

JOB DESCRIPTION

TITLE: SENIOR SOLICITOR - CONTRACTS & PROCUREMENT

POST NO: PREF100522

DEPARTMENT: Citizen Engagement & Legal Services

SERVICE: LEGAL SERVICES

RESPONSIBLE TO: Principal Solicitor

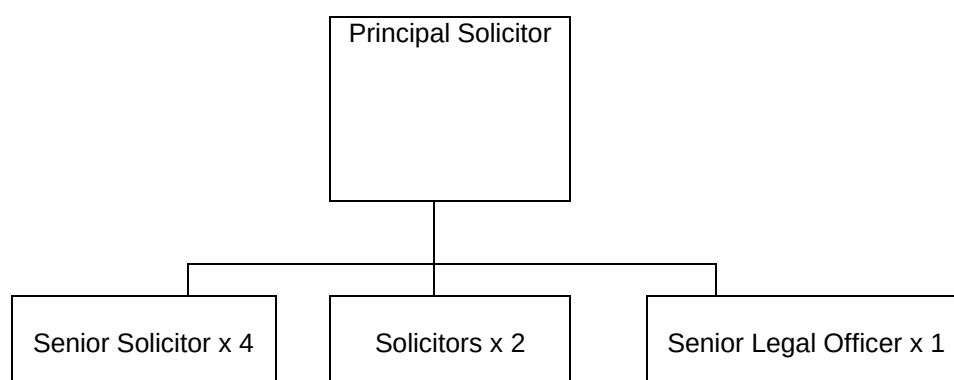
GRADE: M5

PURPOSE OF POST:

To assist in the provision of a comprehensive legal service to the Council, its Executive, its Committees and Sub-Committees, and to Departments 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 legal advice in relation to commercial contracts and procurement matters which takes into account Council's business needs and objectives.

Organisation chart



PRINCIPAL RESPONSIBILITIES:

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| 1. | To provide professional and commercial advice and support to various Council departments and external clients on a range of complex commercial contracts, procurement matters and other bespoke commercial arrangements as required to allow them to make decisions and achieve solutions to problems which comply with the law and governance requirements. | <u>25</u> |
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| 2 | Manage a caseload of commercial contracts and procurement cases of a complex nature, to advise and prepare documents to a high professional standard in relation to the supply of goods, services and works. These will include bespoke and standard form documents for areas including construction, IT, engineering, social services, education and public health, ensuring the interests of clients are protected and ensuring compliance with Contract Standing Orders and the Public Contracts Regulations 2015, subsidy control regime or other relevant legislation. | 25 |
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| 3. | Regularly review cases in order to prioritise, determine and monitor liability, conflicts of interest and to assess risks. To continually monitor and review case law, legal developments and legislation in order to provide appropriate and relevant advice to clients. Checking that funding and procurement approvals have been obtained through the democratic process. Advising clients on requirements and assisting them to achieve compliance. | 10% |
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| 4. | Participate in project teams to provide governance and procurement input, to negotiate drafting of contracts and other arrangements for shared or integrated services and to deliver major projects. Keep clients informed of new legislation and case law relevant to their operations, including training seminars where appropriate and to ensure that they maintain a sound application of legal requirements. | 10% |
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| 6. | Prepare and approve reports for, and give legal and procedural advice in relation to complex and highly complex matters, to the Executive, any Committee or Members of such Executive and such Committees, Sub-Committees, Working Parties and other groups of Members or Officers as may be required, to enable decisions to be taken and implemented in accordance with the law and the Council's Constitution. | 15 |
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| 7. | 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 Principal Solicitor and/or the Head of Legal Services to enable decisions to be taken and implemented in accordance with the law. | 5 |
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| 8. | Participate in projects relating to corporate, interdivisional or interdepartmental work as may be required by the Principal Solicitor and/or the Head of Legal Services to enable the Council to formulate and implement policies in accordance with the law. | 5 |
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| 9. | Develop working practices to assist with the efficient and economical delivery of services. Commission where necessary, and in accordance with service procedures, external legal advisers to support specific tasks, monitoring progress and delivery of outcomes to ensure the Council receives value for money. | |

DIMENSIONS:

Supervisory Management:	Senior Solicitors will give mentoring guidance to Junior Solicitors/Trainees/Legal Officers in the Team.
Financial Resources:	N/A
Physical Resources:	Personal equipment, Laptop etc. Information, often confidential, about the Council, its business and Taxpayers, residents, and other people across a wide range of services.
Other:	The Postholder will be responsible for advising and drafting major contracts of substantial values. The role will be an advisory and diagnostic facilitation service which will impact on major budgets across the Council.
Working Environment	Normal Office environment.
Physical effort and/or strain	N/A

CONTEXT:

The Property Planning and Contracts Team provides a comprehensive service to all Council Services. The Postholder will play an important part in supporting this work and will handle his/her own personal case load 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 with the development of the Property Planning and Contracts Team and the continuous improvement of Legal Services.

This role will include supervision, coaching, guidance and training of more junior members of staff, including the supervision of any Trainee Solicitors undertaking seats within the team, as required and to and to provide management and leadership to the staff working on their cases.

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 to recommend to the taking of, decisions which may have a significant impact on the Council's finances.

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

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	Significant experience of providing legal advice on procurement, commercial contracts (including construction, IT and social care contracts) and governance matters	1, 2	Experience of Local Authority Constitutional Law.	1, 2
	Experience of effectively managing resources to achieve value for money and provide a high quality service.	1,2		1,2
Skills/Abilities	Ability to draft and negotiate a variety of legal contracts and other formal documentation with the objective of preventing or minimising risk to the Council.	1,2		
	A clear and systematic approach to problem solving, including the ability to assess and evaluate business risk, and to present legal risks in the context of the client's needs	1,2		
	Ability to communicate, both orally and in writing clearly and concisely at all levels, on standard and complex matters with Members, officers and other stakeholders	1,2		
	Ability to represent the Council at meetings of the Executive/Committees and at meetings with other public authorities, Government departments, contractors etc. and give sound advice on matters of law and procedure.	1,2		
	Ability to manage a mixed caseload of commercial and procurement matters that would be considered to be highly complex and/or	1,2		

	organisationally high profile with minimum of supervision. Strong analytical skills with the ability to quickly establish key issues and demonstrate an understanding of the client's business and service needs. Able to demonstrate ability to plan, organise and prioritise own caseload within broad guidelines Ability to elicit relevant information in complex situations and translate it into effective documents Competent ICT skills including basic keyboard skills, familiarity with word-processing packages, case management systems and simple databases or ability to acquire the same.	1,2 1, 2 1,2 1, 2 1,2		
Equality Issues	Knowledge and understanding of equalities issues and legislation	1, 2		
Specialist Knowledge	Thorough knowledge and understanding of law and procedure relating to commercial contracts, local government, public procurement and collaborative procurement with other public bodies and of GDPR and its impact on public contracts.	1, 2	Knowledge of Property and Planning Law	1, 2
Education and Training	Applicants must be Admitted Solicitors, Barristers or Fellows of CILEX qualified in England and, in the case of solicitors, hold (or be able to obtain) a current practising certificate. A minimum of 6+ years' PQE is essential,	1,2,4		

Other Requirements				
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(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 (2018)