

## **Candidate Pack**

**General Legal Counsel  
Information Commissioner's Office**

**Prepared by Hays Executive  
March 2017**

# **HAYS** Executive

# Welcome letter

Dear Candidate

Thank you for expressing an interest in working for the Information Commissioner's Office (ICO). This is an exciting time of change for the ICO and you will have the opportunity to help shape and implement the future of our organisation and information rights.

The ICO is an independent public body; we uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals. We educate organisations, promote good practice and are involved with important issues from intrusive technology, nuisance calls/texts to the use of surveillance cameras.

We operate across the United Kingdom but have an international impact. For example, we work with data protection authorities across the world to share information and best practice as well as conduct joint investigations and enforcement actions

We are also a regulator with tangible powers to help protect consumers. During the past year we were able to issue fines totaling more than £2 million around nuisance marketing calls and offered expert advice to many parliamentary committees.

Our work has never been so important. The ICO is the UK's key regulator of the internet – ensuring consumer trust in data flows is fundamental to the digital economy. I have been in my post for nine months and am deeply engaged in the challenges and opportunities of data protection law reform, building new bridges with global partners and investigating data sharing between social media companies. In addition, we are nearing the implementation of a significant organisational review to enhance our relevance in the face of massive technology, social and legislative change.

The ICO will be at the forefront, contributing to the debate about surveillance and security, transparency vs secrecy in government, and the impact of joined up government and big data on citizens' privacy. I am excited by the breadth and scope of the work, and the dedicated and talented team at the ICO.

In 2015/16 the Independent Review of Freedom of Information reviewed the legislation and how it is operating, and found that it is working well, enhancing openness and transparency and changing the culture of the public sector. The review made a number of recommendations for the future, and the ICO will play its part in ensuring those which are implemented are successful.

We are now seeking to recruit a General Legal Counsel which is a new role to the ICO. As General Legal Counsel you will have a key role in advising me and the leadership team, and you will help to shape the interpretation and formulation of law in the UK and beyond. You will be the professional lead for our teams of dedicated and professional lawyers - undertaking line management of some of them, and have a prominent role in the leadership and strategic direction of the organisation.

It is a challenging and varied role that will draw heavily on your legal expertise and ability to manage complex legal cases of national importance.

You must be able to influence others at the most senior levels within government and the legal sector. You must have leadership skills and operational awareness. You must possess the ability to lead the delivery of a variety of legal services and interventions across a range of operational functions. And, as our head of legal profession, you must have the enthusiasm and dedication to oversee the professional development of our lawyers.

All this must be underpinned by a fundamental interest in, and commitment to, the information rights agenda.

This information pack contains background about the work of the ICO, and details of the General Legal Counsel role. You will find more information on our website, [including a short video](#) which will give you an insight into working life at the ICO.

I hope you will pursue this excellent opportunity to use all of your skills, knowledge and experience at an exciting

time for the ICO.

**Elizabeth Denham**

**Information Commissioner**

## About the ICO

### Who we are

The ICO is the UK's independent body set up to uphold information rights for the public. We do this by promoting openness in public bodies, as well as data privacy for individuals. As well as this, we oversee legislation that ensures people's data is secure, accurate and robustly managed.

Our Head Office is based in Wilmslow, Cheshire, our Scotland Office in Edinburgh, our Wales office in Cardiff and our Northern Ireland office in Belfast.

### Our Values

To be recognised by our stakeholders as the authoritative arbiter of information rights, delivering high-quality, relevant and timely outcomes, responsive and outward-looking in our approach, and with committed and high-performing staff – a model of good regulation and a great place to work and develop.

### What we do

#### Legislation and regulations

We regulate a range of legislation and regulations, though those which people most commonly associate with the ICO are the Data Protection Act 1998 and the Freedom of Information Act 2004.

**Data Protection Act (DPA):** In short the Act sets out the obligations placed on data controllers to manage the personal data they hold securely and use it responsibly. It also this establishes the rights of individuals to access their personal data held by organisations.

In 2018 the **General Data Protection Regulation (GDPR)** will be implemented across the European Union, and the UK has committed to full implementation of the GDPR despite the nation's exit from the EU. The transition to the GDPR will be a major focus for the ICO over the coming years.

[You can read more about the Data Protection Act by clicking here.](#)

[You can read more about GDPR by clicking here.](#)

**Privacy and Electronic Communications Regulations (PECR):** These regulations sit alongside the Data Protection Act and give people specific Privacy Rights in relation to electronic communications. We aim to help organisations comply with PECR and promote good practice by offering advice and guidance. We will take enforcement action against organisations that persistently ignore their obligations, starting with those that generate the most complaints.

[You can read more about PECR by clicking here.](#)

**Freedom of Information Act (FOIA):** This Act provides public access to information held by public authorities. It does this in two ways, firstly because public authorities are obliged to publish certain information about their activities, and secondly because members of the public are entitled to request information from public authorities.

