

Position Description

Associate In-House Counsel



The Cooperative Bank

Our purpose

Our long-term aspirations are to develop more long-term value-based relationships with our customers, and for our people to grow and develop so that they are better off working at the Co-operative.

Our values

Our values represent who we are, how we think, and how we behave to bring these to life every day. You'll demonstrate behaviours that define our core values and support an inclusive culture with a strong teamwork spirit.



About the team

The four members of the Legal team are responsible for providing accurate, clear and timely legal advice and regulatory guidance to The Co-operative Bank (Bank), including the Co-operative Life insurance business, so that The Co-operative can operate with an awareness of the legal environment and within any relevant regulatory parameters and its determined risk appetite. This team sits within the wider Risk team.

Purpose of this position

The Associate In-house Counsel is a key role in supporting the Bank in managing legal and regulatory risk. The Associate In-house Counsel is an intermediate lawyer, reporting to the Head of Legal & Regulatory and is responsible for:

- Being one of the primary points of contact for legal advice and guidance on legal issues, to assist staff members of the Bank and project teams to effectively manage legal risk, and to escalate complex issues to the Head of Legal & Regulatory for resolution when required.
- Assisting where required with providing legal advice to any regulatory or compliance projects undertaken by the Bank from time-to-time.

- Creating and maintaining resources to enable the Bank to manage legal risk, including keeping key stakeholders informed of key legislative and regulatory changes, and their implications.
- Assisting with the preparation of board and committee reports and papers.
- Being the primary point of contact for the Bank's privacy function, which includes dealing with privacy issues and complaints in a prompt and appropriate manner, and to escalate more complex or material complaints or queries to the Head of Legal & Regulatory for resolution when required.
- Being the primary point of contact in the Legal team for undertaking marketing and product reviews.
- Being the primary point of contact in the Legal team for coordinating and reporting on the 6 monthly compliance attestations.
- Assisting where required with undertaking contract reviews.
- Assisting the business with its processes, including providing legal advice on changes to existing processes, systems, and policies as well as the development of new processes, systems, policies or products.
- Championing an effective legal risk culture and supporting business units to manage legal risk within an approved framework.
- Identifying, managing, and reporting on legal risk within the Bank.

Position reports to: Head of Legal & Regulatory

Challenges and opportunities of this role

This area is to focus on the key areas that are the most challenging to navigate but also most important to get right for this position, within our operating environment.

- Keeping abreast of legislative and regulatory changes and their implications for the Bank.
- Ensuring business units understand and own their risks.
- Positively influencing the Bank's risk culture.
- Supporting the Bank to maintain a sound regulatory and compliance reputation.
- Identifying and prioritising legal risks and developing policy and processes to manage or mitigate them.
- Understanding and ensuring you comply with your obligations as an officer of the Court.
- Achieving a balance between providing managers with legal support while also coaching them to develop their own skills to take ownership of managing their legal risk in future (and reduce their on-going need for legal support).

How you will contribute:

What you'll do	Success will mean
Legal Risk Advice and Management	
<p>Being one of the primary points of contact for accurate and relevant legal advice and guidance on legal matters provided to branch and head office staff members, in line with the Bank's policies, current legislation and sound legal risk management practice.</p> <p>Practical and timely legal advice on more complex legal issues as applicable, or internal escalation where required.</p> <p>Referral of complex legal issues to external stakeholders who are subject-matter experts.</p> <p>Referrals to external stakeholders have clear instructions, and appropriately address budget and timing considerations.</p> <p>Staff members well informed and guided on legal matters and are coached to be able to effectively manage their own legal risk, where possible.</p> <p>Advise on legal issues relating to escalated customer complaints.</p>	<ul style="list-style-type: none"> • Advice is accurate, timely and pragmatic. • Recommendations include commercial pragmatism with appropriate guidance (verbally and in writing) that is understood by business units. • Solutions are provided to navigate through 'grey areas' in a pragmatic manner, balancing the Bank's Beliefs. • There is an effective culture relating to legal risk, and any issues are effectively addressed.
Co-ordinating Regulatory Obligations	
<p>Co-ordinating the Bank's compliance with its regulatory obligations.</p>	<ul style="list-style-type: none"> • Regulatory obligations are known and understood by the Bank and the process for attesting to these is operating in a clear, transparent and efficient manner. • Upcoming changes are tracked and the Bank's response to the same are appropriately scoped and implemented. • Stakeholders are aware of compliance obligations.
Legal Risk Framework	
<p>Supporting the implementation of initiatives to manage legal risk within the business, under guidance where required.</p>	<ul style="list-style-type: none"> • The Bank's approach to managing legal risk is well established and understood by business units across the Bank.

