



An tOmbudsman Seirbhísí
Airgeadais agus Pinsean

Financial Services and
Pensions Ombudsman

Candidate Information Booklet

The Financial Services and Pensions Ombudsman intends to hold a competition for the purpose of recommending suitable persons for appointment to the position of:

Head of Legal Services

Closing date: 3:00pm Friday 10 July 2020

The Financial Services and Pensions Ombudsman runs this campaign in compliance with the Codes of Practice for Appointment to Positions in the Civil Service and Public Service prepared by the Commission for Public Service Appointments (CPSA) which are available on www.cpsa.ie.

The Financial Services and Pensions Ombudsman is committed to a policy of equal opportunity.

Financial Services and Pensions Ombudsman,
Lincoln House, Lincoln Place, Dublin 2, D02 VH29.

TEL: +353 1 567 7000 www.fspo.ie

CONTEXT:

The Financial Services and Pensions Ombudsman (FSPO) was established on 01 January 2018 to resolve complaints from consumers, including small businesses and other organisations, against financial service providers and pension providers.

The FSPO provides an independent, fair, impartial, confidential and free service to resolve complaints through either informal mediation or formal investigation and adjudication. When a consumer is unable to resolve a complaint or dispute with a financial service provider or pension provider, they can refer their complaint to the FSPO.

The FSPO deals with complaints informally through mediation at first, by listening to both parties and engaging with them to facilitate a resolution that is acceptable to both parties. Much of this informal engagement takes place by phone. For complaints where these early interventions do not resolve the dispute, the FSPO formally investigates the complaint and issues a decision that is legally binding on both parties, subject only to a statutory appeal to the High Court.

The Ombudsman has the power to direct a financial service provider to pay compensation of up to €500,000 to a complainant. He can also direct that a provider rectify the conduct that is the subject of the complaint. There is no limit to the value of rectification he can direct. During the formal investigation of complaints, documentary and audio evidence, and other material, together with submissions from the parties, are gathered by this office and exchanged between the parties.

Following detailed consideration of all of the evidence and submissions made, a preliminary decision is issued to the parties and they are advised that certain limited further submissions can be made prior to the issuing of a legally binding decision. The financial service provider or pension provider must implement any direction given by the Ombudsman in his legally binding decision.

In July 2018, the FSPO launched its [Strategic Plan, 'Enhancing the Customer Experience'](#), which sets out its vision to 2021. This Plan recognises the increasing volume of complaints and aims to ensure that the organisation can deal efficiently with this increase while enhancing the experience of customers by delivering services faster and better.

The FSPO has an online database that contains over 600 legally binding decisions which have issued since January 2018. In addition to publishing the database of full decisions, the Ombudsman also publishes digests of decisions containing short summaries of a selection of legally binding decisions. The FSPO also publishes an Overview of Complaints and an Annual Report each year with details of the complaints made to the FSPO and how these were dealt with. These are available on www.fspo.ie.

The work of the FSPO is funded through two sources; the management of financial services complaints is funded by a levy on the financial services industry and the management of pensions complaints is funded by the Exchequer, through the Department of Finance. The office currently has a staff complement of approximately 80. This will shortly increase to 90 in accordance with the office's approved staffing level.

Statutory Powers

The Oireachtas, through the Financial Services and Pensions Ombudsman Act 2017, has given the FSPO significant statutory powers that are among the strongest in the world for any specialist ombudsman.

These include the power to:

- Collect evidence, enter a business premises, summon witnesses and examine them under oath in order to investigate complaints and make legally binding decisions;
- Direct compensation of up to €500,000 for financial service complaints, €52,000 per year for complaints about annuities, and unlimited rectification for both financial service and pension complaints;
- Publish decisions in relation to financial service complaints and case studies in relation to pension complaints;
- Publish the names of financial service providers which have more than three complaints upheld, substantially upheld or partially upheld in a year;
- Bring matters of concern to the attention of the Central Bank of Ireland or the Pensions Authority.

The FSPO is a vital and integral part of the consumer protection framework. The Ombudsman is committed to using these powers to the fullest extent to ensure that any complainant with an unresolved complaint against a financial service provider or a pension provider has a robust, clear, fair and independent path to seek redress.

