

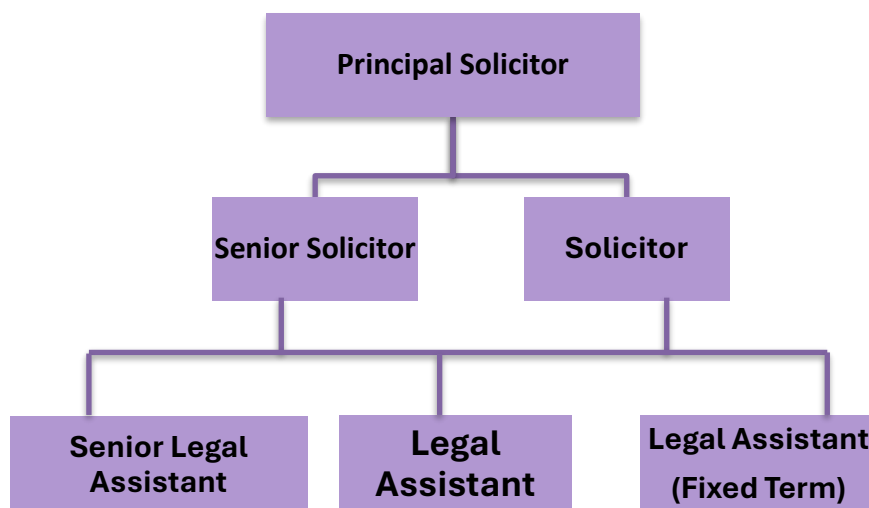
JOB DESCRIPTION

TITLE:	Solicitor -Adult Social Services – Progression M4 level
POST NO:	682362AGQQ
DEPARTMENT:	Chief Executive, Governance
SERVICE:	Legal Services
RESPONSIBLE TO:	PRINCIPAL SOLICITOR (SOCIAL SERVICES – ADULTS LEGAL TEAM)
GRADE:	M4 (Career Grade applies)

PURPOSE OF POST: Provide an efficient, effective, and economic 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 complex matters legal advice, , to client departments, Officers and elected members of the Council 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.	35
2.	• Manage a varied caseload of Adult Social Care matters with minimal supervision. • Conduct and supervise proceedings in the Court of Protection, including welfare applications, property and affairs matters, and deprivation of liberty cases. • 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	30
3.	Represent the Council before Courts and Tribunals as an unsupervised 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. Exercise judgement, 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. Manage external legal spend effectively and monitor the performance of external legal providers where instructed.	10
4.	Supervision of Junior lawyers, trainees, and legal assistants through mentoring, supervision, and knowledge sharing where required in order to meet the objectives of the department and provide an effective service delivery for the benefit of all service users.	10
5.	Participate in projects contribute to corporate, cross- directorate and 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. .	5
6.	Keep abreast of relevant legislative developments, case law, and best practice affecting adult social care and local government law. Assist in developing and delivering training to officers, managers, and members on adult social care legal issues.	5
7.	Contribute to the achievement of team objectives, performance targets, and continuous improvement activities and to the continuous development and maintenance of legal precedents, and the effective management and sharing of legal knowledge across the service.	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 the work of the Adults Legal Team. The Postholder will handle his/her own case-load and related litigation in accordance with corporate, departmental and service guidelines, with a minimum of supervision.

In addition to the main responsibilities the Postholder will be expected extensively to assist the Principal Solicitor (Social Services – Adults Legal) with the development of the Social Services Adults Team. This role will include elements of organising and planning the work of the Team and, particularly, the coaching, guidance and training of more junior members of staff. The Postholder will be required from time to time to represent or deputise for the Principal Solicitor (Social Services – Adults Legal) 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 of the highest order gained through wide experience, requiring both a depth and breadth of legal professional knowledge to an extensive degree.

In undertaking professional legal work and in giving legal advice the Postholder will have considerable autonomy, advising all levels through the organisation, including, from time to time, Corporate Directors and Elected Members with professional supervision being in the nature of ensuring that the professional role is being carried out within Corporate, Departmental and Service guidelines and in line with Council and Service objectives and the Legal Services Service Plan.

The Postholder will be called upon and have authority to take or recommend to taking of decisions which may have a significant impact on the Council's finances (eg. in relation to adults community care or the giving of undertakings in Court).

The Postholder will have authority to instruct Counsel subject to compliance with agreed service procedures.

Physical Effort; Normal office environment

Working Environment; Normal office environment

Person Specification

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	In depth experience of advocacy before Courts and/or Tribunals - including dealing with complex adults social care matters	1, 2	Local Government Experience	1, 2
Skills/Abilities	Able to demonstrate ability to undertake legal work with limited supervision Persuasive Analytical Able to demonstrate ability to plan/ prioritise own caseload within broad guidelines with minimum supervision Decisive - ability to make decisions - render judgment within guidelines set by management Oral and written communication skills - able to elicit relevant information in complex situations and translate it into effective documents Computer literate Ability to work in a team	1, 2 1, 2,3 1, 2, 3 1, 2, 3 1, 2, 3 1, 2, 3 1, 2 1, 2, 3		
Equality Issues	Knowledge and understanding of equalities issues and legislation	1, 2		
Specialist Knowledge	Working knowledge of Civil Procedures Rules Comprehensive knowledge of Adults Community Care Law, including Mental Capacity Mental Health Law and Data Protection Laws	1, 2, 3 1, 2, 3 1, 2, 3	European Community Law Local Government Law Knowledge of Child care law	1, 2 1, 2 1, 2

	Demonstrable knowledge of the Law of Evidence			
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 and Wales. A minimum of 5+ 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 of Luton, occasionally in 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 Equality 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).