NI INTERCHANGE SCHEME

# Hosting Opportunity Proforma

Legal Services Agency Northern Ireland

Name of Host

Organisation

**1. Interchange Manager’s details**

Joan McShane

Name

Organisation/

Legal Services Agency NI, DOJ

Department

Waterfront Plaza

Mays Meadow

8 Laganbank Road

Belfast

BT1 3BN

Address

Telephone Fax number

028 9040 8808

Number

Joan.mcshane@lsani.gsi.gov.uk

E-mail

Type of Opportunity

**Deputy Principal – Head of Debt Recovery & Statutory Charge**

Secondment – 1 year with the possibility of an extension of 6 months, subject to the agreement of all parties.

**2. Details of hosting opportunity**

Description of opportunity

The LSA is an Agency of the Department of Justice (DOJ) which was established in 2010, following the devolution of justice powers to the Northern Ireland Assembly.

The LSA was created as an Executive Agency within the DOJ on 1 April 2015 upon the dissolution of the Northern Ireland Legal Services Commission (NILSC) under the Legal Aid and Coroners’ Courts Act (Northern Ireland). The LSA’s aim is to administer impartially the provision of publicly funded legal services for the benefit of citizens of Northern Ireland in keeping with the statutory legal aid schemes.

The Agency is responsible for applying statutory tests to determine whether an individual should receive civil legal services; it also pays for the legal services provided. While the judiciary is responsible for granting individuals criminal legal aid, the Agency pays for the legal services provided. In addition the Agency authorises the engagement of experts in civil and criminal cases as well as collecting contributions and other sums payable by individuals who receive legal services.

**Debt Recovery and Statutory Charge Unit**

The Debt Recovery and Statutory Charge Unit are primarily responsible for developing systems and procedures to assist in the recovery of debt which is due to the Legal Aid Fund.

The Unit follow existing procedures to establish the capacity of debtors to repay their indebtedness to the legal aid fund and negotiate repayment schedules with debtors where this is appropriate.The unit manages the debtor relationship to ensure the maximum amount of funds are recovered within the Agency. This includes utilising the services of other government departments and other external providers of debt recovery services.

The unit is also responsible for embedding the Debt Recovery process, policies and procedures into all aspects of the Agency’s work and providing appropriate in house training across the organisation, when this is required.

The unit are also responsible for assessing the Agency’s capacity to recover debts where the likelihood of recovery is questionable. In such instances the unit will advise the possibility and value of specific debts and appropriate provision for these debts will be recorded in the LSA’s accounts.

The unit are also responsible for the decision making process around the application of the Statutory Charge. This decision will be made in accordance with existing Statutory Charge legislation. The unit will ensure that in situations where the Charge is applicable that appropriate arrangements are made to protect the Agencies interests.

Main objectives of the opportunity

The post holder reports directly to a Grade 7 and is responsible for ensuring that debt recovery process is delivered effectively and in line with applicable legislation and recognised codes of practice. The post holder will have management responsibility of the staff resources within the Debt Recovery and Statutory Charge Unit.