Team Structure

The FSPO operates under a team structure comprising: Corporate and Communication Services; Dispute Resolution Services; Investigation Services, Legal Services; and Customer Operations and Information Management.

Dispute Resolution Service

Dispute Resolution provides a fast, simple and informal resolution service to complainants and financial service providers in order to resolve disputes between these parties in an impartial, independent and objective manner. This involves managing a cohort of individual complaint files and undertaking an initial assessment, engaging with the parties to the dispute, securing their willingness to participate on a voluntary basis in mediation, using a range of intervention tools including e-mail and telephone communication and, where necessary, face-to-face meetings.

Corporate and Communication Services

Corporate and Communication Services deals with Human Resources, Finance, Governance, Information Services, Facilities, and Communications (including data protection, media queries, corporate publications, freedom of information and parliamentary questions).

Customer Operations and Information Management

Customer Operations and Information Management is responsible for driving improvements in customer service through the implementation of a robust and innovative cross-cutting customer experience strategy to ensure the customer is at the centre of all FSPO processes, procedures and activities.

Investigation Services

Investigation Services manage a cohort of individual complaint files, including the management of all matters relating to the formal investigation of complaints, which have not been resolved by the Dispute Resolution Service. This service provides impartial, independent, and fair investigation of complaints about the conduct of financial service providers or pension providers by actively investigating complaints, collecting, collating, exchanging and considering the necessary evidence and drafting preliminary and legally binding decisions.

In drafting decisions, Investigation Services evaluate the evidence made available by the parties, taking into account legislation, regulations, and codes which are relevant to the issues arising, at all times adhering to the principles of fair procedures.

Legal Services

Legal Services provides a range of important services to internal and external customers of the FSPO. It deals with a wide range of complaints and matters concerning the discharge of the FSPO's statutory functions under Irish and EU laws and regulations. This includes conducting jurisdictional assessments arising on complaint files, in circumstances where the statutory jurisdiction of the Office has become increasingly complex following a number of legislative amendments. Legal Services also provides a support and advisory role in the context of Parliamentary Questions, Data Protection and Freedom of Information. The Head of Legal Services is also responsible for the management of statutory appeals and judicial review proceedings, as appropriate.

Legal Services provides advice and arrives at its position on jurisdiction and other matters in an impartial, independent, and fair manner taking into account the particular circumstances and the legislation relevant to the issues arising, at all times adhering to the principles of fair procedures.

The purpose of this competition is to appoint a Head of Legal Services to lead and manage the FSPO Legal Services team.

Role of Head of Legal Services:

The Head of Legal Services will lead a small team responsible for carrying out a mixture of legal research and analysis and the preparation of legal advices and determinations, as well as involvement in complaint management litigation and statutory appeals. The Head of Legal Services, operating at Assistant Principal Officer level, will be a member of the Management Team. The successful candidate will contribute effectively to the overall activities of the FSPO.

This is an important management role in the FSPO. The Head of Legal Services will be the overall lead in relation to the organisation's legal functions. S/he will have responsibility for ensuring a strong culture within the team that contributes to the achievement of the FSPO's overall objectives in a way which adheres to its values. This person will be required to provide strong leadership to support the ongoing quality of the service, including the achievement of challenging key performance indicators. As the FSPO operates within a fast moving and constantly evolving financial services and pensions landscape, the individual should be able to demonstrate an appetite and aptitude for change, including taking on additional responsibilities when necessary.

The successful candidate will lead the staff of the Legal Services section, and oversee the throughput of files/complaints within the service with a focus on delivering both qualitative and quantitative targets, while at all times ensuring the integrity and efficiency of the legal advice and outcomes.

The Head of Legal Services will:

- Provide leadership and foster and maintain a high-performance culture within the Legal Services team;
- Provide legal advice and support across the FSPO including to the Ombudsman, Deputy Ombudsman and the Senior Management Team on relevant matters;
- Undertake rigorous, fair and independent legal assessments and also support and empower the Legal Services team to undertake rigorous, fair and independent legal assessments;
- Exercise strong judgment and decision-making;
- Manage the performance of outsourced legal services as required.

