

VACANCY NOTICE
INSOLVENCY SERVICE
CIVIL LAWYERS (LITIGATION)

HEADLINE INFORMATION

DEPARTMENT: Insolvency Service (an Executive Agency of the Department for Business, Energy and Industrial Strategy)

DIVISION: Legal Services Directorate

JOB TITLE: Civil Lawyers (Litigation)

LOCATION: These roles can be based in London or Manchester, although regular attendance in London will be required if based in Manchester (at least 2 days per week in London during the first few months following appointment.)

CLOSING DATE & TIME: Midday, Thursday 6 June 2019

INTERVIEW DATES: 1 to 12 July 2019

WORKING ARRANGEMENT: Full time / Part time

APPOINTMENT TERM: Permanent

NUMBER OF POSTS: up to 5 (with reserve lists) one post at G6 and the remainder at G7

SALARY RANGE:

Grade 7 lawyer:

NATIONAL - £49,511 or LONDON £51,320

Grade 6 senior lawyer:

NATIONAL - £64,699 or LONDON £68,904

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 recruiting civil litigators, in particular to carry out work disqualification work under the Company Directors Disqualification Act 1986 and the winding up of companies in the public interest. This is an exciting opportunity in which we can offer a varied role, including operational advice. We can offer the full range of flexible working patterns, including being based in London or across the country in one of the Insolvency Service's regional offices. We have a very supportive team environment.

Key responsibilities and activities will be:

- To work within an expanding team, managing a full and varied caseload from issue of disqualification and winding up proceedings through to trial, maintaining high professional standards; providing clear, accurate and timely advice where required; actively progressing cases whilst acting fairly, efficiently and effectively; instructing Counsel or agent solicitors as appropriate.

- To develop effective working relationships with all those involved in our enforcement work, particularly with our investigators and examiners, travelling to regional offices as required.
- To undertake advocacy as appropriate.
- To provide a range of operational advice on statutory investigations and those under the Company Directors Disqualification Act 1986.
- To contribute to the operation of the legal team and the Insolvency Service more widely, acting as an ambassador, role model and senior leader.
- To make a positive contribution to the wider government legal profession, for example in cross-Whitehall initiatives.
- Experience of insolvency, disqualification and winding up proceedings 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 need to 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
- Conduct appropriate enquiries into the conduct of bankrupts and company directors seeking civil and/or criminal enforcement in appropriate cases
- 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 Legal Services Directorate conducts criminal enforcement work and civil disqualification and winding up proceedings. The civil litigation work comprises proceedings to disqualify company directors for misconduct and the winding up of companies acting contrary to the public interest. This work can be very high profile and may have wide policy or operational ramifications. We also provide operational advice on the conduct of statutory enquires and insolvent investigations.

On the criminal side, we prosecute a wide range of offences which underpin the insolvency regime in England and Wales, together with a number of niche areas arising from the Department for BEIS' regulatory functions, such as matters referred by the Employment Agency Standards Inspectorate and Companies House. We provide both operational and

policy advice for example on drafting 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.

Our legal team is growing and currently comprises around 20 lawyers in two teams (based in London and regionally) and as well as a team of 13 law clerks. We expect the team to expand over the next year as our caseload increases and we explore what other legal services we can provide to the Insolvency Service.

We have a strong training and development ethos across all of our enforcement work.

SELECTION PROCESS and 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. The application and interview process will use [Success Profiles](#) and we will assess your Behaviours, Strengths, Experience and Technical skills.

At application stage, you will be assessed on the following essential criteria or strength based questions:

Legal Professional Skills

- A sound knowledge of civil procedure including the rules on disclosure, procedure and evidence. Knowledge of insolvency law is desirable.
- Sound understanding of public law and experience of or aptitude for litigation.
- Reliable legal judgment and appreciation of legal risk.
- Sound legal analysis and research

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

- Experience of disqualification and winding up proceedings

Motivational Fit

We would like to see how well our offer matches your aspiration so we would like to hear

- What you believe is the core role of a government lawyer.
- Why you want to join the Government as a lawyer and how you believe you would make an effective contribution to the Insolvency Service legal team.

Those candidates demonstrating the best fit with the assessment criteria will be invited to interview. There will be a written exercise which will test your ability to make effective decisions, demonstrate your capacity for analytical skills and judgement and your ability to identify the main issues in complex problems, clarify understanding or stakeholder expectations, and to seek the best option.

In an interview, the panel will assess the following behaviours:

Working Together

- Work as an effective team player, managing dynamics inclusively when working across team, 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
- Establish good relations with colleagues and other participants in the criminal/civil justice system

Managing a Quality Service

- Strong interpersonal skills, and ability to work flexibly, effectively and across teams
- Deliver a high quality, efficient and effective service, proactively managing risks and mitigating impacts

Communicating and influencing

- Communicate with others in a clear, honest and enthusiastic way in order to build trust
- Deliver difficult messages with clarity and sensitivity, being persuasive when required
- Explain issues in a way that is appropriate for the audience.
- Maintain effective performance in difficult and challenging circumstances, encouraging others to do the same.

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 07/06/19 with a deadline for completion by 13/06/19.

DEPARTMENTAL CONTACT POINT

For further information about the posts please contact:

Name: Katy Shrimplin
Telephone: 020 7637 6257
E-mail: Katy.Shrimplin@insolvency.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 on [GOV.UK](https://www.gov.uk).

Please note that it is possible to meet the above nationality requirements and still not be legally entitled to work in the UK. [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

This [notice](#) sets out how we will use your personal data throughout the recruitment process, and your rights.

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, Telephone: 0845 3000 793 or 0117 923 4417, Email: govqualified@tmpw.co.uk

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.