

Feb 2018

Trust in water

# Information for applicants

**Senior Associate/Associate, Legal**  
**Ref: OFWBC-167-218**

[www.ofwat.gov.uk](http://www.ofwat.gov.uk)

**ofwat**



## Introduction from Rachel Fletcher, Chief Executive



### **Water is not a dry issue.**

The water sector in England and Wales has come a long way in the past 27 years. At privatisation, polluted beaches and rivers and neglected infrastructure meant we were seen as the ‘dirty man of Europe’.

The regulation of this sector was entrusted to the Water Services Regulation Authority (Ofwat) which has maintained a steady hand in driving and incentivising the sector to deliver and to improve. Over the period since privatisation, the water companies have invested more than £140 billion in maintaining and improving services for consumers and the environment. Today, for example, the amount of water lost through leaks is down by about a third since the mid-1990s. In addition, salmon have returned to the River Mersey, once considered one of the most polluted in Europe. All of this has been delivered efficiently too – a litre of tap water, supplied and taken away, costs less than half a penny.

But the world is changing. The water sector faces new problems and very different challenges. In the future, climate change may mean we get more droughts and more floods, making it harder to maintain resilient supplies. Our population is growing, putting more pressure on the water we use. Lifestyle changes have increased our appetite for water in our homes, our work places and our places of leisure. The changing social and economic landscape also means we need to reconsider how business operates and how customers are able to afford their water and sewerage bills.

Ofwat needs to be at forefront of determining and implementing a regulatory system that will protect customers’ interests, drive efficiencies and innovation, enable efficient companies to finance their functions and to ensure that the ‘promises of privatisation’ are delivered. We all need to have trust and confidence in the water and wastewater services we receive.

To do this, Ofwat needs to be at the very top of its game. Thank you for your interest in joining Ofwat at what is a very exciting time for us. We look forward to receiving your application.

**Rachel Fletcher**  
**Ofwat Chief Executive**

## About Ofwat and the role

Ofwat (the Water Services Regulation Authority) is the economic regulator of the water and wastewater sector in England and Wales. Our role is to help it build trust and confidence with customers, the environment and wider society. Our strategic priorities include:

- Working with the sector to improve the customer experience in particular by improving resilience, delivering a step change in customer service, maintaining affordability and driving efficiency.
- Improving information and transparency in the sector to hold companies to account.
- Supporting the development and investability of markets, to enable the sector to deliver more for less.
- Securing stakeholder engagement and support for change.
- Ensuring Ofwat has the skills, experience, systems, processes and culture to deliver the strategy.

Our focus as a regulator is on regulating in a pro-market way which means establishing an effective framework that improves information (e.g. quality and visibility); improves buyers' and sellers' ability to transact (e.g. reducing 'transaction costs'); and/or by improving incentives on buyers and sellers to transact efficiently. In addition, we will look to make targeted interventions only, rather than taking a prescriptive, one-size-fits-all approach.

The established Legal resource pool provides highly specialised legal expertise across Ofwat's programmes and projects, supporting the implementation of Ofwat's strategy and objectives in line with its functions and duties. A core element of this role involves advising on regulatory, competition and administrative law in the context of the economic regulation of the water industry. Lawyers are expected to have a wider interest in cross-cutting themes that may impact on the organisation or the industry.

The legal professionals in this pool are lawyers working in a flexible, agile and integrated way coordinating expert advice across the full range of Ofwat projects and programmes and contributing at every stage of policy development. Our lawyers form a dynamic resource pool which contributes widely in the project and stakeholder management of the organisation including managing Ofwat's relationships with external law firms and legal counsel.

The General Counsel is the Strategic Resource Manager for the pool.

## **Role expectations**

With strength in depth in the Legal resource pool at a more senior level, we are recruiting additional resource to support the pool and are keen to attract candidates who may not have as much experience but who are eager to develop their skills in the field of public law, economic regulation and competition law. We have two fixed term contract vacancies at the Senior Associate and/or Associate level and would also consider those with paralegal experience. We are flexible as to the level at which we will recruit depending on the calibre of the candidates.

