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E/109/95/06

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Circular 08/2008: Appointment on a secondment basis in the Office of the Ombudsman for the Defence Forces - Assistant Principal (Investigator) Standard Scale

A Dhuine Uasail

1. Applications are sought from officers currently serving in the grade of Assistant Principal for appointment to the post of Investigator in the Office of the Ombudsman for the Defence Forces. The appointment will be on a temporary secondment basis and is expected to last for about three years. Applicants for this post should not have a prior commitment to decentralise.

2. Officers serving in the grades of Senior Auditor in the Office of the Comptroller and Auditor General, at Assistant Principal level in the Courts Service, in the grade First Secretary in the Department of Foreign Affairs, Assistant Principal Committee Clerk in the Office of the Houses of the Oireachtas, and as Investigator in the Office of the Ombudsman and Office of the Information Commissioner may also apply.

General Information:

3. The **Office of the Ombudsman for the Defence Forces** was established under the Ombudsman (Defence Forces) Act 2004 ('The Act'). The Office of the Ombudsman will generally act as the final point of administrative appeal in the adjudication of complaints under the military 'redress of wrongs' provisions of the Defence Act 1954 with regard to internal military matters within the Defence Forces, subject to the time limits and other specific criteria as set out in 'The Act'.

4. The Ombudsman may also adjudicate on complaints made to the Ombudsman by members (and by former members) of the Defence Forces against administrative actions of the Department of Defence, again subject to the time limits and other specific criteria as set out in the 'The Act'.

5. The Office of the Ombudsman for the Defence Forces is currently located in Hatch Street, Dublin 2.

The Post:

6. The Office provides a demanding and dynamic work environment. Currently, there is a team of three (3) staff in the Office, as well as the Ombudsman – an Investigator (AP level), one HEO and one Clerical Officer. The Investigator will work very closely with the Ombudsman and with the other staff in all general aspects of the work but particularly in building an effective case management system.

Job Specification

7. The Investigator's role will include, among other things, the review and examination of cases under the direction of the Ombudsman. The work will include

- analysis of information in relation to cases;
- review of existing statutory provisions, and legislation, collation of comparative data, information and precedents; to contribute to the development of a digest of the cases considered by the Ombudsman for the Defence Forces for comparative research and analysis
- contributing to the establishment of standards of best practice in the area of case management and the timely delivery of a high standard of service in reviewing disputes and establishing the ethos of the Office of ODF.

Person Specification

8. As this is a new and unique Office, a considerable degree of enthusiastic commitment, initiative and imagination will be called for. The individual should be capable of readily and quickly acquiring a familiarity and ease with the military structures, the legal/regulatory framework, administrative procedures, operational practices and culture of the Defence Forces in addition to the essential elements and principles of Ombudsmanship.

Skills Required:

9. Candidates should demonstrate the particular skills required for the position of Investigator as set out at Appendix 1.

Conditions of Appointment

10. Successful candidates must be currently serving in the grade of Assistant Principal or equivalent, as set out above, and must be in a position to take up duty without undue delay. Investigators will be on loan to the Office of the Ombudsman for the Defence Forces for a period of 3 years. Applicants for this post should not have a prior commitment to decentralise.

11. On expiry of the loan period, subject to agreement between the officer, the officer's parent Department and the Ombudsman for the Defence Forces, the officer may:

- have the period on loan extended, or
- be transferred definitively to the Office or
- return to fill a normal vacancy at Assistant Principal level in their parent Department.

12. While on loan to the Office of the Ombudsman for the Defence Forces, an officer will continue to have access to promotional opportunities in his/her parent Department and to interdepartmental competitions.

Where an officer is definitively appointed to the Office of the Ombudsman for the Defence Forces under the terms of this Circular, s/he will continue to have access to interdepartmental competitions in the Civil Service.

13. In the event of the officer's service with the Office of the Ombudsman for the Defence Forces not being satisfactory during the period on loan, the officer will be returned to his or her parent Department.

To Apply:

14. You should submit an application form, using the form attached to:

Mary Pat Gollon,
The Public Appointments Service,
Chapter House,
26/30 Abbey Street Upper,
Dublin 1.

or by e-mail to marypat.gollon@publicjobs.ie not later than **5pm on 12th March 2008**. Candidates should note that late applications will not be considered. Interviews are expected to take place during week commencing 31st March 2008.

15. For additional information, you may contact the Ombudsman, Paulynn Marrinan Quinn on 087 257 2166.

16. If the numbers applying for the position are such that it would not be practical to interview everyone, it may be decided to shortlist candidates and call to interview only those who appear to be the most suitable for the position. Following the interview a panel will be set up to fill vacancies as they arise.

17. The Personnel Officer will be required to certify that a candidate has worked well in his or her present post, has been satisfactory in general conduct and in respect of sick leave prior to the candidate being offered a position.

Codes of Practice

18. The recruitment and selection process for appointment to this position will be conducted in accordance with the Code of Practice titled *Appointment to Positions in the Civil Service and Public Service (No. 01/07)* published by the Commission for Public Service Appointments.

The 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 Code of Practice including, *inter alia*, the provisions in relation to the responsibilities placed on candidates who participate in the recruitment and selection process.

Complaints and Requests for Review:

19. 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**.

