



Job Description

Senior Specialist: Legal Services

9/4/2024

Job Title:	Senior Legal Specialist	
Business Unit:	Corporate Services	
Reporting Line:	Manager: Corporate Legal	
Direct Reports:	None	
Relationships:	Internal	<ul style="list-style-type: none"> • Exco • Corporate Services Team • Board and Sub Committee • Regional Managers • All staff
	External	<ul style="list-style-type: none"> • Service Providers • Department of Human Settlements • Relevant Municipalities • Relevant Provincial and National departments • State owned entities • Department of Public Works • Department of Rural Development and Land Affairs • Department of Public Entities • Department of Cooperative Governance and Traditional Affairs
Main Purpose of Job:	To provide the HDA with accurate and relevant legal, compliance support and advice to minimise risks and ensure effective contractual arrangements and statutory compliance	
Key Responsibility Area	Key Activities	
Strategic Management	<ul style="list-style-type: none"> • Assist the Manager: Corporate Legal in reviewing the HDA strategy from a legal perspective and ensure compliance • Assist the Manager: Corporate Legal in developing the HDA legal department with special emphasis on contractual, land legal and intergovernmental relations and legal compliance • Assist the Manager: Corporate Legal in developing implementation plans to ensure that the HDA legal strategy is implemented • Assist the Manager: Corporate Legal in monitoring, managing and implementing the plans to ensure that legal strategy is achieved 	
Policy Review and Implementation	<ul style="list-style-type: none"> • Contribute to the development and implementation of departmental policy, procedures and processes • Keep up to date with effective policy and practice execution strategies 	
Contract Management	<ul style="list-style-type: none"> • Draft and vet procurement and/or other commercial contracts • Draft all contracts for the HDA including but not limited to: <ul style="list-style-type: none"> ○ Employment contracts ○ Service provider contracts ○ Land purchase and disposal contracts ○ Land and building management contracts ○ Service level agreements ○ Project management agreements ○ Memoranda of Understanding ○ Intergovernmental relationships related agreements ○ Terms and conditions of Employment contracts ○ MTOP's, IP, etc. • Review all contracts signed by the HDA • Monitor and report on the status of contracts and other agreements drafted/vetted • Draft legal terms to accompany bid specifications • Provide input and advice on appropriateness of contracts and recommended or required amendments • Guide the development of strategic contracting and contract management approaches • Recommend all contracts for signature or amendments to the authorized HDA signatories • Compile legal reports on contractual disputes • Conduct research on legal and contractual issues/disputes • Update contracts register • Maintain an updated in the share folder 	

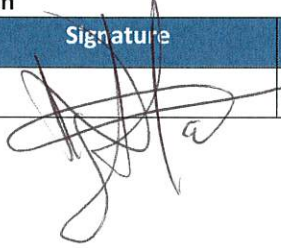
Legal Management Support and Litigation	<ul style="list-style-type: none"> • Review and interpret relevant documentation, statutes and information in order to determine the appropriate HDA position • Provide legal advice to all HDA management as required • Review legal and contractual environment and identify potential risks • Provide advice on any disputes, litigation or arbitration related matters • Represent HDA in litigation and dispute resolution processes and procedures as appropriate • Manage service providers providing advice or legal representation to HDA • Represent the HDA in providing legal support and specialist advice to stakeholders and partners • Participate in and contribute to the IGR legal forum • Represent the HDA in internal and external litigation and dispute matters • Be well versed in administrative and employment law and applicable legislation
Legal Advice	<ul style="list-style-type: none"> • Provide legal advice on all legal matters impacting on the organisation • Conduct legal research and prepare legal opinions • Keep abreast with legal developments that might affect the organisation • Advise on legal risks impacting the organisation
Stakeholder Management and Service Provider Management	<ul style="list-style-type: none"> • Assist the legal manager in establishing the legal panel for respective areas of expertise • Instruct and manage legal service providers with consultation and approval from Legal Manager • Monitor performance in line with briefs provided • Manage all litigation undertaken by service providers • Manage legal expenditure on service providers in line with the approved budgets and in consultation with the Manager: Corporate Legal • Facilitate and manage communication with relevant internal and external stakeholders in relation to investments and proactively and progressively manage the relationships • Manage relationships with vendors, service providers or procurement teams and ensure that all relevant procured items are invoiced and paid on time
Statutory Compliance and Governance	<ul style="list-style-type: none"> • Ensure that the HDA regulations are relevant and updated to enable the HDA to carry out its mandate as per HDA act • Review statutes and policies to ensure alignment to legislation and regulations. • Ensure HDA compliance with relevant legislation • Develop relevant policies and review statutes and policies aligned to all legislation and regulations as and when required. • Interpret statutes and potential implications for the HDA • Development and review of policies and procedures to ensure legal compliance • Advise the HDA on governance issues in accordance with the PFMA / King III / HDA Act and all relevant legislation • Assist with Board Administration (if required) • Support with management of all legal activities within the HDA • Knowledge of OSH • Support and manage IR matters • Knowledge of Land Legal matters and able to support the Land and other departments • Knowledge of Contract Management • Identify legal obligations and risks for the HDA
Qualifications & Experience	<ul style="list-style-type: none"> • Legal degree (LLB) and Admission as an Attorney or Advocate. • A minimum of 5 – 8 years' experience with experience in contract law, commercial law and labour law • Extensive experience in PFMA and Treasury Regulation, Directive and Practice Notes • Experience in carrying out investigations and leading evidence in disciplinary cases • Experience in commercial litigation. • Knowledge, insight and experience of the public and private sector human settlement environments would be preferable

