

Role profile

Role title	Senior Solicitor
Department and directorate	Finance and Corporate Services
Grade	Grade 3
Reports to (job title)	Head of Legal (Commercial)
Direct reports (job titles)	None

Job Overview– purpose of the role

Describe as concisely as possible the overall purpose of the job and what success looks like. Please limit this to a maximum of four or five sentences

Provision of a broad range of confident and independent specialist & technical commercial/ corporate/ company legal advice for BMA client colleagues, to include (not an exhaustive list): contract law, compliance, data protection and privacy, intellectual property, trust and charities law, insurance, tax, pension and financial services, procurement and competition law.

Duties and Responsibilities

What are the core duties/responsibilities required to be performed in the role. (e.g., to provide a full range of administrative support services to the department including x,y,z)

Please provide a bullet point list

- Provide advice on primarily contract law but also to include other specialised areas of law e.g. defamation, company & corporate, data protection, electoral law, ethics, anti-bribery, modern slavery, corporate governance, and complex information technology contracts (not an exhaustive list).
- Provide practical and effective legal advice across all areas of the business, in a commercial manner.
- Provide advice on corporate governance and compliance processes and remain actively aware of the processes so as to improve and develop increasingly robust governance and compliance where opportunities arise.
- Assess and analyse commercial contracts, including high value and high risk. Engage in contract negotiations from a legal perspective and draft appropriate legal documents.
- Draft and negotiate a range of complex legal documents including template legal documents for use by legal colleagues and BMA client colleagues.
- Working effectively with clients from across the business regarding the delivery of corporate/ commercial projects; strong relationship building skills are key to this role.
- Working effectively with external legal service providers; managing and always mindful of monitoring spend on individual matters.
- Continuously keep abreast of BMA policy development and changes to laws and disseminate information on emerging legislation and caselaw to BMA client colleagues.
- Any other duties as reasonably directed

Skill (level and breadth of application)

What relevant experience is necessary to undertake this role? What specialist, technical or professional qualifications are required to be able to perform the job?

How far does the role extend out across the organisation, eg confined to own team, involves co-ordination with another department or requires regular negotiation with many other parts of the organisation. Why is this necessary? Describe the range of issues that are involved in this, eg resolving people's IT problems, collecting information on key research items or advising members on a particular issue.

- Recognised law qualifications, current practising certificate, and several years' in-house legal experience.
- Strong team player with the ability to collaborate on projects with immediate team members as well as BMA client colleagues.
- Effectively communicating legal risk advice and providing constructive and practical commercial solutions that are legally compliant and which assist the delivery of BMA's strategy and commercial and corporate objectives.
- Extensive experience of analysing, negotiating and closing commercial transactions.
- Proven experience of providing appropriate legal risk advice.
- Excellent time management and organisational skills.
- Focused approach to delivering ingenious results by working to tight deadlines.
- Ability to collaborate and build strong relationships with client colleagues across the BMA, a large organisation with directorates and departments including Procurement, Technology Services,, Corporate Development (which includes Strategy & Insights & Charities), HR, Council Secretariat, Member Relations, Communications and Engagement (Public Affairs, BMA News), Products and Sales (Conference Unit, BMA Venues).
- A strong commitment to high standards of service delivery and excellent customer care.
- Capacity to be calm under pressure and work flexibly and with ingenuity to meet demands and conflicting BMA client colleague requirements.

Intellectual demands (complexity and challenge)

What sorts of problems, situations or issues are typically dealt with? Give any illustrative examples. How are the problems, situations or issues dealt with (eg undertaking original research and analysis or seeking specialist advice)?

To what extent are standard procedures and processes followed when undertaking typical tasks, and how is personal initiative used when solving problems? To what extent is creativity used in solving the problems (eg adopting different approaches, trying things that have not been done before within the organisation or improving/changing previous approaches).

- Gathers all relevant background information from the BMA client colleague and conducts legal research in the relevant area(s) of law.
- Applies the law to the facts and concisely prepares reliable legal advice for BMA client colleagues.
- Identifies legal issues and provides practical legal risk based commercial solutions to matters raised by BMA client colleagues relating to contracts, compliance, data protection, privacy, intellectual property, insurance, tax, pension and financial services procurement and competition law, trust and charity law.
- Resolves a high degree of legal problems/scenarios which either extend beyond one field of learning or require considerable research and analysis.
- Instructs external legal service providers on a variety of legal topics/matters and effectively manages the relationship/advice.
- Effectively assess and analyse commercial contracts with particular regard to contract review standard procedures and processes including liability, indemnities, undertakings, warranties and guarantees.
- Where required drafts bespoke variation arrangements regarding service contracts, ensuring continuity of service provision.
- Advises on new and emerging legislation and caselaw and on the development of BMA internal policies.
- Innovatively drafts legal advice in plain English and ensuring engagement with the BMA client colleague by appropriate delivery including verbal (telcon, skype, face to face meeting and confirmed in writing after the event); BMA memorandum of advice; emails; and power-point presentations.
- Keeps abreast of changes in law; including consideration of legal commentary.

Judgement (independence and level and impact limitations)

What are the typical decisions that are made in the job without reference to any higher authority? What informs/constrains the decisions (eg expenditure limits, have to follow clearly laid down procedures or working within broad objectives). What influence upon policy, procedures or resources is there (eg giving advice to others)?

Who (or what) is next to be affected by the decisions that are made – for example, supervisor sees them before they leave the team or the whole department sees and has to respond to the change that is made. Give typical example(s) of the consequences of the decisions (eg what impact does the decision-making have on the performance of the team/section/department/organisation)?

