

INSOLVENCY SERVICE CRIMINAL LAWYERS VACANCY NOTICE

Headline information

JOB TITLE:	Criminal Lawyers (Prosecutions)
DEPARTMENT:	Insolvency Service (an Executive Agency of the Department for Business, Energy and Industrial Strategy)
DIVISION:	Legal and Prosecutions
LOCATION:	These roles can be based in any Insolvency Service office, although successful candidates will be required to work at least 2 days per week in London during the first few months following appointment.
CLOSING DATE & TIME	Wednesday 11 July 2018, 12 pm (midday)
INTERVIEW DATES:	1 – 10 August 2018
WORKING ARRANGEMENT:	Full time / Part time / Job share
APPOINTMENT TERM:	Permanent
NUMBER OF POSTS:	2 (One at Grade 6, one at Grade 7)
SALARY RANGE:	Grade 6 senior lawyer £64,699 (min) - £77,517 (max) depending on PQE and location Grade 7 lawyer £49,511 (min) - £58,313 (max) depending on PQE and location
TRAVEL REQUIRED:	Sometimes (Travel and subsistence costs will be reimbursed in line with Departmental policy)
CRB REQUIRED:	Yes
GUARANTEED INTERVIEW SCHEME:	Yes
RESERVED/NON-RESERVED	Non-reserved

VACANCY DESCRIPTION

We are looking for experienced prosecutors who will be able to deal with the full range of cases and provide operational advice across a range of criminal justice and related areas.

Key responsibilities and activities will be:

- To manage a full caseload from investigation through to trial/confiscation/enforcement proceedings including some more complex and substantial cases; giving clear, accurate and timely advice where required on the conduct of investigations; and dealing fairly, efficiently and effectively when conducting prosecutions, instructing Counsel or agent solicitors where appropriate.

- To develop effective working relationships with all those involved in our enforcement work, particularly with our investigators to develop and pursue focused case strategies.
- To undertake advocacy as appropriate.
- To travel to court and regional offices as required.
- To make a contribution to the operation of the legal team and the Insolvency Service more widely through acting as a role model for others and maintaining high professional standards; providing support and assistance to colleagues as required.
- To make a positive contribution to the wider government legal profession, for example in cross-Whitehall initiatives.
- Experience of asset recovery work is desirable for both roles
- Experience of leading high profile projects or managing teams is desirable for the Grade 6 role

Grade 6 is a key leadership role within the team and the wider Insolvency Service. Post-holders may be required to manage Grade 7 lawyers. Those applying for the Grade 6 post will be expected to provide strong professional leadership qualities, whilst having close personal involvement in a range of complex and challenging cases. Post holders will demonstrate strong personal skills, excellent legal and strategic analytical ability, good judgement and pro-activity.

WORK OF THE INSOLVENCY SERVICE

The Insolvency Service is a Government agency that delivers economic confidence by supporting those in financial distress, tackling financial wrongdoing and maximising returns to creditors.

We are an Executive Agency of the Department for Business, Energy and Industrial Strategy with headquarters in London. We have around 1,700 staff operating from 22 locations across Great Britain.

Our responsibilities are to:-

- act as trustee/liquidator where no private sector insolvency practitioner is in place
- administer bankruptcies and debt relief orders, including dealing with bankruptcy and debt relief restrictions orders and undertakings
- look into the affairs of companies in liquidation, making reports of any director misconduct and disqualify where appropriate
- investigate trading companies and take action to wind them up and/or disqualify the directors if there is evidence of misconduct
- ensure that criminal behaviour in connection with personal or corporate insolvency is properly addressed
- issue redundancy payments from the National Insurance Fund

- act as an impartial source of information for the public on insolvency and redundancy matters
- advise BEIS ministers and other government departments and agencies on insolvency and redundancy related issues

THE LEGAL TEAM

The Criminal Enforcement Team investigates and prosecutes a range of cases arising from individual and corporate insolvency proceedings and associated corporate fraud. We also advise upon and prosecute other matters arising from the Department for BEIS' regulatory functions, such as matters referred by the Employment Agency Standards Inspectorate and Companies House. The Criminal Enforcement Team plays a vital role in the wider enforcement landscape with regards to tackling economic crime.

The offences we deal with range from fraudulent removal of assets and failure to comply with requirements under the insolvency regimes to complex fraudulent trading matters. We also provide a range of operational advice on statutory investigations and those under the Company Directors Disqualification Act 1986 and provide advice on the drafting of new criminal offences and enforcement strategies. The diet of casework is wide from the most simple to complex and challenging fraud cases, and we vigorously pursue confiscation in appropriate cases.

