

## DARLINGTON BOROUGH COUNCIL

### RESOURCES

#### JOB DESCRIPTION

<b><u>POST TITLE :</u></b>	Principal Lawyer (Commercial) and Procurement Manager
<b><u>PAY BAND :</u></b>	Band 13
<b><u>JOB EVALUATION NO.</u></b>	D3322
<b><u>REPORTING RELATIONSHIP</u></b>	Assistant Director - Law & Governance
<b><u>JOB PURPOSE :</u></b>	<p>To lead and manage the Commercial Team (comprised of both legal and procurement staff)</p> <p>To oversee the provision of Legal Services to the Council and external clients in relation to regeneration, planning issues, highways, road traffic, conveyancing, commercial property, contracts, procurement, trusts, company and commercial matters.</p> <p>To oversee and support effective procurement in the Council.</p> <p>To contribute to the overall management of Legal Services.</p>
<b><u>POST NO.</u></b>	POS001429
<b><u>PDR COMPETENCY FRAMEWORK</u></b>	Level 2, Core Management Competencies for all managers

#### MAIN DUTIES/RESPONSIBILITIES

1. To lead the Commercial Team and to be responsible for the provision of a comprehensive quality service.
2. To develop, implement and oversee the Council's procurement strategy and policies
3. Establish and maintain effective working relationships with key clients and stakeholders.
4. To be responsible for providing strategic and proactive services to the Council and external clients, by seeking to anticipate issues and have an early input into ideas, initiatives and projects.
5. Lead on the review and interpretation of new legislation, legal and procedural developments and requirements and to advise officers, clients and members as appropriate.
6. To ensure there is compliance with the Councils legal and procurement obligations and to advise the Monitoring Officer about any maladministration or about any unlawful decision which has or may be taken.

7. To deal with or oversee the most complex contractual, procurement and commercial projects and support the team in dealing with the more challenging aspects of their work by the appropriate level of involvement.
8. Attend such meetings, with officers, members, clients, stakeholders, or other persons as may be required.
9. To assist in resolving/settling any contractual, procurement or other challenges. In a litigated matter, work with colleagues on case preparation with a view to the Council's case being presented at any hearings, panels, tribunals or court (either personally, or by a colleague or external lawyers/counsel as appropriate).
10. Advise and attend other relevant Committees or Sub Committees (for example Scrutiny) consistent with the duties of the post.
11. Review draft reports including Cabinet reports, considering legal, procurement, policy, procedural and constitutional implications and to comment on and advise clients.
12. To develop and write reports or make amendments to reports as may be necessary.
13. To advise on and assist in the writing of policies and procedures as appropriate.
14. Devise appropriate training programmes, arrange and conduct training, seminars and courses for staff, members, clients and others.
15. Take responsibility for the management of your team ensuring the appropriate allocation, oversight and progress monitoring of work and output.
16. Manage and develop members of your team effectively. This includes conducting regular supervision meetings and carrying out the Council's Performance Development Review (PDR) process and completing the mid and end year review forms to the Council's timescales.
17. To manage the budget of the Procurement Unit (mostly staffing)
18. Assist in achieving the Council's corporate objectives.
19. To be responsible for the performance of your team in particular to conduct benchmarking, customer surveys and monitor performance measures to ensure that the service is able to demonstrate value for money.
20. Contribute to the best value goals of the Council by continuously reviewing the working practices of the Commercial Team with a view to introducing and implementing more efficient working practices and methods.
21. Participate in the management and the business planning process of Legal Services, undertaking such tasks as may be allocated by the Assistant Director, Law and Governance.
22. Ensure that the PDR process operates effectively within your team and end of year reviews are completed and submitted to the Council's timescales.
23. Manage your team in line with all the Council's policies and procedures and ensure that employees are aware of their obligations under these.
24. Behave according to the Employees' Code of Conduct and ensure that employees in your team are aware of their obligations and responsibilities re. conflicts of interest, gifts,

hospitality and other matters covered by the Code.

25. Ensure that the Council's Equality agenda is implemented effectively in your team and to carry out your duties as a manager and employee in line with these.
26. To fulfil your health and safety management role as detailed in both Corporate and Group Health and Safety Policies, organisational statements and procedures to ensure a safe working environment for yourself, members of your team and others who may be affected by your team's activities.
27. Any other duties of a similar nature related to this post that may be required from time-to-time.
28. This post is deemed to be a 'Customer Facing' role in line with the definition of the Code of Practice on the English language requirement for public sector workers.
29. Darlington Borough Council and schools within the Borough are committed to safeguarding and promoting the welfare of children and expects all staff and volunteers to share this commitment.
30. This post is Politically Restricted under the Local Government and Housing Act 1989. As such, the post holder is unable to be a Member of a Local Authority, an Member of Parliament, the Scottish Parliament or the Welsh Assembly. The post holder is also restricted from standing as a candidate for local government election; acting as an election agent; being an officer of a political party or any branch of a political party or a member of any committee or sub-committee of such a party; canvassing on behalf of a political party or a person who is or seeks to be a candidate and speaking to the public at large or publishing any written or artistic work that could give the impression that they are advocating support for a political party.