Appendix 1

Particular skills required for the position of Assistant Principal (Investigator) in the Office of the Ombudsman for the Defence Forces

1. Objective Analytical Skills

An investigator must be able to objectively analyse and evaluate a wide range of complex information, identifying the salient issues and be able to research comparative data, cross reference information and record the findings. An Investigator must also demonstrate a willingness to question given or accepted practices and to recognise the value of new or independent points of view. It is vital that an Investigator adopts an open-minded approach to issues and is committed to only arriving at an opinion when all the relevant information is examined and evidence identified.

2. Work Management Skills

The Assistant Principal (Investigator) must have the ability to organise and schedule work in a timely and resource efficient manner taking into account future objectives and cost implications. It is essential to be able to discharge delegated work and to delegate tasks, where appropriate, effectively, to anticipate obstacles to task completion and to handle problems in a well-organised manner. The officer must be able to assume a wide range of management and team-building responsibilities.

3. Attention to detail:

An investigator must be thorough in maintaining accurate records and following the preliminary examination and or investigative procedures as directed and in line with the systems designed to give an effective service and on a case-by-case basis as directed by the Ombudsman. It is necessary to adopt a careful approach to information handling, ensuring that all the relevant information on an issue is accessed and checked for consistency and completeness.

4. Commitment to Achievement

An investigator must demonstrate commitment and a willingness to put in the extra effort, and persistence in ensuring that work is completed to a high standard. An investigator must learn from previous experience, take a positive approach to change and strive to improve the quality of his/her own performance. An investigator must be committed to the objectives of the Ombudsman for the Defence Forces in meeting and setting standards of best practice in the area of Ombudsmanship.

5. Interpersonal Effectiveness

An Investigator must be able to establish good relationships with a wide range of people, be sensitive to the effect of unresolved disputes on those involved and approach complaint-handling constructively.

Under the provision of the Act, the Ombudsman may request the officer to interview parties to the complaint and the Investigator must be assertive in resisting pressure

while maintaining amicable relations and must not allow him/herself to be directed away from important issues. An investigator must be able to pose difficult questions without causing offence. The Investigator needs to be able to elicit relevant information as directed and to demonstrate an impartial approach in the conduct of research and examination of complaints and cases referred to the Ombudsman for the Defence Forces for intervention and review.

APPENDIX 2

General information

The Public Appointments Service will consider requests for review in accordance with the provisions of the codes of practice published by the CPSA. A candidate can seek a review by a person in the recruiting body (initial reviewer). Where a candidate remains dissatisfied following this initial review, he/she may seek to have the conduct of the initial review examined by a "decision arbitrator".

As an alternative to the above, it is open to a candidate to seek to have the matter resolved on an informal basis, as set out below. If a candidate remains dissatisfied following any such discussion it is open to him/her to seek a formal review.

The Codes of Practice are available on the website of the Commission for Public Service Appointments, www.cpsa-online.ie.

Informal process

- The candidate can avail of the Informal Review within 5 working days of notification of the initial decision, and should normally take place between the candidate and the person who communicated the decision (or relevant person).
- Where the decision being conveyed relates to an interim stage of a selection process, the request for informal review must be received within 2 working days of the date of receipt of the decision.
- Where a candidate remains dissatisfied following any such informal discussion, he/she may adopt the formal procedures set out below.
- If the candidate wishes the matter to be dealt with by way of a formal review, he/she must do so within 2 working days of the notification of the outcome of the informal review.

Formal process: Initial review

- The candidate must address his/her concerns in relation to the process in writing to the Chief Executive, setting out those aspects of the action or decision in relation to his/her candidature that he/she wishes to have reviewed.
- A request for review must be made within 10 working days of the notification of the initial decision. Where the decision relates to an interim stage of a selection process, the request for review must be received within 4 working days.

- Any extension of these time limits will only be granted in the most exceptional of circumstances and will be at the sole discretion of the Chief Executive.
- The outcome must generally be notified to the candidate within 20 working days of receipt of the complaint or request for review. The candidate will receive the outcome of the review by means of a written report.
- Should a candidate be dissatisfied with the outcome of the initial review, he/she may request a review by a decision arbitrator of the conduct of the initial review.

Review by the decision arbitrator

The decision arbitrator is appointed by the Chief Executive. The decision arbitrator 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 decision of the decision arbitrator in relation to such matters is final.

- A request made to the decision arbitrator must be received within 7 working days of the notification of the outcome of the initial review.
- The outcome of the investigation must be notified to the candidate in the form of a written report within 10 working days.

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
- interfere with or compromise the process in any way.

A third party must not personate a candidate at any stage of the process.

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.

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 Acts 1988 & 2003

When your application form is received, we create a computer record in your name, which contains much of the personal information you have supplied. This personal record is used solely in processing your candidature. Such information held on computer is subject to the rights and obligations set out in the Data Protection Acts, 1988 & 2003. You are entitled under these acts to obtain, at any time, copy of information about you, which is kept on computer. 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 quoting reference CS 13/240/2008 to: **THE DATA PROTECTION CO-ORDINATOR, PUBLIC APPOINTMENTS SERVICE, "CHAPTER HOUSE", 26-30 ABBEY STREET UPPER, DUBLIN 1.** Certain items of information, not specific to any individual, are extracted from computer records for general statistical purposes.