

Position Description

Position Title Principal Solicitor

Group Legal Services

Location Wellington

Reports to General Counsel

Last Review Date April 2019

About the REA REA is the independent government agency that regulates the New Zealand Real Estate Industry. Our job is to promote a high standard of service and professionalism in the real estate industry and help protect buyers and sellers of property. We provide information for buyers and sellers, provide guidance for agents and deal with complaints about agents' behaviour.

REA is a Crown entity, established under the Real Estate Agents Act 2008.

The purpose of REA is:

- Deal with complaints about the behaviour of real estate agents.
 - Provide comprehensive accessible information for people who are buying or selling property.
 - License people and companies working in the real estate industry and maintain a Code of Professional Conduct and Client Care, setting out the professional standards they must follow.
 - Maintain a public register of real estate agents which includes information about any upheld complaints.
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Role Purpose The Principal Solicitor is responsible for the provision of more complicated legal advice and will take the lead on complex or sensitive matters including litigation in relation to the licensing and disciplinary process contained in the Real Estate Agents Act 2008 (the Act) and its associated Regulations and Codes. The Principal Solicitor will play a key role in building the in-house capacity and capability in relation to litigation and dispute resolution. The Principal Solicitor will also support the General Counsel and Legal Services Manager to meet the legal needs of the Board, Chief Executive, the staff of REA and of independent Complaint Assessment Committees. The position is based in the Legal Services team. The Principal Solicitor will act in the role of Legal Services Manager where the Legal Services Manager is unavailable.

Delegations None

Relationships

The position is required to build and maintain the following relationships:

Internal (within REA)

- ✓ General Counsel, Legal team, Chief Executive, all other REA staff and managers.

External (outside REA)

- ✓ Consumers and Licensees, Complaints Assessment Committee members, external legal providers, Board members, Real Estate Disciplinary Tribunal and other stakeholders.

Key accountabilities

The following key accountabilities of this role assist in delivering REA's vision and strategic priorities:

- Providing legal expertise to REA staff, the Board and Complaint Assessment Committees.
- Demonstrating subject matter expertise in relation to the Real Estate Agents Act 2008 and any relevant legislation, regulations and codes.
- Strategically lead and manage complicated REA litigation including Complaint Assessment Committees, Real Estate Agents Disciplinary Tribunal and Court matters.
- Providing legal advice for the guidance and direction of Complaint Assessment Committees and REA teams.
- Contributing to an on-going process of identifying reviewing and developing possible amendments to the Real Estate Agents Act 2008 and its associated Regulations and Codes.
- Proactively assisting the General Counsel in the identification and mitigation of legal risk and exposure to REA and to develop strategies, plans and actions to address these risks.
- Providing formal peer review and mentoring to senior solicitors and solicitors.
- Work with the General Counsel and Legal Services Manager to build the in-house legal team's capabilities in respect of litigation and dispute resolution.
- Liaise with and hold external counsel to account on litigation.
- Working with General Counsel and Legal Services Manager to identify improvement opportunities in area of practice and ensure operating procedures are based on best practice.
- Assisting REA to comply with its statutory obligations including the Official Information and Privacy Acts.

Qualifications, skills, knowledge and experience

As well as legal experience we are looking for a person who is well organised, has a high degree of initiative and excellent interpersonal, analytical and communication skills and a real team player.

You must have the following qualifications, skills and experience:

- LLB and current practising certificate
- At least 8 years post admission work experience.
- A proven understanding of legal/regulatory/compliance functions and environments.

- Extensive experience in preparing litigation files through dispute resolution process including appearances in Tribunals or courts
- Knowledge of the Real Estate Agents Act and its related regulations and codes (or an ability to gain such knowledge quickly).
- Extensive experience in providing operational legal advice.
- Extensive experience in managing litigation including the management of external legal providers.
- Proven ability to provide leadership, mentoring and coaching of senior solicitors and solicitors.
- Experienced in the development of and adaptation of legal policy and practice issues to ensure continuous improvement is made.

Competencies

- ✓ Maintains high personal standards of professional excellence
- ✓ Accepts full responsibility for own actions

Communication

- ✓ Excellent written and oral communication skills
- ✓ Organises information in a logical sequence that is easily understood

Self-management

- ✓ Manages own workload, behaviour and emotions appropriately
- ✓ Remains calm and in control under pressure
- ✓ Seeks to continually develop self by acting on feedback and taking opportunities to learn.

Results orientation

- ✓ Establishes a plan of action to achieve expected results
- ✓ Employs a systematic approach to completing tasks
- ✓ Establishes communicates and reviews priorities
- ✓ Takes timely corrective action
- ✓ Pursues high quality and accurate results
- ✓ Produces high quality and accurate outputs

Collaboration and team building

- ✓ Works closely with others for achievement of common objectives
 - ✓ Provides leadership, mentoring and coaching within the Legal Team
 - ✓ Promotes cooperation within and across teams through the sharing resources of information
 - ✓ Seeks and values the contributions of others
 - ✓ Reflects on how own working style impacts on others
 - ✓ Sees things from others point of view and confirms understanding
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Client focus

- ✓ Provides responsive, respectful and knowledgeable service to internal and external clients
- ✓ Puts the client (internal and external) perspective at the forefront of decision making & works to create client-focused service and solutions
- ✓ Proactively and constructively deals with client problems
- ✓ Establishes and builds strong working relationships at all levels of the REA

Problem solving and analysis

- ✓ Systematically and clearly analyses information
- ✓ Looks beyond the obvious and does not stop at the first answers
- ✓ Is objective and open-minded
- ✓ Oriented toward practical solutions
- ✓ Is able to produce timely, well presented and accurate work on issues in an appropriate format.

Judgement

- ✓ Exercises strong and sound judgement
 - ✓ Able to make a decision without knowing all the facts
 - ✓ Identifies and mitigates the risks that may result from a decision
 - ✓ Understands the risks that may result from a decision
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Approve: April 2019



Kevin Lampen-Smith,
Chief Executive