



NORTHERN
IRELAND
HUMAN
RIGHTS
COMMISSION

Candidate Information Pack

**Solicitor (Legal and Research Officer)
Dedicated Mechanism – EU Withdrawal**

November 2020

1. Foreword from the Chief Executive

Thank you for showing an interest in joining our team as a Solicitor (Legal and Research Officer).

The Commission is focused on protecting and promoting the human rights of everyone in Northern Ireland, by providing high quality independent advice to government, the use of investigatory powers and supporting legal challenges. Our education work helps increase levels of compliance and improves service provision across the public and private sectors. At the same time, we engage with communities to empower individuals to understand and be able to fully exercise their human rights.

By joining our highly motivated, professional and successful multi-disciplinary team, you will have the opportunity to use your skills in an organisation that is an internationally recognised centre of excellence. You will have the opportunity to work with us at an exciting time, as we enter a period of substantive growth with a new and challenging mandate.

We want to add a talented individual to the Commission's staff who is equally effective working alone or as a good team player, committed to quality and continuous improvement for yourself and others. The Commission can provide you with excellent personal and professional development opportunities. We are seeking someone who is flexible and can utilise their talents to support the work taking place across a range of our organisation's functions.

If you are interested in working in an organisation with a broad mandate, working in an often challenging environment, and playing an important part in delivering a better Northern Ireland for all, then I look forward to hearing from you.



Dr David Russell
Chief Executive

2. Role and Functions of the NI Human Rights Commission

The Commission was established as a result of the Belfast (Good Friday) Agreement. Our governing legislation is the Northern Ireland Act 1998, as amended by the Justice and Security (Northern Ireland) Act 2007 and the European Union (Withdrawal Agreement) Act 2020. It is a National Human Rights Institution with A status accreditation from the United Nations. This recognition means that the organisation operates independently in full accordance with the United Nations General Assembly Resolution 48/134 (the Paris Principles).

The Commission is also a non-departmental public body, and receives grant-in-aid from the United Kingdom government through the Northern Ireland Office. We report to Parliament through the Secretary of State for Northern Ireland.

Our primary role is to make sure government and public authorities protect, respect and fulfil the human rights of everyone in Northern Ireland. We also help people understand what their human rights are and what they can do if their rights are violated or abused. To pursue this objective we consider the full range of civil, political, social, economic and cultural rights. Our work is based on the international human rights treaties ratified by the United Kingdom government, domestic legislation and relevant soft law standards.

The statutory functions of the Commission in accordance with the Northern Ireland Act 1998 are:

1. keeping under review the adequacy and effectiveness in Northern Ireland of law and practice relating to the protection of human rights.
2. advising the Secretary of State and the Northern Ireland Executive of legislative and other measures which ought to be taken to protect human rights—as soon as reasonably practicable after receipt of a general or specific request for advice; and on such other occasions as the Commission thinks appropriate.
3. advising the Northern Ireland Assembly whether legislative Bills are compatible with human rights
4. providing advice to the UK government and Westminster Parliament on matters affecting human rights in NI.
5. conducting investigations on systemic human rights issues. To do so, we may enter places of detention, and can compel individuals and agencies to give oral testimony or to produce documents.

6. promoting understanding and awareness of the importance of human rights in Northern Ireland. To do so, we may undertake or support research and educational activities.
7. providing legal assistance to individuals and initiating strategic cases, including own motion legal challenges.
8. monitoring the implementation of international human rights treaties and reporting to the United Nations and Council of Europe.
9. working in partnership with the Irish Human Rights and Equality Commission as mandated through the joint committee created in accordance with the Belfast (Good Friday) Agreement.

The Commission is mandated in accordance with Article 2(1) of the Protocol on Ireland/Northern Ireland of the European Union Withdrawal Agreement to ensure there is no diminution of rights protected in the 'Rights, Safeguards and Equality of Opportunity' chapter of the Belfast (Good Friday) Agreement as a result of United Kingdom's withdrawal from the European Union.

This mandate will come into force after the European Union withdrawal transition period ends in December 2020.

The Commission's statutory functions for this purpose in accordance with the European Union (Withdrawal Agreement) Act 2020 are:

1. monitoring the implementation of Article 2(1) of the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement (rights of individuals).
2. reporting to the Secretary of State and the Executive Office in Northern Ireland on the implementation of Article 2(1) — as soon as reasonably practicable after receipt of a general or specific request for such a report, and on such other occasions as the Commission thinks.
3. advising the Secretary of State and the Executive Committee of the Assembly of legislative and other measures which ought to be taken to implement Article 2(1)—as soon as reasonably practicable after receipt of a general or specific request for advice, and on such other occasions as the Commission thinks appropriate.
4. advising the Assembly (or a committee of the Assembly) whether a Bill is compatible with Article 2(1)—as soon as reasonably practicable after receipt of a request for advice, and on such other occasions as the Commission thinks appropriate.

