



**Seirbhís Thithe  
an Oireachtais  
Houses of the  
Oireachtas Service**

**CANDIDATE INFORMATION BOOKLET**

PLEASE READ CAREFULLY

Open competition for appointment to the position of

**Advisory Counsel (Grade III)**

- 1) Panel for General Legal Services (Barrister and Solicitors), and**
- 2) Panel for Solicitor and General Legal Services**

**in the Office of Parliamentary Legal Advisers  
in the Houses of the Oireachtas Service**

**Closing Date: 3<sup>rd</sup> February 2021**

The Houses of the Oireachtas Service is committed to a policy of equal opportunity.

The Houses of the Oireachtas 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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**Contact: Orla Scott**

**HR UNIT,**

**HOUSES OF THE OIREACHTAS**

**91 MERRION SQUARE WEST**

**DUBLIN 2**

**Telephone Number: (353) 1 618 3444**

**URL: [www.oireachtas.ie](http://www.oireachtas.ie)**

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**Advisory Counsel (Grade III)  
in the  
Houses of the Oireachtas Service**

## **Background Information**

The Oireachtas Commission (the “Commission”) is chaired by the Ceann Comhairle (Speaker) of Dáil Éireann and consists of 11 members, including the Cathaoirleach (Speaker) of Seanad Éireann, and the Clerk of the Dáil/Secretary General who is also the Chief Executive of the Commission. All other members of the Commission are Members of either Dáil Éireann or Seanad Éireann. Appropriate corporate governance procedures and structures are in place to enable the Commission to effectively discharge its functions as a governing board, including a Finance Committee and an Audit Committee. The Commission has no role in regulating parliamentary business

The Houses of the Oireachtas Service is the independent civil service agency which supports the running of both Houses and provides administrative services on behalf of the Commission as the governing authority. The mission of the Service is to provide high quality parliamentary services to the Houses of the Oireachtas, their Committees, the Members and to the Houses of the Oireachtas Commission. The values of the Service are built around impartiality, accountability, openness, collegiality, and innovation.

The Service’s budget for the three-year period to end 2021 is circa €422m. There are approximately 529 civil servants of the State employed in the Service. Service staff members have significant day-to-day contact with the 218 Members of the Houses of the Oireachtas and their staff. Further information on the role of the Houses, the Commission and the Service is available on [www.oireachtas.ie](http://www.oireachtas.ie).

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

The OPLA provides all legal advice and services to the Chairs and Clerks of both of the Houses of the Oireachtas, to the Committees, the Commission and the Oireachtas Service. The OPLA has overall responsibility for the provision of a full range of legal advice services relating to the running of the Houses of the Oireachtas, the Committees of the Houses and the Houses of the Oireachtas Commission. Advice is also provided to individual Members in relation to discharging their parliamentary duties.

The Office of the Parliamentary Legal Adviser was created in 2000. From that point until 2018, the structure of the Office of the Parliamentary Legal Adviser was of one unit. For a significant period of time, the Office was headed by the Parliamentary Legal Adviser (Principal Officer level) and staffed by Advisory Counsels Grade III, legal researchers and clerical staff.

In 2018, the Office of the Parliamentary Legal Adviser was renamed the Office of Parliamentary Legal Advisers and was placed on a statutory footing by the *Houses of the Oireachtas Commission (Amendment) Act 2018*, which recognised the independence of the OPLA. This created the position of *Chief Parliamentary Legal Adviser* (Assistant Secretary level) who heads the Office. The OPLA is composed of four teams, each headed by a Principal Officer:

- Parliamentary and Corporate Legal Advisory Unit,
- Employment Relations Legal Advisory Unit,
- Private Members’ Bills Advisory Unit, and
- Parliamentary Legislative Drafting Unit.

The Office is staffed by Advisory Counsels Grade III and legal researchers (senior and junior) who are assigned to specific teams at the discretion of the Chief Parliamentary Legal Adviser and Principal Officers. Note that assignments to particular teams may be reviewed according to the requirements of the Office. The services of clerical staff are shared between all teams.

