

# Civil Service Conciliation and Arbitration Scheme

## General Council Report 1489

(Meeting/s of 31 October 2007)

Both schemes of promotion to HEO level and AP have an element of 'equalisation' of promotion prospects as between Departments

Interdepartmental Schemes of Promotion to Assistant Principal Officer (Circular 28/2007) and Higher Executive Officer (Circular 14/2007)

1. In accordance with procedures agreed at General Council the Schemes have been reviewed by the Official and Staff Sides.
2. The review was carried out by a Sub-Committee comprising both sides
3. Council is asked to note the following changes from previous competitions agreed by the Sub-Committee:
  - (a) Provision has been made for the application of the Dublin Arrangements
  - (b) Provision has been made to increase the proportion of posts to be filled from interdepartmental competition to 50% in accordance with the terms of Sustaining Progress,
  - (c) Provision has been made for the open recruitment elements of Towards 2016
  - (d) Provision has been made for the Departments/Offices to depart from agreed sequences in respect of certain CAF transfers and in respect of appointments arising from the conversion to full promotions of certain positions held on an "acting-up" basis
4. Council is asked to note that in respect of the Interdepartmental Scheme of Promotion to Assistant Principal Officer (Circular 28/2007), the Staff Side reserved its position on the possible implications for the Civil Service of Labour Court Recommendation no. LCR 18974.
5. Circular 28/2007 is at Appendix A and Circular 14/2007 is at Appendix B.

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Aengus O Riain Joan Byrne  
Official Side Secretary Staff Side Secretary

## **Appendix A:**

E109/56/07

**30 August, 2007**

<b>Circular 28/2007: Confined competition for appointment to posts at Assistant Principal (Standard Scale) in the Civil Service</b>
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A Dhuine Uasail,

I am directed by the Minister for Finance to announce details of a competition, to be run by the Public Appointments Service, to set up panels for interdepartmental promotion to Assistant Principal Officer. The attached Scheme of Promotion to Assistant Principal Officer (Standard Scale) has been discussed between the Official and Staff Sides

### **General Council agreement on Decentralisation**

**1.1 Candidates attention is drawn to the agreement reached at General Council in February 2006 that all posts being filled from interdepartmental competitions will be existing regional posts or posts that will be decentralised. The agreement applies to appointments under the Scheme.**

**1.2 Candidates should note that where a post that would normally be due to be filled from the interdepartmental panel is in a Department/Office that is remaining in Dublin, it will be filled in accordance with separate arrangements agreed at General Council for the filling of such Dublin-based posts.**

**1.3 These separate arrangements provide that the first call in filling such a post will be to the Dublin Arrangements. In summary, where an officer relocates under the Dublin Arrangements, the panel liability will transfer to the donor Department/Office. The donor Department/Office must, in the first instance, seek to fill the consequent vacancy through the Central Applications Facility (CAF). Where no officer is available on the CAF, the vacancy may be filled from the Interdepartmental Panel, with a decentralisation commitment.**

### **The Scheme**

2.1 Eligible officers who are interested in participating in the competition should familiarise themselves with the Scheme, which sets out the key features of the competition, including:

- the scope and application of the Scheme itself,
- the nature of work at Assistant Principal level,
- eligibility conditions and
- selection and appointment procedures.

2.2 The competition will be a two-stage process which will assess the appropriate competencies identified as being relevant to effective performance in the Assistant Principal (Standard) role (see **Appendix 1**).

2.3. Test Familiarisation material will be available on [www.publicjobs.ie](http://www.publicjobs.ie) from **24 September 2007**.

### **Duration of panels**

3. The panels formed under the terms of this circular will become valid on 1 December, 2007 and will extend to 31 May 2009 or until the exhaustion of the panels, whichever is the earlier. Candidates who have not been promoted at the expiry of the relevant panel will have no claim to promotion thereafter because of having been on the panel.

### **Applications**

4. Applications must be made on the official application form which will be available on the Public Appointments Service website [www.publicjobs.ie](http://www.publicjobs.ie) on Thursday **30 August, 2007**. In the event of difficulties in applying online please contact Tim Carroll at 01-8587715. Completed forms must be submitted to reach the Office of the Public Appointments Service **not later than Thursday 20 September, 2007**. This closing date must be strictly observed. An applicant, who has not heard from the Public Appointments Service by **11 October, 2007** should contact that office immediately.

### **Health and Sick Leave**

5.1 Admission to the assessment process does not imply acceptance by the Public Appointments Service that a candidate is eligible to compete in the competition. Candidates should note that (i) eligibility for the competitions and (ii) health and the level of sick leave are not verified by the Public Appointments Service until a candidate comes under consideration for appointment.

5.2 In considering a successful candidate's suitability for appointment in terms of health and sick leave, the Public Appointments Service will have regard to Department of the Public Service Circular 34/76 (as amended by Department of Finance Circulars 32/91, 33/99 and 17/03). Candidates with doubts about any aspect of their eligibility should clarify their position with their Personnel Section before applying.

5.3 **Personnel Officers** should note the requirements of paragraph 3.1(c) of

the Scheme (below) in respect of certification of a candidate's eligibility.

### **Codes of Practice**

6.1 The recruitment and selection process for appointment to this position will be conducted in accordance with the Code of Practice titled Selection of Persons for Appointment on Promotion to Positions in the Civil Service (No. 02/04) published by the Commission for Public Service Appointments (CPSA).

The CPSA Code of Practice reflects the following core principles:

- Probity;
- Appointments Made on Merit;
- An Appointments Process in Line with Best Practice;
- A Fair Appointments Process Applied with Consistency;
- Appointments Made in an Open, Accountable and Transparent Manner.

Candidates are advised to familiarise themselves with the CPSA Code of Practice including, in particular, the provisions in relation to the responsibilities placed on candidates who participate in the recruitment and selection process.

6.2 The CPSA Code of Practice may be accessed by visiting [www.cpsa-online.ie](http://www.cpsa-online.ie) or by contacting directly the Commission for Public Service Appointments, Chapter House, 26-30 Upper Abbey Street, Dublin 1.

### **Complaints and Requests for Review:**

7.1 Complaints/requests for review will be considered by the Public Appointments Service in accordance with the procedures set out in the CPSA Code of Practice.

Candidates' Rights and Review Procedures in relation to the Selection Process are set out at **Appendix 2**.

### **Circulation and further information**

8.1 Personnel Sections should bring this circular to the notice of all eligible officers serving in their Departments and associated Offices without delay including eligible fixed term workers, officers on term time, secondment, maternity leave, career break and any other relevant forms of leave.

8.2 If candidates have any queries about this circular they should contact their Personnel Section. Subsequent enquiries about their candidature should be addressed to the Public Appointments Service.

8.3. The Civil Service is an equal opportunities employer. Promotion within

the Civil Service is made on the basis of qualifications and the ability to carry out the responsibilities of the grade or post.

### **Electronic Copies of Circular**

9.1 This Circular is also available on the Department's web-site at <http://www.finance.gov.ie>.

9.2 It is also available on the personnel code website at <http://www.personnelcode@finance.gov.ie> or <http://www.codpearsanra.gov.ie>.

Mise le meas,

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Michael Errity  
Assistant Secretary

## **Interdepartmental promotion scheme to posts at Assistant Principal (standard scale)**

### **Definitions**

1.1 A "Department" includes any office such as the Office of the Revenue Commissioners or the Central Statistics Office which is normally treated as a separate nominating unit for interdepartmental competitions.

1.2 A "provincial location" means a location outside of Dublin.

1.3 A vacancy to be filled only arises in respect of posts which are to be filled by promotion, and include newly created posts and existing posts in the grades listed below:

- Assistant Principal (standard scale) in all Departments except the Department of the Taoiseach, the Department of Finance and the Property Registration Authority.
- Senior Auditor in the Office of the Comptroller and Auditor General.
- First Secretary in the Department of Foreign Affairs.
- Assistant Principal Committee Clerk in the Office of the Houses of the Oireachtas.

Posts filled by special interdepartmental competition will not reckon as vacancies for the purposes of this scheme.

## **SCOPE AND APPLICATION OF THE SCHEME**

### **Filling posts at Assistant Principal level in the Civil Service**

2.1 Under the agreement with the PSEU on filling posts at Assistant

Principal level in the Civil Service and in accordance with the provisions of "Sustaining Progress", 50% of all promotions are made from Departmental selection processes. The remaining 50% is divided between Interdepartmental appointments and Open Recruitment as set out at paragraph 2.5 below. The first appointment in each Department/Office will be a Departmental appointment.

### **"Sustaining Progress" – improvements in promotion systems**

2.2 In keeping with the commitment to improving promotion systems in the Civil Service, Section 22 - Delivering Quality Public Services of "Sustaining Progress" (paragraph 22.17(ii)) provides that:

*"The proportion of posts filled under mobility provisions of interdepartmental promotion competitions will be increased from 33.3% to 40% from the beginning of the next competitions to be held under the existing arrangements for interdepartmental promotion schemes. This proportion will be increased to 50% from the date equating to the commencement of the next subsequent competition for promotion to Principal level."*

2.3 The 50% proportion of promotions applies in this competition and will be effective from 1 December 2007.

### **"Towards 2016" – Open Recruitment**

2.4 Chapter IX - Public Service Modernisation (Part 2) of "Towards 2016" in relation to open recruitment, at Paragraph 29.3 (b) of Section 29 – The Civil Service, provides that:

*"The Civil Service may recruit by open competition in any year:  
1 in 5 of all vacancies at Assistant Principal [standard and higher scales] and equivalent grades, including professional and technical grades"*

It was agreed between the parties to the Agreement that where vacancies are filled by open competition under this provision, Departments and Offices will reduce their liabilities to the corresponding interdepartmental panel.

