

Legal Recruitment News - July 10th 2019

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Legal Job Market Report

Legal Recruitment - still an uncertain market

Each month we run a comparison between the last calendar month and the same time period in 2018 to see if there has been any noticeable difference in view of the extreme political uncertainty. In May 2019 we saw a 42% decrease in the number of new permanent vacancies compared with the previous year. April had seen similar reductions.

How was June?

In June 2019 we saw a large and somewhat unexpected increase of 77% in new permanent vacancies compared with June 2018. We also saw an increase in locum roles for the same time period. At present the market is defying all trends - for 20 years we have seen very similar patterns of work - vacancies increase from April to August and then decrease from September December, before increasing gradually to March. In the present marketplace this pattern has been completely disrupted. We had reports from firms a few months ago that the market was extremely quiet and this was coupled with reports from candidates that redundancies were occurring in the property sector as sellers were waiting to see the outcome of the Brexit negotiations. However for the past 4 weeks we have had a number of property locums offered permanent roles and new permanent property jobs being logged because firms are so busy, so this is clearly not currently the trend.

We are still seeing a good number of new locum registrations, which are much higher than usual. Again we would like to think that our Interim Lawyers platform has become very popular in recent weeks, hence the large increase in the numbers of locums registering, but a number of them are citing 'lifestyle' as a reason for becoming a locum and this is very often code for 'looming redundancy'.

KPMG and REC Report on Jobs

The KPMG and REC, UK Report on Jobs is compiled by IHS Markit from responses to

questionnaires sent to a panel of around 400 UK recruitment and employment consultancies (including the Ten Percent Group).

Key Findings

Permanent placements decline for fifth time in six months

Temp billings expand only slightly

Vacancy growth holds close to multi-year low

KPMG Comment: "Brexit stagnation continues to seize up the jobs market as the slowdown in recruitment activity continues. Permanent staff appointments fell again in June, the fourth month in a row, while subdued confidence ensured that growth in temporary billings remained historically weak. As we approach the summer holidays, the worry is that vacancy growth – which held close to a multiyear low in June – is unlikely to bounce back as firms take a relatively cautious approach to hiring. Uncertainty is also likely to further dampen staff availability, as candidates are reluctant to change roles at this time. Looking ahead, conditions across the labour market are likely to remain restrained against a backdrop of political and economic uncertainty before companies can start to make more informed decisions on their long-term hiring."

Recruitment & Employment Confederation (REC) Comment: "The jobs market has slowed a little, but one issue which shows no sign of relenting is the shortage of qualified candidates in some areas. [I've edited this comment to remove a rant about the Apprenticeship Levy!].

Statistics

General Statistics for June 2019 (comparison is with June 2018)

Current live vacancies: 987

New permanent vacancies added: 69 (39)

New locum vacancies added: 28 (22)

New candidates registering: 85 (38)

June 2019 – Live Jobs (comparison with June 2018 in brackets):

London vacancies: 174 (177) (-1.75%)

South East: 427 (447) (-4.5%)

South West: 88 (90) (-2%)

Midlands: 74 (68) (+8%)

North West: 109 (106) (+2.75%)

North East: 74 (74)

Wales: 33 (30) (+10%)

We have 41 law firms for sale at the moment - [for details of law firms for sale please click here to view our list.](#)

Hourly Rates of Pay for Locum Solicitors and Legal Executives

Rates now well into the summer levels - firms need to be aware that locums get booked up at this time of year and even take holidays themselves!

July 2019 Locum Solicitor Rates

Residential Conveyancing Locum Solicitors – 1-5 years PQE, £30-35 per hour (no variation for central London).

