

SGLD Legal Roles

Set out below is each of the legal roles currently in SGLD.

Listed under each job role are the main activities and responsibilities carried out by individuals in these roles. These lists are not exhaustive and do not seek to list every element of work a jobholder may undertake. Instead they seek to highlight the main elements and allow comparisons to be drawn between the different roles.

B1 - Paralegal -

Has relevant on-the-job experience, may be accredited as paralegal with the Law Society of Scotland or may be working towards such accreditation;

- Ensures their knowledge and skills are up-to-date, undertaking training where necessary and using technological opportunities e.g. Adobe Pro and Objective Connect to improve service;
- Has detailed knowledge of the Rules of Court and various Court procedures;
- Prepares/drafts official Court documents, ensuring format is correct and details are relevant and accurate;
- Lodges documents with the Court timeously;
- Manages the 'Court Motions' inbox and alerts relevant lawyers to new cases or information;
- Liaises with Court departments (including the Keeper's Office, General, Petition and Inner House Sections), Clerks, Advocates' Clerks, Counsel, Mental Health Tribunal Scotland and external solicitors, as required;
- Provides support to solicitors in the Mental Health and Protection of Vulnerable Groups teams, liaising with clients, undertaking precognitions, drafting correspondence and applications and ensuring records are kept up to date;
- Will be expected to undertake corporate responsibilities, such as being an active member of a cross-Directorate or Improvement Programme working group.

B1 - Professional Support Legal Assistant (PSLA) – These jobholders are each assigned to work across our Legal Divisions.

A PSLA:

- Provides thorough and timely legal research and analysis for the Division, producing detailed referenced research notes as required;
- Sources legal materials for the Division;
- Maintains Knowledge Management (KM) wiki system at Divisional level (e.g. work kits), ensuring legal materials are properly catalogued and up-to-date;
- Provides technical support to the Division on use of KM systems;
- Is cognisant with legal developments in areas relevant to their Division and actively and regularly communicates this information;
- Will be expected to undertake corporate responsibilities, such as being an active member of a cross-Directorate or Improvement Programme working group.

B1 - Trainee Lawyer – (Legal trainees have a separate pay scale from other B1 grades)

A Trainee Lawyer, with appropriate support and supervision:

- Has knowledge of public law and its application to government in Scotland;
- Will be seconded to four areas of practice each lasting for six months.
Government Legal Services Scotland (GLSS) lawyers are involved in all aspects of government and trainees can expect their training to cover a wide range of legal work from core professional areas such as contract, litigation, employment and public and administrative law to specialist advisory work, in order to satisfy the Law Society of Scotland's requirements;
- Will become familiar with the development, drafting and implementation of new law, which are core elements of GLSS work;
- Will provide legal advice (under supervision);
- Will assist with general work and a variety of tasks within their Division, including legal research;
- Will be expected to manage information and interpret evidence in order to make decisions;

- Assists in improving KM within the Division, updating the wiki information as required as a result of their research;
- Will contribute to KM communications as it relates to their Division;
- Has responsibility for their own learning and development and for collaborating with and sharing learning with others;
- Will be expected to undertake corporate responsibilities and represent their Division, such as being an active member of a cross-Directorate or Improvement Programme working group;
- Will organise and manage their workload and work in a flexible way to respond to competing priorities across the Division and Directorate as required;
- Have strong interpersonal and communication (written and verbal) skills which enable them to establish and build strong working relationships.
- Must adhere to Law Society requirements

Qualified Lawyer Roles – General Activity Descriptors

In SGLD there are a number of lawyer roles which are graded at C1, C2 and C3 and the specifics for each of these grades are set out in detail below. However there are some general activity descriptors which apply to all qualified lawyers across the Directorate. Some lawyers across these grades also have line-management responsibilities and the general activity descriptors for those who are also line managers are set out below. Not all relevant activity descriptors need to be undertaken by colleagues all of the time.

