

Post title:	Legal Officer
Grade:	F - H
Responsible to:	Head of Legal (People Services) or Head of Legal (Planning, Property and Environment)
Staff managed:	None
Directorate:	Legal and Democratic Services
Service:	Legal
Job family:	P&T - Professional & Technical
Date of issue:	21.03.23 – V1

Job context

The Legal Service is part of Legal and Democratic Services ('LDS') within the Chief Executive's Group.

NYCC provides a range of services to the County of North Yorkshire, and the role of the Legal Service is to support the provision by providing a comprehensive and efficient legal service to the Directorates, the Council's Executive, full Council, Committees and Members, and external clients. The nature of the work requires a flexible and versatile approach as it will change from time to time in response to the changing needs of the Council, and its developing initiatives.

The post is required to work with colleagues and Members at every level within the organisation, with external clients and partners, and to manage the performance of staff within its responsibility. The budget of the service is in part dependent on income from external sources and the post must play its part in ensuring successful income generation, and in ensuring compliance with Law Society Professional Standards, and the achievement of Lexcel accreditation.

The duties and responsibilities highlighted are indicative and may vary over time. The post holder is expected to undertake other duties and responsibilities relevant to the nature, level, and scope of the post.

Job Purpose:

Assist the Head of Legal (People Services) in providing a legal service on People Services' issues to all Legal and Democratic Services clients

Operational management:

- Contribute to the development and management of Legal and Democratic Services
- Participation in team meetings.
- Attendance at training courses.
- Participation in staff development process.
- Play an active part in ensuring that Legal and Democratic Services provides a quality service to clients. This responsibility includes compliance with the Law Society Practice Management Standards and other professional requirements including the Law Society Professional Conduct Rules, Lexcel standards, and Legal and Democratic Services quality standards.
- Participation in quality standard audits.

	<ul style="list-style-type: none"> • Compliance with and operation of Legal and Democratic Services Risk Management Policy. This obligation applies to postholder's duties generally but with relevance to risk assessment being undertaken on each item of casework. • Responsible for assisting the Head of Legal (People Services) or Head of Legal (Planning, Property and Environment) and the other members of the Legal Team under supervision where appropriate in ensuring that Legal and Democratic Services provides a comprehensive legal service. • General assistance to the Heads of Legal relating to legal matters. • Prepare and present simple cases of lower levels of complexity in Court and other cases commensurate with the grade of the post.
Resource management:	<ul style="list-style-type: none"> • Supervision of Paralegal and support staff when assisting the Legal Team.
Strategic management:	<ul style="list-style-type: none"> • Contribution to the Legal and Democratic Services Service Plan.
Communications:	<ul style="list-style-type: none"> • Assistance to the Head of Legal (People Services)/(Planning, Property and Environment) and other members of the Legal Team in preparing briefing papers, newsletters and training sessions for Directorates and other Legal and Democratic Services clients. • Communication (in person, email, and correspondence) with NYCC professional staff, NYCC consultants and contractors engaged on property valuation work, Legal advisers to third parties and Client representatives within and outside NYCC. • Provision of advice and support to Members and officers of the Council and external clients of Legal and Democratic Services including the undertaking of research in respect of legal matters generally in the relevant portfolio.
Systems and information:	<ul style="list-style-type: none"> • Contribution to the development of Legal Services Practice Manual. • Assist Legal and Democratic Services in the achievement of all e-Government policies and practices and is required to use ICT systems including Legal and Democratic Services time costing and case management system, Outlook, Internet and Legal research tools e.g., PLC
Safeguarding:	<ul style="list-style-type: none"> • Carry out duties with full regard to the council's equal opportunities policy and information governance. • Comply with the council's health and safety policy and take such steps as are reasonably practicable for own health and safety and that of colleagues at work and those affected by work. • Maintain personal responsibility for the safe and secure movement of data within, into and out of the authority. • Adhere to all the council's safeguarding policy and procedures. • Adhere to confidentiality and work within professional boundaries unless there is a safeguarding or public safety issue