The Act covers any recorded information that is held by a public authority in England, Wales and Northern Ireland, and by UK-wide public authorities based in Scotland. Information held by Scottish public authorities is covered by Scotland's own Freedom of Information (Scotland) Act 2002

[You can read more about the Freedom of Information Act by clicking here.](#)

**Environmental Information Regulations (EIR):** The Environmental Information Regulations 2004 provide public access to environmental information held by public authorities. Like the FOIA the Regulations do this in two ways, firstly because public authorities must make environmental information available proactively and secondly because members of the public are entitled to request environmental information from public authorities.

[You can read more about the Environmental Information Regulations by clicking here.](#)

**Data Retention Investigatory Powers Act (DRIPA):** The ICO has a role in regulating DRIPA by ensuring that communications companies retain their data in line with the legislation and the DPA.

[You can read more about the Data Retention Investigatory Powers Act by clicking here.](#)

### **Taking action**

There are a number of tools available to the Information Commissioner's Office for taking action to change the behaviour of organisations and individuals that do not comply with legislation or regulations. They include criminal prosecution, non-criminal enforcement and audit. The Information Commissioner also has the power to serve a monetary penalty imposing a fine of up to £500,000.

[You can read more about the action we have taken by clicking here](#)

In the last year we issued £2m of fines to organisations who have been found to have breached the DPA or PECR. This doubled the amount issued in the previous year and demonstrates how we are using changes in the law to combat abuse or negligence with respect to privacy laws.

We also support organisations to improve their practices by undertaking audits of data protection practices and advisory visits. We publish findings on our website and monitor the outcomes of our work to ensure that the organisations continue to fulfil their obligations.

As well as taking enforcement action, we issue Decision Notices in respect of FOIA and EIR. Since 2005 we have issued over 8,500 Decision Notices and we publish our findings on our website.

We also manage a register of data controllers as required under The Data Protection Act. Data Controllers are required to register with the ICO each year and provide information about the type of data they hold and the use that is made of it. The Registration fee helps to fund the ICO's data protection work.



## **Our Funding**

The majority of the funding for the ICO, around 83% of our funds, is generated from the Registration Fee which data controllers pay when they notify the ICO that they hold personal data. This amounts to around £19.5m per year. These funds ensure that the ICO can complete all of the advisory, guidance and enforcement work we undertake, and resource our office's infrastructure and the corporate functions that support the running of the organisation.

We also receive Grant-in-Aid from the Department of Culture, Media and Sport of around £3.75m per year for our Freedom of Information Act work. All of these funds are focussed on the 'front line' provision of advice and regulatory services.

**More information on the ICO can be found here: <https://ico.org.uk/about-the-ico/>**

## **Our Management Board**

The Management Board's primary purpose is to assist the Information Commissioner to discharge her statutory responsibilities on a long-term, strategic basis. Its areas of responsibility focus on the effective functioning of the office in a manner consistent with the statutory requirements and the high standards expected from a public body.

### **Executive Members (Senior Leadership Team)**

**Elizabeth Denham**, Information Commissioner. Appointed July 2016 for a five year term, Ms Denham has held senior positions in privacy regulation in Canada over the last 12 years. She was been the Commissioner at the Office of the Information and Privacy Commissioner for British Columbia, Canada from 2010 where she was responsible for enforcing the Freedom of Information and Protection of Privacy Act (FIPPA), the Personal Information Protection Act (PIPA), and the Lobbyists Registration Act (LRA). Previously, she was the Assistant Privacy Commissioner of Canada in Ottawa (2007-10); having been a Director at the Office of the Information and Privacy Commissioner of Alberta (2003-7).

**Simon Entwisle**, Deputy Commissioner (Operations), joined the ICO in October 2004. Throughout his 11 years at the ICO Simon has been a member of the Management Board responsible for operations, and he has been involved in complaints handling within other organisations since 1991. He also has extensive experience of integrating IT into the work in operational areas. We are currently in the process of recruiting a new Deputy Commissioner (Operations), as Simon will be moving on from his position on the ICO's board later in 2017.

**Robert Luke**, Deputy Commissioner. Rob Luke will join the ICO on 30 January. He was previously British High Commissioner to Malta, and has also served overseas in Brazil and Paris as well as in policy roles at the Foreign & Commonwealth Office in London.

**Paul Arnold**, Paul joined the ICO in 1998 and was recently appointed to the role of Deputy Chief Executive Officer. Paul's early career was spent in the regulatory side of the ICO leading to a number of years responsible for a range of operations and corporate support services, culminating in becoming our DCEO in March of this year.

**General Legal Counsel:** The Senior Leadership Team is completed by the General Legal Counsel.

### **Non-Executive Directors**

**Ailsa Beaton** OBE was a Management Board member at the Metropolitan Police Service, Chief Information Officer at ICL plc and a Senior Partner at PA Consulting Group. She started her career as an accountant before moving into information technology with General Electric (USA).

**David Cooke** was, until March 2016, the Director (CEO) of the independent British Board of Film Classification, a post he held for nearly 12 years. Before that, David was a Civil Service Director working on such diverse topics as asylum, the Northern Ireland peace process, criminal justice and constitutional reform. David is also currently a Visiting Professor in the English Faculty at University College, London.

