# Leeds City Council

**Job Description and Employee Specification**

**Job Title:** Assistant Procurement and Commercial Lawyer **Date:** Sept 2018

Procurement and Commercial Service

**Accountable to:** Legal Manager **Grade:** PO2

Procurement and Commercial Solicitor

# Posts for which directly accountable:

n/a

# Job Purpose

Working as part of the team, you will live and model values and behaviours to help us to achieve our ambition to become the best city council in the country. Your role will be important in ensuring the council is more enterprising and efficient and ensuring that the authority has in place proper arrangements for the administration and delivery of projects and procurements. The role operates within the context of the council’s Business Plan Objective to increase efficiency.

The Assistant Procurement and Commercial Lawyer will be responsible for the provision of legal advice and legal services (and support in relation to complex public sector procurement schemes and projects) through all stages of the complex project and/or procurement process including post-close, in order to meet a range of commercial, contractual, statutory and regulatory undertakings.

The post holder will be responsible for providing leadership, support, and challenge to clients (and other stakeholders and external advisors as appropriate) within multidisciplinary teams to ensure the council’s business plan is achieved, and advising members and directorates on related commercial activity, supporting a category management approach to procurement.

Further responsibilities also include:

* Supporting and leading commercial / legal workstreams for projects and procurements on behalf of the council, advising resources from across the Authority and its partners, contributing to innovation in project and procurement development
* Ensuring compliance with and contributing to the updating of the council’s Contract Procedure Rules, and suite of procurement documentation
* Supporting the interface with finance, technical and project specific matters

# Key Accountabilities

1. Deliver legal work and legal and contractual documentation in relation to complex public sector projects and procurement schemes.
2. Provide advice on project and procurement matters across the authority (including to senior officers) and other stakeholders (including partners, government and other key regional and national stakeholders).
3. Contribute to effective joint working within the council and across the city.
4. Support new ways of working, partnership working and long term relationships with key clients both internal and external to the council, to improve corporate priority outcomes and to ensure that developments and improvements remain focused on delivering outcomes for local people.
5. Promote and support positive solutions to achieve diversity and equality of opportunity in all aspects of service delivery, community engagement activity and human resource areas.
6. Support effective consultation and communications with colleagues, clients, councillors, partners and other stakeholders in accordance with council policy.
7. Support open, responsive and accountable government, ensuring good governance compliance with financial and procurement procedures.
8. Manage all aspects of risk and be responsible for the safety of staff, clients and contractors in accordance with all statutory obligations and relevant health and safety policies.

# Specific Responsibilities

1. Provide (and in relation to complex matters assist in the provision of) specialist advice and guidance to the council, external clients, partners, and internal colleagues, on legal aspects of procurements and projects at all stages of the project lifecycle, including in relation to feasibility, business case, payment and performance matters; at each stage contributing to the development of strategy and documentation.
2. Deliver (and in relation to more complex matters assist in the delivery of) legal and commercial aspects of public sector projects and initiatives which the Service delivers for internal and external clients and on behalf of the city region - assessing, recommending and drafting the most appropriate commercial solution and contract, ensuring due diligence and the development, implementation, management and monitoring of risk allocation mechanisms which minimise commercial risks throughout the operational phase of contracts.
3. Draft and negotiate contracts, agreements, orders, notices and related documents (or elements of these as required), ensuring due diligence.
4. Support the delivery of local government change programmes involving the transfer of legal and statutory undertakings.
5. Contribute to the resolution of any contract disputes relating to projects and procurements.
6. Contribute to negotiations and communications on behalf of the council, the city region, and external clients, with bidding consortia their advisers and their lenders at all stages of the procurement process in respect of legal matters. Participate in assessment of bidders and bid evaluations.
7. Assist in providing an effective interface with external legal advisers, and where appropriate financial, technical and insurance advisers, helping to ensure that the council’s commercial and service requirements and sensitivities are understood and properly reflected in procurement and contractual documentation.
8. Assist in identifying, interpreting and advising on risk issues in major projects and complex procurements.
9. Provide legal and commercial advice to procurements at all stages of the project lifecycle, ensuring compliance with statutory, constitutional and governance requirements, supporting a category management approach.
10. Help to ensure that governance processes are in place which enable decision making on procurement activity which minimise the risk of challenge.
11. Contribute to the development and delivery of the category plans and identified aspects of the council’s suite of standard contract terms and conditions, and approach to non-standard conditions, and the advising in respect of the council’s application and allocation of risk in specific procurements.
12. Provide legal advice and support to decision makers in the event of a contract dispute or claim.
13. Support the development (including research) and delivery of training on legal and commercial matters relevant to public sector projects and procurements to a range of internal and external practitioners.
14. Contribute to the management and business planning of the service, including the planning and programming of work, liaison with customers, contribution to new business proposals, continuous service improvement.
15. Advise on and help to ensure compliance with the council’s governance framework, Contract Procedure Rules, relevant legislation, and statutory undertakings; and maintain and contribute to the development of quality accreditations where appropriate for services.

