



Appointment to the Compliance Committee of the Broadcasting Authority of Ireland

Closing Date: 15:00 on 8th December 2016

**State Boards Division
Public Appointments Service
Chapter House, 26 – 30 Abbey Street Upper, Dublin 1**

Telephone Number: 353 1 858 7441

Email: info@stateboards.ie

stateboards.ie operates under the auspices of the Public Appointments Service and is committed to a policy of equal opportunity.

The Public Appointments Service (PAS), established under statute in 2004, provides an independent shared service in recruitment, assessment and selection to organisations across the Civil and Public Services. On 30 September 2014, the Government decided that the PAS should also be given responsibility for putting in place an open, accessible, rigorous and transparent system to support Ministers in making appointments to State Boards. Our dedicated website, www.stateboards.ie, is the channel through which the PAS advertises vacancies on State Boards. It is also the means through which accomplished, experienced and qualified people, including people who might not previously have been identified as available for appointment, can then apply to be considered for particular vacancies.

Membership of State Boards

High standards of corporate governance in all State Agencies, whether in the commercial or non-commercial sphere, are critical to ensuring a positive contribution to the State's overall social and economic development.

Members of State Boards and Statutory Committees are appointed to act on behalf of the citizen to oversee the running of the affairs of state bodies. State bodies must serve the interests of the taxpayer, pursue value for money in their endeavours (including managing risk appropriately), and act transparently as public entities. Members of State Boards, and the relevant management team, are accountable for the proper management of the organisation.

Committee members should act on a fully informed basis, in good faith, with due diligence and care, and in the best interest of the State body, subject to the objectives set by Government. In that regard and in accordance with 13.2 of the Guidelines on Appointments to State Boards, "it is advisable that no member of a State Board should serve more than two full terms of appointment or should hold appointments to more than two State Boards."

The [Code of Practice for the Governance of State Bodies 2016](#) (the Code) provides a framework for the application of best practice in corporate governance by both commercial and non-commercial State bodies.

In order to be an effective contributor on a State Board it is recommended that members should:

- bring independent and objective scrutiny to the oversight of the organisation;
- be prepared to be challenging when necessary while being supportive to the delivery of organisational strategy and objectives;
- be equipped to offer considered advice on the basis of sound judgement and experience;
- be prepared to make a time commitment to their work commensurate with their role.

Appointment to the Compliance Committee of the Broadcasting Authority of Ireland

Location:	Dublin
Number of Vacancies:	1 Chair, 1 Member
Remuneration:	Chair: €8,978 Member: €5,985 (It should be noted that in line with the 'One Person One Salary' principle, no public servant will be entitled to receive remuneration in the form of board fees, save for situations that are statutorily provided for e.g. Worker Directors). Travel and Subsistence is paid at Civil Service rates.
Time Requirements:	10 meetings per annum of c.2 hours duration Min.1 day preparation time for each meeting

1. Background

The Broadcasting Authority of Ireland (BAI) was established on the 1st October 2010 and was not considered as just a transition from the predecessor body. It marked a very significant shift in broadcasting regulation in Ireland. For the first time, public and commercial broadcasting would be regulated by a single organisation with a comprehensive range of statutory duties and entitlements.

The new statute altered the funding arrangements for the BAI – now derived from a levy on all broadcasters. Setting that levy and agreeing the basis of its calculation and the mode of its operation were key early priorities.

The BAI consists of the [Authority, the Contract Awards Committee, the Compliance Committee and the Executive](#).

The remit of the BAI is set down in the [Broadcasting Act 2009](#). The BAI also has a role in media mergers which was assigned to the BAI under Part 4, Media Mergers, of the [Competition and Consumer Protection Act 2014](#).

More information is available at the BAI's website [here](#)

2. Functions of the Committee

The Compliance Committee has the role of ensuring that all broadcasters – public or private comply with their licence conditions and with the standards set out in the broadcasting codes and rules. It is responsible for the monitoring and enforcement of compliance, the investigation of complaints and a number of reporting functions.

<http://www.bai.ie/en/about-us/the-authority-committees-and-executive/>

A new work programme will be available early in the New Year, following the finalisation of the strategy statement.

