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|  | | | | JOB DESCRIPTION | | | Form  JD1 |
| JOB TITLE: Legal Officer | | | | | **POST NUMBER:** | | |
| REPORTS TO: (Job Title) | | | | | Senior Lawyer | | |
| **DEPARTMENT:** Legal Services | | | | | **GRADE:**  7 | | |
| **JE REF:** | | | 4195 | | **PANEL DATE:** | 03/05/2022 | |
| **1.** | **MAIN PURPOSE OF JOB**  To provide legal advice and representation in the following areas of law:  **People**:   * Child protection * Adult Protection * Employment * Education   **Regulatory**   * litigation; * Prosecutions * Planning highways and licensing   **Projects**   * Contract/commercial * Property   The post holder will have a caseload for one area of law, but will be required at times to cover other areas depending on levels of demand and the post holder’s knowledge and experience. | | | | | | |
| **2.** | **CORE RESPONSIBILITIES, TASKS & DUTIES:** | | | | | | |
|  | i | Provide legal support to lawyers and senior lawyers. | | | | | |
|  | ii | Draft, negotiate and interpret legal documents. | | | | | |
|  | iii | Draft Orders, Agreements, Notices etc, and carry out other associated legal procedures as required. | | | | | |
|  | iv | Regularly interview witnesses and draft statements of evidence to be used in Court proceedings. | | | | | |
|  | v | Instruct and assist counsel in conference and at Court. | | | | | |
|  | vi | Prepare and maintain documents within a Court bundle in accordance with the relevant Court Practice Direction. | | | | | |
|  | vii | Formulate a witness schedule and provide support and advice to all local authority witnesses during the course of proceedings. | | | | | |
|  | viii | Conduct daily correspondence in connection with the progress of court cases and other matters. | | | | | |
|  | ix | Represent the Authority in the County Court or Magistrates’ Court, or any other hearings as required. | | | | | |
|  | x | Maintain compliance with Law Society’s Practice Management Standards and meeting performance indicators. | | | | | |
|  | xi | Conduct legal research. | | | | | |
|  | xii | Assist in making and responding to disclosure requests in children’s matters and in assist in preparing disclosure schedules in criminal proceedings | | | | | |
|  | xiii | Perform the duties of clerk for School appeals | | | | | |
|  |  | Specific work areas:  **PEOPLE**  **Areas of law: Children**  Draft applications and witness statements for Care Orders and Supervision Orders and liaise with the Court regarding service of documents and listing the case for initial hearing.  Draft and issue applications for Placement for Adoption Orders.  **Areas of law: Adult Protection**  Draft and issue applications and witness statements in the Court of Protection in respect of welfare applications and deprivation of liberty cases.  Draft and issue applications in the County Court in respects of applications under the Mental Health Act 1983.  **Areas of law: General**  Respond on behalf of client departments to requests from the police, the Crown Prosecution Service and defence solicitors for disclosure of Social Services and Education records in accordance with the council’s duties and relevant local protocols and claiming public interest immunity from disclosure where relevant.  **Areas of law: Employment and Education**  Draft applications and witness statements for Employment Tribunals.  Respond to Employment Tribunal orders and directions  Respond to enquiries from schools, head teachers and governors.  Respond to enquiries from Human Resources and other client departments  **REGULATORY**  **Areas of law: Housing, General, Civil & Criminal Litigation**   * Housing Law   + Rent arrears – possession   + Secure/assured introductory tenancy   + Non-occupation (straight forward)   + P.55 breach of licence   + Trespass (straight forward) * Legal Action against Travellers and non- secure Tenants * Civil Litigation from all Departments within the Council including the Council Tax department, Internal Audit and Asset & Property Management * Planning and Environment * Trading Standards * Public Protection * Prosecutions * Debt (straight forward) * Enforcement – Charging orders   Draft and issue court applications and liaise with the Court, clients and external parties regarding service of documents. Deal with County Court matters for recovery of money or property and other litigation.   * Negotiating terms of settlement of orders * Take instructions * Provide legal advice * Legal research * Disclosure * Draft witness statements and other legal documentation   Represent the Council in County Court and Magistrates Court and react quickly to unforeseen circumstances during hearings, involving:   * Neighbour nuisance * Injunctions * Possessions * Demotion orders * Small claims and debt matters and other civil litigation cases * General housing matters   **Areas of law: Planning, Highways and Licensing**   * Planning * Highways * Licensing * Leisure * Public Rights of Way * Road Traffic   **PROJECTS**  **Areas of law: Property and Commercial**  Draft and review/negotiate documents relating to land transactions including transfers/conveyances (including for ‘right to buy’ transactions), contracts, leases, licences and easements.  Draft, review and/or negotiate documents and/or advise on matters relating to commercial contracts, including those which need to be procured in accordance with the Public Contracts Regulations and the Council’s own Contract Procedure Rules, contracts for works, goods and services, grant agreements, academisation, company law, State Aid. | | | | | |