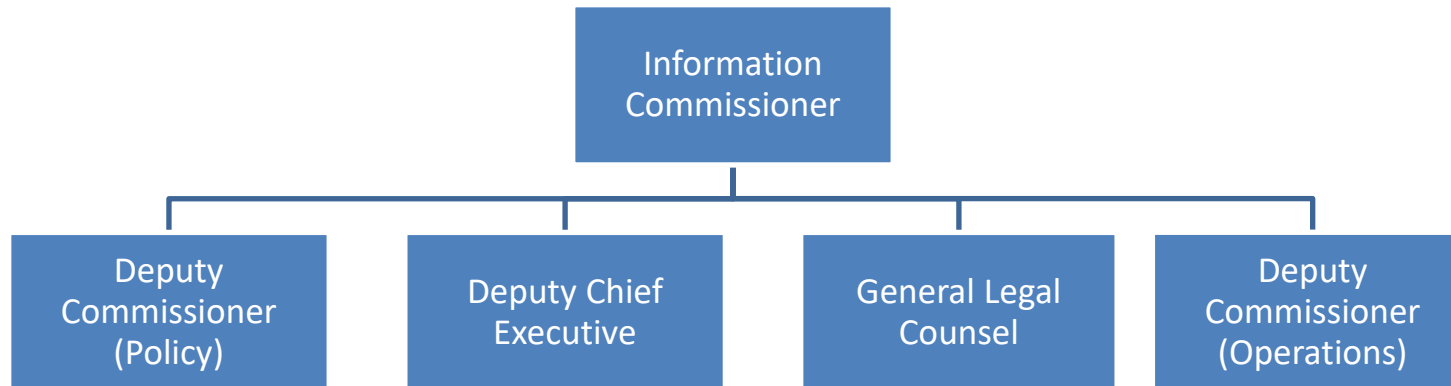
**Jane McCall** is a Non-executive director at the Office for Legal Complaints (the Legal Ombudsman), Deputy Chair at the University Hospital South Manchester (Wythenshawe Hospital), and is an External Commissioner on the House of Commons Commission. In addition Jane is Chair at Egerton High School in Trafford, a school for pupils aged 11-18 with severe emotional or behavioural issues.

Previously Jane was Deputy Chief Executive at Trafford Housing Trust until May 2016, a housing business with a social purpose based in Greater Manchester. She has worked in the social housing sector for over 25 years and has been in senior management for the last 15 years. Her previous posts include Managing Director of two business subsidiaries within the Regenda Group, and Divisional Technical Director for the Places for People Group.

**Nicola Wood** started her working life as a solicitor. Since ceasing to practice law, she has held a number of board level appointments across a range of sectors mainly in financial services and health. In a pro-bono capacity she

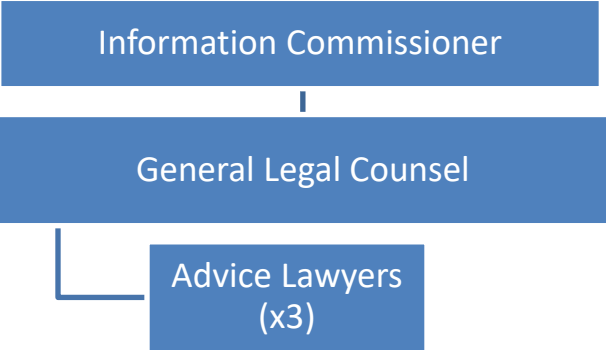
has worked with different groups of vulnerable consumers including the elderly, children and those with mental health issues.

