



Job Title: Legal Assistant	Role Profile Number: LE00002
Grade: M – progression subject to performance	Date Prepared: Updated May 2021
Directorate/Group: Performance	Reporting to: Principal Solicitor (Commercial)
Structure Chart attached:	No

- This post is covered by the fluency duty as outlined in the code of practice on the English language requirement for public sector workers

Job Purpose

To provide professional legal services, specialist legal advice, legal documentation and assistance to members and officers of the council in relation to functions within any area of law covered by legal department, in line with existing frameworks, policies and procedures.

Key Accountabilities:-

- To be responsible for the delivery of own caseload of transactional work to professional standards within existing frameworks policies and procedures, with limited supervision.
- To undertake specified technical and professional tasks of varying complexity to support senior colleagues in the solution of business and legal issues, supporting key organizational priorities and projects.
- To assist members of the legal department in the provision of complex and high priority cases and to undertake elements non routine work with appropriate supervision.
- To represent the council in court in routine and non-complex matters.
- To undertake high priority and complex work with supervision and on more challenging matters.
- To undertake legal research.
- To support the legal department in the provision of legal services.
- To assist members of the team in the preparation and case management of cases held within the team.
- To promote the development and maintenance of the highest professional standards throughout the work and service of the Council and to apply best practice within specific areas of work.
- Responds to and resolves enquiries and problems to solve legal queries and to deliver legal services to the standard determined by the legal team in collaboration with service departments of the council and

judging when to pass complex queries on to or involve others in order to deliver a comprehensive and professional service to stakeholders.

- Whilst the post holder will primarily work within agreed frameworks the ability to interpret information, using specialist legal knowledge and practical experience to achieve the desired outcome is essential.
- Participate in and support process improvement activities, for example, adopting and using workflows in IKEN and reviewing processes, to improve the functioning of the area, to support continuous improvement and help Swindon be modern, efficient and effective Council.
- To keep abreast of new legislation, case law, codes of practice and policy relating to relevant areas of work, undertake training where necessary.
- Promote the development and maintenance of the highest professional standard throughout the work and service of the Council and to conduct professional work in accordance with the codes set by the legal department including full use of the council's case management system.
- To ensure confidentiality in all aspects of work undertaken.

Supplementary Accountabilities:-

- To support the Chief Legal Officer and other colleagues within the team.
- To undertake advocacy in non-complex and routine matters.
- To produce innovative solutions to new procedural requirements imposed by legislation, case law and the court in conjunction with senior colleagues.
- Actively aware of and working towards council standards.
- Engage with regular supervision and performance framework.
- To review processes and liaise with senior colleagues regarding improvement of activities and processes
- Ability to work independently within a framework of systems/procedures.
- To work autonomously to prioritise workload ensuring deadlines and agreed time frames are met to avoid delays and increased council cost.
- Actively participant in service improvement in order to deliver modern efficient and effective services.
- To carry out other duties and advice work 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.

Examples of type of work within the litigation team could include:-

- All matters of criminal (regulatory enforcement) and civil litigation, including housing, anti-social behaviour, adult and education law, employment law, licensing.
- To prepare appropriate County Court and Magistrates Court forms and documents including review of evidence and to ensure these are lodged in Court and served as appropriate in housing, civil litigation and prosecutions, debt recovery, anti-social behaviour, education prosecutions.,
- To correspond and liaise with client departments, outside solicitors, barristers and other agencies ant to attend meetings and case conferences.
- To attend and represent the Council at meetings with outside solicitors and agencies.

- Initiating/prosecuting/defending legal proceedings on behalf of the Council under appropriate supervision including undertaking assessments as to whether action should be initiated
- To ensure that all legal aspects for the recovery of debts (sundry and commercial) owed to the Council are properly and promptly dealt with using the Council's preferred case management systems and processes.
- To ensure that civil litigation including possession proceedings for the recovery of council property and antisocial behaviour applications are properly and promptly dealt with using the Council's preferred case management systems and processes and undertaking advocacy where appropriate and as directed.
- To undertake Education enforcement action including prosecutions in the Magistrates Court.
- To ensure that the preparation for court action taken on behalf of the Council is expeditiously undertaken including the submission of all necessary documentation to the court and that the outcomes of legal action are appropriately enforced;
- To provide support to colleagues undertaking litigation.
- To undertake advocacy commensurate with areas of responsibility and the role, under direction and as required.
- To provide advice and draft documents on cases within areas of responsibility including those which have a significant impact on local individual's welfare, the Council's reputation and the Council's finances.

Work within the childcare team includes:-

- See separate role profile for the details of work you may be asked to undertake.

