

# ROCHDALE BOROUGH COUNCIL

## JOB DESCRIPTION

<b>SERVICE</b>	:	Resources
<b>SECTION</b>	:	Legal Service
<b>LOCATION</b>	:	Number 1 Riverside
<b>JOB TITLE</b>	:	Legal Officer
<b>Grade</b>	:	The postholder will be employed in the Litigation team within Legal Services Career Grade 7
<b>Accountable to</b>	:	Senior Litigation Solicitor
<b>Accountable for</b>	:	N/a
<b>Hours of Duty</b>	:	37 per week, worked in accordance with the Service's Work Life Balance Scheme
<b>Any Special Conditions of Service</b>		<p>The Authority operates a Smoke Free Policy for all its employees and applies to any building and associated grounds within in the immediate vicinity of the building which is wholly owned, leased or operated and occupied by RMBC.</p> <p>Casual user Car Allowance</p> <p>Attendance at meetings which will be compensated in accordance with Local Conditions of Service.</p> <p>This post is not Politically Restricted in accordance with the current regulations</p>

**The Council is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults and expects staff to share this commitment.**

## **Purpose and Objects of the Job**

To assist the Legal Service in carrying out its duties and to achieve its objectives.

## **CONTROL OF RESOURCES**

### **Financial**

- To negotiate settlements and make any payments required.
- To negotiate and arrange payment of Counsel's fees on behalf of the Authority.
- To agree, if necessary by assessment, and arrange payment of any costs awarded against the Council.
- To pay Court, witness, experts and other fees.
- To record time for the purposes of charging and trading accounts.
- To deal with the receipt of and making of payments.

### **Equipment/Materials**

Responsible only for that equipment used by the postholder, although may recommend the purchase of items, if necessary.

### **Health/Safety/Welfare**

Responsibility for the safety and welfare of self and colleagues in accordance with the Health and Safety Policies of the Council.

### **Equality and Diversity**

To work in accordance with the Authority's Policy relating to the promotion of Equality and Diversity.

### **Training and Development**

The post holder will be responsible for assisting in the identification and undertaking of his/her own training and development requirements in accordance with the Council's Performance Management Framework.

### **Relationships (Internal and External)**

- Internal:
- All staff within Legal & Democratic Services
  - Officers of other Service Areas
  - Members of the Council
- External:
- Relevant partners (e.g.IMPACT, Link4life, Rochdale Boroughwide Housing and Rochdale Development Agency
  - Relevant external organisations (e.g. police, CPS, CAFCASS)
  - Safeguarding agencies
  - Court Service
  - Counsel/Counsel's Clerks
  - Solicitors and Licensed Conveyancers in Private Practice
  - Parties to proceedings (including their representatives)
  - Officers of Government Departments and Agencies
  - Members of Parliament
  - Other Local Authorities and Public Bodies

- Lands Tribunal, Leasehold Valuation Tribunal
- Members of the public

## **Responsibilities**

The postholder must -

1. Perform his or her duties in accordance with all Rochdale Council's Policies including Equality and Diversity Policy.
2. Ensure that Rochdale Council's commitment to public service orientation and care of our customers is demonstrated.

The postholder's principal duties will vary depending upon which team within Legal Services the postholder is based (Litigation or Property)

## **Values and Behaviours**

Approach the job at all times using the values set out below

- Proud
- Passionate
- Pioneering and Open

Be aware of and apply these behaviours at all times.

## **Principal duties (Litigation)**

The duties will be drawn from the following depending on experience and ability progression on the career grade-

1. Preparation of cases to be dealt with in the Civil Courts, including injunctions, proceedings for the recovery of debts and possession of land and landlord and tenant matters including arranging and participating in telephone conferences and representation at Court.
2. Preparation of cases to be dealt with in the Criminal Courts, including breaches of legislation relating to Benefit Fraud, Food Safety, Public Health, Education Welfare, Consumer Protection, Building Regulations, Town and Country Planning, Landlord and Tenant, Environmental Management and the giving of cautions to offenders.
3. Dealing with permanent street closure applications and applications to remove travellers, including attendance at Court.
4. Dealing with notices and orders under various legislation, such as tree preservation orders, footpath orders and traffic regulation orders, including reporting to Committee and attendance at Public Inquiries.
5. Preparation of contracts, agreements and deeds, including those relating to building works, the adoption of highways, planning and community care.
6. Making of Compulsory Purchase Orders, arranging Public Inquiries and assisting in the preparation of the Council's case, vesting of land in the Council and dealing with claims for compensation and applications to the Lands Tribunal.

