



An Roinn Airgeadais
Department of Finance

E100/5/01

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Circular 43/2001: Confined competition for appointment to the post of Director of Operations, at Principal (higher scale) level, in the Irish Prison Service, Department of Justice, Equality and Law Reform

A Dhuine Uasail,

1. I am directed by the Minister for Finance to say that it is proposed to hold a confined competition to be run by the Civil Service Commission for appointment to the post of Director of Operations in the Irish Prison Service, Department of Justice, Equality and Law Reform. The post is at Principal (higher scale) level, and may be competed for by Assistant Principals, Principals and Prison Governors (see paragraph 8 for full details of eligible grades).

Background

2. The Prison Service is currently part of the Department of Justice, Equality and Law Reform. However, legislation is being prepared to establish it as an independent executive agency. Under the legislation, the Service will have responsibility for day-to-day management of the State's prisons, including responsibility for prison services, finance and staffing.

3. The Prison Service is headed by a Director General who was appointed in July 1999 as part of the process of transition to agency status. The Director General has day-to-day responsibility for the operation of the Prison Service pursuant to an Order made under the Public Service Management Act, 1997. Once the Prison Service is established as an executive agency, the Director General will report to a non-executive Prison Board to be established under the legislation. Pending enactment of the legislation, the Minister for Justice, Equality and Law Reform has appointed a Prisons Authority Interim Board.

4. The Director of Operations will be one of five Directors in the new Prison Service. The appointee will be based at the Prison Service Headquarters and report directly to the Director General. The headquarters of the Service is currently located in St. Stephen's Green House, Earlsfort Terrace, Dublin 2, but will relocate to Monastery Road, Clondalkin, Dublin 22 on a phased basis commencing in November 2001.

TO ALL DEPARTMENTS

[For Department, read Department/Office throughout this Circular.]

5. The Prison Service has a budget of approximately £200m (Euro 253.95m) and comprises more than 3,000 staff in 17 institutions throughout the country as well as some 75 headquarters staff. All staff in the institutions and almost all headquarters posts will transfer to the new independent Prison Service. The new Service will be strengthened by the appointment of 60 additional headquarters staff.

Nature of work

6. The Director of Operations will be a key member of the senior management team in the Prison Service and will be expected to contribute actively to the successful achievement of the Service's strategic targets. The Director will have lead responsibility in relation to the custody of prisoners and the maintenance of good order and control across the prison system. The successful candidate will work closely with the Director of Regimes and prison-based services, ensuring that the custodial function is managed in a way which contributes to and supports the development of positive prison regimes.

Specifically, the successful candidate will be responsible for:

- Ensuring that each offender committed by the courts is detained in accordance with law, held in suitably secure and safe custody and is treated with justice, dignity and respect.
- Formulating and overseeing on a day to day basis the implementation of security, good order, control and release policies.
- Maintaining, in co-operation with the Director of Regimes, the right balance between custody, control, care and opportunity for offenders and ensuring that prisoners are facilitated in making positive use of opportunities for rehabilitation.
- Co-ordinating the preparation and testing of contingency plans at each institution to deal with emergency situations and ensuring thorough investigation of all significant incidents.
- Other duties and responsibilities relating to the management of the Prison Service as may be assigned from time to time by the Director General.

Personal requirements

7. The successful candidate will possess the following essential requirements:

- Substantial senior management experience, involving a significant level of personal responsibility.
- Proven leadership, people management, judgment and decision-making skills.
- Proven ability to adopt strategic approaches (both generally and in solving logistical and other problems) and be a driver of significant organisational change and development.
- Excellent interpersonal, communication and presentation skills.

Eligibility

8. Candidates must,

(a) on the date they apply for the competition, be serving in an established capacity in the Civil Service in one of the following grades;

- Assistant Principal (standard scale),
- Assistant Principal (higher scale),
- Principal (standard scale),
- Principal (higher scale),
- a departmental grade listed in Appendix 1 to this circular,
- Assistant Regional Director or Regional Director on secondment to FÁS from the Civil Service,
- Prison Governor, Classes I, II and III,

AND

(b) on 1 October 2001, those candidates who are serving in an established capacity at Assistant Principal level must have not less than three years' service in their existing grade or an aggregate of three years' service in eligible grades. In this context credit is given for all job-sharing service on the same basis as full-time service.

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 individual cases with this Department if they are not covered by Department of Finance Circular 33/91.

10. Officers on career break may apply if the terms of their career break conform with the provisions of Department of Finance Circular 18/98 and if they are otherwise eligible.

11. A candidate who resigns, retires or is dismissed from his or her post will cease to be eligible for appointment from this competition.

Conditions of appointment

12. The appointment will be at Principal (higher scale) level. The salary scale for Principal (higher scale), effective from 1 April 2001, is:
£47,708 - £49,676 - £51,649 - £53,617 - £55,299 - £57,070 (after three years' satisfactory service at the maximum) - £58,840 (after six years' satisfactory service at the maximum).

In addition, an allowance of £4,154 per annum will be payable.

13. If the successful candidate is a Prison Governor, then the appointment, superannuation and retirement arrangements set out in Appendix 2 to this Circular will apply to that person.

14. The appointment will be subject to the usual conditions governing such appointments. If the appointment is a promotion then it will be in an acting capacity in the first instance. An officer whose service is not satisfactory, or who opts not to remain in the post, may, at any time up to the end of one year, be returned to his or her former Department or duties. Any extra payment arising from the assignment would then cease.