All Qualified Lawyers:

- Have a knowledge of law as it affects government in Scotland;
- Provide legal advice in the areas covered by their team;
- Provide legal advice on all aspects of litigation allocated to their team including, where appropriate, representation in courts or tribunals and the instruction of Counsel. In the main lawyers in Litigation Division will manage this work, although a working knowledge of the likelihood and risks of litigation should be understood by all lawyers
- Provide legal advice at all levels of the organisation, including directly to senior officials and Ministers;

- Have responsibility for identifying and assessing risk and make recommendations to manage risk as part of their role in providing legal advice
- Work flexibly with and support other lawyers within the Division and Directorate including, where appropriate, providing peer support;
- Identify cross-cutting issues, matters of complexity, difficulty or significant political contention and involve team head or Deputy Director (DD) lawyer as appropriate;
- Engage with policy colleagues and other stakeholders across and beyond SG where required, to develop strong team and collaborative working relationships, which deliver excellent outcomes and help to anticipate and manage future work. Stakeholders include anyone or group with an interest in our work and may include outsourced legal firms, colleagues from L&D, or other parts of the organisation and beyond;
- Engage with the Law Officers
- Have responsibility for helping manage demands on, and expectations of, SGLD overall, working with their wider team as appropriate to manage local pressures;
- Understand the policy context and contribute constructively by giving legal advice on options and risks towards policy development, supporting the rule of law and furthering organisational understanding of the law;
- Undertake corporate activities and responsibilities, such as being a member of a cross-Directorate or Improvement Programme working group;
- Have responsibility for KM within their Division and across the Directorate, this may include maintaining and developing Wiki legal topics and maintaining divisional work kits;
- Have responsibility for their own learning and development and for collaborating with and sharing learning with others;
- Must adhere to Law Society requirements

Colleagues with line management responsibilities:

- Supervise, support and empower those colleagues they line manage;
- Provide constructive, regular feedback and coaching and the time and resources to enable colleagues to learn and develop;

- Operate the SG performance management system in order to develop colleagues and provide clear goal-setting objectives for them, building both personal and organisational capacity to achieve positive outcomes;
- Challenge poor performance and work with colleagues to enable improvement;
- Proactively manage absence in line with the SG absence management policy and procedures;
- Proactively manage implementation of all relevant SG policies, including for example, those in relation to the flexi system/maternity/paternity/parental leave;
- Have a duty of care for the people they manage and consider employee wellbeing as a priority.

C1 Lawyer

Over and above the general activity descriptors set out above:

- Provides legal advice, including drafting SSIs and instructing Bills (involving attendance to give evidence before Committees of the Scottish Parliament as required) and, where relevant, advising on all aspects of litigation;
- May be expected to supervise, support and empower trainee lawyers and PSLAs working in their Division and may help supervise and support less experienced C1 lawyer colleagues;
- Organises and manages their own workload in a flexible way to respond to and negotiate competing priorities effectively;
- Manages information and interprets data to make evidence-based, sound decisions and provide clear and competent legal advice;
- Drafts referrals to the Law Officers following discussion with their C2/DD colleagues, as appropriate;
- Communicates effectively with colleagues across SG, , builds strong, collaborative working relationships with colleagues and stakeholders and conveys complex issues clearly and concisely.

C2 Lawyer

Over and above the general activity descriptors set out above:

- Leads their team effectively, setting clear goals and priorities and managing the team workload equitably;
- Provides legal advice, including drafting SSIs and instructing Bills (involving attendance to give evidence before Committees of the Scottish Parliament as required);
- Supervises, supports and empowers C1 lawyers in all aspects of their work, this may involve reviewing advice, reviewing draft SSIs and Bill instructions, discussing and reviewing drafts of referrals to the Law Officers; where relevant, advising on all aspects of litigation allocated to the team; and generally supporting C1 lawyers with their development;
- Recognises and rewards achievements within the team and ensures best practice and lessons learned are shared;
- Contributes to the management of the Division, supporting their fellow team leaders and their DD, including with strategic work and decision-making;
- Ensures a culture that is innovative, flexible and constructive.