**Our senior management structure**

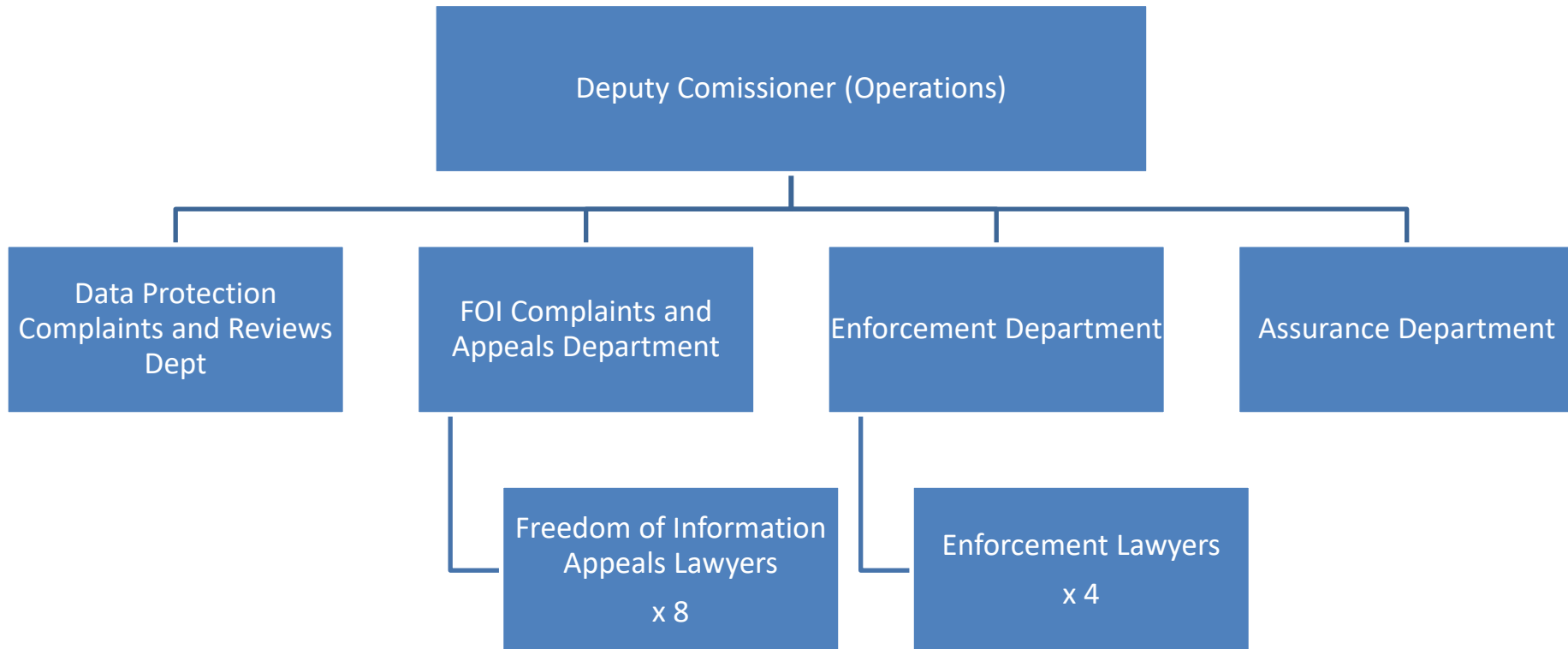


The ICO is undergoing a period of change and restructure. The organograms below set out the current plans for the structures of our Directorates, but are subject to change following appointments to the vacant senior positions. The charts show the departments in which lawyers are based. Teams of lawyers are line managed by a 'Solicitor Group Manager'. Those who are not under the direct management of the General Legal Counsel report into the head of their operational department.