Broader responsibilities will include:

- Contributing to the strategic leadership of the organisation and to the formulation and implementation of strategies and policies generally;
- Representing the office at events and fora as required;
- Any other duties as assigned by the Ombudsman from time to time.

The responsibilities outlined in this job description should not be regarded as comprehensive in scope and may be added to or altered as required, in line with the requirements of the FSPO. The duties appropriate to the post will be determined by the Ombudsman and may cover a range of activities allowing for maximum flexibility according to the needs of the organisation.

EXPERIENCE, QUALIFICATIONS & PERSONAL QUALITIES REQUIRED

Essential Requirements:

In order to be eligible to compete for this position, prospective candidates must, on or before the closing date for this competition:

- (a) Have been called to the Bar and be enrolled as a Barrister in the State or have been admitted and be enrolled as a Solicitor in the State; and
- (b) Have practised as a Barrister or Solicitor in the State for not less than three years.¹

Candidates must also have the necessary qualifications and experience with a record of achievement that demonstrates their capacity and leadership capability to deliver in this challenging role including:

- A successful track record of working on their own initiative and as part of a team and the leadership skills required to develop the capability of others through feedback, coaching and creating opportunities for skills development;
- Experience of analysing, evaluating and integrating a range of complex information (including legislative and regulatory provisions) in a rational and objective manner;
- Good judgment and sound decision-making ability and a commitment and attention to detail that is required for legal work;
- A detailed approach to information handling, an open-minded approach to issues and a commitment and ability to form an impartial opinion;
- Familiarity with the provisions of financial services and pensions legislative and regulatory provisions and case law or a demonstrated ability to quickly develop these and a desire and ability to keep up to date with developments in these areas;
- Good interpersonal skills and demonstrable excellent oral and written communication skills;
- Be flexible and able to organise, manage and schedule multiple tasks in a timely and resource efficient manner;
- Demonstrable assertiveness, an ability to put forward views, and constructively challenge others when appropriate;
- Self-motivation, illustrating a desire to continuously perform at a high level and demonstrable ability to effectively manage a high volume of casework;
- An ability to anticipate and manage change, to prioritise, to be innovative and drive innovation in a complex, fast-moving environment;
- Demonstrable evidence of ongoing professional and personal development.

¹ For the purpose of requirement (b), any period or periods of time spent serving in a whole-time position (appointment to which was conditional upon having been called to the Bar and enrolled as a Barrister in the State or admitted and enrolled as a Solicitor in the State) in the Civil Service shall be reckoned as practice as a Barrister or Solicitor in the State.

In addition to the specific requirements set out above, candidates must be able to demonstrate that they possess the competencies identified for effective performance at Assistant Principal Officer level as set out in Appendix A.

Desirable Requirements:

In addition to the above essential requirements, it would be a decided advantage for candidates to have some or all of the following:

- Relevant experience in the financial services or pensions sectors;
- Experience of operating within a quasi-judicial environment or similar, with experience of adherence to the principles of fair procedure;
- Demonstrable knowledge and appreciation of the statutory, governance and policy framework within which the FSPO operates.

OTHER ELIGIBILITY CRITERIA

Eligibility to compete and certain restrictions on eligibility

Candidates should note that eligibility to compete is open to citizens of the European Economic Area (EEA). The EEA consists of the Member States of the European Union along with Iceland, Liechtenstein and Norway. Swiss citizens under EU agreements may also apply.

Collective Agreement: Redundancy Payments to Public Servants

The Department of Public Expenditure and Reform letter dated 28th June 2012 to Personnel Officers introduced, with effect from 1st June 2012, a Collective Agreement which had been reached between the Department of Public Expenditure and Reform and the Public Services Committee of the ICTU in relation to ex-gratia Redundancy Payments to Public Servants. It is a condition of the Collective Agreement that persons availing of the agreement will not be eligible for re-employment in the Public Service by any Public Service body (as defined by the Financial Emergency Measures in the Public Interest Acts 2009 – 2011) for a period of 2 years from termination of the employment. Thereafter the consent of the Minister for Public Expenditure and Reform will be required prior to re-employment. People who availed of this scheme and who may be successful in this competition will have to prove their eligibility (expiry of period of non-eligibility) and the Minister's consent will have to be secured prior to employment by any Public Service body.

