

The Educational Institute of Scotland

LEGAL OFFICER (AUG 2018)

Further Particulars

The Organisation

The Educational Institute of Scotland is the largest trade union for teachers and lecturers in Scotland with over 55,000 members in nursery, primary, secondary, special, further and higher education. Its national HQ is based in Edinburgh and there are Area Offices located in Dundee, Edinburgh and Glasgow.

Organisational Structure

The organisational structure comprises an annually elected Council of 139 lay members, from which are elected five national committees – Executive, Education, Employment Relations, Equality and Salaries. The principal unit of organisation is the Local Association whose boundaries correspond to those of local authorities in Scotland. There are also two self-governing associations for further education lecturers (Further Education Lecturers Association) and university lecturers (University Lecturers Association). Overall strategy and policy are set by the Annual General Meeting held in early June each year.

National Officers

All Officers are employees of the EIS at national level and act under the general direction of and are accountable to the General Secretary for the discharge of the duties of their post. First-line management of Officers is undertaken by a designated Assistant Secretary. There are five National Officers with responsibility for Education & Equality, Employment Relations, Legal Affairs (2 Officers), and Further & Higher Education respectively.

Location

The successful candidate will be based in the Institute's Headquarters in Edinburgh and must be able to commute reliably to the city. However, candidates should be aware that appointment is to the service of the Institute and they may be required to transfer to another location within Scotland and/or to other duties or area responsibilities commensurate with the grade of Officer.

Principal Duties

Within the assigned areas of responsibilities, which may be varied from time to time by the General Secretary, the principal duties of the post-holder will include:

1. Advice

- To provide advice on a range of legal issues relating to employment and education. Advice will be provided to other departments within the EIS, to Officers and Officials and direct to members.

2. Case Preparation

- To prepare cases for GTCS Fitness-to-teach procedures. This will include meeting with members, interviewing witnesses, taking statements and completing relevant documentation.
- To assist with preparation of cases for disciplinary, grievances and Employment Tribunals.

3. Representation

- To represent members at GTCS Fitness-to-Teach hearings and in other legal fora, as required.

4. Liaison

- To liaise with members, colleagues, with external legal advisors, GTCS and with other education stakeholders.

5. Training

- To be able to develop and deliver training for colleagues and members.

6. General

- to undertake such other specific duties as may be allocated by the General Secretary from time to time.

Essential Experience, Knowledge and Skills

1. Be a qualified Solicitor in Scotland, with substantial post-qualification experience.
2. Have experience of advocacy/representation work on behalf of individuals or organisations.
3. Have knowledge of the main provisions of employment protection legislation and procedures.
4. Possess excellent communication skills – writing reports and letters, speaking to individuals and groups (small and large) and listening empathetically.
5. Have proficiency in ICT skills including use of e-mail, internet and word processing.
6. Possess the ability to plan own work schedule and priorities.

It is also desirable for candidates to:

1. Have knowledge of Scottish education – structures, processes and current key issues.
2. Demonstrate understanding of and be committed to the principles of professionalism, collegiality and trade unionism.
3. Have knowledge of GTCS Fitness-to-Teach procedures.
4. Have knowledge of the SNCT Handbook of Conditions of Service for Teachers and Associated Professionals.

Principal Terms of Employment

1. The post of Legal Officer is a permanent, full-time position based in the Institute Headquarters in Edinburgh. The post-holder will report to an Assistant Secretary in the first instance and will be responsible to the General Secretary for the proper and efficient discharge of her/his duties.
2. The salary scale is £47,949 - £49,581 - £51,225 - £52,839 - £54,492. Incremental progression takes place at 1 April. Under the current agreement between the relevant union and the Institute these salary values are increased in line with movements in teachers' salaries. (Agreement has yet to be reached regarding teachers' salaries for 2018/19 and any award will be backdated to the date of taking up appointment).
3. The successful candidate will be eligible to join the Staff Superannuation Scheme which currently provides a range of benefits, including age benefits at age 65, ill-health retirement benefits and death-in-service benefits. The employee's current contribution is 9% of salary. The Scheme provides for annual increases in pensions in line with RPI

4. Appointment to the service of the Institute is subject to satisfactory references and criminal record checks.
5. Admission to the Superannuation Scheme is subject to evidence of good health.
6. Officers are entitled to 38 working days annual leave in the year beginning 1 September. Leave is taken subject to the requirements of the service and with the prior approval of the General Secretary. In addition, there are 12 Public Holidays which fall on specified dates and are to be taken subject to the requirements of the service.
7. Apart from Institute business undertaken outwith the base, the Officer is expected to be in their designated base during their core office hours which are 9.15am to 12.30pm and 2.00pm to 4.45 pm from Monday to Friday. There is no specific stipulation made with regard to total working hours and Officers are expected to work such hours outwith the core office hours as may be required. There is no provision for overtime payments or time-off in lieu in respect of outwith office hours work.
8. Absence because of sickness is paid by the Institute on the basis of full salary for a period, followed by half salary for a similar period. Initial entitlement is for one month of full salary, followed by one month of half salary in any period of 12 months, rising after 5 years of service to six months of full salary and six months of half salary. Previous service as a teacher or lecturer counts in the calculation of an Officer's entitlement to sickness allowance.
9. Where deemed necessary by the Institute, assistance with relocation costs will be provided subject to an upper limit of £3,500.

Appointment Timetable

The closing date for receipt of applications is 12.00pm on Monday 3 September 2018. It is envisaged leeting will take place on Tuesday 18 September and that interviews will be held on Monday 24 September 2018.