



**An tSeirbhís um Cheapacháin Phoiblí**  
**Public Appointments Service**

**CANDIDATES INFORMATION BOOKLET**

PLEASE READ CAREFULLY

Open competition for appointment to the position of

**Administrative Officer  
(Solicitor)**

**Irish Human Rights and Equality Commission**

**Closing Date: 3:00pm Thursday 22<sup>nd</sup> April 2021**

**Cid: 2175200**

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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## **BACKGROUND**

The Irish Human Rights and Equality Commission (the “Commission”) is Ireland’s national human rights institution and national equality body.

The Commission was established in November 2014 with a statutory mandate to:

- protect and promote human rights and equality,
- encourage the development of a culture of respect for human rights, equality, and intercultural understanding in the State,
- promote understanding and awareness of the importance of human rights and equality in the State,
- encourage good practice in intercultural relations, promote tolerance and acceptance of diversity in the State and respect for the freedom and dignity of each person, and
- work towards the elimination of human rights abuses, discrimination and prohibited conduct.

The Commission’s legal functions are set out in law under the Irish Human Rights and Equality Commission Act 2014, and include –

### ***Amicus curiae***

Power to apply to the High Court, the Court of Appeal or the Supreme Court for liberty to appear as *amicus curiae* (“friend of the court”) in proceedings that involve or are concerned with human rights or equality.

### **Legal Assistance**

Provision of practical assistance, legal advice and/or representation, to persons in vindicating their rights under human rights and anti-discrimination legislation, including under the Employment Equality Acts, the Equal Status Acts, and the European Convention on Human Rights Act 2003.

### **Provision of Information**

Provision of information to the public and keeping under review the effectiveness of any enactments relating to the protection and promotion of human rights and equality.

### **Codes of Practice**

Preparation of codes of practice around the protection of human rights; the elimination of discrimination; and the promotion of equality of opportunity.

### **Inquiries**

To conduct inquiries into violations of human rights or equality of treatment obligations.

### **Equality Reviews and Actions Plans**

To carry out equality reviews and action plans prepare equality action plans or to invite others to do so.

The Commission has secured accreditation under the international ‘Lexcel’ standard. Lexcel is an international quality standard developed by the Law Society of England and Wales, which focuses on excellence in legal practice management and client care.

Further information is available on the website [www.ihrec.ie](http://www.ihrec.ie).

## **THE ROLE**

The Solicitor (Administrative Officer) will work in the Commission's Legal team, reporting to and managed by an Assistant Principal Officer (Solicitor).

The Solicitor (Administrative Officer) will have direct responsibility for a litigation brief, inter alia, on behalf of private clients arising under Section 40 of the Irish Human Rights and Equality Commission Act 2014.

The role will also involve assisting in the delivery of the Commission's compliance and enforcement functions.

### **The specific responsibilities of this role will include:**

- Efficient and timely management of the case load assigned;
- Assessment of applications for legal assistance to the Commission;
- Legally representing clients, and assisting an Assistant Principal Officer (Solicitor) in the representation of clients, before the Workplace Relations Commission and the Courts;
- Assisting in the briefing of Counsel as required;
- Assisting in the provision of legal advice and policy paper preparation for the Commission as required;
- Assisting in the delivery of the Commission's legal information provision, compliance and enforcement functions as required; and
- Efficient administration and record keeping practices.

## **ENTRY REQUIREMENTS**

### **Essential:**

#### **Candidates must on or before 22<sup>nd</sup> April 2021**

1. be enrolled as a Solicitor in the State or be entitled to be enrolled\* and have applied for enrolment;

*\*Entitled to be enrolled and have applied to be enrolled shall mean that on the closing date for this campaign 15<sup>th</sup> April 2021, all examination and/or other requirements have been completed successfully and that the candidate is, therefore, eligible to be enrolled.*

2. Have experience in equality and/or human rights law;
3. Have the capacity to support senior legal colleagues in the delivery of a quality legal service;
4. Have an ability to advocate on behalf of clients and to write high-quality legal submissions;
5. Have the capacity to undertake high volumes of work to strict deadlines under pressure;
6. Have excellent communication, negotiation, and relationship management skills with the ability to fully engage with a range of stakeholders;
7. Have an ability to develop expert competence in the diverse range of areas for which the Legal Team has responsibility;
8. Have good decision-making skills.

### **Desirable:**

1. Have experience in the use of appropriate technology e.g. electronic case management systems and other IT applications commonly used in a modern law office;
2. Have litigation experience in the areas of equality and/or human rights law.

**In addition, the Key Competencies for effective performance at this level are detailed as follows:**

### **Leadership Potential**

- Is flexible and willing to adapt, positively contributing to the implementation of change
- Contributes to the development of policies in own area and the broader Department/ Organisation
- 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
- Maximises the contribution of the team, encouraging ownership, providing support and working effectively with others
- Formulates a perspective on issues considered important and actively contributes across a range of settings

### **Analysis & Decision Making**

- Is skilled policy analysis and development, challenging the established wisdom and adopting an open-minded approach
- Quickly gets up to speed in a complex situation, rapidly absorbing all relevant information/data (written and oral)
- Uses numerical data skillfully to understand and evaluate business issues
- Identifies key themes and patterns in and across different sources of information, drawing sound and balanced conclusions
- Sees the logical implications of taking a particular position on an issue
- Is resourceful and creative, generating original approaches when solving problems and making decisions

### **Delivery of Results**

- Assumes personal responsibility for and delivers on agreed objectives/ goals
- Manages and progresses multiple projects and work activities successfully
- Accurately estimates time parameters for projects and manages own time efficiently, anticipating obstacles and making contingencies for overcoming these
- Maintains a strong focus on meeting the needs of customers at all times
- Ensures all outputs are delivered to a high standard and in an efficient manner
- Use resources effectively, at all times challenging processes to improve efficiencies

### **Interpersonal & Communication Skills**

- Communicates in a fluent, logical, clear and convincing manner verbally and in writing
- Is able to listen effectively and develop a two-way dialogue quickly
- Maintains a strong focus on meeting the needs of internal and external customers
- Effectively influences others to take action
- Works to establish mutual understanding to allow for collaborative working
- Works effectively

### **Specialist Knowledge, Expertise and Self Development**

- Clearly understands the role, objectives and targets and how they fit into the work of the unit and Department/ Organisation.
- Develops the expertise necessary to carry out the role to a high standard and shares this with others
- 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
- Consistently reviews own performance and sets self challenging goals and targets
- Has significant expertise in his/her field that is recognised and utilised by colleagues

### **Drive & Commitment to Public Service Values**

- Consistently strives to perform at a high level
- Maintains consistent effort under pressure and is resilient to criticism or setbacks at work
- Demonstrates high levels of initiative, taking ownership for projects and demonstrating self sufficiency
- Is personally trustworthy and can be relied upon
- Places the citizen at the heart of all process and systems
- Upholds the highest standards of honesty, ethics and integrity

## **ELIGIBILITY TO COMPETE AND CERTAIN RESTRICTIONS ON ELIGIBILITY**

Candidates must, by the date of any job offer, be:

- (a) A citizen of the European Economic Area (EEA). The EEA consists of the Member States of the European Union, Iceland, Liechtenstein and Norway; or
- (b) A citizen of the United Kingdom (UK); or
- (c) A citizen of Switzerland pursuant to the agreement between the EU and Switzerland on the free movement of persons; or
- (d) A non-EEA citizen who is a spouse or child of an EEA or UK or Swiss citizen and has a stamp 4 visa; or
- (e) A person awarded international protection under the International Protection Act 2015 or any family member entitled to remain in the State as a result of family reunification and has a stamp 4 visa or
- (f) A non-EEA citizen who is a parent of a dependent child who is a citizen of, and resident in, an EEA member state or the UK or Switzerland and has a stamp 4 visa

### **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)

### **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 the VER scheme are not eligible to compete in this competition. People who availed of the VRS scheme and who may be successful in this competition will have to prove their eligibility (expiry of period of non-eligibility).

### **Department of Environment, Community & Local Government (Circular Letter LG(P) 06/2013)**

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 a permanent 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.

**Salary**

**The Salary Scale for the position is as follows: (rates effective from 1<sup>st</sup> October 2020):**

**Personal Pension Contribution (PPC)**

€33,053	€35,546	€36,257	€39,378	€43,372	€46,412	€49,454
€52,505	€55,547	€58,578	€60,679 (LSI1)	€62,776(LSI2)		

This rate will apply where the appointee is an existing civil or public servant appointed on or after 6<sup>th</sup> April 1995 and is required to make a personal pension contribution.

A different rate will apply where the appointee is a civil or public servant recruited before 6<sup>th</sup> April 1995 and who **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**

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.

Different terms and conditions may apply if you are a currently serving civil or public servant.

Subject to satisfactory performance increments may be payable in line with current Government Policy.

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 and Probation:**

The appointment is to a permanent position on a probationary contract in the Civil Service. The probationary contract will be for a period of one year from the date specified on the contract. Notwithstanding this paragraph and the paragraph immediately following below, this will not preclude an extension of the probationary contract in appropriate circumstances.

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.

Prior to the completion of the probationary contract a decision will be made as to whether or not you will be retained pursuant to *Section 5A(2) Civil Service Regulation Acts 1956 – 2005*. This decision will be based on your performance assessed against the criteria set out in (i) to

(iii) above. The detail of the probationary process will be explained to you by the employing Department/Organisation and you will be given a copy of the Department of Public Expenditure and Reform's guidelines on probation.

Notwithstanding the preceding paragraphs in this section, 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 your contract may be extended and your probation period suspended. The extension must be agreed by both parties.

- The probationary period stands suspended when an employee is absent due to Maternity or Adoptive Leave
- In relation to an employee absent on Parental Leave or Carers Leave, the employee may require probation to be suspended if the absence is not considered to be consistent with the 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 an application to the employer for an extension to the contract period.

All appointees will serve a one-year probationary period. If an appointee who fails to satisfy the conditions of probation has been a serving civil servant immediately prior to their appointment from this competition, the issue of reversion will normally arise. In the event of reversion, an officer will return to a vacancy in their former grade in their former Department.

### **Headquarters**

Headquarters will be such as may be designated from time to time by the Head of the Department/organisation. When required to travel on official duty the appointee 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 but will amount to not less than 43 hours and 15 minutes gross per week (37 hours net). You may be required to work such additional hours from time to time as may be reasonable and necessary for the proper performance of your duties subject to the limits set down in the working time regulations. Where extra attendance is necessary, payment or time off in lieu may be allowed in accordance with the Civil Service regulations.

### **Annual Leave**

The annual leave allowance for the position is 25 days, rising to 29 after 5 years' service and to 30 after 10 years' service. This allowance is subject to the usual conditions regarding the granting of annual leave in the civil service, is based on a five day week and is exclusive of the usual public holidays.

### **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 Social Protection to pay any benefits due under the Social Welfare Acts directly to the employing Department/Organisation. Payment during illness will be subject to the officer making the necessary claims for social insurance benefit to the Department of Social Protection within the required time limits.

## **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 the same as the age of eligibility for the State Pension, currently 66.
- 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 any person who previously retired on ill health grounds under the terms of a superannuation scheme are required to declare, at the initial application phase, that they are in receipt of such a pension to the organisation administering the recruitment competition.

Applicants will be required to attend the CMO's office to assess their ability to provide regular and effective service taking account of the condition which qualified them for IHR.

Appointment post III-health retirement from Civil Service

If successful in their application through the competition, the applicant should be aware of the following:

1. If deemed fit to provide regular and effective service and assigned to a post, their civil service ill-health pension ceases.
2. If the applicant subsequently fails to complete probation or decides to leave their assigned post, there can be no reversion to the civil service IHR status, nor reinstatement of the civil service IHR pension, that existed prior to the application nor is there an entitlement to same.
3. The applicant will become a member of the Single Public Service Pension Scheme (SPSPS) upon appointment if they have had a break in pensionable public/civil service of more than 26 weeks.

