

## Senior Associate and Associate Legal Adviser – Regulatory Enablers Cluster, Ref: BC546

### Introduction from David Black, interim Chief Executive

Water companies support all aspects of life. Safe and reliable water and wastewater services are essential for our day to day lives, our wellbeing, and our natural world.

And as the economic regulator of water and waste water in England and Wales, our role is to enable, incentivise and hold companies to account for providing the very best for customers, society and the environment now and in the future. We also oversee the markets that exist in the water sector to make sure they are working for customers.



To achieve this, we've set ourselves three goals. They are to:

- transform water companies' performance;
- drive water companies to meet long-term challenges through increased collaboration and partnerships; and
- for water companies to provide greater public value, delivering more for customers, society and the environment.

Delivering these goals will help to meet customers' needs: ensure reliable and safe water supplies today with a better environment, affordable bills and a resilient and sustainable future for water.

As we do this, we will be working to fulfil the UK and Welsh Governments' strategic priorities for Ofwat, and UK and Welsh Government policy.

We're ambitious about the future and looking for people who can help us to achieve our goals. Thanks for your interest in joining Ofwat. We look forward to receiving your application.

**David Black**  
**interim 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. Ofwat has an ambitious strategy and as a regulator we are setting ourselves up to achieve and equal the ambition of this new strategy. It matters to us that things on the ground really change so that our impact on customers, the environment and the future of water is tangible and meaningful.

Our work is high-profile and fast-moving, within a dynamic and agile environment. The work that you'll be involved in every day will be about helping us to deliver our strategy, helping us to be the regulator we want to be and helping the sector to deliver outcomes that matter to customers and society. Our strategy sets out the role Ofwat will play. We will adapt, be confident, act with purpose and integrity and continuously improve so that we make the greatest contribution possible to improving life through water.

## About the legal team

The legal team is part of the Regulatory Enablers cluster within Ofwat: a group of cross cutting teams that work across Ofwat to enable our regulatory work. We work in close partnership with all of the work clusters, predominantly as fully integrated team members, to help evolve and deliver Ofwat's strategy, whilst navigating and managing legal risk. We pride ourselves on providing high quality, pragmatic and solutions-focused advice, clearly, simply and concisely. Ofwat's work is fast moving and often high profile. It is about delivering sustainable solutions and outcomes that matter to customers.

Examples of recent work that members of the Ofwat legal team have advised on are:

- references to the CMA by four water companies of Ofwat's 2019 price determinations;
- enforcement case against Thames Water for leakage performance, resulting in a package of commitments worth £120m to customers;
- enforcement case against Southern Water for management of wastewater treatment works, resulting in £123m reparations to customers and a £3m financial penalty;
- working in an innovative partnership with the Environment Agency and the Drinking Water Inspectorate (RAPID) to facilitate the development of national water resources infrastructure;
- the regulation of the Thames Tideway 'super sewer' for London;
- principles for the boards of water companies on leadership, transparency and governance; and
- devising and delivering emergency Covid business support measures for the water suppliers to business, and working with the industry through the impacts of COVID.

## Role expectations

Following a recent promotion and review of our work, we are looking to expand our strength at a junior level and are keen to attract able candidates who may not necessarily have much experience but who are eager to develop their skills in the field of regulatory, public and administrative, and competition law in the context of the economic regulation of the water industry. We have one permanent vacancy and one fixed term contract vacancy 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. We also expect to hold a reserve list of at least 6 months for this campaign.

In the role you'll:

- work flexibly across a range of clusters, workstreams and projects and manage a mixed work portfolio
- deliver responsively at short-notice as priorities evolve
- get quickly familiar with Ofwat's strategy and clusters and the context in which Ofwat operates so you can effectively identify and help manage risk and opportunities from a legal perspective
- demonstrate good judgement, exercised responsibly in line with our strategy, values and ways of working.

For both roles, at interview we will ask you a set of scenario based and competency based questions in relation to the key deliverables and professional requirements asset out below.