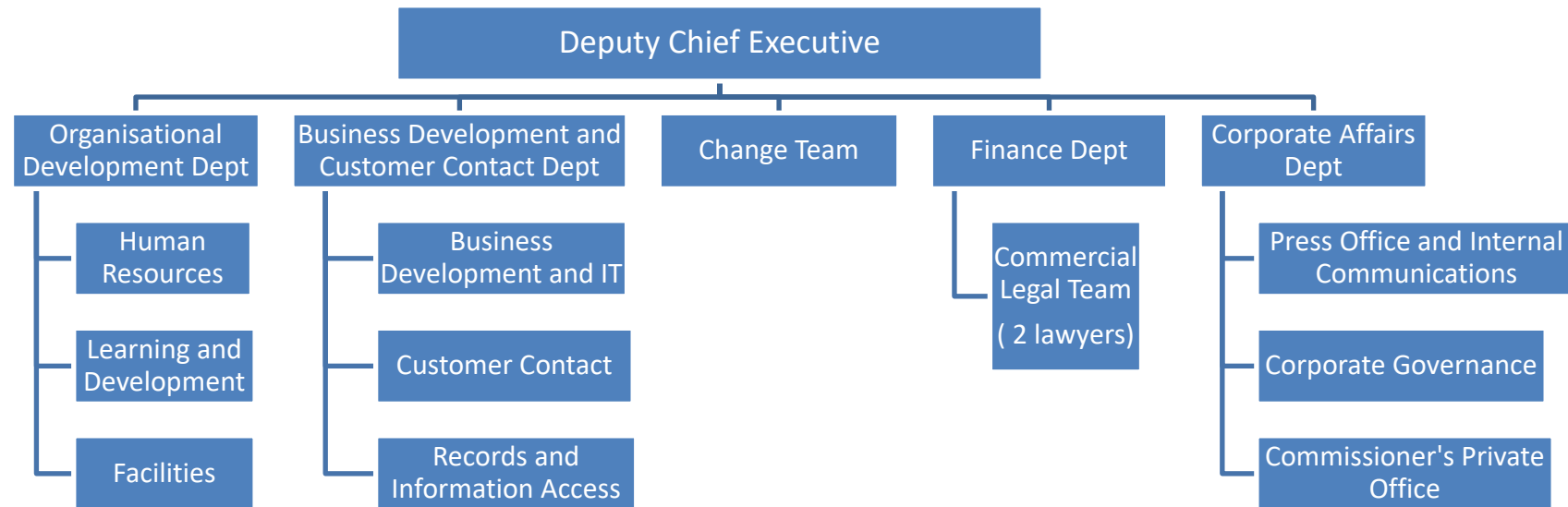
**The Commissioner's Directorate**



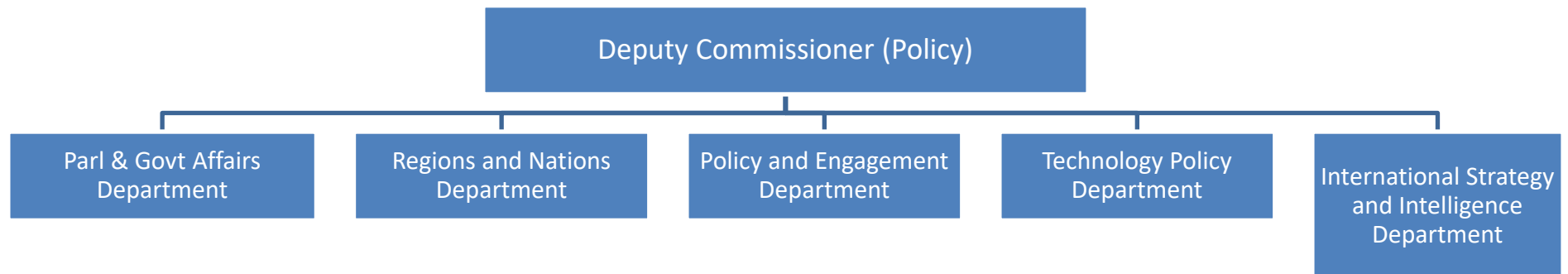
## Our Operations Directorate



## The Deputy Chief Executive's Directorate



## Our Policy Directorate



## **JOB DESCRIPTION AND PERSON SPECIFICATION**

**JOB TITLE:** General Legal Counsel

**DEPARTMENT:** Commissioner's Directorate

**REPORTS TO:** Commissioner

**GRADE:** Level H

### **PURPOSE OF POST:**

The General Counsel will provide high level, risk based advice to the Commissioner, the ICO management board and the organisation regarding legal matters which have strategic implications for the effective regulation of data protection and privacy matters and the transparency of public information.

As a member of the ICO's Leadership Team and Management Board, the post holder will drive, and oversee the delivery of the ICO's legal strategy and advise on the legal approach to be taken in cases which are novel, contentious or have national significance. They will also make a full contribution to the overall strategy, management and governance of the ICO.

The postholder will be central to the legal interpretation and implementation of the General Data Protection Regulation and Directive (EU) 2016/680 (the Law Enforcement Directive) in the UK, and represent the Commissioner in a variety of legal environments both nationally and internationally.

As Head of Legal Profession for the ICO, the General Counsel will provide leadership to all of the ICO's lawyers, ensuring that they comply with relevant professional standards. This will involve direct management responsibility for some of the ICO's legal staff, and close liaison with departmental leaders to oversee the deployment of legal staff working within operational departments. The ICO is usually represented by counsel in court proceedings, but the General Counsel may, on occasion, be required to represent the ICO if appropriate.

### **KEY RESPONSIBILITIES**

- Providing high level expert analysis, assessment and advice regarding the legal issues arising from the Commissioner's duties to regulate a range of laws and regulations. These include the Data Protection Act; the General Data Protection Regulation; the Law Enforcement Directive; the Freedom of Information Act and Environmental Information Regulations; the Privacy and Electronic Communications



Regulations; and all other legislation within the Commissioner's remit.

- Providing in-depth legal analysis and opinion, including the assessment of risk, regarding high profile cases, changes to the law and evolving legal trends. Ensuring that advice provided is clear, factually accurate, legally sound and well-reasoned. This will involve advising the Commissioner, senior managers and the Management Board, supporting ICO lawyers and instructing external counsel where appropriate.
- Assuming overall responsibility for ensuring that the ICO is properly represented in the Courts and Tribunals and that external Counsel is used effectively and appropriately.
- Representing the ICO in legal environments such as courts and tribunals, including appeal and upper courts/tribunals, as required and assessing circumstances where cases should be referred to Counsel.
- Representing the Commissioner/ICO and providing legal insight at high profile events such as those involving government departments, key stakeholders, parliamentary committees, international bodies and, occasionally, the media.
- Supporting the ICO's development of policies and guidelines for organisations and the public by managing the provision of incisive legal consideration of the matters involved to ensure that all ICO guidance is fully compliant with legislative requirements.
- Leading the ICO's legal strategy, and making a high level contribution to the ICO's corporate strategy and business planning process, identifying and addressing areas of legal significance.
- Acting as the Head of Legal Profession for the ICO, responsible for ensuring that lawyers comply with the regulatory requirements and ethical standards of the Solicitors Regulation Authority, the Bar Council and Chartered Institute of Legal Executives as appropriate.
- Overseeing the deployment of legal resources including management of the ICO's legal budget. This will involve providing effective leadership and direct line management to allocated lawyers and supporting the management of those lawyers embedded within operational departments. Ensuring that lawyers are clear about expected standards of performance and are motivated and developed to provide effective and efficient services.

- Seeking out and supporting opportunities for legal staff to develop their own legal practice /experience with a view to delivering flexible legal services to the Commissioner.
- Seeking continuous improvement in all areas of responsibility, recommending changes where required, and managing projects and initiatives.
- Play a significant role in the leadership of the ICO and all relevant corporate initiatives, taking personal responsibility for ad hoc tasks agreed with the Commissioner.

