

**VACANCY NOTICE**

**LAWYERS**

**GOVERNMENT LEGAL DEPARTMENT**

**JULY 2017**

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## HEADLINE INFORMATION

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|--------------------------------|--|
| <b>JOB TITLE:</b>              | G7 Lawyer  |
| <b>DEPARTMENT:</b>             | Government Legal Department  |
| <b>DIVISIONS:</b>              | Commercial Law Group including Litigation<br>Department for Transport Legal Advisors |
| <b>LOCATION:</b>               | London   |
| <b>CLOSING DATE &amp; TIME</b> | Wednesday 16 August 2017 <b>at Midday</b>  |
| <b>INTERVIEW DATES:</b>        | Late September   |
| <b>WORKING ARRANGEMENT:</b>    | Full time / Part time / Job share  |

GLD is committed to flexible working, but business needs for some roles may limit the scope for particular working patterns. For those working full-time, you will be expected to work a five-day week of 37 hours (excluding lunch breaks). Applications from those wanting to work as a job share will be considered.

The annual leave allowance is 25 days, and then 30 days after 5 years total service.

|                          |   |
|--------------------------|---|
| <b>APPOINTMENT TERM:</b> | Permanent   |
| <b>NUMBER OF POSTS:</b>  | Commercial Law Group: <b>5</b> (Litigation)<br><b>7</b> (Commercial)<br>Department for Transport: <b>6</b> (Commercial) |

|                      |  |
|----------------------|--|
| <b>SALARY RANGE:</b> | Grade 7: £48,400 - £61,000<br>Legal Officer: £42,000 |
|----------------------|--|

The vacancies on offer are at Grade 7 with a range of £48,400 to £61,000 (London). Salary will be dependent on experience. Appointments to Legal Officer will be made where successful candidates have less than three years post qualification experience. Candidates appointed as a Legal Officer will re-grade to Grade 7 when they reach one year's service or three years PQE whichever comes sooner (subject to satisfactory performance).

|                                     |  |
|-------------------------------------|--|
| <b>TRAVEL REQUIRED:</b>             | Sometimes (Travel and subsistence costs will be reimbursed in line with Departmental policy) |
| <b>CRB REQUIRED:</b>                | Yes  |
| <b>GUARANTEED INTERVIEW SCHEME:</b> | Yes  |
| <b>RESERVED/NON-RESERVED:</b>       | Non -reserved  |

## WORK OF THE DEPARTMENT

The Government Legal Department (GLD) is the largest provider of legal services across government, working with all the main Whitehall Departments. From roads to rivers, and health to human rights, our work touches on most aspects of public life.

The department has more than 14 client-facing advisory teams who provide legal advice on the development, design and implementation of government policies and decisions, draft secondary legislation and work with Parliamentary Counsel on primary legislation. Our cross-cutting expert service groups for Litigation, Employment and Commercial Law provide specialist legal services to a wide range of government departments and public bodies.

We are a non-ministerial government department with more than 2,200 employees, around 1,600 of who are solicitors or barristers. The department is based primarily in London but has teams in Bristol and Leeds.

As an organisation our vision is to be trusted by government to provide consistently excellent and value for money services so government departments want to come to us to meet their legal needs, to be known throughout the legal profession for the quality of our legal work, and to be the best employer for our people.

Continued learning and development is very important in GLD, in terms of both legal knowledge/skills and professional non-legal skills. The Commercial Law Group (CLGp) and the Department for Transport (DfTLA) each have a dedicated know-how lawyer. Additionally each team within CLGp and DfTLA organises training specific to legal issues of its relevant client department. There are also regular training sessions organised by government lawyers, external law firms and chambers, on cross-cutting commercial legal issues, public law training and professional skills which lawyers are encouraged to attend. The Civil Service Commitment to a minimum of five learning days a year applies to all lawyers and is actively encouraged. GLD has recently entered into a new contract for access to the widest range of online legal resources including PLC and LexisNexis.

