

North Somerset Council

JOB DESCRIPTION

DIRECTORATE Corporate Services Unit	SECTION Legal Services	
JOB TITLE Solicitor	POST NO	GRADE JM3

1. JOB PURPOSE

The postholder will assist the litigation team to provide legal advice to the Council in accordance with the service requirements of each of the Council's directorates.

The postholder will be responsible for:

- The provision of sound and impartial legal advice to the Council.
- Finding and developing alternative and innovative solutions to problems.
- Advising upon new legislation and case law in order that officers and elected members may make fully informed policy decisions.
- Assisting the Council to achieve its strategies and policies that have legal implications.
- Drafting and negotiating legal documentation required to implement the Council's transactions.
- The conduct of their own caseload including advocacy.

2. DIMENSIONS

The postholder will, by giving advice to the Council and committees upon casework and policy implications, have an influence upon service directorate overall budgets. For example representation of the Council in court cases having major social, policy and economic effect; advising on the most suitable form of legislation in legal and other proceedings in contentious matters; advising on the scope and impact of current and new legislation; negotiating and settling contract and construction related disputes; advising and conducting major litigation including judicial reviews and appeals to all English and European Courts arising from or against service directorates.

3. DUTIES AND RESPONSIBILITIES

- Provide legal advice and professional support to officers and members of the Council.

- Advise on both existing and new or proposed legislation and legal precedent to ensure compliance with the law and that the most appropriate legal action is taken by the Council at all times.
- Draft and prepare legal documentation in connection with claims and proceedings brought on behalf of or against the Council.
- Draft and prepare legal documents to implement decisions of the Council, including communicating with and negotiating agreements with external parties, their lawyers and other external contacts and agencies.
- Prepare and advise on cases for court, tribunals, inquiries, arbitration or mediation proceedings (i.e. consider case papers, interview witnesses, prepare and/or review statements, research and ascertain law, liaison with professional experts, advise upon case strategy and arguments).
- Undertake advocacy in criminal and civil courts, tribunals and inquiries on behalf of the Council, and when authorised instruct Counsel or private sector solicitors to do likewise, and where appropriate negotiate settlements or consent orders on the Council's behalf.
- Prepare and advise on committee reports and attend committees as required to advise and ensure that procedures and decisions comply with the law and Council procedure including standing orders and scheme of delegation.
- Represent the Council at meetings with outside bodies (e.g. other Councils, voluntary bodies, Regional Committees and consultative bodies) to implement legal commitments and Council objectives.
- To undertake any other duties commensurate with the grade of the post.
- To be aware of and understand the Council's Equality Policy and ensure at all times that the duties of the post are carried out in accordance with the policy.
- To ensure compliance with all Health and Safety legislation and associated codes of practice and authority policies.

4. ORGANISATION



5. SUPERVISION AND WORK PLANNING

The postholder will be managed by the Litigation Team Leader.

The postholder will assist in providing advice and support to lawyers and support staff within the legal service.

The postholder will be working predominantly from home apart from court attendances and some business meetings.

6. QUALIFICATIONS AND EXPERIENCE

Litigation solicitor holding or able to hold a current practising certificate. Practical experience in relevant areas of law, preferably acquired in local government or a similar environment. Good communication, advocacy skills, negotiating skills, research skills and problem solving, analysis of evidence skills and preferably experience of advising senior officers and elected members. Ability to work flexibly in different areas of law, on your own initiative, organised and under pressure in a changing environment.

7. JOB CONTEXT

The legal section provides advice to all other directorates of the Council, and its elected members and officers. Advice given by lawyers will be relied upon by clients in formulating council policy and decisions, implementing those decisions and in conducting casework. Legal actions often come under the scrutiny of outside bodies, members of the public, and the press.

The Litigation team provides advice on and conducts civil and criminal litigation cases on behalf of all directorates of the Council. This includes acting as prosecutor in those areas where the authority is the designated prosecution agency under statute and representing the Council in its capacity as Local Planning Authority, Local Education Authority and Adult Social Care. The team also defends cases brought against the Council such as judicial reviews, licensing appeals, contract disputes and tribunals.

8. SCOPE FOR IMPACT

Advising on current and new legislation and case law to ensure the most effective action is taken in cases involving the authority.

Drafting, negotiating and completing all necessary court forms, documents and advocacy/submissions for all courts tribunals and inquiries in complex cases.

9. CONTACTS

Elected members, senior and chief officers.

External solicitors and other professional organisation.

Expert consultants.

Government agencies including Her Majesty's Court Service.

Other local authorities.
Members of the public.

10. GENERAL

This job only contains the main duties relating to this post and does not describe in detail the tasks required to carry them out.

11. Special Notes or Considerations (if applicable)

Much of the work undertaken within the Department is of a highly confidential nature. The postholder must at all times maintain confidentiality and should be aware that, given the nature of some of the services provided by the section they may on occasions be exposed to information that they may find upsetting.

This post has been designated as politically restricted

For HR Department Use Only Date Approved: Date Effective: Reference:
