



CANDIDATES INFORMATION BOOKLET

PLEASE READ CAREFULLY

Open competition for appointment to the position of:

**Assistant Parliamentary Counsel (Grade II)
in the Office of the Parliamentary Counsel to the Government
Office of the Attorney General**

Closing Date: 3pm on Thursday, 14th November 2019

CID: 19242610

The Public Appointments Service is committed to a policy of equal opportunity.

The Public Appointments Service will run this campaign in compliance with the Code of Practice for Appointment to Positions in the Civil Service and Public Service prepared by the Commission for Public Service Appointments (CPSA).

Codes of practice are published by the CPSA and are available on www.cpsa.ie

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**Assistant Parliamentary Counsel (Grade II)
in the Office of the Parliamentary Counsel to the Government
Office of the Attorney General**

Background

The Office of the Parliamentary Counsel to the Government is a constituent part of the Office of the Attorney General and is located in Government Buildings, Merrion Street, Dublin 2.

The mission of the Office of the Parliamentary Counsel to the Government (OPC) is to draft Bills on behalf of the Government, and statutory instruments on behalf of the Government and Ministers of the Government, to a consistently high standard.

The functions of the OPC are to:

- draft Government Bills (including Bills containing proposals to amend the Constitution);
- draft Government amendments to Bills (including Private Members' Bills) during the Parliamentary process;
- draft, or settle the drafts of, statutory instruments to be made by Government;
- draft, or settle the drafts of, statutory instruments to be made by a Minister of the Government, a Minister of State or the Revenue Commissioners;
- draft, or settle the drafts of, statutory instruments to be made by a person (other than a Minister of the Government) or body authorised in that behalf by statute, if requested to do so by a Minister of the Government or a Minister of State where the Minister has the statutory function of approving the draft concerned;
- provide information to the Government Legislation Committee on the progress of the drafting of Bills;
- provide information to the Department of an Taoiseach on the progress of the drafting of European Union statutory instruments;
- provide drafting advice to client Departments on achieving their aims in proposed legislation;
- collaborate with Advisory Counsel in the Office of the Attorney General during the drafting process;
- liaise with client Departments during the drafting process.

The Office is organised into groups, each having responsibility for providing drafting services to a specific number of Government Departments. Each Group is managed by a Parliamentary Counsel who allocates and monitors work within the Group. Each Group Manager works closely with new entrants and coordinates and monitors their training. The Chief Parliamentary Counsel is the professional head of the Office and is responsible for the professional administration of the Office and the overall monitoring of work within the Office.

Principal Duties of the Role

An Assistant Parliamentary Counsel will in the course of his or her work have frequent contact with officials in Government Departments and with Advisory Counsel in the Office of the Attorney General.

As an Assistant Parliamentary Counsel, you will be part of a specialised team of lawyers who:

- draft Government Bills, including Bills to amend the Constitution, and amendments to Bills (including Private Members' Bills);
- draft Government Orders and some statutory instruments made by Ministers of the Government, including instruments made for the purposes of compliance with the State's European Union obligations.

This will involve you

- receiving and analysing instructions to draft from Government Departments;
- discussing and clarifying those instructions with the Departmental officials concerned;
- discussing them with Advisory Counsel in the Office of the Attorney General, and with the Attorney General, and identifying legal issues arising and obtaining legal advice thereon;
- drafting legislation to give effect to those instructions;
- reporting progress on drafting work undertaken.

Working Environment

Most of the work is undertaken in the Office, with meetings in other Departments or elsewhere as required.

Training

Drafting skills will, primarily, be acquired through working on individual files. The Office will also provide training (both within the Office and outside the Office) in matters pertaining to the work of the Office.

The Office is committed to strengthening the legal and administrative expertise of all staff and has in place a performance management development system (PMDS) in conformity with the general policy of the Civil Service. Training opportunities, such as attendance at relevant conferences, seminars and courses, particularly in key areas such as EU and ECHR law, are also funded by the Office.

