

**Job Description**

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| **Department** | **CHIEF EXECUTIVE’S DEPARTMENT** |
| **Job Title** | **lawyer / Senior lawyer – career grade** **adult’s Team** |
| **Grade** | I - K |
| **Primary Purpose of Job** | To undertake a personal workload of legal matters in accordance with the specific responsibilities below.To provide legal advice, advocacy and support.To mentor other officers within the team when at grade K. |
| **Reporting To** | Principal Lawyer |
| **Direct Staffing Reports** | Grade I: NoneGrade J: None Grade K: Mentoring for Lawyers, Principal Legal Adviser, Senior Legal Assistants/Legal Assistants as requested. |

**Main Duties – Grade I**

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| **1** | To undertake and manage legal work both personally and as part of a team in accordance with the strategic aims of the council. |
| **2** | To act as advocate for the council and to be able to negotiate and draft documentation and manage a caseload with competing demands. |
| **3** | To work effectively with other officers as necessary to achieve the successful implementation of the council’s objectives. |
| **4** | To provide advice and effectively conduct legal matters including those relating to adult safeguarding which shall include but not be limited to such areas as The Care Act, Mental Capacity Act, disputes regarding Ordinary residence and access to public funds, displacements of nearest relative, deputyships, finances, Court of Protection, dols, transfers from children to adult services and inquests. |
| **5** | To operate within the Constitution and Council strategic aims and be able to advise upon them. |
| **6** | To develop and maintain effective partnerships, networks and joint working arrangements to ensure the most effective provision of legal services to meet the needs of the council.  |
| **7** | Identify, interpretate and apply legislation, government guidance and new developments in the law on service provision to ensure that the Council is able to deliver timely and responsive services. |
| **8** | To carry out such other work as may be required by the Principal Lawyer or Head of Legal Services |
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**Main Duties - Grade J Progression / Experience in addition to I**

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| **1** | To act under pressure in the face of competing demands arising from emergency and urgent situations and when undertaking a higher caseload and be prepared to undertake some more complex matters, |
| **2** | To assist in the co-ordination of the work relating to adult safeguarding matters, to ensure that cases are prepared to professional standards and in compliance with relevant legislation, Regulations, Statutory Guidance, Practice Directions and the Public Law Outline and to ensure that Court commitments and deadlines are properly met. |
| **3** | To devise and deliver training to colleagues, clients and elected members as required. |
| **4** | To advise Committees, Sub-Committees, Members, Officers and any organisation with which the Council has a formal arrangement for the giving of advice. |
| **5** | To provide legal and procedural advice and support that is customer centred and gives value for money and proactively identifies ways to work more efficiently and effectively. |
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**Main Duties – Grade K Progression / Experience in addition to I & J**

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| **1** | To deputise for Principal Lawyer as necessary, for example, at Panels, safeguarding boards, AGMA groups etc. |
| **2** | To work effectively with senior officers and managers to achieve the successful implementation of the council’s objectives. |
| **3** | To provide advice and effectively conduct complex legal matters including those relating to adult safeguarding which shall include but not be limited to such areas as The Care Act, Mental Capacity Act, disputes regarding Ordinary residence and access to public funds, displacements of nearest relative, deputyships, finances, Court of Protection, dols, transfers from children to adult services and inquests, Judicial reviews and Human Rights Act claims. , cases with political intent, multiple parties, litigants in person and novel points of law. |
| **4** | To have and in-depth knowledge of the Constitution and strategic aims and be able to advise upon them. |
| **5** | To be prepared to conduct final hearings with an E.L.H.. of up to 2 days when deemed suitable with the Principal Lawyer. |
| **6** | To manage a higher caseload of cases alongside other miscellaneous matters.  |
| **7** | To prepare reports for and attend such meetings of the Council, the Executive Committees, Sub-Committees and Working Parties as may be necessary in connection with the duties of the post. |
| **8** | Identify and provide training and development for client department as requested and to assist with the mentoring of less experienced legal staff in the team. |
| **9** | Provide leadership support and ensure the effective motivation and development of staff as required. |
| **10** | To act as a senior case holder and advocate, in providing professional legal services to the Adults’ Services and the Health and Well Being Directorates in relation to legal issues relating to vulnerable adults. |
| **Date Job Description prepared:** | **November 2022** |
| **Job Description prepared by:** | **Head of Legal Services** |

