

JOB DESCRIPTION

Our Mission:

The Solicitors Disciplinary Tribunal (SDT) will act with scrupulous fairness and deal with the throughput of cases as expeditiously as justice will allow.

1. JOB TITLE.	Clerk to the SDT	JOB REF:

2. REPORTING RELATIONSHIPS

Responsible to: (Immediate Director/Manager job titles)	The President of the SDT
Other reporting line (e.g. to committee/board/project manager)	
Responsible for: (No. & Job Title)	All SDT staff

3. MAIN PURPOSE OF JOB:

(Describe in no more than a few lines why the job exists)

The Clerk acts as “Chief Executive” and “legal advisor” to the Tribunal. On occasions s/he will act in a judicial capacity e.g. dealing with rulings upon interlocutory applications. The Clerk also has a particular duty to look after the interests of unrepresented parties.

The Clerk’s role is to support, advise, guide and train the members of the SDT; write the Tribunal’s draft Findings and provide leadership and be responsible for the smooth running of its administrative office.

4. KEY RESULT AREAS:

1. Advise Members
 2. Draft Findings (judgements)
 3. Train members in judicial skills
 4. Manage caseload
 5. Ensure cases dealt with expeditiously
 6. Manage staff and budget
 7. Appointment and Re-Appointment of Members and President & Vice-President.
 8. Conduct Annual General Meeting and produce Annual Report
 9. Act as Company Secretary
 10. Undertake such additional duties, commensurate with the role as required by the SDTA Board.
- (In areas 4, 5, 6, 7 & 8 the Clerk delegates work to staff, but has ultimate responsibility and works closely with those members of staff)

1. Advise members on law and procedure both as a sitting division of the Tribunal in Court and in chambers and as individuals either by appointment or on an ad hoc basis. The clerk must keep abreast of law changes and undertake research where necessary.
2. The Clerk attends Tribunal (court) hearings and Tribunal's discussions in chambers. All Tribunal decisions are recorded in writing. The Clerk drafts these written documents. The Findings summarise the evidence, written and oral, identify areas of dispute and any legal issues, make findings of fact and give the Tribunal's decisions and its reasons. The accuracy and adequacy of these documents are of fundamental importance as they provide guidance on conduct and ethics to the solicitors' profession and appeal from substantive decisions lie to the High Court or the Master of the Rolls and interlocutory decisions may be subject to judicial review. Reliance is placed on the Tribunal's document in these instances.
3. To organise and where appropriate take part in formal training conferences. The Clerk might lecture her/himself: invite speakers: prepare paperwork in advance and subsequently. The Clerk is responsible for the choice of training subjects and how the training is presented. This requires recognition of the members' training needs and keeping up to speed with current judicial issues.
- 4 & 5. Manage Caseload. The Clerk is responsible for ensuring that the Rules of Natural Justice and Article 6 of the European Convention on Human Rights and Fundamental Freedoms (1950) are not breached This needs to be updated to refer to the requirements of the HRAct. The Clerk devises and oversees a system that ensures such compliance in all matters such as service of documents and listing cases for interlocutory or substantive hearings. This has to be done with as great an expedition as justice will allow and includes, for instance, dealing with adjournment applications when the Clerk has to decide whether to deal with such an application him/herself or to refer it to a sitting Tribunal or to a single chairman. The Clerk must ensure that members are booked to sit at hearings and that the Tribunal is quorate on hearing days. All parties to the case, their representatives and witnesses have to be present and notified in advance of dates. The Clerk is responsible for ascertaining the probable length of the hearing and either makes her/his own estimate or decides with the assistance of the parties. Occasionally cases go part heard and a speedy continuation has to be arranged without obstructing the progress of other cases.
6. The Clerk is responsible for budget setting and budget management. The Clerk is required to authorise all expenditure.

The Clerk is responsible for ensuring that staff are well managed and motivated and for hiring and firing staff and for staff training and welfare. The Clerk oversees the work of all staff and deals with all staffing issues to include discipline, appraisals, standard of work, training and development, flexible hours, leave etc.
7. Members are appointed by the Master of the Rolls. They are chosen following Nolan principles in an open and transparent manner following advertisement. The Clerk is responsible for identifying when there is a need for more members and for conducting the recruitment process up to final interview stage when the Clerks makes arrangements for a final interview panel comprising lay and solicitor members and an overseer appointed by the Master of the Rolls. The Clerk is also responsible to ensure that members are re-appointed at the expiry of their

terms of appointment if appropriate.

8. The Clerk, in consultation with the President and the members, advises upon the subject matter and prepares the Agenda for the AGM and makes all arrangements for that meeting to take place. The Clerk, in consultation with the President, prepares a draft Annual Report for approval at the AGM. This report contains financial and statistical information researched and prepared by the Clerk.
9. The Clerk deals with many matters – often on a “one off” basis, e.g. assisting the Serious Fraud Office; assisting the Police; drafting responses to parliamentary questions; handling enquiries from many sources, both within and outside the UK; conducting litigation on behalf of the Tribunal, e.g. in Judicial Reviews.
10. The Clerk is Company Secretary for Solicitors Disciplinary Tribunal Administration Ltd
11. To be responsible for the efficient and effective day to day running and management of the SDT.

5. KNOWLEDGE, SKILLS & EXPERIENCE

- Qualified solicitor (a minimum of 10 years admission): judicial experience – example, Deputy District Judge or Tribunal Chairman
- Experience in professional conduct issues and general court/judicial issues
Highly developed and effective oral and written communication skills and the ability to present complex issues simply and concisely
Leadership skills with proven ability to manage, motivate and develop staff
Ability to absorb and analyse a great deal with complex material quickly; ability to work quickly and accurately under pressure;
- unflappable; integrity and trustworthiness.
- Ability to deal with difficult and confrontational situations by remaining calm and rational
- A strong commitment to promote equality of opportunity and eliminate discrimination.

6. DECLARATION:

This is a description of the job as it is at present. It is the practice of the Law Society to review job descriptions annually to ensure that they relate to the job as then being performed or to incorporate whatever changes are being proposed.

This review will be carried out by the Director/Manager in consultation with the jobholder, who will be expected to participate fully in such discussions. It is the aim to reach agreement to reasonable changes, but if agreement is not possible the Director reserves the right to decide on changes to the job description commensurate with the job-holder’s position in the organisation.

Completed by	Name (Director/Manager)	Signed	Date
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	Name (Staff Member)	Signed	Date
Date of Review	Signature (Staff Member)	Signature (Director/Manager)	Date
	Signature (Staff Member)	Signature (Director/Manager)	Date