JOB DESCRIPTION

|  |  |  |  |
| --- | --- | --- | --- |
| Job Title | **Senior Lawyer (General)** | Post Number | **LS771** |
| Grade | 8 | Service Area | Legal Services |
| Special Conditions | Pershore based with occasional travel required to Malvern  This post is ‘Politically Restricted’ within the meaning of the Local Government and Housing Act 1989. | Additional Benefits | Casual Car User |
| Authorised by | Director of Legal and Governance | Date | January 2025 |

**Job Purpose**

|  |  |
| --- | --- |
| The purpose of this role within the Council is: | 1. To provide legal advice and assistance to officers and members of both Malvern Hills District Council and Wychavon District Council (“the Councils”) in relation to the General Data Protection Regulations (GDPR) and the Data Protection Act 2018 or any update thereto 2. To assist the Monitoring Officer and Deputy Monitoring Officers with member conduct complaints and investigations 3. To assist in undertaking all legal work relating to the performance of the functions for both Councils . |
| Responsible for demonstrating commitment to working in line with the Councils' values | |
| Responsible for championing and demonstrating the Council’s Leadership Behaviour Framework | |
| The postholder works for: | Head of Legal Services |
| The postholder manages \supervises: | Occasional supervision of the Legal Officer and Legal Assistant with specific regard to information requests including FOI and EIR matters (not in a line management capacity) |

|  |  |
| --- | --- |
| Key Accountabilities (All accountabilities will be carried out in line with the Council’s policies, procedures and relevant regulations and legislation) | |
| 1 | **Information** Data Protection/GDPR   * To assist the Director of Legal and Governance in her role as Data Protection Officer for the Councils * To deal with data incidents/breaches both with service managers and direct with the ICO * Provide advice and guidance to officers on the requirements of GDPR and the Data Protection Act 2018 or any updated legislation; * To draft and implement appropriate procedures/practices for ensuring that the Councils comply with their obligations under the GDPR and the Data Protection Act 2018 * To draft, in consultation with relevant service managers, appropriate privacy notices and keep these updated and relevant * To work with officers across the Councils to ensure that they are complying with their retention schedules and to keep the said retention schedules updated and relevant * To maintain an awareness of the current best practice and the latest advice from the ICO and, where appropriate, provide necessary training of staff and members     Freedom of Information (FOI) and Environmental Information Regulations (EIR)   * To advise and assist the Legal Officer, Legal Assistant and other members   of staff with any complex queries that occur with regard to FOI and EIR requests and matters that have been referred to the ICO   * Where appropriate and necessary undertake internal reviews of FOI/EIR requests * Update and implement appropriate procedures for ensuring that the Councils comply with their obligations regarding FOI and EIR * To maintain an awareness of the current best practice and the latest advice from the ICO regarding FOI and EIR and alongside the Legal Officer provide training to other service units in the Councils |
| 2 | **Member Conduct**   * To assist and support the Director of Legal and Governance in her role as Monitoring Officer and the Councils Deputy Monitoring Officers with member conduct complaints and associated investigations. This shall include interviewing and taking statements from relevant individuals and preparing a report including a recommendation for consideration. * To assist with member conduct and standards committees * To advise members with queries in relation to the Code of Conduct |
| 3 | **Licensing**   * To attend Licensing and Licensing Sub Committee as and when required * To advise officers of Worcester Regulatory Services with regard to queries on licensing applications |
| 4 | **Contracts/Agreements**   * Assist senior members of the legal team with the drafting of standard s106 agreements or renewing of contracts entered into by the Councils * Assist with data sharing agreements |
| 5 | **Prosecutions/Litigation**   * To assist senior members of the legal team with prosecutions and litigation matters * To advice client departments as to whether it is in the public interest to prosecute an individual or business and to advice them on the level of information required to take forward the prosecution. * To assist senior members of the legal team with drafting and submitting the necessary paperwork needed for the court and to defend claims made against either Council * To assist with the drafting of statutory notices * To instruct Counsel where required |
| 6 | **General Legal Support**   * To carry out legal research where required * To assist with dealing with complaints and any procedures relating thereto * To keep up to date the Councils web site pages in relation to the legal team and to work with other teams to ensure that the Councils meet their transparency requirements * To assist with applications made in relation to Assets of Community Value and to look at improvements to standard letters, web site information and processes. * To give support as necessary to other members of the legal team. * To attend Committees, Sub Committees, Appeal Panels and other corporate groups as and when required. * To deal with enquiries from other council officers, departments, councillors, members of the public, external organisations etc * To deal with other matters commensurate with the level of the post |

**NOTES:**

1. Duties will inevitably develop and change as the work of the Council changes to meet the needs of our customers. Employees should therefore expect periodic variations to job descriptions, and the Council retain this right. This job description will be supplemented on a regular basis by individual objectives derived from Council strategies.
2. Where an applicant or an existing employee is or becomes disabled (as defined by law) and inform the Council fully of their requirements reasonable adjustments will be made to the job description wherever possible.

KEY REQUIREMENTS

|  |  |  |
| --- | --- | --- |
| Qualifications (or knowledge and experience at an equivalent level) | Essential | Desirable |
| Degree Level Education | E |  |
| Degree in Law or other suitable academic course such as GDPR Practitioners Certificate |  | D |
| Qualified or part qualified Legal Executive or Solicitor |  | D |

|  |  |  |
| --- | --- | --- |
| Experience | Essential | Desirable |
| Relevant experience in one or more of the areas of work outlined in the Job Description | E |  |
| Experience of working with councillors/members | E |  |
| Experience of drafting legal agreements, reports or notices | E |  |
| Experience of dealing with Member Conduct matters and/or complaints within a public authority | E |  |
| A minimum of one year’s experience of working in a local authority |  | D |
| Experience of Data Protection or dealing with Freedom of Information or Environmental Information Regulation requests |  | D |

|  |  |  |
| --- | --- | --- |
| Skills Required | Essential | Desirable |
| Proven ability to express issues clearly and accurately, both verbally and in writing | E |  |
| Ability to read, understand and apply legislation, regulations and guidance | E |  |
| Ability to influence others | E |  |
| Able to work on own initiative, identify problems and investigate possible solutions | E |  |
| Ability to deal with confidential and sensitive matters | E |  |
| Good ICT skills | E |  |
| Ability to work to deadlines and within statutory time constraints | E |  |

|  |  |  |
| --- | --- | --- |
| Behaviours | Essential | Desirable |
| Take responsibility for one’s own learning and behaviour | E |  |
| Hard working | E |  |
| Team player | E |  |
| Sound judgement | E |  |
| Flexible and adaptable | E |  |
| Personal Integrity | E |  |

Note: Applicants who are disabled (as defined by law) will be guaranteed an interview if they meet the essential criteria provided that this information is noted under the relevant section of the application form.