

Guide for Applicants

LEGAL ADVISOR

Key Dates for Applicants		
Closing Date	2:00pm on Friday 28 th October 2022	
Interview & Assessment Dates	Between 7 and 18 November 2022	









Contents

Prior to completing the application form we recommend that applicants familiarise themselves with the contents of this guide, which includes:

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1. A Message from John French, Chief Executive

Dear Applicant,

Thank you for taking time to read this Guide for Applicants. I hope it gives you all the information you need to decide whether to apply for the position of **Legal Advisor** within Northern Ireland's Utility Regulator.

Electricity, gas, and water are essential services that support all homes and business in Northern Ireland. As an economic regulator our role is to enable, incentivise and hold energy and water companies to account for providing the very best levels of service and price for consumers and society both now and in the future.

We are ambitious about the future of the organisation and we are looking for passionate people who can help us achieve our goals and energetically display our organisational values.

I want to make the Utility Regulator the best place to work. To be successful in this, we need to recruit the best candidates from a range of backgrounds. Recently, we have been successful in achieving IIP Silver, and we have gained accreditation with the Diversity Mark and the Disability Committed programmes. This highlights our ongoing commitment to staff wellbeing, inclusion and excellence.

This recruitment is focused on appointment of a Legal Advisor working within the Corporate Affairs Directorate, you will play a vital part in delivery of Utility Regulator aims and objectives by advising and assisting in fields of public law, regulatory law, competition law, energy law, environmental law and dispute resolution. This role provides an excellent opportunity to develop your expertise in specialist legal work areas, which are and will be in some demand for years to come in light of the government's commitment to delivering net zero carbon.

Thank you for your interest in joining the Utility Regulator. We look forward to receiving your application.

7. Church

John French Chief Executive



2. About Us, Northern Ireland Utility Regulator

Who We Are

We are the independent non-ministerial government department responsible for regulating Northern Ireland's (NI) electricity, gas, water and sewerage industries, to promote the short and long-term interests of consumers.

Our mission:

To protect the short and long term interests of consumers of electricity, gas and water.

Our Vision:

To ensure value and sustainability in energy and water.

Our Values:

Be a best practice regulator: transparent, consistent, proportionate, accountable and targeted.

Be professional: listening, explaining and acting with integrity. Be a collaborative, co-operative and learning team.

Our statutory role is to ensure the electricity, gas and water utility industries in NI are regulated and developed within ministerial policy as set out in our statutory duties.

We are governed by a publicly appointed Board and accountable to the NI Assembly through financial and annual reporting obligations.

We have currently have the following key functional areas: Networks, Wholesale, Retail and Consumer Protection and Corporate Affairs.

We want to develop a workforce that is motivated and empowered to make a difference.

Our Diversity Statement

Be UR Self

It takes all kinds of different minds, everyone is unique and we want you to use yours. We want to be a diverse and inclusive organisation putting the "you are" in UR. Our success is based on the diversity and uniqueness that each person brings to the organisation and on the willingness of staff to accept and value one another. This approach helps us protect consumers to make a positive difference to all households and businesses in Northern Ireland.



What we do

Our statutory objectives are to:

- Protect the short and long-term interests of electricity, gas, water and sewerage consumers with regard to price and quality of service;
- Promote a robust and efficient water and sewerage industry, where appropriate to deliver high quality services;
- Promote competition, where appropriate, in the generation, transmission and supply of electricity; and
- Promote the development and maintenance of an economic and coordinated natural gas industry.

Our work involves:

- issuing and maintaining licences for gas, electricity and water companies to operate in Northern Ireland;
- making sure that these companies meet relevant legislation and licence obligations;
- challenging these companies to keep the prices they charge as low as they can be;
- encouraging regulated companies to be more efficient and responsive to customers;
- working to encourage competition in the gas, electricity, water and sewerage services markets;
- setting the standards of service which regulated companies provide to customers in Northern Ireland; and
- acting as an adjudicator on certain customer complaints, disputes and appeals.

We hold concurrent competition law powers and are NI's competition authority for its electricity, gas, water and sewerage industries.

