

Senior Lawyer – Financial Litigation Team

Reports to:	Head of Law / Chief Lawyer /Principal Lawyer, Adult Social Care and Financial Litigation Team		
Department:	Financial Litigation team	Grade:	PO7
DBS Status:	Not Required	Politically restricted:	No

Job Purpose:

1. To work in the area of Complex Debt Collection and Civil Litigation practice.
2. To provide proactive, clear, concise legal advice and assistance to client departments and to members. To be a point of contact for members and senior officers on legal matters in respect of Adult Social Care (ASC) debt and other financial and commercial disputes and litigation.
3. To supervise Lawyers, Legal Assistants and / or trainees as directed.
4. To deputise for the Chief Lawyer Adult Social Care and Complex Debt Recovery as and when required.

Values

Collaborate proactively.
Lead inclusively.
Embrace change.
Be bold and curious.
Celebrate and share our success.

Job specific roles and responsibilities

1. Make a positive contribution to the delivery of the service, this will include working flexibly and positively to achieve the objectives of the council.
2. Manage and lead staff to achieve high performance and effective operational delivery, including developing and improving staff capability.
3. Manage a customer focused service and the effective use of resources.
4. Ensure that the council's overall vision, values and ethos are central to the requirements of the service.
5. Support effective working relationships and act as an ambassador and advocate with external organisations
6. Keep up to date with developments in service delivery and best practice to ensure the service performs effectively and to the highest standards.
7. Lead on and ensure that you provide high level specialist and proactive legal advice on ASC contribution, charges and debt recovery, financial, contract and other commercial disputes and litigation and related local authority law issues.
8. To defend third party insurance claims brought against the Council including assessing liability and quantum, coordinating responses, advising clients and negotiating settlements in the event that this work is referred to the team.
9. Lead the Complex Debt recovery team in handling complex litigation arising within the areas of responsibility, including judicial review, Court of Protection, civil debt recovery and other proceedings and to undertake advocacy and instruct counsel when necessary
10. To lead, as project manager, in strategic legal work and corporate policy on the ASC Debt Recovery projects, including reporting to the project sponsor and the debt board on a quarterly basis.
11. To advise on the Council's powers and its decision making process and ensure the legality of its decision making.

12. To consider and give advice on committee and other similar reports and to attend committees where required.
13. To deal with corporate complaints and Member enquiries.
14. To keep up to date with changes in the law and other developments in this area of work, to advise on any action to be taken as a result, and to provide training to clients or members of the team.
15. To take a lead in developing policy and good practice in the post holder's area of responsibility and monitor the impact of legal policy across the specialist areas.
16. To manage matters which have the highest risk, financial or other implications and consequences for the council.
17. Safeguarding is everyone's responsibility and all employees are required to act in such a way that at all times safeguards the health and well-being of children and vulnerable adults.
18. Carry out duties with due regard to the council's customer care, equal opportunities, information governance, data protection and health and safety policies and procedures.
19. Undertake any other duties commensurate with the general level of responsibility of this post.
20. Safeguarding is everyone's responsibility and all employees are required to act in such a way that at all times safeguards the health and well-being of children and vulnerable adults.
21. Carry out duties with due regard to the Council's Customer Care, Equal Opportunities, Information Governance, Data Protection, Health and Safety and Emergency Planning & Awareness (including to provide assistance where available) policies and procedures.
22. Employees should embed environmental sustainability into their work, actively contributing to Brent becoming a carbon-neutral borough in 2030.
23. Undertake any other duties commensurate with the general level of responsibility of this post.
24. We are committed to an inclusive workplace where everyone is treated with dignity, respect, and fairness. All employees are expected to promote equality, diversity, and inclusion, and candidates may be assessed on their ability to contribute to an inclusive working environment.

Essential Requirements (key skills & qualifications)

Knowledge and Qualifications

1. Admitted solicitor or qualified barrister or Fellow of the Institute of Legal Executives (or by the time the post is taken up).
2. Knowledge of the law and practice relating to civil litigation in general and specifically, the practice relating to charges/ contributions for ASC services, debt recovery, enforcement, the practice relating to charges / contributions for ASC services, the Care Act 2014 (regulations and guidance) in relation to recovery of community care fees as well as preceding legislation, Mental Health Act 1983 and Mental Capacity Act 2005
3. Full understanding of risk management in the context of corporate governance

Experience

1. Significant/reasonable post qualification experience in the legal profession
2. Relevant experience in the legal profession (preferably within the last 2 years) handling at least one of the below areas:
 - Civil litigation
 - Adult social care charging policy
 - Debt recovery

- Enforcement

3. Experience of contributing to corporate decision making and development of corporate policy and strategy.
4. Advocacy experience in the County Court
5. Comprehensive knowledge of the law affecting local government and its trends in the UK and EU

Skills and Abilities

1. Ability to personally handle with some supervision all matters within the post holder's area of responsibility and to carry a heavy caseload comprising of general litigation relating to all aspects of debt collection, from negotiation, to Court action and finally enforcement.
2. Ability to give clear and proactive legal advice in a manner which supports clients in achieving their organisational objectives.
3. Ability to appear as an advocate at court or in public inquiries or tribunals if necessary
4. Leadership and management skills
5. Excellent communication and influencing skills, including the ability to write accurate and engaging copy/correspondence for a range of audiences
6. Strong negotiation skills
7. Strong role model who demonstrates a personal commitment to high standards of public service, honesty, integrity and professionalism
8. Ability to work flexibly on own initiative and collaboratively both corporately and departmentally
9. Able to write concise, effective reports for varying audiences including elected members and CMT. First class ability to prioritise and manage own workload
10. High level analytical skills to identify issues and develop responses and solutions.
11. Ability to contribute to the longer-term development of the service area
12. Work collaboratively corporately and departmentally
13. Willingness to undertake staff training and development as required as well as supervise work of the Commercial Litigation Team.
14. Ability to deputise for the Head of Litigation and Dispute Resolution / Chief Lawyer, Commercial Litigation.

Within reason these key deliverables may evolve to meet service need and it is expected that the postholder will be flexible and adaptable in their delivery to meet both service and council wide needs