

Department	Council Operations
Location	Seymour Street, Blenheim
Direct/indirect reports	4
Reporting to	Group Manager Council Operations
Grade	23
Functional Responsibility	Legal Services LGOIMA Processing Contract Management
Financial delegation	Budget allocated

Department Overview

This position is a member of the Executive Management Team (EMT) and leads Council's internal Legal Services Team. The Council Operations department is responsible for delivering Council's critical support functions and essential support services. This includes Māori Partnerships; Internal Communications; Legal Services; People & Capability; Arts, Culture & Heritage; Democratic Services; Customer Services; Facilities and Fleet Management; Secretarial and Office Services; and Marlborough Airport Limited.

Purpose of the Role

The General Counsel is responsible for providing a range of legal services to Council to enable compliance with Council's legal obligations, to support its organisational activity and projects, to anticipate, plan for and manage legal risk. The General Counsel is a trusted advisor to the Chief Executive and EMT, providing strategic legal advice and practical guidance to support the activities of Council.

The purpose of this role is to:

- Provide expert, objective and strategic legal advice to the Mayor, Councillors, Chief Executive and senior management on all aspects of local authority functions, general legal matters, and relevant new and existing statutes and regulations.
- Set internal governance policies and internal processes and manage the impact of external factors.
- Provide and coordinate internal corporate legal services.
- Lead the legal team in identifying, assessing and proactively addressing potential legal risk across all areas of the organisation.

Key Responsibilities

<p>Leadership</p>	<p>Develop, direct and drive performance of the Legal team.</p> <p>Lead, and contribute to, the successful delivery of team goals and relevant strategies.</p> <p>Lead and facilitate a way of working across your team that builds a constructive, engaged and collaborative environment via active communication.</p> <p>Embed strong leadership within your team that drives increased engagement, capability and performance.</p> <p>Lead and deliver a customer centric approach.</p> <p>Ensure all team members have clear objectives. Undertake regular feedback conversations with staff, understand their career goals and encourage participation in appropriate development opportunities.</p>
<p>Financial management</p>	<p>Apply commercial acumen and rigour to spend ensuring that required results are delivered within the allocated budget and if required corrective action is taken to ensure budget objectives are maintained and met.</p>
<p>Executive Management Team</p>	<p>Contribute to shaping the long-term vision and strategy for Council.</p> <p>Provide input into policy development, ensuring objectives align with the needs of the community and statutory obligations.</p> <p>Lead and support organisational change.</p> <p>Build trust and respect with EMT members and key stakeholders.</p> <p>Represent Legal Services at weekly EMT meeting and quarterly management meeting.</p> <p>Role model Council values and behaviours as a senior leader in the organisation.</p> <p>Keep up to date with key Council wide activity and how this may impact on your team.</p>
<p>Corporate legal services</p>	<p>Provide legal advice to the Mayor, Councillors, Chief Executive and senior management as required.</p> <p>Draft documents that minimize risks and optimise legal rights for Council.</p> <p>Support and provide training to Council Officers to understand and manage the legal issues arising in their areas of responsibility.</p> <p>Draft and/or review contracts and other documents to be signed on behalf of Council with a view to promoting the interests of Council and managing risk, and to ensure that the contract or document is complete and in the correct form for execution.</p> <p>Act as Solicitor or instruct external legal Counsel for Council for claims or actions bought against it or by it as required.</p> <p>Coordination and oversight responsibilities for all legal positions within Council. Maintain knowledge of and oversee instructions, proceedings and litigation risks, with all Council departments. Provide legal advice on regulatory matters, including Consents & Compliance and Environmental Policy Team.</p> <p>Maintain knowledge of Council operations, legal actions and liabilities.</p> <p>Maintain an adequate and up to date legal resource library for Council's purposes.</p>