The general responsibilities of the post include:-

* Managing all aspects of the debt recovery function of the Agency and the associated day to day processes;
* Taking decisions on debts where it is evident there is no prospect of recovery and write-off is the only option, subject to appropriate approvals.
* Monitoring individual debtors and types of debtor across the Agency to identify trends, payment patterns and reporting same to senior management on a regular and ad-hoc basis;
* Ensure that their knowledge and awareness of issues confronting the LSA is current and relevant:
* Ensure the Senior Management Team (SMT) and the LSA Board are kept aware of issues facing the Agency, relevant to the recovery of debts.
* Addressing AQs and FOIs in respect of debt recovery issues, as they arise periodically.
* Communicating via both oral and written means with debtors to ensure that their debt can be fully explained;
* Agreeing appropriate weekly, fortnightly or monthly payment plans with debtors, demonstrating a high degree of negotiating skills;
* Maintain good links with bodies outside of the Agency who provide complimentary services, aiding the debt recovery process. These include such bodies as the Legal Aid Assessment Office (LAAO), Crown Solicitor Office (CSO), Land Registry, Enforcement of Judgments Office (EJO) and the Small Claims Court.
* On occasion, when it has not been possible to recover the outstanding debt, preparing a report for senior management with appropriate supporting evidence justifying the decision to seek write-off;
* Addressing ad hoc queries from debtors and other public sector organisations, by post, telephone or on-line, as appropriate;
* Provide advice into the decision making process on how a specific debtor will be managed;
* Managing face to face meetings with debtors who wish to pay in person at the Agency’s reception
* Investigate and report on a regular basis, all instances of non- payment of debt which is due to the legal aid fund;
* Assist in the decision making process regarding the application of the Statutory Charge to legally aided cases.
* Deal with assisted persons and their legal representatives queries regarding application of the Statutory Charge.
* Engage with legal advisors to ensure that assets secured under the Statutory Charge are appropriately secured with Land Registry. Lead any legislative and policy changes required for this purpose (Section 44/Schedule 11).
* Review the debt recovery processes within LSA and decide on the best methods to achieve effective recoveries;
* Developing and implementing new recovery processes after securing all necessary approvals and authorities;
* Developing procedures to establish when a legal aid applicant or non-legally aided party should become a debtor of the LSA. Where this requires appropriate legislative change, pursuing such changes as are necessary to improve the overall performance of the debt management function.
* Participating in departmental and NICS wide initiatives to improve the recovery of public funds.
* Ensure that debt recovery processes are broadly compatible with recovery methods adopted in other Agencies across the wider NICS.
* Participate actively in new initiatives arising from the digitalisation process which is being introduced across the LSA.
* Contribute to the development of new processes and procedures to enhance the overall recovery process; investigate search methods to aid the identification and location of individual debtors and their capacity to repay their debt;
* Preparing and calculating the monthly bad debt impairment calculation for the LSA ensuring that appropriate accounting policies are adopted.
* Preparing information and working papers for the LSA’s annual accounts regarding the bad debt impairment, movement in debt balances and bad debt write offs;
* Monitoring ‘the spend’ against budget for bad debt impairment, debt raised and debt write offs.
* Liaising with Financial Services Division (FSD) regarding financial issues and budget setting throughout the year;
* Liaising with the Northern Ireland Audit Office (NIAO) throughout their Annual Audit.
* Reporting on the overall levels of debt and the underlying trends on a monthly basis;
* Participate in and manage the Agency’s interface with the National Fraud Initiative which is co-ordinated by the NIAO.
* Taking forward the agencies work on Income recognition ensuring compliance with IFRS 15

**3. Skills requirements**

What qualities, skills and experience is required from the individual

At least two years’ experience in public sector debt recovery work

Experience in developing / assessing debt recovery systems and procedures.

**4. Personnel: Please state below**

Who will the individual report to?

Pearse McCann – Head Of Audit, Risk & Compliance

Who will be the individual’s line manager and/or reporting officer?

Pearse McCann – Head Of Audit, Risk & Compliance

**5. Transfer of learning**

Please give details of how the Opportunity will benefit your organisation, the

individual and their organisation.

The successful applicant will be exposed to the development of the debt recovery unit within LSA. They will be afforded the opportunity to work with key stakeholders at a senior level and participate in senior level discussions.

Their respective organisation will gain from the expertise and knowledge gained from their employees participation in this secondment opportunity and with the added benefit of new networks and contacts which may have potential benefit to the parent organisation.

The LSA will benefit from the individual’s expertise and experience in debt recovery processes so that we deliver a professional service which is compliant with current legislation and best practice.

**6. Logistics**

Please provide details of the likely start date, duration, location, resources (i.e.;

desk, PC, fax etc.) and funding arrangements for the opportunity.

**Start date**: As soon as a successful candidate has been identified and a release date agreed.

**Duration:** 1 year with the possibility of an extension of 6 months, subject to the agreement of all parties.

**Salary scale:** £36,812 to £40,473 gross per annum. LSANI will pay salary costs. If the successful applicant is an NICS member of staff they will transfer at their current salary.

**Location:** Legal Services Agency Northern Ireland (LSANI), 2ND Floor Waterfront Plaza, Mays Meadow, 8 Laganbank Road, Belfast, BT1 3BN.

**Selection:** Selection will be an interview

**Contact:** For information about this opportunity, please contact Joan McShane, LSANI on 02890 408808, or by email Joan.McShane@lsani.gsi.gov.uk

**Closing date**: 5.00pm on Friday 14 December 2018

**7. Endorsement**

**Interchange Manager**

Joan McShane

Signed

10 December 2018

Date