






Waverley is an ambitious authority, committed to being one of the leading Councils in the country at a time of major change by developing a high performing, highly engaged staff team to share the organisation's values and deliver our corporate objectives.

JOB DESCRIPTION	
<b>Job title:</b>	Lawyer
<b>Service:</b>	Legal and Democratic Services
<b>Team:</b>	Legal Services
<b>Location:</b>	The Burys, Godalming, Surrey, GU7 1HR
<b>Reporting to:</b>	Senior Lawyer
<b>Responsible for:</b>	
OUR ORGANISATIONAL VALUES	
<p><b>Collaboration</b></p> 	We know, work with and support one another. We collaborate with residents, businesses and partners and realise the potential of the Guildford and Waverley Collaboration. We empower ourselves and others.
<p><b>Wellbeing</b></p> 	We look after our own and other's wellbeing. We know it's okay to talk to each other about anything we are struggling with. We stay resilient and raise any concerns we have.
<p><b>Trusted</b></p> 	We abide by the Nolan Principles of Public Life: Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty, and Leadership.
<p><b>Value for Money</b></p> 	We spend public money wisely and carefully. We understand and follow our governance processes and raise any concerns with the right person. We celebrate successes and learn from mistakes.
<p><b>Professionalism</b></p> 	We provide professional advice and excellent service, we know our local areas and understand the communities we serve. We listen to all concerns and ideas. We benchmark our performance and always strive to improve.

## PRINCIPAL PURPOSE OF THE ROLE

- To assist in the provision of a comprehensive legal service to the Council, including the provision of high quality legal support, advice, assistance and transactional services to the Council, its committees and officers at all levels.
- Covering all types of matters associated with an individual specialism (eg Planning, Litigation, Property, Contracts (incl Procurement); and other matters relating to the business of the Council.
- The work may include contentious or non-contentious work depending on the individual's practice area.
- The postholder will be required to undertake other duties connected with the provision of legal services to the Council in other areas of specialisms (see above) as determined by the Borough Solicitor or the Joint Executive Head of Service for Legal and Democratic Services.

## MAIN DUTIES AND ACCOUNTABILITIES

- The provision of high quality and timely legal advice pertaining to a particular specialism and support to Officers and Members generally covering contentious and non-contentious matters according to practice area.
- To attend relevant Council Committees, working groups and briefings to give legal advice to Officers and Members, many of which will be held in the evening.
- To provide support to Senior Lawyers and potentially Deputy Borough Solicitor in attending other such Committees or other meetings of Members and/or Officers and/or external parties as directed by the Borough Solicitor as appropriate to practice area.
- To draft Notices, Agreements and other legal specialism related documentation to assist in ensuring that the Council's duties and responsibilities are effectively discharged as appropriate to practice area.
- To ensure the proper conduct of relevant Inquiries, including the provision of advocacy at public hearings (by the postholder personally or by Counsel).
- To ensure the proper conduct of legal specialism related litigation on behalf of the Council in the Civil and Criminal courts, including the provision of advocacy (by the postholder personally or by Counsel) as appropriate to practice area.
- To provide high quality and timely legal advice in respect of other areas of the Council's business as may be required by the Borough Solicitor, and in particular as they may relate to the Council's Statutory functions (including those relating to but not limited to planning, property and contractual matters) as appropriate to practice area.
- To prepare all relevant cases for court, public inquiries or other hearings and represent the Council by carrying out the relevant advocacy or ensuring appropriate representation as appropriate to practice area.
- To instruct Counsel and external solicitors as appropriate and monitor their work and liaise with the Legal Business Manager to ensure that all casework systems and documents storage is kept up to date.
- To ensure the proper conduct of criminal and civil litigation on behalf of the Council in criminal and civil courts, including attending court as appropriate to practice area.
- Be on the Sealing Rota and attend the office to conduct Sealing duties as set out in the council's constitution. Ensure that the signing of all relevant documents on

behalf for the Council is undertaken and attend Waverley offices as needed to complete these tasks,

