



# Government Legal Department

Mr G Champion

By E-mail

Finance and Operations T +44 (0)20 7210 3000  
One Kemble Street F +44 (0)20 7210 3001  
London  
WC2B 4TS

DX 123242 Kingsway 6 [www.gov.uk/gld](http://www.gov.uk/gld)

Your ref:  
Our ref: RM/91/18

19 November 2018

Dear Mr Champion

## Re: Your Freedom of Information Act request

On 22 October 2018 The Government Legal Department (GLD) received the following request for information from you: The GLD response is in bold typeface.

*I am interested in the relationship between the Ministry for Housing, Communities and Local Government and its legal service. I request the following documents and information:*

*Q1. The cost of the Government Legal Department providing legal services to the Ministry for Housing, Communities and Local Government (CLG) in this fiscal year and the previous fiscal year. In providing this information please provide the allocated budget and any agreement / service level agreement in place. Where the information is available please break down the figure between the fee to the Government Legal Department and disbursements.*

## Response

In responding to this and the questions that follow, reference to Ministry for Housing, Communities and Local Government (MHCLG) relates to the core central government department, and does not include services provided directly or indirectly to agencies, non departmental public bodies or other arms-length bodies associated with MHCLG.

The Memorandum of Understanding concerning the provision of legal services to the MHCLG is attached as a response to this document.

The Government Legal Department (GLD) charges government departments fixed fees for the provision of advisory services and in 2017-18, the fixed fee for MHCLG (rounded) was £4.82m and for 2018-19, the fixed fee is £5.2m.

Departments including MHCLG also have access to three groups of specialist lawyers employed by GLD and based in other GLD offices. These are Litigation (the conduct of cases in courts and tribunals), Commercial law (procurement, contracts and commercial litigation) and Employment law (advisory work and the conduct of litigation in the Employment Tribunals). GLD charges departments



(including MHCLG) for these services on an intra-government charging basis in accordance with guidance issued by HM Treasury. Charges to MHCLG for 2017-18 and 2018-19 (to date) are set out in the table below. These are rounded and exclusive of VAT.

	Charges	Disbursements	Total
2017-18	£810,000	£512,000	£1,322,000
2018-19	£370,000	£275,000	£645,000

*Q2. How many lawyers provide services to the CLG from the Government Legal Department?*

## Response

For 2018-19, we have budgeted for 55 (FTE) lawyers in the MHCLG legal advisory team. As set out above, MHCLG has access to other groups of specialist GLD lawyers, and the Statutory Instrument Hub (specialists in drafting statutory instruments), but this involves cross-team working, so is difficult to quantify.

*Q3. How many of those lawyers providing services to CLG are employed by the Civil Service? For each of these please identify their grade. Please identify the total number paid above their grade band, whether this is through marking time or otherwise.*

## Response

The grade mix for the budgeted advisory team (on an FTE basis) is set out below. None are paid above their pay grade.

Legal Director	1
Deputy Directors	6
Grade 6 Senior lawyers	15
Grade 7 lawyers	31
Legal Officers	2

*Q4. How many lawyers providing services to CLG through GLD are not actual employees of the civil service, for instance they are employed as consultants, seconded or a fee is paid to a recruitment agency? For each such person please identify the cost per month paid for their services and the length of the contract.*

## Response

We budget on the basis that we will employ substantive permanent civil service lawyers to provide the range of legal services to MHCLG. However, from time to time, vacant posts may occasionally be filled by agency staff or secondees from the private sector.

*Q5. How many contracts for the services of external law firms has the CLG or the Government Legal Department acting on their behalf let since 1.5.2018?*

## Response

The Government Legal Department does not hold information of MHCLG's direct engagement with external law firms. At the time of asking, the Government Legal Department has not acted on behalf of MHCLG in this manner.

Q6. For each external firm procurement since 1.5.2018 please provide:

- a. the email or document detailing the services required;
- b. the list of law firms to whom the opportunity to tender was made available;
- c. a copy of each response provided by the law firms.
- d. the scores and feedback provided to each law firm.
- e. the winning bidder's identity and letter / email informing them that they had been selected.
- f. the fee quoted for the work and the actual fees paid since 1.5.2018 for the services.

Where the first is lower than the second please provide any available information or documents on how this is compliant with public procurement law and does not provide an undue benefit.

g. the date of each meeting with the law firm providing the services

**Not applicable**

Q7. What was the total number of CLG lawyers on 1.1.2018 and 1.10.2018?

**Response**

**The total number of lawyers (headcount) in post at MHCLG on 1 January 2018 was 51 and on 1 October 2018, was 52.**

*Please be aware that I have made a very similar request to CLG in the hope you will work together to provide the information and provide identical returns (this website didn't allow me to make a joint request).*

**Response**

**Noted, thank you. However, the responses are unlikely to be identical. As you will appreciate, we are two separate Government departments. Whilst each will hold data and information regarding the legal services provided by GLD to MHCLG, each party will, in certain cases, not hold the same data/information and/or depending on financial and accounting processes and timing differences, may not present the such information in the same way.**

If you are unhappy with the level of service you have received in relation to your request you may ask for an internal review within two months of the receipt of this response. If you wish to do this you should contact me at the above address. It will help ensure that your complaint is properly considered if when requesting an internal review you also set out the reasons why you are unhappy with the service you have received.

If you are not content with the outcome of an internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

If you have any queries about this letter, please contact me. Please remember to quote the reference number in any future communications.

Yours sincerely

**Paul Woods**  
**DRO, FOI/DPA Co-ordinator, Head of Library Services**

**Operations, Government Legal Department**  
**One Kemble Street, London WC2B 4TS**  
**Telephone: +44 (0)20 7210 3045**  
**[foi@governmentlegal.gov.uk](mailto:foi@governmentlegal.gov.uk)**