	<p>Review proposed legislation and manage the preparation of Council submissions in conjunction with subject matter experts.</p> <p>Advise on the actions necessary for Council to achieve compliance with new legislation in conjunction with subject matter experts and mitigate risk.</p> <p>Provide legal input into Council's process for preparation and review of bylaws (including liaison with external legal counsel where applicable).</p> <p>Anticipate issues, estimate risks strategically and identify proactive solutions.</p>
<p>Lead and manage Council's relationship with external legal providers</p>	<p>Manage and oversee Council's external legal providers, including review and approval of instructions to external legal providers.</p> <p>Set the Legal division policy and approach for briefing external legal providers and monitor any service level arrangements and reporting.</p> <p>Work proactively to identify areas where Council can work more effectively, both in relation to legal services and legal risk management.</p> <p>Oversee and monitor Council-wide briefings of external legal counsel and legal spend, including periodic reviews of the cost effectiveness and appropriateness of external briefing.</p> <p>Set up panel of key external legal providers to reduce transactional legal spend, establish and develop external legal expertise for easier briefing and better value-for-money gains for Council.</p> <p>Keep the Chief Executive and EMT updated of the progress of legal matters briefed externally.</p>
<p>Lead and manage the Legal Services Team</p>	<p>Develop and maintain an effective Legal Team Charter and Model, and operate the Legal division in accordance with the Legal Team Charter and Model.</p> <p>Develop and maintain a legal education and training programme for Council officers.</p> <p>Prepare a training programme for Legal division personnel, including as required to comply with the New Zealand Law Society Continuing Professional Development (CPD) rules.</p> <p>Develop and review a Performance Plan for the Legal Team in accordance with the Performance Management System.</p> <p>Participate in EMT meetings.</p> <p>Inform the Chief Executive as soon as practicable of potentially significant or publicly controversial matters affecting the Legal division or Council.</p>
<p>Oversight of decision-making processes</p>	<p>Oversight of decision-making processes which may result in a claim or action being brought against Council including court proceedings</p> <p>Provide legal advice to the Chief Executive and/or relevant EMT members on the options for, and viability of, any proposed court proceedings.</p> <p>Support and be a member of the Enforcement and Prosecution Committee by providing advice on legal issues, litigation risk and legal strategy.</p> <p>Brief external legal counsel and manage the action internally for Council as client, when required.</p> <p>Review and approve legal instructions for regulatory, compliance and policy matters</p>
<p>Council's Legislative</p>	<p>Coordinate Council's Legislative Compliance Programme.</p> <p>Operate and keep up to date Council's Legislative Compliance Programme.</p>

Compliance Programme	<p>Implement new legal compliance programmes as appropriate.</p> <p>Utilise the SOLGM legal compliance guidance.</p> <p>Provide advice to the Audit and Risk Committee.</p> <p>Report to the Chief Executive annually in relation to legislative compliance.</p>
Report on risks to Council as part of the Risk Management Framework	<p>Identify and report on legal risks relevant to Council in accordance with the form and timeframes specified by the Chief Executive from time to time.</p>
Stakeholder engagement and relationship management	<p>Work proactively across Council to build and maintain positive working relationships with different business units so that those units better understand legal risk and seek support as needed.</p> <p>Proactively maintain relationships outside of Council with the aim of drawing upon new knowledge and best practice that can then be implemented in Council.</p> <p>Engage proactively with external legal advisors to ensure that briefings are well-structured and advice received is timely, pragmatic and fit for purpose.</p>
Insurance	<p>Oversee decision making processes and insurance claims which could result in claims or actions brought against Council including court proceedings.</p>
Procurement	<p>Maintain Council's Contracts & Procurement Policy and processes.</p> <p>Maintain and enhance Council's procurement and contract management processes.</p> <p>Provide advice on contractual matters to all staff.</p>
Conflicts of interest	<p>Maintain Council's Conflict of Interest Policy.</p> <p>Provide conflict of interest training to new and existing employees as required.</p> <p>Provide advice to EMT on conflict of interest issues.</p>
Privacy Officer duties	<p>Advise the Chief Executive, EMT and other Council personnel on the application of the Privacy Act 1993 ("Privacy Act") and ensure Council's practices comply with privacy requirements.</p> <p>Make the decision to release or withhold the information that is the subject of a Privacy Act request (in accordance with the Chief Executive's delegation to the General Counsel).</p> <p>Provide training as required to Council personnel on privacy principles and requirements.</p>
LGOIMA	<p>Provide legal advice to Council Officers handling Local Government Official Information and Meetings Act 1987 ("LGOIMA") requests at the first instance.</p> <p>Monitor LGOIMA requests and completion of these requests within legislative timeframes.</p> <p>Where required, make the decision to release or withhold the information that is the subject of a LGOIMA request (in accordance with the Chief Executive's delegation to the General Counsel).</p> <p>Provide advice and training to the EMT and other Council employees and officers to support Council to understand its disclosure and other obligations under LGOIMA.</p>

