

Release is the national centre of expertise on drugs and drugs law. The organisation, founded in 1967, is an independent and registered charity. Through our services the team provides free non-judgmental, specialist advice and information to the public and professionals on issues related to drug use and to drug laws. The organisation campaigns directly on issues that impact on our clients - it is their experiences that drive the policy work that Release does and why we advocate for evidence-based drug policies that are founded on principles of public health rather than a criminal justice approach. Release believes in a just and fair society where drug policies should reduce the harms associated with drugs, and where those who use drugs are treated based on principles of human rights, dignity and equality.

APPLICATION GUIDANCE

We invite applications for the Legal Adviser post from those who share our commitment to supporting the legal and human rights of people whose lives are affected by drug use and drug policy. As a member of our dynamic legal team, based in London, your responsibilities will include:

- Delivering a minimum 2 legal outreach service's at drug treatment/day centre's per week, to clients of the 'host' centre. There will also be the opportunity to participate in delivering legal services via our new 'virtual' delivery model to other regions in England.
- Completing casework resulting from our legal surgeries across London, on issues including welfare benefits, housing, and debt;
- Providing advice to the public and professionals about legal issues connected with drug use (training will be provided);
- Updating our specialist publications;
- Contributing to our commentary on drugs legislation;
- Assisting with the development of our website and other IT-related service initiatives and their legal compliance.

Minimum requirements for the post include:

- Completion of LLB (or GDL) **plus** demonstrable understanding and experience in providing social welfare legal advice in crime, housing, benefits, or debt; or
- Completion of LPC or BVC/BPTC and some experience in providing social welfare legal advice in crime, housing, benefits, or debt.

The successful candidate will have an enhanced **Disclosure and Barring Service (DBS)** check upon appointment.

Closing time & date:	5.00 pm on Monday 19 June 2023
Interviews to be held:	As applications arrive
Start date:	As soon as possible
Salary:	£28,900 p.a. plus 3% pension contribution
Contract Type:	Permanent
Holidays:	29 days plus public holidays
Location:	Hybrid - Office (Aldgate, London)/Working from home

To apply for the position, please send a current CV and a supporting statement detailing why you are suitable for the position **quoting reference LA0523** to recruitment@release.org.uk

Applicants are strongly advised to use the [supporting statement](#) as their opportunity to relate their skills to the [job description](#) and [person specification](#).

For an informal and confidential discussion regarding the position, please contact the Head of Legal Services - Stephen Cutter on 020 7324 2991 or email stephen@release.org.uk

**For this job, Release will only consider applications from those who already have the right to live and work in the UK. See the Home Office Immigration & Nationality Directorate (www.ind.homeoffice.gov.uk) for information on the UK Government's immigration policy.

JOB DESCRIPTION

Job Title	Legal Adviser
Salary	£28,900 p.a. plus 3% pension contribution
Contract Type	Permanent
Start Date	As soon as possible
Accountable To	Hybrid - Office (Aldgate, London)/Working from home

This is a full-time position (35 hours per week). The post holder can work through a mixed model of home working with a minimum of 2 days per week in the office. The post holder will be required to deliver a minimum of 2 services at designated treatment/day centres per week providing legal services to clients of the centre. There will also be the opportunity to participate in delivering legal services via our new 'virtual' delivery model to other regions in England. The services delivered at the centres include legal advice, assistance and representation with particular focus on welfare benefits, housing and debt matters. The post holder will also be required (after a period of induction and/or training) to provide advice on Release's national legal helpline. This usually entails providing advice on issues pertaining to the criminal law and criminal justice system related to drugs offences. In addition to the delivery of legal services, the postholder will also be required to assist with the policy work undertaken by the organisation.

The working hours are 10am - 6pm Monday to Friday with a one-hour lunch break.

MAIN OBJECTIVES

- Delivering a minimum 2 legal outreach services at drug treatment/day centres per week, to clients of the 'host' centre's. There will also be the opportunity to participate in delivering legal services via our new 'virtual' delivery model to other regions in England.
- To provide advice, casework and (where appropriate) representation in the category of welfare benefits, housing and debt.
- To provide legal advice on the national helpline to those impacted upon by the drug laws or have legal problems due to their drug use.

DELIVERY OF LEGAL SERVICES

- 1 To provide legal advice and assistance on a wide range of social welfare law, including welfare benefits, housing, homelessness and debt. This will include dealing with cessation of benefits; benefit appeals; overpayments; backdated claims; homelessness applications; rent arrears; debts with creditors including commercial debts and court fines.
- 2 To provide representation at Social Security Tribunals.
- 3 Undertake casework where appropriate to do so and refer to external firms where necessary.
- 4 To keep up to date with changes in relevant areas of law through own research and attending training.
- 5 To provide legal advice on the national helpline as and when required.
- 6 To engage in project work, training, publicity and information work as required.
- 7 To undertake your own typing, filing and word processing.
- 8 To undertake regular reviews of all new and ongoing clients.

