim; the LA Statement of Case; further evidence; expert reports and hearing bundle adhering to the timescales set out in the Case Directions</p> <p>After the appeal hearing, circulate the SENDIST Decision concluding the appeal to the LA witnesses, schools and relevant services / health/ Social Care/ CCG as appropriate</p> <p>Obtain up to date SEND forms; statute and Guidance to ensure the LA effectively discharges its responsibilities in relation to statutory appeals to the SEND Tribunal Courts and Tribunal Service (HMCTS).</p> <p>Upon receipt of a Telephone Case Management Order, Book a meeting and Ensure the direct dial and access codes are available to all attendees.</p>
<p><b>Case Management Pre – Action Protocol or this Practice Direction</b></p> <p><b>Judicial Reviews)</b></p>	<p><b>This will involve:</b></p> <p>Upon receipt of a relevant pre-action protocol, notify the Local Authority Legal Services promptly to ensure compliance with that protocol before commencing proceedings,</p> <p>Draft concise details of the claim, specifically, the basis on which the claim is made, a summary of the facts, what the claimant wants from the defendant, and if money, how the amount is calculated;</p> <p>Record details of the Claimants application so the that LA can strictly adhere to the timescales set by the Administrative Court.</p>
<p><b>Administration</b></p>	<p><b>This will involve:</b></p> <p>Provide general clerical/Case management administrative support including typing; word-processing and other IT based tasks</p> <p>Maintain manual and computerised records/management information systems.</p> <p>Collate and produce appropriate reporting and data information relating to activities of the Conciliation, Mediation and Tribunal</p> <p>Take notes at Meetings</p>
<p><b>General accountabilities and responsibilities</b></p>	
<p><b>To contribute as an effective and collaborative member of the team</b></p>	<p><b>This will involve:</b></p> <ul style="list-style-type: none"> <li>▪ To attend and participate positively in team and other meetings promoting an integrated SEND, Health and Social Care Service responsive to the needs of children and young people with special educational needs</li> <li>▪ Take responsibility for continuing self-development and participating in training and development activities.</li> <li>▪ Participate in the ongoing development, implementation and monitoring of the service plans.</li> <li>▪ Support and contribute to value for money, service efficiencies and improvements.</li> </ul>

<b>Flexibility</b>	<b>This will involve:</b> <ul style="list-style-type: none"> <li>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.</li> </ul>
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## Person Specification

<b>Job Title:</b>	<b>Conciliation, Mediation &amp; Tribunal Administrator</b>		
<i>Method of candidate assessment: A = Application form I = Interview T = Test. Weighting: 3 = most important, 2 = least important</i>		<b>A - I - T</b>	<b>Weighting</b>
<b>Minimum education/ qualifications:</b>	Right to work in UK	A	3
	Minimum: GCSE grade C or above in English and Maths or equivalent	A	2
<b>Minimum experience/ knowledge/ skills:</b>	Experience of running effective administrative within public sector context or similar	A – I	3
	Understands the importance of confidentiality and discretion	A – I	3
	Able to work independently, being aware of and adhering to strict deadlines within a legal framework	A – I	3
	Competent user of a range of ICT applications including Microsoft office, client database systems.	A – I	3
	Able to use Zoom/Microsoft Teams and similar to arrange and convene meetings virtually	A – I	3
	Excellent literacy and communication skills, including written and oral	A – I	3
	Good computer skills, using Word, Excel, Internet and Email	A – I	2
	Strong administrative and organisational skills	A – I – T	3
	Legal Research	A – I – T	2
	Office Administration	A – I – T	2
	Legal Document Review	A – I – T	2
	Document Preparation	A – I – T	2
	Excellent Typing	A – I – T	2
	Practical knowledge of Legal Compliance	A – I – T	2