Examples of work within the commercial team are:-

- To provide legal advice and support to officers of the Council on contractual matters including the Council's Standing Orders, tendering procedures, all relevant legal issues and the EU Procurement Regulations and to ensure compliance.
- To prepare, draft and complete contracts which the Council enters into so that the Council's interests are protected.
- To provide legal advice and assistance to the Council in the areas of Town and County Planning and allied transactions; for example to draft and deal and advise on planning enforcement notices, any other notices under planning legislation and planning agreements including giving advice on issues which arise.
- To prepare, draft and serve enforcement and stop notices (including listed building enforcement notices), notices relating to the control of unauthorised advertisements, and any other orders or notices required under planning legislation.
- Draft and deal with Agreements under Section 106 of the Town and Country Planning Act 1990, Section 38 and 278 of the Highways Act 1980 and all other relevant legislation.
- To advise on Tree Preservation Orders as required and draft and serve such orders and assist in the conduct of any enforcement or litigation proceedings arising from such orders.
- To draft, negotiate and complete conveyancing and landlord and tenant transactions of industrial, commercial, residential, education, recreational and development land, to include:

- Transfers on acquisition and disposal of land including Right to buy
- Agreements for Leases, Leases (of terms from 3 to 125 years), Lease renewals, Licences, Agreements to Surrender, Surrenders, Deeds of Variation and advice on Rent Reviews;
 - First Registrations of title to Land and applications to amend existing registered titles of land;
 - Easements and Wayleaves;
 - Releases of Covenants and Variations of Covenants;
 - Exercise of Options to renew and options to purchase:
 - Notices to Quit and Notices to Break; and
 - Any other property related issues which arise from time to time;
- Undertake land registry searches and reports on titles.
- To give advice on and deal with any matters arising on agricultural land with supervision
- To assist with making of Compulsory Purchase Orders and associated documents.

Knowledge & Experience

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

- Associate member of CILEX Level 3 Professional Diploma in Law and Practice or qualifying Degree or Graduate Diploma in Law/CPE (essential)
- Experience of working in a legal environment with in depth understanding of the relevant legal processes, legislation and regulations which apply to the service area of experience and desire to obtain professional qualification (desirable)
- Qualified Paralegal, Graduate Member of CILEX or completed Level 6 Professional Higher Diploma in Law and Practice
- LPC or equivalent
- Holding other Legal qualification
- Understand decision making process of the council
- Effective organization and time management of own work, or plan ahead for others, taking account of priorities and the impact on other people.
- Previous use of IKEN or similar case management
- Able to communicate clearly and concisely, verbally and in writing
- Able to handle a pressurised workload in tight time scales.
- Good communication skills are needed to provide technical legal advice in specialist areas covered by the team to a number of stakeholders
- Ability to work independently within a framework of systems/procedures

Qualifications

- Qualifying law degree – trainee Legal Executive/solicitor

Decision Making

- Advising council officers on the legality of Council activities;

- Decisions made have an important impact in the short and long term on the Council’s reputation and finances.
- Analysis of information and preparation of information to standards within timescales.
- Ability to determine the best solution for the Council from a range of known alternatives taking into account legal processes and theoretical knowledge, using processes and standards but with appropriate identification and escalation of bigger problems.

Creativity and Innovation

The role involves: -

- Regularly dealing with own case load, which may involve legal work and advice outside of any set procedure;
- Provision of legal advice on legal issues sometimes requiring extensive legal research and making a judgment on applicability of legal principles to matters being dealt with;
- Adopt strategies for ensuring payment of debt owed to the Council and in supporting the Principal Solicitor and Legal Executive/Solicitor.

<u>Job Scope</u>	Budget Holder	Yes/No
Number and types of jobs managed • None	Responsibility	No
Typical tasks supervised/allocated to others • None	Asset Responsibility:	No

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)

Contacts:

- Corresponding with solicitors, council officers, school administrative staff/managers, members of the public, judiciary, court staff and officers within the Council;
- Providing advice/information by telephone or in meetings with officers;
- Providing information and advice through advocacy or documents to court on preliminary applications and hearings;
- Providing information for judges, court staff and officers;
- Providing information to debtors and the next of kin in deceased’s estates.

Relationships: - frequent interaction with

- Officers in various departments including Education, Health & Public Protection, Social Services, Resources and Property, Housing and Environmental Services at a range of intermediate levels
- Court officers and staff

- Next of kin of deceased
- Members of the public
- Counsel, Solicitors, for and against the Council;
- Police;
- Medical and other professionals (including experts in litigious matters)

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).

This job involves working with the public and professionals across the full range of emotional involvement in highly stressful conflict situations and under strict deadlines required by the court. On occasion, the post holder will have to withstand or deal with aggressive and hostile behaviour from members of the public aggrieved by Council action or inaction. The post holder will be required to deal with constant pressures dictated by tight timescales, likely impact on Council's budget, compliance with legal requirements to avoid legal challenges and possible adverse publicity.

With enthusiasm you work to deliver a high quality service to meet customer, organizational and personal expectations. You adopt a can do attitude in all of the work you deliver, ensuring it meets the needs of current and potential customers

You seek ways to prevent over complication or confusion, by adopting the most simplified approach to work. You communicate clearly and concisely, ensuring the message is understood by all

You are aware of your impact on others including confidentiality. You value openness and listen carefully to understand the views of others. You promote the values of diversity and actively work to minimize any harm caused to others in order to foster an environment of mutual trust and respect

you will work with others to reach a common goal, sharing information, supporting colleagues and searching out expertise and solutions from relevant partners and all the communities we serve

you take ownership for your work and you use your initiative to deliver. You are accountable for your own performance and development and you take responsibility for your actions and decisions

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