VOLUNTEER PROGRAMME

- 9 To assist the Supervising Solicitor and Head of Legal Services in recruiting volunteers for the legal volunteer programme.
- 10 Provide supervision and training to legal volunteers.

POLICY WORK

- 11 To assist the Head of Legal Services and the Executive Director in setting and developing both operational and strategic policies.
- 12 Provide commentary on legal developments within the context of drug legislation and policies.
- 13 Feed into public consultations which impacts on drug policy and/or people who use drugs.

GENERAL

- 14 To work effectively, co-operatively and in a supportive manner with colleagues at Release and other organisations with which it works.
- 15 To keep accurate and up to date records and ensure that all communications, written and oral, are of a professional standard. To creatively use telephone, email and website for communicating legal advice and information.
- 16 Represent the organisation in a positive and professional manner.
- 17 To undertake any other duties as may be reasonably required by senior management at Release.

Applicants are advised to use their supporting statement as an opportunity to relate their skills to the job description (above) and the person specification (below).

PERSON SPECIFICATION

Successful shortlisted candidates will meet the following criteria. The selection panel will assess each applicant against these criteria. The primary method(s) of assessment are indicated after each criteria as follow:

- (C) - Curriculum Vitae and Covering Letter
- (I) - Interview
- (E) - Essential
- (D) - Desirable

EXPERIENCE, SKILLS AND KNOWLEDGE			ESSENTIAL OR DESIRABLE	ASSESSED
EXPERIENCE	1.	Educated to graduate level or equivalent	E	C
	2.	Successful completion of BVC, BPTC or LPC	D	C
	3.	LLB, or GDL, and some practice of delivering of one or more of the following areas: welfare benefits, debt and housing	E	C I
	4.	Willingness to train in other areas of laws, beyond current experience	E	C
	5.	Experience of delivering legal advice to clients in a professional setting	E	C I
	6.	Experience in civil and human rights work	D	C I
	7.	Experience in the writing and development of targeted literature aimed at both clients and other professionals	D	C I
SKILLS & ABILITIES	8.	Good organisational skills and the ability to plan, prioritise and time manage work	E	C
	9.	Excellent communication skills, both written and oral	E	C I
	10.	Ability to work both in a team and independently	E	C I
	11.	Good computer literacy	E	C
UNDERSTANDING & KNOWLEDGE	12.	Committed to safeguarding and promoting the civil and human rights of drug users and other marginalised groups in society.	E	I
	13.	An understanding of current drug laws	D	C I
	14.	An understanding of current drug use and drug misuse policy issues	D	I
	15.	An understanding and commitment to equal opportunities in both the workplace and in service delivery.	E	I
	16.	Ability to stay calm under pressure	E	I

Recruitment of Ex-Offenders Policy

To ensure the Release fully compliant with the provisions of the Rehabilitation of Offenders Act and best practice in its recruitment of staff with a criminal record.

APPLIES TO: All applicants to Release, and all current employees

INTRODUCTION

- (a) The Rehabilitation of Offenders Act 1974 was introduced to ensure that ex-offenders, who have not re-offended for a specified period of time since their date of conviction, are not discriminated against when applying for a job.
- (b) The policy sets out the basis on which the Release will seek information from prospective employees about spent and unspent (current) convictions and how this information will be used. The policy will be made available upon request to all disclosure applicants at the outset of the recruitment process.
- (c) The policy sets out the commitment from the Release that all applicants will be treated fairly.

PRINCIPLES

- (a) Applicants, and members of staff with either a spent, or unspent conviction will not be unfairly discriminated against.
- (b) Release uses the Disclosure and Barring Service (DBS) Disclosure Service to check the history of applicants and assess their suitability for posts.
- (c) Release complies fully with the DBS Code of Practice
- (d) Information obtained from the DBS will only be used to assess an individual's suitability for employment, where relevant, and will not be used to discriminate in any way.
- (e) Release is committed to the fair treatment of its employees and potential employees regardless of race, gender, religion, sexual orientation, age, disability or offending background.
- (f) Where appropriate, adverts and job descriptions will clearly state that a DBS check is a requirement of the job. This will provide a basis for the applicant to decide whether or not to apply for the post.
- (g) Disclosure of the information received from the DBS will only be made available to staff who have a specific need to access it in the course of their duties.
- (h) Release will use all reasonable endeavours to ensure that DBS disclosures are only requested in accordance with the eligibility criteria of relevant positions or employment.

