

JOB DESCRIPTION

February 2015

Director Area: Environment and Economy	Is this description a generic JD? Yes
Service Area: Legal	
GRADE:	JEM Reference No: 5241 Enhanced DBS Required? Yes No

JOB TITLE: Senior Lawyer

REPORTS TO: Principal Lawyer

1 PURPOSE OF JOB:

- Contribute to the delivery of services for Legal Services Lincolnshire. Assist, as appropriate, with:
 - Providing an integrated approach to performance management, quality standards and service delivery
 - Embedding new ways of thinking and working
 - Developing and maintaining strong, positive working relationships with commissioners, partners external clients and their teams/partners and across service areas as appropriate

To provide high quality efficient and effective legal and administrative advice and services to the County Council and external customers and assist and support the County Council's Monitoring Officer in discharging his/her duties and responsibilities.

To provide day to day leadership, advice and guidance to colleagues relating to work within own area of responsibility

To provide legal advice to members and senior officers of the Council, partners and other clients and carry a workload of complex and high profile, high risk matters and advise as required on public law and governance in support of clients' decision-making processes.

To role model and promote the values and culture of the service including the highest degrees of flexibility openness and collaboration and the provision of risk-based, solution focused advice centred on enabling clients to achieve their outcomes.

Continuously look for synergies and efficiency savings across area of responsibility.

2 MAIN RESPONSIBILITIES, TASKS & DUTIES

- The specific accountabilities of this role will be flexible and will change to meet the needs of the organisation as required but will include (or be equivalent in nature to) those listed below:

i	<p>a) To provide high quality efficient and effective legal and administrative advice and services to the County Council, partners and external customers to the highest standards of professional conduct and ethics and in a way that furthers and promotes good customer care within Legal Services Lincolnshire.</p> <p>b) To undertake all legal services work whether advice, case work or assistance to other fee earners as required within the area of work designated in the post outline for the time being with minimal supervision and professional support.</p> <p>c) To give legal procedural and propriety advice to senior officers, elected members or other persons or bodies whose conduct or activities fall within the remit of the Monitoring Officer's duties as appropriate for grade and to follow all instructions of the Monitoring Officer or any deputy in relation to the conduct of any monitoring officer activities.</p> <p>d) To make the Monitoring Officer, the Chief Legal Officer, an Assistant Chief Legal Officer (or any other deputy) aware of any:-</p> <ul style="list-style-type: none"> - matters that are of a critical nature - matters that are politically sensitive or high profile - problems in any areas of service delivery or Council activity - instance in which any advice given by him/her has been refused or ignored, or - any proposals, decisions, actions or omissions that have, or would contravene any rule of law or code of practice or conduct or amount to maladministration. <p>e) To assist in the investigation of complaints, particularly in relation to issues raised with the Ombudsman, any Inspectorate, the Council's Auditors, or the Monitoring Officer.</p> <p>f) To provide and/or receive the level of professional support and supervision appropriate to grade and as set out in the post outline.</p> <p>g) To ensure that the post-holder deals with a workload of an appropriate size and level of complexity.</p> <p>h) To develop strong and effective links with the users of the services provided by the post-holder and to notify any notable achievements, compliments, complaints, problems or issues relating to his/her work.</p> <p>i) To work as required with members of any other Team within Legal Services Lincolnshire and as a member of any specific project, task or network Team.</p> <p>j) Contribute to documents produced for internal and external communications purposes and participate in the presentation of training and development for customers, elected members and others.</p> <p>k) To operate all quality, information management and other systems, processes and procedures and to use ICT and other support services as instructed by the departmental management team.</p>
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	<p>i) To contribute positively to the good management of Legal Services Lincolnshire and in particular</p> <ul style="list-style-type: none"> - to attend Team and other meetings and participate in project Teams, Team Away days and other management development activities when required - to participate in the employee development and appraisal process - to contribute to the service and action plans for Legal Services Lincolnshire and - to communicate effectively within and outside Legal Services Lincolnshire
ii.	<p>a) Taking day to day responsibility and providing leadership as appropriate to deliver the agreed priorities; working collaboratively with commissioning teams, partners and external customers and with colleagues in Legal Services Lincolnshire.</p> <p>b) Coach/mentor teams/colleagues as appropriate to embed new ways of thinking and working and assist with ensuring flexibility within Legal Services Lincolnshire</p> <p>c) Maximising the impact of resources and value for money to achieve improved outcomes for the Council, partners and external customers</p> <p>d) Take pride in own performance and ensure effective engagement with Legal Services Lincolnshire performance management processes to deliver outcomes in line with service delivery obligations</p> <p>e) Provide expert advice and guidance as appropriate for own area of expertise.</p> <p>f) Deliver a personal workload of advice, case work or support to other fee earners</p> <p>g) Demonstration of the Council's Core Abilities (at the relevant level)</p> <ul style="list-style-type: none"> Personal Leadership Being Future Focused Political and Commercial Astuteness Supporting a High Performing and Flexible Workforce Drive for Results
iii.	Understand and work with Legal Services Lincolnshire's target market and existing customers as appropriate, developing and maintaining relationships with County Council commissioners, partners, external customers, service users, stakeholders and potential providers.
iv.	Contribute to Legal Services Lincolnshire's work with commissioners/partners to ensure a robust approach to data analysis and forecasting
v.	Contribute to the performance by the County Council, partners and external customers of their statutory obligations and where appropriate any national and local performance indicators
vi	Ensure the way in which the postholder conducts themselves within the area of responsibility reflects the agreed culture and style and standing orders of the County Council and the culture and style of Legal Services

