



**LONDON BOROUGH OF MERTON**  
**CORPORATE SERVICES DEPARTMENT**  
**JOB DESCRIPTION**

<b>POST TITLE:</b>	Advocate
<b>Grade:</b>	MGA
<b>Department:</b>	Corporate Services
<b>Location:</b>	Various offices and courts according to the needs of the service
<b>Responsible to:</b>	Practice Lead and Team Manager, Social Care and Education Team
<b>Responsible for:</b>	
<b>Post number:</b>	<b>Date: October 2014</b>

**MAIN PURPOSE**

- To deal with analysis, research, drafting, advice and advocacy arising within the Social Care and Education Legal Team. To have the conduct of trials ranging from 1 to 10 days in duration. Under the strategic direction of the Practice Lead, Social Care and Education Team to undertake all advocacy primarily in child care matters and to ensure the provision of a high quality, efficient, cost effective and customer focused service. To contribute to the financial and business management of the Social Care and Education team.
- To appear as the Council's advocate at preliminary, unopposed and complex contested hearings ranging from 1 day to 10 days duration in the Family Court and High Court in child care and adoption proceedings and at other tribunals and courts as required in non-child care proceedings with minimum supervision.
- To incorporate changes to practice within the Social Care and Education team as a result of statutory, policy or other changes and in so doing to recognise and report any budgetary or resource implications and to ensure value for money is achieved.
- To ensure the provision of a high quality, efficient and cost effective service by:
  - implementing and maintaining quality and practice and performance management standards and systems so as to enhance the reputation and where relevant the income generation of Legal Services and to meet performance targets;
  - developing and maintaining good working relationships with client officers and senior managers to ensure client needs are fully met and to secure continuous improvement in service delivery as may be necessary to meet the Council's priorities and objectives;
  - playing an active role in developing and delivering training to client officers and members of the Council and provide advice bulletins and guidance notes;

- monitoring and maintaining the documentation and procedures used by the team;
- participating in meetings, cross departmental working groups and/or leading on project teams.
- To work in compliance with Council procedures and as directed by the Practice Lead and Team Manager Social Care and Education team.
- To manage resources effectively so that service levels can be met within defined budgets and, where possible, improved.
- To work closely with other senior managers to ensure integrated provision of services, where appropriate.
- To ensure the sharing of best practice within and between service areas.

## **MAIN DUTIES AND RESPONSIBILITIES**

- To be responsible for the provision of advocacy in complex contested child care proceedings, including representation at short notice in emergency hearings, ensuring that work is reflective of best practice, is of a high professional standard and is cost effective.
- To develop and obtain knowledge in Special Education Needs Tribunals and Adult Social Care and be responsible for the provision of advocacy if appropriate.
- To be able to enter complex negotiations, provide innovative, creative advice to clients in a pressurised environment.
- To prepare and process the more complex and sensitive documents relevant to care proceedings before all levels of court, including the evaluation of evidence and to provide advice and guidance in respect of complex areas of law and practice to other team members and client departments as appropriate.
- Advising on the Department's statutory duties and powers relating to children including dealing with:
  - Judicial review claims
  - access to records and Data Protection
  - immigration issues
  - complaints issues and procedures
  - criminal injuries compensation
  - child protection
- Advising on complex policies and procedures relating to the Councils' child care functions.
- Support the Practice Lead and Team Manager, Social Care and Education in maintaining liaison with senior managers in the client departments.



- Support the Practice Lead and Team Manager, Social Care and Education in the provision of training to clients on child care matters.
- Act as a liaison with the local judiciary and family justices (magistrates) in relation to local practice and changes in policy/procedure.
- To maintain an up to date and detailed knowledge of the law and practice relating to child care proceedings and to give guidance and to provide training to less experienced team members to assist them with the effective discharge of their advocacy duties and also to staff at all levels within client departments particularly in relation to court, inquiry or tribunal procedure and etiquette.
- To carry out legal research of a complex nature and to ensure this is shared with every team member to assist in the effective discharge of their duties and where appropriate is contained within a general advice note for the benefit of client departments and/or forms part of client department training.
- To acquire and maintain an up to date knowledge of the law and practice relating to the other areas of specialism of the Social Care and Education Team.

**LONDON BOROUGH OF MERTON  
CORPORATE SERVICES DEPARTMENT  
PERSON SPECIFICATION**

**POST TITLE:** Advocate  
**Grade:** MGA  
**Date:** October 2014

### **Qualifications and Experience**

- Qualified barrister or Solicitor with higher rights of audience
- Significant experience of undertaking advocacy at all levels of court including higher court advocacy, including contested hearings requiring the cross examination of witnesses in court
- Specialise knowledge of English law and practice in relation to child protection and adoption. An ability to acquire and maintain knowledge in relation to community care and education
- Ability and experience in working closely with other advocates and in a team to ensure service is delivered to the highest standard
- Highly developed negotiating and listening skills with various groups of people and in a variety of different settings, including some of which may potentially end in conflict
- Excellent research and problem solving skills with ability to convey complex legal and factual issues to various audiences.
- Excellent research and IT skills including the ability to use a case management system
- Awareness of current issues relevant to local authorities, ability to assist in delivering the Council's corporate objectives and to operate effectively within a corporate context

### **Personal requirements**

- Excellent customer care skills
- Excellent communication skills both written and verbal
- Excellent presentation skills
- Good numeracy and analytical skills



- A team player with the ability to share knowledge with team members and actively engage in the provision of a high quality service
- Understanding of the principles of value for money and an ability to apply them in the management of support services
- An ability to use expert legal opinion to provide practical and innovative solutions to complex legal, contractual and service delivery issues
- Proactive, customer focused and solutions led
- A visible operator with high levels of personal integrity and robustness
- Resilient, committed , remaining composed under pressure
- Clear understanding of the ways in which the council's policy of equality in employment and service provision can be reflected in all aspects of work of the team
- Ability to travel to client offices and courts wherever the client's case is being considered.
  
- To work outside of normal office hours and at various locations within and outside the London Borough of Merton as required by the needs of the service.
- To achieve the chargeable hours target per annum and to record non-chargeable hours to meet annual time recording targets.
  
- To comply with the requirements of the Council's policies and procedures including the Code of Conduct, financial regulations, tenders and contract regulations, health and safety, equalities and information governance.
  
- Where required to be assigned to work in another specialist legal team in order to meet the needs of the Council, subject to the post holder demonstrating the required level of knowledge, skills and experience or an ability to gain such knowledge, skills and experience.