### **Specialised requirements in general service posts**

2.5 "Towards 2016" also provides that where there is such specialised skills recruitment there will be discussions between the parties.

2.6 Where an appointment is made requiring specialised skills, it will substitute for an open recruitment appointment in the above sequence.

### **Posts excluded from the competition and departures from sequences**

Departments/Offices will only be allowed to depart from the agreed sequences in the following circumstances.

### **Certain CAF Transfers**

2.7 Agreement was reached at General Council whereby individuals who had been in receipt of allowances for 'acting up' to higher duties for two years or more may, in certain circumstances, be promoted in the parent Department and transfer in that grade. Such a promotion may occur where there is an unfilled CAF vacancy in the acting grade, in the receiving Department and location in question.

In such circumstances the Departments/Offices involved may make a promotion on the basis that any resulting liability to the Interdepartmental Panel must be discharged at the earliest opportunity. This would normally be within the lifetime of the current panel, however a portion of the liability may exceptionally be carried over to the following panel where the Department/Office concerned has obtained the sanction of the Department of Finance, on the basis that it will be able to discharge this liability in full in the course of the next panel (e.g. as a result of anticipated retirements).

### **Agreement in respect of the filling of certain "Higher Duties – Acting-Up" posts**

2.8 The attention of candidates is also drawn to an agreement whereby certain posts which are currently filled on "Higher Duties – Acting-Up" basis are identified as promotional posts and are to be filled by promotion. The posts in question are in the grade of Assistant Principal Officer and equivalent grades and are currently occupied by officers in receipt of allowances for 'acting up' on higher duties. The posts covered under this provision will be identified by Departments/Offices and will be decided, on case by case basis, by the Department of Finance. The Department of Finance will write separately to Departments/Offices on this matter. Where such promotions are made, they will be ignored for purposes of determining the sequence of promotions and of calculating quotas under the "Import/Export" element of the Scheme.

### **Eligibility**

3.1 Candidates must:

(a) on the date they apply for the competition, be serving in an established, unestablished or acting capacity in the Civil Service, or on secondment from the Civil Service, in one of the following grades:

- Higher Executive Officer (including HEO/Systems Analyst and the former Inspector of Taxes grade).
- Administrative Officer.
- Third Secretary in the Department of Foreign Affairs.

- Auditor in the Office of the Comptroller and Auditor General.
- Senior Clerk in the Office of the Houses of the Oireachtas,

**and**

(b) on **20 September, 2007** have not less than two years' service in their existing grade or an aggregate of two years' service in eligible grades set out at 3.1 (a). In this context, credit is given for all work-sharing service on the same basis as full-time service,

**and**

(c) be certified by the Personnel Officer as being suitable for consideration with regard to the following:

- eligibility - Personnel Officers should verify that a candidate is serving in one of the eligible grades set out at 3.1(a) above
- performance of work in the present grade - Personnel Officers should verify that the candidate has received an annual review rating of at least grade 3 under the Integrated PMDS model (agreed in General Council Report 1452). Where a Department/Office has not yet completed the familiarisation period provided for in General Council Report 1452, the Personnel Officer should confirm that the candidate's line manager is prepared to certify that the candidate has attained a performance standard at least equivalent to PMDS level 3.
- general conduct,
- suitability for promotion, and
- health, especially sick leave.

3.2 Where an officer was acting or on contract in an eligible grade, and was subsequently appointed in a substantive capacity, eligibility can be based on the aggregate service (e.g. six months in an acting capacity or on contract and eighteen months in a substantive capacity, can be aggregated to give two years service). For the purpose of deciding eligibility, officers must be serving on the eligibility date and have one year of continuous service immediately prior to the eligibility date of the competition.

3.3 Officers on special leave with pay may apply, if otherwise eligible. Officers on special leave without pay (e.g. to serve with the EU) may be eligible. Personnel Sections should check individual cases with this Department if they are not covered by Department of Finance Circular 33/91. Officers on career break may apply if the terms of their career break conform to the provisions of Department of Finance Circular 18/98 and if they are otherwise eligible.

3.4 The eligibility of any particular grade or group for appointment to any grade under the competitions held under this Scheme applies exclusively in



the context of the Scheme.

### **Selection Process**

4.1 Selection will be a two stage process as set out below:

**Stage 1:** Candidates will sit Stage 1 during a half day testing session. This stage will take place in provincial locations week commencing **15th October 2007** and in Dublin week commencing **22nd October 2007**. Candidates will be required to complete a numerical reasoning test, a verbal reasoning test and a job scenarios exercise. The first two tests involve analysis and interpretation of information and the third exercise measures decision making, managing individuals and teams and interpersonal skills.

Test Familiarisation material will be available on [www.publicjobs.ie](http://www.publicjobs.ie) from **Monday 24 September 2007**. Candidates are advised to read this material in advance of attending the Stage 1 tests.

Only candidates who reach a satisfactory standard on the three tests will be invited to Stage 2. Candidates' order of merit at Stage 1 will be based on their performance on the verbal reasoning test and job scenarios exercise. The numerical reasoning test will serve as a qualifying test.

**Stage 2**, which will commence in **November 2007**, will involve a competitive interview, work simulation exercise and/or a presentation exercise or another method of assessment.

Further details of the format and structure of this stage of the competition will be issued to candidates, where appropriate, in advance.

4.2 Candidates may be invited to Stage 2 in "batches", with the highest-placed qualifiers at Stage 1 forming the first batch, and further batches called by reference to their Stage 1 placing. The number of candidates and the interval between each batch will be determined by the Public Appointments Service. Candidates will be called to Stage 2 strictly according to the order of merit established at Stage 1. The interview results and panel placing will issue after each batch of interviews.

4.3 The Interview and Presentation Boards will consist of board members who have received appropriate training.

### **Credit for Proficiency in English and Irish**

5.1 Credit for proficiency in Irish and English will be given in accordance with Department of the Public Service Circular 43/75 and Department of Finance Circular 30/90.

5.2 In placing candidates in the order of merit, credit due under the above Circulars will be applied only to those candidates who are successful at Stage 2.

**Office of the Comptroller and Auditor General - Senior Auditor appointments:**

6.1 Candidates who indicate an interest in being considered for Senior Auditor appointments in the Office of the Comptroller and Auditor General, and who are placed on Panel B, will be interviewed subsequently by a separate board to establish whether they are qualified for the Senior Auditor grade. This board will consist of a representative of the Comptroller and Auditor General's Office and a Public Appointments Service nominee. A panel of qualified candidates, if any, will be drawn up from those interviewed. The Public Appointments Service may, at its discretion, decide that Auditors placed on Panel B are qualified for Senior Auditor without attending for further interview. Senior Auditor assignments, should vacancies arise, will be made from those candidates deemed suitable for the grade, in accordance with their Panel B ranking. Candidates interested in being considered for Senior Auditor appointments should note that they will be expected to have a good knowledge of public sector accounting and financial procedures. They will also be expected to be able to demonstrate an understanding and appreciation of current accounting and auditing standards.

**Department of Foreign Affairs – Appointments to post as First Secretary:**

6.2 Candidates who indicate an interest in being considered for First Secretary appointments in the Department of Foreign Affairs and who are placed on Panel B, will be interviewed subsequently by a separate board to establish their suitability for the First Secretary grade. This board will consist of a Department of Foreign Affairs representative and a Public Appointments Service nominee. A panel of qualified candidates, if any, will be drawn up from those interviewed. The Public Appointments Service may, at its discretion, decide that Third Secretaries placed on Panel B are qualified for First Secretary without attending for further interview. First Secretary assignments, should vacancies arise, will be made from those candidates deemed suitable for the grade, in accordance with their Panel B ranking.

**Placement on Panels**

7. A candidate will not be placed on a panel where:

- s/he has resigned, retired or been dismissed from his or her post or
- s/he has been found not qualified at any stage of the selection process as

being suitable for promotion to Assistant Principal level.

### **Panels established under the Scheme and sequences for filling posts**

8.1 Competition panels: two panels of qualified candidates, placed in order of merit, will be set up from this competition to fill all vacancies within the meaning of the scheme:

**Panel B:** This will be the main panel; it will be formed from among those candidates qualified at the competitive interview stage of the competition (Stage 2) and will be drawn from in order of merit to fill posts under paragraph 1 above.

**Panel A:** This sub panel will be formed from among all qualified candidates on Panel B who are Higher Executive Officers or Administrative Officers, whose parent Departments are assigned an export quota, excluding Administrative Officers in the Department of the Taoiseach and the Department of Finance. The number of candidates on this panel from any Department will not exceed the export quota of that Department to a degree of four (i.e. Quota x 4). The panel will be drawn from in order of merit to fill posts under paragraph 1 above.

8.2 The sequence for filling posts in the Assistant Principal (Standard) grade in each Department (apart from posts to be filled under the "Import/Export" arrangements – see paragraphs 9.1-9.8 below) will be as follows:

Internal, Non-Internal (Interdepartmental or Open)

8.3 To give effect to open recruitment provisions in "Towards 2016", the Public Appointments Service will operate the following sequence in assigning candidates to Assistant Principal Officer posts from the Non-Internal panels (i.e. Interdepartmental panels or Open Panels as appropriate) set up under the Scheme.

- 1) Interdepartmental panel
- 2) Interdepartmental panel
- 3) Open Recruitment
- 4) Interdepartmental panel
- 5) Open Recruitment

8.4 The sequence repeats as required.

### **Departures from the sequence**

8.5 Departments will only be allowed to depart from this sequence as provided for at 2.7 and 2.8 above.

### **Import/Export Quotas**

8.6. Departments which have been assigned an Import quota (see paragraphs

9.1-9.8 below) will be required to fill certain additional vacancies under the scheme.