<b>Minimum behaviours:</b> Customer service	<b>Personal characteristics.</b> Professional telephone manner	A – I	3
	A helpful and positive nature, and a calm and caring disposition	A – I	3
	Understanding of the importance of confidentiality and discretion	A – I	3
	High levels of honesty and integrity	A – I	3
	Client Interaction	A – I	3
Communicating and influencing others	Ability to communicate effectively with parents, LBR staff, schools; members and both internal and external stakeholders	A – I	3
	Excellent literacy and communication skills, both written and oral	A – I	3
Working together	Skills to work in harmony with a range of individuals and agencies	A – I	3
Analysis and judgement	Ability to follow instructions accurately but also to show initiative and make good judgments when required	A – I - T	3
	Analytical skills	A – I - T	3
	Hardworking and conscientious	A – I - T	3
	Excellent Organisation & planning skills	A – I	3
	Attention to detail	A – I - T	3
Driving improvement	Willingness and ability to learn and operate new IT systems and databases	A – I	2
Adaptability	Adaptability	A – I	3
	Flexible attitude to work and willingness to support colleagues	A – I	3
	The ability to work well under pressure Ability to meet conflicting deadlines	A – I	3
Leadership and managing people (for those with line management responsibility)	N/A		
Strategic perspective (for senior management posts)	N/A		
<b>Special conditions:</b>			
<b>Signature of Employee:</b>	<b>Name:</b>	<b>Date:</b>	

## **GUIDANCE ON COMPLETING THE JOB DESCRIPTION AND PERSON SPECIFICATION**

In drawing up or revising a job description and person specification managers should:

- a) agree or revise a list of key accountabilities and responsibilities with employee(s)
- b) draft a job description and person specification using the above templates
- c) agree the job description and person specification with employee (s)
- d) get the employee to sign and date the agreed job description and person specification

This would obviously not be appropriate where new post(s) are being created and this should be made clear on the job description by inserting 'New post' in the grade section.

Job descriptions and person specifications should be clear, precise and uncomplicated.

### **Job Description**

Lengthy description should be avoided. It is not necessary to list every job activity that might possibly occur in the job. It is important to identify the key accountabilities and results, which illustrate the full scope of the post.

The job description should therefore:

- use the attached template
- describe each key area of accountability succinctly that will allow a natural introduction to the key elements and will provide clarity in understanding the purpose of the job
- describe each element in a short sentence or two with sufficient precision to enable the reader to understand what is done and why it is done
- avoid the "shopping list" syndrome, i.e. a lengthy list of tasks/functions
- use sentences that start with an action verb e.g. manage, plan, initiate, prepare and use the present tense e.g. monitors expenditure by checking monthly summaries of orders placed to ensure adherence to budget provision
- focus on the significant or key features of the job, distinguishing between the tasks the individual actually carries out and those that he/she has set others to carry out, thus distinguishing between direct responsibility and managerial responsibility
- avoid detail of how activities are undertaken as these should be covered by an appropriate office procedure
- express performance standards using qualitative and quantitative information
- be written in clear, concise language keeping words to a minimum, avoiding duplication and acronyms
- not use language which may be viewed as discriminatory e.g. man management

The template includes space for six key areas of accountability: additional ones can be inserted but it is unlikely that any job cannot be encompassed within twelve key areas.

## **Person Specification**

The person specification should always be kept in the same document following on from the job description. It details the education, qualifications, experience, knowledge, skills, behaviours and other requirements necessary to do the job. These requirements must have a demonstrable link to the job description and they must also be objective, and measurable.

The person specification should therefore:

- use the attached template
- only include education/qualifications that are essential where the individual would not be able to operate in their profession without them, making it clear that equivalent qualifications e.g. those obtained abroad will be considered
- be explicit in the types of experience that are required, recognising that these may be acquired other than in paid work
- only specify length of experience where this is required to meet e.g. registration standards – quality, not quantity is the key
- include the type of knowledge essential for the post holder to perform the job such as certain legislation, industry specific knowledge
- indicate the specific skills and abilities required e.g. people management skills, interpersonal skills, numerical skills
- specify the level required for *all* staff in the six core behaviours, plus the two further behaviours for those who manage others, using the behaviour framework
- include, where necessary, up to a further four technical behaviours, using the behaviour framework
- for posts with access to children and vulnerable adults include specific criteria relevant to this area e.g. ability to understand the difficulties and pressures associated with caring for children/vulnerable adults and to demonstrate appropriate coping mechanisms
- only include items under special conditions that cannot be included under other sections e.g. requirement to travel between sites
- show, for each of the criterion, how it is to be measured

Care needs to be taken to ensure that criteria are not unnecessarily restrictive, excluding some people from applying. For example if there is an occasional need to attend committee meeting in the evenings, careful consideration needs to be given as to whether this is an essential part of the job as it could otherwise be viewed as indirectly discriminatory towards women.