Conveyancing Locum Solicitors & ILEX – 5-35 years PQE, handling all levels of conveyancing including managing a department – £30-42 per hour, including central London.
Commercial Property Solicitors – 1-40 years PQE – £35-56 per hour - average is £40-44 per hour.
Wills & Probate Solicitors and Legal Executives – 3-35 years PQE – £35-50 per hour, going up to £55 per hour. Average currently around £45.
Family Solicitors – 4-40 years PQE – £35 per hour+. NB: huge shortage of family locums and still difficult to source.
Civil Litigation Solicitors and ILEX– 1-35 years PQE. £28-35 per hour. These rates cover mainstream litigation.
Commercial Litigation Solicitors – 3+ years PQE – £35-50 per hour.
Company Commercial & General Commercial Solicitors – 3+ years PQE – £35-75 per hour.
Employment Solicitors – 3+ years PQE – £30-65 per hour.
Personal Injury and Clinical Negligence – 3+ years PQE – £25-£35 per hour.
In House Legal Department Rates: 0-3 years PQE – £25-40 per hour, 3+ years PQE – £40-90 per hour (very wide range due to the nature of in house work).

Local authority rates: think of a number, double it, times it by three and then divide it by 8. That figure is probably more accurate than anything I can include here.. Local authority (often unfounded) worries about IR35 have had a huge effect on this sector as umbrella companies and intermediaries cream off huge profits, courtesy of local government HR department decisions 10 years ago to outsource their own jobs!

NB all rates exclude agency fees. The rates are for self-employed locums billing firms directly on a weekly basis.

Interview Questions & Answers Series

Each month we include 2 interview questions and model answers for popular (or unpopular) interview questions, with advice from our Managing Director. If you would like an ebook with over 50+ of these questions and model answers, please email Jonathan Fagan at jbfagan@ten-percent.co.uk and we'll send it over to you - no charge.

You can also view our free online legal job interview training videos on our website - <https://www.ten-percent.co.uk/interview-advice/>. 100 minutes of advice on technique, interview styles, dealing with technical questions, etc.. Some of the footage is a bit grainy, but the advice is good!

Interview Question 23 – Are you satisfied with your academic achievements to date?

Advice

This question is often asked where an interviewer has identified that you have a specific weak point on your CV, for example you have a low grade at A Level or have a Third Class Degree. The question is designed to pick you up on whether you respond negatively or positively to this question. If you have a weak point on your CV then it is almost certainly that it will be what the interviewer is aiming at. They are most likely to be waiting to see whether or not you defend your achievements or you state that you have failed in some way. A better way of approaching the answer if you do have any such issues is to move away from the question completely and try to get the topic of conversation onto something different. An example of how to do this is given below.

If your academic achievements are consistently good then there is nothing to stop you saying that you are satisfied with them but that there is always room for improvement in everything that you do, although you do not strive for perfection you do always try to look at improving yourself and your skills.

Examples of Answers

“My academic record is something I have never been particularly satisfied with. However my career started in 1994 and I have always given my best to everything I have done and I am fully satisfied with it. I am very proud of my achievements to date, particularly those where I have identified and saved my employers considerable sums of money through the introduction of new processes such as x.”

Or:

“Yes. My academic record reflects the work I put in at the time and on the whole I am very pleased with my achievements. You can see from my CV that I have attained a 2:1 in law from a good university and have good A Levels. These are achievements I am particularly proud of.”

Or:

“No. My academic achievements could have been much better and ever since my early years I have always strived to improve my position, both at work and in play. I always aim for the highest level I can, whether this is in quality of my work or in attainment of a particular level. You can see from my CV that since 1996 I have always achieved what I set out to do.”

(You will note from the above examples that the answers do not include the issue that the interviewer may be trying to get at, for example a poor GCSE or A Level grade of a general lack of education).

Interview Question 24 – Are you willing to travel?

Advice

This question is one of the easiest to give a response to and does not appear to carry any risks at all with the response. Quite obviously you do need to indicate that you are willing to travel as if this was not part of the job then presumably the employer would not have asked you the question. It is important not to imply that you are a free wandering spirit who tends to spend considerable amounts of time travelling but it is important to indicate flexibility and confirm a willingness to travel should the job require it. If you know the job is desk bound in one particular area it may be worth clarifying with the interviewer whether this is the case or whether they anticipate there being external travel involved.

