



## CANDIDATES INFORMATION BOOKLET

PLEASE READ CAREFULLY

Open competition for appointment to the position of:

### **Parliamentary Researcher (Law) in the Houses of the Oireachtas Service**

**Closing Date: 3pm on Thursday, 3<sup>rd</sup> October 2019**

**CID: 19198803**

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](http://www.cpsa.ie)

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## **Parliamentary Researcher (Law) in the Houses of the Oireachtas Service**

### **Background**

The Houses of the Oireachtas Commission (the 'Commission') is the statutory corporate body responsible for the running of the Houses of the Oireachtas, or the Irish Parliament (Dáil Éireann, Seanad Éireann and Oireachtas Committees), and the administration and management of the Houses of the Oireachtas Service (the 'Service'). The Houses of the Oireachtas Service (the Service) is the public service body which provides administrative services to the Houses of the Oireachtas and their Members. The Service is headed by the Secretary General/Clerk of the Dáil. The role of the Service is to provide professional advice, services and facilities to the Commission, to the Houses of the Oireachtas and their Committees and to Members of the Houses. The Service is staffed by approximately 529 civil servants of the State and 45 State industrial staff who are employed by the Commission. There are also approximately 445 political staff working in either Leinster House or in Members' constituency offices who are employed directly by the Members or the relevant political party and who are paid by the Commission. Further information is available at [www.oireachtas.ie](http://www.oireachtas.ie).

### **Library & Research Service (L &RS)**

The Oireachtas Library & Research Service (L&RS) provides impartial information and research services to support the work of both Houses, individual Members and Committees in respect of their parliamentary duties.

The L&RS is managed by the Head of Library and Research Services who reports to the Assistant Secretary Parliamentary Services Division / Clerk Assistant of the Dáil. In addition to managing the Parliamentary Library and the Parliamentary Research Service, the Head of Library and Research Services also manages the Records Management Unit (the 'RMU' covers FOI, data protection and records management). Forty staff work in the L&RS and Records Management Unit.

The Parliamentary Research Service comprises 21 staff including the Head of Research. Parliamentary researchers have a range of subject specialisms including economics, law, social science, environmental science, political science and public administration.

The Parliamentary Research Service has five strategic priorities which are aligned to the *Houses of the Oireachtas Strategic Plan 2019-2021: 'A Parliament which Works for the People'*.

These include:

1. Inform legislators;
2. Inform parliament with our topical research programme;
3. Introduce a commissioned research service for individual Members and Committees;
4. Deliver a programme of academic engagement;
5. Develop our capability and our staff.

The Parliamentary Research Service provides the following services,

- Legislative Analysis
  - Research to individual Oireachtas Committees in support of pre-legislative scrutiny of Government Bills and scrutiny of Private Members' Bills.
  - Research (*Bill Digests*) on Government Bills to all Members in advance of second stage debate.
- Topical research briefings which respond to the legislative agenda and emerging policy issues.
- Research commissioned by individual Members and Committees.

Examples of research produced by the Parliamentary Research Service can be found on [oireachtas.ie/library](http://oireachtas.ie/library)

### **L&RS Role**

Parliamentary Researchers in the L&RS work principally within subject teams but adopt a cross-team multidisciplinary approach to work as required. The focus of all teams is to provide accurate, impartial research and analysis to support parliament and Members across the range of services. Researchers engage directly with Members and the Oireachtas Committee Secretariat.

Research teams include – a Legal Analysis team, a Social Policy & Parliamentary Affairs team, an Economic & Statistical Analysis team and a Private Members' Bills team.

### **L&RS Reporting Relationship**

The principal reporting relationship is with the Senior Researcher Law. Parliamentary Researchers will also work closely with the Head of Research, Head of Library and Research Services, the Head of Library and Archive, other senior researchers, librarians, researchers and administrative staff.

### **The Office of Parliamentary Legal Advisers (OPLA)**

The Office of Parliamentary Legal Advisers (OPLA) is the Oireachtas' in-house legal team. The OPLA was placed on a statutory footing in the Houses of the Oireachtas Commission Acts 2003 to 2018. The OPLA is headed by the Chief Parliamentary Legal Adviser (Assistant Secretary General) and is staffed by 19 staff comprising Advisory Counsel, Parliamentary Counsel, Senior Legal Researchers (law), Legal Researchers (law) and administrative staff.