Incentivised Scheme for Early Retirement (ISER)

It is a condition of the Incentivised Scheme for Early Retirement (ISER) as set out in Department of Finance Circular 12/09 that retirees, under that Scheme, are not eligible to apply for another position in the same employment or the same sector. Therefore, such retirees may not apply for this position.

Department of Health and Children Circular (7/2010)

The Department of Health Circular 7/2010 dated 1 November 2010 introduced a Targeted Voluntary Early Retirement (VER) Scheme and Voluntary Redundancy Schemes (VRS). It is a condition of the VER scheme that persons availing of the scheme will not be eligible for re-employment in the public health sector or in the wider Public Service or in a body wholly or mainly funded from public monies. The same prohibition on re-employment applies under the VRS, except that the prohibition is for a period of 7 years. People who availed of either of these schemes are not eligible to compete in this competition.

Department of Environment, Community & Local Government (Circular Letter LG(P) 06/2013): The Department of Environment, Community & Local Government Circular Letter LG(P) 06/2013 introduced a Voluntary Redundancy Scheme for Local Authorities. In accordance with the terms of the *Collective Agreement: Redundancy Payments to Public Servants* dated 28 June 2012 as detailed above, it is a specific condition of that VER Scheme that persons will not be eligible for re-employment in any Public Service body [as defined by the Financial Emergency Measures in the Public Interest Acts 2009 – 2011 and the Public Service Pensions (Single Scheme and Other Provisions) Act 2012] for a period of 2 years from their date of departure under this Scheme. Thereafter, the consent of the Minister for Public Expenditure and Reform will be required prior to re-employment. These conditions also apply in the case of engagement/employment on a contract for service basis (either as a contractor or as an employee of a contractor).

Declaration:

Applicants will be required to declare whether they have previously availed of a Public Service scheme of incentivised early retirement. Applicants will also be required to declare any entitlements to a Public Service pension benefit (in payment or preserved) from any other Public Service employment and/or where they have received a payment-in-lieu in respect of service in any Public Service employment.

Maximum Recruitment Age:

Candidates should be aware that a maximum recruitment age will apply to this competition.

Candidates must not yet be 67 years of age on the closing date and time for the competition.

PRINCIPAL CONDITIONS OF SERVICE

General

While it is envisaged that appointments arising from this competition will be to a full-time permanent position in the public service (following an appropriate initial probationary period), the FSPO reserves the right to use the panel formed from this competition to fill other vacancies which may arise which may not be permanent in tenure.

Pay

The salary and terms and conditions for the post are those, as set out below, that apply to Assistant Principal Officer (Higher Scale PPC) in the public service.

The salary for this position, with effect from 01 September 2019 is as follows:

ASSISTANT PRINCIPAL OFFICER (HIGHER PPC)

€74,068	€76,787	€79,512	€82,234	€84,959	€86,550	€89,251 (LS11)	€91,961 (LS12)
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Long service increments may be payable after 3 (LS11) and 6 (LS12) years satisfactory service at the maximum of the scale.

Candidates should note that entry will be at the minimum of the salary scale and will not be subject to negotiation and the rate of remuneration may be adjusted from time to time in line with Government pay policy. Increments may be awarded subject to satisfactory performance, in line with Government pay policy.

Important Note

Different terms and conditions may apply, if, immediately prior to appointment, the appointee is already a serving Civil Servant or Public Servant.

Tenure

The appointment will be to a permanent post in the public service. The appointee will be required to serve a 9 month probationary period.

Assignment / Location

The successful candidate will be based in Dublin. When required to travel on official duty the appointee will be paid appropriate travelling expenses and subsistence allowances, subject to normal public service regulations.

Hours of Attendance

Hours of attendance will be fixed from time to time but will amount to not less than 43 hours and 15 minutes gross per week. The successful candidate will be required to work such additional hours from time to time as may be reasonable and necessary for the proper performance of his/her duties subject to the limits set down in the working time regulations. The rate of remuneration payable covers any extra attendance liability that may arise from time to time.

Annual Leave

The annual leave for this position is 30 days. This leave is on the basis of a five day week and is exclusive of the usual public holidays.

