

JOB DESCRIPTION FORM

Job Title: Director of Legal and Governance (Monitoring Officer)

Job Holder:

Reports to:

(Name & Title) Matt Gladstone, Chief Executive

1. Job Purpose:

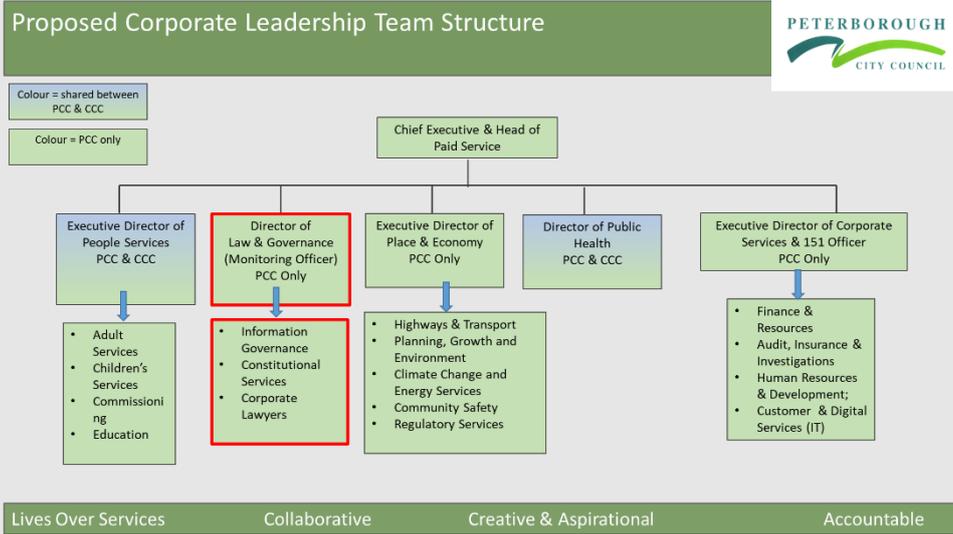
A Corporate Director of the Council and core member of the Corporate Leadership Team (CLT), this role takes collective and shared responsibility for the effective leadership and corporate management of the Council's services and delivery of improved outcomes and the achievement of value for money.

Acting as lead advisor to the Chief Executive and all Elected Members on all matters relating to constitutional services within their portfolio of responsibility, the post is responsible for a range of Council services that includes, but is not limited to:

- Legal Services for Peterborough City Council, Fenland District Council and Rutland County Council (part)
- Local Land Charges
- Scrutiny Officer function
- Democratic and Constitutional Services
- Electoral Services
- Information Governance
- Adviser to Cambridgeshire & Peterborough Police & Crime Panel

The role is the Monitoring officer for the authority and as such ensures that the Council's statutory requirements and democratic processes are delivered efficiently and effectively, and activities are conducted in a lawful and transparent manner.

2. Organisation:



The role is a Tier 2 post reporting directly to the Chief Executive and is a full member of the council's Corporate Leadership Team and has day to day engagement with serving members of the Council.

The services within this directorate all play a central role in contributing to the good governance of the Council. The post holder has responsibility as the Monitoring Officer for ensuring that Peterborough City Council, nor its members or its officers operate in a way that is, or could be, illegal, or amount to maladministration.

The post holder will need to operate in a political environment with a number of different political groups – being aware of and taking into account political considerations when giving advice, yet remaining politically neutral at all times

3. Leadership & Collaboration:

Provide clear, compelling and inspiring leadership to the Council contributing to the delivery of the Council's Purpose, Strategic Priorities, communicating a clear vision and purpose to positively engage others, internally and externally.

Ensure a leading contribution to the development and delivery of the Council's Corporate Strategy, Medium Term Financial Strategy and Workforce Plan. Actively understand the challenges faced by colleagues across the organisation to be able to effectively support all CLT colleagues to deliver their objectives as well as those of the whole council.

Create a high-performance culture by providing strong and motivational leadership to drive continuous improvement, efficiency savings and higher levels of satisfaction for residents of the County. Actively promote the council's priorities and ways of working and the Council's values and behaviours to ensure they are delivered throughout the organisation.

Personally role model and take responsibility for ensuring an effective approach to corporate parenting and safeguarding of vulnerable people is embedded in areas of responsibility.

Develop and implement effective communication and engagement arrangements with service users, stakeholders, communities and partnership agencies to facilitate effective relationships that drive improvements in service delivery.