8.7. However, where a Department is assigned an "Export" quota of 2 or more they may substitute internal promotions to a number equal to the "Export" quota for appointments which would otherwise have been filled from Panel "B" on the basis that every second post which would otherwise have been filled from Panel "B" is filled by internal promotion. As an example, in the case of a Department with an "Export" quota of 2, the sequence for filling posts would be as follows:

Internal, Non-Internal,  
Internal, Internal (first Non-Internal substitute)  
Internal, Non-Internal,  
Internal, Non-Internal,  
Internal, Internal (second Non-Internal substitute),  
Internal, Non-Internal

8.8 An Assistant Principal Officer post that is filled in a Department/Office from an open competition held under the terms set out in 'Towards 2016', shall reckon as having fulfilled the Department's liability to fill a post which would otherwise have been filled from either panel "A" or panel "B".

8.9 Candidates who are successful at Stage 2 will be required to specify, from a list supplied by PAS, the provincial locations where they are prepared to serve. Candidates will be offered appointments to provincial locations so specified should a vacancy arise in those locations. In general, candidates on the panels will not be offered appointments to provincial locations which they have not specified. However, should a vacancy arise in a location not listed by PAS it will be offered, in order of merit, to officers on the panels and will not affect the position regarding refusals of appointments as set out in paragraph 17.3 below. Candidates can be given no assurances that even one appointment to any particular location will be available.

8.10 A candidate's parent Department will be the parent department at the time of application for the competition. Appointments will be made from the panels strictly in accordance with the order in which vacancies fall to be filled. Where a vacancy falls to be filled from both Panel A and Panel B, it will be filled from Panel A, thereby also discharging the liability to Panel B.

8.11 Where Panel A is exhausted before all import quotas have been satisfied, any subsequent Panel A liabilities will be met by appointment of candidates from exporting Departments/Offices placed on Panel B but excluded from Panel A due to the export quota limitation set out in paragraph 8.1 above. If no such candidates remain on Panel B at that stage,

Panel A liabilities will be met by appointment of candidates from Panel B in order of merit.

8.12 Where a post cannot be filled from a panel on grounds of grade because it is in FÁS (see paragraphs 17.1 to 17.3), it may be filled internally in the Department/Office concerned and this will be deemed to satisfy that Department's/Office's obligation to the interdepartmental panel in that instance. If, however, a post in a provincial location cannot be filled from a panel on grounds of geographic location and it cannot subsequently be filled under the provisions of paragraph 17.5(b) below, it may then be filled internally in the Department/Office concerned but that Department/Office will carry a debt forward, for that particular location, to the next equivalent panel established under this scheme. The next vacancy to be filled that arises in that particular location in the Department/Office concerned during the life of the subsequent panel will be due to be filled from the panel; if it cannot be filled in this manner, the debt will lapse.

8.13. If a post cannot be filled as outlined above from a panel, it may then be filled internally in the Department concerned, and this will be deemed to satisfy that Department's obligation to the panel in that instance. If an internal appointment is made in this manner, then the panel will be deemed to have expired for the relevant grade or geographical location. However, within two months of the expiry date of Panel B, should a post subsequently arise in that grade or geographical location that is due to be filled from the panel, then the Department concerned may fill the post internally, but will carry a debt to the panel.

8.14. For each officer in FÁS appointed under the scheme, one qualifying vacancy in the grade of Assistant Principal (standard scale) in FÁS will be filled under the Scheme.

### **Import/export quotas**

9.1 Import/Export Quotas are calculated annually for the grade of Assistant Principal. The calculations are based on information provided by Departments/Offices concerning the number of officers eligible and numbers promoted to Assistant Principal over a 5 year period. Departments will be assigned and informed of an import/export quota based on their promotion record to Assistant Principal (standard and higher scale). The Property Registration Authority, the Office of the Comptroller and Auditor General and the Office of the Houses of the Oireachtas will not be assigned a quota.

9.2 The calculation of Import/Export Quotas identifies Departments with more or less than the average number of promotions so that a fairer balance of promotions can be achieved. If the average promoted is more than the

expected promoted then a Department will be assigned an Import Quota as such Departments are deemed to have a better than average promotion record. If the average promoted is less than the expected promoted then a Department will be assigned an Export Quota as such Departments are deemed to have a poorer than average promotion record.

9.3 Departments will be assigned and informed of an import/export quota based on their promotion record to Assistant Principal (standard and higher scale).

9.4 Departments, which in the preceding five-year period had more or less than the average number of promotions to Assistant Principal (calculated by multiplying the annual average of eligible officers in each Department by the ratio which the number of promotions to the grade service-wide bore to the number of eligible officers service-wide), will be given import or export quotas, as applicable. The satisfaction of these import/export quotas will be considered to have made good the variation from the average number of promotions. Quotas below 0.5 will be disregarded and other quotas will be rounded up to the nearest figure.

9.5 In determining import/export quotas, all promotions of Higher Executive Officers and Administrative Officers (excluding Administrative Officers in the Department of the Taoiseach and the Department of Finance) to Assistant Principal (standard or higher scale) will be counted.

9.6 Where a Department has been divided or amalgamated during the five-year period, that Department's quota will relate to the functional area for which it is now responsible. The quota will be calculated by reference to the numbers of eligible officers and promotions in the individual Section/Branch/Division involved in the interdepartmental reorganisation.

9.7 Departments which have been assigned an Import Quota are required to fill vacancies from Panel A in the interdepartmental Civil Service Commission competition(s). Panel A liabilities take precedence over all internal and Panel B promotions.

9.8 A Department with an Export Quota can have a number (not exceeding 4 times the Quota) of successful candidates from that Department, who are on the main panel for the HEO or AP competitions, placed on a second panel, Panel A.

### **Debts to the Assistant Principal Officer panel**

10.1 Departments/Offices should note that all debts to the Assistant Principal Officer panel must be met by Departments prior to the introduction of the new sequence of promotion.

### **Shortfalls arising in posts listed on CAF**

10.2 Posts listed on CAF that have not been filled through normal CAF procedures may be offered, by agreement with the PSEU, in order of merit, to candidates on the panel set up under this competition.

### **Appointments**

11. Offers of appointments will be made from the panels strictly in order of merit. An officer will have a maximum of **five working days** after receipt of an offer from the Department with the promotional vacancy to accept or reject the promotion.

### **Conditions of Appointment - Decentralisation Programme**

#### **General Council Agreement on Decentralisation - Regional Posts:**

12.1 In Budget 2004, the Government announced a major programme of decentralisation of Government Departments and other agencies from Dublin to locations around Ireland. In a decentralised civil and public service, offers of employment may be conditional on the appointee undertaking to work in a particular decentralised location where required to do so by the appointing Department.

12.2 Where an offer of appointment is to a post in a Department/Office that is planned to be decentralised, **or to an existing provincial location**, such offers of appointment will be made on condition that appointees are prepared to relocate to a particular decentralised location with the appointing Department/Office. In such cases, appointees will be required to sign an undertaking on taking up duty that they are prepared to relocate to a particular decentralised location as required to do so by the appointing Department.

12.3 Appointees will be required to serve a **minimum period of 3 years** in a decentralised location before they would be eligible for a transfer to another location and they will be required to sign an undertaking on appointment to this effect.

12.4 Where the appointee is required to serve a period of less than or equal to 2 years in Dublin prior to decentralisation, the total period, including the period in a decentralised location, before being eligible for transfer to another location would be the period served in Dublin plus 3 years in the decentralised location.

12.5 Where the appointee is required to serve a period of greater than 2 years in Dublin prior to decentralisation, the maximum total period including the period in a decentralised location, before being eligible for transfer to another location would be 5 years.

12.6 Candidates who do not accept an offer of appointment on the basis of provisions in paragraphs 12.1 to 12.5 above will remain on the panel for consideration for further offer(s) of appointment, should these arise. However, it should be noted that all further offer(s) of appointment will also be made on condition of the candidate's undertaking that they are prepared to work in a particular decentralised location. However, they will not receive further offers of appointment to a location which they have previously turned down.

### **General Council Agreement on Decentralisation – Dublin Arrangements**

13.1 Candidates attention is drawn to the agreement reached at General Council in February 2006 that all posts being filled from interdepartmental competitions will be existing regional posts or posts that will be decentralised. The agreement applies to appointments under the Scheme.

13.2 Candidates should note that where a post that would normally be due to be filled from the interdepartmental panel is located in a Department/Office that is remaining in Dublin, it will be filled in accordance with separate arrangements agreed at General Council for the filling of such Dublin-based posts.

13.3 These separate arrangements provide that the first call in filling such a post will be to the Dublin Arrangements. In summary, where an officer relocates under the Dublin Arrangements, the panel liability will transfer to the donor Department/Office. The donor Department/Office must, in the first instance, seek to fill the consequent vacancy through the Central Applications Facility (CAF). Where no officer is available on the CAF, the vacancy may be filled from the Interdepartmental Panel, with a decentralisation commitment.

### **Conditions of Appointment - General Appointment on probation**

14.1 Appointments will be to the grade of Assistant Principal (Standard Scale) and will be subject to the usual conditions governing promotion as set out in the Department of Finance Guidelines on Probation. On appointment, officers will serve a one year probationary period in the grade of Assistant Principal (Standard Scale). At the end of this period, a decision will be made on substantive appointment to the grade. It is envisaged that such appointments will be subject to the PMDS procedures in relation to performance monitoring and to probationary reviews. During the probationary period, the appointee will be assessed to determine whether s/he:



- has demonstrated the capacity to undertake the duties of Assistant Principal (Standard Scale) and
- has performed the duties in a satisfactory manner, and
- has been satisfactory in general conduct.

14.2 An officer whose service is not satisfactory will be notified of the action to be taken.

14.3 Where a decision is made not to confirm an appointee in the new grade, the Personnel Officer may be asked by the appointee to request that the Civil Service Disciplinary Code Appeal Board review the decision. Ref. Circular 14/2006 Civil Service Disciplinary Code paragraphs 11 and 50 (ii).