5. promoting understanding and awareness of the importance of Article 2(1); and for this purpose we may undertake, commission or provide financial or other assistance for—research, and educational activities.
6. bring any appropriate matters of relevance to Article 2(1) to the attention of the Specialised Committee on issues related to the implementation of the Protocol on Ireland/Northern Ireland established by Article 165 of the Withdrawal Agreement.
7. bring judicial review proceedings in respect of an alleged breach (or potential future breach) of Article 2(1) of the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement; or intervene in legal proceedings, whether for judicial review or otherwise, in so far as they relate to an alleged breach (or potential future breach) of Article 2(1).

The Commission is also designated, with the Equality Commission, under the United Nations Convention on the Rights of Disabled Persons as the independent mechanism tasked with promoting, protecting and monitoring implementation of Convention in Northern Ireland.

We also engage with other National Human Rights Institutions in the United Kingdom on issues of common interest.

Our Annual Statement, published in December each year, records how much progress has been made towards meeting human rights obligations in Northern Ireland. This strongly informs our future work priorities.

3. Current Organisational Structure and Future Plans

There are seven Commissioners (a full time Chief Commissioner and six part-time Commissioners) appointed by the Secretary of State. As far as practicable, the Commissioners, as a group, is representative of the community in Northern Ireland.

The Commissioners are supported by a small staff team. The senior management team consist of the Chief Executive and three Directors working across three teams:

- legal, research and investigations, and advice to government;
- communications, information and education, public and political affairs;
- finance, personnel and corporate affairs.

The Commission is creating a Dedicated Mechanism to oversee the commitment by the UK Government set out in Article 2(1) of the Protocol on Ireland/Northern Ireland that no diminution of rights, safeguards and equality of opportunity, as set out in that part of the 1998 Agreement entitled Rights, Safeguards and Equality of Opportunity resulting from its withdrawal from the European Union.

4. Our Values and What It's Like to Work for Us

A human rights-based approach underpins the Commission's work. This is predicated on the conviction that human rights compliant outcomes require processes that adhere to both the values, which underpin human rights laws as well as their substantive content. On this basis our core principles are:

Participation

People should be involved in decisions affecting their human rights.

Accountability

There should be effective monitoring of how human rights are implemented and meaningful remedies available when things go wrong.

Non-discrimination and equality

All forms of discrimination must be prohibited, prevented and eliminated. People facing the biggest barriers to realising their rights should be prioritised.

Empowerment

Everyone should understand and be able to fully exercise their human rights.

Legality

Policies and services should be grounded in enforceable domestic and international human rights laws.

Partnership

In developing a culture of human rights, the Commission will work with other

organisations across a wide spectrum of society.

5. Overall Purpose of the Role

The main of purpose the Solicitor (Legal and Research Officer) role is:

- to prepare advice for proceedings involving law or practice relating to the protection of human rights in Northern Ireland, which includes the provision of advice to individuals, instructing counsel of behalf of the Commission and conducting litigation.
- to prepare advice for submission to the Northern Ireland Executive and Assembly regarding human rights compliance, and to represent the Commission in the face of external scrutiny by such bodies. Similar advice will be required for submission to the Secretary of State for Northern Ireland and Westminster Parliament in respect of legislative or other measures which ought to be taken to protect human rights.
- to support the mandate to monitor and promote compliance by the United Kingdom government, in Northern Ireland, with international human rights standards, to prepare submissions to inter-governmental and nongovernmental organisations and to conduct legal research as required by the Commission.

The Commission is creating a Dedicated Mechanism to oversee the commitment by the UK Government set out in Article 2(1) of the Protocol on Ireland/Northern Ireland that no diminution of rights, safeguards and equality of opportunity, as set out in that part of the 1998 Agreement entitled Rights, Safeguards and Equality of Opportunity resulting from its withdrawal from the European Union.

This role will assist in monitoring the implementation of Article 2(1), advising and reporting to Government; and, bringing judicial review proceedings, either in the Commission's own name or on behalf of complainants.

6. Duties and Responsibilities

- a) Preparing advice for proceedings involving law or practice relating to the protection of human rights in Northern Ireland and the Commission's functions under the EU (Withdrawal Agreement) Act 2020.
- b) Conducting strategic or other litigation on behalf of the Commission: including instructing Counsel where the Commission is an amicus curiae or

third party intervenor in a case; where the Commission is directly representing an individual; where the Commission is taking a case in its own name or where the Commission is itself the applicant or the respondent.