The OPLA has overall responsibility for the provision of a full range of legal advices relating to the running of the Houses of the Oireachtas. The OPLA primarily advises the Committees of the Houses, the Houses of the Oireachtas Commission, the Chairs of both Houses and the Clerks of same, and Members (as regards matters arising from their membership of the Oireachtas). The OPLA advises in relation to varied areas of law, including; administrative and constitutional queries, the interpretation of legislation, contracts, procurement, FOI, data protection, employment, electoral and parliamentary issues, and the scrutiny of Private Members Bills. The OPLA also handles litigation on behalf of the Service, Committees and Members. In addition, the OPLA provides legal advice and a drafting service to Non-Governmental Members (Members of the Oireachtas who are not themselves Government Ministers, Ministers for State or the Leader of Seanad Éireann) in initiating Private Members' Bills.

The OPLA has three broad areas of work, listed below:

Parliamentary and Corporate Legal Advisory provides corporate and parliamentary legal services as detailed above relating to the running of the Houses of the Oireachtas and their Committees, as well as corporate legal services, including the management of litigation. This unit is headed by the Parliamentary and Corporate Legal Adviser (Principal Officer Level).

Private Members' Bills Legal Advisory provides legal advice to Non-Governmental Members on policy issues that arise in formulating Private Members' Bills proposals. Legal advice is also provided to Committees as part of the pre-Committee Stage Scrutiny of Private Members' Bills. This unit is headed by the PMB Legal Adviser (Principal Officer Level).

Private Members' Bills Drafting provides legislative drafting services to Non-Governmental Members and services required by Oireachtas Committees in consultation with stakeholders to deliver a high quality, efficient, effective, integrated, and accessible legislative drafting service to Members. The unit is headed by a Parliamentary Legislative Drafter (Principal Officer Level).

Successful candidates may be assigned to any work area, or any combination of those areas.

### **OPLA Role**

Parliamentary Researchers in the OPLA are expected to provide high quality legal research, analysis and information to Legal Advisers, Parliamentary Counsel and/or Members and Committees (as appropriate).

Parliamentary Researchers are expected to exercise initiative in the delivery of research products and services and to adopt a strategic and creative approach to work and problem solving.

Parliamentary Researchers are expected to contribute to the overall management and strategic development of research and analysis services.

### **OPLA Reporting Relationship**

The Parliamentary Researcher's reporting relationship will be with the Senior Parliamentary Researcher OPLA or as determined by the Chief Parliamentary Legal Adviser. However, the Parliamentary Researcher will be expected to work closely and productively with administrative staff, researchers, Legal Advisers, Parliamentary Counsel, all Principal Officers within the OPLA and the Chief Parliamentary Legal Adviser.

### **Principal Duties of Parliamentary Researchers Law in Houses of the Oireachtas Service**

The following list of duties is indicative (but not exhaustive) of the responsibilities and duties which the Parliamentary Researchers Law may be expected to perform. Parliamentary Researchers Law may be assigned to the L&RS or OPLA as determined by the Oireachtas Service.

### **Role and Principal Duties of Parliamentary Researcher (Law) in the Houses of the Oireachtas, when assigned to the L&RS**

Under the supervision of Senior Researchers and the overall direction of the Head of Research successful candidates will:

- Engage with Members, Committee and Houses of the Oireachtas staff to understand their research requirements;
- Provide accurate, high quality and impartial research and analysis to individual Members and Committees;
- Produce a range of research outputs including customised research papers, legislative analysis briefings, topical briefings and blog posts which are well written, concise and accessible;
- Provide peer review;
- Keep abreast of recent legal developments.
- Collaborate with colleagues across the Oireachtas Service, in particular in the PBO and/or OPLA, to deliver innovative information and research services to support the Houses of the Oireachtas;
- Promote the L&RS-Parliamentary Research Service across the Houses of the Oireachtas;
- Develop networks in other parliamentary library and research services and external research bodies and communities with a view to drawing upon their knowledge and working collaboratively where appropriate;
- Contribute to the ongoing development of the L&RS-Parliamentary Research Service and wider organisation by sharing ideas and experience;

## **Role and Principal Duties of Parliamentary Researcher (Law) in the Houses of the Oireachtas, when assigned to the OPLA**

The following description of role and list of duties are indicative (but not exhaustive) of the responsibilities and duties which the Parliamentary Researchers (Law) may be expected to perform if assigned to the OPLA. The primary goal of Parliamentary Researchers (Law) is to aid the advisers of the OPLA in the carrying out of their duties but may be assigned other tasks on behalf of the OPLA or the Service. Parliamentary Researchers (Law) will be expected to:

