

VACANCY NOTICE

SENIOR COMMERCIAL LAWYER

GOVERNMENT LEGAL DEPARTMENT

MARCH 2017

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HEADLINE INFORMATION

JOB TITLE:	Grade 6 Senior Commercial Lawyer
DEPARTMENT:	Government Legal Department
DIVISION:	Commercial Law Group
LOCATION:	London
CLOSING DATE & TIME	Thursday 13 April at Midday
INTERVIEW DATES:	Late May to early June
WORKING ARRANGEMENT:	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.

APPOINTMENT TERM:	Permanent
NUMBER OF POSTS:	Up to 8
SALARY RANGE:	Grade 6: £61,200 - £75,200 (London)

The vacancies on offer are at Grade 6 with a starting salary of £61,200, (London). Salary will be dependent on experience.

TRAVEL REQUIRED:	Sometimes (Travel and subsistence costs will be reimbursed in line with Departmental policy)
CRB REQUIRED:	Yes
GUARANTEED INTERVIEW SCHEME:	Yes
RESERVED/NON-RESERVED:	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 1,800 employees, around 1,300 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.

VACANCY DESCRIPTION

The 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 and consists of six teams based in Whitehall/Westminster 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 and
- Department of Health
- Cabinet Office

CLGp also has a central commercial legal team who, by providing commercial legal services, help government buy goods and services efficiently; as well as a dedicated Litigation and Dispute Resolution Team, both of which are 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 seven 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.

Continued learning and development is very important in CLGp, in terms of both legal knowledge/skills and professional non-legal skills. We have a dedicated know-how lawyer for the Group. Each team within

the Group 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 in CLGp are encouraged to attend. The Civil Service Commitment to 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 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 CLGp was their first in-house role, and those who have worked in-house elsewhere previously. Almost all lawyers advise on contract and procurement law and many have areas of expertise in addition.

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.

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.

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

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.

We are serious about getting people with the right motivation and skills to be successful in our business. *Candidates meeting the advertised minimum eligibility criteria may be asked to complete an online **Critical Reasoning Test** before selection for interview.*

In this circumstance, we may email those applicants who meet the advertised minimum eligibility criteria a link to the test on receipt of their application which may be before the closing date, and will be before the interview. Applicants will have 5 days to complete the test – please ensure you check your email inboxes carefully including junk folders as we cannot guarantee receipt. If concerned please contact the GLS Recruitment Team for advice (see contact details below).

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.

GLD makes appointments in merit order. If more candidates pass the Board than there are G6 posts, GLD may offer posts at Grade 7.

PERSON SPECIFICATION

We are looking for intellectually capable, highly motivated lawyers with good training and experience in commercial law and with strong oral and written communication skills. You must be able to demonstrate Legal Professional Skills at Legal Adviser/Grade 6 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.
- 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.
- Significant 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 'Legal Professional Skills', 'Motivational Fit' and 'Communication', as evidenced in your written statements for the aforementioned competencies, 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

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: glqualified@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

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, 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 GLD 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 Caroline Anerville either by telephone on 0207 210 3436 or by email at: 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.