Date: June 2020

**DARLINGTON BOROUGH COUNCIL****RESOURCES****PERSON SPECIFICATION****PRINCIPAL LAWYER (COMMERCIAL) AND PROCUREMENT MANAGER****POST NO. POS001429**

All appointments are subject to satisfactory references.

<b>Criteria No.</b>	<b>Attribute</b>	<b>Essential (E)</b>	<b>Desirable (D)</b>
<b>Qualifications &amp; Education</b>			
<b>1</b>	Qualified Solicitor or Barrister with current practising certificate and with rights of audience.	<b>E</b>	
<b>2</b>	Degree level education		<b>D</b>
<b>3</b>	Post graduate legal qualification in local government law or planning law		<b>D</b>
<b>Experience &amp; Knowledge</b>			
<b>4</b>	Approx. 5 years' experience of 1 of the following competencies and 3 years' experience of another competency: <ul style="list-style-type: none"> <li>• drafting and advising on agreements, contracts and procurement issues</li> <li>• dealing with contractual disputes and procurement challenges</li> <li>• dealing with land and property matters including major commercial developments and projects</li> <li>• dealing with company searches, formations and decision making</li> <li>• dealing with planning casework and enquiries</li> </ul>	<b>E</b>	
<b>5</b>	Approx. 5 year experience of understanding and interpreting commercial legal documentation and concepts	<b>E</b>	
<b>6</b>	Attending and presenting cases at courts, panels, hearings and tribunals	<b>E</b>	
<b>7</b>	An understanding of current issues and practice in procurement	<b>E</b>	
<b>8</b>	Approx. 5 years' experience of developing, implementing, monitoring and reviewing strategies, policies and procedures	<b>E</b>	
<b>9</b>	Knowledge of company and commercial matters		<b>D</b>
<b>10</b>	An understanding of planning law and policy		<b>D</b>
<b>11</b>	Experience of conveyancing		<b>D</b>
<b>12</b>	Experience of dealing with commercial property work		<b>D</b>
<b>13</b>	An understanding of highways matters		<b>D</b>
<b>14</b>	Experience of working in local government		<b>D</b>
<b>15</b>	Experience of staff management/supervision		<b>D</b>
<b>16</b>	Experience of effective budget management and ability to work to Council financial protocol		<b>D</b>
<b>Skills</b>			
<b>17</b>	Ability to effectively manage a diverse team including performance development	<b>E</b>	
<b>18</b>	Ability to summarise and interpret complex, conceptual and special matters to aide others' understanding and aimed at their needs	<b>E</b>	
<b>19</b>	Developed negotiating, influencing and persuasive skills	<b>E</b>	
<b>20</b>	Demonstrable leadership and coaching skills	<b>E</b>	
<b>21</b>	Strong team player with ability to motivate and support colleagues, sharing tasks and providing cover as necessary	<b>E</b>	
<b>22</b>	Ability to demonstrate effective listening skills	<b>E</b>	

<b>23</b>	Ability to communicate both orally and in writing to a wide range of audiences (including ability to write clear and concise reports & presentations)	<b>E</b>	
<b>24</b>	Ability to deliver effective presentations and demonstrate advocacy skills	<b>E</b>	
<b>25</b>	Ability to use discretion and initiative to make decisions for a wide ranging service area with minimal managerial direction	<b>E</b>	
<b>26</b>	Ability to analyse situations and produce effective solutions	<b>E</b>	
<b>27</b>	IT Literate, capable of using MS Word / Excel and office packages	<b>E</b>	
<b>28</b>	Demonstrable effective time management skills	<b>E</b>	
	<b>Personal Attributes</b>		
<b>29</b>	Ability to work under pressure and to prioritise	<b>E</b>	
<b>30</b>	Ability to inspire and to command respect and confidence	<b>E</b>	
<b>31</b>	Able to deal with potentially difficult, challenging and confrontational situations	<b>E</b>	
	<b>Special Requirements</b>		
<b>32</b>	To comply with current legal practice management standards, regarding file maintenance, time recording and so on	<b>E</b>	
<b>33</b>	To work outside office hours as required by the needs of the service	<b>E</b>	
<b>34</b>	The ability to communicate at ease with customers and provide advice in accurate spoken English	<b>E</b>	