- To always ensure that input is obtained as needed from Senior Lawyers or other Legal Services Manager to assure that advice and all related work is undertaken to the necessary standard.
- To draft amend, advise upon, settle and complete all appropriate legal agreements, notices and other documents for concluding all matters relevant to legal specialisms.
- To give guidance and assistance to other Legal Services colleagues as appropriate in respect of specialist legal experience.
- To maintain an up-to-date knowledge of the relevant areas of legislation and case law and advise on any implications for the work of the Council.
- To undertake necessary legal research as may be required on behalf of Senior Lawyers, ensure that it is to an appropriate standard and advise accordingly, orally and in writing.
- To regularly input to Officer reports as appropriate to practice area and generally as required by the Borough Solicitor.
- To ensure that reports and correspondence prepared by others (for example, Legal Assistant, Trainee Solicitor/Apprentice Solicitor) are legally accurate.
- To provide regular progress updates on cases to Senior Lawyers and contribute positively as a member of the Legal Services team.
- To escalate matters to the Senior Lawyer, Deputy Borough Solicitor and Borough Solicitor as may be needed to ensure an excellent and time level of customer service is delivered.
- To carry out any other duties which may from time to time be required by the Deputy and/or Borough Solicitor or Joint Executive Head of Legal and Democratic Services.
- To create and maintain authentic, timely and reliable records in relation to your duties e.g. time recording and file maintenance. To take due care and attention when gathering, recording and manipulating data and to have regard to guidance issued by the Council in connection with data management.
- Carry a personal caseload of contentious and non-contentious work according to practice area.
- Undertake CPD to ensure that professional registrations can be kept current.

### **Business Continuity**

- Play a pivotal role in business continuity planning and should the need arise assist in ensuring business recovery of key service provision in a 24 hour window.

### **Health and Safety**

Comply with all Health and safety legislation for your area of work, ensuring that risks are identified, managed and monitored as required

## **DIMENSIONS OF THE ROLE**

- The work will consist of a varied caseload and the postholder will have regard to the relevant legislation and common law, corporate procedures, strategies, policies and powers, probity, Financial Regulations, the Constitution, Schemes of Delegation and other relevant issues.
- The postholder will be expected to be experienced in at least one area of legal specialism.

- However, the post holder will be expected to obtain knowledge and experience of other areas of law other than their current specialism so as to enable additional capability and capacity to be built into Legal Services.
- The postholder can expect to deal with a caseload of up to 200 substantive matters per year in addition to regular ad hoc requests for legal advice on all types of matters on a day-to-day basis, some of which may require research.
- In addition to daytime meetings, the postholder may be required to attend infrequently regular evening committees during the year. (No additional payment will be made for such attendance).

With respect to Planning Law, the postholder will additionally:

- Provide high quality and timely Planning law advice and support to Officers and Members generally.
- Support Senior Lawyers to prepare for the Council's Joint and Area Planning Committees, working groups and briefings.
- Support preparation and execution of Enforcement Notices, Section 106 Agreements and other Planning-related documentation are drafted/approved to assist in ensuring that the Council's duties and responsibilities as Local Planning Authority are effectively discharged.
- Ensure the proper conduct of Planning Inquiries, including the provision of advocacy at public hearings (by the postholder personally or the planning lawyer or by Counsel).
- Ensure the proper conduct of Planning-related litigation on behalf of the Council in the Civil and Criminal courts, including the provision of advocacy (by the postholder personally or by Counsel).
- To draft amend, advise upon, seek input from Senior colleagues on and settle and complete all appropriate legal agreements, notices and other documents for concluding all Planning matters.
- To give guidance and assistance to other members of the Legal section as appropriate in respect of Planning law matters.

With respect to Litigation Law, the postholder will additionally:

- Support Senior Lawyers to prepare for the Council's relevant licensing committees, working groups and briefings.
- To advise on relevant aspects of Licensing law (including but not limited to taxis, public entertainment licensing (including alcohol, gambling, sexual entertainment and animal licensing).
- Advise on matters relating to environmental health and Environmental Services law issues, including but not limited to Statutory Nuisance, Food Safety, Health and Safety, Waste Management and Car Parking.

With respect to Property Law, the postholder will additionally:

- Executing instructions pertaining to varied property transactions together with the provision of high quality and timely property law advice and support to officers and Members generally.
- Support Senior Lawyers to prepare for the committees or other meetings of Members and/or officers and/or external parties as directed by the Borough Solicitor.

- Execute matters related to the provision and maintenance of housing, in particular, advice on Right to Buy legislation, the Shared Ownership Portfolio and sales of properties.
- Work with key stakeholders on property related matters (eg social housing) where the Council has a requirement to adhere to current and proposed regulatory bodies.

With respect to Contracts Law, the postholder will additionally:

- Conduct a mixed caseload of contract and procurement law on behalf of the Council.
- Act as the Council's negotiator on the legal aspects of contract and procurement transactions.
- Draft and seek input from senior colleagues as needed on the contracts and agreements relating to all aspects of the Council's business eg service contracts, works contracts, procurement documentation, instructions to Counsel and reports.

