**Job Description & Person Specification**

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| Job Title: | Data Protection & Information Lawyer | Job Reference: |  |
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| Service: | Legal & Democratic |
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| Location: | Andover | Grade: | 8/9 |
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| Reports to: | Corporate Legal Services Manager |
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| Date: | 30 October 2018 |
| **Our Values: We expect all of our employees to live by and demonstrate the Council’s five key values of:**  |
| **Accountability, Ambition, Empowerment, Integrity, Inclusiveness.**  |
| **Main job purpose** |
| * Provision of specialist legal advice in all areas of information law to officers and teams across the Council.
* To support the Data Protection Officer in the management of data protection compliance across the Council.
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| **Main responsibilities and duties** |
| To provide pragmatic, proactive and solution-focussed advice to officers and teams across the Council in relation to their data protection obligations.  |
| To take an active role in the management and development of information law compliance across the Council. |
| To draft all necessary documents including but not limited to:-* Privacy notices
* Data processing/sharing agreements
* Data Impact Assessments
* Confidentiality agreements
* Retention schedules
* Policies and procedures.
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| To deliver training and briefings to officers of all levels of seniority across the organisation.  |
| To assist the Council’s designated Data Protection Officer (DPO) in accordance with relevant legislation, ensuring full compliance with the statutory requirements of that post; including:* To inform and advise the Council and any Data Processor on data protection compliance
* To provide advice at all levels (including Senior Management) on the carrying out of Data Protection Impact Assessments (DPIA) and to monitor compliance with DPIA requirements.
* To be the day to day point of contact for the Council with the Information Commissioner’s Office on issues relating to data protection and information governance.
* To be the point of contact for Data Subjects wishing to exercise their rights in relation to their personal information.
* To monitor the Council’s compliance with its own policies and generally.
* In consultation with the DPO to assign responsibility under the Council’s data protection policies
* To raise awareness and embed a culture of compliance with those policies
* To prepare and deliver training to all staff involved in data processing operations
* To conduct audits of the organisation’s data protection policies and ensure that any recommendations arising from them are implemented.
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| To undertake and manage data protection audits and reviews as required across all Council services that are processing personal data to ensure compliance with legislation and ensure that any recommendations arising from them are implemented. |
| To promote a culture of Data Protection awareness and compliance within the Council.  |
| To investigate and report on any processing, blocking, erasure, destruction and right to be forgotten notices issued by individuals, ensuring that the purposes of the processing are compatible with the conditions of processing and to respond to the individuals accordingly.  |
| To investigate breaches and incidents of data protection as may be required. |
| To asses and respond in a timely fashion to all Subject Access Requests submitted to the Council.  |
| To advise on and where necessary or appropriate respond to all requests for information under the Freedom of Information Act 2000 and Environmental Information Regulations 2004, including advising on application of statutory exemptions and carrying out reviews. |
| To assist the DPO in dealing with necessary registrations. |
| Such other reasonable tasks commensurate with the post holder’s qualifications and experience as allocated from time to time by the Head of Legal and Democratic Services (also the Council’s Data Protection Officer) or Legal Services Manager.  |
| To ensure that service delivery complies with current regulations, accepted professional standards, the Council's policies and procedures and appropriate legislation. This includes legislation on equalities, health and safety and safeguarding children and vulnerable adults.  |
| **Supervision and management** |
| The role has no formal direct reports but the jobholder will assist with the coaching and mentoring of more junior members of the team where appropriate. |
| **Resources** |
| *N/A* |
| **Contacts and relationships** |
| The jobholder is required to advise, monitor and train officers from grass roots to senior management. The jobholder will act for client departments and officers across the Council in meeting their information law needs and ensuring compliance. The jobholder will need to deal with members of the public who are exercising their information rights and in circumstances where misuse of their information is alleged.  |
| **Working environment** |
| * This is an office based role.
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| **CRITERIA**Everything included in this section needs to be able to be objectively measured in one of the following ways: application form, certificates, testing, interview or references. | **ESSENTIAL****DESIRABLE** |
| **Educational and professional qualifications** |  |
| * Degree level qualification or equivalent experience
* Qualified solicitor or barrister or CILEX
* Evidence of continuing professional development
 | EssentialDesirableEssential |
| **Knowledge** |  |
| * Comprehensive knowledge in complex areas of data protection and Information Governance law.
 | Essential |
| **Experience**  |  |
| * Experience of information law and of drafting associated documentation including (but not limited to) data processing/sharing agreements, privacy notices, impact assessments, confidentiality agreements, policies and procedures in a Local Authority context
* Relevant experience in information governance in terms of the Data Protection Act 2018, General Data Protection Regulation, Freedom of Information Act 2000 and Environmental Information Regulations 2004.
* Experience in responding to subject access requests and requests for information under the Freedom of Information Act and Environmental Information Regulations, including application of exemptions and carrying out reviews.
* Experience in delivering training
* Extensive experience of interpreting, advising on and drafting complex legal agreements and other relevant documents in the field of data protection
* Experience of advising Senior officers, Senior Management.
* Experience of the work of a District Council with an understanding of current challenges facing Local Government.
 | EssentialEssentialEssentialDesirableEssentialDesirableDesirable |
| **Key skills** |  |
| * Commercial and strategic approach and focus.
* Analytical, persuasive and decisive.
* Excellent communication skills both written and verbal and the ability to engage with council officers and members of the public.
 | EssentialEssentialEssential |
| **Personal qualities and behaviours** |  |
| * A commitment to high quality customer focussed service
* A positive “can do” attitude
 | EssentialEssential |
| **Other Factors** |
| Politically restricted post |
| **Corporate Responsibilities** |
| All employees are required to adhere to corporate policies, procedures and codes of conduct; full details can be found on the intranet or from your line manager. Particular aspects include:**Health and Safety -** Every employee while at work has a duty to take reasonable care for the health and safety of himself/herself and of other persons who may be affected by his/her acts or omissions at work - Health and Safety at Work Act 1974. All employees are required to adhere to the Council's corporate policy, procedures associated with their duties and to undertake tasks/training in that context, as required.**Safeguarding -** This Council is committed to safeguarding and promoting the welfare of children and young people and vulnerable adults and expects all employees and volunteers to share this commitment, and to adhere to the Council's Safeguarding Policy.**Equalities** – This Council is committed to providing equal opportunities for all. We believe that employing people from different backgrounds with a range of perspectives and experiences helps us to deliver high quality services to all our residents. We employ people based on their abilities and potential, regardless of any protected characteristics. **Social Media** - Employees are required to adhere to social media corporate policies and to undertake tasks/training in that context as required. Employees must not bring the Council into disrepute through their use of social media either personally or on behalf of the Council. **Financial** – Employees are required to adhere to the Council’s financial regulations and to undertake tasks/training in that context, as required. **Risk Management -** Employees are required to adhere to the Council's risk management strategy and to undertake tasks/training in that context, as required.**Data Protection and Data Security** - We hold and process information about our customers and as such we are legally obliged to protect that information.Data protection is important for the Council, and employees are required to understand and adhere to relevant policies and procedures.  |