Resources

A wide range of resources is available in the Office. Parliamentary Counsel are supported by clerical staff. Parliamentary Counsel are also assisted by the general support staff of the Attorney General's Office, such as the HR Unit, the IT Unit, the Finance Unit, Services Unit and Registry. Legal Researchers are also available to assist Parliamentary Counsel in carrying out research in relation to legal issues arising on drafting files.

The Office is highly computerised. There is access to word-processing, internal and external e-mail, internet and intranet browsing, document management, case tracking and related services. There is a professional library service with an emphasis on the electronic provision of information via the Office intranet and online databases. A candidate must be willing to utilise new technologies.

Probation

Each new entrant at Assistant Parliamentary Counsel (Grade II) level will receive an initial period of familiarisation and training. After that period he or she will be expected to draft legislation with minimum intervention or assistance from senior colleagues. A probationary period will apply and where performance is acceptable the new entrant will be confirmed at the end of the probationary period. If there is a difficulty in completing probation successfully, additional training or supervision may be made available to improve performance. However, if the underperformance persists or is of such a degree that, in the opinion of the Chief Parliamentary Counsel, an acceptable level of performance has not or cannot be reached, termination of employment will be considered.

Career Progression

Promotional opportunities in the Office of the Attorney General arise from time to time and are decided by means of merit based competitions. Assistant Parliamentary Counsel (Grade II) who have successfully completed their probationary period, and have a minimum of two years experience in the Civil Service, are eligible to compete for such positions subject to the usual conditions concerning sick leave and performance.

ENTRY REQUIREMENTS

Essential:

Candidates **must** have on or before 14th November 2019:

1. Been called to the Bar of Ireland and be enrolled as a Barrister in the State **or** have been admitted and be enrolled as a Solicitor in the State,

and
2. Have significant experience as a practising Barrister or practising Solicitor in the State so as to enable satisfactory discharge of the duties of the position.

Desirable

- excellent legal knowledge;
- demonstrated ability to analyse complex legal issues;
- good knowledge of Constitutional, European and Administrative law;
- excellent writing skills;
- sound judgement and the ability to work under pressure;
- excellent interpersonal and communication skills.

If you would like additional information on these vacancies please see the Office website at **www.attorneygeneral.ie** or telephone the Human Resources Manager at 01-6314000.

Please note that the premises of the Office of the Attorney General have been adapted for accessibility by persons with disabilities.

Eligibility to compete and certain restrictions on eligibility

European Economic Area Citizens

Candidates should note that eligibility to compete is open to citizens of the European Economic Area (EEA). The EEA consists of the Member States of the European Union along with Iceland, Liechtenstein and Norway. Swiss citizens under EU agreements may also apply. **To qualify candidates must be citizens of the EEA by the date of any job offer.**

Collective Agreement: Redundancy Payments to Public Servants

The Department of Public Expenditure and Reform letter dated 28th June 2012 to Personnel Officers introduced, with effect from 1st June 2012, a Collective Agreement which had been reached between the Department of Public Expenditure and Reform and the Public Services Committee of the ICTU in relation to ex-gratia Redundancy Payments to Public Servants. It is a condition of the Collective Agreement that persons availing of the agreement will not be eligible for re-employment in the Public Service by any Public Service body (as defined by the Financial Emergency Measures in the Public Interest Acts 2009 – 2011) for a period of 2 years from termination of the employment. People who availed of this scheme and who may be successful in this competition will have to prove their eligibility (expiry of period of non-eligibility) and the Minister's consent will have to be secured prior to employment by any Public Service body.

Incentivised Scheme for Early Retirement (ISER)

It is a condition of the Incentivised Scheme for Early Retirement (ISER) as set out in Department of Finance Circular 12/09 that retirees, under that Scheme, are not eligible to apply for another position in the same employment or the same sector. Therefore, such retirees may not apply for this position.