| **3.** | **SUPERVISION / MANAGEMENT OF PEOPLE**  No. reporting - Direct: 0 Indirect: 0 | | | | | | |
| **4.** | **CREATIVITY & INNOVATION**  Creativity and innovation are essential to the job and need to be regularly exercised within general guidelines. For example:-   * The post holder will regularly draft documents and statements of evidence in support of highly sensitive applications to the Court. * Some degree of creativity and innovation is required by the post holder, particularly in the area of litigation which often requires an innovative and imaginative response in the negotiation and resolution of problems and disputes. * Although subject to supervision and procedural guidelines, the post holder is able to use initiative to adapt legal documents in line with previous precedents. * The post holder is required to use initiative in management of his/her own workload. * The post holder is also required to represent the council at County Court hearings concerning straightforward routine cases such as debt and rent arrears cases. County Court procedure states that such cases should be settled before the hearing wherever possible. In line with this, the post holder will negotiate settlements on the instructions of the client department. The post holder will also advise the client department on the best course of action for the case. | | | | | | |
| **5.** | **CONTACTS & RELATIONSHIPS**  **Internal**  Regular contact with officers in client departments to obtain information about cases, take instructions, provide advice, and then draft applications to court, witness statements/notices, etc.  **External**  Regular contact with solicitors, counsel, expert witnesses, police, medical professionals Court staff and defendants in relation to a range of complex and contentious matters requiring support, advocacy and sensitivity.Occasional attendance at special legal interest groups. | | | | | | |
| **6.** | **DECISIONS – discretion & consequences**  **Discretion**   * The post holder will have wide discretion to prioritise their workload to meet constant demands. * Subject to statutory requirements, the Council’s and nationally determined policies, procedures and standards, the post holder will have some discretion in the conduct of legal proceedings and the carrying out of other legal work e.g. negotiation of legal settlements on the advice of the client without reference to other officers. * Judgement is required when advising clients on the best course of action for a case. * With minimum supervision, but subject to set guidelines, the post holder will prioritise their workload to meet deadlines.   **Consequences**   * The provision of good legal support by the post holder to the client departments to ensure that their statutory obligations are met appropriately and consequently has a significant impact in ensuring the welfare of children and vulnerable adults. * The professional support provided by the post holder will enhance the reputation of the Council and ensure that the Council acts in a lawful manner. * Working with minimum supervision enables the department to work more efficiently and frees up time for senior officers to work on more complex cases. * Negotiation of an early settlement of a case may save legal costs for the Council. | | | | | | |
| **7.** | **RESOURCES – financial & equipment**  *(Not budget, and not including desktop equipment.)*  Description Value  Not applicable Nil | | | | | | |
| **8.** | **WORK ENVIRONMENT – work demands, physical demands, working conditions & work context** Work demands  * The post holder will be required to prioritise frequently changing demands, including Court deadlines as well as dealing with regular interruptions which may require urgent action e.g. applications for an Emergency Protection Order.  Physical demands  * Normal.  Working conditions  * The post holder will work in a hybrid (office/home) environment. The post holder must wear clothing which is appropriate to appear in Court or attend meetings at all times.  Work context  * The post holder may occasionally have to deal with aggression from respondents at Court and in meetings owing to the highly sensitive nature of the work. | | | | | | |
| **9.** | **KNOWLEDGE & SKILLS**   * The post holder will have knowledge of the law of at least one following areas: (i) child protection (ii) adult protection (iii) education (iv) employment (v) housing and debt recovery (including disclosure obligations) or (vii) property and commercial contracts. * The post holder will be educated to ‘A’ level standard and have qualified as a chartered legal executive or graduate member of the Institute of Legal Executives, or have a law degree, or relevant experience. * In addition the post holder will have the following skills:-   1. Ability to produce clear and concise documents   2. Good advocacy skills and negotiating skills   3. Ability to respond with speed and accuracy to the needs of the clients   4. Ability to use initiative and work as part of a team   5. Ability to work under pressure and to deadlines   6. Ability to prioritise   7. Good communication skills   8. Ability to work unsupervised   9. Commitment to client care   10. Ability to be flexible   11. Good IT skills   12. Proactive approach to new initiatives or legislative changes   13. Ability to comply with internal and external procedures (including the Law Society’s Practice Management Standards and those set by Courts) | | | | | | |
| **10.** | **Position of Job in Organisation Structure**  Job reports to: Senior Lawyer  x 3  Other jobs at this level: None  This Job    Jobs reporting up to this one: none | | | | | | |