Lead the development and maintenance of strong and strategic relationships with key external stakeholders in the public, private and community and voluntary sectors, to optimise opportunities for delivering services in partnership wherever this would generate improved outcomes, effectiveness, or efficiency.

Ensure that the Council is able to specifically influence, work with and achieve collaborative benefits and investments, in partnership with the Cambridgeshire and Peterborough Combined Authority, NHS Cambridgeshire and Peterborough Integrated Care System and the Greater Cambridge Partnership and District and City Councils.

As a Senior Responsible Officer (SRO) or Sponsor of major programmes and projects of change and delivery, ensuring effective programme and project management approaches are applied, ensuring delivery to time, budget and plan, managing risks and issues dynamically and ensuring benefits planned are realised.

To perform the role of 'on-call' Executive Director as part of the rota for local resilience and business continuity arrangements.

As a member of CLT, at times, you should expect to deputise for the Chief Executive.

4. Governance:

Fully understand and uphold the Constitution, Scheme of Financial Delegation and Contract Procedure Rules of the Council and ensure that they are followed throughout the directorate as well as that effective strategy, policy and resource considerations are at the heart of decision making so that services are delivered as efficiently and effectively as possible.

Support the democratic process, providing advice to elected members on the appropriate response to local, regional, national and international matters as well as the internal business of the Council.

Champion and lead risk effective management of risk and the active response to audit findings in relation to service delivery and be jointly accountable with others in CLT for the corporate risk register and corporate risk framework of the Council.

Ensures the Council fulfils its duties in relation to standards, complaints and scrutiny, to maintains an open culture of transparency, accountability and ownership, taking responsibility for mistakes, putting them right and learning lessons for future improvement.

Act to protect and improve the overall reputation of the Council, representing the Council at appropriate local, regional and national forums and in the media, as required.

To promote, preserve and protect the health, safety and wellbeing of councillors, employees, service users, contractors and partners in the provision of Council services, ensuring that the provisions of all relevant legislation are achieved, such as the Health and Safety at Work Act 1974.

5. Innovation:

Champion innovation by being open minded to new and radical ways to deliver services, actively seeking out good practice from others to learn from to develop our own service design and delivery.

Promote a culture of continuous improvement by encouraging colleagues to share ideas, take appropriate risks, and recognising innovation.

Champion and embed a performance and quality assurance culture that delivers results through rigorous open challenge, personal accountability and continuous improvement.

6. Equality, Diversity & Inclusion:

Promote an organisational culture that is positive, safe, respectful and compassionate, as well as open to change and feedback enabling everyone to feel empowered and valued.

Act at all times in ways that create an inclusive environment where people can thrive and be empowered to do their best. Role model good behaviour and practice and proactively seek ways to ensure staff feel valued and develop a sense of belonging.

Demonstrate awareness of the diverse needs of our residents to inform the decisions made about the services we deliver and ensuring a robust approach to equality impact assessments and their application to employment, service delivery and policy development.

7. Finance:

- The post holder is directly responsible for an Expenditure £4.858m, Income £0.726m, Net £4.132m
- To continually review and reshape service delivery to achieve financial efficiencies and maximise opportunities for income generation, whilst maintaining the highest standards of service delivery.
- Fully understand and uphold the Constitution, Scheme of Financial Delegation and Contract Procedure Rules of the Council and ensure that they are followed throughout the directorate as well as that effective strategy, policy and resource considerations are at the heart of decision making so that services are delivered as efficiently and effectively as possible.
- The Legal & Governance budgets include budgets for members' allowances. They are also responsible during election periods for additional budget funding from central government for purposes of delivering the election(s).
- In addition, the post holder is indirectly responsible for the whole of the Council's budget is the post holder's responsibility to ensure that expenditure against it follows proper rules of governance, for example by advising on appropriate routes of approval for expenditure, procurement options, approval of exemptions from contract standing orders, etc.