Department of Health and Children Circular (7/2010)

The Department of Health Circular 7/2010 dated 1 November 2010 introduced a Targeted Voluntary Early Retirement (VER) Scheme and Voluntary Redundancy Schemes (VRS). It is a condition of the VER scheme that persons availing of the scheme will not be eligible for re-employment in the public health sector or in the wider Public Service or in a body wholly or mainly funded from public moneys. The same prohibition on re-employment applies under the VRS, except that the prohibition is for a period of 7 years. People who availed of either of these schemes are not eligible to compete in this competition.

Department of Environment, Community & Local Government

The Department of Environment, Community & Local Government Circular Letter LG(P) 06/2013 introduced a Voluntary Redundancy Scheme for Local Authorities. In accordance with the terms of the *Collective Agreement: Redundancy Payments to Public Servants* dated 28 June 2012 as detailed above, it is a specific condition of that VER Scheme that persons will not be eligible for re-employment in any Public Service body [as defined by the Financial Emergency Measures in the Public Interest Acts 2009 – 2011 and the Public Service Pensions (Single Scheme and Other Provisions) Act 2012] for a period of 2 years from their date of departure under this Scheme. These conditions also apply in the case of engagement/employment on a contract for service basis (either as a contractor or as an employee of a contractor).

Declaration

Applicants will be required to declare whether they have previously availed of a Public Service scheme of incentivised early retirement. Applicants will also be required to declare any entitlements to a Public Service pension benefit (in payment or preserved) from any other Public Service employment and/or where they have received a payment-in-lieu in respect of service in any Public Service employment.

Principal Conditions of Service

General

The appointment is to an established post in the Civil Service and is subject to the Civil Service Regulations Acts 1956 to 2005, the Public Service Management (Recruitment and Appointments) Act 2004 and any other Act for the time being in force relating to the Civil Service.

Pay

The current Personal Pension Contribution (PPC) Scale (effective from 1 September 2019)

€67,698; €70,296; €74,068; €77,249; €80,459; €83,662; €86,842; €88,878 (Max); €91,656 (LS11); €94,441 (LS12):

This rate will apply to new entrants who are members of the Single Scheme and will also apply where the appointee is a civil or public servant appointed on or after 6th April 1995 and is making a personal pension contribution.

A different rate may apply where the appointee is an existing civil or public servant appointed on or before 6 April 1995 and is not required to make a personal pension contribution.

Long Service Increments may be payable after 3 years (LS11) and 6 years (LS12) satisfactory service at the maximum of the scale.

Candidates should note that entry will be at the minimum of the scale and the rate of remuneration will not be subject to negotiation and may be adjusted from time to time in line with Government pay policy. Increments may be awarded subject to satisfactory performance.

Statutory deductions from salary will be made as appropriate by the Office.

You will agree that any overpayment of salary, allowances, or expenses will be repaid by you in accordance with Circular 07/2018: Recovery of Salary, Allowances, and Expenses Overpayments made to Staff Members/Former Staff Members/Pensioners.

Tenure

The appointment is to an established post in the Civil Service. The appointee will be required to serve a 12 month probationary period.

Unfair Dismissals Acts

The Unfair Dismissals Acts 1977-2007 will not apply to the termination of your employment by reason only of the expiry of this probationary contract without it being renewed.

Suspension of Probation

The Department may suspend the probationary period and, as a result, extend the term of the probationary contract in the following circumstances:

- the probationary period will be suspended if the officer is on Maternity or Adoptive leave,
- the probationary period may, at the discretion of the Department, be suspended where the employee is absent on any other form of statutory or non- statutory leave.

Where the Department's ability to assess the officer and/or the officer's ability to demonstrate their suitability for permanent appointment is compromised by the officer's absence on leave, the contract period will be extended by the period of leave taken.

