

## Job Description

**Job Title:** Commercial and Contracting Manager -  
Legal

**Reports to:** Senior Legal Counsel – Commercial  
Contracting

**Grade Band :** C

**Location:** Home based with some travel as required

### Purpose

The Commercial and Contracting Manager role is employed to manage the governance of the contract lifecycle for Shaw Trust service delivery contracts across allocated directorates. This will involve the review and negotiation of terms and conditions for bids, contract variations and responding to legal contractual queries.

This role sits within the Commercial Directorate in the Commercial Contracting and Supply Chain team, alongside the Business Development, Commercial Partnerships and Commercial Support teams.

### Main Duties and Responsibilities

#### Primary Duties

1. Commercial and Contracting Managers will provide commercial and contractual support to designated areas which include Adult Employment Services including Justice, Specialist Employment Services, Learning and Skills, Home 2 Inspire, Childrens services and Community Health and Wellbeing.
2. Negotiate and prepare contractual schedules for all sub-contractor agreements and head contracts with Commissioners and in conjunction with operational colleagues and supply chain as required.
3. Draft and prepare for issue, sub-contractor contract variations and new contracts.
4. Support Legal Counsel by reviewing terms and conditions for tenders and producing contract risk tables for governance.
5. Providing contract terms and conditions for procurement processes for Commercial subcontracts
6. To ensure that Shaw Trust commercial contracts and subcontracts remain commercially and contractually compliant throughout the contract lifecycle.
7. To own and maintain Shaw Trust 's contracting database for service delivery contracts, Proactis, including head contracts, subcontracts, variations,

- extensions, milestones and terminations for designated Directorates as well as using and maintaining other systems including SharePoint and Huddle
8. Work with Operations and Finance to ensure that all information is completed and collated to support contractual governance sign off processes.
  9. Responsible for working with Operations to complete all contract change control notices, initiated through contract negotiation, performance, commissioners change request, contract extensions, and contract novation.
  10. Supporting the supply chain team on all matters relating to effective management of the subcontractors, performance, intervention, performance improvement, breach of contract by effectively using the mechanisms within the Contract and Performance Management Frameworks
  11. Act as the key point of contact with commissioners for all contractual matters, maintaining a strong working relationship with the Commissioner Contract Management Teams.
  12. To submit timely and accurate monthly commercial reporting returns to Senior Commercial and Contracting Manager - Legal
  13. Working closely with the wider Commercial Directorate Team, Head of Contracting and Supply Chain, Heads of Operations, Supply Chain Managers, Finance Team and Quality Team to ensure commercial management information is collected, analysed and reported correctly and on time and stored effectively.
  14. To ensure that all statutory, audit, contractual and governmental requirements are adhered to and that best accountancy practices are implemented within supply chains.
  15. Identify and report contractual and commercial risk and support or lead risk mitigation activities as required.
  16. Support all Shaw Trust staff and sub-contractors to understand and adhere to key contractual obligations at all times ,
  17. Understand and ensure that the quality requirements of The Trust 's Quality Assurance Framework, the prime contractor, framework and associated accreditations e.g. ISO 90001 , are maintained.

## Secondary Duties

18. Support the due diligence process for new sub-contractors including annual refresh of sub-contractors, determining sub-contractor risk profile and any capacity building requirements.
19. Responsible for ensuring all contract milestone information is checked and verified as accurate and complete and able to be returned to commissioners within required deadlines.
20. To maintain up to date sub-contractor and spot purchase matrices and oversee adherence to agreements, working closely with operational Supply Chain Managers
21. Oversee operational teams in the procurement process and leading mobilisation of new sub-contractors.

