

**NCBA BANK KENYA PLC
JOB DESCRIPTION**

Job Title:	Legal Counsel	Reports To:	Senior Legal Counsel
Unit:	Governance, Legal & Secretarial Division	Department	Legal Services
Grade:	Band 5	Date:	
Job holder:		Supervisor:	
Signature:		Signature:	

Job Purpose Statement
<p>The Legal Counsel is responsible for managing the full spectrum of the Bank's Banking business from lending, securities, contracting and projects, litigation and recoveries.</p> <p>The role's principal goal will be to offer practical legal support to the business units through balanced business-oriented legal advice that will guarantee that all our banking transactions and decisions comply with established laws and regulations in line with the legal risk policy and related contractual, litigation, recovery and securities perfection procedures & processes.</p>

Key Accountabilities (Duties and Responsibilities)		
Perspective	% Weighting <i>(to add up to 100%)</i>	Output
	Contract and Customer Documentation Administration and Advisory & Management (15%)	<ul style="list-style-type: none"> • Provide concise and practical legal solutions in handling contracts and customer documentation in line with the business needs; • Ensure that all contracts and customer documentation are in compliance with the legal policy and other internal policies, statutory regulations and generate; • ; • Ensure attendance, engagement and participation in contract and customer documentation negotiations on engagements/transactions that the business are getting involved in by self and direct reports; • Supervise and ensure that all contractual and customer documentation is practical and contains all key clauses that protect the interests of the business and concise and quality templates of contracts for use by the business and support functions that also enhances excellent relationships with stakeholders; • Propose new and innovative ideas that ensure that contract management and the quality of the contracts entered into by the banking units are of the highest standards; • Ensure personnel are properly trained and educated on all existing/new regulations, policies and procedures, product

JD – LEGAL COUNSEL (B.5)

		<p>information, in order to perform their responsibilities accurately, efficiently and in a timely manner; and</p> <ul style="list-style-type: none"> • Ensure an up to date register of all contracts is maintained and regularly updated. Ensure effective and efficient custody and retrieval of contracts. • Closure on audit issues raised with respect to contracts and customer documentation by ensuring a satisfactory “met” ratings for audit matters raised and providing specific timelines for closure of audit issues (the timelines should not exceed two weeks).
	<p>Securities (Perfection and Review) & Credit Approvals Support Management (20%)</p>	<ul style="list-style-type: none"> • Manage the legal securities docket in line with the security perfection and review procedure from the credit approval requests and advice; • Manage the legal advice provided for drafting of securities and allocation for security perfection reports; • Manage the preparation of relevant opinions on security perfection and discuss any opinions with the business team; • Manage the security review process of previously registered securities, ensure reports are shared on time to the management and board committees, share any gaps for improvement in the securitization process. • Closure on audit issues raised with respect to Securities (Perfection and Review) by ensuring a satisfactory “met” ratings for audit matters raised and providing specific timelines for closure of audit issues (the timelines should not exceed two weeks).
	<p>Litigation, Recoveries and Legal Queries (25%)</p>	<ul style="list-style-type: none"> • Ensuring compliance with the policy (ies) relating to to litigation and legal queries management. • Handle the litigation and threatened litigation and ensure reduction of legal exposure through adverse judgements; • Ensuring successful negotiation of matters out of court to ensure that the costs to the Bank are minimized by avoiding expensive litigation. • Keeping abreast with and proactively acting on market developments that may adversely affect the banks success to recover loans. • Project relevant trends that affect the collectibles in the recoveries portfolio and isolate potential problem areas. • Ensuring that all reports are provided in time within allowable time frames for Board and Management committees; and • Attending management committees on recoveries upon request. • Closure on audit issues raised with respect to recoveries, litigation and queries by ensuring a satisfactory “met” ratings for audit matters raised and providing specific timelines for closure of audit issues (the timelines should not exceed two weeks).