Duties

You will be required to perform any duties appropriate to your grade which may be assigned to you. You may not engage in private practice or be connected with any outside business which would interfere with the performance of official duties.

Headquarters

Office headquarters will be in Dublin. When absent from home and headquarters on duty, appropriate travelling expenses and subsistence allowances will be paid, subject to the normal civil service regulations.

The Organisation of Working Time Act 1997

The terms of the Organisation of Working Time Act 1997 will apply to your employment and the hours of attendance and leave entitlements that will apply is outlined below.

Hours of attendance

Hours of attendance will be as fixed from time to time but will amount, on average, to not less than 43 hours and 15 minutes gross or 37 hours net per week.

No additional payment will be made for extra attendance (over and above 43 hours and 15 minutes per week) as the rate of remuneration payable covers any exceptional extra attendance liability that may arise from time to time.

Sick Leave

Pay during properly certified sick absence, provided there is no evidence of permanent disability for service, will apply on a pro-rata basis, in accordance with the provisions of the sick leave circulars.

Officers who will be paying Class A rate of PRSI will be required to sign a mandate authorising the Department of Employment Affairs and Social Protection to pay any benefits due under the Social Welfare Acts directly to the Department of Education and Skills. Payment during illness will be subject to the officer making the necessary claims for social insurance benefit to the Department of Employment Affairs and Social Protection within the required time limits.

Annual Leave

The annual leave allowance will be 27 working days a year, rising to 30 after 5 years service. This allowance is subject to the usual conditions regarding the granting of annual leave and is on the basis of a five-day week and is exclusive of the usual public holidays.

Outside Employment

The position is whole time and the officer may not engage in private practice or be connected with any outside business which would interfere, or be incongruent, with the performance of official duties.

Official Secrecy and Integrity

The appointment will be subject to the provisions of the Official Secrets Act, 1963, as amended by the Freedom of Information Acts 1997 and 2003. Successful candidates will agree not to disclose to third parties any confidential information either during or subsequent to the period of employment.

Civil Service Code of Standards and Behaviour

The appointment will be subject to the Civil Service Code of Standards and Behaviour.

Political Activity

The appointment will be subject to the rules governing civil servants and politics.

Ethics in Public Office Acts 1995 and Standards in Public Office Act 2001

The provisions of these Acts apply, as appropriate, to this position.

Personnel Code

Further details and circulars regarding these terms and conditions can be found in An Cod Pearsana and are available on the following web site www.circulars.gov.ie.

In applying for this position it is understood that you have consented to the above conditions.

Superannuation and Retirement

The successful candidate will be offered the appropriate superannuation terms and conditions as prevailing in the Civil Service at the time of being offered an appointment. In general, an appointee who has never worked in the Public Service will be offered appointment based on membership of the Single Public Service Pension Scheme ("Single Scheme"). Full details of the Scheme are at www.singlepensionscheme.gov.ie

Where the appointee has worked in a pensionable (non-Single Scheme terms) public service job in the 26 weeks prior to appointment or is currently on a career break or special leave with/without pay different terms may apply. The pension entitlement of such appointees will be established in the context of their public service employment history.

Key provisions attaching to membership of the Single Scheme are as follows:

- Pensionable Age: The minimum age at which pension is payable is 66 (rising to 67 in 2021 and 68 in 2028 in line with changes in State Pension age).
- Retirement Age: Scheme members must retire on reaching the age of 70.
- Career average earnings are used to calculate benefits (a pension and lump sum amount accrue each year and are up-rated each year by reference to CPI).
- Post retirement pension increases are linked to CPI