C3 Lawyer

In SGLD, the Divisions are largely comprised of a DD and C2 and C1 lawyers (some Divisions will also have Trainees and PSLA roles). That approach reflects structure and grade utilisation in SG more generally. Again in common with wider SG, SGLD utilises the C3 grade from time to time, where particular circumstances merit that. A business/grading case must be prepared to underpin any proposal to establish a C3 role. That case will set out the factors that are considered to merit the establishment of the role and is subjected to the normal SGLD and SG HR assessment and decision-making processes.

Due to the particularity of its use, the C3 role in SGLD is less amenable to its characteristics being set out in a standardised form. The role may involve a higher degree of strategic and organisational responsibility than a C2 lawyer role - for

example, leading a unit of lawyers comprised of C2-led branches. It may involve a higher degree of day-to-day autonomy, with a reduced expectation of reporting to DD level. It may also involve a particular relationship or approach to be maintained with a client group, with enhanced responsibility for legal practice profile and development.

SCS - Deputy Director Lawyer

Over and above the general activity descriptors set out above:

- Leads an SGLD Division;
- Has responsibility, through Divisional planning, for the effective and efficient provision of high quality legal services in all areas of legal activity by their Division;
- Works flexibly with and supports other lawyers and DDs within the Directorate;
- Is a key contact with DDs in client Divisions, manages relationships with policy colleagues and Ministers to ensure constructive working relationships and support determination of appropriate work prioritisations;
- Has oversight of and supports the work and development of lawyers within the Division;
- Is responsible for the management of Divisional resources, including “horizon scanning” and anticipating and planning future work demands on the Division;
- Is responsible for ensuring all work allocated to the Division is equitably spread across the whole team;
- Is responsible for appropriate quality assurance arrangements for all legal work including those required for checking SSIs and referrals to the Law Officers;
- Ensures the SG performance management system is implemented across their Division and is helping to build individual and Divisional capacity;
- Recognises and rewards achievements within the Division;
- Leads on delivery of Directorate level continuous improvement and corporate activity, for example, leading cross-Directorate groups or Improvement Programme tasks;

- Seeks to ensure legal advice issued by the Directorate is consistent;
- Takes an active part in Senior Leadership Team (SLT) strategic decision-making and communicates this and other key information to the Division;
- Identifies and considers cross-cutting issues raised by their team or matters of complexity, difficulty or significant political contention and brings them to the attention of the SLT;
- Supports and encourages all members of their Division to fully engage with their KM responsibilities, promoting and encouraging KM best practice within the Division and across the Directorate;
- Advises and supports the Director in leading and managing the Directorate and may be required to deputise for the Director on occasion.

SCS - Director/Solicitor to the Scottish Government

- Is the Head of the Legal Profession in the SG and leads the Directorate;
- Is responsible for the development of SGLD and its teams as a professional and highly effective in-house legal service;
- Has responsibility for the effective and efficient provision of high quality legal services in all areas of the Directorate and seeks to ensure the legal advice issued by the Directorate is consistent;
- Supports the Lord Advocate and Solicitor General in their roles as senior Law Officers of the SG;
- Contributes to the leadership and management of the Director General Corporate portfolio through membership of the Senior Management Team and attendance at Executive Team meetings, and makes practical, outcomes-focused contributions across the work of the SG, as part of a multi-disciplinary team of Directors;
- Leads the strategic decision-making of the SLT and communicates this and other key information to the Directorate;

- Ensures effective management of the Directorate finances and other resources, secures best value and is accountable for the Directorate budget;
- Is responsible for ensuring SG values and policies are effectively implemented and supported across the Directorate;
- Recognises and rewards achievements within the Directorate;
- Provides strategic leadership for Directorate level continuous improvement and corporate activity;
- Promotes and encourages best practice in terms of KM across the Directorate.