JD – LEGAL COUNSEL (B.5)

Customer Experience	Enhance customer experience (25%)	<ul style="list-style-type: none"> Compliance of the Service Level Agreements between the Legal department and internal and external customers. Ensuring that legal costs are minimised and all opportunities to minimise costs within the department and by digital business and subsidiaries are taken and suggest innovative ways of reducing costs within the department.
People & Culture	People & Culture (10%)	<p>Ensure that you achieve at least 50 hours of learning/training for both self and direct reports (if any) through E-learning, Internal & External training activities.</p> <p>Compliance with subscription requirements for relevant professional bodies.</p> <p>Ensure that there is proper succession plans and career development for self and for direct reports(if any).</p>

Job Dimensions

Reporting Relationships: jobs that report to this position directly and indirectly	
Direct Reports	Legal Officers
Indirect Reports	Legal Assistants/Interns

Stakeholder Management: key stakeholders that the position holder will need to liaise/work with to be successful in this role.	
<ul style="list-style-type: none"> i. Internal ii. The legal services department iii. Various Business and Support functions/Departments within the Group 	<ul style="list-style-type: none"> External i. Regulatory bodies ii. Customers; iii. External Lawyers iv. Any other service Providers/stakeholders that this role may require interaction with.

Ideal Job Specifications
<p>Academic: Bachelor's Degree Law (LLB) Master of Laws (LLM) (Desired but not mandatory)</p> <p>Professional: Admission as an advocate of the High Court of Kenya (minimum 5 - 7 years post admission) A Masters degree in combination with an aggregate of five to seven (7) years of qualifying work experience will be an added advantage)</p>

JD – LEGAL COUNSEL (B.5)

Ideal Job Specifications
<p>Desired work experience:</p> <p>A minimum of 5 - 7 years' experience in the legal department of a busy organization, financial institution or law firm, with sound exposure to:</p> <ol style="list-style-type: none"> 1. Contract and customer documentation drafting 2. Development of sound legal advisory and sound general advise 3. Credit or lending 4. Recoveries litigation 5. Perfection of securities

NCBA Bank Core Value Behaviours (Performance Drivers)
<ul style="list-style-type: none"> ▪ Driven ▪ Open ▪ Responsive ▪ Trusted

Ideal Job competencies

Technical Competencies	
<ol style="list-style-type: none"> i. Commercial and Insolvency Knowledge ii. Lending, debt collection and securities knowledge and skills iii. Conceptual and Analytical Skills iv. Knowledge of Business Environment v. Supervisory principles vi. Leadership vii. Technology Awareness and Skills 	<ul style="list-style-type: none"> ✓ Detailed understanding of contract, commercial, security perfection, litigation and insolvency law. ✓ Must be familiar with legislation and appraisal requirements for lending products, debt collection, perfection of securities and requirements by regulating bodies. ✓ Must be able to conceptualise issues and analyse proposals to great detail to understand underlying issues. ✓ Must understand local and global dynamics of the business environments facing the Bank. ✓ Practices and techniques to plan, direct and supervise the work activities of subordinate employees. ✓ Manage the department's administrative services to ensure that the department is running as efficiently as possible. ✓ Anticipates and resolves conflicts by pursuing mutually agreeable solutions. Establishes and maintains relationships with a broad range of people to understand the Bank's needs and gain support for the banking activities, Identifies priority activities and assignments; Adjusts priorities as required; Allocates appropriate amount of time and resources for completing work; foresees risks and allows the contingencies when planning; Delegates the appropriate responsibility, accountability and decision-making authority; Monitors progress against milestones and deadlines. ✓ Keeps abreast of available technology; understands applicability and limitations of technology to the work of the office; Computer literate with proficiency in MS office.

JD – LEGAL COUNSEL (B.5)

Behavioural Competencies	
i. Professional	<ul style="list-style-type: none">✓ Understands the bigger picture and appreciates being measured and applying objective criteria to mitigate risks; Ability to identify issues, formulate opinions, make conclusions and recommendations; shows pride in work and achievements; Is conscientious and efficient in meeting commitments, Observing deadlines and achieving results; is motivated by professional rather than personal concerns; Shows persistence when faced with difficult problems or challenges; Remains calm in stressful situations.✓ Must be honest, fair and just with self, and high level of integrity.✓ Ability to operate on own, consult and clarify where necessary and make informed decisions.✓ Must be good with people in bad and good times, but firm and fair.✓ Must be a hard negotiator, with excellent convincing approaches.✓ Excellent written and verbal communication skills, report/proposal writing skills and presentation skills.✓ Develops clear goals that are consistent with agreed strategies; Identifies priority activities and assignments; adjusts priorities as required; allocates appropriate amount of time and resources for completing work; Foresees risks and allows for contingencies when planning; Monitors and adjusts plans and actions as necessary; Uses time efficiently.
ii. Personal Ethics	
iii. Decisive and Independent	
iv. Interpersonal Skills	
v. Negotiation Skills	
vi. Communication Skills	
vii. Planner and organizer	