

Monitor the potential for legal action related to contracts

Overview

This standard is about monitoring the potential for legal action related to contracts and making management decisions on possible legal actions. It includes attending court proceedings on behalf of your organisation.

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Performance criteria

You must be able to:

1. monitor the potential for legal action related to contracts in accordance with your organisational requirements
2. recognise and identify circumstances where professional legal advice should be taken
3. set out the grounds to relevant colleagues on which to proceed with legal action based on the available information
4. compile the relevant information and evidence required to support the legal action in accordance with your organisational procedures
5. take the relevant steps to respond to and support the required legal action
6. appear in court to provide evidence or witness testimony on behalf of your organisation
7. support witnesses involved in the legal action during any legal proceedings
8. maintain the confidentiality of information in accordance with relevant organisational requirements and data protection legislation
9. confirm that your actions are in accordance with relevant organisational and legal requirements
10. keep records of your actions in accordance with relevant organisational and legal requirements

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Knowledge and understanding

You need to know and understand:

1. how a contract can be broken or breached
2. the requirements and relevant legislation relating to the regulation of contracts
3. how to identify the relevant procedures for different types of legal action relating to the regulation of contracts
4. your organisational requirements for monitoring the potential for legal action
5. your organisational requirements for responding to and supporting required legal action
6. the circumstances where legal action is required
7. the information required to make a judgement on the potential for legal action
8. how to produce a brief for submission to legal advisors
9. how your organisation must comply with the relevant data protection legislation
10. the sources of advice and help concerning relevant legal action
11. your own role in initiating and supporting relevant legal action
12. the requirements of witnesses involved in legal action
13. your organisational and the relevant legal requirements for keeping electronic records

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Originating Organisation	Instructus
Original URN	ASTH409
Relevant Occupations	Resident Involvement Assistant; Housing Assistant; Neighbourhood Assistant; Housing Administrator; Lettings Assistant; Lettings Negotiator; Assistant Portfolio Manager (without portfolio); Revenue Officer/Assistant; Repairs Assistant; Housing Officer; Housing Manager
Suite	Housing
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