

JOB DESCRIPTION

Section 1 - Details

Job Title	Recovery Investigator (transaction advisory)
Team	Policy and Recovery Investigations Team
Responsible to / Line Manager <i>This should be a role title, not a named individual.</i>	Deputy Business Ombudsman
Direct Reports <i>This is about scope of the role. Please include job titles and the reporting relationship.</i>	N/A
Location	Business Ombudsman Council, Kyiv
Date Prepared	January 2024

Section 2 – Purpose of Job

To enhance the capacity of the Government of Ukraine to attract private sector players for the implementation of large-scale infrastructure projects related to overcoming the consequences of Russian military aggression against Ukraine.

Objective

To provide legal advice to the Business Ombudsman Council on a broad spectrum of transactional matters and allied legal issues dealing with the regulatory, and transactional issues and procedures related to construction, infrastructure, and engineering. It encompasses a wide range of legal matters that pertain to the planning, design, financing, permitting, construction, and maintenance of buildings and infrastructure projects.

To support fully the investigation functions and activities of the Business Ombudsman Council (BOC) related to the Ukraine recovery process.

Conducting investigations into allegations of business malpractice (corruption and other violations of the legitimate interests of businesses);

Liaising with complainants, witnesses, state- and private-owned enterprises, individual entrepreneurs and governmental authorities (at different levels) in the context of investigations;

Preparing reports and drafting recommendations on the results of investigations;

Developing standardised templates and, where requested, policy documents, and maintaining and analysing data and statistics derived from conducted investigations;

Facilitating consultation and/or collaboration in joint investigations with other investigators of the BOC and contributing to the development of the BOC's investigative policies and procedures.

Facilitating cooperation with governmental authorities.

If requested, providing support to the BO and/or DBO in providing systemic advice and input for the benefit of the governmental authorities and state-owned enterprises.

Section 3 – Background

The Business Ombudsman Council is a standing consulting and advisory body of the Cabinet of Ministers of Ukraine. The BOC has been established to contribute to the transparency of the activities of state authorities, and businesses within the scope of their administration, preventing corruption and/or other violations of legitimate interests of businesses. It consists of BO and two DBOs and is supported by a secretariat. A Recovery Investigator is part of the secretariat and reports to a Deputy Business Ombudsman responsible for policy and recovery.

In connection with the full-scale invasion of Russia and the need to overcome the consequences for the economy and systems of vital activity of Ukraine, the BOC signed Memoranda of Partnership with the Reconstruction Agency and Memorandum of Cooperation with the Ministry of Communities, Territories, and Infrastructure Development of Ukraine. The purpose of these Memorandums is to create better conditions and provide comprehensive assistance to the private sector to participate in reconstruction projects in Ukraine, both at the stage of policy development and in the process of practical implementation of projects.

Within this context, the principal roles of the Recovery Investigator are: to assist the Business Ombudsman Council in developing and implementing policies related to the early recovery and ongoing reconstruction of Ukraine. Focus on enhancing the environment for transparent participation of the private sector, preventing corruption, and ensuring the efficient execution of infrastructure projects.

The Recovery Investigator fully supports the BO and DBO in building and maintaining relationships with the departments of the relevant national, regional and local authorities. The Recovery Investigator also contributes to policy dialogue with the relevant national authorities, delivers presentations to external stakeholders, and contributes to the preparations for international conferences and workshops.

Section 4 – Accountabilities & Responsibilities

- Accountable to, and supervised by, a Deputy Business Ombudsman.
- Stay up-to-date with legal industry trends, developments, and changes in laws related to transaction advisory, commercial agreements, and relevant sectors.
- Responsible for undertaking and conducting investigations to the highest standard by the requirements of the BOC rules of procedure; prepares reports and drafts recommendations for the BO in connection with the complaints assigned to him/her: monitoring the implementation of the BO recommendations.
- If requested, develop standardised templates and policy documents;
- Maintains and analyses data and statistics derived from investigations.
- Contributes to and assist with high-level dialogue and cooperation with the national, regional and local authorities, and with international organisations in areas of investigations and fight against corruption.
- Provides substantive input to the BO and DBOs about development of BOC policies and procedures; and
- Fully supports BO and DBOs in undertaking special initiatives/projects and other ad hoc assignments.

Section 5 – Knowledge, Skills, Experience & Qualifications

- A Masters degree in law.
- Significant post-qualification experience (7 years) with appropriate degree of relevant professional experience.
- Strong analytical skills with the ability to interpret complex legal, commercial and financial information.
- Experience in conducting complex investigations and/or litigations and managing own case load.

- Strong advocacy and liaison skills and proven ability to communicate with peers as well as to communicate with and manage BOC stakeholders.
- Experience with investigation policy development.
- Thorough understanding of BOC's mission, mandate and processes.
- Experience of the investigation and integrity processes.
- Excellent command of English and Ukrainian, both written and spoken, together with the ability to draft in English and Ukrainian to a very high standard; familiarity with other languages used in Ukraine is a definite advantage.

Section 6– Challenges

- Ability to work to challenging deadlines with a positive problem-solving attitude while collaborating with multiple stakeholders.
- Ability to analyse complex legal and financial issues and translate concepts into readily understandable documents, decisions, and convey the rationale.
- Diplomacy, at ease in complex environments.

Section 7 – Behaviours

- High integrity and discretion in a sensitive work environment.
- Proven ability to make well-reasoned and considered judgement in complex situations.
- Result- oriented and resilient individual who will drive through and implement matters with flexibility and with the ability to work unsupervised outside a standard structure and framework.
- Strong interpersonal skills with the ability to quickly form working relationships and gain credibility with a wide selection of staff and members of the BOC.
- Proven communication skills – effective communicator, with the ability to persuade and influence colleagues and be able to deliver the goals.
- Effective team player.
- Highly motivated individual able to juggle multiple priorities working within tight deadlines.
- Attracted to the mission of the BOC.