Current Composition of the Compliance Committee:

Name	Date appointed	Term End Date	Position Type	Basis of Appointment
Patrick Gageby SC (Retiring in 2016)	20/01/2015	20/01/2020	Chair	Ministerial
Paula Mullooly	20/01/2015	20/01/2020	Board Member	Ministerial
Nigel Heneghan	17/02/2015	16/02/2020	Board Member	Ministerial
Rosemary Day	02/04/2015	N/A	Board Member	Authority
Maeve McDonagh	02/04/2015	N/A	Board Member	Authority
Ciarán Kissane	02/04/2015	N/A	Board Member	Authority (Staff Member)
Anne O'Brien	02/04/2015	N/A	Board Member	Authority (Staff Member)
Vacancy		16/02/2020	Board Member	Ministerial

3. Person Specification

The Minister invites applications from persons who fulfil the required criteria for the two roles, as outlined below.

Chairperson

Essential Criteria

- Experience of board membership/chairpersonship of a Board
- Experience of/interest in media affairs and media matters generally
- Experience of regulatory environments and regulatory matters generally

Candidate's attention is drawn to the general details of the role of Chairperson as set out on page 18 of the Code of Practice for the Governance of State Bodies which can be found [here](#). The Principle states:-

- The Chairperson is responsible for leadership of the Board and ensuring its effectiveness on all aspects of its role.
- The Chairperson should display high standards of integrity and probity and set expectations regarding culture, values, and behaviours for the State body and for the tone of discussions at Board level.

Committee Member

Essential Criteria

Candidates must have extensive experience at senior management level within a large organisation that clearly demonstrates knowledge and experience of legal and regulatory affairs in the sector.

The candidate must also have experience of membership of a Board.

Desired Criteria

- Experience of/interest in media affairs and media matters generally
- Experience of regulatory environments and regulatory matters generally

Candidate's attention is drawn to the provisions of the Code of Practice for the Governance of State Bodies in relation to the role of a Board member, which states:

- Each State body should be headed by an effective Board which is collectively responsible for the long-term sustainability of the body.
- Non-executive Board members should bring an independent judgement to bear on issues of strategy, performance resources, key appointments and standard of conduct.

Details on the role of Board Members can be found in Section 3 of the Code which can be found [here](#).

Please be aware that the following are statutorily excluded from Statutory Committee and Board Membership as per the [Act](#), and candidates who fulfil the below should not apply for either vacancy:

- A person nominated as a member of Seanad Éireann,
- A person elected as a member of either House of the Oireachtas or the European Parliament regarded pursuant to Part XIII of the Second Schedule to the European Parliament Elections Act 1997 as having been elected to that Parliament to fill a vacancy,
- A person who is for the time being entitled under the Standing Orders of either House of the Oireachtas to sit therein or who is a member of the European Parliament,
- A person who holds employment or an interest in a broadcasting undertaking, including but not limited to a public service broadcaster, or an undertaking holding a contract under this Act
- A person who holds an interest in an undertaking which publishes a newspaper in the State
- A person who holds membership of the Contract Awards Committee
- A person who holds membership of the Compliance Committee

In this regard, please also refer to the definition of 'interests', outlined in [Section 2 of the Broadcasting Act 2009](#):

4. Term of Appointment

Appointments for the Chair of the Committee will be from date of appointment to the 20th January 2020, and from date of appointment to the 16th of February 2020 for the Ordinary member. There is an option to extend the term of engagement for a second term, subject to:

- A member of the Authority or a statutory committee may at any time be removed from membership of the Authority or the statutory committee, as the case may be, by the Government if, in the Government's opinion, the member has become incapable through ill-health of performing his or her functions, or has committed stated misbehaviour, or his or her removal appears to the Government to be necessary for the effective performance by the Authority or the statutory committee, as the case may be, of its functions, and only if, resolutions are passed by each House of the Oireachtas calling for his or her removal..
- A member of the Board may resign his or her membership of the Board by notice in writing sent or given to the Minister, and the resignation shall take effect on the day on which the Minister receives the notice.
- Members of the Board shall, subject to the provisions of this Schedule, hold office upon such terms and conditions as the Minister may, with the consent of the Minister for Public Expenditure and Reform, from time to time determine.
- The roles and responsibilities of Board Members are described in the Revised Code of Practice for the Governance of State Bodies 2016 which is available on the website of the Department of Finance [Code of Practice for the Governance of State Bodies](#).
- A board member shall cease to be a member of the board if he or she is nominated as a member of Seanad Éireann, is elected as a member of either House of the Oireachtas or as a representative in the European Parliament, elected to the European Parliament, or becomes a member of a local authority.

