

County Hall
Cardiff
CF10 4UW
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Neuadd y Sir
Caerdydd
CF10 4UW
Ffôn: (029) 2087 2000

#### **AGENDA**

Pwyllgor PWYLLGOR PENODI - PRIF GYFREITHYDD CYFREITHIWR

Dyddiad ac amser

y cyfarfod

DYDD LLUN, 11 CHWEFROR 2019, 1.30 PM

Lleoliad COMMITTEE ROOM 2, COUNTY HALL, ATLANTIC WHARF, CARDIFF

Aelodaeth Cynghorwyr Derbyshire, Mackie, Weaver a/ac Williams (Sedd Gwag)

- 1 Penodi Cadeirydd
- 2 Nodiadau ar gyfer y Pwyllgor Rhestr Hir (Tudalennau 3 4)
- 3 Ymddiheuriadau am Absenoldeb
- 4 Datganiadau o Fuddiant

To receive declarations of interest (such declarations to be made in accordance with the Members Code of Conduct).

#### 5 Cylch Gorchwyl

Cyflawni swyddogaethau'r awdurdod o ran penodi a diswyddo Prif Swyddogion a Dirprwy Brif Swyddogion (fel y'u diffinnir yn Rheoliadau Awdurdodau Lleol (Gorchmynion Sefydlog) (Cymru) 2006) a Phennaeth statudol Gwasanaethau Democrataidd, yn unol â'r Rheolau Gweithdrefnau Cyflogaeth ac unrhyw bolisïau a gweithdrefnau perthnasol y Cyngor.

- 6 Rol Swydd (Tudalennau 5 24)
- 7 Eithrio'r Cyhoedd

Ni chaiff y wybodaeth yn yr eitemau canlynol ei chyhoeddi yn sgil paragraffau 12 a 13 Rhan 4 Atodlen 12A Deddf Llywodraeth Leol 1972.

8 Penodi Prif Gyfreithiwr Ymgyfreitha (*Tudalennau 25 - 182*)

I wneud rhestr fer ymgeiswyr ar ffêr y broses asesu ar gyfer ròl Prif Gyfreithiwr Ymgyfreitha.

## 9 Dyddiad y cyfarfod nesaf.

Fe bwriedir trefnu y cyfarfod nesaf ar ddydd Llun, 4 Mawrth 2019 am 1.30pm

#### **Davina Fiore**

Cyfarwyddwr Llywodraethu a Gwasanaethau Cyfreithiol

Dyddiad: 5 Chwef 2019

Cyswllt: Gill Nurton FF:02929872432 Ebost: g.nurton@caerdydd.gov.uk,,

## NOTES FOR APPOINTMENTS COMMITTEE – LONG-LISTING FOR APPOINTMENT OF CHIEF EXECUTIVE / CORPORATE DIRECTOR RESOURCES / DIRECTORS / ASSISTANT DIRECTORS / CHIEF OFFICERS

- 1. Lead officer to open meeting of the Committee setting out purpose of the meeting and the appointment process, with a reminder of the need to elect a Chair who will reside for all stages of the appointment.
- 2. A Member proposes a nomination for Chair (past practice has been that the Leader be appointed as Chair) which needs to be seconded by another Member of the Committee.
- 3. Lead Officer presents the summary report.
- 4. Chair reminds Committee of the need to offer comments on the long list of candidates based on their personal review of applications (applications having been sent out with this note)
- 5. Agreement is sought on the candidates to be included in the shortlist for the assessment centre.
- 6. Lead officer answers any queries relating to this next stage.
- 7. Chair confirms the outcome of the discussion by listing the candidates to be taken through to the next stage the assessment centre.
- 8. Lead officer to confirm with the Chair and Committee details of the reconvened Shortlist Committee (if not already agreed) and the Appointment Committee.
- 9. Chair concludes the Committee.





## Fair We champion fairness, recognising that with less resource we need to prioritise services for those who need them most.