Pension Abatement

- If the appointee has previously been employed in the Civil or Public Service and is in receipt of a pension from the Civil or Public Service or where a Civil/Public Service pension comes into payment during his/her re-employment that pension **will be subject to abatement** in accordance with Section 52 of the Public Service Pensions (Single Scheme and Other Provisions) Act 2012. **Please note: In applying for this position you are acknowledging that you understand that the abatement provisions, where relevant, will apply. It is not envisaged that the employing Department/Office will support an application for an abatement waiver in respect of appointments to this position.**
- However, if the appointee was previously employed in the Civil or Public Service and awarded a pension under voluntary early retirement arrangements (other than the Incentivised Scheme of Early Retirement (ISER), the Department of Health Circular 7/2010 VER/VRS or the Department of Environment, Community & Local Government Circular letter LG(P) 06/2013, any of which renders a person ineligible for the competition) the entitlement to that pension will cease with effect from the date of reappointment. Special arrangements may, however be made for the reckoning of previous service given by the appointee for the purpose of any future superannuation award for which the appointee may be eligible.
- **Department of Education and Skills Early Retirement Scheme for Teachers Circular 102/2007**
The Department of Education and Skills introduced an Early Retirement Scheme for Teachers. It is a condition of the Early Retirement Scheme that with the exception of the situations set out in paragraphs 10.2 and 10.3 of the relevant circular documentation, and with those exceptions only, if a teacher accepts early retirement under Strands 1, 2 or 3 of this scheme and is subsequently employed in any capacity in any area of the public sector, payment of pension to that person under the scheme will immediately cease. Pension payments will, however, be resumed on the ceasing of such employment or on the person's 60th birthday, whichever is the later, but on resumption, the pension will be based on the person's actual reckonable service as a teacher (i.e. the added years previously granted will not be taken into account in the calculation of the pension payment).
- **III-Health-Retirement**
Please note that where an individual has retired from a Civil/Public Service body on the grounds of ill-health his/her pension from that employment may be subject to review in accordance with the rules of ill-health retirement within the pension scheme of that employment.

Pension Accrual

A 40-year limit on total service that can be counted towards pension where a person has been a member of more than one pre-existing public service pension scheme (i.e. non-Single Scheme) as per the 2012 Act shall apply. This 40-year limit is provided for in the Public Service Pensions (Single Scheme and Other Provisions) Act 2012. This may have implications for any appointee who has acquired pension rights in a previous public service employment.

Additional Superannuation Contribution

This appointment is subject to the Additional Superannuation Contribution (ASC) in accordance with the Public Service Pay and Pensions Act 2017.

For further information in relation to the Single Public Service Pension Scheme please see the following website: www.singlepensionscheme.gov.ie

IMPORTANT NOTICE

The above represents the principal conditions of service and is not intended to be the comprehensive list of all terms and conditions of employment which will be set out in the employment contract to be agreed with the successful candidate(s).

COMPETITION PROCESS

How to Apply

Applications should be made **online** through www.publicjobs.ie Please note that all sections of the application form must be fully completed or your application may receive no further consideration.

Before applying candidates should log-on to www.publicjobs.ie and if you have not already done so you must register as a '**New User**' to create your profile (register a new account). Please do not confuse registering (creating a profile) with submitting an application. Once you have created a profile you must then access the application form, complete and submit it.

Once you have submitted your application form it is suggested that you return to your publicjobs account and ensure that it has been successfully submitted via 'My Applications'. At this point you should consider adding publicjobs.ie to your safe senders or contact list within your email account to avoid not receiving email because a publicjobs e-mail has been blocked.

Only applications fully submitted online will be accepted into the campaign. **Applications will not be accepted after the closing date.**

Closing date

Your application must be submitted on the Public jobs website not later than **3pm, Thursday 14th November 2019.**

If you do not receive an acknowledgement of receipt of your application within 24 hours of applying, please email: midvolrecruitment@publicjobs.ie

Interviews for these posts are likely to be held in February 2020.

You are advised to check your message board on a regular basis as email notifications of updates/ tests/ Interviews etc issued to your Message board may sometimes be filtered into your Junk/ Spam email folders. You are also advised to check all these folders regularly.