**Person Specification**

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| **Department** | **chief Executive’s Department** |
| **Job Title** | **lawyer / Senior lawyer – career grade** **adult’s Team** |
| **Stage One** | Candidates who are care leavers, have a disability, are ex-armed forces or are a carer (see Carers-Charter-FINAL.pdf (gmhsc.org.uk) are guaranteed an interview if they meet the essential criteria for the role  |
| **The Minimum Essential Requirements for the above Post are as Follows:** | **Method of Assessment** |
|  | **Grade I** |
| **1.** | **Skills and Knowledge** |
| 1. | Knowledge of local government law with a particular emphasis on adult safeguarding to include:* Court of Protection
* Deprivation of Liberty
* Safeguarding
* Mental Capacity Act issues
* Judicial Reviews
* Ordinary Residence disputes
* Deprivation of assets
* Age assessment disputes
* UASC/Leaving Care
* No recourse to public funds including attending panel

Knowledge of Data protection and governance law. Knowledge of statutes, regulations, guidance, advices, case law, policies and procedures in the relevant areas.Knowledge of social work assessment frameworks and government publications. | Application Form / Interview / Test / Presentation / Assessment Centre |
| 2. | Ability to operate effectively in a sensitive political environment.  | Application Form / Interview |
| 3. | Ability to work efficiently with information technology in support of casework. | Application Form / Interview |
| 4. | Ability to organise and prioritise own work. | Application Form / Interview |
| 5. | Ability to work effectively when faced with a workload which requires risk management. | Application Form / Interview |
| 6. | Ability to communicate effectively both orally and in writing with elected members, colleagues, staff, officers in other agencies and customers, other professionals and members of the judiciary. | Application Form / Interview |
| 7. | Carries cases that are less complex and require more supervision regarding matters than a more experienced lawyer would receive. | Application Form / Interview |
| 8. | Ability to advocate for the local authority and is able to make persuasive arguments backed by evidence and law commensurate with grade. | Application Form / Interview |
| 9. | **Competencies** – Please note the council’s corporate competencies, which are essential for all roles, are below in the Core Competencies section | Interview |
|  | **Grade J** |
| 1. | Carries out the working practices, procedures and operations across the specialist area of social care legal work in relation to adult law, immigration, human rights and inquests. | Application Form / Interview |
| 2. | Understands and applies health and safety working practices, including risk in their own area of work. | Application Form / Interview |
| 3. | Uses a wide range of basic computer applications. | Application Form / Interview |
| 4. | Knows and understands how to analyse, interpret and present complex information from a variety of sources. | Application Form / Interview |
| 5. | Ability to advocate for the local authority on some more complex matters and is able to make persuasive arguments backed by evidence and law commensurate with grade. | Application Form / Interview |
|  | **Grade K** |
| 1. | An in-depth knowledge of local government law with a particular emphasis on and significant experience of complex cases and issues, judicial review, complaints policies and procedures, human rights, inquests and immigration. | Application Form / Interview / Test |
| 2. | Ability to develop other areas of legal expertise within the department as necessary. | Application Form / Interview / Test |
| 3. | Ability to work effectively when faced with a high volume and complex workload. | Application Form / Interview / Test |
| 4. | Ability to communicate effectively with elected members, colleagues, staff, officers in other agencies and customers, other professionals and members of the judiciary commensurate with the grade. | Application Form / Interview / Test |
| 5. | Ability to provide practical legal advice. Ability to identify and bring to the attention of the Principal Lawyer, matters of probity or significance which may have a detrimental effect on the council commensurate with the grade. | Application Form / Interview / Test |
| 6. | Ability to deal with complex caseload and hearings including cases with Political intent, medical issues, multiple parties, litigants in person, novel points of law and immigration.  | Application Form / Interview |
| 7. | Ability to advocate for the local authority on more complex matters and is able to make persuasive arguments backed by evidence and law commensurate with grade. | Application Form / Interview |
| 8 | Ability to Identify and provide training and to assist with the mentoring of others | Application Form / Interview |
| 9 | **Competencies** – Please note the council’s corporate competencies, which are essential for all roles, are below in the Core Competencies section  | Interview |
| **2. Experience/Qualifications/Training etc** |
| 1. | For Grade ISolicitor or Barrister or Fellow of the Institute of Legal Executives. | Application Form/Certificate /Interview |
| 2. | For Grade J in addition to IAt least 3 years of experience in the knowledge areas for this post. | Application Form / Interview |
| 3. | For Grade K: in addition to I 3-5 plus years’ experience in the knowledge areas for this post. Experience of mentoring and developing staff or relevant supervisory experience. | Application Form / Interview |
| **3. Work Related Circumstances** |
| 1. | All posts require the job holder to undertake mandatory training for the role and to regularly review their developmental needs in conjunction with their line manager. Development of our employees plays a key role in delivering our services | Interview |
| 2. | The Council has a framework of Values & Behaviours that guide our behaviour and decision making to help achieve our vision. All employees are expected to be mindful of these when undertaking their work. | Interview |
| 3. | This role requires the job holder to work outside of normal office hours, for example at evenings.  | Interview  |
| 4. | This post has been designated an essential car user post. You must hold a full, current and valid driving licence and a vehicle with a current valid MOT certificate. You will also need adequate vehicle insurance cover to comply with the council’s requirements, in line with the Travel Costs Reimbursement Policy. | Interview/ Certificates/ Driving Licence  |

