

Decision under Delegated Powers

Officer Requesting Decision (if necessary)

Legal Services Manager

Officer Making the Decision

Head of Strategic Support

Recommendation

That the updated Job Profile attached in the Appendix for the post M182 is adopted to amend the post title to Solicitor / Legal Executive, as a career grade post on salary grades PO1 / PO2 (as per the recommendation of a Job Evaluation Panel).

Reason

To implement the recommendations of a Job Evaluation Panel which met on 11 April 2017 to consider updated Job Descriptions and Person Specifications for the post.

Authority for Decision

Section 8.2 of the Constitution gives delegated authority to the Chief Executive to make changes to the establishment within budget and without major service or policy implications affecting no more than five posts (irrespective of post number). This has been further subdelegated by the Chief Executive to the Head of Strategic Support. These proposals fall within the limit of the authority of the Head of Strategic Support.

Decision and Date

Approved:



22 May 2017

Background

A review and updating of Job Descriptions and Person Specifications within the Legal Services team has been undertaken to widen the scope to include legal executives. The updated versions were considered by a Job Evaluation Panel on 11 April 2017 which recommended a career graded post.

Comments from HR

HR Advisor: Gayle Baker, Charnwood HR Manager (Strategy)

Summary of Comments from HR:

The Job Evaluation Panel compared a solicitor's qualifications and that of an CILEX Grade 6 (Legal Executive) and found that only a Fellow CILEX has the comparable unsupervised authority to act on the full range of responsibilities required of a solicitor. For that reason, the panel recommended that if the successful candidate has the CILEX Grade 6 qualification, they should be paid at P01 until they become a Fellow CILEX. In essence, this would become a career graded post with progression to P02 if/when the CILEX grade 6 employee reached the status of a Fellow.

HR seen recommendations (both draft and final, if amended): Y

Financial Implications

Post M182 is currently PO2 so there will be no change to salary budgets

Risk Management

No specific risks have been identified.

Key Decision: No

Appendix

Revised job profile.



Division:	Strategic Support (Legal Services)
Job Title:	Solicitor / Legal Executive
Grade:	Career Grade P01/PO2 (Qualified Solicitors will commence on Grade P02. Progression beyond Grade P01, for Legal Executives, is subject to attainment of Fellow of CILEX)
Post Number:	M182
Base/Location:	Legal Services within Governance and Procurement Directorate
Responsible To:	Legal Services Manager
Responsible For:	NIL
Key Relationships/ Liaison with:	Strategic Directors, Heads of Service, client officers, External Solicitors

Job Purpose

- To carry out legal work for, provide legal advice to and take legal action on behalf of the Council and its Service Directorates across all legal services functions, which include: Litigation, Housing, Regulatory, Property, Procurement and Planning functions and other contentious and non-contentious work.
- To provide responsive advice across service users sometimes in pressurised, highly confidential and/or politically sensitive circumstances
- Delivery of an effective and appropriate service to all service users fairly and without discrimination.

Main Duties and Responsibilities

1. To manage and be accountable for a caseload of litigation, planning property and regulatory cases.
2. To draft, prepare and serve necessary papers, Statutory Notices and Agreements across all legal services functions including Litigation, Housing, Regulatory, Property, Procurement and Planning functions and other contentious and non-contentious work.
3. To advise on evidence, prepare necessary papers and attend the County Court and Magistrates Court and act as the Council's legal representative and advocate in respect of civil and criminal proceedings across the range