#### JOB DESCRIPTION AND PERSON SPECIFICATION

Job Title: Principal Solicitor (Litigation) OM2	<b>Directorate</b> : Governance and Legal Services
Section: Litigation	Reporting to: Director of Governance and Legal Services
Grade: OM2	Hours per Week: 37
Post Number:	Number of Employees Reporting to Post: 7
<ul> <li>Special Conditions:         <ul> <li>The job of Operational Manager cannot be satisfactorily undertaken within a fixed working week and some evening and weekend working will be required for proper performance of the duties.</li> <li>This post is politically restricted in accordance with the Local Government and Housing Act 1989 (as amended by Local Democracy, Economic Development and Construction Act 2009).</li> </ul> </li> </ul>	Location of Post: County Hall

#### Job Purpose:

The Principal Solicitor will be responsible for: Undertaking the day-to-day supervision and management of the Litigation Team dealing with criminal and civil litigation (excluding social services litigation); legal work associated with the Council's regulatory, housing, employment, education, and quasi-judicial functions; advice to the Council, Cabinet, Committees, and Directorates on related legal matters; representation of the Council in Court and at Tribunals, hearings, and inquiries; and as requested by the Monitoring Officer, acting as Deputy Monitoring Officer. The postholder will also be a member of the Directorate Management Team.

#### **Duties and Responsibilities**

#### **Job Specific Requirements**

 To supervise, manage, and monitor the performance of the staff and work of the Litigation Team, including criminal and civil litigation (excluding social services litigation); legal work associated with the Council's regulatory, housing, employment, education, and quasi-judicial functions; advice to the Council, Committees, and Directorates on related legal matters; and representation of the Council in Court and at Tribunals, hearings, and inquiries

- 2. To act if required by the Monitoring Officer as the Monitoring Officer's nominated deputy for the purposes of Section 5(7) of the Local Government and Housing Act 1989.
- 3. To act as the Directorate's lead employment lawyer.
- 4. To conduct litigation (both civil and criminal) on behalf of the Council, including acting as the Council's advocate before Courts, Tribunals, hearings, and inquiries.
- 5. To attend and advise, as required, meetings of the Council and its Cabinet, Committees, Sub-Committees, Senior Management Team, and working parties.
- 6. To provide general legal advice to Directorates and officers of the Council, and to associated bodies, companies, and organisations.
- 7. To be a member of the Directorate Management Team.
- 8. If required and able to be the Service Training Principal for trainee solicitors, registered with the Solicitors Regulation Authority.

#### **Corporate Requirements**

- 1. To participate actively in supporting the principles and practice of equality of opportunity as stated in the Council's Equal Opportunities Policy.
- 2. To take reasonable care for the health and safety of yourself and other persons who may be affected by your acts or omissions and to comply with all health and safety legislation as appropriate.
- 3. As a term of your employment you may be required to undertake such other duties and/or times of work as may reasonably be required of you, commensurate with your grade or general level of responsibility within the organisation.
- 4. Although you will be provided with a base, you will be required to work from various locations in accordance with the needs of the role.

DATE COMPLETED:(Recruiting Manager)	AGREED BY:	
Date Received by Post holder:		-
Signature of Post holder:		

Open
We are open and honest about the difficult choices we face, and allow people to have their say on what's important to them and their communities

Fair
We champion fairness, recognising that with less resource we need to prioritise services for those who need them most.

Together

We work with our
communities and partners
across the city to deliver the
best outcomes for the
people of Cardiff

## **Person Specification**

Job Title: Principal Solicitor (Litigation)

**Post Number:** 

#### THE PERSON APPOINTED MUST MEET THE FOLLOWING REQUIREMENTS

Area to be Demonstrated	YOU MUST DEMONSTRATE THAT YOU MEET THESE REQUIREMENTS	Desirable Requirements  YOU DO NOT HAVE TO MEET THESE REQUIREMENTS BUT IF YOU DO, PLEASE TELL US	How Assessed Application Form or Interview or Both
Competencies (as per Behavioural Competency Framework)	<ul> <li>Putting Our Custome</li> <li>Getting Things Done</li> <li>Taking Personal Res</li> <li>Seeking to understan them with respect – L</li> </ul>	<ul><li>Level 4</li><li>ponsibility – Level 4</li><li>d others and treating</li></ul>	Application Form, Interview, Written Test and Presentation
Education & Training	Solicitor or barrister or equivalent qualification with ability to practice.	Management training or willingness to undertake training	Application Form & Certification where required
Experience / Knowledge	Experience and knowledge of administrative law and governance matters within a local government context.  Experience of working with Elected Members.  Experience and knowledge of employment law and Employment Tribunals.  Experience and knowledge of litigation.	Experience and knowledge of criminal law, civil law, licensing and some other regulatory functions of local authorities, housing law, education law, and the quasijudicial functions of local authorities.	Application Form, Interview, Written Test and Presentation
Skills and Abilities	Ability to manage and motivate staff and monitor performance	alen 7	Application Form, Interview,