- c) Providing legal advice to individuals and assisting where appropriate to undertake casework in Northern Ireland regarding their human rights, or providing referrals to other appropriate organisations.
- d) Preparing legal advice for submission to the Northern Ireland Executive and Assembly regarding human rights compliance, and assisting in representing the Commission before legislative scrutiny or other committees.
- e) Preparing legal advice for submission to the Secretary of State for Northern Ireland on legislative and other measures, which ought to be taken to protect human rights.
- f) Preparing legal advice for submission to the Westminster Parliament on matters affecting Northern Ireland, regarding human rights compliance, and assisting in representing the Commission before legislative scrutiny committees.
- g) Preparing legal advice for submission to public authorities in Northern Ireland regarding human rights compliance, and representing the Commission on advisory groups and in meetings.
- h) Monitoring and promoting compliance with the no diminution of rights obligations set out in Article 2 of the Protocol on Ireland/Northern Ireland of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union.
- i) Preparing submissions to inter-governmental and non-governmental organisations, including the Specialised Committee created in accordance with Article 14 of the Protocol on Ireland/Northern Ireland of the Agreement on the EU Withdrawal Agreement 2020.
- j) Conducting legal research as required by the Commission including in the exercising of investigatory powers.
- k) Assisting other members of staff on legal issues arising from their own areas of work, and possible ways in which to proceed.
- l) Preparing papers for and attending Commission meetings.
- m) Undertaking training and personal development activity as agreed with the Head of Legal Services.

- n) Displaying a commitment to the protection of human rights and to the promotion of equality and showing sensitivity to the diversity of views on human rights issues in Northern Ireland.
- o) Undertaking any other duties whenever reasonably required by the Head of Legal Services of the Chief Executive.

Please note this is not an exhaustive list and the duties associated with the post may be subject to reasonable change from time to time according to the needs of the organisation.

7. Employee Specification

Essential Shortlisting Criteria

Applicants **must** demonstrate as at the closing date for receipt of applications that they possess:

- a) University level degree, or equivalent, in law or another relevant subject and;
- b) A qualification that allows them to practice as a solicitor in the UK
- c) A minimum of three years' experience as a practising solicitor with evidence of some exposure to the field of Human Rights
- d) At least two years' experience gained in the last 10 years of translating legal documents into comprehensible public/stakeholder information
- e) At least two years' experience gained in the last 10 years of conducting legal and policy research and analysis
- f) An ability to demonstrate up to date knowledge of Northern Ireland law and court proceedings related to human rights litigation
- g) An ability to demonstrate up to date knowledge of domestic, regional and international human rights law and the related human rights systems

Desirable Shortlisting Criteria

In addition to the above essential criteria, NIHRC reserves the right to shortlist only those applicants who, as at the closing date for receipt of

applications can demonstrate any or all of the following additional desirable criteria:

- a) A postgraduate degree, or equivalent, in human rights law
- b) Ability to demonstrate knowledge of European Union law
- c) Previous experience of working with or within a human rights based organisation

NIHRC reserves the right to enhance the criteria as it sees fit in the event of a large volume of applications.

8. Application Process

Applicants are required to complete the application form provided and return to recruit@headstogether.com by no later than 12 noon on Monday 30th November 2020.

Applicants should ensure they have returned:

- Completed Application Form
- Completed Equal Opportunities Statement
- Signed Privacy Notice

If you have any questions about the role, please direct these via email to our HR providers Headstogether Consulting Ltd using the email address : recruit@headstogether.com or alternatively telephone 02890 424030.

Please note it is up to the candidate to demonstrate clearly how they meet each of the criteria. The shortlisting panel cannot make presumptions about information that is not listed directly or that is ambiguous or abbreviated.

Applications received after the deadline unfortunately cannot be considered. It is the candidate's sole responsibility to ensure that applications are received by the closing date and time provided.

9. Recruitment Process

Due to the current Covid-19 situation the recruitment process may be conducted by Zoom or another online platform and is likely to include a competency based interview and an unseen test. Further details will be provided to shortlisted candidates and will take account of prevailing Covid-19 guidance at the time.

The shortlisting exercise is envisaged to take place during week commencing 30th November 2020.