The onus is on each applicant to ensure that she/he is in receipt of all communication from the Public Appointments Service (PAS).

The PAS accept no responsibility for communication not accessed or received by an applicant.

Candidates should make themselves available on the date(s) specified by the PAS and should make sure that the contact details specified on the application form are correct.

Selection Methods

The selection may include:

- shortlisting of candidates on the basis of the information contained in their application
- a competitive preliminary interview
- completion of online questionnaire(s)
- presentation or other exercises
- a final competitive interview
- work sample/role play/media exercise and/or any other tests or exercises that may be deemed appropriate

Shortlisting

The number of applications received for a position generally exceeds that required to fill existing and future vacancies for the position. While a candidate may meet the eligibility requirements of the competition, if the numbers applying for the position are such that it would not be practical to interview everyone, the Public Appointments Service may decide that a smaller number will be called to the next stage of the selection process. In this respect, the Public Appointments Service provide for the employment of a short listing process to select a group who, based on an examination of the application forms, appear to be the most suitable for the position. This is not to suggest that other candidates are necessarily unsuitable or incapable of undertaking the job, rather that there are some candidates, who based on their application, appear to be better qualified and/or have more relevant experience. An expert board will examine the application forms against agreed shortlisting criteria based on the requirements of the position. The shortlisting criteria may include both the essential and desirable criteria specified for the position. It is therefore in your own interest to provide a detailed and accurate account of your qualifications/ experience in your application.

Confidentiality

Subject to the provisions of the Freedom of Information Act, 2014 applications will be treated in strict confidence.

Security Clearance

You will be required to complete and return a Garda eVetting form should you come under consideration for appointment. This form will be forwarded to An Garda Síochána for security checks on all Irish and Northern Irish addresses at which you resided. However, should your application for the competition be unsuccessful this form will be destroyed by PAS. If you subsequently come under consideration for another position, you may therefore be required to complete a further Garda Vetting Form.

If you have resided / studied in countries outside of the Republic of Ireland for a period of 6 months or more, it is **mandatory** for you to furnish a **Police Clearance Certificate** from those countries stating that you have no convictions recorded against you while residing there. You will need to provide a separate **Police Clearance Certificate for each country you have resided in**. Clearance must be dated after the date you left the country. Candidates should be aware that any information obtained in the Garda Vetting process can be made available to the employing authority.

It is YOUR responsibility to seek security clearances in a timely fashion as they can take some time. You cannot be appointed without this information being provided and being in order.

Other important information

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

The admission of a person to a campaign, or invitation to attend an interview, is not to be taken as implying that the Public Appointments Service are satisfied that such person fulfils the requirements of the competition or is not disqualified by law from holding the position and does not carry a guarantee that your application will receive further consideration. It is important, therefore, for you to note that the onus is on you to ensure that you meet the eligibility requirements for the competition before attending for interview. If you do not meet these essential entry requirements but nevertheless attend for interview you will be putting yourself to unnecessary expense.

Prior to recommending any candidate for appointment to this position the Public Appointments Service will make all such enquiries that are deemed necessary to determine the suitability of that candidate. Until all stages of the recruitment process have been fully completed a final determination cannot be made nor can it be deemed or inferred that such a determination has been made.

Once a candidate has accepted an offer of appointment their name will be removed from the panel and no further offers of appointment will be made.

Should the person recommended for appointment decline, or having accepted it, relinquish it or if an additional vacancy arises the Board may, at its discretion, select and recommend another person for appointment on the results of this selection process

A panel may be formed from which future vacancies may be filled from this campaign.

Should similar type vacancies arise elsewhere in the Civil Service candidates may be drawn from this competition.