We are uniquely placed as the United Kingdom's (UK) only cross-utility regulator. This creates both challenges and opportunities which we are keen to maximise and address as we go forward.

We have quasi-judicial powers to determine certain complaints, disputes and appeals.

In order to help us protect the interests of electricity, gas and water consumers in NI we work with a range of partner organisations. These include:

- NI Executive and Assembly;
- NI government departments, including the Department for the Economy (DfE), Department of Finance (DoF) and Department for Infrastructure DfI);
- Energy and water utility companies;
- The Consumer Council for Northern Ireland (CCNI) whose role as an advocate for consumers is complementary to our regulatory powers;

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- Government departments and bodies in Great Britain (GB) including OFGEM_, OFWAT and the Water Industry Commission for Scotland_and the Republic of Ireland, including the Commission for Energy Regulation (CRU); and
- Non-governmental organisations such as the Energy Savings Trust.

3. About the Role



Role:	Legal Advisor
Directorates:	Corporate Affairs
Reporting to:	Head of Legal Services

Terms a	ind Co	nditions:
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Contract:	Permanent, however flexible working arrangements will also be actively considered
Hours:	37 hours per week (alongside our flexi-time system)
Salary:	£39,969 to £49,961 per annum
Pension:	NI Civil Service (NICS) pension arrangements
Holidays:	25 days (rising to 30 days after 2 years) and an additional 12 public and privilege days

Role Purpose:

Working within the Corporate Affairs Directorate, the Legal Advisor will be involved in assisting the Utility Regulator in the discharge of its functions relating to economic and customer service regulation for Northern Ireland's electricity, gas, water and sewerage industries. This will involve the provision of advice and assistance in fields of public law, competition law, company law, energy law, water law, environmental law and dispute resolution. The post will involve occasional travel within the UK and EU Member States.

The role itself will also involve some stimulating policy work in areas with a quasi-legal content: sustainability and environmental issues, financial penalties and enforcement, competition issues, freedom of information and data protection issues, complaints, disputes and appeals processes. The role will also carry more routine legal administration responsibilities to be carried out by the successful candidate on behalf of the Legal Department. For example, you will also be involved in managing and working with the UR's external legal panel.

You will be required to perform such duties as are commensurate with this role and to undertake any other manager level duties as may reasonably be required.

Key Contacts: Internal:	Legal consultants, Directors, Heads of Branch, managers, other Utility Regulator staff.
External:	External industry legal representatives, comparable regulatory bodies, Northern Ireland Civil Service departments, external agencies.

Legal Advisor	Ref: LA/UR/22
Strategic	 Provide input to the forward work planning and activities of the Legal Services Department. Assist the Head of Legal in reviewing Legal Department strategy. Assist the Head of Legal in providing expert legal advice as required on areas of strategic importance to the Utility Regulator.
Operational	 Assist in providing timely and effective legal advice on all aspects of regulatory law, competition law, public and administrative law, energy law and licensing regimes. Drafting licence modifications, legal letters, legislative interpretation advices and providing verbal briefings as and when required on a wide range of areas of law. Taking instruction from the Head of Legal as to the co-ordination of external legal advice with the Legal Framework Panel of Advisors. Development of organisational expertise in concurrency and competition law fields including advising the Utility Regulator on its effective performance of its National Competition Authority role (which will involve occasional travel to London and Brussels). To support the Legal Department with any litigation cases brought before the NI and/or ROI courts. Assisting with Utility Regulator's enforcement role and advising on its powers and duties. To provide legal support on specific projects such as the I-SEM. Provide advice to those dealing with Regulatory Appeals, Complaints & Disputes. Assist in the co-ordination and response to Freedom of Information requests and other policy matters.
Leadership	 Assist the Utility Regular to develop the standing and reputation of the Legal Department as a centre of excellence both within the Utility Regulator and with stakeholders. Assist in the training and development of Utility Regulator staff as appropriate.
Financial and Project Management	 Assist in the adherence to the expenditure of the Legal Department budget and the Legal Framework Panel budget as appropriate. As required, contribute to the evaluation and cost appraisals (including Value for Money) for legal resources, training schemes, and related items.
Quality	 Assist the Legal Department in ensuring a consistent approach from a legal perspective in relation to internal policies and procedures. Assist the Legal Department to develop the standing and reputation of a centre of excellence with respect to Northern Ireland Utility law (both within the Utility Regulator and with service providers, external agencies etc.). Maintain a good understanding of the principles and practices within the organisation and the utilities industry.