The work that you'll be involved in every day will be about helping us to deliver our strategy and develop sustainable solutions, delivering outcomes that matter to customers.

Our work is high profile and fast moving. You'll work flexibly across a range of programmes, workstreams and projects, as well as delivering responsively at short-notice in light of changing priorities. The roles we are seeking to fill are vital to the effective provision of legal support to our programmes and projects. They are fixed term as we strengthen our resources in particular as we work towards the 2019 price review.

You'll need to quickly gain an understanding of Ofwat's strategy, have a broad appreciation of the context in which Ofwat operates and an overview of all its programmes. With this you'll contribute more effectively to identifying and helping to manage risk and opportunities from a legal perspective.

Within the scope of your responsibilities, you'll be expected to demonstrate good judgement and to exercise it responsibly in line with our strategy and ways of working. In addition, you'll be expected to work effectively in line with the Ofwat programme and project management tool kit.

You will also be part of our ongoing and far-reaching programme of culture change and organisational improvement to ensure that the whole of Ofwat is always the best that it can be.

## Key deliverables – Senior Associate

- Providing high quality legal advice across a number of programmes and projects
- Delivering high quality legal advice on regulatory, competition and administrative law in the context of the economic regulation of the water industry
- Being involved in helping policy teams in the formulation and execution of strategies for achieving their policy outcomes
- Supporting Ofwat’s relationships with external law firms and legal counsel, other regulators and government

## Professional requirements – Senior Associate

	Critical	Desirable
Qualifications	Qualified Solicitor or Barrister in England and Wales or at least 5 years’ experience acting in a role akin to that of a qualified Solicitor or Barrister in a legal environment	
Experience	<p>Material experience of working in a complex organisation on one or more of the specific areas of regulatory, administrative and competition law</p> <p>Experience of effective communication using negotiating/influencing skills with internal and external stakeholders, including internal colleagues, government departments, external lawyers, and partner organisations</p> <p>Experience of using analytical skills and their application in a complex legislative structure within an innovative policy environment</p> <p>Experience of effective and efficient planning, including prioritisation</p> <p>Experience of being resilient and able to respond to competing priorities under time pressure</p>	<p>Experience of/in the water sector and/or one or more sectors governed by economic regulation</p> <p>Experience of advising in a high profile public policy area.</p> <p>Experience of competition and/or complex public law litigation</p>
Knowledge	Understanding of the political, commercial context and legal dimensions of operating within a regulatory sector.	

## Key deliverables – Associate

- To provide accurate timely and solution orientated legal advice to projects across Ofwat
- To assist in the formulation and execution of strategies for achieving policy objectives
- To work closely with other lawyers in the Legal resource pool to provide a coordinated legal response and service
- To contribute to the ongoing development of the practice and procedures of the Legal resource pool

## Professional requirements – Associate

	Critical	Desirable
Qualifications	Qualified Solicitor or Barrister in England and Wales or experience in a role akin to that of a qualified Solicitor or Barrister experience in a legal environment	
Experience	<p>Demonstrates knowledge of one or more of the following areas surrounding the water industry:</p> <ul style="list-style-type: none"> <li>• Regulatory law;</li> <li>• Competition law (UK and/or European);</li> <li>• Public &amp; administrative law;</li> <li>• Commercial law.</li> </ul> <p>Knowledge of the regulatory framework and its stakeholders</p> <p>Evidence of:</p> <ul style="list-style-type: none"> <li>• Strong written and oral communication skills</li> <li>• Effective planning and prioritisation of work to ensure continuous delivery</li> <li>• Ability to liaise and coordinate with others across the business</li> </ul> <p>Ability to provide relevant support to colleagues across the resource pool as required</p>	
Knowledge	Understanding of the political, commercial context and legal dimensions of operating within a regulatory sector	

## Terms and conditions of employment

### Contract

We have one permanent opportunity and two fixed term opportunities to approximately March 2020.

### Salary

The salary ranges for these roles are Band 2, £23,043 - £32,362 and Band 3, £32,363 - £48,406. Salaries offered will reflect candidate's relevant skills and experience required for the post. Salary is paid monthly by credit transfer.