Procedures where a candidate seeks a review of a Decision taken in relation to their application

A request for review may be taken by a candidate should they be dissatisfied with an action or decision taken by the Public Appointments Service (PAS). The PAS will consider requests for review in accordance with the provisions of **Section 7** of the Code of Practice *Appointments to Positions in the Civil and Public Service* published by the Commission for Public Service Appointments (Commission). When making a request for a review, the candidate must support their request by outlining the facts they believe show that the action taken or decision reached was wrong. A request for review may be refused if the candidate cannot support their request.

The Commission recommends that, subject to the agreement of the candidate, where the office holder (in this instance the Chief Executive Officer of PAS) considers the matter could be resolved they should first seek to engage on an informal basis, before making use of the formal review procedure.

Procedure for Informal Review

- A request for Informal Review must be made within 5 working days of notification of the decision, and should normally take place between the candidate and a representative of the PAS who had played a key role in the selection process.
- Where the decision being conveyed relates to an interim stage of a selection process, the request for informal review must be received within 2 working days of the date of receipt of the decision.
- Where a candidate remains dissatisfied following any such informal discussion, he/she may adopt the formal procedures set out below.
- If the candidate wishes the matter to be dealt with by way of a formal review, he/she must do so within 2 working days of the notification of the outcome of the informal review.

Procedure for Formal Review of Selection Process

- The candidate must address his/her concerns in relation to the process in writing to the Chief Executive, outlining the facts that they believe show an action taken or decision reached was wrong.
- A request for review must be made within 10 working days of the notification of the selection decision. Where the decision relates to an interim stage of a selection process, the request for review must be received within 4 working days.
- Any extension of these time limits will only be granted in the most exceptional of circumstances and will be at the sole discretion of the Chief Executive.
- The outcome must generally be notified to the candidate within 25 working days of receipt of the request for review.

Complaints Process

A candidate may believe there was a breach of the Commission's Code of Practice by PAS that may have compromised the integrity of the decision reached in the appointment process. The complaints process enables candidates (or potential candidates) to make a complaint under **Section 8** to the Chief Executive Officer of PAS in the first instance, and to the Commission for Public Service Appointments subsequently on appeal if they remain dissatisfied.

- Allegations of a breach of the Code of Practice should be addressed in writing, and within a reasonable timeframe, to the Chief Executive Officer in the first instance. The complainant must outline the facts that they believe show that the process followed was wrong. The complainant must also identify the aspect of the Code they believe has been infringed and enclose any relevant documentation that may support the allegation. A complaint may be dismissed if they the complainant cannot support their allegations by setting out how the Public Appointments Service has fallen short of the principles of this Code.
- On receipt of a complaint PAS may determine to engage with the complainant on an informal basis.

For further information on the above procedures please see the Code of Practice *Appointments to Positions in the Civil and Public Service* which is available on the website of the Commission for Public Service Appointments, www.cpsa.ie

There is no obligation on the PAS to suspend an appointment process while it considers a request for a review. Please note that where a formal review of a recruitment and selection process has taken place under Section 7 of this Code of Practice, a complainant may not seek a further review of the same process under Section 8, other than in the most exceptional circumstances that will be determined by the Commission at its sole discretion.

Requests for Feedback/Test Rechecks

Feedback in relation to the selection process is available on written request. There are no specific timeframes set for the provision of feedback or for carrying out rechecks.

Please note that the Review Process as set out in the Code of Practice is a separate process with specified timeframes that must be observed. Receipt of feedback is not required to invoke a review. It is not necessary for a candidate to compile a detailed case prior to invoking the review mechanism. The timeframe set out in the CPSA Code cannot be extended for any reason including the provision of feedback and/or the outcome of rechecks.

Candidates' Obligations

Candidates must not:

- knowingly or recklessly provide false information
- canvass any person with or without inducements
- impersonate a candidate at any stage of the process
- interfere with or compromise the process in any way

It is important to remember that this is a competitive process for a role where integrity is paramount. Sharing information on the selection process e.g. through social media or any other means, may result in you being disqualified from the competition.

A third party must not impersonate a candidate at any stage of the process.