14.4 In the event of reversion an officer will, where practicable, return to fill a vacancy in the grade and Department/Office in which he or she served prior to promotion. The vacancy thus created will be filled again under the terms of the Scheme without affecting the sequence of appointments in that Department/Office provided the reversion occurred before the expiry of the panel. Any extra payment arising from the assignment would then cease.

#### **Officers not promoted at the expiry of the panels**

14.5 Officers not promoted at the expiry of the panels will have no claim to promotion thereafter as result of having been on the panels. In the event of reversion, an officer will return to fill a vacancy in the grade previously held by them in the parent Department prior to promotion. The next person on the relevant panel will be appointed to the vacancy thus created without affecting the sequence of appointments in that Department, provided the reversion occurred before the expiry of the relevant panel.

#### **Eligibility for promotion in own Department**

15.1 Officers on the panels will continue to be eligible for promotion in the normal course in their own Department. In the event of any such officer accepting an offer of promotion made in the normal course or under the scheme or to a grade covered by the scheme, they will no longer be offered appointment to posts at, or below, that level under the scheme.

#### **Knowledge of Irish:**

15.2 It is recognised that in the Department of Education and Science, the Department of Community, Rural and Gaeltacht Affairs and the Public Appointments Service, there may be a particular requirement for the performance of duties through the medium of Irish. Those Departments may therefore, as an exceptional arrangement, satisfy themselves as to the competence of any candidate due to be assigned to them to undertake such

duties through the medium of Irish. If further appraisal of such competence is sought, it will be affected by the Public Appointments Service on the basis of a test held specifically for this purpose. An officer found not to be qualified for appointment because of this special Irish language requirement will retain his or her place on the relevant panel. If on expiry of that panel the officer has not been promoted and it is established that he or she would have been promoted from the panel but for the special Irish language requirement, that officer will then be offered the first appointment falling to be filled from the next equivalent panel set up under this scheme to which the special Irish language requirement does not apply.

### **Removal expenses**

16. Candidates should note removal expenses will not apply to any appointment arising from this competition.

### **Refusal of appointments**

17.1 Appointments will be offered, in order of merit, to officers on the panels set up as a result of the interdepartmental competition. An officer may refuse an appointment on grounds of grade, geographic location or that the appointment is to a post in FÁS.

17.2 An officer who refuses appointment on grounds of the grade offered will not be offered an appointment to that grade again but will remain on the panel for appointments to other grades.

17.3 An officer who refuses an offer of appointment on grounds of geographic location will not subsequently be offered an appointment to the same location but will remain eligible for appointment to such other locations as he or she has specified should appointments arise in those locations. Candidates are advised that when specifying provincial locations (if any), as provided for at paragraph 8.9 above, they should list only those locations in which they are prepared to serve.

17.4 An officer who refuses an appointment in FÁS will not be offered another appointment in that body but will remain on the panel for other appointments.

17.5 An appointment refused under the provisions of paragraph 17.1 above will be offered successively in order of merit to the remaining candidates on the appropriate panel until the post is filled. If the appropriate panel is Panel A and if no candidate accepts the position, it will be offered to those candidates from exporting Departments/Offices placed on Panel B but excluded from Panel A because of the export quota limitation referred to in paragraph 8.1 above. If there are no candidates from exporting Departments/Offices remaining on Panel B or if none of them accept the

position, the appointment will be offered in order of merit to those remaining on Panel B. In the event that the post cannot be filled in this way and,

(a) the appointment has been refused on grounds of grade or because it is in FÁS, it will be filled by internal promotion in the Department/Office concerned and that Department/Office will be deemed to have satisfied its interdepartmental panel liabilities in respect of the vacancy in question,

(b) the appointment is to a provincial location and has been refused on grounds of geographic location, it may be filled internally in the Department/Office concerned but that Department/Office will carry a debt forward, for that particular location, to the next equivalent panel established under this scheme. The next vacancy that arises in that particular location in the Department/Office concerned during the life of the subsequent panel will be due to be filled from the panel; if it cannot be filled in this manner, the debt will lapse, and

17.6 An officer who refuses an offer of appointment under the provisions of paragraph 17.1 and who has not been promoted at the expiry of the relevant panel will have no claim to promotion thereafter because of having been on the panel.

### **Career development and training**

18. An officer promoted from a departmental grade to a general service grade, or vice versa, under this scheme will have career development opportunities equivalent to other members of the grade. Subject to the demands of the job having priority, the required induction training (formal and on-the-job) should also be provided as soon as practicable.

### **Information on Panels**

19. The information on panel(s) formed as a result of these competitions will be made available to Personnel Officers in all Departments/Offices and Careers and Appointments Section in the Department of Finance. In addition, candidates will be asked to agree to the same information being made available to the relevant civil service unions for the purpose of monitoring the operation of the scheme.

### **Steering Committee**

20. A Steering Committee, representative of the Official and Staff Sides, will monitor the progress of the scheme with a view to resolving individual problems and addressing general issues which may arise in relation to its operation.

## **Reservations**

21. The Minister for Finance reserves the right to suspend or modify the scheme in the event of redundancy which has to be dealt with on a general service-wide basis. The Minister also reserves the right to arrange for the filling, by separate interdepartmental competition or otherwise, of vacancies at Assistant Principal (standard scale) level for which special circumstances exist. Before an interdepartmental competition is initiated in any such case, there will be consultation between the Official and Staff Sides.

## **APPENDIX 1**

Assistant Principal (Standard Scale): Competency Framework

The following table represents a summary of the competencies identified as being essential for the effective performance of the Assistant Principal (Standard scale) role.

<b>Competency Title</b>	<b>Summary Statement of Competency</b>
Strategic Perspective	Understands the relevance of wider departmental, civil service and external issues and recognises the implications in the context of their role. Thinks about issues and their own role in a strategic way and aims to achieve beneficial outcomes for a wide range of stakeholders.
Makes Things Happen and Implements Change	Implements change taking a solution-focused and creative approach to dealing with problems. Is willing to make difficult decisions and to take on responsibility for challenging tasks. Identifies barriers to change and works to overcome them. Looks critically at existing ways of working and recognises opportunities for making improvements.
Analytical Thinking and Decision Making	Identifies relevant information sources, objectively analysing and evaluating complex information to identify the key issues. Demonstrates a well-rounded general capability to analyse and interpret numerical information. Makes sound and realistic decisions on issues based on a thorough analysis of the relevant information. Consults with others, where appropriate, and considers the implications of decisions on other parties.
Leading and Managing Staff Performance	Shows staff how their work fits into the broader context and keeps them informed of relevant issues. Sets high standards for the team and encourages team members to meet these standards. Effectively manages staff performance and development by setting clear and realistic goals and providing constructive feedback as well as directly addressing issues of poor performance.
Organising for Results	Effectively plans projects, maximising available resources and setting realistic timeframes to ensure quality outputs/services. Involves relevant stakeholders and delegates tasks according to the strengths of the team.

	Measures and monitors progress to ensure delivery of results. Anticipates potential problems and puts contingency plans in place.
Communicating and Influencing	Communicates clearly and effectively, both verbally and in writing. Makes a compelling case, can present persuasive arguments and maintain poise under questioning. When influencing, is clear about the objectives, plans how to influence others to achieve the desired outcomes and is prepared to state own position clearly.
Commitment to High Standards	Demonstrates a commitment to achieving high standards even in pressurised or difficult conditions. Constantly develops own skills in order to improve standards of performance. Sets high standards for the work of their team and strives to ensure that these standards are met.

## **APPENDIX 2**

### **Candidates' Rights - Review Procedures in relation to the Selection Process**

The Public Appointments Service will consider requests for review in accordance with the provisions of the codes of practice published by the CPSA. The Codes of Practice are available on the website of the [Commission for Public Service Appointments](#)

#### **Initial Review**

The candidate must address his/her concerns in relation to the process in writing, setting out the basis for the complaint being made, to the Chief Executive in the first instance. A complaint or request for review must be made within 10 working days of the notification of the initial decision or within 5 working days of the outcome of the informal review stage, if availed of. However, where the decision being conveyed relates to an interim stage of a selection process, the candidate should be informed that a request for review must be received within 3 working days of the date of receipt of the decision or within 3 working days of receipt of a decision under the informal process; candidates electing to use the informal process at the interim stage must do so within 2 working days of communication of the decision to them. 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.

Upon receipt of the request for review, the Chief Executive should issue an acknowledgement within 3 working days.

The case should be reviewed by a person other than the individual who made the decision in question.

The person conducting the initial review (the "reviewer") should consider any written submissions made by the candidate, and all other relevant information, including any emails, notes or memoranda held by the Chief Executive in respect of the selection process. Where necessary, the reviewer should meet with the personnel of the Chief Executive involved in the selection process and/or the candidate for the purpose of eliciting further information. Subject to any statutory (or other relevant) restrictions on disclosure, the reviewer shall provide the candidate with any relevant and material emails, notes or memoranda held by the personnel of the Chief Executive in respect of the selection process, on request.

The outcome must be notified to the candidate within 20 working days of receipt of the complaint or request for review. Where the investigation does not allow a decision within this timeframe, the initial reviewer must keep the candidate informed of the status of the review and the reasons for the delay.

In communicating the outcome to the candidate, which will be done by means of written report, the initial reviewer should indicate that he/she may seek further review by referring the matter to the Decision Arbitrator and that a request to do so must be made with 7 working days of receipt of the outcome of the initial review.

### **Review by the Decision Arbitrator**

The Decision Arbitrator is appointed by the Chief Executive. This person is unconnected with the selection process and he/she will adjudicate on requests for review in cases where a candidate is not satisfied with the outcome of the initial review.