7. Analysing and advising upon evidence in respect of both civil and criminal matters, drafting summonses/informations, statements of case, originating applications and attending pre-hearing meetings to advise
8. Undertaking advocacy at the County Courts or Magistrates' Courts including preliminary hearings, interim applications and trials.
9. Attending and participating in mediation meetings
10. Preparing briefs for Counsel to attend Court Hearings and Public Inquiries.
11. Attending conferences with counsel and assisting Counsel at Hearings and Public Inquiries.
12. Joint working with Solicitor on Employment Tribunal cases
13. Joint working with Solicitor on planning appeals and planning enforcement matters.
14. Advising the Council's Licensing Office on matters relating to the Licensing and Gambling functions of the Council. Acting as Legal Adviser to Members of the Council on the Council's Licensing Sub-Committee
15. To develop or assist in the development of Council policies and procedures.
16. To keep up to date with relevant law and policy and advise Members and Officers accordingly.
17. Providing assistance to the Solicitors in Legal Services as required.
18. Such other tasks as required by the Senior Legal Officers.
19. Carrying out research and giving advice at the appropriate level to all Council services.

**Secondary Duties**

To undertake such other legal work in other areas of law as may be determined by the Borough Solicitor, Assistant Borough Solicitor, and Senior Litigation Solicitor.

Job Description prepared by

Date September 2008

Agreed by Postholder

Date

\_\_\_\_\_

\_\_\_\_\_

Supervisor

Date

\_\_\_\_\_

\_\_\_\_\_

**Rochdale Borough Council  
Person Specification**

<b>Service :</b>	Resources	<b>Post:</b>	Legal Officer (Litigation)
<b>Section :</b>	Legal	<b>Post Number :</b>	
<b>Job Ref:</b>		<b>Grade:</b>	7

**Note to Applicants:**

The *Essential Criteria* are the qualifications, experience, skills or knowledge you **MUST SHOW YOU HAVE** to be considered for the job.

The *How Identified* column shows how the Council will obtain the necessary information about you.

If the *How Identified* column says the **Application Form** next to an *Essential Criteria* you **MUST** include in your application enough information to show **how** you meet this criteria. You should include examples from your paid or voluntary work.

**The Council is committed to safeguarding and promoting the welfare of children, young people** at this criteria. You should include examples from your paid or voluntary work.

Criteria	Essential (E) or Desirable (D)	How Identified: AF Application Form I Interview A Assessment
<b>(a) Filter Questions</b>		
1 ILEX membership <i>or</i> Newly Qualified Solicitor <i>or</i> substantial relevant experience.	<b>E</b>	<b>AF, I and production of Certificate at interview</b>
<b>(b) Special Working Conditions</b>		
2 Are you willing to attend meetings out of normal office hours where necessary?	<b>E</b>	<b>AF</b>
3 Are you willing to travel where necessary?	<b>E</b>	<b>AF</b>
<b>(c) Qualifications and Experience</b>		
4 Please demonstrate your experience of handling Prosecutions or Licensing case-load with minimal supervision.	<b>E</b>	<b>AF/I</b>
5 Please provide details of your experience of:  a) Dealing with all aspects of licensing or local authority prosecutions including but not limited to Non- School attendance, Fly-tipping, and Littering.  b) Advocacy before the Magistrates Court or a willingness to undertake advocacy,  c) Other types of work undertaken or confirmation of your willingness to undertake other work,  d) In the use of ICT (preferably Word, Outlook, Excel and legal research websites).	<b>E</b>	<b>AF//A</b>
<b>(d) Skills and Knowledge - Essential</b>		
6 Tell us about your ability to communicate effectively both orally and in writing.	<b>E</b>	<b>AF</b>
7 Tell us about your understanding of the principles of working as a team and to demonstrate the ability to work effectively as part of a Team.	<b>E</b>	<b>AF</b>

8	Tell us about your professional skills – drafting, research and advising.	E	AF
9	Tell us about your negotiating and influencing skills.	E	AF
10	Tell us about your ability to work to consistently tight deadlines.	E	AF & I
11	Please give details of your organisational and time management skills, ability to prioritise daily/weekly workload.	E	AF & I
12	Tell us about your willingness to take appropriate responsibility and, where relevant, to act on own initiative and to influence clients as well as working as part of a project team.	E	AF & I
<b>(e) Skills and Knowledge - Desirable</b>			
13	Experience of working in local government	D	AF
14	Experience of working to Legal Practice Management Standards e.g. Lexcel	D	AF
15	Experience of operating a legal case management system (Visual Files or similar)	D	AF
16	Tell us about your ability to assist on complex legal cases	D	AF
17	Ability to learn new areas of law	D	AF
<b>(f) Behaviours and Values</b>			
1	<p>Approach the job at all times using the values set out in the Rochdale Way:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Passionate</li> <li><input type="checkbox"/> Proud</li> <li><input type="checkbox"/> Pioneering and Open</li> </ul> <p>Please confirm you are willing to adhere to these values and behaviours.</p>	E	AF & I