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| Post title: | Lawyer Solicitor (Generic) |
| Grade: | JK-M |
| Responsible to: | Head(s) of Legal and/or Assistant Director |
| Staff managed: | None |
| Directorate: | Central Services |
| Service: | Legal and Democratic Services |
| Job family: | P&T - Professional & Technical |
| Date of issue: | May 2024 |

Job context

The Legal Service is part of Legal and Democratic Services ('LDS') within the Chief Executive's Group. NYC 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, including working for First North Law (NYC's wholly owned company) as appropriate and in ensuring compliance with Law Society Professional Standards.

The postholder must have a practising certificate.

The post holder is to work with First North Law and support its services in providing legal advice when required.

Legal advice, support and representation working within one of the teams shown below:

| Adult Social Care | Information Law | Education |
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| <ul style="list-style-type: none"> • 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 | <ul style="list-style-type: none"> • The Freedom of Information Act 2000 • The Environmental Information Regulations 2004 • The Data Protection Act 2018 Subject Access Requests • Data privacy and data sharing | <ul style="list-style-type: none"> • 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 needs • Assistance with complaints handling • Judicial Reviews • Screening of pupil's educational files in respect of criminal proceedings |

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| | | <ul style="list-style-type: none"> • Parental responsibility for education • School admissions, attendance and exclusion • Support on school governance • Schools' legal advice helpline |
| Children Social Care | Employment | Litigation and 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"> • Handling various litigious matters, ranging from low value debt recovery to more complex disputes both pre and post issue • Drafting pleadings and associated documents as required including witness statements • Considering and advising on the merits of continuing with any action, including issuing proceedings as appropriate • Completing and submission of claim form and particulars of claim • Enforcement of the debt/Judgment • Liaising with and instructing Counsel/expert witness(es) as appropriate • Conducting routine advocacy |
| Environment | Property | Contracts and Procurement |
| <ul style="list-style-type: none"> • Planning, in particular, advising on applications, appeals, inquiries and Judicial review Section 106 Agreements and planning enforcement • Highways, in particular, 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, parking schemes etc • Waste management (advising the Council's waste management service on all aspects of its functions) | <ul style="list-style-type: none"> • Commercial conveyancing • Commercial 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. | <ul style="list-style-type: none"> ▪ Drafting and reviewing commercial contracts for supplies, services and works for all departments of the Council ▪ Concessions ▪ Advising on procurement procedure ▪ Advising Council on governance in respect of grants and contracts including NYC's Procurement and Contract Procedure Rules ▪ The law relating to contracts, grants, subsidy and procurement ▪ Advising on and drafting procurement documentation ▪ Projects and partnerships ▪ The legal aspects of insourcing and outsourcing of services |

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| <ul style="list-style-type: none"> • Environmental law and regulation • Flooding and drainage | <ul style="list-style-type: none"> • 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 • Right to buy applications | <ul style="list-style-type: none"> ▪ Intellectual property rights such as copyright and trademarks ▪ Academisation and joint use agreements |
| Regulatory | Licensing | Major Projects |
| <ul style="list-style-type: none"> • Housing advice and litigation, possession proceedings, ASBIs. • Housing disrepair litigation. • Policy development advice. • Environmental health law and advice • Health and Safety law and advice • Food safety law and advice • Regulatory prosecutions and injunction proceedings. • Anti-Social Behaviour and Community Safety advice and litigation. • Information and data protection law • Revenues and benefits law and advice • Building control • Assets of community value | <ul style="list-style-type: none"> • Advice on policy development. • Advice and attendance at Statutory licensing committee, Statutory licensing sub-committee and General Licensing and Registration committee and sub-committees. • Advice on all areas currently licensable by local authorities. • Advising, preparation and representation at licensing appeals and prosecutions | <ul style="list-style-type: none"> • Advice on complex procurements and commercial property transactions to deliver regeneration, commercial property and/or leisure developments • Advise on subsidy control and other governance requirements associated with major project delivery • Advice on Council owned companies and other corporate/partnership models • Advice and support to the Mayoral Combined Authority • Advice in relation to the Council's status as a harbour authority including the delivery of its capital infrastructure projects |

Job Purpose:

To assist the Head(s) of Legal (People Services) and/or Assistant Director and the relevant Senior Lawyer to provide a comprehensive legal service to the Council, Directorates, Committees and Members including legal advice and representation:-

Operational management:

- Responsible for assisting the Head(s) of Legal and/or Assistant Director 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
- To play an active part in ensuring that Legal and Democratic Services and First North Law provide a quality service to clients. This responsibility includes:
- Compliance with:

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| | <ul style="list-style-type: none"> ○ Law Society Practice Management Standards and other professional requirements including the Law Society Professional Conduct Rules. ○ Legal and Democratic Services quality standards. • Participation in quality standard audits. • Compliance with and operation of Legal and Democratic Services Risk Management Policy. This obligation applies to postholder's duties generally but with particular relevance to risk assessment being undertaken on each item of casework. • Assist the Heads of Legal and/or Assistant Director under the supervision of the Senior Lawyer within the Team in ensuring the legality of the Council's operation. • Participate in corporate groups as necessary. |
| Resource management: | <ul style="list-style-type: none"> • Supervision/mentoring of Litigation Executive/Legal Assistant/Apprentice/Trainee/Paralegal and support staff when assisting the Legal Team |
| Partnerships: | <ul style="list-style-type: none"> • Provision of advice and support to Members and officers of the Council and external clients of Legal and Democratic Services and First North Law including the undertaking of research in respect of legal matters generally in the relevant portfolio. • Prepare and present cases in Court and other cases commensurate with the grade of the post. |
| Strategic management: | <ul style="list-style-type: none"> • To contribute to the development and management of Legal and Democratic Services by: <ul style="list-style-type: none"> ○ Participation in team meetings. ○ Attendance at training courses. ○ Participation in staff development process. ○ Contribution to LDS Service Plan. ○ Contribution to the development of LDS Practice Manual. <p>Assistance to the Heads of Legal and/or Assistant Director and other members of the Legal Team in preparing briefing papers, newsletters and training sessions for Directorates and other Legal and Democratic Services clients.</p> |
| Communications: | <ul style="list-style-type: none"> • Communication (in person, email and correspondence) with: <ul style="list-style-type: none"> ○ NYC professional staff. ○ NYC consultants and contractors engaged on property valuation work. ○ Legal advisers to third parties. ○ Client representatives within and outside NYC |
| Systems and information: | <ul style="list-style-type: none"> • To assist LDS and First North Law in the achievement of all e-Government policies and practices and, in particular, is required to use ICT systems including: <ul style="list-style-type: none"> ○ Legal and Democratic Services time costing and case management system. ○ Outlook ○ Internet. ○ Legal research tools e.g. PLC |

| Person Specification: | |
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| Essential upon appointment at Grade JK See progression criteria to progress from Grade JK to Grade M | Desirable |
| <p>Knowledge and Experience</p> <ul style="list-style-type: none"> • Demonstrable knowledge of law in one of the areas within the portfolios. A more in depth knowledge of the specific portfolio would be required for the top level of the role. • Awareness of the political structure and functions of the Council • A working knowledge of Court procedures and of attending Court if relevant to the portfolio assigned. • Demonstrable experience of legal work in one of the areas within the portfolios. • Risk management in a legal environment | <ul style="list-style-type: none"> • Knowledge of local government law • Familiarity with ICT systems including research tools, internet and time costing systems • Experience of Local Government Law • Some supervisory/mentoring experience |
| <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 and produce a representative record of meeting discussion and actions. • An ability to interact positively with colleagues, clients and elected Members. • Good presentation and interpersonal skills. • To critically analyse diverse information presented in a variety of formats. • Good ICT skills to use case management system and online research. • Ability to analyse legal risks under the supervision of the Senior Lawyer in the team • To work productively under pressure to achieve deadlines and targets, and help others to do so, and effectively cope with conflicting demands despite setbacks and challenges. • Negotiation skills • Ability to be a team player • Ability to organise own workload and caseload with minimal supervision and guidance | <ul style="list-style-type: none"> • Time management skills |
| <p>Behaviours</p> <ul style="list-style-type: none"> • link | |
| <p>Professional Qualifications</p> <ul style="list-style-type: none"> • Qualification as a Lawyer, barrister or CILEX or a Licensed conveyancer (Where appropriate). | |
| <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 • Understanding of and commitment to public sector values. |

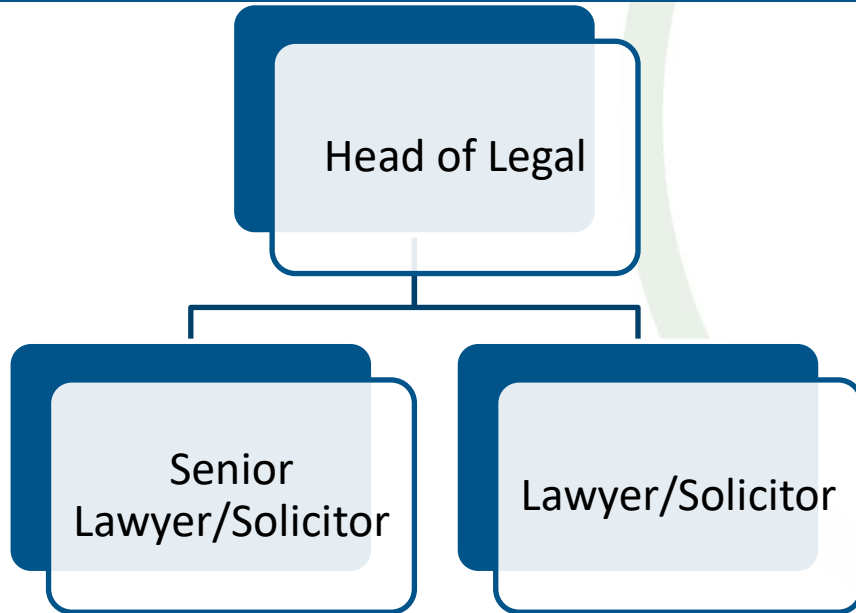
Career progression:

- 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.
- Progression from Grade JK to Grade M will be subject to approval by the Head of Legal (Corporate/People Services) and will follow the progression process attached.



Progression
criteria.docx

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.