The request must be received within 7 working days of the notification of the outcome of the initial review. Upon receipt of the request for review, the Decision Arbitrator should issue an acknowledgement within 3 working days.

The outcome of the investigation must be notified to the candidate in the form of a written report within 10 working days.

The decision of the Decision Arbitrator in relation to such matters is final. The Decision Arbitrator will make his/her decision on the basis of any written information available in respect of the matter, or written submissions made, and will not generally conduct interviews, although he/she may do so if felt warranted by the particular circumstances of individual cases.

## **Candidates' Obligations**

Candidates should note that canvassing will disqualify and will result in their exclusion from the process.

### 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

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, 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.

## **Admission without liability**

The admission of a person to a competition is not to be taken as implying that the Public Appointments Service is satisfied that such person fulfils the requirements of the competition or is not disqualified by law from holding 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.

## **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.

## **Data Protection Act**

When your application form is received, we create a computer record in your name that contains much of the personal information you have supplied. This personal record is used solely in processing your candidature

and is updated as the competition progresses.

Such information held on computer is subject to the rights and obligations set out in the Data Protection Act, 1988 & 2003. You are entitled under this Act to obtain a copy of information about you that is kept on computer at any time. The Public Appointments Service charge a fee of €6.35 for each request. You should enclose a cheque or postal order and address your request to: *The Data Protection Coordinator, Public Appointments Service, "Chapter House", 26-30 Abbey Street Upper, Dublin 1.*

## **Appendix B:**

E109/156/06

4 May, 2007

A Dhuine Uasail,

I am directed by the Minister for Finance to announce details of a competition, to be run by the Public Appointments Service, to set up panels for interdepartmental promotion to Higher Executive Officer. The attached scheme of promotion to Higher Executive Officer has been discussed between the Official and Staff Sides. Officers interested in competing should study, in particular, the section on Selection Procedures (paragraph 14 of the Scheme).

### **General Council agreement on Decentralisation**

**1.1 Candidates attention is drawn to the agreement reached at General Council in February 2006 that all posts being filled from interdepartmental competitions will be existing regional posts or posts that will be decentralised. The agreement applies to appointments under the Scheme.**

**1.2 Candidates should note that where a post that would normally be due to be filled from the interdepartmental panel and is located in a Department/Office that is remaining in Dublin, it will be filled in accordance with separate arrangements agreed at General Council for the filling of such Dublin-based posts.**

**1.3 These separate arrangements provide that the first call in filling such a post will be to the Dublin Arrangements. In summary, where an officer relocates under the Dublin Arrangements, the panel liability will transfer to the donor Department/Office. The donor Department/Office**



**must, in the first instance, seek to fill the consequent vacancy through the Central Applications Facility (CAF). Where no officer is available on the CAF, the vacancy may be filled from the Interdepartmental Panel, with a decentralisation commitment.**

### **The Scheme**

2.1 Eligible officers (for eligibility criteria see paragraphs 7-12 of the Scheme below) who are interested in participating in the competition should familiarise themselves with the Scheme, which sets out the key features of the competition, including:

- the scope and application of the Scheme itself,
- the nature of work at Higher Executive Officer level,
- eligibility conditions and
- selection and appointment procedures.

2.2 The HEO competition will be a two-stage competition which will assess the appropriate competencies identified as being relevant to effective performance in the HEO role (see Appendix 1).

2.3. Test Familiarisation material will be available on [www.publicjobs.ie](http://www.publicjobs.ie) in advance of the test date.

### **Duration of Panels**

3. The panels formed under the terms of this circular will become valid on **1 October, 2007**.

4. The validity period of the panels set up under the terms of this circular will extend to **31 March 2009** or until the exhaustion of the panels, whichever is the earlier. Candidates who have not been promoted at the expiry of the relevant panel will have no claim to promotion thereafter because of having been on the panel.

### **Applications**

5. Applications must be made on the official application form which will be available on the Public Appointments Service website [www.publicjobs.ie](http://www.publicjobs.ie) on **Thursday the 10th of May, 2007**. In the event of difficulties in applying online please contact Anne Molloy at 01-8587471. Completed forms must be submitted so as to reach the Office of the Public Appointments Service **not later than Thursday 24th May, 2007**. This closing date must be strictly observed. An applicant who has not heard from the Public Appointments Service by **Wednesday 13th June, 2007** should contact that office immediately.

### **Health and Sick Leave**

6.1 Candidates should note that (i) eligibility for the competitions and (ii) health and the level of sick leave are not verified by the Public Appointments Service until a candidate comes under consideration for appointment. Admission to the assessment process does not imply acceptance by the Public Appointments Service that a candidate is eligible to compete in the competition.

6.2 In considering a successful candidate's suitability for appointment in terms of health and sick leave, the Public Appointments Service will have regard to Department of the Public Service Circular 34/76 (as amended by Department of Finance Circulars 32/91, 33/99 and 17/03). Candidates with doubts about any aspect of their eligibility should clarify their position with their Personnel Section before applying.

### **Codes of Practice**

7.1 The recruitment and selection process for appointment to this position will be conducted in accordance with the Code of Practice titled Selection of Persons for Appointment on Promotion to Positions in the Civil Service (No. 02/04) published by the Commission for Public Service Appointments (CPSA).

The CPSA Code of Practice reflects the following core principles:

- Probity;
  - Appointments Made on Merit;
  - An Appointments Process in Line with Best Practice;
  - A Fair Appointments Process Applied with Consistency;
  - Appointments Made in an Open, Accountable and Transparent Manner.
- Candidates are advised to familiarise themselves with the contents of the CPSA Code of Practice including, inter alia, the provisions in relation to the responsibilities placed on candidates who participate in the recruitment and selection process.

7.2 The CPSA Code of Practice may be accessed by visiting [www.cpsa-online.ie](http://www.cpsa-online.ie) or by contacting directly the Commission for Public Service Appointments, Chapter House, 26-30 Upper Abbey Street, Dublin 1.

### **Complaints and Requests for Review:**

8.1 Complaints/requests for review will be considered by the Public Appointments Service in accordance with the procedures set out in the CPSA Code of Practice.

8.2 Candidates' Rights and Review Procedures in relation to the Selection Process are set out at Appendix 2.

### **Circulation and further information**

9.1 Personnel Sections should bring this circular to the notice of all eligible officers serving in their Departments and associated Offices without delay including eligible fixed term workers, officers on term time, secondment, maternity leave, career break and any other relevant forms of leave.

9.2 If candidates have any queries about this circular, they should contact their Personnel Section. Subsequent enquiries about their candidature should be addressed to the Public Appointments Service.

9.3. The Civil Service is an equal opportunities employer. Promotion within the Civil Service is made on the basis of qualifications and the ability to carry out the responsibilities of the grade or post.

### **Electronic Copies of Circular**

10. This Circular is also available on the Department's web-site at <http://www.finance.gov.ie>.

Mise le meas,

Michael Errity  
Assistant Secretary

### **Scheme of interdepartmental promotion to posts at Higher Executive Officer level in the Civil Service**

#### **Definitions**

1.1 A "Department" includes any office such as the Office of Public Works or the Central Statistics Office which is normally treated as a separate nominating unit for interdepartmental competitions. It also includes FÁS.

A "provincial location" means a location outside of Dublin.

A "vacancy to be filled" only arises in respect of posts which are to be filled by promotion. It includes newly created posts, along with vacancies in existing posts in the grades and departments/bodies listed below:

- (a) All Departments: Higher Executive Officer.
- (b) Office of the Houses of the Oireachtas: Senior Clerk.
- (c) FÁS: Higher Executive Officer.

Posts which have traditionally been filled by special interdepartmental

competition shall not reckon as vacancies for the purposes of this scheme.

## **SCOPE AND APPLICATION OF THE SCHEME**

### **Filling posts at Higher Executive Officer level in the Civil Service**

2.1 Under the agreement with the PSEU on filling posts at Higher Executive Officer level in the Civil Service and in accordance with the provisions of "Sustaining Progress", 50% of all promotions are made from Departmental selection processes. The remaining 50% is divided between Interdepartmental appointments and Open Recruitment as set out at 2.4 below. The first appointment in each Department/Office will be a Departmental appointment.

### **"Sustaining Progress" – improvements in promotion systems**

2.2 In keeping with the commitment to improving promotion systems in the Civil Service, Section 22 - Delivering Quality Public Services of "Sustaining Progress" (paragraph 22.17(ii)) provides that:

*"The proportion of posts filled under mobility provisions of interdepartmental promotion competitions will be increased from 33.3% to 40% from the beginning of the next competitions to be held under the existing arrangements for interdepartmental promotion schemes. This proportion will be increased to 50% from the date equating to the commencement of the next subsequent competition for promotion to Principal level."*

2.3 The holding of this competition thus gives effect to the revised proportion of promotions to HEO level.

### **Towards 2016 – Open Recruitment**

2.4 A commitment exists in Chapter IX - Public Service Modernisation (Part 2) of "Towards 2016" in relation to open recruitment. Paragraph 29.3 (b) of Section 29 – The Civil Service provides that:

*"The Civil Service may recruit by open competition in any year: 1 in 6 of all vacancies at Higher Executive Officer and equivalent grades, including equivalent professional and technical grades"*

It was agreed between the parties to the Agreement that where vacancies are filled by open competition under this provision, Departments and Offices will reduce their liabilities to the corresponding interdepartmental panel and

this arrangement is reflected in the sequences set out at 5.3 below.

### **Specialised requirements in general service posts**

2.5 "Towards 2016" also provides that where there is such specialised skills recruitment, there will be discussions between the parties.

### **Posts to be filled under the Scheme:**

#### **Candidates should note the arrangements as set out under the General Council Agreement on Decentralisation – Paragraphs 1.1 to 1.3 of the Circular refer.**

3.1 Appointments to the following posts are covered by the Scheme

(a) Every second vacancy in the grade of Higher Executive Officer to be filled in

all Departments/Offices except the Property Registration Authority (but see (d) below).