Disclosures Officer duties	Carry out the duties of a Disclosure Officer Under the Protected Disclosures Act 2000 (known as the “Whistle Blowers Act”) set out in the Staff Handbook.
Debt collection	<p>Provide advice to the Chief Financial Officer on the legal options and approach for debt recoveries.</p> <p>Brief external legal counsel on debt recovery actions and manage the action internally for Council as client.</p>

Organisational Responsibilities

Continuous improvement

Drive an improvement culture by encouraging innovation and proposing, defining and implementing improvements to services and processes.

Customer service

Drive a customer focused culture. Use your understanding of customer needs to drive improvements.

Digital mindset

Drive a “digital mindset” which allows your team to approach situations with a digital focus, taking full advantage of the technology, information, and data available to us whilst ensuring operational outcomes, efficiency, and security aren't compromised.

Be aware that transformation comes not from a change of system or infrastructure but a change in mindset. Opening your mind to the idea of doing things differently can unlock the true range of possibilities.

Health, safety and wellbeing

Role model your commitment to HS&W by leading by example, making risk-based decisions, monitoring performance and holding yourself and others to account.

Create a climate of information sharing, trust and understanding around mental health care issues, and the process of recovery for those needing support. Encourage staff to attend mental health and wellbeing promotion programmes.

Take ownership and responsibility for your own decisions and actions by proactively engaging in safe work practices that prevent injury; and looking out for your colleagues, contractors, customers, and visitors.

Contribute to Council's ongoing safety improvement journey.

Make safety a priority and help lead the way!

Inclusion and diversity

Drive an inclusive workplace - an environment where our employees feel safe, valued and respected; and have opportunities to contribute their perspectives, experience and talents to our organisation.

Foster a diverse workforce (the visible and invisible factors that define us as individuals) by displaying an open-minded, non-judgmental attitude towards others.

Record management

Ensure your team create and maintain all records of Council business (regardless of format) in approved corporate information systems, as per Council's information and data management policies and procedures.

Response in emergencies

Be available to assist during emergencies as and when they occur; and enable and encourage team members to do the same.

Risk management

Understand, report, manage and lead operational and compliance risk. Ensure your team complies and gives advice in accordance with Council's risk management policies and procedures.

Te ao Māori

Demonstrate leadership by developing cultural competency; for example by developing understanding of te reo Māori, tikanga Māori (Māori customs and practices), mātauranga Māori (Māori wisdom, knowledge and understanding) and Te Tiriti of Waitangi; and by engaging with Māori communities as required within your role.

Other duties

Take on any additional duties or special projects that may be assigned from time to time and ensure that these are performed effectively and efficiently.