Examples of Answers

“Yes, should the need arise I am more than happy to travel.”

Or:

“Yes. You can see from my CV that the former posts I have had travel has played a fairly important role and I am quite comfortable spending time visiting clients or sites.”

Or:

“I understand that this particular role is based in Chelmsford. I was not aware that travel would be

part of it and wonder whether you could clarify this for me.”

Restrictive Covenants - recent Supreme Court ruling

For years we have very patiently advised clients contacting us to request solicitors with a following, ie the ability to bring their own work and files to a new firm, that there is the small matter of a Restrictive Covenant ever present in most contracts of employment. As anyone knows, you cannot simply walk out of a law firm clutching all 'your' clients' files, simply because they are not your clients! Quite often we have been told that, even if ignoring the lack of morality involved in such a manoeuvre, restrictive covenants are generally unenforceable and therefore lawyers need not worry about them.

Well, for the first time in over 100 years there has been a decision handed down by the Supreme Court this week that confirms the enforceability of restrictive covenants even if some parts overstep the mark and the case relates to a recruitment agency and consultant (naturally!). The case had gone to the Supreme Court due to the Court of Appeal's refusal to sever part of a restrictive covenant thus rendering the whole thing void due to unreasonable restraint of trade.

Tillman v Egon Zehnder Ltd [2019] UKSC 32

Summary

The Respondent left her employment with the Appellant, and agreed to comply with all covenants in her contract apart from a non-competition covenant which stated that she should not "directly or indirectly engage or be concerned or interested" in any competing business; she alleged that this covenant was in unreasonable restraint of trade and thus void. The High Court granted an interim injunction restraining the Respondent from working for a competing business, but the Court of Appeal considered that the words "or interested" would prohibit even a minor shareholding and refused to sever those words; accordingly, the covenant was held to be void as an unreasonable restraint of trade. The Appellant appealed, and raised the issues whether (1) the covenant fell entirely outside the restraint of trade doctrine, (2) the words "interested in" prohibited any shareholding, and (3) the correct approach to severance was applied.

The Supreme Court held that (1) the restraint of trade doctrine did apply on the facts, and (2) the natural meaning of "interested" included shareholding so that, subject to severance, the covenant would be void as an unreasonable restraint of trade; however, (3) on the facts the words "or interested" were capable of being removed from the covenant without the need to add to or modify the wording of the rest of the covenant, and removal of the prohibition against the Respondent being "interested" would not generate any major change in the overall effect of the restraints.

Commenting on the decision, Andrew Taggart, of Herbert Smith Freehills told the Recruiter magazine: "The judgment is good news for employers seeking to enforce restrictive covenants, but not such good news for employers and recruiters who want to try and challenge those covenants..."

A Member of the Bottom Feeding Fraternity of the Awful Recruitment Industry - Compliments from a Candidate

We recently took a registration from a new candidate who indicated that he was looking for work in a high street law firm covering general practice fields. As it happens, we occasionally recruit on behalf of an offshore law firm recruiting general practice solicitors and we included the candidate in a mailout in case of interest. He initially sent back a message "please remove me from your

database so I stop getting this utter nonsense". We emailed back to clarify that we had only sent him one email and he replied "I applied for specific positions about which I have heard nothing. Instead I get some utter guff about [an offshore law firm]. I have NO relevant skills for that post whatsoever, as any even slightly completed (sic) agency would immediately appreciate. In spamming all those whose applications you have completely ignored, you have simply identified yourselves and (sic) yet another c.v. harvesting member of the bottom feeding fraternity of the awful recruitment industry. I would have more chance of flying to the moon for a job than you have of ever finding me one."