The competition

15. Selection will be by competitive interview conducted by the Civil Service Commission. The interview board may, having examined the applications of all candidates by reference to the nature of the duties and the personal requirements described in paragraphs 6 and 7 above, decide that not all of the candidates will be invited to attend before the board for interview. In addition, the board may, at its discretion, require candidates to undergo a preliminary interview and invite only those who reach the requisite standard to attend for competitive interview, which will select the candidate best qualified for appointment. The interview(s) will be conducted by a board to be set up by the Commission. **It is planned to hold interviews towards the end of October 2001.** The onus is on candidates to make themselves available for interview at short notice. Requests for postponements will not be considered.

16. In determining the order of merit at the competitive interview, the Civil Service Commission will give credit for proficiency in both Irish and English in accordance with Department of the Public Service Circular 43/75 and Department of Finance Circular 30/90 and any other instruction to candidates qualified for the award of such credit on or before the date of the interview, or such other date as may be agreed between the Department of Finance and the Association of Higher Civil and Public Servants.

Applications

17. Candidates should obtain their application forms from their own Personnel Section. The Civil Service Commission will supply application forms to Personnel Sections on request. Candidates should return their completed application forms directly to the **Chief Executive Officer, Civil Service Commission, 1 Lower Grand Canal Street, Dublin 2**, to arrive not later than **5.30 p.m. on Wednesday 17 October 2001**. This closing date must be strictly observed.

18. The Civil Service Commission will contact Personnel Sections in respect of candidates being called to competitive interview. For each such candidate the Personnel Officer will be required:

(i) to certify that he or she

- has worked well and been satisfactory in his/her present grade,
 - has been satisfactory in general conduct,
 - fulfills the conditions of eligibility set out in paragraphs 8-11 above.
- and

(ii) to send to the Commission an assessment of the candidate's suitability for

- appointment to the post applied for, and
- promotion if appropriate.

on a form to be supplied by the Commission.

19. Eligibility to compete, and health and the level of sick leave, are not verified by the Commission until a candidate comes under consideration for appointment. So admission to the competition 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 Commission will have regard to Department of the Public Service Circular 34/76, as amended by Department of Finance Circulars 32/91 and 33/99. Candidates with doubts about any aspect of their eligibility should clarify their position with their Personnel Section before applying.

Circulation

20. Personnel Sections should bring this Circular to the notice of all eligible officers serving in their Departments and associated Offices without delay, including eligible officers on maternity leave, career break or other relevant forms of leave (see paragraphs 9 and 10 above).

21. If candidates have any queries about this Circular they should contact their Personnel Section. Subsequent enquiries about their candidature should be addressed directly to the Civil Service Commission.

Mise le meas,

Joe McGovern
Assistant Secretary

APPENDIX 1

DEPARTMENTAL GRADES ELIGIBLE TO COMPETE

Office of the Comptroller and Auditor General

Senior Auditor

Deputy Director of Audit

Courts Service

Any grade at Assistant Principal or Principal level attached to the Courts

Department of Foreign Affairs

First Secretary

Counsellor

Department of Justice, Equality and Law Reform

Co-ordinator of Work and Training

Office of the Houses of the Oireachtas

Principal Clerk

Assistant Principal Committee Clerk

Principal Committee Clerk

Clerk Assistant of the Seanad

Office of the Ombudsman

Investigator

Senior Investigator

APPENDIX 2

APPOINTMENT, SUPERANNUATION AND RETIREMENT ARRANGEMENTS RELEVANT TO PRISON GOVERNORS

1. Prison Governors Classes I, II and III will be eligible to compete for the post of Director of Operations in the Irish Prison Service.
2. A Governor who is successful in the competition will be appointed as a Principal (Higher Scale) and will be remunerated on the salary scale for that grade plus the Director post allowance of £4,154 per annum. If a Governor's existing gross pay exceeds starting pay on promotion to Director (Principal Higher Scale plus allowance) he or she may retain existing gross pay on a mark-time basis in accordance with normal pay on promotion rules. By way of exception, a Governor Class I whose allowances plus highest scale point exceed the maximum gross pay of a Director will, on appointment to the Director post, continue to be paid the Governor Class I salary scale and existing allowances.
3. On appointment to the Director post as Principal (Higher Scale), a Governor will transfer his or her service in accordance with the existing provisions i.e. credit of four-thirds of actual service in the Prison Service (e.g. a Governor with 27 years' service would transfer 36 years' service on appointment to a Director post.)
4. In the event of a Director reverting to fill a vacancy in the relevant Governor grade, the following provisions will apply:
 - (i) He or she will be remunerated at the point of the Governor salary scale which he or she had reached prior to being appointed Director, with credit being given by way of additional increments for the period of service as Director (up to the maximum point of the Governor scale).
 - (ii) The existing provisions for transfer of service will apply, i.e. credit of three-quarters of service with provision for "double benefit" being applied to the reduced service combined with any subsequent service in excess of 20 years.
 - (iii) The period of service as Director (on the basis of the transfer provisions at (ii) above) will reckon towards calculation of the minimum service requirement of 30 years in the Prison Service provided that all the service is given in the Prisons/Prisons Authority area. (Subject to the recommendations of the Commission on Public Service Pensions, as decided on by Government, different conditions may apply to future entrants.)
 - (iv) Where reversion occurs within the last three years of service, a Governor's salary will be averaged for the purpose of calculating pensionable salary. Pensionable salary will be based on the salary payable on the last day of pensionable service and any payments resulting from a greater amount of salary paid to that person in the last three years of reckonable service shall be treated as an allowance and averaged accordingly.

A Director reverting to Governor will be bound by the Prison Officer superannuation terms relating to retirement age. Following from that, no reversion will be possible once the Director reaches 60 years of age.