The selection process is designed to test the following skills and attributes:

- Seeing the Big Picture
- Changing and Improving
- Effective Decision Making
- Leading and Communicating
- Collaborating and Partnering
- Building Capability for All
- Delivering Value for Money
- Managing a Quality Service
- Delivering at Pace
- Achieving Outcomes through Delivery Partners

Seeing the Big Picture

- Ability to anticipate economic, social, political, legislative, environmental and technological developments that will impact on the work of the Commission to keep activity relevant and targeted.
- Ability to apply analytical thought to make sense of a complex environment, conflicting information and different perspectives.
- Create policies, plans and service provision to meet the Commission's needs based on an up-to-date knowledge of issues and relevant good practice.
- Ensures relevant issues relating to their area of responsibility is effectively fed into strategy and big picture considerations.
- Adopts a Commission-wide perspective to ensure alignment of activity and policy.
- Brings together views and perspectives of stakeholders to gain a wider picture of the landscape surrounding activities and policies.

Changing and Improving

- Understands and can identify the role of technology in public service delivery and policy implementation.
- Encourages a culture of innovation focused on adding value – gives people space to think creatively.
- Effectively captures, utilises and shares insights and views from a diverse range of stakeholders to ensure better policy development and implementation of improved performance within the Commission.
- Spots warning signs of things going wrong and provides a decisive response to significant delivery challenges.
- Provides constructive challenge to the Chief Executive and Senior Management Team on change proposals, which will affect their own business area.
- Considers the cumulative impact of their own business area on implementing change (culture, structure, delivery of service and morale).

Effective Decision Making

- Pushes decision making to the right level within their team and the Commission, not allowing unnecessary bureaucracy and structure to suppress innovation and delivery.
- Ability to weigh up data from various sources, recognising when to bring in experts/researchers to add to available information.
- Analyses and evaluates pros and cons and identifies risks in order to make sound decisions that take account of the wider context, including diversity and sustainability.
- Draws together and presents reasonable conclusions from a wide range of incomplete and complex evidence and data – with an ability to act or decide even when details are not clear.
- Identifies the main issues in complex problems, clarifies understanding or stakeholder expectations to seek the best option for the Commission.
- Makes difficult decisions by pragmatically weighing the complexities involved against the need to deliver objectives.

Leading and Communicating

- Is visible to staff and stakeholders and regularly undertakes activities to engage and build trust with people involved in their area of work.
- Clarify policies, strategies and plans, giving a clear sense of direction and purpose for them and staff.
- Stands by, promotes or defends their own and staff actions and decisions where needed.
- Confidently engages with stakeholders and colleagues at all levels within the Commission to generate commitment to goals.
- Leads by example, role modelling ethics, integrity, impartiality and the elimination of bias by supporting diversity and promoting a working environment that supports the Commission's values and code.
- Remains open and inviting of the views of others and responds despite pressure to ignore, revert or concede.
- Ability to communicate effectively, orally and in writing, and uses a range of communication tools and methods to convey messages (e.g. meetings, presentations, briefings, internet etc.)

Collaborating and Partnering

- Ability to build and maintain a strong network of collaborative relationships and partnerships across the public, private, community and voluntary sectors at a senior level and beyond (UK, Ireland, European Union) to help deliver the Commission's objectives.
- Actively builds and maintain a network of colleagues and contacts to achieve progress on objectives and shared interests.

- Demonstrates genuine care for staff and others – build strong interpersonal relationships.
- Encourages contributions and involvement from a broad and diverse range of staff by being visible and accessible.
- Effectively manages team dynamics when working across Departmental and other boundaries.
- Actively involve partners to deliver the Commission’s business outcomes through collaboration that achieves better results.
- Seeks constructive outcomes in discussions, challenge assumptions but remains willing to compromise when it is beneficial to progress.

Building Capability for All

- Ensures that individual and organisational learning and development opportunities are fully exploited in order to enhance the Commission’s capability.
- Acts as a role model workplace-based learning, encouraging development and career management for staff.
- Coaches and supports colleagues to take responsibility for their own development (through giving accountability, varied assignments and on-going feedback).
- Establishes and drives intra and inter team discussions to learn from experience and adapt organisational processes and plans.
- Identifies capability requirements needed to deliver future team objectives and has the ability to manage team resources to meet these needs.
- Prioritises and acts as a role model for continuous self-learning and development, including leadership, management and people skills.

Delivering Value for Money

- Understands impacts of financial position in own area and that of the Commission and use insight to curtail or support business and investment activities.
- Achieves the best return on investment and deliver more for less on specific budgets by managing resources and maximising the use of assets.
- Balances policy aspiration and delivery, outline risk and benefits of different options to achieve value for money ensuring all submissions contain appropriate financial information.
- Weighs up priority and benefits of different actions and activities to consider how to achieve cost-effective outcomes.
- Works with financial processes and tools to evaluate options and ensure financial and management information are accurately reflected in business plans.