### PERSON SPECIFICATION

	Criteria	How Assessed
<b>Education and Qualifications</b>	Recognised professional qualification as a Barrister or Solicitor entitled to practice in England & Wales.	Application form and certificates.
	Current practising certificate from the Law Society or Bar Council.	Application and certificates.
<b>Work Experience</b>	At least 5 years' experience in a senior legal position.	Application and interview.
	Experience of supervising and managing legal staff.	Application and interview.
	Experience of contributing to broader organisational management and strategy.	Application and interview
	Experience of ensuring the provision of appropriate and effective representation in Tribunals, Higher Courts and/or other legal bodies.	Application and interview
<b>Knowledge, skills and ability.</b>	Expertise, or demonstrable ability to develop expertise, in Data Protection, Freedom of Information and related legislation.	Application and interview

	<p>Excellent interpersonal skills, with the ability to lead and motivate staff, and ensure adherence to professional standards.</p> <p>Ability to influence internal and external stakeholders.</p> <p>Excellent organisational skills, ability to prioritise, manage a varied caseload, delegate and meet tight deadlines.</p> <p>Excellent judgement and the ability to understand and assimilate information quickly, making sound reasoned legal decisions in complex or controversial circumstances.</p> <p>The ability to provide timely and clear legal advice and provide possible solutions or options in response to complex problems.</p> <p>Ability to think strategically and consider organisational impact of key judgments and decisions.</p>	<p>Application and interview</p> <p>Application and interview.</p> <p>Application and interview.</p> <p>Application and interview.</p> <p>Interview and assessment exercises</p> <p>Application and interview.</p>
<p><b>Characteristics</b></p>	<p>Strong written, verbal and presentational communications skills.</p> <p>Positive “can do” attitude. Flexibility, adaptability and resilience under pressure.</p> <p>Sustained experience of finding solutions to diverse problems.</p> <p>Strong team player - good at motivating and leading by example.</p> <p>Personal stature to be a credible public face for</p>	

	the organisation.
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Please note that post holders for this role will be required to receive security clearance to DV level. This requires the disclosure of spent and unspent convictions. Although convictions will be taken into account, any such information will not necessarily prevent you from obtaining a security clearance.

## **What can you expect as our General Legal Counsel?**

We hope our job description gives you an overview of the duties and responsibilities of our General Legal Counsel (GLC), but such documents can never tell the full tale.

As the GLC you will be at the forefront of the regulation, implementation and enforcement of information rights and obligations. You will have a central role in determining the approach that the ICO takes in ground breaking legal issues, which will have national significance and affect millions of people.

Not only that, as a member of our Senior Leadership Team you will be a key leader within the ICO, inspiring our staff and taking a prominent role in the strategy of the organisation.

Clearly this is a position that will require you to draw on your technical legal knowledge and experience. We already benefit from the presence of teams of professional and dedicated lawyers at the ICO, your role as GLC will be to further enhance the legal capability of the office, provide incisive legal opinion and advice to the Commissioner, and ensuring that we remain at the cutting edge of advances in the development and interpretation of the law.

We expect our senior staff not just to respond to changes in the context in which we operate, but to help to shape that environment for the benefit of the UK's citizens. Working directly with our new Commissioner in such an important post, you will be in an ideal position to do just that.

The opportunity to be at the centre of a continually developing regulatory environment whilst undertaking interesting and stimulating work will provide you with a rewarding professional experience.

We think this position will provide you with an excellent opportunity to use all of your skills, knowledge and experience at an exciting time for the ICO.

### **The external environment**

You will probably be aware that we are in a period of significant change, particularly within the Data Protection domain given the context of the General Data Protection Regulation and the result of the referendum in the UK.

The forthcoming changes to Data Protection legislation will mean that the ICO must be prepared to manage the changing demands placed on us by new legislation, and be prepared to take forward the volume and complexity of cases which will undoubtedly emerge following the implementation of the GDPR.

This will impact upon of the guidance we provide to organisations, the complaints we deal with from the public and the enforcement action we take against those who are careless with, or abuse, people's personal information.

We must meet the challenge of readying ourselves for the future whilst continuing to provide excellent 'business as usual' outcomes and services to the public. This must be achieved in the context of continually growing demands on all of our operational departments.

To do this you must have the confidence, impact, strategic insight and sensitivity to manage multiple work streams. As many of our lawyers are embedded in operational departments, you will need to forge productive relationships with departmental leaders to ensure that legal resources are deployed in the most effective manner.

You will operate as Head of Legal Profession for our lawyers, ensuring that they continue to develop professionally and adhere to professional standards. You will also provide high level advice on cases or issues they are dealing with from right across the organisation.

The ICO has lawyers in the following functions:

- Advice: dealing with Data Protection and FOI policy advice – the GLC will have direct management responsibility for this team;
- Enforcement: taking forward cases for prosecution under a range of legislation and regulations. Management responsibility for this team lies with the Head of Enforcement;
- FOI Appeals: dealing with cases which have been submitted to the Information Tribunal. Management responsibility for this team lies with the Head of Complaints and Appeals (FOI).
- Finance: our Commercial Legal team oversees procurement activity for the ICO. This team is managed by the Head of Finance.
- Assurance: we have a lawyer who leads work on Binding Corporate Rules. Lawyers from other areas of the business will also support this area of work. The postholder is managed by the Head of Assurance.

Your role will provide cohesion between the legal activities in these departments. You will ensure that resources are sufficient and effectively deployed to continue to achieve excellent results which serve to enhance information rights.

Your goal will be for the ICO to be regarded as an expert, effective, fair and efficient regulator, a trusted adviser and a watchdog with teeth.

