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ROLE PROFILE

Role Title: Head of Legal Services & Deputy Monitoring Officer

Service Group: Legal and Democratic Services

Accountable to: Service Director Legal and Democratic Services

Grade: N

Date: November 2016

JE code: JE1500 **Competency Level:** 5

Purpose of Role

The purpose of the role is to proactively lead and manage the delivery of Legal Services and be the Deputy Monitoring Officer for the Council and a member of the Legal and Democratic Services Management team.

Provide operational and strategic vision, strong leadership and support as a key management role and be accountable within Legal and Democratic Services for the effective delivery of the Legal Service

To ensure the Legal Services are run in the most cost effective and efficient way.

To raise the profile of Legal Services internally, regionally and nationally by collaborative working, professional networking and innovation in solutions.

Key Objectives

1	Be accountable for the provision and development of Legal services
2	Deputise for the Service Director Legal and Democratic Services as required which includes the role of Deputy Monitoring Officer.
3	Be responsible for the Legal services budget including monitoring and reporting with a view to delivering savings and a cost effective service
4	Personally provide high quality and timely legal advice and legal professional work to the Council
5	Ensure that the Council receives timely, cost effective and customer focussed legal advice that appropriately meets the needs of all stakeholders and customers
6	Develop, implement and review the Service Plan
7	To develop an effective, resilient team. This includes reviewing effectiveness of existing working methods and devise, in conjunction with relevant staff, creative approaches to service development
8	Support the discharge of the statutory duties and responsibilities of the Monitoring Officer, promoting high standards of conduct across the Council

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9	Be an integral member of the Legal and Democratic Service Management Team providing advice and leadership to all colleagues and advice and support to Councillors
10	Be accountable for the scale, management and organisation of resources and assets within the Legal service to meet corporate standards of performance
11	Identify and promote new and innovative opportunities to develop the Legal service for the future including alternative methods of service delivery.

Scope

The role encompasses accountability for the leadership, planning, organisation and management of the Legal service.

As the deputy to the Service Director, to advise Councillors, colleagues and the public on the most strategic and confidential matters across the organisation.

To be the named Deputy Monitoring Officer to act as Monitoring Officer when the Monitoring Officer cannot so do and to support the Monitoring Officer as required.

This role will also need to procure and act as the contract manager for external legal services and advice and be responsible for the management of external legal spend and as the 'intelligent client' to enable better decision making and ensure value for money.

The services will be led and managed in accordance with corporate standards and in adherence to key corporate objectives with regard to: -

- financial and budgetary management
- the achievement of agile working objectives
- meeting corporate values and behaviours
- the enhancement of commercial capacity
- ethical, transparency and customer service standards.

The role holder will lead on a broad range of legal functions within Legal Services and be accountable for the wide range of advice on critical, sensitive and strategic statutory services such as Adult and Children's Social care, planning and regulatory services. It is critical that these functions compliment and provide an effective legal service to the Council.

The role holder will represent the services at relevant Committees. It will also represent the Council on relevant outside bodies, government bodies and other agencies as is appropriate to the services.

The role holder will lead on establishing consistent practices and procedures for Legal Services.

The role holder will lead an overall team of around 30-35 team members and will have direct line management responsibility for up to 6 staff including a Head of Service as well as being the Deputy Monitoring Officer

The role holder will have overall responsibility, via the respective budget manager for each service area, a budget of £1.7 million, with £1.6 million being staffing costs.

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Work Profile (outline the main areas of responsibility and accountability and competencies)

The postholder will ensure that all advice to and decisions of the Council are made in the light of current law and will ensure that legal advisors maintain appropriate professional currency and knowledge. They will ensure that advice is commissioned by the most appropriate and cost effective means.

The postholder will keep under review support and advice from commissioned 3rd parties in respect of major contracts, financing and partnership arrangements being proposed or pursued by the Council to ensure that the support and advice is fit for purpose and in line with the specified requirements. The postholder will provide challenge and advice to both the commissioning organisation and to the commissioned providers.

The postholder will be accountable to the Service Director Legal and Democratic Services for the development of an appropriate framework of legal policies and procedures and for the provision of sensitive, practical and timely advice that promotes the Council's interests and meets service needs and working closely with the Service Director, Legal and Democracies Services, to promote and maintain probity in all of the Council's activities.

The postholder will provide support to the Service Director in the development of appropriate councillor and colleague support and training.

Provide effective leadership to the Legal team ensuring the development of the team to reflect the Council's needs and priorities.

This role requires complex engagement with senior political and managerial leaders as well as support to all other Councillors and colleagues and to engage with them to ensure the effective governance of the organisation.

The role requires someone with effective communication skills who can negotiate on behalf of the Council to achieve successful.

Critical to the role is a postholder who can understand the business and can think creatively and proactively, thinking outside existing policy and processes and work closely with colleagues to solve problems.

The role will also require periodic engagement with senior governmental and other leaders and bodies and with a diverse range of stakeholders from the local area.

The postholder's actions will have direct influence on the Council's decisions, the decisions of partner and external bodies and their subsequent implementation. This will affect the implementation of major policy initiatives, schemes and actions that have significant budgetary, financial impact and policy implications.