This change in structure resulted from the *Report of the Sub-Committee on Dáil Reform*, as approved by Dáil Éireann on 26th May 2016, which provided for an enhanced role for the delivery of legal services in the Oireachtas to provide assistance for Non-Government Members in drafting legislation, and to give advice on all legislation coming before the Houses and their Committees. An external capacity review was undertaken to determine the appropriate structure to address all existing tasks and new initiatives proposed for the Office of the Parliamentary Legal Adviser. This capacity review, which is published on the Oireachtas Service website, was approved by the *Sub-Committee on Dáil Reform* on 8th March 2017.

## **Panels**

Two panels will be formed arising out of this competition as follows:

- A. Panel for General Legal Services (Barrister and Solicitor), and
- B. Panel for Solicitor and General Legal Services (Solicitor)

These panels will be filled by candidates who successfully meet the requirements of the roles. The panels will be used to fill future permanent positions, depending on the needs of the Office at that time, should a vacancy arise. It is envisaged that the positions will be filled from Panel A unless the needs of the office required a candidate from Panel B.

The responsibilities for each panel are set out below.

## **Role and Responsibilities**

The Service, on behalf of the Commission, seeks Barristers, Solicitors, or equivalent persons (as detailed below under Essential Entry Requirements), with the ability and experience to research, analyse and advise on complex legal issues and who can demonstrate an excellent working knowledge of 3 of the following 6 areas of law; Irish Constitutional law, Administrative law, Contract law, Employment law, European law and/or the law of Procurement.

The following list of duties is not meant to be an exhaustive list and is provided only as guidance on the types of activities the successful candidate will be required to undertake. All of the following duties are subject, at present, to the direction and control of the relevant Principal Officer:

### **A. Duties for the Panel for General Legal Services (Barrister and Solicitors)**

- To provide legal advice to all Committees in relation to, inter alia: the application of relevant legislation, the legislative and non-legislative powers of Oireachtas Committees, parliamentary privilege, compliance with Standing Orders of both Houses, Constitutional and natural justice, the rules of fair procedure and any legal issues surrounding the subject matter of particular Committees;
- To provide legal advice to the Houses of the Oireachtas Commission in relation to any legal issue arising in the discharge of its statutory functions;
- To provide legal advice to the Ceann Comhairle and Cathaoirleach in relation to all services administered by them;
- To provide legal advice to the Clerks of both Houses in relation to any legal issue arising in the discharge of their statutory and parliamentary functions;
- To draft Statutory Instruments decided on by the Commission in exercising its regulatory function;

- To provide legal advice to the staff of the Houses of the Oireachtas Service in respect of legal issues arising in a corporate setting including: assisting with the drafting of requests for tenders and contracts, advice in the areas of: employment law, members' allowances, contract law, members' and staff pensions, Oireachtas copyright, public procurement processes, FOI, data protection, electoral law and general statutory interpretation;
- To provide legal advice to individual members of either House in so far as such advice is in connection with the performance by that member of his/her parliamentary functions;
- To provide Advisory Counsel services on legal issues arising in connection with legislative proposals and Private Members' Bills;
- To provide legal advice to committees when they are conducting pre-legislative scrutiny of Bills and Private Members' Bills;
- Where necessary, to procure specialist legal services on behalf of a Committee, the Houses of the Oireachtas Commission; and
- Any other related legal services as required by the Houses of the Oireachtas Service.

## **B. Duties for the Panel for Solicitor and General Legal Services (Solicitor)**

In addition to the non-exhaustive list of duties outlined at A above (General Legal Services) the following non-exhaustive lists of Solicitor Services also apply for this panel:

- To manage the conduct of any legal proceedings involving either House of the Oireachtas, a Committee, the Commission or any member of either House in respect of proceedings arising solely from the performance by them of their parliamentary functions and represent the Service in judicial or quasi-judicial fora if required.

## **Essential Requirements**

1. Candidates must on or before 31<sup>st</sup> of December 2020

A) For the Panel for General Legal Services: be called to the Bar of Ireland and/or be admitted and enrolled as a Solicitor in the State,

Or

B) For the Panel for Solicitor and General Legal Services: be admitted and enrolled as a Solicitor in the State.

**and**

2. Since qualifying at 1) above have at least 5 years significant relevant experience as a practising Barrister or Solicitor in the State, or qualified as same acting in a similar legal advisory capacity in a comparable organisation or be capable of demonstrating equivalent or corresponding legal degree qualification and experience in a relevant environment;

**and**

3. Have experience of providing substantive legal opinions to a high level in (without recourse to external expertise) 3 of the following 6 areas of law; Irish Constitutional law, Administrative law, Contract law, Employment law, European law and/or the law of Procurement.

**and**

4. For the Panel for Solicitor and General Legal Service have extensive experience, as a practising solicitor, in managing the conduct of litigation before the High and Supreme Courts. This includes all aspects of running a litigation file; including the identification of key issues, preparation of papers, briefing Counsel and knowledge of the Rule of the Superior Courts.

## **Desirable requirements:**

- Have an ability to analyse and advise, orally and in writing, on complex legal issues;
- Have knowledge of legal/constitutional issues relating to the operation of parliament, including; parliamentary privilege, natural and constitutional justice and the relationships between government, parliament and the judiciary;
- Have a familiarity with legislation relevant to the workings of Parliament and the members thereof;
- Have a familiarity with the Standing Orders Relative to Public Business of both Dáil Éireann and Seanad Éireann;
- Have experience of advocacy in a court setting with knowledge of Court procedure, evidence, advising proofs and conduct of legal proceedings;
- Have excellent communication and interpersonal skills;
- Have strong organisational and time management skills;
- Possess the ability to work both independently and in conjunction with other members of the Office;
- Have ability to focus on customer service delivery; and
- Possess the requisite knowledge and ability and be capable of discharging the duties of the position.

**Key Competencies for effective performance as an Advisory Counsel in the Office of Parliamentary Legal Advisers are as per the competency framework for Assistant Principal, see Appendix A.**

1. Leadership
2. Analysis and decision making
3. Management and delivery of results
4. Interpersonal and communication skills
5. Drive and commitment
6. Specialist knowledge, expertise and self-development

## **Working Relationships**

Advisory Counsel are required to work both individually and as part of a team. During the training period, Advisory Counsel will normally work as a team or on a one-to-one basis with a senior colleague. As they gain experience, they will begin to work individually. Advisory Counsel also work in teams to deal with management issues in the Service.

## **Training**

The Office will provide training, both in-house and off-site for a range of legal, management and administrative tasks. The Office is committed to strengthening the legal and administrative expertise of all staff and has in place a performance management development system (PMDS) in conformity with the general policy of the Irish Civil Service. Training can include attendance at relevant conferences on legal issues or courses designated as important for staff of the Office.

## **Resources**

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

A wide range of resources are available in the Office. Advisory Counsel will be assisted and supported

by the administrative/clerical staff of the Office of Parliamentary Legal Advisers. Additionally, the OPLA Knowledge Management Team will be available to assist Advisory Counsel.

## **Working Environment**

Most of the work is undertaken in the Office, with meetings in other Sections/Departments or elsewhere as required, subject to the prevailing Public Health Guidance and Houses of the Oireachtas workplace protocols.

## **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.

### **Salary**

The Advisory Counsel Grade III Salary Scale for the position is as follows: (rates effective from 1st October 2020):

### **Personal Pension Contribution (PPC)**

€69,052, €71,702, €75,549 €78,794 €82,068, €85,335, €88,579, €90,656 €93,489 €96,330  
NMAX LSI 1 LSI 2

This rate applies to new entrants and will also apply where the appointee is an existing civil or public servant appointed on or after 6th 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 6th April 1995 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 an established position on a probationary contract in the Civil Service.

Each new Advisory Counsel entrant (at Advisory Counsel (Grade III) level) will receive an initial period of familiarisation and training. After that period, he or she will be expected to give legal advice with minimum intervention or assistance from senior colleagues. A probationary period of one year will apply and if there is a difficulty during the probation period, additional training or supervision may be made available to improve performance.

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 Houses of the Oireachtas Service 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. The Houses of the Oireachtas Service is currently based on Kildare Street, Dublin 2.

### **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. 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.

### **Annual Leave**

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

### **Sick Leave**

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

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

### **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).

- **Ill-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 Ill-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 Ill-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. 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**

In addition to pension contribution requirements under the rules of the appropriate pension scheme of which an appointee may be a member, this appointment is subject to the additional superannuation contribution 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)

### **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.

### **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.

## **Competition Process**

### **How to Apply**

Applications should be made to [Recruitment@Oireachtas.ie](mailto:Recruitment@Oireachtas.ie) All sections of the application form must be fully completed. Only applications fully submitted through [Recruitment@Oireachtas.ie](mailto:Recruitment@Oireachtas.ie) and submitted on the official application form will be accepted into the campaign. **Applications will not be accepted after the closing date.**

### **Closing date**

**Your application must be submitted to [Recruitment@Oireachtas.ie](mailto:Recruitment@Oireachtas.ie) not later than 1.00pm on Wednesday 3rd February, 2021.** 'Advisory Counsel Grade III' should be inserted into the subject line. If you do not receive an acknowledgement of receipt of your application within 48 hours of applying, please contact: **Niamh Harmon at (01) 618 3073** or email [Niamh.Harmon@oireachtas.ie](mailto:Niamh.Harmon@oireachtas.ie). **Late applications will not be accepted.**

The Oireachtas Service accepts no responsibility for communication not accessed or received by an applicant. Candidates should make themselves available on the date(s) specified by the Oireachtas Service and should make sure that the contact details specified on the application form are correct.

### **Selection Methods**

The Selection method may include:

1. Shortlisting of candidates on the basis of the information contained in their applications;
2. A competitive preliminary interview;
3. Presentation or other exercises;

4. A written exam;
5. A final competitive interview;

### **Shortlisting**

Normally the number of applications received for a position exceeds that required to fill existing and future vacancies to 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 Oireachtas Service may decide that a limited number only will be called to interview. In this respect, the Oireachtas Service provide for the employment of a short-listing process to select a group for interview who, based on an examination of the application forms, appear to be the most suitable for the position. An expert board will examine the application forms against a pre-determined criterion based on the requirements of 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. It is therefore in your own interest to provide a detailed and accurate account of your qualifications/experience on the application form.

### **Confidentiality**

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

### **Security Clearance**

Police vetting may be sought in respect of individuals who come under consideration for appointment. The applicant will be required to complete and return a Garda Vetting form should they 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 they resided. Enquiries may also be made with the police force of any country in which the applicant under consideration for appointment resided. If unsuccessful this information will be destroyed by the Oireachtas Service. If the applicant subsequently comes under consideration for another position, they will be required to supply this information again.

### **Other important information**

The Oireachtas 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 Oireachtas 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 Oireachtas 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.

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

## **Eligibility to Compete**

### **Health**

A candidate for, and any person holding the office, must be fully competent and capable of undertaking the duties attached to the office and be in a state of health such as would indicate a reasonable prospect of ability to render regular and efficient service.

### **Character**

A candidate for, and any person holding the office, must be of good character.

### **Citizenship Requirement**

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)

### **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.

### **Career Breaks**

Subject to satisfying the eligibility requirements, the competition is open to staff who are on a career break, provided their career break conforms to the provisions of the Department of Finance Circular (4/13), or on secondment arrangements. Staff who are on career break under the Incentivised Career Break Scheme 2009 are not eligible to apply.

### **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.

**Candidates Rights:****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 Oireachtas Service. The Oireachtas Service 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 review the candidate must support their request 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 Assistant Secretary, Head of Members' and Corporate Services) considers the matter could be resolved they should 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 Oireachtas Service 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, Assistant Secretary, Head of Members' and Corporate Services, 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 granted of these time limits will only be granted in the most exceptional of circumstances and will be at the sole discretion of the Assistant Secretary, Head of Members' and Corporate Services.
- 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 the Oireachtas Service that may have compromised the integrity of the decision reached in the appointments process. The complaints process enables candidates (or potential candidates) to make a complaint under Section 8 to the Service, 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 Assistant Secretary, Head of Members' and Corporate Services, 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 Oireachtas Service has fallen short of the principles of this Code.