Person Specification

Qualifications	<p>Bachelor of Laws is essential, including membership of the New Zealand Law Society.</p> <p>Current New Zealand Law Society Practising Certificate and at least five years PQE.</p> <p>A post-graduate qualification in law, management, public policy or a related discipline advantageous.</p>
Experience and knowledge	<p>Proven general counsel or senior legal leadership experience.</p> <p>Significant experience and expertise in central or local government, land, property and employment law advantageous.</p> <p>Overall broad knowledge of key local government legislation including the Resource Management Act, the Building Act, LGOIMA and the Local Government Act.</p> <p>Working knowledge of legal matter management and information governance systems.</p> <p>Legal Database research and management competency.</p> <p>Ability to anticipate legal issues or risks.</p> <p>Ability to develop legal strategy and objectives.</p> <p>Ability to research, investigate, analyse and communicate information effectively.</p>

Core Competencies

Adaptability	<p>Capacity to recognise opportunities, incorporate new ideas, and adapt to changing circumstances.</p> <p>Takes on challenges with positivity, professionalism and enthusiasm.</p>
Commitment to improvement	<p>Openness to feedback/reflection in order to grow skills and knowledge.</p> <p>Enthusiasm for continuous improvement, efficiency in processes and for increasing knowledge and technical abilities.</p>
Communication	<p>Communicates messages in a clear, concise, and consistent manner.</p> <p>Uses the most effective method of communication for the audience and situation. Communication is clear, concise, and consistent.</p> <p>Utilises effective listening skills and questioning techniques.</p>
Customer focus	<p>Recognises the diversity of customers and adapts approach and style to meet their needs.</p> <p>Consistently demonstrates respect, responsiveness and professionalism while providing superior services for customers.</p> <p>Problems and complaints are acknowledged, and attempts made to resolve them in a timely fashion.</p>

Digital literacy	<p>Ability to learn new technological skills essential for digital transformation and to think innovatively and embrace a perpetual learning culture.</p> <p>Motivation to use digital skills to create new opportunities.</p>
Integrity	<p>Ability to manage sensitive and confidential information and situations with the utmost tact, discretion, and judgement.</p> <p>Ability to role model behaviours and attitudes that align with Council's Values.</p>
Interpersonal skills	<p>Ability to establish and maintain effective working relationships with a diverse range of stakeholders, both internal and external.</p> <p>An ability to gain and maintain professional credibility, confidence and respect across a wide range of agencies, community groups and Council staff.</p> <p>Values diversity and supports different ways of working.</p> <p>Credits others for their contributions and accomplishments.</p>
Leadership	<p>Ability to act as a good role model and create a positive environment that fosters, develops and promotes engagement and a good team culture.</p> <p>Ability to effectively support and proactively assess the team's workload and reallocate workloads when needed.</p> <p>Ability to create and reinforce a culture that is free from harassment, bullying, discrimination and bias.</p> <p>Effective delegation skills.</p>
Organisational skills	<p>Proactively plans work and manages competing priorities to ensure deadlines are met.</p> <p>Plans and utilises resources in the most effective and efficient way.</p> <p>An ability to manage projects, on time and to agreed budgets.</p>
Problem solving and decision making	<p>Well-developed business, political, and financial acumen with a successful history of sound decision making.</p> <p>Balanced and informed approach to solving complex situations.</p> <p>Makes appropriate decisions, taking into consideration impacts and risks.</p> <p>Uses own judgement and experience to solve problems.</p> <p>Empowers staff to make own decisions.</p>

Strategic Framework

Vision	<p>Marlborough is a globally-connected district of smart, progressive, high-value enterprises, known for our economic efficiency, quality lifestyle and wellbeing, caring community, desirable location and healthy natural environment.</p>
Mission	<p>We invest in Marlborough's future, our people, quality lifestyle and outstanding natural environment.</p>

Values	<p>Council's values and behaviours are based on Respect, Professionalism and Integrity. Council is committed to an environment that supports professional development, an equal opportunities workplace and a positive culture.</p> <p>All staff are expected to endorse and support Council's Vision and Values and actively work to achieve them, behaving with the highest level of professionalism and integrity and exhibiting courtesy and impartiality towards colleagues and the community.</p> <p>Our values are:</p> <ul style="list-style-type: none">• We are open, transparent and collaborative.• We partner with tangata whenua iwi.• We involve and respect our many cultures.• We are innovative and strive for excellence.• We are adaptive and responsive to community needs.• We work in an environmentally sustainable manner.
---------------	--