There is a broad range of skills and experience in CLGp and DfTLA with a mix of solicitors and barristers, those who have trained in private practice law firms or chambers and those who have trained in the public sector, those for whom GLD was their first in-house role, and those who have worked in-house elsewhere previously. Almost all lawyers in CLGp, and a good number in DfTLA, advise on contract and procurement law and many have areas of expertise in addition.

## VACANCY DESCRIPTION

### Commercial Law Group

CLGp was launched on 2 June 2014, enabling the start of the journey towards a unified expert commercial law service for government. CLGp was created by drawing together the existing commercial lawyers in several departments as well as the Commercial Litigation and Dispute Resolution Team.

CLGp has six transactional teams based in Whitehall/Westminster/Leeds in the main government buildings for the client department which they advise or one of the other client departments in CLGp. They provide non-contentious commercial legal services to the following departments:

- Home Office;
- Department for Education;

- Department for Environment, Food and Rural Affairs;
- Department for Work and Pensions;
- Ministry of Justice;
- Department of Health; and
- Cabinet Office.

CLGp also has a central commercial legal team based in Holborn, London who, by providing commercial legal services, help government buy goods and services efficiently.

The dedicated Commercial Litigation and Dispute Resolution Team, is also based in Holborn.

There are approximately 110 lawyers in CLGp led by Wendy Hardaker, Commercial Law Director, who last year won the Civil Service Leadership Award. The teams in CLGp range in size from six to 19 lawyers and are each led by a Senior Civil Servant. There is also a Business Support Team.

The creation of CLGp highlights the increasing importance of commercial skills to government, as frontline services are increasingly delivered through commercial means. CLGp aims to ensure delivery of high quality legal advice and commercial litigation services. CLGp is involved in many of the government's highest profile and most sensitive matters.

### **Commercial Lawyers**

Much of CLGp's work is on the boundaries of commercial and public law, often at the forefront of major government initiatives. The government draws continuously upon the skills of commercial lawyers to bring to life policies pledged in their election manifestos and elsewhere. CLGp lawyers provide a wide range of commercial legal advice, including on public procurement, contracts, information technology, intellectual property and state aid. They draft and advise on every part of the commercial process, from the commercial law implications of a policy, through to designing the appropriate commercial construct, ensuring that projects appropriately manage legal risk, that contracts are managed effectively, and that any disputes are resolved as effectively as possible.

Effective contract and supplier management is essential to extract maximum value and so CLGp lawyers are called upon to advise on handling performance issues and disputes before they reach a formal dispute resolution procedure. Risk management of all types is a very large element of the role of a CLGp lawyer. If a dispute resolution procedure is commenced then CLGp lawyers often work alongside the litigation lawyers/counsel. CLGp lawyers also play a key role in instructing, working alongside and managing external law firms and counsel where additional and/or specialist advice is required. CLGp lawyers often work closely with their legal colleagues in the advisory law teams in GLD which advise the same department helping to implement policies and advise on commercial legal issues raised.

There is an increase in workload across CLGp generally, largely due to the need to drive value from departmental contracts and because of new programmes of purchasing. This increase in demand for CLGp's services has led to the need to recruit high calibre, commercial lawyers to help deliver the continuing success of CLGp. The work of CLGp offers some of the most interesting, varied, complex and high-profile commercial in-house work available anywhere.

The Commercial Litigation and Dispute Resolution Team deals with disputes connected to the work of the other CLGp teams as well as other commercial and procurement disputes from across government.

Successful candidates can expect to be involved in some of the most high profile, complex and far reaching commercial issues in government.

CLGp are currently recruiting qualified lawyers to work in a number of positions across this Group including its specialist Commercial Litigation and Dispute Resolution Team (see further below).

