



Job Title: Solicitor - Childcare	Role Profile Number: ENH159
Grade: R	Date Prepared: September 2020
Directorate/Group: Enabling	Reporting to: Principal Solicitor
Structure Chart attached:	No

Job Purpose

- To provide a comprehensive legal service to members and officers of the Council in terms of transactional work and advice, legal advice and legal documentation and assistance to members and officers of the Council at all levels and other clients of the Legal Department in respect of all matters relating to safeguarding,
- To offer legal advice with minimal supervision on child protection matters and the functions, duties and statutory responsibilities of the Children's Services Department
- To provide legal advice, conduct casework for cases under the Pre-proceedings Process and before the Court to include Care Proceedings, Adoption matters, Revocations and Discharge Proceedings and private law matters.
- To represent the Council with limited supervision in matters involving the Children's Services Departments to include matters before the Family Court and the High Court and, as required, involving complex matters of child care law and high profile cases.
- To undertake advocacy at all levels including contested hearings
- To handle legal matters relating to safeguarding and take case responsibility in relation to matters involving Education, Adult Services, Judicial Review, Age Assessments, Deprivation of Liberty, and all other work as required by the legal department.
- To deputise for the Principal Solicitor as required;

Key Accountabilities

The role holder will

- provide high quality legal advice and autonomously and competently manage a caseload of legal working to solution problems through analytical ability and thorough research
- To manage a wide ranging varied caseload of routine and complex matters in all areas dealt with by the childcare legal team to include but not limited to those set out above.
- To ensure deadlines and agreed time frames are met
- To provide professional support, supervision and mentoring for less experienced colleagues, and oversee effective completion of their work as required and as delegated.
- To provide professional support, advice and assistance to social workers and team managers, and other council officers, for the progression of cases
- To represent the Council in Courts and Tribunals including case management and contested hearings including multi-day hearings in the Family Court before all levels of Judges both remotely and in person
- The preparation and drafting of all legal documents including but not limited to applications, threshold case summaries, statements of fact for the purpose of making and progressing applications before the Court
- To research complex legal questions arising from the work of the Council or its components or associated public bodies
- To keep updated of, and to ensure implementation and adherence to, legislation, regulation, case law, codes of practice and policy relating to relevant areas of work, (and to undertake the minimum number of hours of training required by the post holder's professional qualification annually) and inform clients of significant developments by providing guidance and training to client departments and junior members of staff
- To analytically consider documents and evidence provided by the client department and other parties and assist in the drafting and collation of Local Authority evidence
- To ensure duty cover for urgent legal matters is provided to the client department as required
- to use the case management system and follow the processes and procedures put in place and as required by the Chief Legal Officer including appropriate utilisation of support staff within the department
- Attendance at meetings and hearings as required to include meetings and panels with client departments and other external agencies such as Wiltshire Family Justice Board and Court User Groups
- To develop templates and working practices, processes and policies for the progression and efficiency of the legal team, client departments
- To assist in the drafting, consultation and development of policy documentation on behalf of, and in partnership with, client departments and other external agencies and developing understanding of the impacts of policy implementation on the wider council and community.
- To carry out other duties appropriate to the level of responsibility of the post as required from time to time by the Chief Legal Officer.

Supplementary Accountabilities

- To participate in the legal teams emergency response arrangements (Out of Hours Service) as directed by the principal solicitor.
- To provide support and cover with legal work within in the Legal Team as and when required and requested.
- To carry out other duties appropriate to the level of responsibility of the post, as required from time to time by the Principal Solicitor and/or the Chief Legal Officer;
- To take all reasonable steps to ensure appropriate confidentiality including the encryption and redaction of documentation and utilisation of electronic resources
- To actively participate in team meetings, information briefings and events as directed by the Principal Solicitor and/or the Chief Legal Officer;
- To promote the development and maintenance of the highest professional standards throughout the work and service of the Council and to conduct work in accordance with professional standard and the codes set by the Chief Legal Officer and to contribute towards the development of the team

Knowledge & Experience

Candidates must have substantial knowledge and experience in the following areas of business and will be required to provide evidence of this:

- Extensive post qualification experience
- An ability to demonstrate a high level of post qualification experience and technical aptitude practicing in all areas of law undertaken by the child care team handling and prioritising a varied and complex caseload and resolving a wide range of legal problems;
- Working to a high degree of autonomy on complex legal matters undertaken by the team
- Strong verbal and written communication skills and ability to communicate clear and concise legal advice and argument verbally and in writing.
- A proven ability in, and aptitude for, advocacy in childcare work to include undertaking contesting hearings on evidence and submissions.
- To draft all legal statements and forms to a high level of competence and persuasion to include skeleton arguments, draft questions, position statements, written submissions and schedules of findings
- An ability to assure and improve the quality of social work documents as required
- To offer training, advice and assistance to the client department and legal department as required by the Council in order to ensure that the Council's safeguarding duties are carried out
- Providing supervision, guidance and mentoring to members of the team
- Strong intellectual problem-solving abilities, including the ability to weigh arguments and substantiate judgments
- Ability to adapt and understand the working environment of the departments' clients and to work creatively to meet the corporate objectives of those departments and clients.
- Ability to function independently, take responsibility for own work and make important decisions without supervision
- Ability to handle a pressurised workload working to tight deadlines

- Understanding of the framework of local government and a commercial acumen and understanding of the commercial and community impact of the nature of work undertaken.
- Strong diagnostic skills leading to sound judgement and decision making.

Qualifications

- This role is appropriate to a fully qualified Solicitor, Barrister or with a Fellow of Institute of Legal Executive's (FILEX)
- Admission on to the relevant authorising body and current practicing certificate

Decision Making

- To have independent and sole responsibility for deal with and making decisions on complex and high profile sensitive matters.
- To give advice on any matters including legal and policy related issues and if required, to appear at the Courts or other Tribunals, and to make important decisions as to the conduct of the matters dealt with by the post holder including whether to commence or end proceedings, threshold and the social worker plans.
- To make day to day decisions on case management and instruct the client department on actions required by them to
- To make decisions subject to experience complex and high profile transactions of significant financial value with far reaching implications to the council's short and long term budgets with limited supervision.

Creativity and Innovation

- To be able to use own initiative to create, amend documentation and or process to fit the needs to the department which subject to experience, and with limited supervision, may involve creative drafting of bespoke documentation to meet the variety of needs of the client.
- The provision of legal advice on routine, and sometimes complex legal issues, sometimes requiring extensive legal research and making a judgement on applicability or otherwise of legal principles on matters being dealt with.

<p><u>Job Scope</u></p> <p>Number and types of jobs managed</p> <ul style="list-style-type: none"> • 0 • <p>Typical tasks supervised/allocated to others</p> <ul style="list-style-type: none"> • To supervise and mentor other members of the Legal Team, • • 	<p>Budget Holder</p> <p>Responsibility</p> <p>Asset Responsibility:</p>	<p>No</p> <p>No</p>
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Contacts and Relationships

(how the role relates to the work of others i.e. officers, groups, committees, general public, members, partner organisations, internal and external contacts of the council)

- Internal Client departments, including officers at all levels, including Director level
- Elected Members
- External parties, as and when required in the course of your duties.

Values and Behaviours

We strive to underpin our culture of being ‘At our Best’ through strong management and authentic leadership. This means getting the management basics right. We own and demonstrate accountability, both individually and collectively, and aim to get things right first time. Building on this we also expect everyone at SBC to demonstrate and live our organisational values and behaviours, by displaying:

- Accountability at all levels
- Customer care and pride in what we do
- Continuous learning and evaluation
- Valuing one another and the contribution each of us makes

Other Key Features of the role

(working environment / emotional / conditions i.e. regular outside work, unpleasant or hazardous conditions, practical demands such as standing, carrying or working in constrained positions, potential verbal abuse and aggression from people, or risk of injury).

Employee Signature:	Print Name:
Date:	
Line Managers Signature:	Print Name::
Date:	

Please note that this Job Description may be subject to alteration.