

Appointment to the Property Services Appeal Board

Closing Date: 3pm on 08 Aug 2016

**State Boards Division
Public Appointments Service
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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 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.

Board 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](#) 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 Property Services Appeal Board

Location:	Dublin
Number of Vacancies:	4
Remuneration:	€416 per day up to a maximum of 12 Appeal Board meetings and 4 oral hearings per annum. Travel and subsistence is payable at the appropriate Civil Service rate. (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).
Time Requirements:	12 Appeal Board meetings with a maximum of 4 oral hearings per annum. Briefing papers are provided to the Appeal Board in advance of each meeting. Additional papers may be provided to the Appeal Board for review between meetings, where further analysis is required.

1. Background

The Property Services Regulatory Authority (PSRA) was formally established on 3 April 2012 pursuant to the [Property Services \(Regulation\) Act 2011](#). One of the main statutory functions of the PSRA is the licensing of Property Services Providers, i.e. auctioneers, estate agents, letting agents and management agents. The PSRA is independent in the performance of its functions. Decisions of the PSRA may, however, be appealed to the Property Services Appeal Board, as provided for under Section 74 of the Act.

The Chairperson and five other members of the Appeal Board are appointed by Government.

The Appeal Board is required as far as practicable to ensure that appeals are dealt with and determined expeditiously. It is estimated that there will be up to 12 Appeal Board meetings per annum. In addition, members are required to review any documentation supplied by the Secretary to the Appeal Board in preparation for meetings.

The quorum for a meeting of the Board is 3.

2. Functions of the Board

The Appeal Board's primary functions are to adjudicate on any appeals against decisions of the Property Services Regulatory Authority –

- (a) to refuse to issue licences for the provision of property services to applicants who do not satisfy new statutory standards and
- (b) regarding sanctions, if any, to be imposed on licensees against whom complaints have been made.

The current composition of the board is:

Name	Appointed	Expiry date	Position	Basis of appointment
Anthony Ensor	23/11/2015	22/11/2019	Chair	Appointed by Government
David McGarry	24/07/2012	23/07/2016	Board Member	Appointed by Government
Dorothea Dowling	24/07/2012	23/07/2016	Board Member	Appointed by Government
James Bridgeman	24/07/2012	23/07/2016	Board Member	Appointed by Government
Philip Moynihan	24/07/2012	23/07/2016	Board Member	Appointed by Government
Sunniva McDonagh	24/07/2012	23/07/2016	Board Member	Appointed by Government

3. Person Specification

The Minister for Justice and Equality invites expressions of interest, from suitably qualified candidates with significant senior level experience in one or more of the following areas:

- Experience of the property services sector
- Executive/Managerial/Professional Experience in dispute resolution
- Legal experience particularly with experience of an adjudicatory body

Experience of board membership is also desirable.

4. Term of Appointment

Under the Property Services (Regulation) Act 2011, appointments to the Board will be for an initial period of 4 years with an option to extend the term of engagement for a second term of 4 years, subject to the following:

- The Government may at any time remove a member from office for misbehaviour, if it considers that the member has become incapable through ill health of effectively performing the functions of the office, if the member has a conflict of interest of such significance that it requires that the person should cease to hold office or if the member's removal appears to be necessary for the effective performance of the functions of the Appeal Board.
- A member of the Board may resign his or her membership of the Board by notice in writing to the Secretary General to the Government, and the resignation shall take effect on the date specified in the letter or the date the letter is received by the Secretary General to the Government, whichever is the later.
- Members of the Board shall, subject to the provisions of Schedule 5 of the Act, hold office as such member until the expiration of his or her term of office.
- The roles and responsibilities of Board Members are described in the Code of Practice for the Governance of State Bodies 2009 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 Expression of Interest

Before submitting your expression of interest, 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 expression of interest. 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 expressions of interest 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
 - Meeting/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.

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.

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 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 expression of interest

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.