	Lincolnshire as set out in Working in Legal Services Lincolnshire as amended from time to time.
vii	Operate Legal Services Lincolnshire's LEXCEL policies, processes and procedures and any frameworks for Quality Assurance, agreed appropriate performance standards and review processes operated by County Council commissioners, partners or external customers and monitor delivery against commissioned requirements
viii	Ensure Council resources are optimised and utilised effectively and efficiently.
ix	Look to continuously improve services in area of responsibility, identifying where possible, value for money savings and ways of managing within allocated budgets.
x	Act as a role model to others helping them to manage uncertainty and to respond positively and creatively to changing expectations.
xi	Contribute to the development of individuals across the Council coaching, mentoring and motivating staff as appropriate to achieve performance excellence.
xii	As an employee, create a positive image of the County Council
xiii	Deliver excellent customer service, incorporating the Council's equality and diversity objectives and supporting the council to achieve best practice in all it delivers
xiv	Remain up to date and compliant with all relevant legislation, organisational procedures, policies and professional codes of conduct in order to uphold standards of best practice
xv	Take personal responsibility for contributing to organisational transformation and changes in ways of working, maximising the benefits and efficiencies for both internal and external customers, including the promotion and use of self -service to achieve maximum cost effectiveness.
3.	<p>MANAGEMENT OF PEOPLE</p> <p>To ensure on an annual basis that appraisals of staff (Lawyers, Principal Legal Officers, Senior Legal Officers and Legal Officers) are conducted.</p> <p>To supervise more junior members of staff to include full accountability for their work allocation and subsequent monitoring through quarterly file reviews.</p> <p>Where appropriate, as agreed with the Principal Lawyer, to be responsible for the selection, interviewing and recruitment of both internal and external candidates.</p> <p>To undertake full management responsibility of respective teams in the extended periods of absence of the Principal Lawyer.</p> <p>SUPERVISION OF PEOPLE</p> <p>Direct professional supervision training and support of Lawyers, Principal Legal Officers, Senior Legal Officers and Legal Officers where applicable as set out in the Post Outline.</p> <p>Informal support of peers and team members.</p>
4.	<p>CREATIVITY AND INNOVATION</p> <p>The job requires the regular exercise of high levels of creativity and innovation</p>

in applying legal solution to factual problems, of a highly complex nature in high-profile multi-disciplinary settings which may included national issues. The post-holder will bring their experience and knowledge of legal principles to bear in finding solutions to novel problems both within and outside their area of legal practice. They will be capable of identifying issues in related areas of practice and ensuring that appropriate expertise is identified if they are not capable of dealing with the matter themselves. The post-holder will use their own initiative to consult as appropriate. They will then identify and interpret relevant evidence evaluate the advantages and disadvantages of alternative solutions and devise means of achieving outcomes, seeking assistance from more senior colleagues where required, but more often making autonomous decisions.

The post-holder will use their knowledge to ensure that officers are aware of and trained in relevant developments of law and policy and receive guidance on their implications and implementation.

Examples

To provide and manage the provision of legal advice in respect of potential High Court litigation on a high profile employment dispute involving national issues and multiple parties.

To provide legal and practice advice to the Local Education Authority and schools on their statutory obligations and discretionary powers, including powers to federate.