5. Submitting your Application

Before submitting your application, please review the self-assessment questionnaire which can be found [here](#). This questionnaire is designed to help you in considering whether to submit an expression of interest - you are not required to submit the questionnaire as part of the application process.

Having considered the general suitability criteria for membership of a State Board, you should consider carefully how your background and experience fits with the specific appointment criteria set out in the Person Specification section in this booklet. Please give careful consideration to the possibility of any potential conflict of interest that may arise if appointed to this board.

Your submission should be made via the following link www.stateboards.ie together with your **Curriculum Vitae** and a **cover letter** (see Appendix 1 of this booklet for help with the online process).

IMPORTANT NOTE

Please take care when submitting your application. As the Assessment Panel will generally make its recommendation(s) based on consideration of the documentation which you submit, it is most important that you do the following:

1. *Ensure your Cover Letter (and supporting CV) clearly specifies how your particular background and experience meets the requirements of the Board position(s) specified in this booklet, and*
2. *That you fully answer any supplementary questions which are presented to you as part of our online application process.*

This will help ensure that the Assessment Panel is as informed as possible as to the basis for your candidature and why you believe you are a person who could potentially be appointed to this State Board.

If you have any questions regarding the application process please email info@stateboards.ie.

6. Assessment Process

An Assessment Panel (the “Panel”) will be convened by PAS to consider and assess the applications received by PAS. The Panel will:

- review and discuss the expressions of interest received against the specific appointment criteria for the role, as advertised in this Information Booklet;
- assess potential candidates further once they meet the specified appointment criteria by undertaking any or all of the following steps:
 - Consideration of the written applications; and/or
 - Meeting¹/conference call; and/or
 - Referee checks; and/or
 - Any other selection or verification method deemed appropriate (this may include PAS requiring statutory declarations from shortlisted applicants as to the bona fides of the qualifications and experience contained in their applications).
- arrive at a shortlist of suitable candidates to be sent forward for consideration by the Minister.

Please note that the Public Appointments Service will not be responsible for any expenses incurred by candidates as part of our selection process.

7. Confidentiality

Subject to the provisions of the Freedom of Information Acts, 2014, applications will be treated in strict confidence. All enquires, applications and all aspects of the proceedings are treated as strictly confidential and are not disclosed to anyone, outside those directly involved in that aspect of the process.

¹ The Public Appointments Service will not be responsible for refunding any expenses incurred by candidates.

Certain items of information, not specific to any individual, are extracted from computer records for general statistical purposes.

8. Data Protection Acts 1988 & 2003

Should your name be forwarded to a Minister for consideration, please note that your cover letter and curriculum vitae will be forwarded to the State Board Liaison Officer in the relevant department and may be retained for up to one year.

For further information on Data Protection please follow the [link](#)

APPENDIX 1

Submitting your application:

In order to submit your application, you should take the following steps:

1. Go to www.stateboards.ie.
2. On the bar at the top of the page click on "Available Appointments".
3. This brings you to a page with all our advertised vacancies. Select whichever position you would like to apply for (you are welcome to apply for more than one position if you wish).
4. On the relevant page please click on the "apply for position" button at the bottom of the page
5. This will bring you to a page on www.publicjobs.ie and, if you already have a publicjobs.ie account, will prompt you for your username and password. If you do not have an account you will be asked to create one.
6. Once you input your details you will be brought to a page where there is a prompt in the middle of the page which says "apply here". Click on the link to the online application form beside it.
7. A form will appear on your screen, some of the text boxes will be populated with information from your publicjobs.ie profile (Name, address etc.). You will need to complete the rest of the fields and enter your name and the date at the bottom of the form. Click on "continue".
8. You will then be brought to a screen where you should upload your CV and Cover Letter. These are required documents and your application cannot be processed without them. Once you have selected these and uploaded them, please click on the "submit" button at the bottom of the page.
9. You will receive an e-mail confirmation (to the address listed in your publicjobs.ie profile) to confirm that your application has been submitted.

You must confirm that you do not have any conflicts of interest or legal impediment which would be likely to interfere with your ability to play a full part on the Board. You must also confirm that you can make yourself available to attend meetings and to carry out the duties of a Board member.