Managing a Quality Service

- Exemplifies positive customer service behaviours and promotes a culture focused on ensuring customer needs are met.
- Establishes how the business area compares to customer service expectations/industry best practice and identify necessary improvements in plans.
- Makes clear, pragmatic and manageable plans for policy and service delivery using programme and project management disciplines.
- Creates regular opportunities for staff and customers to help improve service quality and demonstrate a visible involvement.
- Ensures the service offered thoroughly considers customers' needs and a broad range of available methods to meet this, including new technology where relevant.
- Ensures adherence to legal and regulatory requirements in service delivery and build diversity and equality considerations into plans.

Delivering at Pace

- Ability to get the best out of people by giving enthusiastic and encouraging messages about priorities, objectives and expectations.
- Clarifies business priorities, roles and responsibilities and secures individual and team ownership.
- Adopts clear processes and standards for managing performance at all levels.
- Acts as a role model in supporting and energising staff to build confidence in their ability to deliver outcomes.
- Maintains effective performance in difficult and challenging circumstances, encouraging others to do the same.
- Reviews, challenges and adjusts performance levels to ensure quality outcomes are delivered on time, rewarding success.

Achieving Outcomes through Delivery Partners

- Works effectively with different partner organisations (in tandem with experts) to commission and source solutions to achieve the Commission's goals.
- Understands the key drivers that will influence government, the wider public, private and third organisations and the levers that can be used in negotiating/influencing contractual arrangements.
- Ability to recognise and understand the commercial tools such as pricing models, open-book accounting, supply chain management that experts can deploy to extract value from contracts.
- Interacts confidently and effectively as an intelligent, knowledgeable and highly credible customer with counterparts from delivery organisations and appropriate experts.

- Questions and challenges the value being delivered through business arrangements with delivery partners.
- Motivates improved performance by suppliers, challenges any gaps between contractual commitments and actual delivery through joint working with procurement experts.

Adjustment Requirements

If you have any adjustment requirements to enable you to participate in the selection process, please make this known on the application form provided.

Transgender Requirements

Should you currently be going through a phase of transition in respect of gender and wish this to be taken into consideration in confidence to enable you to attend any part of the assessment process please contact Joanne Kane of Headstogether Consulting Ltd on 02890 424030.

Details of this will only be used for this purpose and do not form any part of the selection process.

10. Terms and Conditions of Employment

Duration of Contract

This is a permanent, full-time post.

Start Date

The person appointed will be expected to take up duty as soon as is practicable.

Working Hours

The normal office hours are from 9.00am to 5.00pm, Monday to Friday, however there may be the requirement to work outside of these normal hours. The job requires a considerable degree of commitment, flexibility and adaptability on the part of the post holder to meet quality standards and working deadlines. He/she will maintain at all times such availability, flexibility and mobility as is necessary to the pursuance of the job.

The Commission operates its flexible working hours arrangements in line with Northern Ireland Civil Service (NICS) policies.

Probation

Satisfactory completion of a 12-month probation period is a condition of continued employment in the position.

Salary

The grade of the post is equivalent to Northern Ireland Civil Service Grade 7, with a current pay band of £49,806 - £54,588 per year.

Unless there are exceptional circumstances, the starting salary will be at the pay band minimum (i.e. £49,806 per year). Pay progression will be as per NICS pay policy.

Allowances

Travelling and subsistence expenses will be paid at approved NICS rates to the holder of this post when s/he is absent from the Commission's premises on Commission business.

Notice

The appointment may be terminated by either party with at least three months' notice in writing.

Holidays

In addition to the usual public and privilege holidays, currently 12 per annum, there is an annual leave allowance of 25 days (April to March) rising to 30 days on five years' continuous service.

Location

We are located at:
Fourth Floor
Alfred House
19 – 21 Alfred Street
Belfast
BT2 8ED

Pensions

The Northern Ireland Human Rights Commission operates the Civil Services Pension Scheme. Further details of the pension can be found on the Civil Services Pension website at <http://www.civilservicepensionscheme.org.uk/>

Policies

The Commission recognises the Northern Ireland Public Service Alliance (NIPSA) for the purposes of collective bargaining. It is intended that so far as is reasonably practicable the Commission will seek to mirror the policies and procedures adopted and amended from time to time by the Northern Ireland Civil Service (NICS).

Employees should refer to the NICS policies and procedures at <https://www.finance-ni.gov.uk/articles/northern-ireland-civil-service-handbook>