Health

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

Sick Leave

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

Appointees, who will be paying the Class A rate of PRSI, will be required to sign a mandate authorising the Department of Social Protection to pay any benefits due under the Social Welfare Acts direct to the employing Department/Organisation. Payment of salary during illness will be subject to the appointee making the necessary claims for social insurance benefit to the Department of Social Protection within the required time limits.

Superannuation and Retirement

The successful candidate will be offered the appropriate superannuation terms and conditions as prevailing in the public service, at the time of being offered an appointment. In general, and except for candidates who have worked in a pensionable (non-single scheme terms) public service job in the 26 weeks prior to appointment (see paragraph d below), this means being offered appointment based on membership of the Single Public Service Pension Scheme (“Single Scheme”). Key provisions attaching to membership of the Single Scheme are as follows:

a. Pensionable Age

The minimum age at which pension is payable is 66 (rising to 67 and 68) in line with State Pension age changes.

b. Retirement Age

Scheme members must retire at the age of 70.

c. Pension Abatement

If the appointee was previously employed in the Civil/Public Service and is in receipt of a pension from the Civil/Public Service normal abatement rules will apply. However, if the appointee was previously employed in the Civil/Public Service and awarded a pension under voluntary early retirement arrangements (other than the Incentivised Scheme of Early Retirement (ISER) or the Department of Health Circular 7/2010 VER/VRS which, as indicated above, renders a person ineligible for the competition) the entitlement to that pension will cease with effect from the date of reappointment. Special arrangements will however, be made for the reckoning of previous service given by the appointee for the purpose of any future superannuation award for which the appointee may be eligible.

If the appointee was previously employed in the Civil Service or in the Public Service please note that the Public Service Pensions (Single Scheme and Other Provisions) Act 2012 includes a provision which extends abatement of pension for all Civil and Public Servants who are re-employed where a Public Service pension is in payment. This provision to apply abatement across the wider public service came into effect on 1 November 2012.

This may have pension implications for any person appointed to this position who is currently in receipt of a Civil or Public Service pension or has a preserved Civil or Public Service pension which will come into payment during his/her employment in this position.

Department of Education and Skills Early Retirement Scheme for Teachers Circular102/2007

The Department of Education and Skills introduced an Early Retirement Scheme for Teachers. It is a condition of the Early Retirement Scheme that with the exception of the situations set out in paragraphs 10.2 and 10.3 of the relevant circular documentation, and with those exceptions only, if a teacher accepts early retirement under Strands 1, 2 or 3 of this scheme and is subsequently employed in any capacity in any area of the public sector, payment of pension to that person under the scheme will immediately cease. Pension payments will, however, be resumed on the ceasing of such employment or on the person's 60th birthday, whichever is the later, but on resumption, the pension will be based on the person's actual reckonable service as a teacher (i.e. the added years previously granted will not be taken into account in the calculation of the pension payment).

Ill-Health-Retirement

Please note that where an individual has retired from a Civil/Public Service body on the grounds of ill-health his/her pension from that employment may be subject to review in accordance with the rules of ill-health retirement within the pension scheme of that employment.

d. Prior Public Servants

While the default pension terms, as set out in the preceding paragraphs, consist of Single Scheme membership, this may not apply to certain appointees. Full details of the conditions governing whether or not a public servant is a Single Scheme member are given in the Public Service Pensions (Single Scheme and other Provisions) Act 2012. However, the key exception case (in the context of this competition and generally) is that a successful candidate who has worked in a pensionable (non-single scheme terms) capacity in the public service within 26 weeks of taking up appointment, would in general not become a member of the Single Scheme.

In this case such a candidate would instead be offered membership of the pension scheme for non-established civil servants (“Non-Established State Employee Scheme”). This would mean that the abatement provisions at (c) above would apply, and in addition there are implications in respect of pension accrual as outlined below.

e. Pension Accrual

A 40-year limit on total service that can be counted towards pension where a person has been a member of more than one existing public service pension scheme would apply. This 40-year limit, which is provided for in the Public Service Pensions (Single Scheme and other Provisions) Act 2012 came into effect on 28 July 2012. This may have implications for any appointee who has acquired pension rights in a previous public service employment.

f. Pension-Related Deduction

This appointment is subject to the pension-related deduction (PRD) in accordance with the Financial Emergency Measure in the Public Interest Act 2009. Please note that from 1 January 2019 PRD has been replaced by an Additional Superannuation Contribution (ASC) in accordance with the Public Service Pay and Pensions Act 2017.

