

Job Description and Person Specification

Tenancy Enforcement Litigation Officer

A Lambeth to be proud of



Job Title: Tenancy Enforcement Litigation Officer
Grade: PO4
Department: Lambeth Housing Services
Division: Resident Services
Business Unit: Tenancy Enforcement Team
Reports to: Head of Tenancy Enforcement Team
Responsible for: NA

Main purpose of post

The post holder shall work as part of a specialist team:

1. Advising the Council on high-level complex legal and factual matters with major implications for contracts/relationships between the Council; consultants; contractors, as well as, for the Council's financial resources across Residential Services.
2. Representing the Council's financial interests and reputation in challenging, and sometimes novel disputes across a multitude of subjects requiring creative, innovative and flexible solutions – which are likely to have substantial impact on the Council's financial resources; service delivery and/or policy.
3. Monitoring, evaluating and advising on risk exposure; compliance; policies; legislation; service practice and/or provisions affecting Residential Services, as well as, making recommendations for improvements/efficiencies and guiding implementation.
4. Making decisions that have a major impact on Residential Services' provisions; resources; revenue; tenants; leaseholders; related organisations and other members of the public, together with trusted responsibility for financial resources, allocation and management within Residential Services.
5. Managing regularly conflicting priorities and deadlines, as well as, travelling to and attending various County Courts and Magistrate Courts and working remotely from, disagreeable and/or difficult surroundings/conditions – as required.

The post holder will be expected to apply their own knowledge and discretion across highly complex, new and diverse problems (in accordance with Council policy and procedures), which require advanced/high level skills and excellent working knowledge of the Council's IT, as well as, high-level specialist & up-to-date knowledge/experience of statute; relevant case law; landlord & tenant matters; the Civil Procedure Rules; court and litigation processes; property law. They will also be expected to have confidence on their feet whilst advocating for the Council in legal proceedings & mediations.

The post holder will manage their own individual caseloads, as well as, advise on directorate-wide policies/provisions/practices. They will be required to make decisions with significant implications for the Council's financial interests and reputation, as well as, for engagement with tenants/leaseholders/freeholders; related organisations and the public.

In addition to do all of the above, the post holder will be committed to equality and diversity, ensuring at all times that the Council's core values, expectations and service standards are promoted and upheld.

Principle Accountabilities

- Draft formal/complex Court documents, applications and prepare legal bundles.
- Advocate for/represent the Council in legal proceedings before the County Courts and Magistrate Court.
- Ensure the litigation process is in line with statute, best practices and Council's standards and skilfully negotiate claims/disputes to a successful outcome.
- Conduct factual investigations, as well as, procedural and legal research using specialist practitioners' textbooks, resources & databases (*Westlaw; LexisNexis; Thomas Reuters' Practical Law & The White Book*)
- Work with the Head of Tenancy Enforcement Team to monitor and evaluate policies and service practices affecting the whole directorate, as well as, suggest and manage implementation of recommended changes.
- Deal with complex, technical disputes, challenges and members' enquires.
- Monitor the Pre-Action Protocol and Court Issue Process.
- Ensure all queries are dealt with and resolved by the appropriate teams; work with other teams to ensure joined up practice and providing innovative, holistic solutions.
- Negotiate, liaise and correspond with tenants, leaseholders and freeholders including their representative associations, TMO (Tenant Management Organisation) and RMO (Resident Management Organisations)
- Providing training and upskilling to staff across the directorate.
- Instructing external experts; solicitors and/or barristers as necessary.
- Report on performance daily and work to KPIs.

Stakeholder Engagement and Partnerships

- Prioritise a customer-focused and satisfaction led approach
- Innovate new work processes; implement novel practices and trial new technology to ensure efficiency and collaboration.
- Foster strong inter-departmental partnerships and working relations across the Council; key internal/external contacts, colleagues and consultants.
- Inspiring confidence in senior management; Council Leaders and Homeowners.
- Produce justification reports and briefing notes
- Dealing promptly with all Members', internal and external enquires – ensuring adherence to the Council's service level agreements (SLAs).

Generic Responsibilities

- Deputise for the Head of Tenancy Enforcement Team as and when required.
- Successfully balance and prioritise constant change and conflicting priorities and deadlines.
- Forensically analyse and apply legal principles/knowledge with sound practical judgment to resolve challenging/complex legal/non-legal problems.
- Assess the merits potential claims and providing clear, comprehensive advice.
- Perform in line with targets and Key Performance Indicators (KPIs).
- Take personal ownership of problems/cases until resolution.
- Maintaining accurate records
- Be adaptable in the face of unforeseeable changes, obstacles and challenges.
- Take responsibility, appropriate to the post, for ensuring compliance with Council policies and procedures aimed at promoting and safeguarding the welfare of vulnerable children and adults.
- To carry out the duties of the post in accordance with the Data Protection Act, the Computer Misuse Act, the Health and Safety at Work Act, and other relevant legislation, as well as Council policies, procedures, standing orders and financial regulations.
- Always promote and adhere to the Council's Equal Opportunities Policy and tackling all forms of racism and all other oppressive and discriminatory practices.
- To encourage community cohesion and give practical meaning to the Council's policies on equalities and the staff code of conduct.

Other:

- Being able to deal with confrontational/aggressive customers in a calm, professional and respectful manner, always.
- Ensuring the safety and security of individuals and the team when in public environments and/or serving formal legal documents.
- Be prepared to work outside of normal hours and/or Work from Home and disagreeable or difficult surroundings/conditions as necessary.
- To actively promote and uphold the Council's code of conduct, values, priorities and service standards.
- To undertake other duties appropriate to the grade as directed by management.