22. To work with fellow Shaw Trust central services to ensure a standardised approach to all commercial processes across Business Directorates and subcontractor delivery.
23. Coordinating initial contract awareness training and capacity building for sub-contractors as needed

## Other

1. To undertake any further training as identified in the Shaw Trust review procedures.
2. Ensure that safe working practices are followed in respect of COSHH and other Risk Assessment control measures.
3. Employees must comply with the provisions of 'The Health and Safety at Work Act 1974' and must take reasonable care for the health and safety of themselves and of other persons who may be affected by their acts of omissions whilst at work. Employees are also required to co-operate with their employer to enable them to perform or comply with any statutory provisions. The Trust's efforts to promote a safe and healthy working environment can only succeed with the full co-operation of its employees.
4. To understand, comply with and promote Shaw Trust's safeguarding policy and procedures. It is the responsibility of all employees to make the working environment safe and secure for all. Everyone must adhere to the 5 Rs in relation to possible abuse: Recognition, Response, Reporting, Recording and Referral. The Trust can only ensure its dedication to the protection of vulnerable people with the full cooperation of its employees.
5. The Trust has a Diversity and Inclusion Policy and it is the responsibility of all staff to comply with this. The key responsibilities for staff under this Policy are set out in the Trust Code of Conduct.
6. To maintain the confidentiality about clients, staff and other Trust business. The work is of a confidential nature and information gained must not be communicated to other persons except in the recognised course of duty. The post holder must meet the requirements of the Data Protection Act at all times.
7. To maintain awareness of risk and to take personal responsibility for ensuring that the Trust is not unnecessarily exposed to risk. To report any issues or concerns relating to risk and the effectiveness of the Trust's risk management arrangements.
8. Be aware of, promote and implement Shaw Trust's Risk, Quality and Information Security Management Systems.
9. To report to line manager, or other appropriate person, in the event of awareness of bad practice.
10. Recycle and manage energy within your environment in line with Shaw Trust's Strategic aim to adopt green approaches and become carbon neutral.

This job description is intended to provide a broad outline of the main duties and responsibilities only. The post holder will need to be flexible in developing the role in conjunction with the line manager. The post holder may be asked to carry out any other delegated duty or task that is in line with their post.

<b>Person Specification</b> <b>Job Title:</b> Commercial and Contracting Manager (E=Essential D=Desirable)
<b>SKILLS AND CORE COMPETENCIES</b>
<b>Technical competency (qualifications and training)</b> <ul style="list-style-type: none"><li>• Significant experience within a relevant field. (E)</li><li>• Paralegal qualified (E) or relevant legal degree (D) or equivalent work experience (E)</li><li>• CIPS accredited or willingness to work towards (D)</li><li>• Demonstrable evidence of Continuing Professional Development (E)</li><li>• Strong Commercial Awareness (E)</li></ul>
<b>Experience</b> <ul style="list-style-type: none"><li>• Commercial experience in the commercial contracting and subcontracting field (E)</li><li>• Experience of assessing documents/evidence for compliance against requirements (E)</li><li>• Experience of drafting commercial contracts, contractual design, or contract frameworks (E)</li><li>• Experience of enacting contract change control processes (E)</li><li>• Experience of managing the contract lifecycle with a supply chain (E)</li><li>• Experience in commissioning and of procurement of new provision and supply chain (E)</li><li>• Experience of communicating clearly to the commissioner including challenging decisions where appropriate (E)</li><li>• Experience of communicating requirements diplomatically, clearly and accurately (E)</li><li>• A background in government or public sector contracts (D)</li></ul>
<b>Skills and Attributes</b> <ul style="list-style-type: none"><li>• Ability to work with accuracy within deadlines (E)</li><li>• Strong communication skills both written and verbal (E)</li><li>• Clearly evidenced analytical and systematic approach to activity, with the ability to work in a structured and methodical manner to achieve all deadlines.</li><li>• Excellent organisational skills and time management. (E)</li><li>• Strong negotiation skills and demonstrable experience of contract negotiations (E)</li><li>• Developing a network of support functions both internal staff and external partners (E)</li></ul>

## **Personal qualities, communicating and relating to others**

- Exc Exceptional team player with the ability to work on own initiative (E)
- Flexibility to cope with the varying demands of the role, managing time effectively to achieve the desired results (E)
- Able to understand complex commercial contracts (E)

## **Safeguarding**

- Be able to display an awareness, understanding and commitment to the protection and safeguarding of young people and vulnerable adults(E)
- This post requires a Disclosure and Barring Service Check at a Basic level (E)

## **Other**

- Have an understanding of and be able to demonstrate a commitment to Equal Opportunities and Diversity (E)