

## **Job Description**

<b>JOB TITLE:</b>	<b>Legal Counsel, Construction</b>
<b>LOCATION:</b>	<b>Newlon House, London</b>
<b>SALARY:</b>	<b>£60,112.67 per annum plus up to 5% performance related bonus</b>
<b>REPORTING TO:</b>	<b>Assistant Director Major Works</b>

### **A MAIN OBJECTIVES**

Litigation/Latent Defects Claims Lead will be responsible for carrying out a range of duties mainly overseeing and managing cases pertaining to latent defect claims and also providing vital services in connection with formation/reviewing and providing legal advice on complex construction contracts, license agreements and other legal matters. A requirement of the role also may be to provide backup cover for other administrator posts in the team.

#### **Main Duties and Responsibilities of the Role:**

- Responsible for providing support and monitoring of day-to-day running of case files;
- Capable of drafting 'plain English' advice for internal distribution.
- Advising on every aspect of construction contracts (e.g. payments, extensions of time, loss and expenses, defects, procurement and insurance issues);
- Reviewing and inputting into submissions for adjudication and arbitration proceedings.
- Oversee proceedings in the Technology & Construction Court

- Amending and advising on contracts (e.g. building contracts, development agreements and agreements for lease, consultant appointments, Contractor Appointments plus all supplementary documentation such as security documents, warranties, novation's and assignments);
- Drafting and reviewing complex construction contracts including from the NEC and JCT suites, along with other industry standard templates.
- Drafting and maintaining a precedent library of construction contracts, organisation/public sector specific additional clauses and schedules of amendments.
- Providing legal advice to the Special Projects Team on Procurement service on procurement matters, primarily relating to complex construction procurement exercises.
- From time to time provide training and guidance to the Newlon's Property Service Department on the relevant law, practical contracting issues and guidance relating to construction activities to ensure best practice is delivered.
- Complex/high value commercial dispute resolution where necessary (pre-litigation).

## **B SPECIFIC TASKS AND RESPONSIBILITIES**

<b><u>Key Tasks and Responsibilities</u></b>		<b><u>Performance Standards</u></b>
1.	To oversee and manage all aspects of work relating to dealing with Latent Defects Claims including but not limited to: research and reviewing historic and archived documents, reviewing construction contracts, collateral warranties, insurance terms and conditions	<ul style="list-style-type: none"> <li>• The ability to work to tight deadlines paying attention to detail.</li> <li>• Ensure that the relevant people are kept informed by a full range of communication channels – including writing letters / emails and newsletters.</li> <li>• Assist with updating templates and precedent documents.</li> <li>• Have extensive experience of Contract Law Protocol and the Civil Procedure Rule.</li> <li>• As directed to provide support or produce standard letters to be sent to residents and/or solicitors or contractors in relation to latent defect cases.</li> </ul>

<b><u>Key Tasks and Responsibilities</u></b>		<b><u>Performance Standards</u></b>
		<ul style="list-style-type: none"> <li>• Liaise and oversee appointed Solicitors and Barristers.</li> <li>• Ability to read and understand complex documents, legal journals, legislation.</li> <li>• Produce clear written reports to the agreed timetable</li> <li>• To review and prepare documents, files and bundles for solicitors.</li> </ul>
2.	<p>To be responsible for setting up Purchase Orders and paying invoices related to area of work</p> <p>To reconcile supplier invoice accounts on a regular basis</p> <p>To Regularly review and audit</p>	<ul style="list-style-type: none"> <li>• Conduct regular audits on works completed by external bodies to ensure that their invoices are correct against the services provided.</li> <li>• Ensuring that invoices are promptly processed for payment relating to solicitor costs and damages</li> <li>• Provide support to ensure that suppliers correctly set up Purchase Order systems (IPOS)</li> <li>• Maintain records relating to payment of invoices related to latent defects cases.</li> <li>• Manage invoice process, updating file notes, producing reports from IT systems.</li> </ul>
3.	To carry out computerised and manual administration on a variety of databases used by the Property Services department	<p>To oversee and manage all case records to ensure that they are maintained and updated promptly including: -</p> <ul style="list-style-type: none"> <li>• To become an expert user of all Property information systems.</li> <li>• To update Project Status Form tracker and ensure that key dates and information updates are recorded, programmed and tracked.</li> <li>• Ensuring that files are fully up to date and all information is present by producing and implementing a file structure system for recording and auditing information on cases.</li> <li>• Conduct audits from time to time on contract documents and support information to ensure compliance is being met to safeguard the organisation/department.</li> <li>• deal with confidential correspondence and data. To data input and record accurate information within property services systems.</li> </ul>

<b><u>Key Tasks and Responsibilities</u></b>		<b><u>Performance Standards</u></b>
4.	To liaise/advise/support with Special Project Surveyors to enable latent defect claims to be progressed	<ul style="list-style-type: none"> <li>• Provide overview support in reviewing case evidence documentation.</li> <li>• Providing general legal advice support</li> <li>• Liaise and support Special Project Surveyors to ensure that all required evidence is being correctly shared and recorded on all latent defect cases</li> <li>• Liaise and support Special Project Surveyors to schedule timescales for work to be completed and ensure these deadlines are adhered to</li> <li>• Undertake audits and control of records to ensure that all information is being correctly stored and in a transparent format.</li> </ul>
5.	Liaise with colleagues and residents to provide customer service in line with Trust Newlon and Newlon Way principles.	<p>At various levels under guidance:</p> <ul style="list-style-type: none"> <li>• All complaints and queries are addressed in a timely way and all residents are dealt with according to Newlon Way service principles.</li> <li>• To respond to day 2-day queries in the Team inboxes.</li> <li>• To manage the Legal inbox, to bring the teams attention to urgent matters.</li> </ul>
6.	To contribute to the effective running and development of the Special Projects Team. Where necessary to cover the work within any of the teams shown above	<ul style="list-style-type: none"> <li>• Relevant people involved and kept informed by a full range of communication channels</li> <li>• When required to assist with other administrative duties within the Department</li> </ul>
7.	Customer focused, clear, consistent and reliable responses given to more complicated or escalated complaints as speedily as is compatible with the level of complexity.	<ul style="list-style-type: none"> <li>• Well written and correct replies done promptly and aiming to satisfy the customer.</li> <li>• Content of replies to professionally and politely meet all points raised by complainants in appropriate level of detail</li> <li>• Formal and informal contact with complainants to clarify points and give them progress reports.</li> <li>• Recording, monitoring and chasing of actions proposed.</li> </ul>
8.	Active communication and liaison with executive departments and interrogation	<ul style="list-style-type: none"> <li>• Correct people consulted and involved in developing solutions.</li> </ul>

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	of records, policies and procedures to gather information necessary to reply to alternative resolution complaints. This may include dealing with contractors, consultants or partners.	<ul style="list-style-type: none"> <li>• Consistent and reliable interpretation and application of the law, Trust policies and procedures and contracts, whilst focusing on the needs of the customers.</li> </ul>
No job description can cover every issue which may arise within the post and the post-holder is expected to carry out other duties from time to time which are broadly consistent with those in this document.		