PERSON SPECIFICATION

Tenancy Enforcement Litigation Officer (PO4)

Job Title: Tenancy Enforcement Litigation Officer It is essential that in your written supporting statement you give evidence or examples of your proven experience in each of the short-listing criteria marked Application (A) You should expect that all areas listed below will be assessed as part of the interview and assessment process should you be shortlisted. If you are applying under the Disability Confident scheme, you will need to give evidence or examples of your proven experience in the areas marked with a "Tick" (✓) on the person specification when you complete the application form.			Shortlisting Criteria
<i>For link/career graded post, please mark knowledge, experience, and behaviours clearly for each grade.</i>			
Qualification	Q1	Relevant legal / professional qualification	✓A
Key Knowledge	K1	Detailed knowledge of the pertinent Landlord and tenants Acts, Housing Acts, local Government, Finance and Data Protection acts and how they relate to the public sector leasehold / freehold management and service charges.	✓A
	K2	High-level, specialist & up-to-date knowledge/experience of statute and relevant case law relating to service charges; landlord & tenant law; the Civil Procedure Rules; court and/or litigation processes	A
	K3	Broad knowledge and awareness of current issues and developments affecting the management of council housing and/or landlord & tenant issues	✓A
	K4	An excellent working knowledge of the Court process; procedural rules and the operation of the First Tier Tribunal (Property Chamber)	✓A
	K5	Firm understanding and application of legal principles relating to Land law; principles of equity & construction of leases/contracts	
	K6	Ability and knowledge of logical, legal and/or deductive reasoning, as well as, the ability to construct factual/legal hypotheses and arguments	
	K7	Knowledge and experience in using legal practitioners' textbook, resources and databases	

Relevant Experience	E1	Proven experience in litigation, advocacy and/or tenancy/leasehold/freehold management and practice	✓A
	E2	Familiarity with dealing with ASB and other breach of tenancy	
	E3	Solid experience of managing Court, tribunal and arbitration cases and of representing organisations in these processes	
	E4	Experience of creativity and innovation in both dealing with problems and implementing modern work practices and procedures	
	E5	Experience of working within a large, complex, customer-focused organisation, of working to performance targets and deadlines and of managing workload to meet targets	
	E6	Experience of liaising with resident, homeowner or comparable stakeholder groups and of liaising with bodies such as resident or consumer organisations, advice services such as the CAB, and preferably with councillors, MPs and other elected officials	
Core Values and Behaviours		<p>Equity</p> <ul style="list-style-type: none"> • Listen to the views of others and ask for their opinions making sure that everyone in my team inputs into the things that matter. • Ensure fairness and justice is at the heart of my decision making and support to my team and others. • Take time to build trust, building the respect of our stakeholders and ensuring as a team we take accountability for doing what we agree to do. • Develop others and ensure we work as one team for Lambeth, encouraging everyone to play their part • Take positive action to ensure everyone in my team has opportunities to learn and grow at work • Encourage everyone to be themselves at work and value who they are • I am inclusive and actively celebrate diversity, recognising everyone in my team as individuals. 	
		Kindness	

		<ul style="list-style-type: none"> • Treat each member of my team with respect and dignity just as I would want for myself. • Encourage each member of my team to do their very best work and am available to them to provide support and guidance. • Personalise my support to each team members and look out for them, lending a hand wherever I can • Encourage everyone to try and learn from mistakes and use integrity to take action with my team to put things right together • Work with empathy seeking to understand each and every member of team, their unique perspective and circumstances and ensure everyone is heard • Take the time to communicate, being honest, open and genuine and taking the time to get to know team members as individuals. • Show compassion and patience recognising that everyone in the team has unique experience and celebrating the great work they do for Lambeth. • Look after the health and wellbeing of my team members and encourage open and regular discussions about the issues that impact on them, working together to find solutions. 	
		<p>Accountability</p> <ul style="list-style-type: none"> • I encourage and support my team to do the right thing even when it's tough and we communicate our decisions in a timely way • I ensure my team and employees take individual and collective accountability for performance and delivery, making sure that they have clear plans and performance objectives. • I ensure my team plan ahead, getting the basics right and take swift action when problems arise • I encourage my team to be risk aware and ensuring that our decisions and actions are informed and understood and communicated to others. • I provide regular, timely and constructive feedback to my team members on their 	

		<p>performance and behaviours and act quickly when performance is not on track.</p> <ul style="list-style-type: none"> • I share my learning, knowledge and skills with others thorough coaching and mentoring and encourage others to do the same. • I ensure that my team and I put residents, communities, customers and their needs at the centre of everything we do. • I encourage my team to learn and grow and ask questions to find the information they need to do their jobs 	
		<p>Ambition</p> <ul style="list-style-type: none"> • Am proud of our borough and my team and encourage everyone in the team to aim for the highest possible standards of excellence in everything we do. • Encourage my team to be flexible and try new things when it's appropriate to do so and tell me what could be improved. • Promote a one team for Lambeth approach reaching out to our stakeholders to face our challenges together • Encourage and support my team to be courageous for our residents and communities and stop at nothing to ensure they have the best possible outcomes • I make time for the team to Innovate and look for creative ways to do things better, being curious about possibilities. • Positively challenge and encourage the team to collaborate and look for solutions together across service and team boundaries. • Make time for my team to grow and develop taking advantage of opportunities to learn from each other and others. We plan our learning and career growth. 	