	Excellent communication skills, both written and oral.  Ability to work as an effective part of a professional team to deliver complex issues  Politically sensitive and able to work closely with Elected Members, Chief Executive, Corporate and other senior managers  Competent IT user  Effective advocate		Written Test and Presentation
Personal Attributes	Commitment to continuous service improvement  Demonstrable leadership qualities and ability to work under pressure to tight timescales and to motivate others to deliver  Commitment to the Council's policies on Equality and Diversity	Be willing to undertake further training	Interview
Special Circumstances	Ability to travel to various locations	Full valid driving licence	Application Form and Interview



# Cardiff Council Behavioural Competency Framework Supporting the Values of the Council



## **Putting our Customers First (Core)**

This competency is about placing the customer at the heart of our activities, listening to them and being prepared to do things differently to meet their needs

Level 1 - What we stand for	Level 2	Level 3	Level 4	Level 5
Stand for  Understand who our customers are  Be polite, helpful and	Seek to understand our customer needs  Asking for customer feedback  Using feedback to inform our actions, priorities and recommendations	Encouraging and supporting others to deliver excellent customer service  Consulting and engaging with community and customer groups to identify customer need  Developing ways of working, processes and structures to achieve continual improvements in customer service	Ensuring that customer views are fully taken into account in the planning of services  Promoting and ensuring working across service areas to improve customer care  Challenging others across the organisation to improve service delivery	Analysing services from the 'customer perspective' to ensure high-quality, timely and flexible  Understanding and guiding others towards early intervention, prevention and the elimination of demand caused by service failure  Putting the customer at the centre of cross-portfolio working and external partnerships: seeks to achieve seamless, efficient and accessible service provision  Using rigorous methods to test, review and enhance the customer experience

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## **Getting Things Done (Core)**

This competency is about the personal, inner motivation, enthusiasm and drive to meet and exceed targets so that we focus on what needs to be done and make it happen

Level 1 - What we stand for	Level 2	Level 3	Level 4	Level 5
Ensuring tasks are completed to high standard and see them through to completion  Contributing to ensure efficient ways of working  Monitoring and checking own progress against requirements	Ensuring own and, where applicable, others' outputs meet requirements  Identifying and communicating priorities to relevant people  Identifying where the right resources and skills are available	Establishing ways of measuring and benchmarking performance  Committing required resources and time to deliver and improve results  Defining and communicating critical success factors for service delivery	Making decisions and setting priorities on the basis of calculated costs, benefits and risks.  Supporting and driving new performance improvement initiatives  Seeking, identifying and taking actions to overcome organisational barriers to deliver improved results  Recognising and acknowledging the performance of others	Ensuring that performance is focused on continually improving outcomes for customers and the city region as a whole  Engaging with internal and/or external partners at a strategic level to ensure that performance is optimised.  Taking necessary actions and making hard choices to ensure results are delivered.  Identifying and resolving systemic or structural barriers to performance.  Establishing a culture of achievement and a shared commitment to exceed targets

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## Taking Personal Responsibility (Core)

This competency is about being consistent with our own values and those of the council, and demonstrate a commitment to support change and see it through.

Level 1 - What we	Level 2	Level 3	Level 4	Level 5
stand for				
Being consistent and fair in dealings with others	Continuing to deliver when faced with tough circumstances, uncertainty,	Challenging established practices where they are not consistent with fairness and	Challenging powerful individuals to behave in a way that models the	As a visible leader, modelling and promoting values in all activities and
Rectifying errors and seeking appropriate guidance and	difficulty or change.	openness.	organisational values	interactions
support to correct them	Supporting and encouraging others to deal with	Speaking out even when it jeopardises a trusted or	Actively promoting and driving an organisational	Retaining the highest standards of honesty,
Sharing of all relevant information with others	uncertainty, difficulty or change	valuable relationship	commitment to public service	integrity and respect during periods of significant
	Encouraging others to be	Seeking to turn difficult situations around	Ensuring sharing of all relevant information across	pressure and difficulties
	fair, open and honest		the organisation	Providing values-based leadership for the
			Ensuring organisational practices are transparent	development and maintenance of city-region and partnering arrangements

