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16th October 2020

Dear Dragutin:Popovic,

Freedom of Information (FOI) Act Request no 200921021

Thank you for your three requests dated 21st September 2020 in which you asked for the following information from the Ministry of Justice (MoJ). I have numbered them for convenience:

1. Please provide the record of qualifications for HMCTS Senior Legal Managers
- 2.a Please provide the record of organogram for HMCTS Administration
- 2.b Please provide the record of HMCTS Senior Legal Managers Organogram
- 3.a Please provide the record of organogram for HMCTS Administration
- 3.b Please provide the record of HMCTS Senior Legal Managers Organogram

With regard to questions 2a and 3a, the MOJ does not hold any information in the scope of your request. HMCTS administration is made up of numerous separate departments. Some of those departments have organograms, and some do not, but there is no single organogram for the whole of HMCTS administration. The FOIA does not oblige a public authority to create information to answer a request if the requested information is not held. The duty is to only provide the recorded information held.

With regard to questions 2b and 3b, the MOJ does not hold any information in the scope of your request. Senior legal managers form a management tier in eight separate legal teams. They therefore comprise a part of those teams and appear on the organograms of those teams. There is no single organogram for senior legal managers.

In addition, all organograms contain the names of post-holders. This means that they are exempt from disclosure under section 40(2) of the FOIA, because they contain personal data. Section 40(2) and section 40(3A)(a) of the FOIA taken together mean that personal data can only be released if to do so would not contravene any of the principles set out in Article 5(1) of the General Data Protection Regulation (GDPR) and section 34(1) of the Data Protection Act 2018.

Individuals have a clear and strong expectation that their personal data will be held in confidence and not disclosed to the public under the FOIA.

You may wish to refine your request, asking for the organogram of a department, defined by jurisdiction (e.g. magistrates' court, or County Court) and location, and requesting job titles,

rather than a full organogram which would contain names. However, please note that not all departments have organograms.

With regard to question 1, the qualifications for a senior legal manager are:

To enable a Legal Adviser to progress to Tier 4, all of the requirements to satisfy the roles, responsibilities and competences for a fully competent Tier 3 Legal Team Manager must have been met and continue to be met. A Tier 4 Senior Legal Manager will be expected to maintain the base line competencies for a Tier 1 Legal Adviser and regularly take courts

To function as a Tier 4 Senior Legal Manager, the role holder is required to undertake the additional responsibilities as set out in the Legal Adviser Career Structure and to achieve and maintain competence in this (or these) practice areas. It is likely to take at least 5 years to develop the extensive knowledge and experience required for a Tier 4 Senior Legal Manager role.

Technical

To be eligible for this post candidates must be a fully qualified Solicitor or Barrister.

Applicants applying for a specialist Tier 4 Role such as Advisory and Training should have completed a relevant training qualification such as a NVQ Level 3 or HMCTS Judicial College Training, CTP.

Appeal Rights

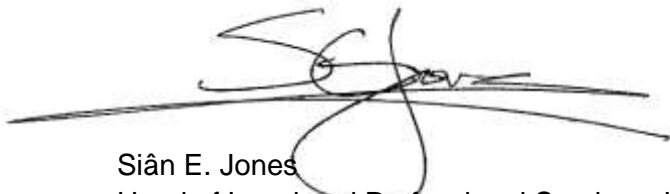
If you are not satisfied with this response you have the right to request an internal review by responding in writing to one of the addresses below within two months of the date of this response.

data.access@justice.gov.uk

Disclosure Team, Ministry of Justice,

You do have the right to ask the Information Commissioner's Office (ICO) to investigate any aspect of your complaint. However, please note that the ICO is likely to expect internal complaints procedures to have been exhausted before beginning their investigation.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Siân E. Jones', written over a horizontal line.

Siân E. Jones
Head of Legal and Professional Services, Legal Operations