Job Related Information

This document includes information about the role for which you are applying and the information you will need to provide with your application.

1. Role Details

<table>
<thead>
<tr>
<th>Vacancy reference</th>
<th>14228</th>
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</thead>
<tbody>
<tr>
<td>Job title:</td>
<td>Commercial Legal Services Adviser</td>
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<tr>
<td>Reports to:</td>
<td>Commercial Legal Services Manager</td>
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<tr>
<td>Salary:</td>
<td>£39,992 to £47,722 per annum</td>
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<tr>
<td>Terms and conditions:</td>
<td>Academic Related</td>
</tr>
<tr>
<td>Grade</td>
<td>8</td>
</tr>
<tr>
<td>Duration of post:</td>
<td>Permanent</td>
</tr>
<tr>
<td>Working hours:</td>
<td>37</td>
</tr>
<tr>
<td>Location:</td>
<td>Milton Keynes</td>
</tr>
<tr>
<td>Closing date:</td>
<td>12 Noon Thursday 21 December 2017</td>
</tr>
<tr>
<td>Type of application form accepted:</td>
<td>Full application form and a covering letter setting out how you meet the person specification.</td>
</tr>
<tr>
<td>Number of referees required:</td>
<td>Two – including most recent employer</td>
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<tr>
<td>Unit recruitment contact:</td>
<td>Charlotte Boughton</td>
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</tbody>
</table>
2. Summary of duties

Main Purpose of the Post

Responsible to the Commercial Legal Services Manager, to work in partnership with Business Units to provide high quality legal advice to the University and its subsidiaries. The successful applicant will support research, curricular and commercialisation activities by drafting, reviewing and negotiating a wide range of agreements. The majority of these agreements relate to collaborations with other universities and companies. Knowledge and understanding of commercial contracts is essential. Some knowledge and understanding of legislation relating to public procurement, in particular the Public Contracts Regulations is also required. Experience relating to governance, compliance (including GDPR) and University policies and regulations would be useful.

Description of Duties of the Post:

- To provide legal advice and support Units when submitting bids, responding to invitations to tender and requests for quotations).

- To draft, negotiate and review contracts for the provision/sale of goods, services and research to third parties (including international), and when procuring services on behalf of the University, ensuring that the University is protected commercially and intellectually.

- To provide legal advice to University Units, Faculties and subsidiaries on a range of commercial legal issues, consistent with contract negotiation, such as data protection, freedom of information and procurement. Whilst detailed expertise may be outsourced when necessary, the ability to advise across a range of commercial legal subjects is essential.

- Communicating, under supervision, legal options and advice.

- To provide support to the Research and Enterprise Office in relation to Knowledge Transfer Partnerships and other research specific activity. Experience of negotiating EU consortium agreements re EU funding would be particularly useful.

- To assist members of staff with regard to the protection and exploitation of Intellectual Property.

- To undertake such other duties as may be assigned by the Commercial Legal Services Manager, Group Accountant or Finance Director from time to time in furtherance of the objectives of the University and/or its wholly owned subsidiaries, which may include the provision of ad hoc legal advice.

The successful applicant will be expected to attend meetings with senior University staff to offer guidance and support as and when required.

The successful applicant will have the ability to deal with people with varying levels of legal understanding, ranging from lawyers to other legal and non-legal staff with the ability to absorb legal concepts and apply this to practical situations.

In carrying out these duties the post-holder will liaise with Accountants, Human Resources, intellectual property experts, VAT specialists, Estates and other staff at all levels within the University.

Note

Although the successful applicant will have no responsibility for handling cash, the financial consequences of failure on the part of the successful applicant to perform the duties outlined above in a timely and accurate manner could have significant financial and legal consequences for the University and/or its subsidiaries.
## 3. Person specification

<table>
<thead>
<tr>
<th>Requirements</th>
<th>(E = Essential/ D = Desirable)</th>
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<tbody>
<tr>
<td><strong>Education, qualifications and training</strong></td>
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<tr>
<td><strong>Essential</strong></td>
<td>Qualified Solicitor or equivalent</td>
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<tr>
<td><strong>Desirable</strong></td>
<td>Demonstrable other legal experience</td>
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<tr>
<td><strong>Knowledge, work and other relevant experience</strong></td>
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</table>
| **Essential:** | - Minimum 1 year PQE.  
- Experience of reviewing, drafting and negotiating commercial contracts (income generating and procurement).  
- Excellent communication/interpersonal skills  
- Knowledge and application of IT skills – specifically competent Excel user, Word, Outlook and the internet |
| **Desirable:** | - Experience of working with government bodies and commercial funding organisations including overseas organisations.  
- Experience of working in a large complex organisation.  
- Experience of working on a project team, and supporting and advising on legal issues. |
| **Personal abilities and qualities** | |
| **Essential:** | |
| **DELIVERING RESULTS** | - Taking personal responsibility for getting things done by:  
  - planning, prioritising and managing own workloads and the workload of less experienced legal staff if required.  
  - meeting critical deadlines and working under pressure  
  - adhering to legal requirements, financial regulations and procedures |
| **THINKING HOLISTICALLY** | - To seek and retain thorough knowledge of the University and its objectives Taking an active interest in what is going on in your Unit, the University, the Higher Education sector and the wider environment.  
- Ability to work with Units to take into account the impact on the University from a business perspective and to take into account University values and objectives.  
- Ability to think through a new situation quickly and logically and identify action to be taken  
- Thinking through how a decision might affect others. |
| **STRATEGIC AND ANALYTICAL THINKING** | - Ability to exercise judgement over the interpretation of often complex information and policies.  
- Ability to relate day to day activities to the strategic position of the Unit/University.  
- Ability to make judgements on the contractual robustness of projects.  
- Ability to help deliver strategy at Project and Unit level through legal and business input and thinking through the longer term implications and consequences. |
WORKING TOGETHER COLLABORATIVELY

- Building networks and working relationships with all categories of staff inside and outside the office by actively sharing knowledge, assisting others under pressure and taking responsibility for the collective outcomes both internally and externally.