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## Seeking to understand others, and treating them with respect (Core)

This competency is about demonstrating an understanding of others and valuing their contribution and viewpoint even if it may be different from your own

Level 1 - What we stand for	Level 2	Level 3	Level 4	Level 5
Asking about others' views and feelings, and actively listening and acknowledging these  Acknowledging and considering the different views and ideas of others  Checking own understanding of how others feel	Questioning others to understand their viewpoint and take them into account  Seeking to understand, the reasons for others actions and views  Encouraging others to consider the impact of their actions	Shaping the environment to ensure others feel positive and conflict is minimised  Addressing and changing things when the behaviours of others is disruptive  Seeking and taking opportunities to create and support forums where people can express their views and concerns	Assessing the strengths and development areas of others, aligning their strengths to the demands and requests made of them  Seeking to understand the source of negative emotions within and external to the organisation  Identifying and taking action to pre-empt situations where strong emotions will be aroused.	Building positive relationships with others in challenging and complex circumstances  Understanding and responding to the political, financial, reputational and other factors that influence the behaviour of senior people  Recognising and taking action to resolve cultural or systemic causes of conflict, misunderstanding or lack of collaboration  Modelling consistently collaborative, supportive and respectful behaviour towards others

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#### **Developing Potential**

This competency is about identifying and growing talent to ensure we have the capability needed for the future Level 1 - What we Level 2 Level 3 Level 4 Level 5 stand for Supporting others to acquire Predicting changing Supporting others' to identify Promoting and encouraging their development needs and staff development across the organisational needs and the skills needed for the taking action to ensure find ways to meet these future in the short, medium organisation needs and long term people are fully equipped to Ensure a resource pool to meet them Actively supporting others to Giving positive and meet longer-term talent develop understanding requirements Taking a visible and constructive feedback proactive role to and/or skills Actively looking for and Develop others to equip them development high quality Mentoring others and sharing taking opportunities to coach for leadership roles leadership and management skills across the organisation knowledge to improve and mentor others performance Understanding and nurturing the skills and behaviours required to optimise partnering arrangements

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## **Leading Change**

This competency is about taking responsibility for change, encouraging initiative and making the Council's objectives real and relevant for others

Level 1 - What we stand for	Level 2	Level 3	Level 4	Level 5
	Promoting and being positive about change  Seeking opportunities for self and others to contribute to change  Helping others to understand the reasons for and the process of change	Setting out and communicating the vision and the rationale for change  Looking for ways to support and contribute to successful change  Enabling and supporting colleagues and stakeholders to deal effectively with change	Simplifying a complex or confusing message to provide a clear vision that others are able to buy into and act upon  Following through on change to ensure it is fully embedded in the organisation, the benefits are realised and lessons learnt for future change.  Creating and promoting a culture and environment in which change is managed effectively and sensitively, to increase the likelihood of buy-in and success	Creating a coherent vision, aligning and integrating many different change initiatives and programmes  Testing and evaluating the longer-term and strategic impact of change programmes  Ensuring that structures and resources are in place to effectively lead and manage change programmes  Championing change and securing buy-in from senior players internally and externally  Demonstrating consistent drive, resilience and agility during challenging periods of change

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## **Initiating Change and improvement**

This competency is about having the ability to look ahead, anticipate events, see opportunities and take action now to shape the future

Level 1 - What we stand for	Level 2	Level 3	Level 4	Level 5
Seeking and taking opportunities to improve Being flexible and open to changes Being cooperative when change impacts upon you	Using knowledge and experience to proactively put forward suggestions for improving  Dealing with the unexpected and adapting readily to change.  Identifying and taking action to head off potential problems	Encouraging, promoting and supporting new ideas  Constantly encouraging self and others to look for improvements in methods, approaches and ways of working  Identifying and implementing new approaches to improve	Looking for long-term opportunities that will create positive changes and taking action to make these a reality Identify new and bold ideas to respond to opportunities that lie ahead.  Actively use internal and external data and trends to add value for the customers and the council  Develop clear direction on how the organisation can improve	Recognising when only radically different models of delivery will secure the desired outcomes  Being creative and thinking without boundaries: challenging narrow views and deep-rooted resistance  Taking action to quickly translate initial ideas into tangible results when speed of execution is essential  Identifying when 'good ideas' do not fit with the bigger picture or strategic intent