### **Commercial Litigation and Dispute Resolution Lawyers**

The commercial actions and decisions of government are under increasing scrutiny and challenge. CLGp's Commercial litigation lawyers conduct a wide range of often high profile cases, frequently involving questions of wide policy importance. Its lawyers operate in the Technology and Constructions Court, as well as dealing with other claims such as public law challenges. They actively utilise all methods of Alternative Dispute Resolution, and seek to reach the best commercial outcome for their clients. As well as being high profile and impacting on policy issues, the work is invariably of very high value, and regularly involves working with governmental colleagues on cross-cutting issues. The team's lawyers can expect to deal with a wide range of topics, from contracts, through to procurements, intellectual property and any number of other matters. The team leads on the use of e-disclosure platforms to help bring efficiencies to the clients. The team works with top experts from a wide variety of disciplines, and approaches any large project in a collaborative way.

Commercial litigators gain early responsibility for their own caseload within a supportive team environment, working alongside counsel from the Attorney General's Panels. They also play an important co-ordination role when litigation involves several government departments. They work closely with policy and advisory legal colleagues in client departments to reduce the exposure to litigation risk and to develop realistic contingency plans when the litigation risk materialises.

### **Department for Transport Legal Advisors (DfTLA)**

DfT Legal Advisers is a client-facing advisory team providing advice to the Department for Transport across the wide range of its functions. The Department for Transport's vision is to deliver a transport system that works for everyone and that, by always putting passengers and motorists first, will make people's journeys safer, cleaner, faster and more affordable today, while building the capacity we need for tomorrow. The Department for Transport provides leadership across the transport sector to achieve its objectives, working with regional, local and private sector partners to deliver many of the transport services people use today.

DfT Legal Advisers has just over 100 lawyers and is headed by Nick Olley. The Division is based at the Department's principal office in Horseferry Road in Westminster. We are organised into a number of sector based legal teams, and work closely with ministers and policy officials in DfTLA and across Whitehall.

The policy and political environment is fast-moving, and the Department for Transport has a major legislative, regulatory and commercial portfolio. We need to ensure that the Department for Transport receives high quality advisory legal services to support the full range of its activities. DfTLA needs robust support in taking decisions, often controversial, and in defending challenges to them.

The roles being advertised are for commercial lawyers within the sectoral cluster of four teams which support the Rail Group and High Speed Rail Group, but also include roles advising the rest of the Department on commercial matters.

The Department for Transport needs increasing legal support for its Rail Group and the High Speed Rail Group in particular in respect of the significant commercial work in the two Groups.

The Government's rail programme has never been more ambitious. Rail Group's remit encompasses some huge infrastructure projects, including the InterCity Express Programme, Thameslink and Crossrail - the biggest construction project in Europe. Rail Group is running a bigger franchising programme than ever before. Rail Group and High Speed Rail Group are also working with HS2 Ltd and Network Rail to plan and deliver the railway of the future, as well as managing today's network through a period of major change.

Both Groups are doing all of this against a backdrop of a highly complex and interconnected rail industry. Network Rail, train operating companies, rolling stock companies, manufacturers, the regulator and the wider supply chain all have roles to play. There are different levels of devolution to Scotland, Wales, London and some Passenger Transport Executives (PTEs). In turn, the rail industry links to a wider transport infrastructure, including ports, airports, roads and local transport.

There is significant political and media interest in rail which makes the work that both Groups and the lawyers who support them exceptionally high profile.

Current issues our lawyers in these teams are working on include:

- High Speed 2 – developing, legislating and building a new high speed rail line from London to Birmingham and onwards to Leeds and Manchester;
- Crossrail – to bring it into service in 2018;
- Crossrail 2 – proposals for a North-South cross London line;
- The refranchising programme for rail franchises in England (such as the recently announced West Coast Partnership preparing the way for High Speed 2);
- Advising on issues relating to existing franchises agreements (such as changes to the franchise to improve mobile connectivity in line with the Government's manifesto commitment);
- Advising on reforms to fares and ticketing arrangements;
- Advising on potential structural changes to the railway to align incentives and deliver efficiencies;
- Advising on the creation of the next regulatory settlement for the railways and the treatment of enhancements;
- Advising on achieving more effective and diverse use of railway assets (such as the space under railway arches) without compromising the operational railway.

