

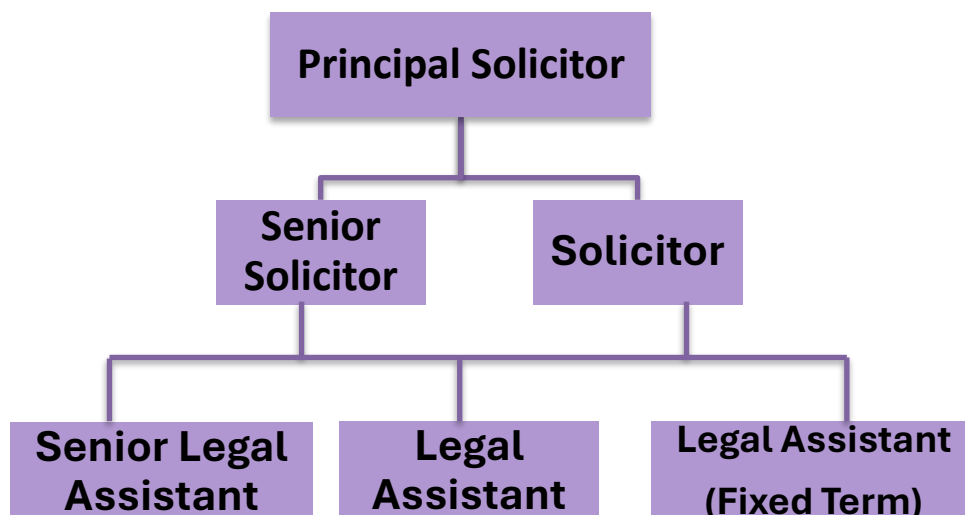
JOB DESCRIPTION

TITLE:	Solicitor (Progression Scheme – base M3)
POST NO:	682362AGQQ
DEPARTMENT:	Chief Executive- Governance
SERVICE:	Legal Services
RESPONSIBLE TO:	Principal Solicitor (Social Services – Adults Legal Team)
GRADE:	M3 (Career Grade applies - This Job Description is for the minimum of the Grade)

PURPOSE OF POST: To assist in the provision of a comprehensive legal service to the Council, its Executive, Committees and Sub-Committees, and to Departments, including senior officers and elected members as well as external clients, to protect the interests of the Council and/or external clients whilst providing options and advising on risks.

To provide high quality and effective legal advice to the Council in relation to Adult Social Care matters. The postholder will manage a varied caseload, including Court of Protection proceedings, safeguarding matters, mental capacity issues and related public law matters, ensuring that the Council fulfils its statutory obligations and manages legal risk effectively.

TEAM CHART:



PRINCIPAL RESPONSIBILITIES:

	<u>%</u>	
1. Give legal advice to officers and elected members of the Council on matters arising under the Care Act 2014, Mental Capacity Act 2005, Mental Health Act 1983, Human Rights Act 1998 and Equality Act 2010, safeguarding adults and multi-agency safeguarding arrangements, deprivation of liberty safeguards and emerging Liberty Protection Safeguards requirements, on Adult Social Care legislation and local authority duties as required to allow them to make decisions and achieve solutions to problems that comply with the law.	30	
2. • Manage a varied caseload of Adult Social Care matters with minimal supervision. • Advise on the Mental Capacity Act 2005, Care Act 2014, Mental Health Act 1983, Human Rights Act 1998, and related legislation • Draft and settle applications, witness statements, court documents, legal opinions, agreements, reports and correspondence. • Prepare cases for hearings and provide advocacy where appropriate or instruct external counsel • Handle Court of Protection proceedings, including welfare, property and affairs, and deprivation of liberty matters. • Advise on deprivation of liberty safeguards and emerging Liberty Protection Safeguards requirements • Provide legal advice on safeguarding adults and multi-agency safeguarding arrangements as required. • Attend strategy meetings, safeguarding meetings and case conferences as required.	30	
3. Represent the Council before Courts and Tribunals as an advocate conducting cases in a way that complies with current practice procedural requirements and court directions and take all reasonable steps to achieve the judgements/decisions, which could reasonably be expected from the available evidence.	20	
4. Exercise judgment in accordance with broad guidance laid down by the postholder's Line Manager, as to whether specialist legal advice and/or assistance is required and instruct counsel in such cases as may be approved by the Head of Legal Services or the Principal Solicitor (Social Services) to enable decisions to be taken and implemented in accordance with the law.	5	
5. Participate in projects and contribute to corporate, cross- directorate and r interdepartmental initiatives as directed by the Principal Solicitor (Social Services) or the Head of Legal Services, supporting the Council in the development and implementation of lawful, effective, and compliant policies. . Contribute to continuous the development and maintenance of legal precedents, and the effective management and sharing of legal knowledge across the service.	5	
6. Limited supervision of Junior staff where appropriate and assist in achieving departmental performance targets and objectives in order to provide an effective service delivery for the benefit of all service users.	5	
7. Maintain up-to-date knowledge of legislation, case law and best practice relevant to Adult Social Care and deliver training and guidance to officers and client departments.	5	