Legal Advisor	Ref: LA/UR/22
Health & Safety	 Demonstrate responsibility for your own health and safety and that of those with whom you work. Contribute to an environment where Health and Safety is promoted and responsibility taken for resolving any issues within the Legal Services Department e.g. in relation to stress management.
Risk Management	 Input to the Corporate Affairs Directorate Risk Register as required. Contribute to identification of legal risks, & strategic risks for Corporate Affairs Directorate and the wider organisation.
Customer Services	 Respond to external queries and consultations as appropriate.
Equality	 To contribute to the promotion of equality of opportunity within UR and in the performance of your duties. To contribute to the directorate's equality screening duties where appropriate and in line with Section 75 Duties.
Networking	 Develop effective working relationship with the Senior Management Team and key members of the regulated companies to ensure effective regulation. Provide a direct point of contact between the Utility Regulator and external specialist support. Build relationships with Ofgem/Ofwat and other key stakeholders in relation to e.g. strategy and policy development etc. Develop relationships with key stakeholders, comparable regulatory bodies, regulated companies and external agencies. Act as an ambassador for the Utility Regulator at seminars, training and conferences.

Our statutory remit and organisational structure is continuing to evolve. It is therefore quite possible that the scope of the advertised role will evolve significantly with consequential changes to the job description.

4. Selection Criteria

Essential Criteria



This role is well suited to persons with strong analytical and technical legal skills together with project management and excellent and balanced interpersonal skills and a strong commitment to good governance.

Please note you will be required to **demonstrate fully** the following essential criteria on the **application form to be shortlisted for interview. These essential criteria may also be tested at interview and assessment stages.**

- 1. A qualified solicitor or barrister, qualified to practice in Northern Ireland or England and Wales with post qualification experience*.
- 2. Proven experience gained working in energy/regulatory law; and/or public/administrative law.
- 3. Proven ability to analyse complex legal issues and provide clear and concise advice and solutions that resolve business problems.
- 4. Proven ability to manage significant workloads with limited resources and deliver outputs in line with client/customer expectations and deadlines.
- 5. Proven ability to build and maintain productive communication networks with colleagues and stakeholder organisations.
- 6. Ability to positively demonstrate by examples, an understanding of and commitment to further workplace values that align to those of the Utility Regulator. *UR Mission, Vision and Values can be found on page 4 of this pack.*

***Note:** Republic of Ireland or other common law jurisdictions may be considered. An overseas qualification is only acceptable if it is fully comparable and equivalent to the UK counterpart. You will be required to present original certificates/documentation if you are invited to the next stage of the selection process.

Desirable Criteria

In the event of a large number of applicants, the following desirable criteria will be used in consecutive order as further short listing criteria. These criteria **should be demonstrated on the application** form and may be tested further at the interview stages.

1. Knowledge or experience of Energy law.

Key Skills and Competencies

In addition to satisfying the above essential criteria, you will be expected to display the following competencies and skills at interview and assessment stages.

Professional	•	Excellent legal drafting skills and attention to detail
Knowledge/Skills	•	Good knowledge of technical law and the ability to
		assimilate complex technical information
	•	Excellent communication skills
	•	Strong organisational and planning skills



	 Ability to work under pressure and committed to delivering on deadlines Ability to work collaboratively with colleagues and external stakeholder organisations Excellent interpersonal skills and the ability to work collaboratively with colleagues and external stakeholder as part of a wider team
Analytical Rigour	 High level of attention to detail and accuracy Ability use complex analysis to resolve problems Ability to make sound judgements, taking into account all relevant legal, financial and economic factors
Governance	 Ability to apply best practice and work within policy and governance. High level of attention to detail and accuracy. Ability use analysis to resolve problems.
People	 Excellent interpersonal skills and the ability to work collaboratively with colleagues and external stakeholder as part of a wider team. Strong alignment to workplace values.
Relationship Management	Ability to work collaboratively with colleagues and external stakeholder organisations.
Strategic thinking & Delivery	 Ability to take ownership of work streams and drive forward to conclusion with minimum supervision. Ability to think creatively, to innovate and resolve problems.
Managing Resources	 Ability to balance competing demands effectively. Work well under pressure and committed to delivering on deadlines.

