

Derbyshire Fire & Rescue Service

Job Description

Job Title:	Solicitor and Monitoring Officer
Salary Grade:	Grade K
Portfolio:	Legal & Governance
Responsible to:	Director of Corporate Services
Responsible for:	Legal & Governance Services
Post Objective:	a) Act as Monitoring Officer to the Fire and Rescue Authority as in Section 5 of the Local Government and Housing Act 1989 b) Act as Deputy Data Protection Officer c) To achieve the corporate objectives of the Service in the most safe, efficient and cost effective way d) To undertake the duties of the role in accordance with statutory legislation and the policies of the Fire Authority e) To provide legal advice on all matters corporate as required by the Fire and Rescue Authority and / or the CFO & CE

Main Duties, Activities and Responsibilities

Key relationships

- Line managed by Director of Corporate Services
- Supervises work of Business Manager, administrative staff and Investigation Officer
- Liaising with external partners/agencies and solicitors/ barristers
- Advising Elected Members
- Regular liaison with departments across the Service

Corporate Responsibilities

Contribute to our corporate vision of making Derbyshire safer together by:-

1. To provide legal and procedural advice on matters associated with employment law and other local government matters. To include involvement in the development of policies, procedures, systems and the delivery of training to ensure that the Service complies with all appropriate legislation
2. To be the designated Monitoring Officer of the Fire & Rescue Authority in accordance with the Local Government and Housing Act 1989 and the Local Government Act 2000. Work with the Chief Fire Officer & Chief Executive, Deputy, Director of Corporate Services and Head of Corporate Financial Services/Treasurer (Section 151 Officer). Provide assurance as to whether decisions are lawful and in accordance with the policy framework; along with advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity, and policy framework issues.
3. Effective working with internal / external stakeholders and partners.
4. Understand your role in relation to, and demonstrate positive leadership of the Fire & Rescue Authority's Equality, Diversity and Inclusion Strategy, Data Protection legislation, Health and Safety Policies and associated legislation and Service procedures.
5. Attend meetings, prepare and present reports to the Strategic Leadership Team, and the Fire & Rescue Authority and associated committees and working groups, providing professional advice and support to Elected Members.
6. To be accountable for the effective corporate committee services administration and associated governance, ensuring that timely, accurate agendas and associated reports are developed, managed and implemented for the Fire & Rescue Authority and associated committees and working groups.

Key responsibilities

7. Providing legal advice and assistance to Service departments on employment related matters.

8. Advising on, preparing and conducting the presentation of legal actions in courts and other tribunals on behalf of the Service.
9. Appointing and briefing counsel on cases as required.
10. Attending, as the Director of Corporate Service's representative, meetings, including with Elected Members and senior officers.
11. Maintaining confidentiality and observing data protection and associated guidelines where appropriate.
12. Dealing, in a timely manner, with correspondence and enquiries from private solicitors, courts, witnesses etc.
13. Providing training to departments to ensure a greater understanding of relevant areas of law.
14. Assisting in providing advice on other areas of law as requested.
15. Ensuring that there is widespread awareness of relevant issues and in relation to legislative requirements regarding the sharing of information among employees and Elected Members.
16. Attending meetings at Member and officer level to provide legal and procedural advice.
17. Complying with time recording systems and such work records as necessary to assist the Division in maintaining appropriate statistics and management information.

Management Responsibilities

1. Positively lead the Division which includes Legal, Governance, Internal Investigations and PA support functions. Establishing, evaluating, and implementing information, communication, performance management and quality assurance systems to ensure corporate policy implementation, continuous improvement and quality provision of service.
2. Developing strategies relating to the span of responsibility and effective delivery of associated business action plans, policies, projects; to enable the Service to provide the best practice with the resources available.
3. Identify, justify and manage the allocation and use of all financial / physical resources within the Division to support activities aligned to corporate priorities and objectives. Select people to meet the needs of workforce planning. Manage and develop both self and others to improve individual and team performance.