Internal and Civil Service candidates already at this job level would normally maintain their existing salary arrangements as this would be classed as a level transfer. If applying for the role as a promotion, these candidates can typically expect to be appointed on a salary at the bottom of the band or a 10% increase to existing salary, whichever is greater.

### Location

The role will be based in either Birmingham or London. However, it is likely that travel between offices and throughout the UK will be needed to be effective.

### Contracted place of work and taxable expenses

Any person who regularly works more than two days a month in both the Birmingham and London offices, irrespective of their contracted place of work, is considered by HMRC to have [two permanent workplaces](#).

The payment of your rail fare, accommodation or subsistence in this situation attracts tax and National Insurance because you are receiving a benefit.

Ofwat meets the cost of the tax and National Insurance by grossing up your expenses and recovering the net amount through your monthly pay package. But the expenses are classed as taxable earnings, which could impact on any attachment of earnings – for example, student loan repayments, high income child benefit and state benefits.

This means that you will not be required to meet the costs of travel to the office location where you are not based.

For further information on taxable expenses, please email [payroll@ofwat.gsi.gov.uk](mailto:payroll@ofwat.gsi.gov.uk).

## Hours of work

The successful post holder will be required to work a minimum of 37 hours, excluding lunch breaks. You will be required to work such additional hours as is reasonable and necessary for the efficient performance of your duties.

## Probation

There is a probationary period of six months for all new entrants. Subject to satisfactory performance, the post holder will be transferred to permanent establishment at the end of their probation.

## Annual leave

On appointment the post holder will be entitled to 25 days annual leave plus 10½ days' public and privilege holidays a year. Annual leave entitlement will be increased by one day for each year of continuous employment with Ofwat, up to a maximum leave allowance of 30 days.

## Pension

On appointment, you are eligible to join the Civil Service Pension. The Civil Service offers a choice of defined benefit and stakeholder pensions, giving you the flexibility to choose the pension that suits you best. We offer you a choice of two types of pension.

**Alpha:** alpha is an occupational pension scheme and provides a defined benefit worked out on a Career Average basis.

From 1 April 2017, member contributions will be based on actual salaries.

From 1 April 2017, employee contributions will be:



Actual pensionable salary (annual)	All members
Up to and including £21,422	4.60%
£21,423 to £51,005	5.45%
£51,006 to £150,000	7.35%
£150,001 and above	8.05%

From 1 April 2017, employer contributions will be:

Revised Salary Band (£)	ASLC rate from 1 April 2017
23,000 and under	20.0%
23,001 to 45,500	20.9%
45,501 to 76,000	22.1%
76,001 and over	24.5%

**Partnership:** this is a stakeholder pension with a contribution from Ofwat. How much we pay is based on your age. We pay this regardless of whether you choose to contribute anything. You do not have to contribute but, if you do, we will also match your contributions up to 3% of your pensionable earnings.

Employer age-related contributions will be:

Age at the last 6 April	ASLC rate from 1 April 2017
Under 31	8%
31 to 35	9%
36 to 40	11%
41 to 45	13.5%
46 or over	14.75%

To learn more about the Civil Service Pension schemes, please follow the link <http://www.civilservicepensionscheme.org.uk/>

## Ofwat benefits

We also offer a range of additional benefits. These include:

- access to our package of benefits via our 'Rewards on Tap' scheme. This is a voluntary benefits scheme where staff have access to exclusive discounts on a range of goods and services such as retail outlets, theatre tickets, holidays, insurance and gym membership;
- childcare voucher scheme;
- cycle-to-work scheme;
- season ticket loan for travel between home and office;
- flexible working arrangements;
- fees paid for membership of relevant professional bodies;
- regular professional development;
- health and wellbeing initiatives; and
- free eye tests and contribution towards lenses/spectacles for VDU users, if appropriate.

## **Further information**

### **Security clearance**

Any offer of appointment will be subject to satisfactory completion of security and pre-employment checks. Further information about the security checking procedure is available on request.