- Reports to the Head of Legal (Commercial), who is accountable and responsible for overseeing and managing BMA commercial legal work.
- Cognisant of potential litigation, financial loss and reputational damage, provides risk-based advice for the BMA client colleague, together with constructive and practical commercial solutions that are legally compliant including use of available legal resources as the basis for the provision of reliable legal advice.
- Considers legal position in light of policy and political constraints affecting the BMA.
- Interacts with BMA client colleague directly including, where appropriate, Council and the Leadership Team.
- Contributes to the legal team's track record in the BMA for approachability, accuracy, commerciality, turnaround of work and 'value for money'.

Use of resources (supervision of resources and influence)

What responsibility is there for managing people, equipment, budgets, resources, customer's welfare or confidential information? If this is a staff management role describe what is involved, eg staff reporting, staff development, appraisal, leading a department or the allocation of work.

How does the role fit within the organisation, eg support role, team member, team leader, specialist policy adviser, or leading major areas of core business?

Responsibility for:

- mentoring junior lawyers on an as needed basis
- office equipment (PC, laptop, iPad, phones printer, fax)
- budgets (ensuring adherence to estimates on individual matters by external legal services providers)
- resources (legal department databases, own professional law library and precedents)
- clients' welfare and confidentiality i.e. duty to a client and legal professional privilege
- using external lawyers in cost effective manner and making suggestions as to how to improve efficiency.

Within the BMA has:

- Specialist legal and business adviser support role;
- Team member (being a member of the legal department, liaising with colleagues); and,
- Authoritative role: demonstrating expert knowledge; trust; committed; reliable; challenging; positive communicator; motivator; and creative solution provider.

Communication (level, internal and external demands and significance)

*What people are typically contacted (regardless of the medium) **inside** the Association, eg immediate colleagues, senior managers or administrators? Committee members are the only members classed as internal communication. Normal non-committee membership and doctors are external (see below)*

*Who is in regularly contact with the role holder **outside** of the Association, eg members who are not committee members, suppliers, members of the public? Approximately what percentage of the time is spent on external communications?*

What is the purpose of these contacts, eg conveying information, gathering data?

- Communicates legal advice autonomously, both orally and in writing, to client colleagues at all levels within BMA; including immediate colleagues and administrators, heads of departments, directors, chief officers and the Leadership Board together with council and committee members.
- External organisations, which could include external legal services providers, suppliers and their agents and their inhouse or external lawyers, media outlets, universities, Department of Health and Social Care, NHS and its organisations, Ministry of Justice (including courts and tribunals), BEIS, local authorities and police, and coroners. Regulatory bodies include the regulator for trade unions, ICO, Companies House, Charities Commission, General Medical Council, Health Professions Council, and Competition and Markets Authority.
- Provides explanations /advice on complex matters for BMA client colleagues and/or translates these into instructions for external legal service providers including counsel.
- Influences by developing an understanding of the BMA ethos; excellent communication and interpersonal skills; developing networking skills; building on and then maintaining trust; assertiveness; diplomacy and persuasion; engaging in negotiation both orally and in writing.
- These contacts have the purpose of enabling the legal team to gather and confirm background information, to assist in developing a greater understanding of the BMA and the areas in which it operates and to deliver effective and reliable legal risk-based advice.

Physical demands & coordination (physical effort and mental strain)

Are there any unusual physical or mental demands of the role; for example, lifting heavy objects, standing for long periods, using VDUs extensively or high levels of concentration?

- Normal co-ordination or physical demands associated with an office environment.
- Limited requirement to engage in lifting/carrying/other exertion.
- There may be occasions of extensive use of VDUs whilst researching and drafting legal opinions.
- High level of concentration is required to produce work of the standard expected.

Working conditions and emotional demands)

What are the environmental conditions in which the work is conducted, the social and emotional demands faced by the role and the pressures resulting from these?

- Duties conducted in a normal office environment and there is no exposure to hazardous conditions or anti-social behaviour.
- Requires high level of emotional intelligence, high level interpersonal skills, ability to get on with colleagues and be a sounding board for colleagues, and being part of a collegiate, supportive culture.
- Team player, and the ability to build strong relationships with client colleagues at all levels within the BMA.
- Personal integrity, professionalism and trust.
- Minimal personal risk.

Values and behaviours

The post-holder is expected to execute their role in line with our five organisational values.

The following examples illustrate how we are using our values to inform how we act:

We are **leaders** because:

- We strive to always improve
- We take responsibility for our actions
- We collaborate with each other and work as one BMA for the good of our members
- We are proactive and prepared to guide our members and each other

We are **experts** because:

- We understand our members
- We draw on our collective experience and knowledge to solve problems
- We use our insights and research to make decisions
- We provide accurate, credible, relevant and engaging information
- We recognise our strengths and act upon them

We are **committed** because:

- We listen to our members and put them at the heart of everything we do
- We are respectful, inclusive, open and honest with our members and each other
- We approach everything we do with confidence and sensitivity

We are **reliable** because:

- We deliver on what we say we will do
- We are accessible and approachable
- We build trust by being consistent and supportive
- We are positive and decisive whatever the situation

We are **challenging** because:

- We fight, ethically and fearlessly, for the interests of all our members
- We work as a brave, assertive and effective champion for high quality health services and the advancement of the profession

Sign-off

Manager:	Date:
Role holder:	Date: