



# Ministry of Justice

We are looking for an individual with the right skills and experience for the post of  
**Non-Executive Chair of the Independent Monitoring Authority**

**Reference number: PAT150097**

**(please use the above reference in all correspondence)**

**Location:** The role is based in Swansea: it is expected that flexible working arrangements will be available.

**Term of appointment:** 4 years

**Time commitment:** Up to 2 days per week

**Remuneration:** £500 per day

**Closing date for applications is noon on 24 July 2020**

Applications should be submitted to the Ministry of Justice Public Appointments Team via [PublicAppointmentsTeam@justice.gov.uk](mailto:PublicAppointmentsTeam@justice.gov.uk).

Alternative format versions of this candidate information pack are available on request from the Public Appointments Team, contact details as above.

 [Twitter](#) Follow us to keep up to date with public appointments vacancies.

All public appointments are advertised on the Cabinet Office's Public Appointments website (<http://publicappointments.cabinetoffice.gov.uk/>) and the Public Appointments Twitter feed (@publicappts).



## 1. Introduction



Dear Candidate,

Thank you for your interest in becoming the Chair of the Independent Monitoring Authority for the Citizens' Rights Agreements (IMA). This is a brand-new public body, which has only recently been established under the EU (Withdrawal Agreement) Act 2020 (EUWAA).

The Government is determined to make a success of leaving the European Union. We recognise the enormous contribution EU and EEA EFTA citizens living here make to the UK, and we want them to stay. That's why we've made an unequivocal guarantee to those citizens, by protecting their rights in UK law now that we have left the EU, through the Withdrawal Agreement, the EEA EFTA Separation Agreement and the EUWAA. The role of the IMA is to assist in protecting those rights by monitoring the UK, and Gibraltar's,<sup>1</sup> implementation and application of those agreements it has made with the EU, and the EEA EFTA states. Establishing the IMA fulfils a central and crucial commitment that the Government has made in those international agreements.

The IMA is operationally independent of Government and sponsored by my Department, the Ministry of Justice: but because it is not subject to my direction, once the membership is constituted, the IMA will be free to plot its own course.

The IMA needs to be fully operational by the end of this year. The first Chair of the IMA will play a crucial role in establishing the IMA's early direction and effectiveness, and in winning the confidence of its stakeholders.

I welcome applicants from the widest possible field.

If you have further questions about this post, you are welcome to speak to the MoJ IMA Unit's Deputy Director at: [James.Dowler@justice.gov.uk](mailto:James.Dowler@justice.gov.uk).

If you have questions about the appointment process, you can contact the Public Appointments Team at: [PublicAppointmentsTeam@Justice.gov.uk](mailto:PublicAppointmentsTeam@Justice.gov.uk), or call Nalini Deen on 07849854544.

If you believe you have the experience and qualities we are seeking, I hope you consider applying for this important position.

**The Rt Hon Robert Buckland QC MP**  
Lord Chancellor and Secretary of State for Justice

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<sup>1</sup> References to Gibraltar in this Candidate Pack are subject to the passage of relevant legislation by the Gibraltar Parliament.

## 2. About the Independent Monitoring Authority for the Citizens' Rights Agreements (IMA)

The IMA will monitor the UK's implementation and application of the agreements it has made with the EU, and the EEA EFTA states, to guarantee the rights of their citizens living in the UK, and Gibraltar, now that we have left the EU. Those agreements have been implemented through the EU (Withdrawal Agreement) Act 2020 (EUWAA). The IMA will promote their adequate and effective implementation and application in the UK. It is estimated that there are about 3.5m EU citizens living in the UK: they, and those advocating for them, will be looking to the IMA to provide additional certainty and security that the citizens' rights deals are being effectively implemented.

The IMA will be a Non-Departmental Public Body, an Arm's Length Body of the Ministry of Justice. However, the IMA will be an independent authority, as required by the UK's agreements with the EU and EEA EFTA states.

Under the provisions set out in the EUWAA, the IMA will have the power to receive complaints, launch inquiries and initiate legal proceedings. The IMA will also have a role in reviewing the effectiveness of the citizens' rights legislative framework, for instance by reviewing draft legislation. The legislation also provides that it is important for the IMA to focus on general or systemic failures in the implementation of the citizens' rights agreements, as well as receiving and investigating individual complaints. The IMA will have to publish guidance on how it will exercise its functions.

## 3. The role of the Chair

This is an interesting role for a candidate with the right skills to lead this new independent body. Your initial task in leading the IMA, working closely with the Interim Chief Executive, who has been in post since March, will be to ensure that it is fully ready to 'go live' on 1 January 2021. You will then need to develop the IMA and deliver against its first strategic business plan. From appointment onwards, you will represent the IMA to its stakeholders in Government, the UK Parliament and the Devolved Administrations.

Together with at least two other non-executive Members, you will be responsible for appointing the first Chief Executive of the IMA (to succeed the Interim Chief Executive) and between one and three other executive Members.

The position will suit a candidate interested in delivering a new function, and someone seeking an opportunity which offers both intellectual challenge and stakeholder engagement.

The founding legislation for the IMA requires the Justice Secretary, in appointing the non-executive members, including the chair, to

- Have regard to the desirability of the IMA's members, between them, having knowledge of conditions in the United Kingdom relating to the rights of EU and EEA EFTA citizens living here; and
- Ensure that, so far as possible, the non-executive members include particular ones who know about the specific conditions in Scotland, Wales, Northern Ireland and Gibraltar.

Consequently, within the membership generally (including the chair) we need to appoint members who possess this specialist knowledge, in respect of each of the Devolved Administrations, and Gibraltar. In making an application, please indicate whether you want to be considered for one of these particular roles on the basis that you have specific knowledge of citizens' rights conditions in Scotland, Wales, Northern Ireland, or Gibraltar.

## Eligibility

- There must be no employment restrictions, or time limit on your permitted stay in the UK.
- If employed in the UK civil service, you should be prepared to resign if appointed.
- You should not be a Member of the UK Parliament, the Scottish Parliament, Senedd Cymru, or the Northern Ireland Assembly.
- (If appointed:) You must be able to take up the appointment within 2 weeks of being notified, though your start date may be subject to successful completion of security checks.

We welcome applications from all those who are eligible.

## Essential criteria

Candidates will be able to demonstrate the following:

- The ability to lead an executive board and support the leadership of an organisation by providing strategic guidance and effective challenge.
- Strong leadership and interpersonal skills, with the ability to command respect, and work with and through others to achieve objectives.
- A good board-level track record at a senior level including partnership working and the management of organisations through periods of change.
- An ability to understand and oversee compliance with expenditure controls.
- Ability to scrutinise, interpret and challenge complex information, reach practical decisions which stand up to scrutiny and to think strategically.
- Good communication skills including the ability to effectively represent the organisation.
- Integrity, strong intellect, sound judgement and the capacity to bring an external view to the strategic direction and decision-making of the IMA.
- An understanding of the way the UK's governments and parliaments work.
- An understanding of the rights of EU and EEA EFTA citizens living in the United Kingdom and Gibraltar under the Withdrawal Agreement and EEA EFTA Separation Agreement.
- (If applying on this basis:) An understanding of conditions in Scotland, Wales, Northern Ireland or Gibraltar, relating to citizens' rights under the UK EU Withdrawal Agreement and the EEA EFTA Separation Agreement.

## 4. Other important appointment information

**Pre-appointment scrutiny:** This role will be subject to pre-appointment scrutiny by the Justice Select Committee. Pre-appointment scrutiny is an important part of the appointment process for some of the most significant public appointments made by Ministers. It is designed to provide an added level of scrutiny to verify that the recruitment meets the principles set out in the Governance Code on Public Appointments. Although this role is not regulated by the Commissioner for Public Appointments, the appointment process will align with the principles of the Cabinet Office's Governance Code on Public Appointments,

The pre-appointment scrutiny aspect of the appointment has two parts.

First, information concerning the appointment and the Minister's preferred candidate will be shared with the relevant select committee. As part of this process you will need to be content for your name and your CV to be shared with the Select Committee as the Government's preferred candidate. You may also be required to complete a pre-appointment hearing questionnaire which could include, among other things:

- declarations of any relevant potential conflicts of interest,
- what you see as the priorities and key risks for the organisation,
- questions about how you would lead the board and work with stakeholders,

- your commitment to standards in public life and how you would handle being in the public eye.

Normally any information provided to the select committee by the Government or a candidate will be published.

Second, it is likely that the select committee will decide to call the Government's preferred candidate to a public hearing before the select committee to answer questions relating to their suitability to the role. You would not be expected to have an in depth technical knowledge of how the body works or an exact plan of what you would do in the role, however you will be expected to provide a credible representation of your understanding of the work of the body and what your role in its future would be.

The pre-appointment hearing for this role is expected to be held in mid-November.

The Government is committed to making the public appointments as accessible as possible so that no one is deterred from applying. The Department will provide support to you to help you prepare for the hearing and the clerks to the select committee will also be available to discuss with you how the hearing will run. You will also be supported by the Department in working with the select committee should you require any adjustment to enable you to participate fully in the hearing process.

For more information about pre-appointment scrutiny, please see the ['Cabinet Office Guidance: Pre-appointment scrutiny by House of Commons Select Committees'](#).

The Liaison Committee also publishes guidelines to select committees for pre-appointment. <https://www.parliament.uk/business/committees/committees-a-z/commons-select/liaison-committee/role/pre-appointment-guidelines/>

You may also find it helpful to review the Code of Conduct for board members of public bodies here: <https://www.gov.uk/government/publications/board-members-of-publicbodies-code-of-conduct> which sets out the expectations which the Government places on non-executive members of public bodies.

**Tenure:** Public appointments are offered on a fixed term basis. We do this to ensure that the leadership of our public bodies is regularly refreshed and the IMA can benefit from new perspectives and ideas. The appointment will run for a four-year term with the possibility of reappointment for a further term subject to satisfactory appraisal and at the discretion of Ministers.

**Remuneration:** The daily fee for this post is £500, up to 2 days per week. Remuneration is taxable and subject to Class 1 National Insurance contributions. The role is not pensionable and your remuneration may be abated if you receive a public service pension.

Reasonable travel expenses will be paid for journeys from home to the main office, if you live outside of Swansea. Travel and subsistence allowances may be payable on the same basis as that applicable to civil servants where the post holder is required to travel to other locations or stay overnight in the course of their duties.

**Performance Appraisal:** You will be assessed annually on performance. Arrangements will be agreed on appointment.

**Standards in Public Life:** Public appointees are required to uphold the Committee on Standards in Public Life's Seven Principles of Public Life (see Appendix 1). You are also expected to adhere to the [Code of Conduct for board members of public bodies](#).

## 5. Advisory Assessment Panel membership

### The Panel will be:

- James Bowler, Director General, Policy, Communications and Analysis Group, Ministry of Justice and Panel Chair;
- Diane Herbert, Non-Executive Director at HMRC;
- Lord Bew, Independent Panel Member.

The Advisory Assessment Panel Chair will report to Ministers on the outcome of the interviews. Ministers are responsible for making the appointment.

## 6. The appointment process and time line

Covid-19 pandemic: interviews will involve face to face contact and considering the current restrictions on gatherings, travel, and the recommended social distancing advice, we will review whether interviews will take place remotely or in person nearer the time, and whether they will still be held on the dates indicated below. We will write to candidates again with an update once the situation becomes clearer.

The figure below sets out the key stages and timings in the process.

<p><b>APPLICATION</b> Personal Statement, CV and supporting documents must be sent by the <b>closing date</b>.</p>	Noon on 24 July
<p><b>SIFT</b> The Panel will meet to assess the applications.</p>	Expected w/c 24 August
<p><b>OUTCOME OF SIFT</b> Candidates will be informed of the outcome by e-mail approximately one week prior to the interview date.</p>	September
<p><b>INTERVIEWS</b> Shortlisted candidates will be interviewed by the Panel. References will be taken before interview.</p>	Expected w/c 28 September
<p><b>INTERVIEW RESULTS</b> Candidates will be informed of the outcome by e-mail <i>Candidates will be updated if there are any changes to this timetable.</i></p>	Expected w/c 9 November
<p><b>JUSTICE SELECT COMMITTEE PRE-APPOINTMENT SCRUTINY HEARING</b> The preferred candidate to appear before the Committee</p>	Mid November

<b>APPOINTMENT</b> Appointment letter sent to the successful candidate	November
<b>ANNOUNCEMENT</b> Appointments are publicly announced on gov.uk and security checks started	Expected December

**Feedback:** Please note that it is not possible to provide specific, individually tailored feedback following the sift stage but we will provide, on request, feedback to those who are interviewed.

**Interviews:** If you accept an invitation to interview, we will take two references in advance of the interview. By providing the details of two referees you are consenting to us approaching them in this way.

If you cannot attend an interview on one of the dates shown, please advise us as soon as you can. It may be possible to arrange an alternative date at the discretion of the Advisory Assessment Panel.

**Please note that we do not pay travel expenses to attend interviews.**

The Secretary of State or another Minister may ask to meet each of the candidates before or after interview.

If called for interview the Advisory Assessment Panel will explore your experience and expertise to determine whether you meet the essential criteria for the role. You may be asked to start the interview with a short presentation. If required, this will be confirmed in your invitation to interview letter.

### Security Clearance

The post requires security clearance and you will be asked to complete an online vetting form. If you are called for interview and already hold a current government security clearance please provide evidence when you attend for interview.

For successful candidates, confirmation of appointment will be subject to basic clearance checks, covering confirmation of identity and right to work in the UK plus a criminal record check. This will involve the completion of electronic forms and can take up to **five weeks** to process following completion of the forms.

## 7. How to apply

To make an application, please send:

- **A CV (maximum two sides of A4)** detailing your qualifications, employment history and any appointments or offices you hold. Please also provide your preferred contact number and email address.
- **A personal statement (maximum two sides of A4)** providing evidence against the role criteria and your suitability for the post, including evidence of leadership qualities and a vision for the organisation. Please consider the role and criteria carefully in preparing your statements. Information from Advisory Assessment Panels indicates that applications which offer specific and tailored examples against the criteria, making clear the candidate's role in

achieving an outcome are often the strongest. Structuring the statement around the criteria using relevant headings also aids clarity.

- **Guidance on how to write a successful application** is provided at **(Appendix 2)**.

### **Supporting Documents (Attached separately on the cabinet office website)**

Please also complete and return the following supporting documents:

- **Potential conflicts of interest:** Before appointing a chair, the Secretary of State must be satisfied that the person does not have a conflict of interest, i.e. a financial or other interest which is likely to affect prejudicially the discharge by the person of the person's functions as a member of the IMA. If you have any interests that might be relevant to the work of the IMA, and which could lead to a real or perceived conflict of interest if you were to be appointed, please provide details in your supporting documents.
- Given the nature of public appointments, it is important that those appointed as members of public bodies maintain the confidence of Parliament and the public. If there are any issues in your personal or professional history that could, if you were appointed, be misconstrued, cause embarrassment, or cause public confidence in the appointment to be jeopardised, it is important that you bring them to the attention of the Assessment Panel and provide details of the issue/s in your supporting letter. In considering whether you wish to declare any issues, you should also reflect on any public statements you have made, including through social media. The Advisory Assessment Panel may explore any issues with you before they make a recommendation on the appointment. Failure to disclose such information could result in an appointment either not being made or being terminated.
- Conflicts might arise from a variety of sources such as financial interests or share ownership, membership of, or association with, particular bodies or the activities of relatives or partners. If you need further advice, please contact Nalini Deen at [PublicAppointmentsTeam@justice.gov.uk](mailto:PublicAppointmentsTeam@justice.gov.uk)
- **note of public appointments** – please list any appointments currently held;
- **referee details** – please give names/contact details of two referees (who will be contacted if you are shortlisted for interview);
- **the political activity declaration form** – In line with the Governance Code for Public Appointments, details of any declared activity will be made public if you are appointed; and
- **the diversity monitoring form** – information is requested for monitoring purposes only and plays no part in the selection process. This is voluntary, and if provided, your information will be kept confidential and will not be seen by the Advisory Assessment Panel. Further details on how we will use and store your data is provided on the form.

Please send your CV, personal statement and supporting documents to:

[PublicAppointmentsTeam@justice.gov.uk](mailto:PublicAppointmentsTeam@justice.gov.uk) quoting reference **PAT150097** in the subject line of your email. We will acknowledge receipt.

If you have any queries about the documents required or the recruiting process, or require further advice, please contact Nalini Deen at [PublicAppointmentsTeam@justice.gov.uk](mailto:PublicAppointmentsTeam@justice.gov.uk) Please quote the campaign reference **PAT150097**.

**If you have any questions** about any aspects of this post, you are welcome to contact the IMA's Deputy Director at: [James.Dowler@justice.gov.uk](mailto:James.Dowler@justice.gov.uk)

## **8. Diversity and equality of opportunity**

**We encourage applications from all candidates regardless of ethnicity, religion or belief, gender, sexual orientation, age, disability or gender identity. MoJ is a Disability Confident employer and is committed to inclusion and diversity. We particularly welcome applications from women, people with a disability or long-term health conditions and those from a black or ethnic minority background.**

*We would also particularly welcome applications from those currently working in, or with experience of, the private sector, and those who have not previously held public appointments. We want to explore the widest possible pool of talent for this important position.*

**Arrangements for candidates with a disability:** An offer of an interview would be given to candidates with disabilities who meet the minimum selection criteria for the role. Please go to the “how to apply” section of the job advertisement and complete the diversity monitoring form.



**Reasonable Adjustments:**

If you have a disability and require any arrangements or adjustments for any part of the recruitment or selection process, please state clearly on your form and contact Nalini Deen on 07849854544 (quote **PAT150097** in any correspondence) or by e-mail to; [PublicAppointmentsTeam@justice.gov.uk](mailto:PublicAppointmentsTeam@justice.gov.uk)

**Further information can be found via this link:**

<https://publicappointments.cabinetoffice.gov.uk/recording-whether-or-not-you-have-a-disability/>

## 9. Complaints Process

If you have a complaint about any aspect of the way your application has been handled, we would like to hear from you. In the first instance please write to or e-mail the Public Appointments Team at the address or e-mail address given below quoting the appropriate reference number.

Maggie Garrett, Ministry of Justice, Head of the Public Appointments Team, ALB Division, 3.04, ALB Division, Ministry of Justice 10 South Colonnade, Canary Wharf, E14 4PU.

E-mail address: [PublicAppointmentsTeam@justice.gov.uk](mailto:PublicAppointmentsTeam@justice.gov.uk)

**Complaints must be received by the Public Appointments Team within 12 calendar months of the issue or the closure of the recruitment competition, whichever is the later.**

We will acknowledge your complaint within two working days of receipt and reply as quickly and clearly as possible; within 20 working days of receipt. We will tell you if we cannot meet this deadline for any reason and provide an expected reply date.

## 10. Checklist

Please refer to the table below to ensure you send us all the necessary information.

Documents to be completed and sent	Tick
Your CV	
Supporting Statement	
Completed Supporting Documents <u>(attached separately on cabinet office website)</u> <ul style="list-style-type: none"><li>• potential conflicts of interest;</li><li>• referee details;</li><li>• the diversity monitoring form<ul style="list-style-type: none"><li>○ public appointments held (paragraph 16, diversity monitoring form); and</li><li>○ political activity declaration (section 17, diversity monitoring form).</li></ul></li></ul>	

## 11. Your personal Information

In accordance with the Public Appointments Order in Council 2017 2(2), we will process your application in accordance with the EU General Data Protection Regulation (GDPR), the Data Protection Act 2018 and the Ministry of Justice's Information Charter, which can be found at <https://www.gov.uk/government/organisations/ministry-of-justice/about/personal-information-charter>. Your data will be held securely and access will be restricted to those dealing with your application or involved in the recruitment process. The Commissioner for Public Appointments, may also request access as part of a complaint investigation or review of the recruitment process. Your data will be stored for up to two years and processed for the purpose of the recruitment process, diversity monitoring and, if successful, your personal record. If appointed, your data will be stored for the duration of your tenure and may be shared with the organisation that you are appointed too, unless specifically requested otherwise. Should you wish your data to be removed from our records, please contact [publicappointmentsteam@Justice.gov.uk](mailto:publicappointmentsteam@Justice.gov.uk)

## **Appendix 1 - The seven principles of public life**

All candidates for public appointments are expected to demonstrate a commitment to, and an understanding of, the value and importance of the principles of public service. The seven principles of public life are:

### **Selflessness**

Holders of public office should act solely in terms of the public interest.

### **Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

### **Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

### **Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

### **Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

### **Honesty**

Holders of public office should be truthful.

### **Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

## Appendix 2 – Guidance for those applying for an MoJ Public Appointment

When applying for a public appointment, we require three pieces of documentation: **Your CV, 2. Supporting Statement, 3. Supporting Documents**

This guidance gives some helpful tips on how best to present yourself to the panel who will be reviewing your application. There is no official or 'correct way' to write your CV or supporting statement, this is simply a guide that you may wish to refer to or use as a template.

### 1. CV

Here are a few pointers to keep in mind whilst writing or updating your CV:

- **Please write your name at the top;**
- **Do not write more than 2 pages.** We appreciate this may be a challenge and your achievements could spread across several pages. However, please appreciate that the panel may have a large number of applications to assess so brevity would be appreciated.
- **Avoid spelling and grammatical errors;**
- **Tailor it to the position you're applying for.** Make sure to draw attention to how you have met the essential and desirable criteria throughout your achievements in life. An opening paragraph at the top of the front page would be beneficial;
- **Use an updated CV.** Explain what you are currently doing or what you most recently have done that fits to the role you are applying for, including dates of the positions you have held;
- **Avoid big blocks of solid text.** Using bullet points will help those reading the CV;
- **Always explain what abbreviations stand for;**
- **Only include key information.** The panel do not need to know about your hobbies unless they specifically match the criteria of the role you are applying for. Personal details including name, address, phone number & email address should be included. There is no legal requirement for you to put your age, or any other protected characteristic (under the Equality Act 2010) on your CV.

### 2. Supporting Statement

Your supporting statement is an opportunity to prove to the panel your reasons for applying for the role as well as highlighting your skills and attributes.

- **Do not write more than 2 pages.**
- **Use models to help structure your paragraphs.** There are two models that you may find useful when writing your supporting statements:
  - **The WHO Model – What was your personal role? How you did it? And what was the Outcome?** placing emphasis on the successful outcome.
  - **The STAR approach – Situation:** briefly describe the context and your role, **Task:** the specific challenge, task or job that you faced, **Action:** what you did, how and why you did it and **Result:** what you achieved through your actions.

- **Use the essential criteria as headings.** The essential criteria for roles can be found on the advert on the Cabinet Office website and within the Candidate Information Pack. It is useful to the panel when assessing your application. For example;

#### **Demonstrate intellectual capacity with the ability to make evidence-based decisions**

You would write a paragraph using evidence from your current role or from recent examples of how you have demonstrated the ability to make evidence-based decisions whilst achieving goals. You would then link this work to the public body you are applying for and how your work directly benefits the ALB and how you can be a part of the its future with your skill-set.

### 3. Supporting Documents (attached separately on Cabinet Office website)

- Please fill in the conflict of interest declaration form honestly. If you are asked for an interview, due diligence checks will be performed by a member of the Public Appointments Team.
- Although completing the diversity monitoring form is voluntary, it would greatly help the MoJ to build a world class organisation and recruit public appointees who are as diverse as the society they represent.