Legal & Governance Responsibilities

1. To act as the Chief legal advisor; providing legal advice, guidance and direction on which the Fire & Rescue Authority / Service can base its longer term plans focusing on key strategic priorities within the resources available; including matters relating to:- employment law, health and safety, fire safety prosecution, procurement and other operational matters.
2. Prepare cases from inception and represent the Fire & Rescue Authority where appropriate in court, at public enquiries, hearings, arbitrations, medical panels, employment tribunals etc. Prosecution of cases relating to unpaid debts, and fire safety enforcement matters and furtherance of complaints by the Fire & Rescue Authority / Service. Attend and provide legal advice, when required, at level 3 internal employment appeal hearings. Ensure timely legal advice is provided to support management negotiators in preparation for meetings with representative bodies.
3. Commission work, negotiate and agree terms for the employment of counsel and external solicitors where required by the Chief Fire Officer & Chief Executive or their representative and act as an interface between the Service and external providers.
4. In exceptional circumstances provide out of hours legal advice to Operational Officers in relation to emergency response.
5. Horizon scanning and critically interpreting relevant legislation and associated documents (preparing reports on the impact and possible legal consequences.)
6. Be responsible for the production, maintenance, approval and monitoring of key corporate legal documents (including leases, transfers, legal agreements, employment compromise agreements etc.) in consultation with the Director of Corporate Services and Head of Corporate Financial Services/Treasurer (Section 151 Officer) and act as legal representative for the Fire & Rescue Authority, on National, Regional and local bodies, as appropriate.

Democratic Service Responsibilities

1. The promotion and maintenance of high standards of probity and ethics. Responsibility for preparing a development programme and providing advice for Elected Members and officers on the ethical framework and core values of the Fire & Rescue Authority. To receive and act on reports and decisions in relation to ethical standards. Provide advice as required to those Members charged with the Ethical Standards function for Elected Members.
2. To be responsible for investigations into matters relating to the Elected Members code of conduct and ethical standards of Elected Members. If appropriate produce written reports or defer where another body is involved, in consultation with the Chair of the Fire & Rescue Authority.
3. Reporting to the Fire & Rescue Authority from time to time on the Authority's Constitution, Scheme of Delegated Powers to Officers and associated Standing Orders

and Procedures; including any changes following consultation; in particular with the Chief Fire Officer & Chief Executive, Deputy, Director of Corporate Services and Head of Corporate Financial Services/Treasurer (Section 151 Officer).

4. Work with the Director of Corporate Services, relevant Area Managers and Head of Corporate Financial Services/Treasurer (Section 151 Officer) in undertaking an annual corporate governance audit and producing the Annual Governance Statement for the Fire & Rescue Authority.
5. To support the Chief Fire Officer & Chief Executive and Deputy in the effective provision of committee services administration by the Personal Assistants and administration support. Ensure that Fire & Rescue Authority decisions relating to information that is neither exempt from publication nor confidential, together with the reasons for those decisions and relevant officer reports and background papers are made publicly available as soon as possible.

Deputy Data Protection Officer Responsibilities

Role of the Deputy Data Protection Officer

1. To support the Service's Data Protection Officer and act as Deputy Data Protection Officer in dealing with data protection matters in accordance with the Data Protection legislation.

Other Responsibilities

1. Understand and comply with all policies, procedures and relevant legislation.
2. To adhere to Health & Safety Legislation/Relevant Service Policies and Procedures and to take reasonable care for the health and safety of yourself and other persons.
3. To undertake any other reasonable duty, commensurate with the grading and responsibility of the post, across the Service in order to meet Service priorities and business continuity requirements.

This job description represents a statement of the duties of the post but does not include all duties. It is inevitable that over time the nature of an individual job will change and existing duties may be lost or others gained without changing the general character of the duties or the level of responsibility. As a result the Fire & Rescue Authority will expect this job description and person specification to be subject to revision.



Derbyshire Fire & Rescue Service

Person Specification

Post Title Solicitor and Monitoring Officer
Scale Grade K

Evidence Codes

AF – Application Form

JRT – Job Related Test

I - Interview

M – Medical

D – Documentation

Job Criteria				
	Essential	Source Of Evidence	Desirable	Source Of Evidence
Skills	Be able to demonstrate the following:			
	Excellent interpersonal skills and the ability to establish positive relationships internally and externally at all levels, which generates confidence, respect and trust.	AF/I		
	The ability to work effectively and efficiently under pressure.	AF/I		
	Excellent organisations skills and ability to prioritise.	AF/I		
	The ability to give clear and accurate legal advice, including training.	AF/I		
	Ability to inspire and motivate staff / colleagues and build effective teams.	AF/I		
	A strong and positive leader with integrity, energy, flair and credibility.	AF/I		
	Effective written communication skills to be able to write policy and reports.	AF/I		
	Advocacy skills.	AF/I		
	The ability to appropriately prioritise a caseload, and ensure team deadlines and timescales are met.	AF/I		

Knowledge	Be able to demonstrate knowledge and understanding of the following:			
	Knowledge of current and proposed legislation relating to employment matters.	AF/I	Knowledge of local government, including the role of elected members.	AF/I
	Ability to interpret and apply legislation to particular situations.	AF/I	Knowledge of (or a willingness to learn) other legislation relating to local government including some / all of the following:	AF/I
	A high level of commitment.	AF/I	- Ethical Standards Framework for Members	
	Excellent written and verbal communication and interpersonal skills.	AF/I	- Local Government legislation	
	The ability to effectively and accurately analyse legal issues to ensure the Service's interests are appropriately protected and objectives met.	AF/I	- Legal practice relating to the public sector	
	Awareness of the sensitive nature of a political environment.	AF/I	- Statutory role of the Monitoring Officer	
	Health and Safety issues relating to the duties of the post.	AF/I	- Data protection legislation	
	Data protection/security of data.	AF/I	Knowledge of (or a willingness to learn) external regulation and inspection regime.	AF/I
	Use of Microsoft Office products.	AF/I		
Experience	Be able to demonstrate experience in the following:			

	Experience of advising on employment matters	AF/I	Monitoring Officer experience.	AF/I
	Advocacy experience in one or more of the following courts or tribunals – Magistrates, County Court, Crown Court, High Court, or Employment Tribunal.	AF/I	Experience in providing advice and training to relevant stakeholders.	AF/I
	Experience of liaising with and instructing counsel/external lawyers and other organisations.	AF/I	Financial Planning / Budget management experience.	AF/I
	Leading, motivating and managing professionals and / or teams including business improvement, performance management and career development.	AF/I	Experience of conducting employment litigation.	AF/I
	Ability to research legal issues, implement creative and imaginative approaches and identify new options for business improvement.	AF/I	Experience of working for a local authority as a lawyer.	AF/I
	Experience of managing own workload effectively, when faced with competing demands.	AF/I		
	Relevant post qualification experience.	AF/I		
Qualifications				
	Qualified lawyer, must hold a professional legal qualification which confers rights to practise in England and Wales.	AF/D		
	Evidence of compliance with continuous professional development requirements of professional body.	AF/I		

Diversity & Inclusion	Ability to demonstrate positive leadership and commitment in Diversity and Inclusion.	AF/I	Understanding of Diversity and Inclusion regulatory framework.	AF/I
	Understanding of how Diversity and Inclusion contributes to service improvement.	AF/I		
	Understanding of and commitment to Inclusion & Equality in the workplace.	AF/I		
	Awareness of protocols required for dealing with protected characteristics covered by Equality Legislation.	AF/I		
Other Requirements	Ability to work flexibly as there will be a requirement to work beyond normal office hours to provide corporate management cover.	AF/I	Ability to stay away from home for short periods, with due notice.	AF/I
	Medical clearance subject to reasonable adjustments under the Equality Act 2010 (where appropriate).	M		
	Satisfy Police security vetting procedures and DBS checks as required by the Service at the appropriate level.	D		
	Full driving licence (reasonable adjustments can be made under the Equality Act 2010 for those unable to hold a driving licence due to a disability). To prevent fraud and any illegal driving activities the applicant must satisfy a DriverCheck mandate.	AF/D		
	Provide out of hours legal advice.	AF/I		
	Ability to travel throughout the County to carry out the requirements of the post	AF/I		

	• Demonstrate evidence of continuous professional development and competence	AF/I		
	• Commitment to and appreciation of quality customer service.	AF/I		