

Job Description

1 Job details

Job title:	Solicitor and Monitoring Officer
Team:	Strategy and Planning
Directorate:	Strategy and Planning
Post number:	P02117
Hours per week:	Full time (37 hours) or part time on a job share basis
Grade:	Band 9
Base:	Lymington Town Hall, Lymington
Accountable to:	Executive Director Strategy and Planning
Responsible for:	Approx. 2 staff
Indirectly responsible for:	N / A
Budget Responsible Officer (BRO):	No
Car user:	Casual
Politically restricted:	Yes
Does this post involve working with children and/or vulnerable people?	No
Membership of professional body required:	Yes – Solicitors Regulation Authority (Law Society Practising Certificate required)
Key liaisons:	New Forest National Park Authority (NPA) staff, NPA members, partner organisations, professional representatives and the general public

2 Role summary

- 2.1 To ensure the provision of a high quality and effective legal service to the NPA.
- 2.2 To oversee good governance procedures and standards of conduct, and to perform the statutory Monitoring Officer role.

3 Main duties and responsibilities

Solicitor

- 3.1 Provide accurate, timely and dependable legal advice to the NPA and undertake casework across a range of NPA legal matters to enable Members and Officers to make decisions and take appropriate action in individual cases.
- 3.2 Provide planning law advice to the NPA (including for example advising on the expediency of enforcement action, drafting and negotiating agreements, certificates, and notices, and preparing for and attending at enforcement appeals and prosecutions where necessary).
- 3.3 Attend Authority and Committee meetings and internal meetings as required to advise on legal and procedural matters.
- 3.4 Advise on statutory and governance compliance and outcomes (for example, vires issues, conflicts, and legal challenges).

- 3.5 Have an oversight of the NPA's legal agreements (including Service Level Agreements, Memorandums of Agreement and Memorandums of Understanding) to ensure the provision of timely and proactive support and advice with technical aspects provided by other officers.
- 3.6 Keep under review the risk register and assist key Officers and Members in maintaining awareness of key risks and how they can be mitigated.
- 3.7 When the business requires, oversee the defence of any actions for judicial review or other legal challenges, and protect the interests of the Chief Executive, Officers, Members and the NPA as far as possible.
- 3.8 In liaison with the Chief Finance Officer and other senior officers, maintain awareness of relevant processes and frameworks in order to advise officers on risk management.
- 3.9 Working with the Information and Data Protection Officer, monitor compliance with the access to information and data protection regimes, and prepare internal review responses and assist with ICO or Information Tribunal cases if necessary.
- 3.10 Provide planning law and other training to Members as necessary.
- 3.11 Assist Communications officers with trademark and copyright law in relation to the NPA brand.
- 3.12 Keep up to date on legislative changes and best practice.
- 3.13 Other duties commensurate with the grade as directed by the Chief Executive and/or the Executive Director.

Monitoring Officer

- 3.14 Advise on the Standing Orders, Members' interests, compliance with the Code of Conduct and the rules on predetermination, staff interests and conduct, maladministration, impropriety and probity issues.
- 3.15 Ensure all decisions are taken at the correct level of delegation within the NPA and that the NPA operates within the law and intra vires at all times.
- 3.16 Investigate complaints against Members, in line with the relevant legislation and the NPA's internal processes on Member complaints.
- 3.17 Keep under review the NPA's constitutional documents and draft new policies and procedures where necessary, liaising with the National Park family for best practice.
- 3.18 Report to Members under the Localism Act 2011, if necessary, on matters that are illegal, in breach of the Code of Conduct, or that amount to maladministration.
- 3.19 Provide and keep up to date Member and staff training on standards of conduct.
- 3.20 Work with Member Services on standards/conduct issues, for example the appointment of the independent person under the Localism Act, the establishment and maintenance of registers of Member and staff interests and gifts and hospitality, Members' allowances.
- 3.21 Deal with and keep under review any dispensations requested under the Localism Act.
- 3.22 Assist with vexatious complainants and information requesters in accordance with the Monitoring Officer role as set out in the complaints process and relevant legislation.
- 3.23 Other duties commensurate with the grade as directed by the Chief Executive and/or the Executive Director.