(b) Every second vacancy in the grade of Senior Clerk to be filled in the Office of the Houses of the Oireachtas.

(c) Vacancies in the grade of Higher Executive Officer to be filled in Departments/Offices having an import quota; the number of vacancies to be filled in this manner will be determined by reference to the import quota assigned to individual Departments/Offices (see paragraphs 4.1 to 4.3 of the Scheme).

(d) The non-specialist Higher Executive Officer post to be filled in the Property Registration Authority.

(e) One vacancy in the grade of Higher Executive Officer to be filled in FÁS for each officer serving in FÁS who is appointed under the terms of this scheme.

3.2 Where a post is filled by special interdepartmental competition, provided for under paragraph 22.2 below, it will be regarded as fulfilling the requirements to fill posts by interdepartmental competitions.

3.3 To give effect to open recruitment provisions in "Towards 2016", the Public Appointments Service will operate the following sequence in assigning candidates to Higher Executive Officer posts from the panels set up under the Scheme and from open recruitment competitions:

- 1) Interdepartmental panel
- 2) Interdepartmental panel
- 3) Open Recruitment

3.4 Candidates should note that while the overall sequence is 1 in 6 of all vacancies this sequence applies to only 50% of vacancies i.e. the interdepartmental proportion. This results in the sequence of 1 in 3 as set out above. The sequence repeats as required.

3.5 Where an appointment is made requiring specialised skills, as at paragraph 2.5 above, it will substitute for an open recruitment appointment in the above sequence.

### **Posts excluded from the competition and departures from sequences**

Departments/Offices will only be allowed to depart from the agreed sequences in the following circumstances.

#### **Certain CAF Transfers**

3.6 Agreement was reached at General Council whereby individuals who had been in receipt of allowances for 'acting up' to higher duties for two years or more may, in certain circumstances, be promoted in the parent Department and transfer in that grade. Such a promotion may occur where there is an unfilled CAF vacancy in the acting grade, in the receiving Department and location in question.

In such circumstances the Departments/Offices involved may make a promotion on the basis that any resulting liability to the Interdepartmental Panel must be discharged at the earliest opportunity. This would normally be within the lifetime of the current panel, however a portion of the liability may exceptionally be carried over to the following panel where the Department/Office concerned has obtained the sanction of the Department of Finance, on the basis that it will be able to discharge this liability in full in the course of the next panel (e.g. as a result of anticipated retirements).

#### **Agreement in respect of the filling of certain "Higher Duties – Acting-Up" posts**

3.7 The attention of candidates is also drawn to an agreement whereby certain posts which are currently filled on "Higher Duties – Acting-Up" basis are identified as promotional posts and are to be filled by promotion. The posts in question are in the grade of Higher Executive Officer and equivalent grades and are currently occupied by officers in receipt of allowances for 'acting up' on higher duties. The posts covered under this provision will be identified by Departments/Offices and will be decided, on case by case basis, by the Department of Finance. The Department of Finance will write separately to Departments/Offices on this matter. Where

such promotions are made, they will be ignored for purposes of determining the sequence of promotions and of calculating quotas under the "Import/Export" element of the Scheme.

### **Panels established under the scheme**

4.1 An interdepartmental competition will be held to fill all vacancies within the meaning of the Scheme. Two panels of qualified candidates placed in order of merit will be set up as follows:

**Panel B:** This will be the main panel; it will be formed from among all qualified candidates. The panel will be drawn from in order of merit to fill posts under paragraphs 3.1 (a), (b), (d) and (e).

**Panel A:** This panel will be formed from among all qualified candidates on Panel B and who are Executive Officers whose parent Departments/Offices (when they apply for the competition) are assigned an export quota (see paragraphs 5.1 to 5.3). The number of candidates on this panel from any Department/Office will not exceed four times that Department's/Office's export quota. The panel will be drawn from in order of merit to fill every post falling to be filled under paragraph 3.1(c). Appointments will be made from the panels strictly in accordance with the order in which vacancies fall to be filled.

4.2 The sequence for filling posts in the Higher Executive Officer grade in each

Department/Office (apart from posts to be filled under the "Import/Export" arrangements)

will be as follows:

Internal, Non-Internal

4.3 However, where a Department/Office is assigned an "Export" quota of two or more they

will substitute internal promotions to a number equal to the "Export" quota for appointments which would otherwise have been filled from Panel "B" on the basis that every second post which would otherwise have been filled from Panel "B" is filled by internal promotion.

As an example, in the case of a Department/Office with an "Export" quota of two, the sequence for filling posts would be as follows:

Internal, Non-Internal,

Internal, Internal (first Non-Internal substitute),

Internal, Non-Internal,

Internal, Non-Internal,

Internal, Internal (second Non-Internal substitute),

Internal, Non-Internal.

4.4 A Higher Executive Officer post that is filled in a Department/Office from an open competition held under the terms set out in 'Towards 2016', shall reckon as having fulfilled the Department's liability to fill a post which would otherwise have been filled from either panel "A" or panel "B".

4.5 Candidates who are deemed to be qualified for appointment will be required to specify the provincial locations, where they would be prepared to serve, on a form to be supplied by the Public Appointments Service. Candidates placed on the panels will be offered appointments to provincial locations so specified, should appointments in those locations arise. Candidates on the panels will not be offered appointments to provincial locations which they have not specified. However, should an appointment arise in a location which has not been listed on the form supplied by the Public Appointments Service, it will be offered, in order of merit, to officers on the panels and will not affect the position regarding refusals of appointments as set out in paragraph 18.3 below. Candidates can be given no assurances that even one appointment to any particular location will be available.

4.6 Where a vacancy falls to be filled from both Panel A and Panel B, it will be filled from Panel A, thereby also discharging the liability to Panel B.

4.7 Where Panel A is exhausted before all import quotas have been satisfied, any subsequent Panel A liabilities will be met by appointment of candidates from exporting Departments/Offices placed on Panel B but excluded from Panel A due to the export quota limitation set out in paragraph 4.1 above. If no such candidates remain on Panel B at that stage, Panel A liabilities will be met by appointment of candidates from Panel B in order of merit.

4.8 Where a post cannot be filled from a panel on grounds of grade or because it is in FÁS (see paragraphs 18.1 to 18.6), it may then be filled internally in the Department/Office concerned and this will be deemed to satisfy that Department's/Office's obligation to the interdepartmental panel in that instance. If, however, a post in a provincial location cannot be filled from a panel on grounds of geographic location and it cannot subsequently be filled under the provisions of paragraph 18.5(b) below, it may then be filled internally in the Department/Office concerned but that Department/Office will carry a debt forward, for that particular location, to the next equivalent panel established under this scheme. The next vacancy to be filled that arises in that particular location in the Department/Office concerned during the life of the subsequent panel will be due to be filled from the panel; if it cannot be filled in this manner, the debt will lapse. If a post in Dublin cannot be filled from a panel on grounds of geographic



location it may then be filled internally in the Department/Office concerned but that Department/Office will carry a debt forward, for Dublin, to the next equivalent panel established under this scheme. The next vacancy to be filled that arises in Dublin in that Department/Office during the life of the subsequent panel will be due to be filled from the panel.

4.9 An Executive Officer promoted to Higher Executive Officer under Department of Finance Circular 30/65 or any later circular containing similar provisions governing the return of an officer to fill a post of Higher Executive Officer in his/her parent Department/Office, will, on his/her return to such Department/Office, be regarded as filling the next vacancy which would normally be due to be filled from Panel B.

### **Import/Export quotas**

5.1 Departments/Offices will be assigned (and informed of) an import/export quota based on promotion trends to Higher Executive Officer. In determining these quotas, all Executive Officer to Higher Executive Officer promotions (including promotions to HEO/Systems Analyst) will be counted. The Property Registration Authority, the Office of the Houses of the Oireachtas and FÁS will not be assigned an import/export quota.

5.2 Import/export quotas are calculated on an annual basis. Departments/Offices which in the preceding period of three years had more or less than the average number of promotions to HEO (calculated by multiplying the annual average of eligible officers in each Department/Office by the ratio which the number of promotions to the grade service-wide bore to the number of eligible officers service-wide) will be assigned import or export quotas respectively, the satisfaction of which will make good the departures from the average. Quotas of less than 0.5 will be disregarded and other quotas will be rounded to the nearest whole number.

5.3 Where a Department/Office has been divided or amalgamated during the three-year period referred to in paragraph 5.2 above, that Department's/Office's quota will relate to the functional area for which it is now responsible. The quota will be calculated by reference to the numbers of eligible officers and promotions in the individual branch/division involved in the interdepartmental reorganisation.

### **Debts to the Higher Executive Officer panel**

6.1 Departments/Offices should note that all debts to the Higher Executive Officer panel must be met by Departments prior to the introduction of the new sequence of promotion.

## **Shortfalls arising in posts listed on CAF**

6.2 Posts listed on CAF that have not been filled through normal CAF procedures may be offered, by agreement with the PSEU, in order of merit to candidates on the panel set up under this competition.

### **Eligibility**

7. Candidates must:

(a) on the date they apply for the competition, be serving in an established, un-established or acting capacity in the civil service as:

- Executive Officer in the Civil Service or
- Junior Clerk in the Office of the Houses of the Oireachtas or
- Executive Officer on secondment to FÁS from the Civil Service;

and

(b) on **24th of May, 2007** have not less than two years' service in their existing grade or an aggregate of two years' service in eligible grades set out at (a).

8. Where an officer was acting or on contract in an eligible grade, and was thereafter appointed in a substantive capacity, eligibility can be based on the aggregate service e.g. six months in an acting capacity or on contract and eighteen months in a substantive capacity, can be aggregated to give two years service. For the purpose of deciding eligibility, officers must be serving on the eligibility date and the one year of continuous service must have taken place immediately prior to the eligibility date of the competition in question.