MAIN STEPS

- (a) Obtaining information from applicants
- (b) During our recruitment process the Release will normally only ask about unspent convictions as defined by the Rehabilitation of Offenders Act.
- (c) For jobs which are exempt from the provisions of the Rehabilitation of Offenders Act, an applicant will need to disclose both unspent and spent convictions. (For further information please refer to the Exemptions Order of the ROA). Release is legally entitled to ask applicants of the details of any spent and unspent conviction.

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- (d) The recruiting manager must ensure the DBS requirement is clearly stated on the job description.
 - (e) The Finance & Operations Manager will ensure that relevant wording is included in the online advert and job description advising that the successful applicant will need to satisfy DBS requirements and undertake a DBS check.

DECLARING PREVIOUS CONVICTIONS

- (a) Where an individual has disclosed a conviction, or a conviction is revealed through a DBS check, a discussion will take place with the applicant regarding the offence and its relevance to the position to assess the suitability of the applicant for the job.
- (b) When considering the matter, the following examples may be taken into account:
 - The seriousness of the offence and its relevance to the safety of other employees, clients, the public etc.
 - The length of time since the offence occurred.
 - Any relevant information offered by the applicant about the circumstances which led to the offence being committed.
 - The nature of the job and any opportunities that may present the applicant to re-offend.
 - The Country in which the offence was committed - for example, some activities are offences in Scotland and not in England and Wales, and vice versa.
 - Whether the offence has since been decriminalised by Parliament.
- (c) Having carefully considered these matters, a decision should be taken as to whether the individual should be appointed. If the decision is not to proceed with the appointment, then the applicant will be written to, formally withdrawing the offer of employment. Release will undertake a discussion regarding the content of the disclosure with the applicant before withdrawing any offer of employment.
- (d) Failure to reveal information relating to unspent convictions (and spent convictions in the case of excluded jobs and professions under the Rehabilitation of Offenders Act) could lead to withdrawal of an offer of employment or disciplinary action which could lead to termination of employment.
- (e) It is the responsibility of the applicant and employee to clarify whether a conviction is spent or unspent. The length of time required for an ex-offender to become rehabilitated depends on the sentence received and the age when convicted. To note, custodial sentences of more than two and half years can never become spent.
- (f) Release should seek a Disclosure where the position to be filled involves a greater degree of risk or where there is a legal requirement to do so (e.g. direct contact with children/vulnerable adults). Disclosures should not be used as a blanket requirement in all circumstances and should meet the criteria set out in the DBS Policy.

EXISTING STAFF WITH A CRIMINAL RECORD

- (a) If a member of staff is convicted of a criminal offence whilst in employment they must report this to their manager immediately. The facts of the case will be considered to determine if there are sufficient grounds to warrant any formal action to be taken, in line with the Release's Disciplinary Procedure.
- (b) Managers will be expected to carry out a risk assessment, comparing the skills, experience and the circumstances of the conviction against the risk criteria identified for the job.

Managers should take an objective approach and advice should be sought from Finance & Operations Manager, if required.

- (c) If a member of staff is concerned about a conviction, they should speak directly with their line manager or Finance & Operations Manager. For specific roles, regular DBS disclosure renewals will be required and it is expected that individuals would have disclosed any new convictions.

RECORDS

- (a) All relevant information will be held under secure cover on the individuals Personal Record file.

Disclosure and Barring Service (DBS) Policy statement

- (a) As an organisation using the Disclosure and Barring Service (DBS) checking service to assess applicants' suitability for positions of trust, Release complies fully with the [Code of Practice](#) and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a DBS check on the basis of a conviction or other information revealed.
- (b) Release is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependents, age, physical/mental disability or offending background.
- (c) We have a written policy on the recruitment of ex-offenders, which is made available to all DBS applicants at the outset of the recruitment process.
- (d) We actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience.
- (e) A DBS check is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a DBS check is required, all application forms, job adverts and recruitment briefs will contain a statement that a DBS check will be requested in the event of the individual being offered the position.
- (f) Where a DBS check is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process, except for certain spent convictions and cautions which are 'protected' so not subject to disclosure to employers and that cannot be taken into account. We request that any information not subject to this filtering is sent under separate, confidential cover, to a designated person within Release and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process.
- (g) Unless the nature of the position allows Release to ask questions about your entire criminal record, except for certain spent convictions and cautions which are 'protected' so not subject to disclosure to employers and that cannot be taken into account, we only ask about 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974.
- (h) We ensure that all those who are involved in the recruitment process have at Release have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.
- (i) At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.
- (j) We make every person subject of a DBS check aware of the existence of the [Code of Practice](#) and make a copy available on request.
- (k) We undertake to discuss any matter revealed in a DBS check with the person seeking the position before withdrawing a conditional offer of employment.