### **Nationality and immigration control**

This post is open to nationals of states within the British Commonwealth and the European Economic Area (EEA) and certain members of their families. There must be no employment restriction or time limit on your permitted stay in the UK.

If you would like further information on Nationality and Immigration Control, please email us at [people@ofwat.gsi.gov.uk](mailto:people@ofwat.gsi.gov.uk).

### **Stocks or shares**

Because of the nature of the information you will come into contact with and the need to be wholly independent of the water sector in England and Wales, you and your family (including your spouse or civil partner and any children or step-children under the age of 18 who still live at home, or any other member of your household)

will be precluded from owning, purchasing or dealing in the shares of the water companies and their holding companies.

## How to apply

Applications should include a:

- curriculum vitae (**CV**);
- **covering letter** or supporting statement that outlines the contribution you can make to Ofwat, including how you feel you meet our professional requirements and demonstrate behaviours outlined in our competency framework;
- completed **CV supplement form**; and
- completed **diversity monitoring form**. This form is not mandatory.

Please email your CV and supporting documents to [recruitment@ofwat.gsi.gov.uk](mailto:recruitment@ofwat.gsi.gov.uk) by the closing date.

If you are unable to make an electronic application, you may submit your application on paper. Please contact us to find out how.

## Selection timetable

Closing date	Monday, 16 April @ 10:00am
Sifting	16 and 17 April, 2018
Interview date	23 and 24 April – candidates are expected to make themselves available on those dates

If you have any queries about any aspect of this role or selection process, please email [recruitment@ofwat.gsi.gov.uk](mailto:recruitment@ofwat.gsi.gov.uk)

## Expenses

We will refund travelling costs at the rate of standard rail fare for the journey or motor mileage rates (cars: 25p per mile).

Please note that proof of purchase will be required for all public transport expenses.

We cannot refund expenses for travel into the UK. If you have to stay overnight, please contact [recruitment@ofwat.gsi.gov.uk](mailto:recruitment@ofwat.gsi.gov.uk) for further details.

## **Data protection**

We will use your application only to inform the selection process, after which we will destroy it. If you are successful, it will form the basis of your personal record with us and we will store it in manual and electronic files.

We will hold any data about you in completely secure conditions, with restricted access. Information in statistical form on present and former employees is given to appropriate outside bodies.

We will include data that you provide on the diversity monitoring form in a general database for statistical monitoring purposes only, enabling us to monitor the effectiveness of our policy on equal opportunities in employment. Individuals will not be identified by name.

We shall consider that, by applying for this role, you are giving your consent to the processing of your data in the ways described above.

## **Diversity**

Ofwat aims to be an equal opportunities employer. We intend to make sure that there is equality of opportunity and fair treatment for all irrespective of:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership status;
- pregnancy and maternity;
- race, religion or belief; or
- sex or sexual orientation.

We would like to assure you that we will treat the information you provide on the diversity monitoring form in the strictest confidence and only use it to help us monitor appropriate equal opportunities policies. This information plays no part in our selection process.

## **Investors in People (IIP)**

Ofwat has IIP accreditation which reflects good management practices throughout our organisation, including in business planning, individual objective setting, learning

and development opportunities, as well as continuous constructive feedback through our delivery and development conversations approach to performance management.

## **Complaints procedure**

The process of recruitment and assessment embraces the principles of fair and open competition and best practice. The first is to maintain the principle of selection for appointment to the Civil Service on merit on the basis of fair and open competition as outlined in the [Civil Service Recruitment Principles](#). The second is to promote an understanding of the [Civil Service Code](#) which sets out the constitutional framework in which all civil servants work and the values they are expected to uphold, and to hear and determine appeals made under it.

If feel your application has not been treated in accordance with the recruitment principles and you wish to make a complaint, you should contact Natasha Harris, Director, Operations (People), Ofwat, Centre City Tower, 7 Hill Street, Birmingham, B5 4UA in the first instance. If you are not satisfied with the response you receive from us you can contact the Civil Service Commission at [info@csc.gsi.gov.uk](mailto:info@csc.gsi.gov.uk).