

## **Job Description**

### **Solicitor/Barrister (Procurement and Contracts)**

*Final*

*Date: 23 May 2019*

**POST:** Solicitor/Barrister (Procurement and Contracts)

**SERVICE:** Legal Services

**SECTION:** Legal Procurement and Contracts

**BAND:** 9

**REPORTS TO:** Solicitor to the Council (Procurement, Contracts, Property, Regeneration)

**RESPONSIBLE FOR:** N/A

**TYPE:** 1a) Hot desking any location

All Council posts are subject to National Joint Council (NJC) conditions of service.

Basildon Borough Council is committed to safeguarding and promoting the welfare of children and adults, and expects all employees, contractors and volunteers to share its commitment to prevent abuse, harm or exploitation.

Please note that the Council applies a robust recruitment vetting process.

## **MAIN PURPOSE**

The objective of the Legal Service is to provide a highly efficient and cost-effective legal service to facilitate the lawful exercise of the Council's functions and the achievement of its policies and objectives and at all times to safeguard the interests of the Council and propriety in the exercise of its functions. The service also works to identify and advise on commercial opportunities and arrangements.

The Legal Service advises on the following areas of law:

- (a) Property
- (b) Regeneration
- (c) Contracts and Procurement
- (d) Planning
- (e) Litigation (civil and criminal)
- (f) Employment
- (g) Housing
- (h) Licensing
- (i) Environmental Health

This is not an exhaustive list.

Some activities of the service are carried out in fee-earning teams responsible for litigation, regeneration, property, and contracts work under the overall supervision of the Solicitor to the Council.

## **GENERAL INFORMATION**

Our approach to the practice of law is based on a friendly and open style of working and a determination to avoid unnecessary complexity. We are committed to achieving the objectives of our clients by finding commercially sound solutions to their problems and delivery objectives in a proactive, professional, and efficient manner. We believe in an innovative and energetic approach to the practice of law, placing particular emphasis on personal service, speed of response, value for money, accessibility and the highest standards of professional excellence.

## **DUTIES**

1. Undertake legal and, where necessary, commercial research and provide advice to the Council, including Members as appropriate, on casework and other issues, interpretation of new and existing legislation and case law including their effect on the implementation of Council policy as required. Evaluate and advise on the effect of such matters on implementation of casework and progression of projects.
2. Evaluating facts and evidence and simplify complex matters, advising service clients on strengths and weaknesses of proposed actions and, where appropriate, advising on compromise.
3. Assessing when Counsel's opinion may be required and liaising with the relevant Legal Manager to ensure proper instruction of Counsel as necessary.
4. Draft and comment upon committee reports and attend and advise at committee meetings and other Member meetings as required in all legal matters and participate fully in working groups, to ensure that the Council is well informed and Legal Services effectively represented.
5. Actively and positively participate in multi-disciplinary teams to further the Council's strategic aims and objectives through attending all project meetings and collaboratively delivering projects and casework and develop effective relationships
6. Adopt a risk-aware approach to identify legal and commercial risks and support the Council in developing appropriate strategies to mitigate risk and maximise opportunities.
7. To assist in establishing and maintaining efficient working practices within the legal teams, including independently identifying opportunities to improve and bringing these to the attention of the manager. Provide assistance in setting up all requisite case management systems, information database and common form documentation. Making the most efficient use of the information technology available to enable quick and efficient management of caseloads and to facilitate the proper costing and allocation of professional time and the maintenance of statistical data.
8. Assist in the supervision and training of legal and other staff as appropriate in order to achieve productive and motivated staff and to secure the best use of available resources. This includes preparing and delivering training courses for clients and other team members.
9. Maintain personal caseload information and case progress data, including time recording and job costing, in the manner directed by a team manager.
10. Prioritise caseload and self-monitor progress of work, subject to any overriding instruction from a team manager to ensure that work is completed within set timescales or to Council requirements and, where applicable, in accordance with time limits imposed by statute.

11. Work to maintain the high quality, speed, and efficiency in legal service delivery and ensure and promote effective communication with service users.
12. Draft, revise, and advise on complex legal documentation concerning contractual transactions including goods, works, and services across the Council.
13. Attend throughout to the contractual and other procedures in connection with complex contractual transactions assigned and all matters arising. To advise on and determine terms and provisions which best secure the protection of the Council's interests and provide the optimal commercial basis to achieve the Council's aims and objectives.
14. Advise on concessions contracts, shared services agreements, and agreements for delegations of functions and determine and implement the appropriate contractual formalities with, where appropriate, attention to appropriate commercial controls.
15. Review and advise on methods of contractual construction to allow flexible, responsive, and robust arrangements that are responsive to changes in circumstances and will allow continuation of delivery as well as maximum commercial responsiveness. Thorough knowledge of the mechanisms available in the Public Contract Regulations 2015 is essential along with knowledge of State Aid and competition law.
16. Research and interpret legislation and any changes in legislation that relate to or affect the projects, including alternative delivery models and advise thereon. Identify and recommend updates to all relevant precedent documents to ensure these are updated in the interests of the Council to accord with legislative changes and case law and to conform to current legal requirements and best practice.
17. Undertake all legal work relating to procurement and contract projects for the Council and its companies including advising and undertaking work in relation to contracts for goods, works, and services and the provision of services, including formulation of reports and drafting of complex contract documentation. Work closely with procurement and contract management advisors, who will be responsible for day-to-day procurement advice, but will rely on the expertise of the postholder for complex matters.
18. You must cooperate in all matters relating to Health and Safety and implement all procedures for your job role. The identification of Health and Safety related risks within the working environment must be highlighted to your management.
19. Any other duties appropriate to the post: These other duties must be equivalent to or below the salary and status of the role and, where appropriate, under the Equality Act 2010, due consideration must be given to any employees with a "protected characteristic".