9. Officers on special leave with pay may apply, if otherwise eligible. Officers on special leave without pay (e.g. to serve with the EU) may be eligible; Personnel Sections should check cases not covered by Department of Finance Circular 33/91 with this Department. Officers on career break may apply if their career break conforms to terms of Department of Finance Circular 18/98 and if they are otherwise eligible.

10. The eligibility of any particular grade or group for appointment to any grade under the competition held under this scheme applies exclusively in the context of the scheme.

11. Eligibility to compete, health and level of sick leave, are not verified by the Public Appointments Service until a candidate comes under consideration for appointment after Stage 2. Therefore, admission to the competition and placement on a panel does not imply that a candidate meets the health and sick leave criteria. In considering a candidate's suitability for appointment in terms of health and sick leave, the Public Appointments

Service will have regard to the Department of the Public Service Circular 34/76, as amended by Department of Finance Circulars 32/91, 33/99 and 17/03. Candidates with doubts about any aspect of their eligibility should clarify their position with their Personnel Section before applying.

12. The Public Appointments Service will contact Personnel Sections in respect of candidates being called to Stage 2 of the competition (competitive interview, work simulation exercise or another method of assessment). In respect of Candidates called to this stage, Personnel Officers should certify that they are suitable for consideration with regard to:

- eligibility - Personnel Officers should verify that a candidate is serving in one of the eligible grades set out in Paragraph 7 (a) above.
- performance of work in the present grade –
  - Personnel Officers should verify that the candidate has received an annual review rating of at least grade 3 under the Integrated PMDS model (agreed in General Council Report 1452).
  - Where a Department/Office has not yet completed the familiarisation period provided for in General Council Report 1452, the Personnel Officer should confirm that the candidate's line manager is prepared to certify that the candidate has attained a performance standard at least equivalent to PMDS level 3.
- general conduct,
- suitability for promotion,
- health, especially sick leave (see paragraph 11 above)

### **Placement on Panels**

13. A candidate will not be placed on a panel where:

- a) s/he is suspended, has resigned, has retired or has been dismissed from his or her post or
- b) S/he has been found not qualified by the selection board as being suitable for promotion to Higher Executive Officer level.

### **Selection Process**

14. Selection will be by means of a 2 Stage process as set out below.

**Stage 1:** Candidates will sit Stage 1 during a half day testing session. This stage will take place in Dublin on **Wednesday 20th June, 2007** and in

provincial locations week commencing **25th June 2007**. Candidates will be required to complete a numerical reasoning test, a verbal reasoning test and a job scenarios exercise. The first two tests involve analysis and interpretation of information and the third exercise measures decision making, managing individuals and teams and interpersonal skills.

Test Familiarisation material will be available on [www.publicjobs.ie](http://www.publicjobs.ie) from **Thursday 31st May 2007**. Candidates are advised to read this material in advance of attending Stage 1 tests.

Only candidates who reach a satisfactory standard on the three exercises will be invited to Stage 2. Candidates' order of merit at Stage 1 will be based on their performance on the verbal reasoning test and job scenarios exercise. The numerical reasoning test serves as a qualifying test.

**Stage 2**, which will commence in **September 2007**, will involve a competitive interview, work simulation exercise or another method of assessment.

Further details of the format and structure of the different stages of the competition will be issued to candidates, where appropriate, in advance.

### **Credit for Proficiency in both Irish and English**

15.1 Credit for proficiency in Irish and English will be given in accordance with

Department of the Public Service Circular 43/75 and Department of Finance Circular 30/90.

15.2 In placing candidates in the order of merit, credit due under the above Circulars will apply only to those candidates who are successful at Stage 2 of the competition.

### **Conditions of Appointment**

#### **Decentralisation Regional Posts:**

16.1 In Budget 2004, the Government announced a major programme of decentralisation of Government Departments and other agencies from Dublin to locations around Ireland. In a decentralised civil and public service, offers of employment may be conditional on the appointee undertaking to work in a particular decentralised location where required to do so by the appointing Department.

16.2 Where an offer of appointment is to a post in a Department/Office that is planned to be decentralised, or to an existing provincial location, such offers of appointment will be made on condition that appointees are

prepared to relocate to a particular location with the appointing Department/Office. In such cases, appointees will be required to sign an undertaking on taking up duty that they are prepared to relocate to a particular location as required to do so by the appointing Department/Office.

16.3 Appointees will be required to serve a minimum period of 2 years in a decentralised location before they would be eligible for a transfer to another location and they will be required to sign an undertaking on appointment to this effect.

16.4 Where the appointee is required to serve a period of less than or equal to 2 years in Dublin prior to decentralisation, the total period, including the period in the decentralised location, before being eligible for transfer to another location would be the period served in Dublin plus 2 years in the decentralised location.

16.5 Where the appointee is required to serve a period of greater than two years in Dublin prior to decentralisation, the maximum total period, including the period in a decentralised location, before being eligible for transfer to another location, would be four years.

16.6 Candidates who do not accept an offer of appointment on this basis will remain on the panel for consideration for further offer(s) of appointment, should these arise. However, it should be noted that any further offer(s) of appointment will also be made on condition of the candidate's undertaking that they are prepared to work in a particular decentralised location. However they will not receive further offers of appointment to a location which they have previously turned down.

### **General Council Agreement on Decentralisation – Dublin Arrangements**

**16.7 Candidates attention is drawn to the agreement reached at General Council in February 2006 that all posts being filled from interdepartmental competitions will be existing regional posts or posts that will be decentralised. The agreement applies to appointments under the Scheme.**

**16.8 Candidates should note that where a post that would normally be due to be filled from the interdepartmental panel and is located in a Department/Office that is remaining in Dublin, it will be filled in accordance with separate arrangements agreed at General Council for the filling of such Dublin-based posts.**

**16.9 These separate arrangements provide that the first call in filling**

**such a post will be to the Dublin Arrangements. In summary, where an officer relocates under the Dublin Arrangements, the panel liability will transfer to the donor Department/Office. The donor Department/Office must, in the first instance, seek to fill the consequent vacancy through the Central Applications Facility (CAF). Where no officer is available on the CAF, the vacancy may be filled from the Interdepartmental Panel, with a decentralisation commitment.**

### **Removal expenses**

16.10 Candidates should note removal expenses will not apply to any appointment arising from this competition.

### **Offers of appointment**

16.11 Offers of appointment will be made from the panels in order of merit. An officer will have a maximum of five working days after receipt of an offer to accept or reject it.

16.12 Officers not promoted at the expiry of the panels will have no claim to promotion thereafter because of their having been on the panels. In the event of reversion, an officer will return to fill a vacancy in the grade previously held in the parent Department/Office just prior to promotion. The next person on the relevant panel will be appointed to the vacancy thus created, without affecting the sequence of appointments in that Department/Office provided the reversion occurred before the expiry of the relevant panel.

16.13 Officers on the panels will continue to be eligible for promotion in the normal course in their own Department/Office but in the event of any such officer accepting an offer of appointment made in the normal course or under the scheme or to a grade covered by the scheme he or she will no longer be offered appointment to posts at or below that level under the Scheme.

### **Appointment on probation**

16.14 Appointments will be in an acting capacity for a period of at least one year subject to the conditions governing promotion as set out in the Department of Finance Guidelines on Probation (Circular 14/2006). On appointment, officers will serve a one year probationary period in the grade of Higher Executive Officer. At the end of this period, a decision will be made on substantive appointment to the grade. It is envisaged that such appointments will be subject to the PMDS procedures in relation to performance monitoring and to probationary reviews. During the probationary period, the appointee will be assessed to determine whether s/he:

- has demonstrated the capacity to undertake the duties of Higher Executive Officer, and
- has performed the duties in a satisfactory manner, and
- has been satisfactory in general conduct.

16.15 An officer whose service is not satisfactory will be notified of the action to be taken.

16.16 Where a decision is made not to confirm an appointee in the new grade, the Personnel Officer may be asked by the appointee to request that the Civil Service Disciplinary Code Appeal Board review the decision. Ref. Circular 14/2006 Civil Service Disciplinary Code paragraphs 11 and 50 (ii).

16.17 In the event of reversion an officer will, where practicable, return to fill a vacancy in the grade and Department/Office in which he or she served prior to promotion. The vacancy thus created will be filled again under the terms of the Scheme without affecting the sequence of appointments in that Department/Office provided the reversion occurred before the expiry of the panel. Any extra payment arising from the assignment would then cease.

### **Knowledge of Irish**

17. It is recognised that the performance of duties in the Department of Education and Science, the Department of Community, Rural and Gaeltacht Affairs and the Public Appointments Service through the medium of Irish could require certain competencies. Those Departments may therefore, as an exceptional arrangement, satisfy themselves as to the competence of any candidate due to be assigned to them to undertake such duties through the medium of Irish. If further appraisal of such competence is sought, it will be assessed by the Public Appointments Service by means of a special test. An officer found not to be qualified for appointment because of the Irish language competency requirement will retain his/her place on the relevant panel. If on expiry of that panel the officer has not been promoted and it is established that he or she would have been promoted from the panel but for the special Irish language competency requirement, then that officer will be offered the first appointment falling to be filled from the next equivalent panel set up under this scheme to which this competency does not apply.

### **Refusal of appointments**

18.1 Appointments will be offered, in order of merit, to officers on the panels set up as a result of the interdepartmental competition. An officer may refuse an appointment on grounds of grade, geographic location or that the appointment is to a post in FÁS.

18.2 An officer who refuses appointment on grounds of the grade offered

will not be offered an appointment to that grade again but will remain on the panel for appointments to other grades.