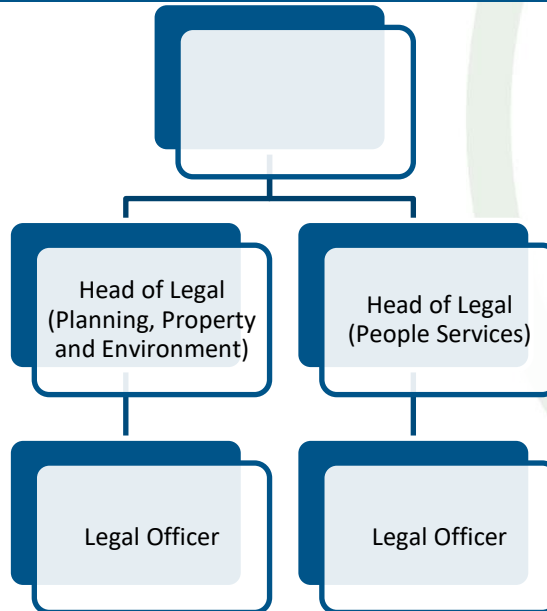
Person Specification:

Essential	Desirable
<p>Knowledge and Experience</p> <ul style="list-style-type: none"> Some knowledge of the law is required. A more in-depth knowledge would be required for the top level of the role. A working knowledge of Court procedures and of attending Court if relevant to the portfolio assigned. Demonstrable experience of working in a legal environment 	<ul style="list-style-type: none"> Experience of working in Local Government
<p>Occupational Skills</p> <ul style="list-style-type: none"> Ability to communicate effectively in writing to produce documents in a range of formats and style to suit a range of audiences. Good oral communication skills An ability to interact positively with colleagues and clients. Ability to produce a representative record of meeting discussion and actions. ICT skills to use case management system and online research. 	<ul style="list-style-type: none"> Familiarity with ICT systems including research tools, internet and time costing systems.
<p>Behaviours</p> <p>Link</p>	
<p>Professional Qualifications</p> <ul style="list-style-type: none"> A good standard of education including English and Mathematics passes or appropriate alternative qualifications and/or work experience. 	<ul style="list-style-type: none"> A' Level Law and/or Law Degree and/or Membership of the Chartered Institute of Legal Executives
<p>Other Requirements</p> <ul style="list-style-type: none"> Professionally represent the role within the service Ability to travel across the County 	<ul style="list-style-type: none"> Flexible approach to working practices and times. Understanding of and commitment to public sector values.

Career progression:

- At NYC we value our employees, and as part of this we can provide wider opportunities to progress in your career. Through discussion with your manager identify areas of interest and consider avenues to progress to them, e.g., apprenticeships and work shadowing/coaching.
- As a large council we have a range of roles, across our services, and can provide a wealth of career and development opportunities to help our employees find fulfilling career development opportunities.

Structure



NB – Assessment criteria for recruitment will be notified separately.

Optional - Statement for recruitment purposes: You should use this information to make the best of your application by identifying some specific pieces of work you may have undertaken in any of these areas. You will be tested in some or all of the skill specific areas over the course of the selection process.

Additional Information: Career progression

Progression from Grade F to Grade H will be subject to approval by the Head of Legal (People Services) and will take place:

- After gaining substantial experience of dealing with a range of legal matters with a degree of complexity commensurate with the grade and working with minimal supervision of the post's professional duties.
- After demonstrating professional ability and gaining experience under supervision to be responsible for substantial parts of case preparation for Court, public inquiries and other Tribunals with minimal supervision.
- After showing ability to organise and prioritise work and not only meet deadlines him/herself but ensure team deadlines in matters in which the postholder is involved, are met.
- After showing ability to communicate effectively with clients and other professionals.



Progression
criteria.docx

Additional Information: Job specifics

People Services

Adult Social Care

- safeguarding adults, community care, human rights assessments, mental health, mental capacity, and best interests
- Deprivation of Liberty applications
- charging and deprivation of assets
- applications to the Court of Protection for best interests' decisions
- Court applications under S29 Mental Health Act
- disputes relating to Ordinary Residence
- Judicial review

Information Law

- The Freedom of Information Act 2000
- The Environmental Information Regulations 2004
- The Data Protection Act 1998/Subject Access Requests
- data privacy and data sharing

Education and Employment

- special educational needs including advising, negotiating, mediating, and defending appeals against refusal to assess and statements of special educational need and representation at tribunal hearings for appeals against statements of special educational need.
- assistance with complaints handling.
- Judicial Reviews
- screening of pupil's educational files in respect of criminal proceedings
- parental responsibility for education
- school admissions, attendance, and exclusion
- support on school governance
- schools' legal advice helpline

