

VACANCY NOTICE

LEGAL ADVISER (COMMERCIAL)

GOVERNMENT COMMUNICATIONS HEADQUARTERS (GCHQ)

APRIL 2017

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HEADLINE INFORMATION

JOB TITLE:	Legal Adviser (Commercial)
DEPARTMENT:	Government Communications Headquarters (GCHQ)
DIVISION:	Legal
LOCATION:	London
CLOSING DATE & TIME	Wednesday 26 April 2017 12 pm (mid-day)
INTERVIEW DATES:	29 May – 2 June 2017
WORKING ARRANGEMENT:	Full time / Part time / Job share
APPOINTMENT TERM:	Permanent
NUMBER OF POSTS:	3
SALARY RANGE:	Variable
SALARY DETAILS:	Competitive salary
TRAVEL REQUIRED:	Yes
CRB REQUIRED:	No, but willingness to be vetted for minimum Security Check Clearance
GUARANTEED INTERVIEW SCHEME:	Yes
RESERVED/NON-RESERVED	Reserved

VACANCY DESCRIPTION

GOVERNMENT COMMUNICATIONS HEADQUARTERS (GCHQ): THE NATIONAL CYBER SECURITY CENTRE

AND

THE SECURITY SERVICE (MI5), THE SECRET INTELLIGENCE SERVICE (SIS), AND GOVERNMENT COMMUNICATIONS HEADQUARTERS (GCHQ)

Three exciting opportunities have arisen for commercial lawyers to work in an intelligence environment. The first is in a new team providing advice to the newly opened National Cyber Security Centre, and the second & third are in a team providing advice to GCHQ, the Security Service (MI5) and the Secret Intelligence Service (SIS).

THE NATIONAL CYBER SECURITY CENTRE

The National Cyber Security Centre (NCSC) was formally launched in October 2016. Its vision is to make the UK the safest place in the world to do business online. To this end, it provides expert cyber advice to other Government Departments and UK industry on how to secure their communications systems. It also responds to cyber-attacks and carries out a broader range of work to advance knowledge and understanding of the cyber landscape.

The NCSC is not a separate legal entity – it is part of GCHQ, an Intelligence and Security organisation. GCHQ reports to the Foreign Secretary and its functions are established by statute.

THE NCSC POST:

The post will be based in the NCSC's new central London headquarters in Victoria. However, it will have a strong link back to GCHQ's primary legal team in Cheltenham and the post holder will be expected to visit Cheltenham as required. The post holder will work to the Deputy Director Legal Affairs (NCSC) GCHQ.

We are looking for a lawyer to support the commercial legal requirements of an organisation that is doing an increasing amount of work with the private sector and adopting a more public facing stance than the rest of GCHQ. The work is wide-ranging, including:

- drafting agreements to put in place innovative arrangements with the private sector;
- advising on risk exposure in private sector engagement;
- assisting the NCSC with its response to new cyber regulation;
- helping structure the policies the NCSC requires to operate more openly; and
- advising on intellectual property and technology issues.

The work is likely to involve a mixture of public law and commercial issues and we are looking for a lawyer who is interested in both areas.

The post holder will also be expected to help develop the team providing commercial legal advice to the Centre for the Protection of National Infrastructure (CPNI), and to help foster and maintain close relations with the Government Legal Department (GLD) commercial group.

THE SECURITY SERVICE (MI5), THE SECRET INTELLIGENCE SERVICE (SIS), AND GOVERNMENT COMMUNICATIONS HEADQUARTERS (GCHQ) (together, the Agencies)

The Security Service (MI5) and the Secret Intelligence Service (SIS) and the Government Communications Headquarters (GCHQ) help keep the UK safe by investigating and disrupting threats to our national security, including terrorism, espionage and the proliferation of weapons of mass destruction. The work they undertake is unique, challenging and complex and is key to protecting British interests, safety and security.

The Agencies' commercial work involves some of the most demanding and innovative commercial legal vehicles in Government, providing wider support to cross-Government collaborative procurements involving systems development, engineering, IT services, professional services, research and development, construction and property matters as well as specialist niche areas of the Agencies' business. The nature of the Agencies' business means that it also has a strong international dimension across its activities and legal requirements. A principal driver for the Agencies' commercial relationships is the need to maximise the value derived from existing contracts (using collaboration and shared services where possible).

THE AGENCIES' POSTS:

The posts will be based in London at the GCHQ London site but would work regularly in MI5 and SIS sites. There would be occasional travel to Cheltenham. The post holders will work to the Deputy Director Legal Affairs (Commercial) GCHQ and work closely with commercial and legal staff in the London Agencies.

We are looking for lawyers who will work alongside the Agencies' procurement and commercial function in providing sound commercial legal advice on a broad portfolio of commercial matters – from support to as well as lead legal adviser on major procurements and projects, advice on commercial policy and standard terms and conditions, support to clients in major negotiations, dispute resolution and avoidance, and training.

PERSON SPECIFICATION

All post holders will be part of the GCHQ legal team, which currently consists of 20 lawyers, split roughly 50/50 between commercial and operational lawyers. The GCHQ legal team prides itself on being an inclusive team, operating differing working patterns as part of our offer to our lawyers in their work/life balance choices.

Applicants for all posts must be a qualified UK Solicitor or Barrister and have 5 years' PQE as a commercial lawyer.

The post holders must be able to meet the following competencies. 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. In addition, the application and interview process will seek evidence of the following competencies:

- **Legal Professional Skills**

Excellent powers of analysis, use of evidence and sound legal judgement and appreciation of legal risk, with experience in one or more of the following areas:

- Procurement law including major programmes;
- commercial and contractual law;
- interface between commercial and public law;
- commercial litigation, arbitration and ADR;
- intellectual property and technology law;
- construction and property

- **Making Effective Decisions**

- **Collaborating and Partnering**

- **Managing a Quality Service for Clients**

- **Delivering at Pace**

- **Motivational Fit**

When completing your application/at interview you will be asked to provide examples of how you have demonstrated the competencies listed above.

CRITICAL REASONING TEST

Please note that as part of this process you may be required to complete an Online Critical Reasoning Test. If this is the case, you should receive an invitation to take the test from **27 April 2017**, with a deadline for completion by **Midday on 2 May 2017**

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: GLS Recruitment Team
Telephone: 0845 3000 793 or 0117 923 4417
Email: glsqualified@tmpw.co.uk

GLS MINIMUM ELIGIBILITY CRITERIA

Professional Qualifications

The recruiting department has specified this as: Applicants must be (or about to become) qualified to practise as a Solicitor or Barrister in England and Wales, with a minimum of 5 Years' PQE in commercial law. 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 subject to the rules of the professional bodies (where applicable). Barristers and Solicitors qualified in a jurisdiction outside of England and Wales will be required to complete the Bar Transfer Test or Qualified Lawyer Transfer Scheme within an agreed period of time (this is likely to be within 12 months of appointment).

Academic

Applicants **should** have a minimum of a 2:1 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 (or above) (e.g. where a lower degree classification is held, or, where applicants have (under the rules of the professional bodies) qualified as a Solicitor/Barrister/ Chartered Legal Executives without a 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)).

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

Some GLS departments 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 GLS 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 GLS 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 (i.e. DBS 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.

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

GLS 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 the Operations Manager at glsqalified@tmpw.co.uk in the first instance, who will liaise with the Department and provide a response on their behalf. If you are not satisfied with the response you receive from the Department, you can contact the Civil Service Commission.