- Provide accurate, high quality and impartial legal research, analysis and information to the Senior Parliamentary Researcher (Law), Legal Advisers, Parliamentary Counsel, all Principal Officers within the OPLA and the Chief Parliamentary Legal Adviser, or such others as may be required,
- Assist in the drafting of legal opinions under the guidance of the Senior Parliamentary Researcher (Law), Legal Advisers, Parliamentary Counsel, all Principal Officers within the OPLA and the Chief Parliamentary Legal Adviser, or such others as may be required,
- Keep abreast of recent legal developments,
- Be capable of developing strategic links with external research bodies/communities that will benefit the work of the OPLA,
- Produce a range of research outputs, including generalised outputs designed for publication on the internal Oireachtas intranet or to Members of the Oireachtas or staff or to the public. These may take the form of research papers, case analyses, topical briefings, blog posts or similar documents,
- Contribute to the overall management and strategic development of research and analysis services within the OPLA.
- Contribute to the overall development of the OPLA and wider organisation by sharing their knowledge and experience.

### **ENTRY REQUIREMENTS**

#### **Essential**

1. Candidates must, on or before 3<sup>rd</sup> October 2019,
  - (a) Hold at least an honours degree (i.e. at least level 8 in the National Framework of Qualifications) in which Law is the major subject
  - or**
  - (b) Have a recognised professional legal qualification.
2. Have relevant practical experience in conducting legal research.

Possess and be able to demonstrate:

3. An extensive knowledge of Irish law and the Irish legal system and a good knowledge of EU Law;
4. Experience in the reading and interpretation of EU and Irish legislation;
5. Experience of policy analysis and/or undertaking research to inform policy;
6. Strong research and analytical skills with excellent attention to detail;
7. Strong editorial skills and the ability to write and present research in a concise, accessible and plain English style;
8. Experience of prioritising and managing assigned tasks in a busy work environment and working within deadlines;
9. Excellent communication and interpersonal skills;
10. The ability to work independently and in a team environment;
11. Strong information technology skills particularly using relevant legal research databases and online resources.

#### **Desirable**

- Knowledge of international law
- Knowledge of current affairs.
- Data visualisation skills (e.g. infographics, GIS).

In addition to the above, the Key Competencies for effective performance at this level are detailed below.

<b>PARLIAMENTARY RESEARCHER (LAW)</b>
<b>Leadership Potential</b>
<ul style="list-style-type: none"> <li>• Is flexible and willing to adapt, positively contributing to the implementation of change</li> <li>• Contributes to the development of policies in own area and the broader Department</li> <li>• Seeks to understand the implications of taking a particular position on issues and how interdependencies need to be addressed in a logical and consistent way</li> <li>• Maximises the contribution of the team, encouraging ownership, providing support and working effectively with others</li> <li>• Formulates a perspective on issues considered important and actively contributes across a range of settings</li> </ul>
<b>Analysis &amp; Decision Making</b>
<ul style="list-style-type: none"> <li>• Is skilled in policy analysis and development, challenging the established wisdom and adopting an open-minded approach</li> <li>• Quickly gets up to speed in a complex situation, rapidly absorbing all relevant information/data</li> <li>• Identifies key themes and patterns in and across different sources of information, drawing sound and balanced conclusions</li> <li>• Is resourceful and creative, generating original approaches when solving problems and making decisions</li> </ul>
<b>Delivery of Results</b>
<ul style="list-style-type: none"> <li>• Assumes personal responsibility for and delivers on agreed objectives/ goals</li> <li>• Manages and progresses multiple projects and work activities successfully</li> <li>• Accurately estimates time parameters for projects and manages own time efficiently, anticipating obstacles and making contingencies for overcoming these</li> <li>• Maintains a strong focus on meeting the needs of customers at all times</li> <li>• Ensures all outputs are delivered to a high standard and in an efficient manner</li> <li>• Use resources effectively, at all times challenging processes to improve efficiencies</li> </ul>
<b>Interpersonal &amp; Communication Skills</b>
<ul style="list-style-type: none"> <li>• Communicates in a fluent, logical, clear and convincing manner verbally and in writing</li> <li>• Is able to listen effectively and develop a two-way dialogue quickly</li> <li>• Maintains a strong focus on meeting the needs of internal and external customers</li> <li>• Effectively influences others to take action</li> <li>• Works to establish mutual understanding to allow for collaborative working</li> <li>• Works effectively with a broad range of stakeholders to achieve objectives</li> </ul>
<b>Drive and Commitment to Public Service Values</b>
<ul style="list-style-type: none"> <li>• Consistently strives to perform at a high level</li> <li>• Maintains consistent effort under pressure and is resilient to criticism or setbacks at work</li> <li>• Demonstrates high levels of initiative, taking ownership of projects and demonstrating high levels of self sufficiency</li> <li>• Is personally trustworthy and can be relied upon</li> <li>• Places the citizen at the heart of all process and systems</li> <li>• Upholds the highest standards of honesty, ethics and integrity</li> </ul>
<b>Specialist Knowledge, Expertise and Self Development</b>
<ul style="list-style-type: none"> <li>• Clearly understands the role, objectives and targets and how they fit into the work of the unit and Dept.</li> <li>• Develops the expertise necessary to carry out the role to a high standard and shares this with others</li> <li>• Is proactive in keeping up to date on issues and key developments that may impact on own area, the Department and/ or wider public service</li> <li>• Consistently reviews own performance and sets self-challenging goals and targets</li> <li>• Has significant expertise in his/her field that is recognised and utilised by colleagues</li> </ul>

