

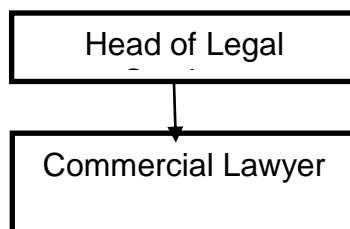
ROCHDALE BOROUGH COUNCIL

JOB DESCRIPTION

SERVICE:	Corporate Services
SECTION:	Legal Services
LOCATION:	Number One Riverside
JOB TITLE:	Commercial Lawyer
POST NUMBER:	
Grade:	TBC
Accountable to:	Head of Legal Services/Deputy Monitoring Officer
Accountable for:	-
Hours of Duty:	37 flexible working hours in accordance with the needs of the service.
Any Special Conditions of Service:	<p>The Authority operates a Smoke Free Policy for all its employees and applies to any building and associated grounds within in the immediate vicinity of the building which is wholly owned, leased or operated and occupied by Rochdale Borough Council.</p> <p>Casual user Car Allowance</p> <p>Attendance at meetings which will be compensated in accordance with Local Conditions of Service.</p> <p>The Post is subject to restriction on public political activity in accordance with the provisions of Part 1 of the Local Government & Housing Act 1989.</p>

The Council is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults and expects staff to share this commitment.

ORGANISATION CHART



PURPOSE AND OBJECTIVES OF THE JOB

To provide an effective, efficient and professional in-house legal service to the Council.

To provide in-house legal support to the Council in relation to commercial advice in order to support a broad range of general commercial legal work including the opportunity to work on high value strategic projects.

To advise internal clients and liaise with other third parties in respect of the provision of commercial legal advice and the drafting of commercial documents including advising on subsidy control and grant funding.

To advise on the application of the Council's Constitution and any relevant legislation particularly in respect of commercial matters including contracts.

To take responsibility for the provision of accurate and robust legal advice in order to support Legal Section and Council priorities.

To support effective and informed decision making.

To assist in the development of staff within Legal Services and other Council services through training, support and advice.

To actively contribute to the development of Legal Services to ensure value for money.

To act as an Ambassador for Legal Services and the Council at all times and develop and maintain effective and professional relationships within Legal Services and the Council/partners to raise the profile of Legal Services.

To contribute to the delivery of Legal Services and the Council's objectives, policies and procedures.

Control of Resources

Personnel

To be responsible for the direction, support and motivation of self.

Financial

To work in accordance with the financial regulations and procedures of the Council.

To negotiate, maintain and arrange payment of external lawyers' fees and any other third party fees properly incurred together with any other related expenses.

To time record as required.

Equipment/Materials

To be responsible for the effective use and security of legal systems relevant to the post including software and ICT equipment.

To be responsible for the efficient and effective use of the premises, furniture, equipment and consumable goods used in relation to the work of the post holder.

Health/Safety/Welfare

Responsibility for the safety and welfare of self and colleagues in accordance with the Health and Safety Policies of the Council.

Equality and Diversity

To work in accordance with the Authority's Policy relating to the promotion of Equality and Diversity.

To be responsible for completing Equality Impact Assessments where appropriate and relevant to the post holder's areas of responsibility.

Training and Development

The post holder will be responsible for assisting in the identification and undertaking of his/her own training and development requirements in accordance with the Council's Employee Development Scheme.

The post holder will assist in developing colleagues within Legal Services knowledge in relation to relevant legal work.

The post holder will be responsible for the delivery of training to a range of audiences including non-specialists, Elected Members and colleagues

Relationships (Internal and External)

Internal:-

All staff in Legal Services
Other staff of the Legal & Democratic Services
Officers of other Council Service Areas
Members of the Council

External:-

Solicitors in private practice and other external advisers
Members of Parliament
General public
Offices of other Local Authorities, Public Bodies and Government Departments and Agencies
Members of the Public

Responsibilities

The post holder must -

- Perform his/her duties in accordance with all Rochdale Council's Policies, including Equality and Diversity Policy.
- Ensure that Rochdale Council's commitment to public service orientation and care of our customers is provided.
- Be responsible for the legal work they undertake.
- Act as a legal representative for the council and to provide advice and guidance to elected Council Members and to Officers.

Values and Behaviours

Approach the job at all times using the values set out below

- Proud of the difference we make
- Passionate about the diversities of the Borough
- Pioneering and Open in our Approach

Be aware of and apply these behaviours at all times.