DRIVING AND EMBRACING CHANGE

- Ability to:
  - challenge existing practices
  - adapt to a changing environment
  - apply new ideas and bring others with you, making informed and assertive suggestions for improvement.

DELIVERING CUSTOMER SATISFACTION

- Working with Units and Project Teams to develop an understanding of their needs in order to anticipate requirements and develop and deliver service.
- Interpreting rules and regulations flexibly to balance Unit and University needs.
- Ability to take ownership of a problem and resolve it, having taken full account of the facts
- Actively looking for longer term customer relationships that are beneficial to both parties including anticipating customer needs
- Ability to provide both written and verbal advice in a clear manner to suit the situation and customer

PROMOTING LEARNING AND DEVELOPMENT

- Making time to think about self-development and the development of the team as a whole.
- Making use of OU development resources

LEADING OTHERS TO ACHIEVE RESULTS

- Ability to provide legal leadership and exercise personal authority when required.
- Being available and approachable to staff at all levels with varying degrees of legal knowledge.

4. Role specific requirements e.g. Shift working

n/a

5. About the unit/department

The Finance Division provides accounting, procurement and commercial legal services to the University, helping to make best use of resources and fulfilling statutory responsibilities.

The Division has an open and supportive ethos.

The Finance Division is responsible for the overall running of the finances of The Open University under policies approved by Council on the recommendation of the University's Finance Committee. It operates under the Financial Regulations with which all units, staff and subsidiaries must comply.

The Division is headed by the Finance Director, and organised into three sections:

- Directorate
- Accounting Services
- Treasury Services

The Open University has a global budget of £400m.
ABOUT THE ACCOUNTING SERVICES TEAM

The section is responsible for providing accounting information and support to the University and its budget holders, for preparing the annual financial statements and for providing commercial legal services.

♦ Accountants and lawyers support a highly devolved budget holder structure
♦ Accountants have high profile contact outside the Division
♦ Accountants are involved in internal meetings of the units they support
♦ Accountants support institutional financial modelling, unit financial planning, budget setting, monitoring and reporting
♦ Accountants provide advice on VAT and other taxation matters in conjunction with the Taxation Manager
♦ Accountants manage the financial relationships with subsidiary companies
♦ Accountants and lawyers draft, review and negotiate contracts for services provided by the University

The Accounting Services Team is a dynamic, well motivated group who operate in a team-working environment combining professionalism with informality. Individual accountants enjoy considerable autonomy in doing their jobs, with significant personal responsibility and authority.

ABOUT THE TREASURY SERVICES TEAM

The University processes a large volume of financial transactions and the Treasury team seeks to achieve this accurately in a timely and cost-efficient manner. The team seeks to maximise working capital and invest available financial resources with financial institutions in a way that protects capital and generates a reasonable return. The Procurement Department procures goods and services in the most cost effective manner and where necessary in accordance with current EU Procurement Directives. The payroll department processes the University’s payroll for all full time staff, Associate Lecturers, most worldwide staff and subsidiary company staff. This department also administers travel and subsistence claims. The pensions team sit alongside the payroll team. Treasury Services also ensures compliance with VAT regulation and completes and submits VAT returns, and manages the University insurance.

The section also incorporates the OUSBA team who have direct contact with our Students relating to their loan arrangements.

The team comprises a range of committed staff providing an invaluable service to other staff and Units within the University and we take pride in providing a high quality service.

As an employer, the University offers a wide range of sporting and cultural facilities and activities, and both the University and the Division have active social programmes. The University also offers its employees the opportunity to study its courses free of charge (subject to certain conditions).

6. How to obtain more information about the role or application process

If you would like to discuss the particulars of this role before making an application please contact Jo Vango, Commercial Legal Services Manager on 01908 652775 or j.l.vango@open.ac.uk

If you have any questions regarding the application process please contact Charlotte Boughton on 01908 653853 or email: Finance-Recruitment@open.ac.uk
7. The application process and where to send completed applications

| Please ensure that your application reaches the University by: | 12 Noon on Thursday 21 December 2017 |
| Post it to: | Finance Division |
| Name/Job title: | Charlotte Boughton |
| Department/Unit: | Finance Division |
| Address: | PO Box 77, Walton Hall, Milton Keynes |
| Post Code: | MK7 6BT |
| Or e-mail your application to: | Finance-Recruitment@open.ac.uk |

8. Selection process and date of interview

| The interview panel will be chaired by: | Jo Vango, Commercial Legal Services Manager |
| The other members of the interview panel will be: | Other panel members to be confirmed |
| The interviews will take place on: | Week commencing 8 January 2018 |
| The selection process for this post will include | An appropriate test, further details to be provided to short-listed candidates. |

We will let you know as soon as possible after the closing date whether you have been shortlisted for interview. Further details on the selection process will also be sent to shortlisted candidates.

Applications received after the closing date will not be accepted.