Appointment post III-health retirement from public service:

1. Where an individual has retired from a public service body his/her ill-health pension from that employment may be subject to review in accordance with the rules of ill-health retirement under that scheme.
2. If an applicant is successful, on appointment the applicant will be required to declare whether they are in receipt of a public service pension (ill-health or otherwise) and their public service pension may be subject to abatement.
3. The applicant will become a member of the Single Public Service Pension Scheme (SPSPS) upon appointment if they have had a break in pensionable public/civil service of more than 26 weeks.

Please note more detailed information in relation to pension implications for those in receipt of a civil or public service ill-health pension is available [via this link](#) or upon request to PAS.

### **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. nonSingle 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. **Note;** ASC deductions are in addition to any pension contributions (main scheme and spouses' and children's contributions) required under the rules of your pension scheme.

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)

### **Secrecy, Confidentiality and Standards of Behaviour: Official Secrecy and Integrity:**

During the term of the probationary contract, an officer will be subject to the Provisions of the Official Secrets Act, 1963, as amended by the Freedom of Information Acts 1997, 2003 and 2014. The officer 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 appointee will be subject to the Civil Service Code of Standards and Behaviour.

### **Ethics in Public Office Acts:**

The Ethics in Public Office Acts will apply, where appropriate, to this appointment.

### **Prior approval of publications:**

An officer will agree not to publish material related to his or her official duties without prior approval by the Chairperson of the Authority or by another appropriate authorised officer.

### **Political Activity:**

During the term of employment the officer will be subject to the rules governing public servants and politics.

### **Please note;**

As an Employer of Choice the Civil Service has many flexible and family friendly working policies including some opportunities for remote working. Please note, successful candidates may request flexible working opportunities, however, this is at the discretion of the employer and decided in line with the business needs of the organisation, and on a case by case basis.

### **Important Notice**

**The foregoing 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.**

## **COMPETITION PROCESS**

### **How to Apply**

Applications should be made **online** through **[www.publicjobs.ie](http://www.publicjobs.ie)**. All sections of the form must be fully completed.

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 **3.00pm, Thursday 22<sup>nd</sup> April 2021**. If you do not receive an acknowledgement of receipt of your application within 24 hours of applying, please contact Alex Rogers at [alex.rogers@publicjobs.ie](mailto:alex.rogers@publicjobs.ie)

## **Interviews for this post are likely to be held in May/June 2021.**

You are advised to check your messageboard on a regular basis as email notifications of updates/tests/Interviews etc issued to your Messageboard 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).

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.

### **Candidates with Disabilities**

Candidates who have indicated on their application or profile that they would like to avail of reasonable accommodations are asked to submit a psychologists/medical report. The purpose of the report is to provide PAS with information to act as a basis for determining reasonable accommodations, where appropriate.

These reports must be forwarded to the Assessment Services unit, Public Appointments Service, Chapter House, 26-30 Abbey Street Upper, Dublin 1 by close of business **on 15<sup>th</sup> April 2021**. **You should email a scanned copy** of the report to [asu@publicjobs.ie](mailto:asu@publicjobs.ie)

**If you have previously applied for a competition with PAS and submitted a report, please email [asu@publicjobs.ie](mailto:asu@publicjobs.ie) to confirm that your report is still on file.**

### **Selection Methods**

The selection may include:

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

### **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 shortlisting 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.

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.

**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 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**

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

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.

### **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.

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.

### **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

### **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.

### **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.
  - Are 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.

### **Remote Working**

As an Employer of Choice the Civil Service has many flexible and family friendly working policies including some opportunities for remote working. Please note, successful candidates may request flexible working opportunities, however, this is at the discretion of the employer and decided in line with the business needs of the organisation, and on a case by case basis.

### **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).