## **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 (rates effective from 1 September 2019)**

€31,529 €33,971 €34,582 €37,630 €40,688 €43,747 €46,807 €48,696 €50,580 €52,476  
€54,360 €56,249 €58,139 €60,024 €61,921 €64,022(LSI1) €66,118(LSI2)

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(LSI1) and 6(LSI2) years satisfactory service at the maximum of the scale.

### **Important Note**

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**

- a. The appointment is to an established position on a probationary contract in the Civil Service. (Further vacancies including temporary positions may be filled from this panel, should the need arise).
- b. The probationary contract will be for a period of one year from the date of appointment. Notwithstanding this paragraph and paragraph d. below, this will not preclude an extension of the probationary contract in appropriate circumstances.
- c. During the period of your probationary contract, your performance will be subject to review by your supervisor(s) to determine whether you:
  - (i) have performed in a satisfactory manner,
  - (ii) have been satisfactory in general conduct, and
  - (iii) are suitable from the point of view of health with particular regard to sick leave
- d. Prior to completion of the probationary period a decision will be made as to whether or not you will be retained or the probationary period extended. This decision will be based on your performance assessed against the criteria set out in (i) to (iii) above. The details of the probationary process will be explained to you by the Houses of the Oireachtas Service.

- e. In the event that you are considered not suitable for the position of Parliamentary Researcher (Law) having been assessed against stated criteria, you will be notified in writing of the action to be taken prior to the expiry of the contract and any extensions thereof.
- f. Notwithstanding paragraphs d. and e. above, the probationary contract may be terminated at any time prior to the expiry of the term of the contract by either side in accordance with the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

In certain circumstances the contract may be extended and the probationary period suspended. The extension must be agreed by both parties.

- The probationary period stands suspended where an employee is absent due to Maternity or Adoptive Leave
- In relation to an employee absent on Parental Leave or Carers' Leave, the employer may require probation to be suspended if the absence is not considered to be consistent with a continuation of the probation
- Probation may be suspended in cases such as absence due to a non-recurring illness.

The employee may in these circumstances make application to the employer for an extension to the contract period.

### **Headquarters**

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

### **Hours of Attendance**

Hours of attendance will be as fixed from time to time under section 23 of the Staff of the Houses of The Oireachtas Act, 1959. At present they amount to 43.25 hours per week. Flexibility is required with regard to late-night working and extra attendance, which is required from time to time arising from the exigencies of the Houses of the Oireachtas Service. There is a compensatory leave scheme in operation for extra attendance. No additional payment will be made for extra attendance (over and above 43.25 hours gross) 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. The appointee 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 direct to the Houses of the Oireachtas Service and payment during illness will be subject to the appointee making the necessary claims for social insurance benefit to the Department of Employment Affairs and Social Protection directly within the required time limits.

### **Annual Leave**

The annual leave allowance will be 25 working days a year, rising to 29 after 5 years and 30 after 10 years. 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.

### **Unfair Dismissals Acts 1977-2005**

The Unfair Dismissals Acts 1977–2005 will not apply to the termination of this employment by reason only of the expiry of this probationary contract without it being renewed.

### **Organisation of Working Time Act 1997**

The terms of the Organisation of Working Time Act 1997 will apply, where appropriate, to this employment

### **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](http://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](http://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](http://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](http://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](http://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 3<sup>rd</sup> October 2019.**

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

**Interviews for these posts are likely to be held in November 2019.**

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
- Video/remote interviewing
- 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](http://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
- personate 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.

### **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](mailto: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](http://www.publicjobs.ie).