## **Your technical expertise**

Staff at the ICO are recognised as experts in their field and within the information rights arena you will work with highly knowledgeable information rights specialists.

However, we will call upon your legal expertise to guide the interpretation of information rights legislation, consider the impact of case law and to establish and defend the ICO's position when cases are brought to courts and tribunals.

Ideally, you will have considerable information rights expertise already, and can hit the ground at a canter. Alternatively, you may need to further develop your information rights knowledge, but can demonstrate your ability to quickly develop a command of complex legislation and a commitment to moving into this demanding area of law.

We're interested in hearing from applicants with either background, but it is crucial that you have the capacity to be regarded as a 'go-to' person for crucial, high profile legal issues rapidly after coming on-board.

## **Leadership and governance**

As well as being a figurehead for information rights and the delivery of legal services, you will be a senior leader within the ICO.

Our staff are hugely engaged with their work. Our staff surveys show that most people find their work interesting and stimulating. There is a real commitment to information rights and ensuring that we provide high standards of public service.

We know that we have more to do to ensure that staff feel greater involvement in the development of the organisation and how they work. Our current change programme and working groups are helping to achieve this, and you will play an important part in helping us to take this further. We want you to bring your ideas and enthusiasm. We want you to be able to relate to staff throughout the organisation and whilst being an identifiable leader of people.

You can expect to have line management responsibility for a small group of lawyers, though with professional responsibility for over a dozen more. Your role on the Senior Leadership Team will have an impact on all 500 people who work with the ICO and so it is important that you have the ability to view the whole organisational context when making management decisions.

You will have a significant role in the effective running of the organisation through involvement in our Management Board, Audit Committee and

other internal bodies which ensure that we fulfil our governance responsibilities, achieve our organisational goals and manage our finances.

### **The challenge**

This is a critical role. You will have responsibility for many of the legal decisions and approaches which provide are critical to the ICO's reputation and performance. You will need to have the ability to switch seamlessly between different areas of legal activity, manage complex and controversial legal cases, and be a legal figurehead for the organisation.

This role will stretch you and challenge you. But you will also find it rewarding and interesting with a great opportunity to fulfil your legal and leadership potential.



## **Further Information**

### **Corporate Plan**

The ICO has a three year rolling plan which details how we intend to achieve our objectives. The plan is updated each year and the plan for the period from April 2016 to March 2019 is available via the following link below.

For more details on our corporate plan please see:

[The ICO Corporate Plan 2016-19](#)

### **Annual report**

Our last annual report reflects on the financial year 2015/16. Our latest results show that we received over sixteen thousand data protection concerns, answered 194,728 helpline calls and received 161,190 concerns about nuisance calls.

Please find our annual report here:

[Annual report 2015-16](#)

### **Information Rights Strategy**

Our Information rights strategy develops our high level mission and vision and sets out, in more depth, how we set about our information rights work.

Our current information rights priority areas are:

- Health
- Criminal Justice
- Local Government
- Online and mobile services

[For details of the Information Rights Strategy please click here.](#)

## **SUMMARY OF BASIC TERMS AND CONDITIONS OF EMPLOYMENT**

### **SALARY**

This role is graded at Level H of the ICO's pay grading system. The Level H pay range commences at £70,702.

Most new staff at the ICO are appointed at the entry rate for the grade, though in some circumstances candidates may be appointed on a higher salary. We anticipate that the starting salary for this role is, therefore, likely to be between £70,702 and £85,000, though more may be available for an exceptional candidate.

Pay increases are not automatic or guaranteed and are subject to satisfactory performance and the ICO receiving approval to make pay awards from the Treasury or the Department of Culture, Media and Sport.

The ICO is subject to Treasury pay guidance and the pay policies currently operating across the public sector. Increases in pay in the last two years have been 1% per year, and the government have indicated that current policies on public sector pay will be in place for at least another three years.

Salary is payable on or around 25th of the month into a bank or building society of your choice.

### **HOURS OF WORK**

A flexible working hours system operates within the Office. The contracted hours of employment are 148 during a four week accounting period, which translates into 37 hours per week Monday to Friday.

### **OVERTIME**

There is no compensation for staff at this level.

### **PAID HOLIDAYS**

You will be entitled to a total of 25 days paid holidays per year. Your personal holiday year runs from the first day of the month in which your birthday falls.

Your entitlement to annual leave increases with your length of service. After five years' service you will become entitled to 27 days annual leave, and after ten years your entitlement will be 30 days annual leave.

### **PUBLIC AND PRIVILEGE HOLIDAYS**

There are 8 public holidays each year. In addition to these days there are 3 privilege holidays each year, which are taken between the Christmas and New Year Period. There may be regional variations to public and privilege holidays.

## **FLEXI LEAVE**

Under the flexible working hours arrangements staff accrue entitlement to flexi leave at a rate of 2 days per four week accounting period. Over 13 accounting periods in a year they can take up to 26 days flexi leave.

Providing that they have accrued enough additional hours, above the standard contracted hours, staff may take up to three days flexi leave in a four week accounting period.