The Insolvency Service legal team has recently started to take on the Agency's Civil Litigation work, primarily proceedings involving the disqualification of directors and in due course the winding up of those companies acting contrary to the public interest. This work can be very high profile, and may have wide policy or operational ramifications.

Our legal team currently comprises around 15 lawyers in two teams (based in London) and as well as a team of 13 law clerks. The team will continue to expand as more civil litigation work is brought in-house over the next year or so. The legal team has a strong training and development ethos and we are also fully committed to flexible working.

PERSON SPECIFICATION

We are looking for intellectually capable, highly motivated lawyers with powerful communication skills. You need to have good self-awareness and a commitment to using feedback to learn and develop as a professional. In addition, the application and interview process will seek evidence of the following competencies:

Legal Professional Skills

- A sound knowledge of criminal law including the rules on disclosure, procedure, evidence and confiscation.
- Sound understanding of public law and experience of or aptitude for litigation. Reliable legal judgment and appreciation of legal risk.

Making Effective Decisions

- Excellent analytical skills and judgement.

- Ability to identify the main issues in complex problems, clarify understanding or stakeholder expectations, and to seek the best option.

Collaborating and Partnering

- Work as an effective team player, managing team dynamics when working across Departmental and other boundaries.
- Seek constructive outcomes in discussions, challenge assumptions but remain willing to compromise when it is beneficial
- Demonstrate genuine care for others, is approachable and builds strong interpersonal relationships to deliver business outcomes

Managing a Quality Service for Clients

- Strong interpersonal skills, and a proven ability to work flexibly, effectively and across teams and to establish good relations with colleagues and other participants in the criminal/civil justice system

Delivering at Pace

- Get the best out of people by giving enthusiastic and encouraging messages about priorities, objectives and expectations
- Review, challenge and adjust performance levels to ensure quality outcomes are delivered on time, rewarding success
- Adopt clear processes and standards for managing performance at all levels
- Maintain effective performance in difficult and challenging circumstances, encouraging others to do the same.

Motivational Fit

- Suitability for working as a Government Lawyer.
- Potential to make an effective contribution to the Insolvency Service legal team.

In addition, it would be **desirable** for applicants to have:

- Experience of asset recovery work
- Experience of leading high profile projects or managing teams (Grade 6 role only)

For this Insolvency Service campaign, only 'Legal Professional Skills', 'Motivational Fit' and your written communication skills will be assessed at the application form/short-listing stage.

Should you be successful in being invited to interview, your performance in the key competency areas will be tested. In preparation for this, you should ensure that you have reviewed the guidance outlined in the application form, which will be re-iterated during a Webinar, prior to the start of the interview calendar. All invitees to Interview will receive information on the Webinar, prior to their interview date.

CRITICAL REASONING TEST

Please note that as part of this process you may be required to complete an Online Critical Reasoning Test. If this is the case, you should receive an invitation to take the test on 12 July 2018 with a deadline for completion by Midday on 17 July 2018.

DEPARTMENTAL CONTACT POINT

For further information about the posts please contact one of the following:

Name: Arwel Jones
Telephone: 020 7637 6327
E-mail: Arwel.Jones@insolvency.gsi.gov.uk

Or

Name: Katy Shrimplin
Telephone: 020 7637 6257
E-mail: Katy.Shrimplin@insolvency.gsi.gov.uk

MINIMUM ELIGIBILITY CRITERIA

Professional Qualifications

Applicants must be (or about to become) qualified to practise as a Solicitor, Barrister or Chartered Legal Executive in England and Wales. You must have completed a training contract/pupillage/qualifying employment, or have been exempted from this by the Law Society, the Bar Council or CILEx. Applicants qualified in a jurisdiction outside England and Wales will be subject to the rules of the professional bodies (where applicable). Barristers and Solicitors qualified in a jurisdiction outside of England and Wales will be required to complete the Bar Transfer Test or Qualified Lawyer Transfer Scheme within an agreed period of time (this is likely to be within 12 months of appointment).

Professional entry criteria for Chartered Legal Executives (i.e. Fellows): Chartered Legal Executives are eligible to apply where (i) a Qualifying Law Degree (QLD) is held; or (ii) the Graduate Diploma in Law (GDL)/CPE has been completed; or (iii) where exams have been passed (i.e. a score of 50% or above achieved), at CILEx Level 6*, in all of the following seven foundation subjects in law:

1. Contract Law
2. Criminal Law
3. Equity and Trusts Law
4. European Union Law
5. Land Law
6. Public Law
7. Law of Tort

* Note: There are specific requirements relating to academic achievement in the CILEx Level 6 exams where these are being used to demonstrate 2.1 degree equivalence as set out below.

Academic

Applicants should have a minimum of a 2:1 degree in their first degree (in any subject). Where an applicant holds an overseas degree qualification this should be equivalent to a 2.1 degree.