Competency Framework

You may wish to consider our Competency Framework when completing your application. A copy is attached to this recruitment pack.

5. The Selection Process



How to Apply

Completed application forms must be received by **2.00 pm on Friday 28th October 2022.**

Please submit your application by email, in <u>MS Word</u> format. A typed or scanned signature will be accepted. Please submit your completed equal opportunities monitoring form in a separate email labelled clearly "Monitoring Form" in the subject line. The onus is on you to make sure your application is received before the closing date and we will use the time it is received according to our computer systems, not the time sent from a candidate's email account.

Applications and queries can be emailed to recruitment@uregni.gov.uk

Applications will be acknowledged by email within seven days from close of competition. If you do not receive an acknowledgement, please contact us at recruitment@uregni.gov.uk 028 90316324 or 028 90316646

Candidates with a disability who require assistance will be facilitated upon request. If you wish to receive the information pack in an accessible format, you are asked to advise us of your requirements as promptly as possible allowing for the fact that the closing date for receipt remains the same for all applicants as noted above.

We may create a reserve list from this competition in order to fill any suitable similar roles, which may arise within the next twelve months including permanent and fixed term opportunities.

Monitoring Form

We monitor applications for employment in terms of community background, sex, disability and race. You should note that this information is regarded as part of your application and failure fully to complete and return this part of your application will result in disqualification.

The use and confidentiality of community background information is protected by the Fair Employment and Treatment (Northern Ireland) Order 1998. It will be used only for monitoring, investigations or proceedings under the requirements of the above legislation.

We are committed to equality of opportunity and welcome applications from suitably qualified applicants irrespective of age, sexual orientation, marital status/civil partnership, dependants, religious belief, political opinion, gender reassignment, race, sex or disability.

Job Applicant's Privacy Notice

We are the data controller of personal information you provide as an individual seeking employment. This means that we determine the purposes for which, and the manner in which, any personal information relating to your application, and the recruitment procedure generally, is processed. We are required under GDPR to notify you of the information contained in our Job Applicant Privacy Notice. This notice describes how we collect and use personal information during the recruitment



process and afterwards in accordance with the GDPR and can be downloaded in full from https://www.uregni.gov.uk/publications/gdpr-privacy-notices

Applications

In order to help you make this application and ensure that each applicant is provided with the same opportunity, the following advice is offered:

- Do not use acronyms, complex technical detail etc. Write for the reader who will probably not know your employer or your job. Include concise examples and be sure you can expand on these at interview.
- Listing the titles of various jobs you have held will not show how you meet the criteria. The panel will not make assumptions about skills and experience gained from these or the nature/name of the organisation.
- Write down clearly your personal involvement in any experience you quote. Write "I" statements e.g. "I planned meetings", "I managed a budget", or "I prepared a presentation". It is how you actually carried out the piece of work that the panel will be interested in.
- Identify relevant examples this is very important as the examples which you provide may be checked out at interview and you may need to be prepared to talk about these in detail if you are invited to interview. It is your unique role the panel are interested in, not that of your team.

An application form is designed to ensure that you provide the necessary information to determine how you meet the eligibility/short listing criteria required for this post. The panel may decide to interview only those applicants who appear, from the information provided on the application, to be most suitable in terms of relevant experience and ability.