8. Staffing:

The teams fluctuate, and some posts are filled on a temporary basis:

Headcount for the service is currently 70

9. Principal Areas of Accountability:

To fulfil all the statutory Monitoring Officer duties and responsibilities in particularly:

- Maintain an up-to-date version of the Constitution and make sure it is widely available to Members, officers and the public;
- Report to the Council (or the Executive in relation to an Executive function) if any proposal, decision or failure could give rise to unlawfulness or maladministration;
- Promote and maintain high standards of conduct by providing support to the Audit Committee including reports and recommendations;
- Make sure the Executive's decisions (together with the reasons for those decisions) reports, and background papers are made available to the public as soon as possible;
- Confirm whether or not the Executive's decisions are in keeping with the Budget and Policy Framework;

- Give Members advice to take decisions and on maladministration, financial irregularities, guiding principles, and the Budget and major Policy Framework;
- To ensure the provision of high-quality advice (legal & governance) to officers and members to enable them to achieve corporate priorities, and in particular support to Cabinet members and CLT colleagues in this context.
- To be lead legal adviser and ensure provision of timely and pragmatic legal advice which is solutions driven, and incorporates a thorough understanding and assessment of risk – particularly on a range of high profile, high risk, “cutting edge” projects.
- To personally advise Council and Cabinet meetings and other meetings as required.
- To organise, support and record Council, Cabinet and Committee meetings, and provide a range of support to councillors and to the Civic Office, to enable them to fulfil their duties and responsibilities, and contribute positively to the city’s image and reputation.
- To ensure that all areas of the service meet the customers’ needs and deliver services to the highest standards (where appropriate as assessed by external regulators, e.g. Lexcel accreditation)
- To manage the performance of the teams and secure continuous improvement and efficiencies within diminishing resources and changing demands.
- To translate the Council’s strategic priorities into appropriate service plans for the department and oversee the execution, review and improvement of these plans.
- To undertake any other duties and responsibilities (including taking a lead responsibility for particular issues and projects) as may be required by the Chief Executive.

More generally to:

- Lead a high-quality team delivering a broad range of governance to the Council, including legal services, governance, advice and support to the Council members.
- Provide direct management of the Legal Service
- Be a fully participating member of the corporate leadership team driving strategy and performance and identifying and championing the delivery of the council’s vision and strategy with lead politicians, partners, community representatives, CLT colleagues, and all employees.
- To lead a high performing, and continuously improving, strategic and operational Legal & Governance.

10. Areas of Responsibility:

- Provide advice to Cabinet, Committees and Full Council and supporting meetings.
- Strategic/Corporate Leadership Team member, actively contributing to the strategic development of PCC as a whole.
- Lead internal legal adviser on a number of high-profile, high-risk projects.
- Legal Services
- Democratic and Constitutional Services.
- Scrutiny services
- Electoral Services
- Members Services for Civic Office and Mayoral Support
- School admission appeals, exclusion and transport appeals
- Local Land Charges
- Data Protection and Freedom of Information provision

Statutory Responsibility

As Monitoring Officer, the post holder holds personal responsibility and does not report to anyone in this capacity, although is accountable to Full Council (*the role being a statutory role under s5 of the Local Government & Housing Act 1989, and one of the three posts every council is legally required to appoint*).

11. Key Relationships:

Manager (Chief Executive)

- 1:1 meeting monthly.
- CLT meeting fortnightly.
- EDLT meeting 6 weekly
- Annual PDR and mid-year review.
- Regular e-mail, telephone and personal contact and ad hoc meetings as required.

Direct reports

- 1:1 meetings monthly.
- Departmental management team meeting fortnightly.
- Regular e-mail, telephone, personal contact and ad hoc meetings as required.

Other contacts

- Frequent contact from members, including out of normal working hours.
- Frequent requests for advice on a range of issues from officers across the Council (including outside normal working hours where necessary).
- Regular contact with CLT colleagues (at least 2 or 3 times a week) to support their service delivery and strategic issues.
- Regular 'ad hoc' meetings with Leader
- Regular meetings with Cabinet portfolio holders, and Shadow Cabinet portfolio holder.
- Attendance at Cabinet Policy Forums and other meetings requested by Cabinet or Cabinet members.
- Attendance at Scrutiny Committee meetings.
- Contacts with Local Government Association and Government Departments on Legal matters.
- Occasional contact with Peterborough's MPs on issues affecting them or their constituents.
- Representing the authority at external local and national events.

12. Decision Making Authority

- Extensive and significant decision-making authority at an operational, strategic and financial level.
- Wide ranging delegations within the Constitution, and the ability to make decisions within the Chief Executive's delegations, in his absence. The constitution particularly recognises the post holder's statutory role and contains sections on: Functions of the Monitoring Officer.
- Ability to make decisions in relation to teams and service areas, without reference to the Chief Executive but consulting with the Chief Executive as required regarding critical and / or politically sensitive matters.
- As monitoring officer, the post holder is personally responsible and does not report to anyone in this capacity (the role being a statutory role, and one of the three posts every council is legally required to appoint).
- The post holder has greater powers than any member of CLT (including the Chief Executive) or any member of the Council or Cabinet (including the Leader), in respect of Legal/Constitutional matters

13. Person Specification

Essential qualification

- Qualified solicitor or barrister with full practising certificate with a minimum of 5 years post qualification experience, or equivalent.
- Evidence of continuous professional and leadership skill development.