What you'll do	Success will mean
<p>Staff members understand the legal risks and the processes the Bank has to address, ensuring these are effectively followed.</p> <p>Eliminating or mitigating unacceptable legal risks.</p> <p>Communicating processes and responsibilities regularly as a reminder to staff.</p>	<ul style="list-style-type: none"> Legal risks are managed or mitigated in a timely and effective manner.
Legal Policy and Process Review	
<p>Ongoing review of existing policies and processes relating to legal risk, to ensure continual improvement and legal risks are addressed.</p> <p>Address and embed upcoming legislative changes/amendments into the Bank's legal policies and processes to enhance the likelihood of continued compliance.</p> <p>Engage with various stakeholders across the Bank to identify common issues or questions with existing policies and processes. Commonalities are used to form basis of review.</p> <p>Draft new policies, processes, frameworks, or key business documents where required, taking into consideration areas for improvement, compliance requirements and stakeholder feedback.</p> <p>Ensure business units across the Bank clearly understand legal risks and understand their role in achieving this.</p>	<ul style="list-style-type: none"> Drafted policies and processes incorporate account stakeholder feedback to enhance understanding across the Bank. Upcoming legislative changes are proactively identified and raised with the relevant business units to consider and undertake the work to implement and effectively embed their requirements. Business units clearly understand their legal risks and work to meet requirements under the Bank's legal risk management framework. Legal policies and processes are up-to-date and operating as best practicable.
Legal Compliance Programme	
<p>Support the development and execution of the Bank's legal compliance programme.</p>	<ul style="list-style-type: none"> The Bank's legal compliance programme is well embedded and business units clearly understand their obligations. The Bank continues to meet its compliance requirements.

What you'll do	Success will mean
Privacy Responsibilities	
<p>Acting as a Deputy Privacy Officer responsible for:</p> <ul style="list-style-type: none"> • Overseeing the Bank's privacy function (including privacy breaches), ensuring that privacy issues and complaints are dealt with appropriately. • Updating privacy policies and processes when required, to ensure privacy is protected. • Advising material breaches to the Privacy Officer. • Identifying developments in the privacy space and planning our response to these. • Assisting when required with the development and implementation of any document retention/destruction policies. • Undertaking reviews of privacy compliance and providing relevant reporting. 	<ul style="list-style-type: none"> • Understanding across the Bank of privacy requirements to prevent breaches. • Effective management of issues, including material breaches. • Privacy policies are current (including retention/destruction policies) and well-understood by the business. • Proactive escalation where required for complex issues or queries. • Reviews and reporting are undertaken in a timely manner.
Marketing & Product Campaign Reviews	
<p>Primary responsibility for undertaking legal reviews of all the Bank's external marketing activities and of all terms and conditions associated with any product campaigns, offers or competitions.</p> <p>Liaising with Head of Legal & Regulatory in respect of any bespoke or strategically important communications or advertisements</p>	<ul style="list-style-type: none"> • All external marketing activities and product campaigns, offers and competitions will have been subject to a legal review thereby reducing the risk that these will not meet relevant legal requirements which could otherwise lead to regulatory sanctions or challenge in the market by consumers or competitors. • All bespoke or strategically important communications or advertisements are subject to a review by the Head of Legal & Regulatory providing an extra layer of protection for the Bank that these are legally compliant.