#### AREAS OF ACCOUNTABILITY/PROBLEM SOLVING – DECISION MAKING / SCOPE FOR IMPACT

- The postholder will be accountable to a Senior Lawyer who will supervise their work.
- The postholder will be expected to take a high degree of responsibility for prioritising work and managing their caseload, identifying and discussing any issues as they arise and keeping work monitoring, filing and time recording records up to date.
- The postholder will be expected to work as a full member of the Legal Services Team, in co-operation with professional and other colleagues and will be required to advise or oversee junior members of the Legal Section on legal issues as appropriate to their specialist area of practice.
- The work may include major projects (and overseeing terms of external lawyers as required and directed), involving numerous legal complexities, where the postholder will represent the Deputy Borough solicitor and/or Borough Solicitor and may serve as a member of a corporate team, attending meetings, etc.

#### PLANNING/ORGANISING/CONTROLLING

- The postholder will be required to be a clear and concise communicator, with an ability to communicate with, build and maintain trusted relationships with Officers at different levels in the Council.
- The postholder will be required to advise on matters with a variety of legal issues. This will require an ability to organise their workload independently, to prioritise those matters in order to support the officers concerned but also seek input and advice from senior colleagues as appropriate.
- The postholder will be expected to provide advice in a professional manner in all situations.

#### CUSTOMERS AND CONTACTS

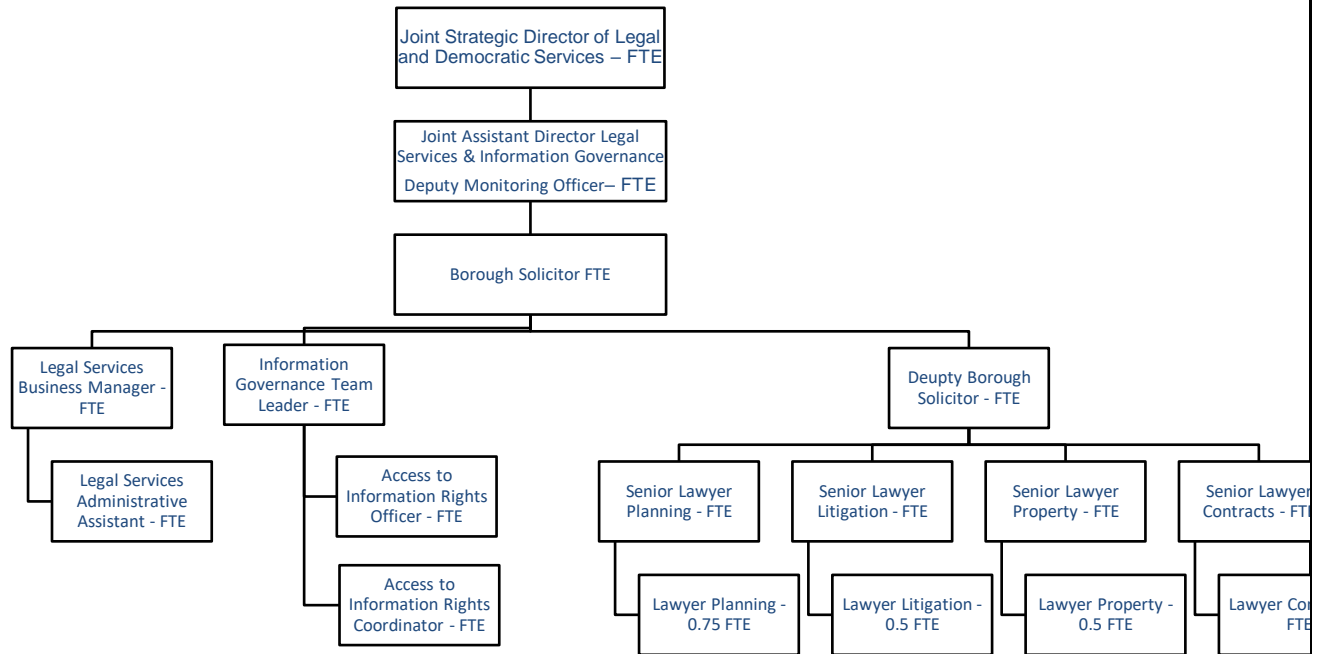
##### INTERNAL

- Officers at different levels including Senior Officers and Members of the Council

##### EXTERNAL

- Subject to legal specialism and level of experience and capability, members of the legal and other professions, Court staff / Judges / Magistrates / other official personnel, Government Departments and their staff, members of the public. All types of outside organisations and their representatives.