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## **Organisational Awareness**

This competency is about understanding formal and informal structures, decision-making, climate and culture and organisational politics, which shape how the council works

Level 1 - What we stand for	Level 2	Level 3	Level 4	Level 5
		Identifying and challenging organisational limitations, where applicable  Identifying both formal and informal sources of influence and using this knowledge to build relationships with key decision makers/influencers  Recognising the reasons for on-going organisational behaviour	Acknowledging and responding to internal and external forces affecting the organisation  Spotting trends and changes —both internal and external — that will affect the organisation in the future.  Forming and maintaining relationships with key provincial and national institutions, bodies and individuals to protect and enhance the council's position	Identifying and optimising decision-making processes in city region and other partnering arrangements  Sustainably exerts influence within a variety of different working arrangements e.g. city region, private sector partnerships, etc.

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## **Partnering and Corporate Working**

This competency is about	This competency is about valuing, building and maintaining networks and relationships to achieve objectives							
Level 1 - What we stand for	Level 2	Level 3	Level 4	Level 5				
Actively participating as member of a team  Proactively sharing information and ideas openly within own team  Supporting others to complete tasks	Identifying and building effective and collaborative working relationships  Proactively sharing information and ideas openly with all relevant teams  Acknowledge different stakeholder priorities and take them into account	Proactively maintaining a network of internal and external colleagues to enable service improvement and service delivery  Promoting and forming cross-functional teams to deliver results and improvement  Working collaboratively to gain buy-in and agreement towards a common goal	Promote and lead partnership and corporate working, across and outside the organisation  Using depth and breadth of contacts to build alliances for wide and far reaching change  Managing complex relationships, internally and externally, to establish common goals and develop mutual commitment to positive outcomes	Forging and continually developing a complex network of senior-level relationships to optimise the productivity of the city region  Focusing on desired outcomes and defining which types of partnering arrangements will best achieve them  Ensuring the right-strategic partnerships are in place to optimise the use of public sector resources in a climate of austerity  Unlocking the key strategic barriers to partnership and collaboration  Exploiting the use of commercial partnerships and ventures, whilst effectively accounting for the risk factors				

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## Communicating

This competency is about facilitating and communicating all kinds of information and messages to different audiences in the most effective way

Level 1 - What we stand for	Level 2	Level 3	Level 4	Level 5
Communicating clearly and effectively  Actively listening to other  Sharing information and knowledge with others.	Taking technical or complex information and turning it into clear oral or written communications  Producing communications that are focussed tailored and easily understood by the intended audience.  Capture and share useful information and feedback	Selecting most appropriate communication styles, approaches and channels  Communicating challenging and contentious messages with openness  Responding openly to challenges and addressing concerns	Communicating appropriately in response to a crisis or unexpected event where preparation time may be limited.  Clearly articulating highly complex, strategic and conceptual information to others in a meaningful and relevant way  Creating an environment and culture that encourages open, honest, timely and effective communication	Communicating and influencing effectively in critical internal and external environments  Interpreting accurately what has been said/not said in senior level discussions and negotiations: explores the important subtle messages  Positions the Council clearly and credibly when outlining its position  Conveys the right messages in the right places to secure the desired outcomes

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#### **Analysing, Problem Solving and Decision Making**