Please note to ensure equality of opportunity for all applicants:

- On the application form you have been advised of the maximum space available for each question. This is the same for all applicants and must not be altered (except to delete spaces created when you type in your answer)
- CVs, letters, additional pages or any other supplementary material in place of, or in addition to completed application forms will not be accepted.
- You must complete the application form in Arial, font size 12.
- Information in support of your application will not be accepted after the closing date for receipt of applications. Incomplete application forms will not be considered. Application forms received after the closing deadline or which have been reformatted will not be accepted.
- Please note that the time of receipt of emailed applications will be defined by our computer systems, not the time and date sent.
- Only the details provided by you on your application form (the employment history and eligibility criteria) will be provided to the selection panel for the purpose of determining eligibility and shortlisting for the post.

Eligibility Sift



After the closing date, the first stage in the selection process will be to conduct a sift of completed application forms against essential criteria. You must demonstrate on the <u>relevant page of the application</u> form how you meet each of the criteria stated. If you do not fully demonstrate by example how you meet each of the <u>eligibility criteria</u>, you will not be progressed to the next stage of the process.

Please note that the panel will not refer to the employment history section to demonstrate a requirement for a number of years' experience. You will be notified of the outcome (successful/unsuccessful) by email.

Shortlist

If further shortlisting is required, the next stage will be to conduct a sift against desirable criteria. In the event of a large volume of applicants, scored shortlisting against the eligibility criteria may also be used to form a final shortlist.

Interview & Assessment

Following shortlisting, it is intended that the selection process will involve a separate assessment and interview stage against the criteria, key skills and competencies for the role. Assessments may be carried out remotely and candidates will be informed of arrangements closer to the time. It is intended that the interviews will take place in Belfast, dates to be confirmed.

Panels may test any aspect of either the essential or desirable criteria, key skills or competencies. Additional stages to the selection process may be required. You will be notified of the outcome (successful/unsuccessful) by email.

Disability Requirements at Interview

We will ask on the application form if you require any reasonable adjustments (special requirements), due to disability, to enable you to attend interview. Details of any disability are only used for this purpose and do not form any part of the selection process.

If you have indicated on your application that you have a disability and are successful in the selection process and being considered for appointment, you may be required to outline any adjustments you consider necessary in order for you to take up an appointment. If you wish to discuss your disability requirements further, please email recruitment@uregni.gov.uk

Further Information

Further information about our work can be found at <u>http://www.uregni.gov.uk</u>

Should you have any further queries about the recruitment and selection process then please email <u>recruitment@uregni.gov.uk</u>

Checklist for Applicants

- Application form
- Equality Monitoring Form

Emailed by closing date Emailed in a separate email



6. Working for the Utility Regulator

The following headline terms will subsequently be included (amongst other terms and conditions) in a written contract of employment between you and us.

Key Employee Benefits

Your Salary

This is a permanent, full time post, however flexible working arrangements will also be actively be considered. The starting base salary will be in the range of £39,969 to £49,961 per annum per annum. If you are successful you will normally be offered the first point on the salary scale. You will be paid monthly in arrears via Bankers Automated Clearing Service (BACS).

Your Pension

If successful, you will be employed by us as a civil servant and be automatically enrolled into the Northern Ireland Civil Service pension scheme. **Employer's contribution for this salary range is 30.7%.** This is a generous defined benefit type pension scheme. Information about pensions can be found at <u>www.financeni.gov.uk/topics/working-northern-ireland-civil-service/civil-service-pensions-ni</u>

Your Holiday Entitlement

Holiday entitlement will be pro-rated based on **25 days per annum (increasing to 30 days after 2 years' continuous service) and 12 public and privilege holidays.** Within your current role, if you have already attained annual leave of 30 days by dint of service with the Northern Ireland or Great Britain Civil Service, your holiday entitlement will be 30 days from your commencement date (pro-rated).

Other Non-Salary Benefits

We also offer a range of non-salary benefits include a supportive family friendly environment; flexi-time, flexible working in a hybrid environment, Childcare Voucher Scheme; generous leave including special leave, maternity/paternity entitlement, annual leave and public holidays, wellbeing and employee support programme, supported learning and development, Cycle to Work Scheme/season ticket loan, payroll giving, volunteering opportunities and a culture that supports diversity and inclusion.



STAFF PROFILE Kenny McPartland Analyst in the Networks Directorate

Kenny has worked as a Networks analyst since joining the UR in October 2019.