However, this Department will consider applicants who do not have a 2.1 degree (or above) (e.g. where a lower degree classification is held, or, where applicants have (under the rules of the professional bodies) qualified as a Solicitor/Barrister/ Chartered Legal Executives without a degree) but only where satisfactory evidence of equivalent high level academic and/or professional achievement can be provided (e.g. via relevant experience and results achieved for the Graduate Diploma in Law (GDL)/CPE, Legal Practice Course (LPC), Bar Professional Training Course (BPTC)).

Chartered Legal Executives should note that the department will be willing to accept an, overall, average score of 65% or above across exams passed in the seven foundation subjects in law (where studied at CILEx Level 6) as demonstrating 2.1 degree equivalence (where a 2.1 degree is not held).

Nationality

As the Insolvency Service is part of the wider Civil Service, the Civil Service nationality rules apply. If a post is described as 'reserved', then only UK nationals will be eligible to be able to apply. If a post is advertised as a 'non-reserved' post, as our posts generally are, those listed below will be eligible to apply:

- UK Nationals (and British Protected Persons);
- Commonwealth citizens and nationals of the European Economic Area (EEA);
- Individuals with dual nationality where one part is British; and
- Certain family members of EEA, Swiss and Turkish nationals (as set out in the Civil Service nationality rules).

Full details of the Civil Service nationality requirements may be found at [Civil Service website](#).

Please note that it is possible to meet the above nationality requirements and still not be legally entitled to work in the UK. The UK Visas and Immigration operates a points-based immigration policy which applies to the migrants from outside the European Economic Area, Switzerland and Turkey.

It is the applicant's responsibility to check whether this policy applies to them. When applying, applicants will be asked about their nationality at birth, whether they are subject

to immigration control, whether there are any restrictions on your continued residence or employment in the UK etc. Detailed document checks will be made prior to employment.

Applications will be accepted from those applicants who may require sponsorship for a work permit under the UK Visas and Immigration points-based immigration policy. Applications which require sponsorship will, however, only be considered if no suitable settled worker is identified for the position.

GUARANTEED INTERVIEW SCHEME

The Insolvency Service has signed up to the Positive about Disabled People Commitment and will guarantee an interview to any disabled applicant who meets the minimum criteria. The Equality Act 2010 defines a disabled person as someone who has a physical or mental impairment which has a substantial and adverse long-term effect on his or her ability to carry out normal day-to-day activities.

To meet the minimum criteria, candidates applying under the terms of the Guaranteed Interview Scheme (GIS) must:

- Meet all aspects of the stated minimum eligibility criteria (i.e. academic, nationality, and professional criteria);
- Meet the standard set for the Critical Reasoning Test (where used); and
- Obtain a minimum score for (i) the core competencies being assessed at the application stage and (ii) against any job specific criteria specified.

Candidates applying under the terms of the GIS, who meet the minimum criteria outlined above, will be invited to attend an interview.

PRE-EMPLOYMENT CHECKS

All government departments are required to ensure that any personnel employed by them comply with the Baseline Personnel Security Standard (BPSS) before they take up employment.

This standard involves verification of identity; nationality and immigration status (including an entitlement to undertake the work in question); employment history (past 3 years) and criminal record (unspent convictions).

You will be asked to produce original documents when attending interview to enable us to verify the above if you are successful. The information which you provide will be treated in the strictest confidence by the department and its authorised representative (TMP Worldwide).

Supplying false information or failing to disclose relevant information could be grounds for rejection of your application, or, dismissal and could amount to a criminal offence.

Your referees will not be approached until your permission has been obtained following success at interview.

Regarding criminal record checks (i.e. DBS checks), a basic disclosure will normally be required (covering convictions considered unspent under the Rehabilitation of Offenders Act 1974). This will apply to successful candidates only and your permission will be required before checks are undertaken.

DATA PROTECTION

The information which you provide will be protected and processed for the purpose of successful completion of the Baseline Personnel Security Standard, in accordance with the requirements of the Data Protection Act (2018) and the General Data Protection Regulation.

If you have any concerns about any of the questions which you are asked to complete or what we will do with the information you provide, you should discuss these with the Recruitment Team.



COMPLAINTS PROCEDURE

The Insolvency Service processes are underpinned by the principle of selection for appointment on merit on the basis of fair and open competition as outlined in the Civil Service Commission's Recruitment Principles which can be found at:

<http://civilservicecommission.independent.gov.uk>

If you feel your application has not been treated in accordance with these Principles and you wish to make a complaint, the Insolvency Service complaints procedure can be found at:

<https://www.gov.uk/government/organisations/insolvency-service/about/complaints-procedure>

If you are not satisfied with the response you receive from the department, you can contact the Civil Service Commission.