We really enjoyed this email - it reminds me of the immortal Monty Python insult "your mother is a hamster and your father smells of elderberries". We considered emailing this back to the candidate but then decided it was unprofessional. However we did look up the definition of "bottom feeder" in the Urban Dictionary (www.urbandictionary.com).

Bottom Feeder equates to "leech", or in other words a total lack of responsibility to provide for oneself. Relies heavily upon friends, neighbors or anyone really for sustenance. a slacker through and through.

There is an example of the terminology, which illustrates it well:

"Bart wakes up and thinks to himself, "dang, I don't have any money still" so he leaves his wallet at home on purpose and later says to his friends, "Whoops, I forgot my wallet today again, could you please buy my lunch again?" what a bottom feeder." (Urban Dictionary).

I would probably agree with the candidate, he does have more chance of flying to the moon than us getting him a job..

Low Cost Recruitment for Solicitors - Ten Percent Unlimited

Ten-Percent Unlimited is a service offering unlimited recruitment for a set monthly fee. It was set up by us back in 2011 with the aim of making the use of a recruitment agency cost-effective for smaller sized high street law firms. It is still going strong - we have had over 110 clients signed up to date - most of whom have been sole practitioners or smaller sized law firms. We also offer the service to accountancy practices using our sister site, www.tenpercentfinancial.co.uk

The Unlimited Recruitment service offers law firms the chance to recruit as many permanent or locum candidates as needed over a period of 3-5 years in return for a monthly payment. There are no restrictions on numbers (although vacancies have to exist and we do operate a fair usage policy - so far never used) and no other costs. No other similar services exist in the recruitment industry.

For example you may recruit a few locums for cover each year, a replacement conveyancing solicitor, a couple of legal secretaries, possibly a paralegal or two and have a look to expand the firm into a new area of law with an additional fee earner. All of this would cost considerable amounts in advertising and/or recruitment agency fees. However with Ten Percent Unlimited you simply pay a monthly fee.

One of our recruitment consultants works full time on our Ten Percent Unlimited member firms' recruitment needs and is always happy to talk about the service. If you would like a chat with Clare Fagan, please give her a ring on 0207 127 4343 or email clare.fagan@ten-percent.co.uk. www.tenpercentunlimited.co.uk.

How to be a Locum - pdf guide

We have produced a guide on how to be a locum. This includes sections on getting work, realistic expectations, hourly rates, popular fields of law, payment, insurance, umbrella companies and much more. Available for download or to read online from www.interimlawyers.co.uk.

About Ten-Percent Legal Recruitment

We are a specialist legal recruiter, covering both permanent and locum roles across the whole of the UK. Over 11,000 lawyers are registered with us and we have access to a range of external and internal job boards and websites where we do not have candidates available ourselves. We also assist with recruitment advice and assistance, regularly advising partners and practice managers on suitable salary and package levels.

Our company is unique for a number of reasons, including the fact that we are not shy to publish our fee structure and also donate a chunk of our profits to charity each year. We offer unlimited permanent and locum recruitment for a fixed monthly fee or one-off fees depending on the job. We also buy and sell law firms. We donate 10% of our profits annually to charity, hence our name.

We have three recruitment consultants, Jonathan Fagan, Clare Fagan and Pete Gresty. As a team we have over 40 years of experience in the legal profession.

Ten-Percent Legal Recruitment also owns Interim Lawyers, a specialist locum service. We operate an outsourced UK based typing service as well – www.tptranscription.co.uk and are preferred suppliers to a number of institutional clients and law firms across the UK and overseas.

The Ten-Percent Group of Legal Recruitment websites gives 10% of annual profits to charity. We have carried on with this tradition since we formed the company 18 years ago. So far over £100k has been donated to charities in the UK and Africa including LawCare, Unlock and Reprieve.

We hope you have enjoyed reading our newsletter and look forward to hearing from you if we can assist further.

Warm regards

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