The interview will be structured in a way to consider you for both an Associate and Senior Associate level role, allowing us to assess the appropriate grade to offer based on your skills and experience. You should therefore prepare for questions spanning both grades of role. If you would prefer to only be considered for one grade please let us know in your application

## Key deliverables Senior Associate

- Providing high quality, accurate, timely, pragmatic and solutions-focussed legal advice across a number of clusters, workstreams and projects
- Delivering high quality legal advice on regulatory, public and administrative and competition 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 requirement Senior Associate

	Essential	Desirable
<b>Qualifications</b>	<ul style="list-style-type: none"> <li>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</li> </ul>	
<b>Experience and Knowledge</b>	<ul style="list-style-type: none"> <li>Material experience of working in a complex organisation on one or more of the specific areas of regulatory, public and administrative and competition law</li> <li>Experience of using analytical skills and their application in a complex legislative structure within an innovative policy environment</li> <li>Experience of delivering pragmatic, solutions-focused advice to help policy teams in the formulation and execution of strategies for achieving their policy outcomes</li> <li>Experience of effective communication using negotiating/influencing skills with internal and external stakeholders, including internal colleagues, government departments, external lawyers, and partner organisations</li> <li>Experience of effective and efficient planning, including prioritisation</li> <li>Experience of being resilient and able to respond to competing priorities under time pressure</li> <li>Understanding of the political, commercial context and legal dimensions of operating within a regulated sector.</li> </ul>	
<b>Skills and behaviours</b>	<ul style="list-style-type: none"> <li>Seeing the Big Picture</li> <li>Changing and Improving</li> <li>Making Effective decisions</li> </ul>	

	<ul style="list-style-type: none"> <li>• Communicating and Influencing</li> <li>• Working Together</li> <li>• Managing a Quality Service</li> <li>• Delivering at Pace</li> </ul> <p>Delivering in line with what we call our Values (SAILOR) – support, ambition, integrity, learning, ownership and respect</p>	
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## Key deliverables Associate

- Providing high quality, accurate, timely, pragmatic and solutions-focussed legal advice to projects across Ofwat
- Delivering high quality legal advice on regulatory, public and administrative and competition law in the context of the economic regulation of the water industry
- Assisting in the formulation and execution of strategies for achieving policy objectives
- Working closely with other lawyers in the Legal team to provide a coordinated legal response and service
- Contributing to the ongoing development of the practice and procedures of the Legal team

## Professional requirement Associate

	Essential	Desirable
<b>Qualifications</b>	<ul style="list-style-type: none"> <li>• Qualified Solicitor or Barrister in England and Wales or experience in a role akin to that of a qualified Solicitor or Barrister in a legal environment</li> </ul>	
<b>Experience and Knowledge</b>	<p>Demonstrates knowledge of one or more of the following areas of law 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>• Analytical skills</li> <li>• Pragmatic, solutions-focussed advice</li> <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> <li>• being resilient</li> <li>• Ability to provide relevant support to colleagues across the legal team as required</li> <li>• Understanding of the political, commercial context and legal dimensions of operating within a regulated sector</li> </ul>	
<p><b>Skills and behaviours</b></p>	<ul style="list-style-type: none"> <li>• Seeing the Big Picture</li> <li>• Changing and Improving</li> <li>• Making Effective decisions</li> <li>• Communicating and Influencing</li> <li>• Working Together</li> <li>• Managing a Quality Service</li> <li>• Delivering at Pace</li> </ul> <p>Delivering in line with what we call our Values (SAILOR) – support, ambition, integrity, learning, ownership and respect</p>	

## How to apply

Applicants should apply through the Civil Service Jobs website. You will be asked to create an account and complete an application form.