18.3 An officer who refuses an offer of appointment on grounds of geographic location will not subsequently be offered an appointment to the same location but will remain eligible for appointment to such other locations as he or she has specified should appointments arise in those locations. Candidates are advised that when specifying provincial locations (if any), as provided for at paragraph 4.5 above, they should list only those locations in which they are prepared to serve.

18.4 An officer who refuses an appointment in FÁS will not be offered another appointment in that body but will remain on the panel for other appointments.

18.5 An appointment refused under the provisions of paragraph 18.1 above will be offered successively in order of merit to the remaining candidates on the appropriate panel until the post is filled. If the appropriate panel is Panel A and if no candidate accepts the position, it will be offered to those candidates from exporting Departments/Offices placed on Panel B but excluded from Panel A because of the export quota limitation referred to in paragraph 4.1 above. If there are no candidates from exporting Departments/Offices remaining on Panel B or if none of them accept the position, the appointment will be offered in order of merit to those remaining on Panel B. In the event that the post cannot be filled in this way and,

(a) the appointment has been refused on grounds of grade or because it is in FÁS, it will be filled by internal promotion in the Department/Office concerned and that Department/Office will be deemed to have satisfied its interdepartmental panel liabilities in respect of the vacancy in question,

(b) the appointment is to a provincial location and has been refused on grounds of geographic location, it may be filled internally in the Department/Office concerned but that Department/Office will carry a debt forward, for that particular location, to the next equivalent panel established under this scheme. The next vacancy that arises in that particular location in the Department/Office concerned during the life of the subsequent panel will be due to be filled from the panel; if it cannot be filled in this manner, the debt will lapse, and

(c) the appointment is to Dublin and has been refused on grounds of geographic location, it will be filled by internal promotion in the Department/Office concerned but that Department/Office will carry a debt forward, for Dublin, to the next equivalent panel established



under this scheme. The next vacancy to be filled that arises in Dublin in the Department/Office concerned during the life of the subsequent panel will be due to be filled from the panel.

18.6 An officer who refuses an offer of appointment under the provisions of paragraph 18.1 and who has not been promoted at the expiry of the relevant panel will have no claim to promotion thereafter because of having been on the panel.

### **Performance appraisal**

19. For each candidate called to competitive interview and oral presentation, the Personnel Officer will give the Public Appointments Service an assessment of the candidate's suitability for promotion on a form supplied by the Public Appointments Service.

- In accordance with General Council Agreement 1452, Personnel Officers should submit the last two PMDS Annual Reviews in the current grade as part of the documentation in support of his/her application. This will include both the rating and narrative assessment in the Annual Review form.
- Where a Department/Office has not yet completed the familiarisation period provided for in General Council Report 1452, the Personnel Officer should confirm that the candidate's line manager is prepared to certify that the candidate has attained a performance standard at least equivalent to PMDS level 3.

### **Career development and training**

20. An officer promoted from a departmental grade to a general service grade, or vice versa, under this scheme will have career development opportunities equivalent to other members of the grade. Subject to the demands of the job having priority, any desirable induction training (formal and on-the-job) should also be provided as soon as practicable.

### **Steering Committee**

21.1 A Steering Committee, representative of the Official and Staff Sides, will monitor the progress of the scheme with a view to resolving individual problems and addressing general issues which may arise in relation to its operation.

### **Information on Panels**

21.2 The information on the panel(s) formed as a result of this competition will be made available to Personnel Officers in all Departments/Offices and Careers and Appointments Section in the Department of Finance. In addition, candidates being invited to Stage 2 will be asked to agree to the same information being made available to the relevant civil service unions

for the purpose of monitoring the operation of the scheme.

### **Reservations**

22.1 The Minister for Finance reserves the right to suspend or modify the scheme in the event of redundancy which has to be dealt with on a general service-wide basis, or in the event of any future Government decisions.

22.2 The Minister for Finance also reserves the right to arrange for the filling, by separate interdepartmental competition or otherwise, of vacancies at Higher Executive Officer level for which special qualifications are deemed necessary or in respect of which other special circumstances exist. Before an interdepartmental competition is initiated in any case where special circumstances are deemed to exist, there shall be consultation between the Official and Staff Sides.

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Michael Errity  
Assistant Secretary  
May, 2007.

## **APPENDIX 1**

### **Competencies identified as being relevant to the HEO grade**

#### **1. Organising and Planning**

A Higher Executive Officer must structure and organise their own work effectively, in addition to planning and organising resources and people, in order to meet objectives within agreed time-scales. An effective Higher Executive Officer will accurately assess and prioritise plans, taking account of longer-term issues and business goals and will monitor progress against objectives, taking into account potential obstacles and reviewing plans where necessary.

#### **2. Commitment to Achieving Quality Results**

A Higher Executive Officer must demonstrate persistence, determination and commitment to achieving the objectives of the department/unit. It is important that a Higher Executive Officer takes responsibility and is accountable for the work produced on behalf of the department/unit and strives for quality results by monitoring progress against targets and ensuring standards are adhered to.

#### **3. Openness to Change**

**The effective Higher Executive Officer proactively identifies and**

**suggests areas for improvement and is enthusiastic about and strives to effectively implement new developments/changing work practices. A Higher Executive Officer must review own performance regularly and continuously seek to develop at a personal level. He/ she must also be open to modern technology and be aware of the impact it can have on work practices.**

#### 4. People Skills

An effective Higher Executive Officer must initiate and maintain good relations with people, displaying diplomacy and courtesy even in emotionally charged situations. It is important to monitor, encourage and develop each team member, treating everyone in a consistent and sensitive manner. Higher Executive Officers need to be customer-oriented and be able to promote and advance the aims of the department/unit. In dealing with others, it is important to be able to show that they are aware of the impact that issues/developments in the public sector will have on their own unit/department.

#### 5. Research, Analysis & Decision Making

An effective Higher Executive Officer seeks all relevant information to help overcome existing or potential problems, analyses and interprets information gathered and takes account of the critical factors including the 'bigger picture'. S/he puts forward practical and realistic recommendations to progress forward. It is important that a Higher Executive Officer makes decisions, utilising resources and expertise available to the maximum, whilst also recognising time constraints.

### **Appendix 2**

#### **Candidates' Rights - Review Procedures in relation to the Selection Process**

The Public Appointments Service will consider requests for review in accordance with the provisions of the codes of practice published by the CPSA. The Codes of Practice are available on the website of the [Commission for Public Service Appointments](#)

#### **Initial Review**

The candidate must address his/her concerns in relation to the process in writing, setting out the basis for the complaint being made, to the Chief Executive in the first instance. A complaint or request for review must be made within 10 working days of the notification of the initial decision or within 5 working days of the outcome of the informal review stage, if availed of. However, where the decision being conveyed relates to an

interim stage of a selection process, the candidate should be informed that a request for review must be received within 3 working days of the date of receipt of the decision or within 3 working days of receipt of a decision under the informal process; candidates electing to use the informal process at the interim stage must do so within 2 working days of communication of the decision to them. 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.

Upon receipt of the request for review, the Chief Executive should issue an acknowledgement within 3 working days.

The case should be reviewed by a person other than the individual who made the decision in question.

The person conducting the initial review (the "reviewer") should consider any written submissions made by the candidate, and all other relevant information, including any emails, notes or memoranda held by the Chief Executive in respect of the selection process. Where necessary, the reviewer should meet with the personnel of the Chief Executive involved in the selection process and/or the candidate for the purpose of eliciting further information. Subject to any statutory (or other relevant) restrictions on disclosure, the reviewer shall provide the candidate with any relevant and material emails, notes or memoranda held by the personnel of the Chief Executive in respect of the selection process, on request.

The outcome must be notified to the candidate within 20 working days of receipt of the complaint or request for review. Where the investigation does not allow a decision within this timeframe, the initial reviewer must keep the candidate informed of the status of the review and the reasons for the delay.

In communicating the outcome to the candidate, which will be done by means of written report, the initial reviewer should indicate that he/she may seek further review by referring the matter to the Decision Arbitrator and that a request to do so must be made with 7 working days of receipt of the outcome of the initial review.

### **Review by the Decision Arbitrator**

The Decision Arbitrator is appointed by the Chief Executive. This person is unconnected with the selection process and he/she will adjudicate on requests for review in cases where a candidate is not satisfied with the outcome of the initial review.

The request must be received within 7 working days of the notification of the outcome of the initial review. Upon receipt of the request for review, the

Decision Arbitrator should issue an acknowledgement within 3 working days.

The outcome of the investigation must be notified to the candidate in the form of a written report within 10 working days.

The decision of the Decision Arbitrator in relation to such matters is final. The Decision Arbitrator will make his/her decision on the basis of any written information available in respect of the matter, or written submissions made, and will not generally conduct interviews, although he/she may do so if felt warranted by the particular circumstances of individual cases.

### **Candidates' Obligations**

Candidates should note that canvassing will disqualify and will result in their exclusion from the process.

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

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, 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.

### **Admission without liability**

The admission of a person to a competition is not to be taken as implying that the Public Appointments Service is satisfied that such person fulfils the requirements of the competition or is not disqualified by law from holding 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.

### **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.

### **Data Protection Act**

When your application form is received, we create a computer record in your name that contains much of the personal information you have supplied. This personal record is used solely in processing your candidature and is updated as the competition progresses.

Such information held on computer is subject to the rights and obligations set out in the Data Protection Act, 1988 & 2003. You are entitled under this Act to obtain a copy of information about you that is kept on computer at any time. The Public Appointments Service charge a fee of €6.35 for each request. You should enclose a cheque or postal order and address your request to:

**The Data Protection Co-ordinator,  
Public Appointments Service,  
"Chapter House",  
26-30 Abbey Street,  
Upper,  
Dublin 1**

Agreed Report - This report was adopted on 26 September 2007

26 September 2007