Please note that all assessment and test materials are subject to copyright and all rights are reserved. No part of the test material (including passages of information, questions or answer options), associated materials or interview(s) may be reproduced or transmitted in any form or by any means including electronic, mechanical, photocopying, photographing, recording, written or otherwise, at any stage. To do so is an offence and may result in you being excluded from the selection process. Any person who contravenes this provision, or who assists another person(s) in contravening this provision, is liable to prosecution and/or civil suit for loss of copyright and intellectual property.

Use of Recording Equipment

PAS does not allow the unsanctioned use of any type of recording equipment on its premises. This applies to any form of sound recording and any type of still picture or video recording, whether including sound recording or not, and covers any type of device used for these purposes.

Any person wishing to use such equipment for any of these purposes must seek written permission in advance. This policy is in place to protect the privacy of staff and customers and the integrity of our assessment material and assessment processes.

Unsanctioned use of recording equipment by any person is a breach of this policy. Any candidate involved in such a breach could be disqualified from the competition and could be subject to prosecution under section 55 of the Public Service Management (Recruitment & Appointments) Act, 2004.

In addition, where a person found guilty of an offence was or is a candidate at a recruitment process, then:

- Where he/she has not been appointed to a post, he/she will be disqualified as a candidate, and
- Where he/she has been appointed subsequently to the recruitment process in question, he/she shall forfeit that appointment.

Contravention Code of Practice

Any person who contravenes the above provisions or who assists another person in contravening the above provisions is guilty of an offence. A person who is found guilty of an offence is liable to a fine/or imprisonment.

In addition, if a person found guilty of an offence was, or is a candidate at a recruitment process,

- they will be disqualified as a candidate and excluded from the process;
- has been appointed to a post following the recruitment process, they will be removed from that post

Specific candidate criteria

Candidates must:

Have the knowledge and ability to discharge the duties of the post concerned

Be suitable on the grounds of character

Be suitable in all other relevant respects for appointment to the post concerned;

and if successful, they will not be appointed to the post unless they:

Agree to undertake the duties attached to the post and accept the conditions under which the duties are, or may be required to be, performed

Be fully competent and available to undertake, and fully capable of undertaking, the duties attached to the position.

Deeming of candidature to be withdrawn

Candidates who do not attend for interview or other test when and where required by the Public Appointments Service, or who do not, when requested, furnish such evidence as the Public Appointments Service require in regard to any matter relevant to their candidature, will have no further claim to consideration.

Candidates are expected to provide all requested documentation to PAS, including all forms issued by PAS for completion, within five days of request. Failure to do so will result in the candidate being deemed to have withdrawn from the competition and their candidature will receive no further consideration.

Quality Customer Service

We aim to provide an excellent quality service to all our customers. If, for whatever reason, you are unhappy with any aspect of the service you receive from us, we urge you to bring this to the attention of the unit or staff member concerned. This is important as it ensures that we are aware of the problem and can take the appropriate steps to resolve it.

Feedback will be provided on written request. A request for feedback does not impact on the timeframe set out for seeking a review.

General Data Protection Regulation (GDPR)

The General Data Protection Regulation (GDPR) came into force on the 25th May 2018, replacing the existing data protection framework under the EU Data Protection Directive.

When you register with publicjobs.ie or submit an application for a competition, we create a computer record in your name. Information submitted with a job application is used in processing your application. Where the services of a third party are used in processing your application, it may be required to provide them with information, however all necessary precautions will be taken to ensure the security of your data. If you are successful in the recruitment and selection competition, your application may be made available to the Human Resources section of the organisation to which you have been assigned.

To make a request to access your personal data please submit your request by email to: dpo@publicjobs.ie ensuring that you describe the records you seek in the greatest possible detail to enable us to identify the relevant record(s).

Information in relation to a candidate's personal data held by the Public Appointments Service are set out on the Data Protection page of www.publicjobs.ie.