If you are unable to make an electronic application, you may submit your application on paper. Please contact us to find out how at [recruitment@ofwat.gov.uk](mailto:recruitment@ofwat.gov.uk)

## Selection timetable

Closing date	30 <sup>th</sup> July 2021 at 5pm
Sifting	Week commencing 2 <sup>nd</sup> August 2021
Interview date(s)	13 <sup>th</sup> to 20 <sup>th</sup> August 2021

Please note that during the Covid-19 pandemic interviews will be conducted via video conferencing software such as BlueJeans, Skype or Microsoft Teams.

It is expected that the interview process for this vacancy may include a short presentation and/or assessment. Further details will be provided to shortlisted candidates upon invitation to interview. It may be necessary for a second stage interview, which will be communicated to the successful candidates, if required.

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

## Terms and conditions of employment

### Contract

This may be a fixed term or a permanent appointment. We are looking to appoint at least one permanent role.

### Salary

The salary range for a senior associate role is Band 3 – £34,528 – £51,627 and for an associate role is Band 2 – £25,143 to £34,527. External candidates can expect to achieve a starting salary from the bottom of the band up to £48,000 for a senior associate and up to £30,000 for an associate. Details of the salary on offer will be confirmed at the time of appointment and take into consideration the skills and experience required for the post as well as internal salary relativities. 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, with travel between offices and occasional other travel as required. However, the majority of our employees are currently working from home in line with the government's advice, due to the Covid-19 pandemic.

### **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.gov.uk](mailto:payroll@ofwat.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 2021, member contributions are based on actual salaries.

From 1 April 2021, employee contributions are:

Annualised rate of pensionable earnings		Employee contribution rate
From	To	
£0	£23,100	4.60%
£23,101	£56,000	5.45%
£56,001	£150,000	7.35%
£150,001	-	8.05%

From 1 April 2021 employer contributions are:

Revised Salary Band (£)	ASLC rate from 1 April 2020
23,000 and under	26.6%
23,001 to 45,500	27.1%
45,501 to 77,000	27.9%
77,001 and over	30.3%

**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 are:

Age at the last 6 April	Percentage of your pensionable earnings
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 ‘Edenred’ 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;
- 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

Any move to Ofwat from another employer will mean you can no longer access childcare vouchers. This includes moves between government departments. You may however be eligible for other government schemes, including Tax-Free Childcare. Determine your eligibility at <https://www.childcarechoices.gov.uk/>.

## 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.gov.uk](mailto:people@ofwat.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.

### 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.gov.uk](mailto:recruitment@ofwat.gov.uk) for further details.

### Data protection

We will use your application only to inform the selection process. If you are successful it will form the basis of your personal employee record with us and we will store it electronically within our SharePoint Electronic Document Management System (EDRMS) and our HR system iTrent. Unsuccessful applications are not retained and will be destroyed using Ofwat's secure disposal methods. If you have indicated that you would like Ofwat to retain your information for future similar employment opportunities we will retain this information. If at any point you

decide you do not wish Ofwat to retain your information for these purposes please contact us and we will ensure your information is removed from our systems, unless we are legally obliged to hold it for a further period.

We will hold any data about you in completely secure conditions and with restricted access. Information in statistical form on present and former employees in some instances is provided to appropriate outside bodies. Wherever possible Ofwat ensures that statistical information is anonymised.

We will include data that you provide on the diversity monitoring form in a general database for statistical monitoring purposes only. This enables us to monitor the effectiveness of our policy on equal opportunities in employment.

Ofwat processes all the personal data you have provided during your application as set out in Ofwat's privacy policy which is available here: <https://www.ofwat.gov.uk/publication/privacy-policy/>. If you have any concerns regarding the processing of some or all of your data please inform the People Hub in writing to [people@ofwat.gsi.gov.uk](mailto:people@ofwat.gsi.gov.uk) and/or the Data Protection Officer by emailing [FOI@ofwat.gsi.gov.uk](mailto:FOI@ofwat.gsi.gov.uk).

## 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 you feel your application has not been treated in accordance with the recruitment principles and you wish to make a complaint, you should contact Sarah Lal, Head of HR, Corporate Enablers (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.gov.uk](mailto:info@csc.gov.uk).