This competency is about gathering key information, recognising risks, evaluation, decision-making to support best practice Level 1 - What we Level 2 Level 4 Level 3 Level 5 stand for Making reasoned decisions Exploring a variety of options Investigating and evaluating Anticipating and assessing Looking beyond the in order to effectively solve long-term and strategic risks, based on evidence options when making immediate issues and problems and make decisions whilst anticipating addressing them and helping placing them within Taking a logical approach to reasoned decisions. and assessing short and others to recognise and the context of the Councils problem solving. medium term risks address them. strategic direction Anticipating the impact that Seeking to ensure all known Ensuring solutions to decisions will have on others Creating an environment and Promoting and nurturing key information is gathered complex problems are culture in which people make joined-up decision-making and taking this into account and implementing solutions. realistic and workable. decisions and take ensures key people are communicating and aligning responsibility for them. Using appropriate Following through on their efforts approaches or tools to solutions / decisions, until Taking appropriate steps to gather all relevant Undertaking complex closure or resolution, to communicate and deal with the impact of decisions on strategic analyses and information in order to take a ensure they are understood colleagues, customers and/or decision and/or solve a and implemented by others presenting the options to senior politicians in an problem partners accurate and balanced way Foreseeing and managing the longer-term implications and potential unintended consequences of key strategic decisions

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#### **Equality and Diversity**

Removing discrimination and barriers to fair access to Council employment and services on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation or Welsh language. Recognising, valuing and celebrating difference, and being able to work together to create a vibrant, diverse, just, cohesive and decent society where everyone can enjoy their human rights and achieve their potential

Level 1 - What we stand for	Level 2	Level 3	Level 4	Level 5
Follow equality policies, procedures and legislation  Treating others with dignity and respect  Acknowledging the value of differences between people	Promoting the importance of equality and valuing diversity in the workplace and in service delivery  Acknowledging and communicating that every employee has a role to play in making the Council an Employer of Choice and a successful deliverer of services to diverse communities	Identifying and ensuring good equality and diversity practice and remove barriers.  Ensuring that equality and diversity are always actively considered when introducing a new activity, policy or decision  Supporting others to consider and deliver good practice	Promoting and ensuring a culture in which equality and diversity is valued through fair and just service delivery and employment.  Advocating and championing equality and diversity within the organisation  Engaging equalities communities and stakeholders, and involving them in shaping Council policies and practices	Challenging and testing services to ensure that commitments to equality and diversity are being robustly implemented.  Putting systems in place and using them to evaluate the degree to which services are securing improved outcomes in the lives of all service users: taking action to tackle all aspects of inequality.  Challenging and improving the culture and processes of the organisation; ensuring that the potential of all employees is identified, nurtured and fully realised.  Working together with partner organisations to cohesively achieve improving strategic equality and diversity outcomes.
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## **Optimising Resources**

Leading and creating a culture where resources are effectively deployed, efficiently managed and used creatively to deliver the best outcomes for the city and region.

Level 1 What we stand for	Level 2	Level 3	Level 4	Level 5
			Providing higher-level guidance and advice to managers regarding the efficient deployment of resources  Taking responsibility for developing skills and attitudes that promote the effective use of resources  Encouraging a creative culture, where people look for novel or adapted ways to deliver excellent results more efficiently  Taking difficult decisions about services with the priorities of customers being paramount	Giving strategic direction to senior colleagues about where to invest, to disinvest and to save: clarifies the big picture context (in line with Cabinet priorities)  Demonstrating commercial/acumen; fully understanding the financial and other factors of potential ventures  Establishing a culture of accountability where resources are efficiently and carefully managed across all services  Utilising regional and other partnerships and collaborations to optimise resources  Encouraging and supporting efforts to attract new or increased income streams

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### **Demonstrating Political Acumen**

Working effectively within the context of a member-led authority; understanding political priorities for the city region and establishing a position as a trusted and impartial advisor. Helping senior politicians to 'test' and fully appreciate the best ways to implement agreed priorities and commitments.

Level 1 What we stand for	Level 2	Level 3	Level 4	Level 5
-	-	-	Understanding key political decision-making processes and engaging with them appropriately	Understanding the priorities of the Cabinet and translating these into action in the organisation
			Ensuring the production of clear, accurate and timely responses to member enquiries	Offering clear and accurate advice to senior politicians, highlighting the benefits, risks and implications of key strategic choices
			Deputising for the relevant Director and providing robust guidance to senior elected members	Being aware of political sensitivities, whilst retaining non-political objectivity
			Ensuring that managers and staff engage appropriately and effectively with elected members	Keeping politicians informed in a timely and proactive manner; avoiding unnecessary surprises
				Understanding and making sense of the local, regional and national political agendas

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