Principal Duties

1. To advise on existing and proposed non-standard agreements, SLAs and grant agreements, commercial documents and arrangements relating to the Council's functions
2. To draft non-standard agreements, SLAs and grant agreements, commercial contracts and other commercial documents
3. To provide advice relating to all relevant legislation including the Public Contract Regulations 2015, the Procurement Act 2023, the Health Care services (Provider Selection Regime) Regulations 2023 as appropriate.
4. To provide general commercial and other legal advice and undertake legal work in respect of the Council's duties, functions and powers ensuring that the Council's interests are protected at all times.
5. To initiate and manage pre-litigation commercial dispute resolution where necessary and appropriate
6. To attend and advise at Committees and sub-Committees of the Council and other meetings with Elected Members as appropriate.
7. To attend, advise and (if required) chair any inter-service Working Group, Working Party, Panel, Multi Agency meeting or similar and provide advice ensuring that the Council's interests are protected and represented.
8. To provide advice and assistance to colleagues within Legal Services and other Council Services in relation to legal work and any potential impact on their respective duties.
9. To provide verbal and legal written advice on any aspect of a matter requested and falling within the post holder's remit to a high quality and professional standard including with the support of external legal advisers where appropriate.
10. To negotiate and arrange payment of external lawyers' fees and any other related expenses.
11. To time record.
12. To keep the Head of Legal Services/the Assistant Director (Legal and Governance) briefed and updated as requested.
13. To provided training to and enable the transfer of skills and knowledge to colleagues within Legal Services.
14. To prepare reports and provide legal comments within reports in order to ensure that Officers and decision makers are fully informed of the legal implications of proposed courses of action and to ensure that reports include reference to the legal position.

15. To promote compliance with the Council's Constitution and procedure rules and to draw to the attention of the Monitoring Officer/Deputy Monitoring Officer any matters which require attention.

16. To keep up to date with all legal and policy changes affecting the post.

17. To perform all functions and duties effectively and in accordance with the following:- The Council's Constitution;

The Council's Policies and Codes of Practice;

Legal Services Standards, objectives, targets and timescales as appropriate;

Legal Services Quality Procedures as appropriate.

18. To be responsible for the day to day organisation of personal workload.

19. To work flexibly as part of Legal Services and to cover other work as required and as is appropriate to the post holder's remuneration and status.

20. To carry out such other duties as may be reasonably required which are commensurate with the post holder's grade, experience, training and level of responsibility within the Council at N1R or at or from any other of the Council's establishments.

Secondary Duties

- 1 To participate in Council programmes of in-service training as a trainee and when required as a trainer facilitator.
- 2 To undertake such other legal work in other areas of law as may be determined by the Borough Solicitor, Assistant Borough Solicitor, and Senior Litigation Solicitor/Lawyer.

Job Description prepared by _____ Date _____

Agreed by Postholder _____ Date _____

Supervisor _____ Date _____

Service Director _____ Date _____

**Rochdale Borough Council
Person Specification**

Service :	Corporate	Post:	Commercial Lawyer
Section :	Legal Services	Post Number :	
Job Ref:		Grade:	9

Note to Applicants:

The *Essential Criteria* are the qualifications, experience, skills or knowledge you **MUST SHOW YOU HAVE** to be considered for the job.

The *How Identified* column shows how the Council will obtain the necessary information about you.

If the *How Identified* column says the **Application Form** next to an *Essential Criteria* you **MUST** include in your application enough information to show **how** you meet this criteria. You should include examples from your paid or voluntary work.

The Council is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults and expects staff to share this commitment.

Criteria	Essential (E) or Desirable (D)	How Identified: AF Application Form I Interview A Assessment
(a) Special Working Conditions		
1. Ability and willingness to attend meetings out of normal office hours where necessary	E	AF & I
(b) Qualifications and Experience		
2. Admitted and practising Solicitor, Barrister or (Fellow) CILEx with a current Practising Certificate	E	AF, I and production of Certificate at Interview
3. Experience of drafting a variety of non-standard contracts, SLAs, grant agreements, commercial documents and arrangements = in respect of local authority matters	E	AF & I
4. Experience of advising on a variety of non-standard contracts, SLAs, grant agreements, commercial documents and arrangements in respect of local government matters	E	AF & I
5. Commitment to Continuous Professional Development, research and modern ways of working	E	AF & I
6. Experience of local authority legal advice work with an appreciation of the need to comply with the Constitution and relevant legislative requirements, for example Public Contract Regulations 2015/Procurement Act 2023	E	AF & I
(c) Skills and Knowledge		
7. Ability to communicate effectively both orally and in writing and an ability to apply customer care principles on a day to day basis	E	AF & I
8. An understanding of the principles of working in a team and an ability to work as part of a team including supervising the work of junior colleagues to ensure the provision of an effective Legal Service	E	AF & I
9. Presentation skills including the provision of training and guidance to Officers and Elected Members	E	AF & I
10. Extensive and up to date knowledge of the legislation and regulatory frameworks relevant to the post	E	AF & I

11. Ability to analyse complex information and produce clear, concise reports and briefing papers and advice as appropriate	E	AF & I
12. Organisational ability and time management skills and an ability to prioritise daily/weekly workload and delegate as appropriate	E	AF & I
13. Ability to work in a pressurised environment delivering priority work with accuracy and within timescales	E	AF & I
14. Act on own initiative and take responsibility as appropriate working corporately and representing the service positively.	E	AF & I
(d) Behaviours and Values		
15 Approach the job at all times using the values set out below: <ul style="list-style-type: none"> • Proud of the difference we make • Passionate about the diversities of the Borough • Pioneering and Open in our Approach Please confirm you are willing to adhere to these values and behaviours.	E	AF/I