To advise the Adoption Panel, Case Monitoring Group and Local Safeguarding Board on the fulfilment of their statutory roles.

Advising the Council in relation to issues on Criminal Injuries compensation, Freedom of Information Act, Data Protection Act and Public Interest Immunity.

To provide advice and develop necessary protocols for the client on immigration matters.

To provide legal advice across multiple areas of legal practice working across multiple teams such as, but not limited to, employment, prosecutions and education, civil litigation and highways, planning and licensing.

To devise, develop and deliver protocols, policies and procedures and precedents in a multi agency setting.

To attend, contribute and deliver advice to working groups and project boards.

Advise on new and developing areas of law.

5. CONTACTS AND RELATIONSHIPS

Contact with officers at all levels within the County Council and external but predominantly with senior managers. Contact with members including for briefing and the provision of advice on specific cases including in their capacity as members of Panels advised by the postholder.

	<p>Contact with members of the public.</p> <p>Contacts with service users, other local authorities, partners and external bodies, Government Departments, other professionals (lawyers and non-lawyers), courts and tribunals.</p> <p>The post-holder will represent the Council in these contacts and be responsible for influencing and negotiating with others on contentious legal, commercial and community matters, often in complex circumstances with multiple parts with conflicting interests and with diverse and changing relationships to each other. The post-holder will be responsible for advocating on behalf of the Council generally including where appropriate to the post formal advocacy before courts and tribunals.</p> <p>Given the often emotive nature of the matters being dealt with a high degree of negotiation, support sensitivity and advocacy is required.</p> <p>In such contact the post-holder will be expected to take into account wider impacts on other Council services or service users and ensure all outcomes are consistent with Council policy.</p> <p>The outcome will have significant implications for the contact of the service including decisions about care, the availability of compensation and the taking of criminal proceedings.</p>
6.	<p>DECISIONS</p>
	<p>a) Discretion</p> <p>Autonomy in the conduct of individual matters subject to requirement to recognise when consultation is required with more senior colleagues. The post-holder would be expected to consult with more senior colleagues on matters outside their experience or on particularly complex matters or high-profile or politically sensitive matters. More senior colleagues provide advice and guidance. The post-holder is not required to refer matters to a more senior colleague for decision.</p> <p>Discretion to take tactical and strategic decisions on own caseload. Wide degree of discretion in taking decisions in the conduct of particular matters concerning the advice to be given or recommendations to be made. Would take instructions from the client on steps to be taken. Legal advice given will limit the scope and often be determinative of the final decision made because of the fundamental importance of legal advice to local authority decision-making. It will thereby affect directly the choices and working practices of other staff across the Council.</p> <p>The job involves interpreting, advising on and helping develop procedures which comply with or take account of all relevant law, guidance and statutory responsibilities.</p> <p>The post-holder will be responsible for prioritising own case load within the work allocated to him/her in accordance with established principles.</p>

	<p>b) Consequences</p> <p>Significant implications of advice given decisions made and action taken both on individual Directorates and across the County Council and partner organisations. Major impact on the lawfulness of the Council's actions. Major impact on the legal liability, finances and reputation of the Council and service delivery. Major impact on the budget for individual initiatives where the post holder is responsible for the management of legal input to a project including that of external lawyers.</p> <p>Direct and significant impact on the well-being of Service Users, and members of the public including children and their quality of life. Advice given and decisions and actions taken have a major impact on the quality of other Council decision-making and the outcome of Council cases, projects and initiatives.</p> <p>The post-holder has autonomy within each individual case. Recommendations would only be over-ruled in exceptional circumstances.</p> <p>The postholder takes on professional responsibility and potentially incurs Council liability in the delivery of legal advice to outside bodies</p>
7.	<p>RESOURCES</p> <p>Laptops and mobiles phones where applicable. IT databases are shown in the Post Outline. Security of confidential and sensitive paper and electronic data when transporting and using files and laptops when working away from the office.</p>
8.	<p>WORK ENVIRONMENT</p>
	<p>a) Work Demands</p> <p>The post-holder operates in an environment governed by the need to meet deadlines including externally imposed in a context of continually changing priorities and where the work is usually of a complex and/or sensitive nature. Work is carried out in a demand-led environment where the workflows cannot be controlled and work plans can be interrupted by urgent demands. The work can involve 24 hour legal advice and weekend court cover (where appropriate).</p>
	<p>b) Physical Demands</p> <p>Handling of heavy documentation especially deed parcels and court and public inquiry files and bundles of evidence which can be large in number and difficult to transport safely. Keyboard work in carrying out own typing in support of casework</p>
	<p>c) Working Conditions</p> <p>Office based with requirement to travel in and out of county to courts and site visits and to visit people in their homes.</p> <p>Regular exposure to material and situations likely to cause distress such as photographs and taking statements from vulnerable/distressed witnesses.</p>