What you'll do	Success will mean
Compliance and Reporting	
<p>Co-ordinating legal inputs into the Bank's process to attest to compliance with its regulatory obligations.</p> <p>Primary responsibility for providing legal input into the 6 monthly compliance attestations.</p> <p>As required, assisting with the investigation and resolution of any potential exceptions to legal compliance that are identified.</p> <p>Assisting with the preparation of board reports and regulatory responses, particularly those relating to any exceptions to legal compliance that may arise.</p>	<ul style="list-style-type: none"> Regulatory obligations are known and understood by the Bank and the process for attesting to these operating in a clear, transparent, and efficient manner. Any potential exceptions to legal compliance are considered and responded to in a timely manner. The boards of the Bank and Co-op Life, together with SLT, can access clear and relevant information about any legal compliance exceptions.
Project Involvement	
<p>Supporting and contributing to appropriate regulatory or compliance-based projects across the Bank as they arise and as required.</p> <p>Examples would include projects to deliver compliance with major new legislation or new strategic initiatives (e.g., DTA).</p>	<ul style="list-style-type: none"> Project deliverables meet the stakeholder's quality and time expectations. . Regulatory and compliance projects can access legal advice to assist them with their activities.
Other accountabilities	
<p>Follow all health and safety policies, standards, emergency procedures and plans.</p> <p>Participate in health and safety activities, training and meetings as required.</p> <p>Reports hazards, near misses, injuries, incidents and ideas for continuous improvement.</p> <p>Cease work if an unsafe situation arises and seek assistance.</p>	<ul style="list-style-type: none"> Having healthy and safe ways of working. All workers feel empowered to and aware of opportunities to participate in health and safety activities. Our people are able to easily report hazards, near misses, injuries, incidents and ideas for continuous improvement. <p>Workers stop work if they feel unsafe and connect with their people leader or other workers for assistance.</p>

What you'll do	Success will mean
Healthy and safe work environments	
<p>Follow all health and safety policies, standards, emergency procedures and plans.</p> <p>Participate in health and safety activities, training and meetings as required.</p> <p>Reports hazards, near misses, injuries, incidents, and ideas for continuous improvement.</p> <p>Cease work if an unsafe situation arises and seek assistance.</p>	<ul style="list-style-type: none"> • Having healthy and safe ways of working. • All workers feel empowered to and aware of opportunities to participate in health and safety activities. • Our people can easily report hazards, near misses, injuries, incidents, and ideas for continuous improvement. • Workers stop work if they feel unsafe and connect with their people leader or other workers for assistance.

Decision making and responsibilities

a) Decisions and/or financial accountabilities:

- There may be limited delegations relating to legal risk management. These would be referenced in specific communications or in the Delegated Authorities Manual.

b) Actions and decisions that are recommended to a higher level of management for approval:

- There may be areas within the role, for example relating to legal risk management, where approval from manager or higher is required. These would be referenced in specific communications or in the Delegated Authorities Manual.

Qualifications and experience

- A Bachelor's degree in Law.
- Admitted as a Barrister and Solicitor of the High Court of New Zealand.
- Ability to apply for a practicing certificate.
- Around 5+ years PQE experience working in either an in-house role or private practice.
- Banking (or financial environment) experience advantageous, but not required.
- Exceptional written and verbal communication skills.
- High attention to detail and good time management skills.

Skills and attributes

Technical Skills

- Sound analytical skills
- Superior communication skills – written and verbal
- Good planning, organisational and escalation skills
- Computer skills - including email, internet, Microsoft Applications.
- Online skills – working within the Bank's systems.

Conceptual Skills

- Demonstrated experience in problem solving.
- High attention to detail.
- Inquisitive and probing skills – ability to collate the necessary information to understand the factual and legal position, identify gaps and ask questions.

Personality Attributes

- Takes personal responsibility in achieving results.
- Has good resilience and can adapt easily to change.
- Great judgement knows when to escalate issues.
- Establishes rapport effectively with stakeholders, both internal and external.
- Pragmatic and solutions focused.

Leadership Skills

You will be expected to demonstrate behaviours from our Leadership skills framework through your actions, the way you work and how you work with others.