There is also a small group of lawyers providing more general commercial advice to the Department for Transport and its Agencies, both transactional and litigation.

## **RECRUITMENT PROCESS**

To Apply:

Applicants are asked to submit:

- A form of words addressing the 'Legal Professional Skills (maximum 750 words) and Motivational Fit (250 words) competencies. The communication competency will be assessed based on this content.
- Your employment history and experience as required through the application process.
- Confirmation of having achieved a minimum of a 2.1 degree in their first degree (in any subject). Where an applicant holds an overseas degree this should be equivalent to 2:1.

Applicants who do not have a 2:1 degree will be considered where satisfactory evidence of high level academic and/or professional achievement is provided.

If you are unable to complete your application online, please contact [GLSQualified@TMPW.co.uk](mailto:GLSQualified@TMPW.co.uk) for details of how to complete a paper application.

If selected, on the day of the interview you will be asked to undertake a written exercise in addition to the traditional interview. We may hold a reserve list if the number of successful candidates after interview exceeds the number of available vacancies.

## PERSON SPECIFICATION

We are looking for intellectually capable, highly motivated and with strong oral and written communication skills. You must be able to demonstrate Legal Professional Skills at Legal Adviser/Grade 7 level.

In particular, we are looking for the following in **Professional Legal Skills**:

- Excellent powers of analysis and sound legal judgement.
- A constructive approach to providing legally sound, risk-based advice in a policy context.
- Sound analysis, using secure legal research to produce timely and fit for purpose advice.
- The ability to communicate advice effectively both in writing and orally.
- Good understanding of the role of lawyers in government.

In relation to the vacancies for Commercial Lawyers, we are in addition looking for the following as part of the LPS competency:

- An ability to negotiate effectively and to draft commercial contracts.
- A good working knowledge of and experience of public procurement issues is desirable but not essential.
- Good commercial and contract law experience, and a good understanding of the wider public sector context.

For the vacancies for Commercial Litigation and Dispute Resolution Lawyers, we are in addition looking for the following as part of the LPS competency:

- Experience of working in a commercial litigation environment.
- A good working knowledge of the Technology and Construction Court.
- A good working knowledge of Alternative Dispute Resolution procedures.
- Good commercial and contract law experience, and a good understanding of the wider public sector context.

### Motivational Fit

We need to know how well our requirements and offerings match your aspirations.

- Please describe how you are suited to working as a Government Lawyer.
- Please outline how you feel you might contribute effectively to a role with the GLD.

We are looking for intellectually capable, highly motivated lawyers with powerful communication skills. You need to have good self-awareness and a commitment to using feedback to learn and develop as a professional.

For this GLD campaign, only the 'Legal Professional Skills', 'Motivational Fit' and 'Communication' competencies, as evidenced in your written statements, will be assessed at the application form/short-listing stage. Should you be successful in being invited to interview, your performance in all of the key competency areas will be tested. These are summarised below:

- **Legal professional skills** – as above.
- **Motivational Fit** – as above.
- **Setting Direction – Making effective decisions**
  - Make difficult decisions by pragmatically weighing up the complexities involved against the need to act.
  - Analyse and evaluate pros and cons and identify risks.
  - Identify the main issues in complex problems.
- **Engaging People – Collaborating and partnering**
  - Effectively manage team dynamics when working across Departmental and other boundaries.
  - Seek constructive outcomes in discussions, challenge assumptions but remain willing to compromise when it is beneficial.
  - Build strong interpersonal relationships to deliver business outcomes.
- **Delivering results – Managing a quality service**
  - Ensure the service offer thoroughly considers customers' needs.
  - Make clear and pragmatic and manageable plans for service delivery.
  - Create regular opportunities for staff and customers to help improve service quality and demonstrate a visible involvement.
- **Delivering results – Delivering at pace**
  - Get the best out of people by giving enthusiastic and encouraging messages about priorities, objectives and expectations.
  - Review, challenge and adjust performance levels to ensure quality outcomes are delivered on time, rewarding success.
  - Adopt clear processes and standards for managing performance at all levels.
  - Maintain effective performance in difficult and challenging circumstances, encouraging others to do the same.
  -
- **Engaging People – Building Capability for All**
  - Ensure that learning and development opportunities are fully exploited to enhance organisational capacity.
  - Coach and support colleagues to take responsibility for their own development.
  - Establish and drive discussions to learn from experience.
  - Prioritise and role model continuous learning and development, including leadership, management and people skills.