**PERSONAL SPECIFICATION ESSENTIAL REQUIREMENTS:** It is essential that the Candidate should be able to demonstrate the following criteria for the post within the context of the specific role duties and responsibilities: Candidates will only be shortlisted for interview if they can demonstrate on the application form that they meet all the essential requirements.

Method of Assessment will be through one or more of the following Application Form, Test, Interview or Certificate.

1. Solicitor, barrister or FCILEx, holding or qualified to hold a current practicing certificate in England and Wales, or equivalent demonstrable experience
2. Working knowledge and experience of contracts and commercial
3. Knowledge of one or more other areas of law relevant to procurement & projects e.g. public procurement, local government, construction and property
4. Experience of supporting commercial projects and/or procurement
5. Experience of drafting commercial contract terms.
6. Experience of working in a multi-discipline environment to deliver procurements/projects
7. Demonstrate drive, energy, resilience and self- management skills as well as integrity, openness and awareness of others
8. Ability to present information in a clear and concise manner using a variety of presentational formats
9. using a variety of presentational formats
10. Experience of supporting legal aspects of change programmes which reflect service needs, provide value for money, and maintain quality
11. Ability to identify risk and work on your own or in a team to manage risks identified.
12. Excellent communication skills with the ability to influence and negotiate to form positive relationships.
13. Experience of delivering a high level of customer satisfaction with the quality of service
14. Knowledge of performance management and project management methodology

**Core Competencies – all of the following are essential and will be assessed via interview**

**Working as a Team for Leeds**

Provide leadership and team working skills including ability to work with and through others; implements corporate decisions with energy and vigour

**Being Open, Honest and Trusted**

Ensures citizens and council members are provided with all relevant information to make decisions; learns from mistakes and seeks to promote continuous improvement and best practice Interview

**Works with Communities**

Works effectively with a variety of partners organisations to deliver services; communicates and involves stakeholders and the wider community in new developments to encourage ownership and commitment

**Treating People Fairly**

Recognise that everyone has an equally important part to play within the council and valuing the diverse and vibrant nature of the city and all its citizens

**Spending Money Wisely**

Sets high expectations of achievement across a range of strategic outcomes, actively seeks out opportunities to improve delivery of services through partnership and feedback from service users.

Whilst these competencies may relate to this role more specifically for recruitment and selection purposes, following appointment, all members of staff are expected to demonstrate they meet all of our competencies.

# Equality and Diversity

Equality and diversity in the council is about making sure that everyone can fully join in the social, cultural, political and economic life of the city.

The City Council is committed to its value of Treating People Fairly; this includes our staff and the people of Leeds. We will make sure that we do not discriminate against people because of their age, impairment, ethnic origin, nationality, religious belief, social class, gender, sexual orientation, gender reassignment, and marital status, responsibility for dependants, trade union activity or for any other unfair reason.

# Health and Safety

The council believes that ensuring the safety, health and well-being of employees, contractors, service users (including learners) and all others affected by our activities is essential to accomplishing our ambition and values. As a large employer we are committed to being an exemplar for good practice and committing to the wider health agenda by ensuring that work doesn’t contribute to poor health, using the workplace to improve health and well-being, and supporting our workforce to be “Happy, Healthy and Here”. We expect all employees to contribute to their own individual safety and well-being and to that of others who may be affected by their actions.