DIMENSIONS:

Supervisory Management: N/A

Financial Resources: N/A

Physical Resources: Personal equipment, desktop computer, etc.
Information, often confidential, about the Council, its business and Taxpayers, residents, vulnerable adults and children (including looked after children) and other people across a wide range of services.

Other: The Postholder will be responsible for representing the Authority before Courts and Tribunals. The role will be an advisory and diagnostic facilitation service, which will impact on the budgets of major Council Services.

CONTEXT:

The Social Services Team provides a comprehensive service in relation to child care and adult social care . The postholder will work collaboratively with Adult Social Care teams, providing practical and solution-focused legal advice while supporting the delivery of high-quality services to vulnerable adult and will play an important part in supporting this work. The Postholder will handle his/her own caseload and be responsible for conducting related litigation in accordance with corporate, departmental and service guidelines, with any required supervision.

The Postholder will maintain an up to date knowledge of legislation, case law and best practice relevant to Adult Social Care and actively contribute to service improvement initiatives', precedent development and knowledge management in order to achieve Best Value in the provision of legal services to the Council.

The Postholder will be expected to assist the Principal Solicitor (Social Services - Adults) in the development of the Social Services Adults Legal Team and to carry out special projects and to assist in corporate inter-service or inter-departmental projects from time to time.

In undertaking professional legal work the Postholder will have to exercise professional skills gained through experience and requiring thorough legal professional knowledge.

Physical Effort; Normal office environment

Working Environment; Normal office environment

Person Specification (Minimum of Grade)

This acts as selection criteria and gives an outline of the types of person and the characteristics required to do the job.

Essential (E):- without which candidate would be rejected

Desirable (D):- useful for choosing between two good candidates.

Please make sure, when completing your application form, you give <u>clear examples</u> of how you meet the <u>essential and desirable</u> criteria.				
Attributes	Essential	How Measured	Desirable	How Measured
Experience	Experience of advocacy before Courts and/or Tribunals in relation to adults cases Experience of managing a personal caseload of Adult Social Care matters	1, 2	Local Government Experience	1, 2
Skills/ Abilities	Able to demonstrate ability to undertake legal work with supervision Computer literate Persuasive Analytical Able to demonstrate ability to plan/ prioritise own caseload within broad guidelines and subject to supervision Decisive - ability to make decisions - render judgment within guidelines set by management Oral and written communication skills - able to elicit relevant information in moderately complex situations and translate it into effective documents Ability to work in a team	1, 2 1,2 1, 2, 3 1, 2, 3 1, 2, 3 1, 2, 3 1, 2, 3		1, 2
Equality Issues	Knowledge and understanding of equalities issues and legislation	1, 2		
Specialist Knowledge	Knowledge of Civil Procedure Rules Working knowledge of community care law Mental Capacity and Mental Health Law and Data Protection Law Working knowledge of the Law of Evidence	1, 2, 1, 2, 3 1, 2, 3	European Community Law Knowledge of Child Care Law Local Government Law	1, 2 1, 2 1, 2

Education and Training	Applicant must be a Solicitor, Barrister or Fellow of the Chartered Institute of Legal Executives (FCILEx) and hold a current practising certificate in England. A minimum of 4+ years' PQE is essential	4		
Other Requirements	Agile working to suit business needs. Ability to attend court hearings, meetings and Council offices as required . Courts are usually in the Borough, occasionally surrounding area or other areas. Current practising certificate			

(1 = Application Form 2 = Interview 3 = Test 4 = Proof of Qualification 5 = Practical Exercise)

We will consider any reasonable adjustments under the terms of the Equalities Act (2010) to enable an applicant with a disability (as defined under the Act) to meet the requirements of the post.

The Job-holder will ensure that Luton Borough Council's policies are reflected in all aspects of his/her work, in particular those relating to;

- (i) Equal Opportunities
- (ii) Health and Safety
- (iii) Data Protection Act (2018) & General Data Protection Regulation (2021).