For further information on the above please see the following documents:

*'Civil Service Competence Framework 2012-17: Level 4 – Grade 7 and 6 or equivalent'.*

*'GLS Legal Professional Skills for LO, Grade 7, Grade 6'*

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/436073/cscf\\_fulla4potrait\\_2013-2017\\_v2d.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/436073/cscf_fulla4potrait_2013-2017_v2d.pdf)

## DEPARTMENTAL CONTACT POINT

If you would like to discuss this post further with someone in the department, or would like to be put in touch with a lawyer working in the team please contact:

Name: GLD Recruitment Team  
Telephone: 0845 3000 793 or 0117 923 4417  
Email: [glsqualified@tmpw.co.uk](mailto:glsqualified@tmpw.co.uk)

## MINIMUM ELIGIBILITY CRITERIA

### Academic

Applicants **should** have a minimum of a 2:1 honours degree in their first degree (in any subject). Where an applicant holds an overseas degree qualification this should be equivalent to a 2.1 degree. However, this Department will consider applicants who do not have a 2.1 degree but only where satisfactory evidence of equivalent high level academic and/or professional achievement can be provided (e.g. via relevant experience and results achieved for the Graduate Diploma in Law (GDL)/CPE, Legal Practice Course (LPC), Bar Professional Training Course (BPTC)).

### Professional Qualifications

The recruiting department has specified this as: Applicants must be (or about to become) qualified to practise as a Solicitor, Barrister or Chartered Legal Executive in England and Wales. You must have completed a training contract/pupillage/qualifying employment, or have been exempted from this by the Law Society, the Bar Council or CILEx. Applicants qualified in a jurisdiction outside England and Wales will be required to undertake the Qualified Lawyers Transfer Scheme within 12 months of appointment. GLD will not meet the cost.

*Professional entry criteria for Chartered Legal Executives (i.e. Fellows):* Chartered Legal Executives are eligible to apply where (i) a Qualifying Law Degree (QLD) is held; or (ii) the Graduate Diploma in Law (GDL)/CPE has been completed; or (iii) where exams have been passed (i.e. a score of 50% or above achieved where a 2.1 degree or higher is held), at CILEx Level 6\*, in all of the following seven foundation subjects in law:

1. Contract Law
2. Criminal Law
3. Equity and Trusts Law
4. European Union Law
5. Land Law
6. Public Law
7. Law of Tort

\* Note: There are specific requirements relating to academic achievement in the CILEx Level 6 exams where these are being used to demonstrate 2.1 degree equivalence as set out below.

*Chartered Legal Executives* should note that the GLS will be willing to accept an, overall, average score of 65% or above across exams passed in the seven foundation subjects in law (where studied at CILEx Level 6) as demonstrating 2.1 degree equivalence (where a 2.1 degree is not held).

We also welcome applications from those who expect to qualify shortly.

### **Nationality**

The GLS is part of the wider Civil Service and therefore the [Civil Service nationality rules apply](#). If a post is described as 'reserved', then only UK nationals will be eligible to be able to apply. If a post is advertised as a 'non-reserved' post, as our posts generally are, those listed below will be eligible to apply:

- UK Nationals (and British Protected Persons);
- Commonwealth citizens and nationals of the European Economic Area (EEA);
- Individuals with dual nationality where one part is British; and
- Certain family members of EEA, Swiss and Turkish nationals (as set out in the Civil Service nationality rules).