	<p>d) Work Context</p> <p>Risk of regular verbal and physical abuse aggression and intimidation. Highly stressful environment owing to routinely contentious nature of the work.</p>
<p>9.</p>	<p>KNOWLEDGE AND SKILLS</p> <p>Qualified, hold a recognised legal professional qualification and be entitled to practice as a Fellow of the Institute of Legal Executives, Solicitor or Barrister.</p> <p>To have acquired at least 3 years post-qualification experience.</p> <p>High level of skill and expertise in one or more area of work relevant to the post set out in the Job Brief gained from working in that field, post qualification.</p> <p>A good broad general working knowledge of the law applicable to local government commensurate with grade.</p> <p>A general awareness of the duties and responsibilities of the Monitoring Officer and the ethical framework applying to local government.</p> <p>Experience of working in an in-house local government Legal Service or other equivalent relevant experience.</p> <p>Able to adapt to new areas of work and take on tasks/duties outside his/her field of expertise competently recognising when he/she lacks the requisite knowledge and requires professional support and supervision.</p> <p>A highly competent advocate, if relevant to post and area of work.</p> <p>A highly competent legal draftsman able to develop new drafting to appropriately reflect client requirements in the absence of precedent document.</p> <p>Interpersonal and other skills and expertise that enables the post-holder to operate at a senior level, often requiring sensitivity and diplomacy.</p> <p>Able to manage a full and substantial workload of matters, a significant proportion of which includes matters of a high level of complexity, with minimal supervision.</p> <p>Able to use skills and expertise to command respect and authority with senior managers, Court officers, elected members and other persons who he/she is required to influence support and advise.</p> <p>Able to influence and persuade at a high level both inside and outside of the Council.</p> <p>Advanced negotiating skills.</p> <p>General awareness of the policies aims and objectives of the Council as a whole and individual Directorates.</p> <p>Able to communicate clearly and appropriately both verbally and in writing at all levels.</p>

Understanding of the nature of a local government in-house legal service and contributes positively to service development and continuous improvement.

Able to work as an integrated part of the wider Legal Services team, and supportive of colleagues and management.

Regularly develops and delivers training in response to changes in the law and procedure, and in response to client demand.

Knowledge of main office IT packages.

Keep up to date with changes to relevant law and procedure and to distribute relevant information across clients and colleagues where appropriate in order to provide up to date information and advice.

Able to supervise and provide professional support to more junior colleagues in a positive and developmental way.

Able to provide out of hours advice liaison and support to clients requiring immediate advice and decision-making in response to urgent demand.

Able to travel and keep appointments.

The specific knowledge, skills and abilities required will vary depending on the needs of the role. Specific posts may necessitate advanced specialist knowledge and skills. Post holders should be comfortable working with ambiguity and uncertainty.

10. GENERAL

Job Evaluation - This job description has been compiled to allow the job to be evaluated using the GLPC Job Evaluation scheme as adopted by the County Council

Other Duties - The duties and responsibilities in this job description are not exhaustive. The post holder may be required to undertake other duties that may be required from time to time within the general scope of the post. Any such duties should not substantially change the general character of the post. Duties and responsibilities outside of the general scope of this grade of post will be with the consent of the post holder.

Equal Opportunities - The post holder is required to carry out the duties in accordance with Council Equal Opportunities policies.

Health and Safety - The post holder is required to carry out the duties in accordance with the Council Health and Safety policies and procedures.

Safeguarding - All employees need to be aware of the possible abuse of children and vulnerable adults and if you are concerned you need to follow the Lincolnshire County Council Safeguarding Policy. In addition employees working with children and vulnerable adults have a responsibility to safeguard and promote the welfare of children and vulnerable adults during the course of their work.

	Name:	Signature:	Date
Job Description written by: [Manager]
Job Description agreed by: [Post holder]

Note: Qualifications and Experience headings are included in the Person Specification; see 'Using Competencies in Recruitment & Selection' in the Employment Manual on George.

Guidance on the completion of this JD can also be found on George or available from your HR Adviser.

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