The Council's Constitution includes as an annex the below Schedule of Monitoring Officer Functions;

SCHEDULE OF MONITORING OFFICER FUNCTIONS		
	Description	Source
1.	Report on contraventions or likely contraventions of any enactment or rule of law	Section 5 Local Government and Housing Act 1989.
2.	Report of any maladministration or	Section 5 Local Government and Housing Act 1989.

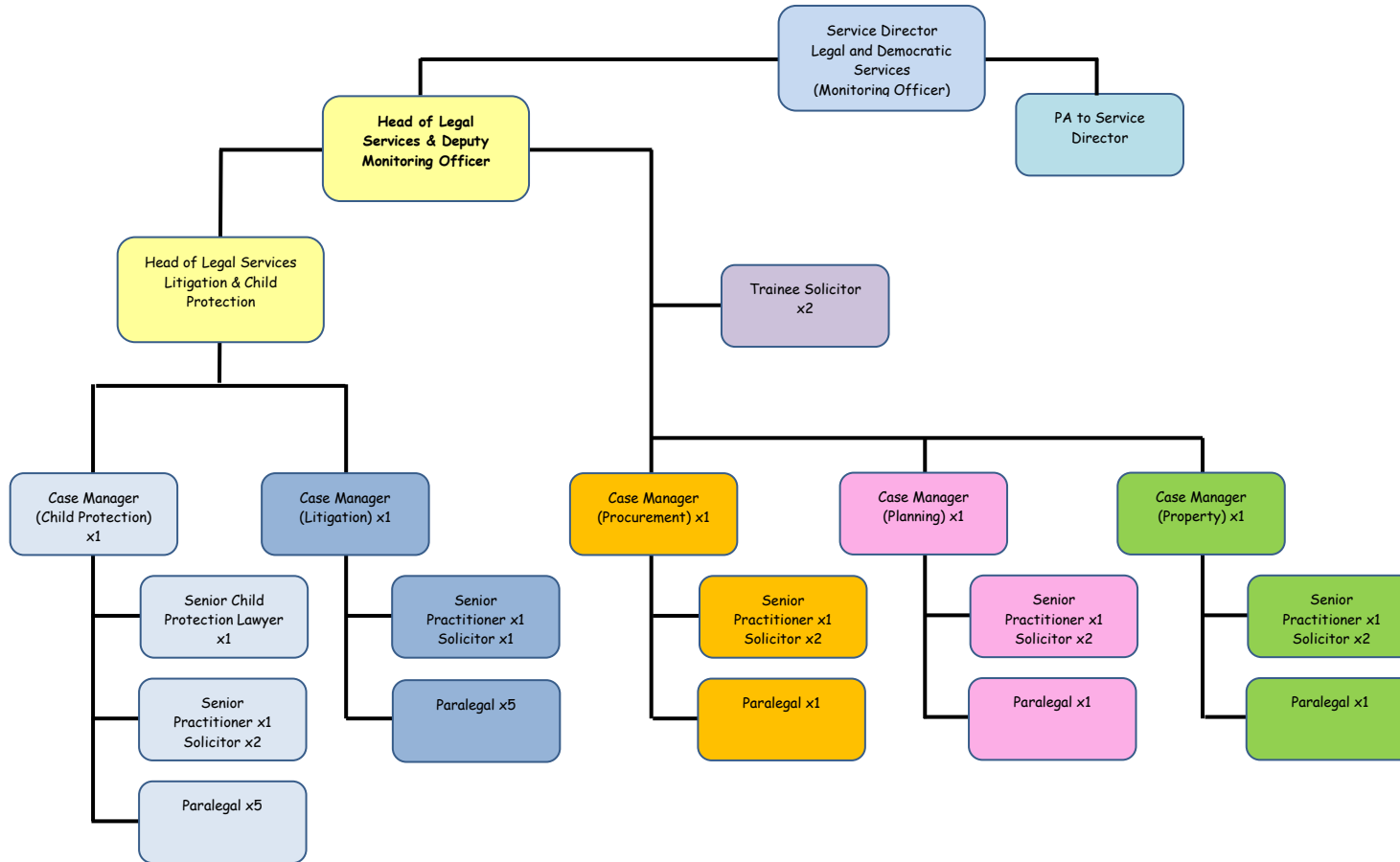
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	injustice where Ombudsman has carried out an investigation.	
3.	Report on resources.	Section 5 Local Government and Housing Act 1989.
4	Nomination of officer(s) as Deputy.	Section 5 Local Government and Housing Act 1989.
5.	Receive copies of whistle-blowing allegations of misconduct.	Code of Conduct & public interest disclosure (whistle-blowing) procedures
6(a)	Investigate allegations of misconduct of councillors under their authority's Code as referred by an Ethical Standards Officer.	<ul style="list-style-type: none"> - LGA 2000 Section 60(2) or 64(2) and 66. - The Relevant Authorities (Standards Committee) Regulations 2001(as amended by the Local Authorities (Code of Conduct) (Local Determination) (Amendment) Regulations 2004) - The Standards Board for England (Functions) Order 2004 - Directions when made in individual cases.
6(b)	Advise the Standards Committee in determining allegations of misconduct of councillors under their authority's Code as referred by an Ethical Standards Officer	
6(c)	Nomination of a person to carry out LGA 2000 Section 60(2) or 64(2) functions where M.O. ought not to	LGA 2000 Section 82A
7.	Establish and maintain registers of members' interests and of gifts and hospitality.	Section 81 LGA 2000 and Code of Conduct.
8.	Key role in support of the Standards Committee in its functions of (a) promoting and maintaining high standards of conduct; and (b) assisting observance of the Code of Conduct by the members and co-opted members of the Council and the town and parish councils within the Council's area	New Council Constitutions Guidance paragraph 8.20.
9.	Advice to members on interpretation of Code of Conduct.	Code of Conduct.
10.	Liaison with Standards Board and Ethical Standards Officers.	New ethical framework, practical implications.
11.	New ethical framework functions in relation to Parish Councils.	Section 83(12) LGA 2000.