Please note that it is possible to meet the above nationality requirements and still not be legally entitled to work in the UK. [UK Visas and Immigration](#) operates a points-based immigration policy which applies to the migrants from outside the European Economic Area, Switzerland and Turkey.

It is the applicant's responsibility to check whether this policy applies to them. When applying, applicants will be asked about their nationality at birth, whether they are subject to immigration control, whether there are any restrictions on your continued residence or employment in the UK etc. Detailed document checks will be made prior to employment.

Applications will be accepted from those applicants who may require sponsorship for a work permit under the UK Border Agency's points-based immigration policy. Applications which require sponsorship will, however, only be considered if no suitable settled worker is identified for the position.

## **GUARANTEED INTERVIEW SCHEME**

We have signed up to the Positive about Disabled People Commitment and will guarantee an interview to any disabled applicant who meets the minimum criteria. The Equality Act 2010 defines a disabled person as someone who has a physical or mental impairment which has a substantial and adverse long-term effect on his or her ability to carry out normal day-to-day activities.

To meet the minimum criteria, candidates applying under the terms of the Guaranteed Interview Scheme (GIS) must:

- Meet all aspects of the stated minimum eligibility criteria (i.e. academic, nationality, and professional criteria);
- Meet the standard set for the Critical Reasoning Test (where used); and
- Obtain a minimum score for (i) the GLD core competencies being assessed at the application stage and (ii) against any job specific criteria specified.

Candidates applying under the terms of the GIS, who meet the minimum criteria outlined above, will be invited to attend an interview.

## **PRE-EMPLOYMENT CHECKS**

All government departments are required to ensure that any personnel employed by them comply with the Baseline Personnel Security Standard (BPSS) before they take up employment.

This standard involves verification of identity; nationality and immigration status (including an entitlement to undertake the work in question); employment history (past 3 years) and criminal record (unspent convictions).

You will be asked to produce original documents when attending interview to enable us to verify the above if you are successful. The information which you provide will be treated in the strictest confidence by the GLD and its authorised representative (TMP Worldwide).

Supplying false information or failing to disclose relevant information could be grounds for rejection of your application, or, dismissal and could amount to a criminal offence.

Your referees will not be approached until your permission has been obtained following success at interview.

Regarding criminal record checks, a basic disclosure will normally be required (covering convictions considered unspent under the Rehabilitation of Offenders Act 1974). This will apply to successful candidates only and your permission will be required before checks are undertaken.

Successful candidates will also be required to be cleared to SC (security check) level.

Some posts will require clearance to a level higher than SC in view of the sensitive nature of the work. You will be told if this applies to you. Details of HM Government vetting policy can be found here: <https://www.gov.uk/government/publications/hmg-personnel-security-controls>

## **DATA PROTECTION**

The information which you provide will be protected and processed for the purpose of successful completion of the Baseline Personnel Security Standard, in accordance with the requirements of the Data Protection Act 1998.

If you have any concerns about any of the questions which you are asked to complete or what we will do with the information you provide, you should discuss these with the GLS Recruitment Team.



## **COMPLAINTS PROCEDURE**

GLD Departments' processes are underpinned by the principle of selection for appointment on merit on the basis of fair and open competition as outlined in the Civil Service Commission's Recruitment Principles which can be found at <http://civilservicecommission.independent.gov.uk>

If you feel your application has not been treated in accordance with these Principles and you wish to make a complaint, please contact Caroline Anerville either by telephone on 0207 210 3436 or by email at: [caroline.anerville@governmentlegal.gov.uk](mailto:caroline.anerville@governmentlegal.gov.uk) in the first instance.

If you are not satisfied with the response you receive from the Department, you can contact the Civil Service Commission.