## **PENSION**

Your appointment is pensionable from the outset. Although ICO staff are not Civil Servants, they are entitled to join the Civil Service Pension Scheme. Unless you have been a member of the Civil Service Pension Scheme before, you will be able to choose between two Civil Service pension arrangements:

**alpha.** This is an occupational defined benefit pension scheme. It provides a way of saving for your retirement. Over the years you and the ICO both make contributions to the scheme.

The current member contribution rate for this level of post is 7.35% of salary. Employee contribution rates are assessed periodically and may be subject to change.

The ICO will also make employer contributions which will either be 22.1% of salary for those earning up to £76,000, or 24.5% salary for those earning more.

**partnership** pension account. This is a stakeholder pension with a contribution from the ICO. 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. The contributions are in addition to the age-related contribution mentioned above.

You may also choose not to enter either of the pension schemes.

**N.B** If you have been a member of the Civil Service Pension scheme in the past you may be able to re-join one of the older scheme arrangements. You should speak with Human Resources if you have any queries.

## **RETIREMENT**

There is no normal or maximum retirement age. You may continue to work as long as you wish and decide when you want to retire. You must,

however, continue to meet the normal standards of health, efficiency, conduct, performance and attendance.

You can retire and draw your pension in line with the Pension Age applicable to your Civil Service Pension Scheme arrangements. Pension Age is usually 60 for members of Classic, Classic Plus or Premium, 65 for members of NUVOS, and is matched to the state pension age for members of alpha. It is possible to retire and draw a pension earlier than these ages, though your pension will be reduced.

### **EVIDENCE OF HEALTH**

Offers of appointment are made subject to a satisfactory declaration of health.

Before appointment is confirmed you will be asked to complete an on-line Medical Questionnaire from our Occupational Health provider. Occupational Health will either confirm your fitness to work or may require a further assessment by an Occupational Health physician.

### **SECURITY CHECKS**

The Information Commissioner is under a duty to protect the information and material she holds. This obligation extends to her employees and agents, therefore, prior to confirmation of any provisional offer of employment you will be asked to complete a criminal declaration form.

Your criminal record declaration may be subject to verification. If you are discovered to have lied or withheld information regarding unspent criminal convictions you may be debarred from the recruitment process, have your offer of employment withdrawn or you may be dismissed. The action taken will depend on the stage at which the verification process is completed.

In addition to this all new staff are required to provide proof of identity and nationality on or before their first day of employment. If acceptable evidence is not provided then you will not be allowed access to the premises and so the appointment cannot commence.

As General Legal Counsel you may have access to protectively marked information up to the classification of 'Top Secret'. You will therefore undertake a 'Developed Vetting' level of security check which includes extensive background checks.

Such checks will be carried out by the Ministry of Justice in accordance with HM Government's Vetting Policy.

### **EVIDENCE OF QUALIFICATIONS**

Offers of appointment are made on the basis of information provided in your written application and at interview. If offered an appointment you

will be asked to provide evidence of all relevant qualifications attained as indicated in your application.

### **EVIDENCE OF IDENTITY**

All newly appointed staff are required to provide proof of their identity before they can start work with the ICO. Documents for successful candidates will be checked and copies taken before employment begins, these documents will be kept on your employment file.

### **EVIDENCE OF RIGHT TO WORK IN THE UK**

The Immigration, Asylum and Nationality Act 2006 requires every employer to check that an employee has the right to work in the UK before their employment begins. Offers of employment will be made subject to you providing satisfactory evidence of this. Employment will not be confirmed until this has been provided. Documents for successful candidates will be checked and copies taken before employment begins, these documents will be kept on your employment file.

### **REFERENCES AND DUE DILLIGENCE**

Shortlisted candidates will be required to provide two referees. At least one reference must be from your current or most recent employer. Personal references are not acceptable. The ICO reserves the right to request additional references.

Please contact Hays Executive with any questions regarding the referencing or due diligence process.

### **PROBATIONARY PERIOD**

You will have a six month probationary period, in which you will receive reviews at six, weeks, 12 weeks and six months. Your continued employment at the ICO is subject to the satisfactory completion of your probationary period, which may be extended if your performance has not been satisfactory, or if the key competencies required for the job have not been fully assessed in the initial six month period.

## How to Apply

Please submit your CV and cover letter to the following:

<http://bit.ly/2nIQM1r>

To discuss the role on an informal basis or to receive an information pack, please contact Andrew Timlin or Jayne Macleod on 0207 259 8743 or alternatively Jamie Houlders on 0113 200 3733.

The closing date for applications is 26 April 2017.

Applicants are advised that first round interviews are scheduled to take place **w/c 8 May 2017 & 15 May 2017** with assessments and final interviews taking place on **w/c 5 June 2017** at the Information Commissioner's Office, Wilmslow, Cheshire. Dates are correct at time of going to press but are subject to change.

**On applying please advise us if you have a problem with any of these dates.**

## Use of your personal information

### Data protection

We will treat all your data in accordance with the Data Protection Act 1998.

All documentation relating to a recruitment exercise will be kept for a period of two years for audit purposes. The following information will be retained:

- Your initial contact details, including your name and address;
- The application form and any supporting documentation; and,
- Information held electronically, including your contact details and the diversity monitoring form