4 Problem solving

- 4.1 The post holder will be required to resolve technical and sometimes complex issues pertaining to their specialism. Where necessary, and outside of the post holder's own knowledge area, specialist advice can be sought from Counsel or other external lawyers but the post holder will be expected to undertake an assessment of the most efficient and financially viable option before seeking external advice.
- 4.2 Provide the highest standards of customer care and commit to the achievement of professional, legal, financial targets and deadlines. This requires an appropriate prioritisation of work and the need to manage a varied workload effectively.
- 4.3 Seek opportunities to improve ways of working and to consider innovative ways to review services to continuously deliver improvements and value for money.

5 Decision making

- 5.1 Make day-to-day decisions relating to prioritising workload to ensure maximum efficiency and to meet required deadlines.
- 5.2 In offering legal advice or carrying out legal actions or running cases, the post holder will be required to consider the range of options available and on a day-to-day basis will be required to advise and make recommendations on the best course of action.
- 5.3 Take account of advice from colleagues to make decisions that support financial, reputational and operational delivery.

6 Operational responsibility

- 6.1 Acting under the instruction of the Chief Executive and the Executive Director Strategy and Planning, deal with all aspects of legal advice, undertaking legal actions and processes as necessary, and the statutory Monitoring Officer role. This will involve 1:1s with both the Chief Executive and the Executive Director, as well as the Chief Executive setting specific objectives through the annual appraisal process (as and when required).
- 6.2 The post holder will review team members' performance to ensure the development of skills and knowledge through a culture of learning and collaborative working to build a customer orientated and high performing culture, which supports the delivery of the NPA's objectives.
- 6.3 Maintain the confidentiality of information acquired and uphold claims to legal professional privilege where required, in the course of undertaking duties.
- 6.4 The post holder will give advice within their area of specialism by applying sound professional judgement and providing practical solutions to legal issues.

7 Communication

- 7.1 Communicate effectively both in writing and orally (for example in advisory, presentational, negotiating or advocacy capacities). Internal 70%, External 30%
- 7.2 Use a clear, concise and logical approach to assist decision-makers to reach appropriate conclusions when dealing with finely balanced or complex issues.
- 7.3 Seek to support clear communications across the organisation adapting style and approach to suit audience particularly when dealing with people who may not be entirely familiar with legal terminology and processes.

8 Working conditions

- 8.1 The majority of the work is office-based, though there may be travel for training, meetings, or site visits on occasion.
- 8.2 The post holder may be required to work outside normal office hours in order to meet the needs of the job.

9 General

- 9.1 The post holder must at all times carry out his/her responsibilities with due regard to NPA policies and procedures.
- 9.2 All staff have a responsibility to participate in the NPA's Appraisal Scheme and to contribute to their own development, and the development of any staff they appraise or are responsible for.

10 Job description agreement

- 10.1 The above Job Description is not intended to be exhaustive, the duties and responsibilities may therefore vary over time according to the changing needs of the service.

**Job holder's
signature:**

Date

**Manager's
signature:**

Date

Person Specification

Solicitor and Monitoring Officer

Criteria	Essential	Desirable	Assessed by
Education / qualifications			
Qualified Solicitor or Barrister with valid practicing certificate	Y		A
Membership of the Solicitors Regulation Authority	Y		A
Experience			
Demonstrable experience in a relevant environment including the provision of legal advice and experience of exercising Monitoring Officer responsibilities	Y		A / I
Demonstrable post-qualification experience in Local Government	Y		A / I
Experience of working in a politically sensitive environment	Y		A
Demonstrates previous supervisory/management experience	Y		A / I
Knowledge			
Good knowledge and practical understanding of Local Government law	Y		A / I
An understanding of the strategic and local context within which national parks operate		Y	A / I
Skills			
Strong oral and written communication skills demonstrating excellent customer care	Y		I
Good interpersonal skills with ability to communicate effectively at all levels	Y		I
Excellent organisational skills with experience of managing own workload to meet deadlines	Y		A / I
Proven ability to work unsupervised	Y		A / I
Good IT skills with the ability to adapt to new systems	Y		A / I
Impact and attributes			
Political awareness and sensitivity	Y		A / I
Ability to understand the need to treat sensitive information confidentially	Y		A / I

Evidence assessed by key:

A = Application form / CV

I = Interview