On receipt of a complaint the Oireachtas Service 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 Oireachtas Service 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 request.

Please note that the Review Process as set out in the Code of Practice is a separate process with specified timeframes which 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 your 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 provision 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**

The Oireachtas Service 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 Oireachtas Service, or who do not, when requested, furnish such evidence as the Oireachtas 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 the Oireachtas Service, including all forms issued by the Oireachtas 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 submit an application to the Oireachtas Service 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. Certain items of information, not specific to any individual, are extracted from records for general statistical purposes. To make a request to access your personal data please submit your request by email to: [Dataprotection@oireachtas.ie](mailto:Dataprotection@oireachtas.ie) ensuring that you describe the records you seek in the greatest possible detail to enable us to identify the relevant record(s).

## Appendix A – Competencies Advisory Counsel Grade III

<b>ADVISORY COUNSEL GRADE III</b>
<b>Leadership</b>
<ul style="list-style-type: none"> <li>• Actively contributes to the development of the strategies and policies of the Department</li> <li>• Brings a focus and drive to building and sustaining high levels of performance, addressing any performance issues as they arise</li> <li>• Leads and maximises the contribution of the team as a whole</li> <li>• Clearly defines objectives and goals and delegates effectively, encouraging ownership and responsibility for tasks</li> <li>• Develops the capability of others through feedback, coaching and creating opportunities for skills development</li> <li>• Identifies and takes opportunities to exploit new and innovative service delivery channels</li> </ul>
<b>Analysis &amp; Decision Making</b>
<ul style="list-style-type: none"> <li>• Researches issues thoroughly, consulting appropriately to gather all information needed on an issue</li> <li>• Understands complex issues quickly, accurately absorbing and evaluating data</li> <li>• Integrates diverse strands of information, identifying inter-relationships and linkages</li> <li>• Makes clear, timely and well-grounded decisions on important issues</li> <li>• Considers the wider implications of decisions on a range of stakeholders</li> <li>• Takes a firm position on issues s/he considers important</li> </ul>
<b>Management &amp; Delivery of Results</b>
<ul style="list-style-type: none"> <li>• Takes responsibility for challenging tasks and delivers on time and to a high standard</li> <li>• Plans and prioritises work in terms of importance, timescales and other resource constraints, re-prioritising in light of changing circumstances</li> <li>• Ensures quality and efficient customer service is central to the work of the division</li> <li>• Looks critically at issues to see how things can be done better</li> <li>• Ensures controls and performance measures are in place to deliver efficient and high value services</li> <li>• Effectively manages multiple projects</li> </ul>
<b>Interpersonal &amp; Communication Skills</b>
<ul style="list-style-type: none"> <li>• Presents information in a confident, logical and convincing manner</li> <li>• Encourages open and constructive discussions around work issues</li> <li>• Promotes teamwork within the section, but also works effectively on projects across Departments and Sectors</li> <li>• Maintains poise and control when working to influence others</li> <li>• Instills a strong focus on Customer Service in his/her area</li> <li>• Develops and maintains a network of contacts to facilitate problem solving or information sharing</li> <li>• Engages effectively with a range of stakeholders, including members of the public, Public Service Colleagues and the political system</li> </ul>
<b>Drive and Commitment</b>
<ul style="list-style-type: none"> <li>• Is self-motivated and shows a desire to continuously perform at a high level</li> <li>• Is personally honest and trustworthy and can be relied upon</li> <li>• Ensures the citizen is at the heart of all services provided</li> <li>• Through leading by example, fosters the highest standards of ethics and integrity</li> </ul>
<b>Specialist Knowledge, Expertise and Self Development</b>

- Has a clear understanding of the roles objectives and targets of self and the team and how they fit into the work of the unit and Department
- Has a breadth and depth of knowledge of the Service and Governmental issues and is sensitive to wider political and organisational priorities
- Is considered an expert by stakeholders in own field/ area
- Is focused on self-development, seeking feedback and opportunities for growth to help carry out the specific requirements of the role