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| **Date Person Specification prepared** | **November 2022** |
| **Person Specification prepared by** | **Head of Legal Services** |

**These core competencies are considered essential for all roles within Bolton Council. Please be prepared to be assessed on any of these during the interview process and, for the successful applicant, throughout the probationary period.**

**Developing Self & Others**

Promote a learning environment to embed a learning culture.  Support others to develop their skills and knowledge to fulfil their potential. Actively pursue your own development. Support and promote the principles of Investors in People.

**Civil Contingencies**

Bolton Council has a statutory duty under the Civil Contingencies Act to respond in the event of an emergency. If Bolton Council’s Emergency Management Plan is activated, you may be required to assist in maintaining key Council services and supporting the community.  This could require working outside of routine working hours and working from places other than your normal place of work.

**Equality & Diversity**

Uphold the principles of fairness and the Equality Act in all undertakings as a Bolton Council employee, including providing a fair, accessible service irrespective of customer’s race, religion, gender, sexuality, disability or age.

**Customer Care**

The ability to fully understand, assess and resolve the needs of all customers including those who present with complex situations, in a manner that respects dignity and expresses a caring & professional image.

**Health & Safety**

Take responsibility for the health and safety of yourself and others who may be affected by your acts or omissions, and comply with all health and safety legislation, policy and safe working practice, including participating in training activities necessary to your post.

**Data Protection and Confidentiality**

Ensure that any personal data or confidential data you hold is kept securely and is not disclosed, whether electronically, verbally or in writing, to any unauthorised third party. Follow Council policies and procedures on dealing with personal information and information assets, including The Code of Conduct, Data Protection, Acceptable Use and Information Security policies. Personal or confidential data should only be accessed or used for council purposes.

**Fluency Duty**

Should you be required, as a regular and intrinsic part of your role, to speak to members of the public in English, you must be able to converse at ease with customers and provide advice in accurate spoken English, as required byThe Immigration Act 2016.

**Working Hours**

The nature and demands of the role are not always predictable and there will be an expectation that work will be required outside of normal hours from time to time.

**Safeguarding**

This Council is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults and expects all staff and volunteers to share this commitment. Should the role involve working with the above groups, you will be subject to an Enhanced Disclosure and Barred List check by the Disclosure & Barring Service.

**The values of an organisation are those key principles by which people are expected to work to day to day. They’re our culture and help define what is expected of each and every one of us**.