Children Social Care	Employment	Debt Recovery
<ul style="list-style-type: none"> ▪ cases under the Children Act 1989 and the Adoption and Children Act 2002 including judicial review. ▪ applications for Care, Supervision, Emergency Protection, Secure Accommodation and Placement Orders ▪ responding to applications for special guardianship, adoption, contact with a child in care and in discharge of care order applications. ▪ Section 7 and Section 37 applications 	<ul style="list-style-type: none"> ▪ unfair dismissal ▪ all aspects of discrimination ▪ redundancy and re-organisation ▪ TUPE ▪ the conduct of claims to the Employment Tribunal and Employment Appeal Tribunal ▪ disciplinary and grievances ▪ termination of employment ▪ equal pay ▪ whistleblowing 	<ul style="list-style-type: none"> ▪ letter before action ▪ considering and advising on the merits of continuing with any action ▪ completing and submission of claim form ▪ enforcement of the debt
Planning and Environment	Property	Commercial Partnerships & Procurement
<ul style="list-style-type: none"> ▪ planning regulation 3 applications, Section 106 Agreements and planning enforcement. ▪ highways maintenance and improvement, adoption of roads, traffic and transport, compulsory purchase, public rights of way, and town and village greens ▪ statutory orders, including footpath orders, speed limits, etc. ▪ waste management (advising the Council's waste management service on all aspects of its functions) ▪ environmental law and regulation ▪ flooding and drainage ▪ planning inquiries 	<ul style="list-style-type: none"> ▪ conveyancing ▪ leases ▪ the taking or grant of an easement. ▪ the approval of the terms of tenancy agreements involving the Council ▪ dealing with the grant of a lease to an academy trust in cases where a school converts to academy status. ▪ the disposal of property by way of auction ▪ the registration of a restriction or charge against the title of a property in third party ownership. ▪ the variation or discharge of covenants ▪ the surrender or termination of a lease of property which the Council no longer requires. ▪ ownership of property, rights and liabilities relating to such ownership, and the acquisition or disposal of property 	<ul style="list-style-type: none"> ▪ all aspects of contracts for supplies, works and services (we advise upon suppliers' terms and conditions, draft contract and project agreements and we oversee the drafting of NYCC's procurement manual) ▪ the law relating to contracts and procurement, especially NYCC's own Contract and Property Procedure Rules and the Public Contract Regulations 2006 ▪ advising on and drafting procurement documentation ▪ projects and partnerships ▪ the legal aspects of insourcing and outsourcing of services. ▪ intellectual property rights such as copyright and trademarks ▪ the legal aspects of education, joint use projects and academisation

The specific tasks will vary dependent upon the legal teams primarily supported by the Legal Officer and may change from time to time.

- Interviewing of witnesses and taking and preparation of statements of evidence of appropriate complexity.
- Preparation of evidence of appropriate complexity and other papers for presentation to Courts, Tribunals and Inquiries.
- Preparation and scrutiny of documentation for Subject Access Request applications.
- Briefing Counsel, attending with Counsel and liaison with Counsel on cases.
- Attendance at Employment Tribunal and Court to assist Counsel and other members of the People Services Team and take notes.
- Arranging appointments and Court dates in respect of work of the People Services Team.
- Under the direction of the Head of Legal (People Services), and other members of the People Services Team, attend case conferences and meetings advising on legal matters appropriate to the relevant legal team.
- Preparation of straightforward cases of less significant level.
- Advice on applications for disclosure in accordance with the law and policy governing Public Interest Immunity.
- Drafting, processing, making and issue of statutory orders and notices under environmental legislation; Compulsory Purchase Orders, Permanent Traffic Orders, Planning Enforcements, Tree Preservation Orders, Temporary Traffic Orders, Section 38 and Section 278 Agreements and Public Rights of Way Orders and Agreements, Stopping up Orders.
- The preparation of documents for Magistrates' Courts and, where appropriate, attending at Court.
- Assisting with drafting Instructions to Counsel, primarily re village green registration matters.
- Processing applications for amendments of the registers of common land and town and village greens.
- Public Inquiry work including the organisation of the Inquiry, liaison with Planning Inspector, liaison with all agencies and other parties, attendance and provision of support at Public Inquiries.