	of the Council's regulatory functions and in respect of other tribunal and inquiries proceedings as required.
4.	To carry out and assist with more complex contentious and non-contentious work under supervision on only the most complex matters or as advised by Managers.
5.	To act as legal adviser to Members, Senior Management Team (SMT) and other staff across the range of Local Government functions and services
6.	To carry out legal research, analyse and solve complex legal issues in relation to all functions, including Litigation, Housing, Regulatory, property, Procurement and Planning functions and other contentious and non-contentious work and to carry out under their supervision, or assist Principal Solicitors and the Head of Legal Services in researching very complex and/or sensitive matters as required.
7.	To obtain Counsel's advice and/or secure Counsel's appearance in the Courts, at Tribunals and Inquiries on behalf of the Council as required.
8.	To assist the legal advisor to the Council's Regulatory Committees, Plans Committee and Appeals Panels as required.
9.	To interpret existing and proposed legislation, government guidelines and case law across the Council's functions to identify and recommend necessary changes to Council procedures and policy in respect of contentious matters relevant to the role or otherwise as instructed.
10.	To act as the Council's Data Protection officer and provide training as part of the Council's induction process.
11.	To act as legal advisor to the information Security Workgroup and Information Sharing Steering Workgroup.
12.	To arrange and attend regular meetings with service users to provide advice to support delivery of the Legal Team Plan.
13.	To attend internal working groups and liaison meetings as requested.
14.	To support the supervision of the Housing Law Assistant and to assist in the development of junior fee earners in the provision of legal advice, advocacy and the preparation of legal documentation relating to the workload.
15.	To proactively contribute to improving the delivery of Legal Services by regular liaison with service departments, active participation in team meetings, reviews, other projects and in meeting performance targets set for the role.
16.	To advise on publicity of Court outcomes.
17.	To advise service users on policy drafting to ensure compliance with relevant legislation.
18.	Undertake training and development appropriate to the role as determined by Performance Development Reviews or otherwise.
19.	Maintain proficiency in the use of the Council's standard IT equipment and desktop software consistent with the requirements of the post.

20. Deliver an effective and appropriate service to all service users fairly and without discrimination.

21. As a term of your employment you can be required to undertake such other duties commensurate with your grade and/or hours of work as may reasonably be required of you at your initial place of work.

Special Factors

This job description outlines the main duties and responsibilities of the position and is designed for the benefit of both the postholder and the Council in understanding the prime functions of the post. It should not be regarded as exclusive nor exhaustive as there may be other duties and requirements associated with and covered by the grading of the post.

While this is a Career Graded Post, Legal Executives paid P01 can reasonably be expected to undertake the full range of duties outlined above. However, in some instances, it may be necessary that the work will be supervised by a qualified solicitor or CILEX Fellow.

Management have the right to vary the duties after consultation with you.

Agreed Human Resources Advisor

This job description sets out the duties and responsibilities of the job at the time when it was drawn up. Such duties and responsibilities may vary from time to time without changing the general character of the duties or the level of responsibility entailed. Such variations are a common occurrence and cannot in themselves justify a reconsideration of the grading of the job.

Charnwood Borough Council is seeking to promote the employment of disabled people and will make any adjustments considered reasonable to the above duties under the terms of the Equality Act 2010 to accommodate a suitable disabled candidate.

Date Prepared/Revised: May 2017



Division:	Strategic Support (Legal Services)
Job Title:	Solicitor / Legal Executive
Grade:	P01/2
Post Number:	M182

	Essential	Desirable	How assessed
Qualifications <ul style="list-style-type: none">• Admitted solicitor• CILEX (Fellow or Grade 6)	✓		App/Doc
Experience <ul style="list-style-type: none">• Post qualification experience in contentious/non contentious legal work• Dealing with Data Protection queries	✓ ✓		
Skills/Knowledge <ul style="list-style-type: none">• Sound knowledge of law and practice of criminal and civil litigation, Land and Property, Town & Country Planning and/or other regulatory legislation• Sound knowledge of the law relating to Data Protection and Infirmiton Sharing• Drafting a range of legal documents relevant to contentious and non-contentious workload• Able Advocate• Legal research and analysis• Use of Microsoft Office, Time recording/case management packages, online legal research tools, IT skills• Excellent written communication skills• General knowledge of the law and practice of Local Government administration• Experience of non-contentious matters including drafting of contracts and/or agreements• Drafting of policies	✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓		
Interpersonal Skills <ul style="list-style-type: none">• Good communicator at all levels	✓		Int/Docs

PERSONAL SPECIFICATION

• Negotiation skills	✓		
Other requirements <ul style="list-style-type: none"> An understanding of, and commitment to equal opportunities, and the ability to apply this to all situations. 	✓		App/Int
• Must be able to perform all the duties and tasks of the job with reasonable adjustments, where appropriate, in accordance with the provisions of the Equality Act 2010.	✓		

Key:

App = Application form
 Test = Test
 Int = Interview

Pre = Presentation
 Med = Medical questionnaire
 Doc = Documentary evidence (e.g., certificates)

Prepared by: Legal Services Manager	Date: May 2017
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