## PERSON SPECIFICATION

<b>Position Title:</b>	Solicitor/Barrister (Procurement and Contracts)	<b>Date Prepared:</b>	23 May 2019
<b>Department:</b>	Legal (Procurement, Contracts, Property, and Regeneration)	<b>Band:</b>	9

	REQUIREMENTS	Essential	Desirable	Assessed
	<b>QUALIFICATION</b>			
1	Qualified Solicitor or Barrister (England and Wales)	✓		A
2	Demonstrable substantive post qualification experience	✓		A/I
	<b>EXPERIENCE AND KNOWLEDGE</b>			
3	Ability to simplify complex problems, processes and projects in to component parts to analyse, explain and evaluate	✓		A/I/T
4	Experience and knowledge of drafting and providing legal advice to clients	✓		A/I
5	Substantive experience in dealing, handling and meeting client expectations	✓		A/I
6	Experience of conducting negotiations and effective working in partnership	✓		A/I
7	Experience and instructing counsel and preparing bundles	✓		A/I
8	Advised Council Committees, senior board meetings		✓	A/I
9	Demonstrable experience of working to deadlines and ability to handle heavy workload under pressure with competing priorities, maintaining quality of work and advice under conflicting requirements and coping with ambiguity and complexity, managing a multitude of projects and relationships while remaining highly focused.	✓		A/T/I
10	Knowledge and experience of alternative delivery vehicles		✓	A/I
11	Knowledge and experience of drafting and advising upon grant funding agreements		✓	A/I
	<b>ABILITY</b>			
12	Excellent and effective verbal , written and presentational communication with ability to communicate effectively and to a high standard to a wide range of audiences and across a wide range of mediums with an agile but thorough approach	✓		A/T/I
13	Ability to assimilate facts quickly	✓		A/I
14	Motivated self-starter who can find solutions	✓		A/I
15	Proven negotiation and persuasion skills, including the ability to engage with and influence stakeholders	✓		A/I
16	Ability to adopt a proactive approach to all issues and contribute effectively to projects and case work	✓		A/I/T
17	Computer literacy, Competent user of Microsoft Office , case Management System and use of information technology to enhance service delivery	✓		A/I
	<b>BEHAVIOUR</b>			
18	Ability to supervise, train and motivate junior staff members		✓	A/I
19	Team worker who builds positive relationships within team and across the organisation	✓		A/I
20	Personal impact and resilience	✓		A/I

	<b>ADDITIONAL</b>			
21	Able to attend evening and weekend meetings and able to attend site meetings and meetings with organisations based in and outside of the borough	✓		<b>A/I</b>
22	Evidence of continuing professional development	✓		<b>A/I</b>

<b>2.</b>	<b>COMPETENCIES</b>			
	<b>ADHERING TO PRINCIPLES AND VALUES</b>			
2.1	<ul style="list-style-type: none"> <li>a) Upholds Council ethics and values</li> <li>b) Demonstrates integrity</li> <li>c) Promotes and defends equal opportunities, builds diverse teams</li> <li>d) Encourages organisational and individual responsibility towards the community and the environment</li> <li>e) Shows respect and sensitivity towards cultural and religious differences</li> </ul>	✓		<b>AF/I/T</b>
	<b>WRITING AND REPORTING</b>			
2.2	<ul style="list-style-type: none"> <li>a) Writes clearly, succinctly and correctly</li> <li>b) Writes convincingly in an engaging and expressive manner</li> <li>c) Avoids the unnecessary use of jargon or complicated language</li> <li>d) Writes in a well- structured and logical way</li> <li>e) Structures information to meet the needs and understanding of the intended audience</li> </ul>	✓		<b>AF/I/T</b>
	<b>LEARNING AND RESEARCHING</b>			
2.3	<ul style="list-style-type: none"> <li>a) Rapidly learns new tasks and correctly applies to work with speed</li> <li>b) Gathers comprehensive information to support decision making</li> <li>c) Demonstrates a rapid understanding of newly presented information</li> <li>d) Encourages an organisational learning approach (i.e. learns from successes and failures and seeks staff and customer feedback)</li> <li>e) Manages knowledge (collects, classifies and disseminates knowledge of use to the organisation)</li> </ul>	✓		<b>AF/I/T</b>
	<b>DELIVERING RESULTS AND MEETING CUSTOMER EXPECTATIONS</b>			
2.4	<ul style="list-style-type: none"> <li>a) Focuses on customer needs and satisfaction</li> <li>b) Sets high standards for quality and quantity</li> <li>c) Monitors and maintains quality and productivity</li> <li>d) Works in a systematic, methodical and orderly way</li> <li>e) Consistently achieves project goals</li> </ul>	✓		<b>AF/I/T</b>
	<b>COPING WITH PRESSURES AND SETBACKS</b>			
	<ul style="list-style-type: none"> <li>a) Works productively in a high pressure environment</li> <li>b) Keeps emotions under control during difficult situations</li> <li>c) Balances the demands of work life and personal life</li> <li>d) Maintains a positive outlook at work</li> <li>e) Handles criticism well and learns from it</li> </ul>	✓		<b>AF/I/T</b>