Desirable qualification

- A relevant Postgraduate Level qualification or equivalent and/or relevant compensating experience at a senior leadership level.
- Higher degree and / or professional Qualification – relevant to the requirements of the role.

Knowledge / Experience

Significant and successful experience of:

- Working at a strategic level within a large and complex organisation with comparable scope, responsibilities, budget, and resources.
- Providing balanced strategic advice and guidance in a political setting.
- Leading the delivery of public services with competing priorities and demands often outside of the Council's direct control.
- Operating within a multi-agency delivery model with multiple partners and stakeholders.
- Leading transformational change and creating innovative service models, particularly in response to the demands of an organisation that is undergoing a radical transformation and modernisation.
- Delivering complex projects that have a high degree of external facing challenge and ensuring delivery on time and within budget and outcomes.
- Leading and contributing to strategic decision making, resource allocation and to policy formulation and delivery, adopting a problem-solving culture.
- Delivering creative and innovative solutions to improve the use of resources and achieve value for money across an organisation.
- Establishing a strong performance culture including effective performance measures, evaluation of service quality and the improvement of service delivery to achieve the Council's objectives
- Leading, managing and developing employees to sustain high levels of service delivery, recognising and developing talent.
- Developing and nurturing positive and constructive working relationships with a wide range of customers, stakeholders and partners, maintaining a positive personal and organisational profile.
- Significant experience of the preparation, management and control of budgets for a large, complex organisation, ensuring prioritising and targeting of resources to achieve maximum value for money and income generation.

Role specific:

- Thorough knowledge and understanding of local government and of statutory, regulatory and governance and ethical frameworks.
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- Political and environmental awareness particularly with a detailed understanding of the challenges and opportunities currently facing Local Government and the needs of citizens.
- An understanding of the contemporary public change agenda.
- Awareness of public sector practice, the political environment and PCC's diverse communities.
- Experience of working effectively in a political environment, demonstrating high levels of political awareness, sensitivity, confidentiality and understanding with the ability to translate that into delivering the agendas of the administration and winning the confidence of elected members.

Skills

Ability to demonstrate:

- A comprehensive understanding of the current issues and challenges facing local government as well as the statutory framework governing the sector.
- Skills in understanding and responding to different perspectives and taking a cross-organisational approach, gained by working in a political or similarly challenging environment.
- Proven business acumen and an entrepreneurial mindset to lead the strategic delivery of services and maintain a focus on obtaining best value for money at all times balanced, against the difficult and sensitive challenges faced.
- Ability to lead, develop and sustain effective team, partnership and multi-agency working through strong effective advocacy, influencing and negotiating skills.
- Skills to provide creative solutions to complex problems together with high level analytical, presentational and communication skills.
- Ability to establish and sustain positive relationships that generate confidence, ability and trust.
- Highly developed influencing and negotiation skills to operate at a strategic professional and political level, locally and nationally.
- Understanding of the barriers to organisational and cultural change and the commitment to being a catalyst for change.

Role specific:

- Evidence of policy judgement, political awareness and astuteness.
- Ability to advise members on policy options, determine priorities and to communicate a clearly recommended way forward.

Personal Effectiveness

Ability to demonstrate:

- A clear and strong personal commitment to equality, diversity and inclusion and a track record of developing inclusive services and leading by example.
- Evidence of leading people and services to recognise, respect and value individual needs to achieve a culture of inclusivity.
- Evidence of operating effectively and openly within the democratic process with the political acumen and skills to develop productive working relationships with Councillors that command respect, trust and confidence.
- Personal and professional credibility which commands the confidence of elected members, senior managers, staff, external partners and external stakeholders.
- Leadership by example with a style that empowers others and is open to question and challenge as well as a commitment to continuous self-improvement.
- A commitment to and evidence of successful strategies in managing personal resilience and wellbeing at a leadership level and promoting positive leadership practice, role modelling these behaviours for others.

- Evidence of planning for the future delivery of services, including effective workforce planning for future challenges.

14. Additional Information:

Political Restriction

This post is politically restricted under the Local Government and Housing Act 1989, as amended by the Local Democracy, Economic Development and Construction Act 2009 and the post holder may not have any active political role either in or outside work.