

AGENDA

Pwyllgor PWYLLGOR PENODIADAU - PRIF GYFREITHIWR (

YMGYFREITHIAD) RHG2)

Dyddiad ac amser

y cyfarfod

DYDD MAWRTH, 20 CHWEFROR 2024, 9.30 AM

Lleoliad YSTAFELL GYNADLEDDA'R - LEFEL 5, NEUADD Y SIR, GLANFA'R,

CAERDYDD

Aelodaeth Cynghorydd

Cynghorwyr Ferguson-Thorne, Merry, Robson, Shimmin a/ac Weaver

1 Penodi Cadeirydd

Ethol Cadeirydd ar gyfer y cyfarfod.

2 Ymddiheuriadau am Absenoldeb

Derbyn ymddiheuriadau am absenoldeb.

3 Datgan Buddiannau

Derbyn datganiadau buddiannau i'w gwneud yn unol â'r Cod Ymddygiad Aelodau

4 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.

5 Eithrio'r Cyhoedd

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

6 Penodi Prif Gyfreithiwr (Ymgyfreithiad) RhG2 (Tudalennau 3 - 86)

Llunio rhestre hir o ymgeiswr a gyfer penodi Prif Gyfreithiwr (Ymghfreithiad) RhG2

Dyddiad y cyfarfod nesaf. 7

12 Mawrth 2024 am 9.30 am (rhestr fer)

D Marles

Swyddog Monitro Dros Dro

Dyddiad: Dydd Mercher, 14 Chwefror 2024

Cyswllt: Kate Rees, 02920 872427, KRee@caerdydd.gov.uk



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	Directorate : 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: 9
 Special Conditions: 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. 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). 	Location of Post: The service operates a hybrid working model which enables employees to work from home or in an office base which is currently County Hall, Cardiff Bay.

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. The postholder will also be a member of the Directorate Management Team.

Duties and Responsibilities

Job Specific Requirements

1. 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

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- 2. To act as the Directorate's lead employment lawyer.
- 3. 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.
- 4. To attend and advise, as required, meetings of the Council and its Cabinet, Committees, Sub-Committees, Senior Management Team, and working parties.
- 5. To provide general legal advice to Directorates and officers of the Council, and to associated bodies, companies, and organisations.
- 6. To be a member of the Directorate Management Team.
- 7. 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. To, as a statutory duty, adhere to the Council's Corporate Safeguarding Policy and associated policies and procedures and to report concerns regarding the safety and wellbeing of children or adults at risk. In order to support you in this, you are required to access safeguarding training at the level which is relevant to this post.
- 4. 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.
- 5. 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:		



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)	 Putting Our Customers First – Level 4 Getting Things Done – Level 4 Taking Personal Responsibility – Level 4 Seeking to understand others and treating them with respect – Level 4 		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 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. Awareness of and interest in administrative law and governance matters within a local government context.	Application Form, Interview, Written Test and Presentation

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Skills and Abilities	Ability to manage and motivate staff and monitor performance. 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	Experience of working with elected members. Experience of managing employees.	Application Form, Interview, 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	Level 2	Level 3	Level 4	Level 5
stand for				
Understand who our customers are Be polite, helpful and considerate and take time to listen to customers Work with colleagues to help meet customer needs	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 Rectifying errors and seeking appropriate guidance and	Continuing to deliver when faced with tough circumstances, uncertainty, difficulty or change.	Challenging established practices where they are not consistent with fairness and openness.	Challenging powerful individuals to behave in a way that models the organisational values	As a visible leader, modelling and promoting values in all activities and interactions
support to correct them Sharing of all relevant information with others	Supporting and encouraging others to deal with uncertainty, difficulty or change	Speaking out even when it jeopardises a trusted or valuable relationship	Actively promoting and driving an organisational commitment to public service	Retaining the highest standards of honesty, integrity and respect during periods of significant
	Encouraging others to be fair, open and honest	Seeking to turn difficult situations around	Ensuring sharing of all relevant information across the organisation Ensuring organisational practices are transparent	pressure and difficulties Providing values-based leadership for the development and maintenance of city-region
			practices are transparent	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	Level 2	Level 3	Level 4	Level 5
stand for				
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	valuing, building and main	taining networks and relation	onships to achieve objectiv	/es
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 impore equality and valuing in the workplace and service delivery Acknowledging and communicating that employee has a role in making the Counce Employer of Choice successful deliverer services to diverse communities	diversity d in every e to play cil an and a	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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