## SERVICE/TEAM STRUCTURE



## PERSON SPECIFICATION

Candidates must be able to demonstrate, giving examples, **all essential criteria** marked as A, A/C or A/I within their application form to be shortlisted for this role.

	PERSON SPECIFICATION			
	ESSENTIAL CRITERIA	HOW ASSESSED	DESIRABLE CRITERIA	HOW ASSESSED
<b>QUALIFICATIONS/ EDUCATION / TRAINING / EXPERIENCE</b>	Qualified solicitor, barrister or legal executive with up-to-date practising certificate	<b>A/C</b>		
	Demonstrable experience of working in one area of law (Planning, Contracts, Property, Litigation, Corporate Governance)	<b>A/I</b>		
<b>KNOWLEDGE /TECHNICAL SKILLS</b>	Experience working in Local Government or equivalent organisation.	<b>A/I</b>	Awareness of Safeguarding	<b>A/I</b>
	Demonstrable working knowledge of the legal framework and obligations of local authorities, particularly in areas of specialist law.	<b>A/I</b>		
	Demonstrable experience in drafting complex and straight forward legal documentation.	<b>A/I</b>		
<b>COMMUNICATION</b>	Able to communicate effectively with senior leaders as needed, regulatory bodies and other organisations, e.g. Courts in person/on the telephone/in writing in plain English rather than using jargon.	<b>I</b>		
	Demonstrable experience of negotiation skills in practice, particularly in contentious, complex matters in at least 1 specialist area of law	<b>A/I</b>		
<b>CUSTOMER SERVICE</b>	Demonstrable experience of having provided high levels of customer service to client officers at all levels.	<b>I</b>		

	Ability to provide clear instructions to clients	I		
	Understanding of and commitment to supporting equality and diversity in service delivery and employment.	I		
<b>TEAM WORKING</b>	Willing to take a high level of responsibility for a varied personal workload with conflicting priorities.	A/I		
	Willing to deal with various areas of the law other than those in which the postholder is a specialist.	A/I		
<b>MANAGING SELF AND OTHERS</b>	Able to work effectively to deadlines and escalate appropriately if deadlines are under pressure.	A/I		
	Able to independently manage their own caseload seeking support where needed and while delivering high quality legal advice.	A/I		
<b>CAN DO APPROACH / ACHIEVING RESULTS</b>	A positive contributor to a team.	I		
	Willing to support other team members in order to complete tasks and to deliver the service.	I		
<b>ADDITIONAL SPECIFIC REQUIREMENTS FOR THIS POST*</b>	For business continuity purposes you are required to have access to the internet at home via broadband on a PC, laptop or tablet*	A		
	Full and valid driving licence	A		

\* Please note that Waverley Borough Council cannot guarantee to supply you with the provision of equipment such as laptop, tablet, mobile phone or pool vehicle



**How assessed:**

- A = Application CV/Personal Statement
- C = Certificates/Professional Registration
- D = DBS police check
- E = Exercise
- I = Interview
- M = Medical assessment

**Disclosure and Barring Service**

Due to the nature of the work, this post involves a check on an individual's criminal background. The check is carried out through the Disclosure and Barring Service (DBS, previously CRB). Any offer of employment will be subject to receiving satisfactory clearance from the Disclosure and Barring Service.

**Politically Sensitive post: Political Restrictions**

Please note that the Local Government Officers (Political Restrictions) Regulations 1990 apply to this post. In general terms these provisions mean that the postholder is prohibited from:

- holding or standing for elected public office (except Town or Parish Councils);
- holding office in a political party;
- speaking or writing in public (including on social media) in a personal capacity in a way that might be regarded as favouring one or other political party;
- canvassing at elections.

For Official Use only			
Job title:	Lawyer	Post no:	TBC
Service:	Legal and Democratic Services	JE score:	393
Team:	Legal Services	Pay band:	5
Location:	The Burys Godalming, Surrey GU7 1HR	Position type: (if part time, working pattern)	Full time 37 Hours/ Five-day week
Competencies: (level 1 – 4)	Communication:	2	
	Customer Service:	2	
	Team Working:	3	
	Managing Self and Others:	2	
	Can do approach/Results:	2	
REVIEWED BY:	JE Panel	DATE:	20/02/2024
CHECKED IN:		DATE:	
LAST UPDATED:	February 2024	DATE:	