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12.	Advising on appropriateness of compensation for maladministration.	Section 92 LGA 2000.
13.	Advice on vires issues, maladministration, financial impropriety, probity and policy framework and budget issues to all members.	New Council Constitutions Guidance paragraph 8.21.

Job Context (attach the organisation chart(s) relating to the role)



PERSON SPECIFICATION

In this section the **Skills, Knowledge, Qualification and Competency requirements to perform the role to a satisfactory standard are set out. The extent, nature and level of the role holder's knowledge and skills should be specified**

Awareness some knowledge or skills sufficient to show aptitude and the ability to learn in the particular work area

Significant knowledge and skills gained through practice and/or qualification sufficient to fulfill the role requirements

Extensive knowledge and skills gained through practice and/ or qualification to fulfill the role requirements and contribute to training others and developing policy and practice in the work area

PERSON SPECIFICATION	Examples specific to role	Required		Level			Method of Assessment application form, interview, testing, reference
		Essential	Desirable	Awareness	Significant	Extensive	
SKILLS AND KNOWLEDGE							
Technical knowledge and qualifications	Practising Solicitor of Barrister	x				x	Application / CV / Interview / Technical Assessment
	Post graduate management qualification or evidence of senior management development	x			x		
	Evidence of continuing professional development	x				x	
	Significant legal and managerial experience in a comparable organisation	x			x		
	Excellent knowledge and experience of local government law and practice	x			x		
	Evidence of successful contributions to strategic and corporate policies and plans	x			x		
	Experience as a Monitoring Officer or a Deputy Monitoring Officer		x			x	
	Thorough understanding of major legislation and policy issues affecting local government particularly corporate governance	x				x	
Planning and organising work	Experience of leading and managing a team of professionals	x			x		CV

Planning capacity and resources	Ability to see the big picture, interpret it and develop relevant strategies, plans and deliverables Ability to encourage and engender collaborative working between agencies and partners	x			x	Application / CV / Technical Assessment
Influencing and interpersonal skills	Ability to challenge others constructively and to make informed decisions that if challenged can be substantiated Ability to think strategically across organisational boundaries to provide solutions Able to relate appropriately and build strong productive relationships with elected members, the local community and outside organisations Excellent communication skills including strong report writing and presentational skills Strong and effective interpersonal skills	x x x x x			x x x x x	Interview
PROBLEM-SOLVING Using initiative to overcome problems	Strong analytical ability Ability to exercise sensitivity and clear judgment and arrive at balanced view Demonstrate ability to learn from experience and to share that learning through future actions to improve service performance	x x x			x x x	CV / Interview / Technical Assessment
Managing risk	Provide strong governance advice and ensure that statutory obligations are being met.	x			x	Interview
Managing change	Driving and implementing service and organisational improvements Facilitating organisational, individual and personal learning and development	x x			x x	Interview
ACCOUNTABILITY and RESPONSIBILITY Undertakes tasks without supervision	Takes personal responsibility for making things happen and achieving desired results	x			x	Interview
Managing people	Strong Management skills and expertise in the use of management information systems to specify and monitor performance Ability to lead and influence others, set and review priorities, make	x x			x x	CV / Interview

	decisions						
	Ability to lead by example through the Council's core competency requirements	x				x	
	Able to build and maintain successful relationships, networks and partnerships with a wide range of internal and external organisations	x				x	
Managing financial resources	Possesses financial management and budgetary skills	x				x	Interview / Technical Assessment

COMPETENCIES REQUIRED – All post holders must be able to comply with the Council's core competency requirements, Customer Focus, Communicating and Engaging, Managing Resources and Risk, Organising and Improving Performance, Taking Responsibility, Team Player, and Excellent Leadership

CORPORATE SAFEGUARDING STATEMENT – All post holders must be committed to applying and upholding the Council's Corporate Safeguarding Policy Statement. Specific safeguarding responsibilities should be detailed in this document.

Other information e.g.

- able to travel to meet service delivery requirements Yes
- available to undertake work outside of normal working hours Yes

Signed Line Manager	Signed Service Director	Date
Print Line Manager	Print Service Director	Date