Kenny says "I have had the opportunity to work across various areas of Networks, but mainly within Electricity Connections and Network Codes. I have had the opportunity to work across various areas within the Networks Operations, such as the SONI price control and SONI governance teams, which has been a great experience. However, my work today focuses mainly on all things electricity connections and Network Codes."



Kenny holds a BSc in Environmental Planning and MSc in Spatial Regeneration from Queens University.

STAFF PROFILE Sarah Maybin Legal Advisor in Corporate Affairs

Sarah holds a Law (Eng/NI) LLB (Hons) degree from the University of Dundee. She studied for her Legal Practice qualification at Kaplan Law School in London, qualifying as a solicitor in London after a two year training contract and working in law since qualifying. She has worked as a Legal Advisor since joining the Utility Regulator in late February 2019. Sarah says "I have been involved in a wide variety of matters across the Utility Regulator directorates. My advices have spanned from everything from governance matters to commercial and regulatory law to data protection issues."





Other Terms and Conditions

Hours of Work

This is a full-time appointment, however flexible working arrangements will also be actively be considered. Our offices are open for business between the hours of 7am and 7pm Monday – Friday. You may avail of "flexi-time" provided it meets with business need with flexible start and finish times outside the core hours of 10am to 4pm. Due to the nature of your position you may be required to work such additional hours over and above your standard hours (37 hours excluding meal breaks) as may be necessary for the proper fulfilment of your duties for which no additional payment will be made. All staff are currently in a hybrid capacity and this is subject to Executive guidance on COVID-19 restrictions.

Place of Work

If appointed, you will be an employee of the Utility Regulator and will be based at Queens House, Queen Street, Belfast. *Please note that, this will be subject to Executive guidance on COVID-19 restrictions and staff are currently working in a hybrid capacity and while you may opt to be office based we welcome applicants whose circumstances lend themselves to some degree of remote working.*

Mobility

Excluding secondment opportunities, employment with us <u>does not</u> confer any right of mobility or transfer to a position in any other part of the Northern Ireland Civil Service (including any government department or agency) or to any nondepartmental public body or other public body.

Probationary Period

There will be a probationary period of six months and continued employment will be dependent on the outcome of this probationary review. During the probationary period your performance will be regularly monitored and we reserve the right to extend your probationary period for such further period or periods as we consider reasonably necessary to assess your performance further.

Additional Information

If you are being considered for appointment you will be asked to complete the AccessNI application form for a **Basic Disclosure Certificate**. Full details will be provided with an offer of employment. Instructions on the process can be accessed from <u>www.nidirect.gov.uk/accessni</u>.

You should not put off applying because you have a conviction. We deal with all criminal record information in a confidential manner and information relating to convictions is destroyed after a decision is made. Criminal record information is subject to the provisions of the Rehabilitation of Offenders (NI) Order 1978.

As a Utility Regulator employee, you will be subject to various office policies, for example, rules on shareholdings, conflicts of interest, and future appointments.

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Right to Work and Nationality Requirements

Offers of employment will be made on merit. We must ensure that you are legally entitled to work in the United Kingdom (UK). Offers of employment will be made on condition of proof of right to work and pre-employment right to work checks will be conducted. You will need to show us one of the following documents:

- Passport
- National identity card or Home Office registration certificate
- UK Border Agency work document if need permission to work.

As an employer, we can face unlimited fines if we employ illegal workers and need to make sure that no one we employ is working in the UK illegally. However, to protect ourselves against discrimination laws we must treat all job applicants equally. So do not be offended if you are asked to prove your nationality as even UK nationals will be asked to provide proof.

For further support on working in NI, please visit <u>www.nidirect.gov.uk/articles/working-northern-ireland</u> or <u>www.gov.uk/browse/visas-immigration/what-you-need-to-do</u>

Please note that, if your application is shortlisted for interview, you will be asked to provide one of the above documents. Should you fail to do so, you may not be eligible to proceed. The successful candidate will be required to produce the same document in its original format before commencing employment.

UR is an Equal Opportunities and a Disability Confident Employer.