For further information in relation to the Single Public Service Pension Scheme for Public Servants please see the following website: <http://www.per.gov.ie/pensions>.

Important Notice

The above represents the principal conditions of service and is not intended to be the comprehensive list of all terms and conditions of employment which will be set out in the employment contract to be agreed with the successful candidate.

APPLICATION AND SELECTION PROCESS

How to Apply:

All candidates should visit www.fspo.ie/careers where there is a full list of available positions at the FSPO with the corresponding downloadable information booklet and application form for each position. Completed application forms should be submitted to careers@fspo.ie with 'Application for the position of Head of Legal Services' in the subject line.

Only applications submitted by email on the appropriate application form will be accepted into the competition. CVs should not be submitted.

Closing Date:

Your application must be submitted by email to arrive by **3:00pm on Friday 10 July 2020. Applications will not be accepted after the closing date/time.**

Candidates should make themselves available on the date(s) specified, if required, by the FSPO and should make sure that the contact details specified on their application form are correct.

Selection Process:

The selection process will include the following:

- Shortlisting of candidates based on the information contained in their application
- Initial/preliminary interview, either face to face or using technology
- A written exercise
- A final interview, either face to face or using technology

In addition, the Selection Process may also include the following:

- Presentation or other exercises
- Work sample or any other tests or exercises that may be deemed appropriate.

Shortlisting:

Normally the number of applications received for a position exceeds that required to fill existing and future vacancies to the position. While a candidate may meet the eligibility requirements of the competition, if the numbers applying for the position are such that it would not be practical to interview everyone, the FSPO may decide that a number only will be called to interview.

Shortlisting will be undertaken on the basis of the information you provide as part of your application. It is therefore in your own interest to provide a detailed and accurate account of your qualifications/experience on the application form.

Candidates with Disabilities:

Candidates who have indicated on their application form that they would like to avail of reasonable accommodations are asked to submit a psychologist/medical report. The purpose of the report is to provide information to act as a basis for determining reasonable accommodations where appropriate. These reports must be forwarded to Barbara Fitzgerald Malone, The Financial Services and Pensions Ombudsman, Lincoln House, Lincoln Place, Dublin 2 or Barbara.fitzgeraldmalone@fspoi.ie by close of business on Friday 10 July 2020.

Confidentiality:

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

Security Clearance:

Garda vetting will be sought in respect of individuals who come under consideration for appointment. The applicant will be required to complete and return a Garda Vetting form should they come under consideration for appointment. This form will be forwarded to An Garda Síochána for security checks on all Irish and Northern Irish addresses at which they have resided.

Other Important Information:

The FSPO will not be responsible for refunding any expenses incurred by candidates.

The admission of a person to a competition, or invitation to attend interview, or a successful result notification, is not to be taken as implying that the FSPO is satisfied that such a person fulfils the requirements or is not disqualified by law from holding the position and does not carry a guarantee that your application will receive further consideration. It is important, therefore, for you to note that the onus is on you to ensure that you meet the eligibility requirements for the competition before attending for interview. If you do not meet these essential entry requirements but nevertheless attend for interview you will be putting yourself to unnecessary expense.

Prior to recommending any candidate for appointment to this position, the FSPO will make all such enquiries that are deemed necessary to determine the suitability of that candidate. Until all stages of the recruitment process have been fully completed a final determination cannot be made, nor can it be deemed or inferred that such a determination has been made.

Should the person recommended for appointment decline, or having accepted it, relinquish it, or if an additional vacancy arises the FSPO may, at its discretion, select and recommend another person for appointment on the results of this selection process.

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

The FSPO 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 <http://www.cpsa.ie>.

Candidates' Obligations:

Candidates should note that canvassing will disqualify a candidate 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 impersonate 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.