Competencies Required	
Leadership Competencies	Required Level
Advocacy and Lobbying	
Change Management	

Developing Others	
Delivery Leadership	3
Motivating	
Organisational Awareness and Effectiveness	3
Organisational-Health View	3
People Management	
Public and Private Partnering	
Strategic Leadership	
Strategic Planning and Annual Performance Planning	
Team Leadership	
Technical Competencies	
Contractor / Service Provider Management	3
Cost Benefit Analysis	
Needs Analysis	
Policy and Procedure Development and Implementation	3
Resource Management	
Administration Support	
Facilities and Office Management	
Record Keeping and Storage	1
Scheduling and Coordination	1
Board Administration	
Board Compliance	
Governance	3
Data Analysis	
Data Capture	
Data Interpretation	
Database Management	
Data Storage and Protection	
Accounting	
Bookkeeping	
Budgeting and Budget Management	
Creditor Control	
Financial Management	
Discipline and Grievance	3
Organisational Design and Development	
Performance Management	3
Skills Development	
Talent Management	
IT Architecture	
IT Support	
IT Systems Development and Design	
IT Use	
Business Modelling	
Economic Analysis	
Management Information Reporting	
Urban Design and Planning	
Audience Alignment	
Brand Management	
Environmental Responsiveness and Reputation Management	3
Event Management	
Market Research and Analysis	
Marketing and Communication Planning and Implementation	
Public Affairs and Relations	
Community and Stakeholder Analysis and Diagnosis	
Community Facilitation	
Programme Management	
Project Feasibility	

Project Financial Management	
Project and Programme Financial Modelling	
Project and Programme Fund Mobilisation	
Project and Programme Influencing and oversight	
Project Management	
Project and Programme Scope Definition and Management	
Research	
Research Analysis	
Research Design	
Research Implementation	
Research Output	
Auditing	
Evaluation	
Legislative and Regulatory Awareness	3
Monitoring	
Quality Control	3
Risk Mitigation and Management	3
Acquisition Management	
Asset Management	
Contract Management	3
Demand Management	
Disposal Management	
Logistics Management	
Service Competencies	
Concern for Others	3
Customer / citizen Service and Orientation	3
Environmental Awareness	3
Networking	
Political Intelligence	3
Relationship Management	3
Stakeholder Engagement	3
Team Player	3
Behavioral Competencies	
Action Orientation	3
Analytical Thinking Skills	
Attention to Detail	3
Compliance	3
Communication Written	3
Communication Verbal	3
Conflict Resolution and Resilience	3
Contextual Application	
Continuous Improvement	3
Creative Thinking	
Decision Making	3
Diligence	3
Diversity	3
Drive to Deliver	3
Ethics and Integrity	3
Influencing	1
Learning and Development	
Mentoring	
Negotiation	3
Planning and Organising	3
Problem Analysis and Solving	3
Professionalism	3
Resilience	3
Self-Management and Maturity	3
Situational Responsiveness	3

Thought Leadership	1
Technical Curiosity and Expertise	
Systems and Process Thinking Skills	

Approval of Job Description			
Title	Names	Signature	Date
Head: Corporate Support	Naledi Kyotla		12/06/2024