Specific candidate criteria:

Candidates must:

- Have the knowledge and ability to discharge the duties of the post concerned;
- Be suitable on the grounds of character;
- Be suitable in all other relevant respects for appointment to the post concerned;

and if successful, they will not be appointed to the post unless they:

- Agree to undertake the duties attached to the post and accept the conditions under which the duties are, or may be required to be, performed;
- Provide evidence of the essential requirements identified on page 6 of this booklet;
- Are fully competent and available to undertake, and fully capable of undertaking, the duties attached to the position.

Deeming of candidature to be withdrawn:

Candidates who do not attend for interview or other test when and where required by the FSPO, or who do not, when requested, furnish such evidence as the FSPO requires in regard to any matter relevant to their candidature, will have no further claim to consideration.

Data Protection:

As part of the recruitment and job application process, we will collect your Personal Data. It is necessary for us to process your Personal Data in order to assess your job application and/or include you in a recruitment initiative. Ultimately, it may also be necessary for us to process your Personal Data in order to take steps to offer and enter into a contract of employment with you. We may disclose some or all of your Personal Data to the following parties: your previous employer(s) (where you have listed them as your reference(s)); Recruiters (where your application is being handled by a Recruiter); outsourced service providers who assist FSPO with recruitment initiatives and campaigns. Where you are an unsuccessful job applicant, we will retain your Personal Data for a period of up to 12 Months from interview and 12 months for expiration of panel. If you have any concerns about the way your Personal Data is being used or processed by FSPO, please e-mail dataprotection@fsp.ie. Please see our full [data protection notice](#).

APPENDIX A:

Key competencies for effective performance at Assistant Principal Officer level:



Assistant Principal Officer Level Competencies

Effective Performance Indicators

Leadership	Actively contributes to the development of the strategies and policies of the Department/ Organisation
	Brings a focus and drive to building and sustaining high levels of performance, addressing any performance issues as they arise
	Leads and maximises the contribution of the team as a whole
	Considers the effectiveness of outcomes in terms wider than own immediate area
	Clearly defines objectives/ goals & delegates effectively, encouraging ownership and responsibility for tasks
	Develops capability of others through feedback, coaching & creating opportunities for skills development
	Identifies and takes opportunities to exploit new and innovative service delivery channels
Analysis & Decision Making	Researches issues thoroughly, consulting appropriately to gather all information needed on an issue
	Understands complex issues quickly, accurately absorbing and evaluating data (including numerical data)
	Integrates diverse strands of information, identifying inter-relationships and linkages
	Makes clear, timely and well grounded decisions on important issues
	Considers the wider implications of decisions on a range of stakeholders
	Takes a firm position on issues s/he considers important
Management & Delivery of Results	Takes responsibility for challenging tasks and delivers on time and to a high standard
	Plans and prioritises work in terms of importance, timescales and other resource constraints, re-prioritising in light of changing circumstances
	Ensures quality and efficient customer service is central to the work of the division
	Looks critically at issues to see how things can be done better
	Is open to new ideas initiatives and creative solutions to problems
	Ensures controls and performance measures are in place to deliver efficient and high value services
	Effectively manages multiple projects
Interpersonal & Communication Skills	Presents information in a confident, logical and convincing manner, verbally and in writing
	Encourages open and constructive discussions around work issues
	Promotes teamwork within the section, but also works effectively on projects across Departments/ Sectors
	Maintains poise and control when working to influence others
	Instills a strong focus on Customer Service in his/her area
	Develops and maintains a network of contacts to facilitate problem solving or information sharing
Specialist Knowledge, Expertise and Self Development	Engages effectively with a range of stakeholders, including members of the public, Public Service Colleagues and the political system
	Has a clear understanding of the roles objectives and targets of self and the team and how they fit into the work of the unit and Department/ Organisation
	Has a breadth and depth of knowledge of Department and Governmental issues and is sensitive to wider political and organisational priorities
	Is considered an expert by stakeholders in own field/ area
Drive & Commitment to Public Service Values	Is focused on self development, seeking feedback and opportunities for growth to help carry out the specific requirements of the role
	Is self motivated and shows a desire to continuously perform at a high level
	Is personally honest and trustworthy and can be relied upon
	Ensures the citizen is at the heart of all services provided
	Through leading by example, fosters the highest standards of ethics and integrity