

CANDIDATES INFORMATION BOOKLET

PLEASE READ CAREFULLY

Open competition for appointment as:

Assistant Principal Officer in the Office of the Information Commissioner

Investigation and Decision-Drafting

Closing date: 12 noon, Monday 15th of September 2025

The Office of the Ombudsman is committed to a policy of equal opportunity.

The Office of the Ombudsman will run this campaign in compliance with the Code of Practice for Appointment to Positions in the Civil Service and Public Service prepared by the Commission for Public Service Appointments (CPSA).

Codes of practice are published by the CPSA and are available on www.cpsa.ie

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Assistant Principal – Investigation and Decision-Drafting Office of the Information Commissioner

Background

The Office comprises the Office of the Ombudsman; the Standards in Public Office Commission (SIPOC); the Office of the Information Commissioner (OIC); the Office of the Commissioner for Environmental Information (OCEI); the Commission for Public Service Appointments (CPSA); and the Office of the Protected Disclosures Commissioner (OPDC).

The six offices carry out separate and distinct statutory functions. Nonetheless, they function as a single amalgamated agency under one Vote and one Accounting Officer and a Management Advisory Committee which manages the Office, while simultaneously protecting and preserving the statutory independence and functions of each of the constituent parts. Each Office has its own staff complement but the staff and systems of finance, human resources, legal, communications and information technology are shared.

The Office wishes to recruit an Assistant Principal Officer level in Investigation and Decision-Drafting to fulfil a key role within the Office of the Information Commissioner.

The Office of the Information Commissioner was established under the Freedom of Information (FOI) Act, 1997, the role of the Office of the Information Commissioner is to:

- review (on application) decisions made in relation to FOI requests and to make binding new decisions;
- to keep the operation of the Act under review with a view to ensuring maximum compliance among public bodies; and
- to prepare and publish commentaries on the practical operation of the Act.

The Office may also carry out an investigation at any time into the practices and procedures adopted by public bodies for the purposes of compliance with the provisions of the FOI Act.

Arising from the selection process, a panel of successful candidates may be established for a period of 18 months following the completion of the selection process. The successful candidate will be required to serve a 12-month probationary period at the Assistant Principal Officer grade to confirm their suitability for the role. They will also be required to work in a full-time capacity for a minimum of 12 months following appointment.

The appointment will be to the Office of the Information Commissioner, however should any suitable vacancies arise successful candidates may have the opportunity be placed in the Office of the Commissioner for Environmental Information.

Role

The primary function of the role will be to conduct FOI reviews.

FOI reviews require the consideration of detailed technical legal argument and competing public interest arguments which can prove quite challenging. The subject matter of these reviews often extends beyond the provisions of the FOI Act and incorporating other areas of the law, such as the law of confidence, legal professional privilege etc. Accordingly, investigators are required to conduct thorough research, to objectively analyse and evaluate a wide range of complex information, to identify the salient issues and logically integrate alternative positions.

It is essential that an Investigator appreciates the implications of taking a particular position on an issue and the importance of approaching interdependent issues in a logical and consistent way. They must be thorough in maintaining accurate records and following appropriate procedures, given that all OIC decisions are subject to challenge in the High Court and, ultimately, the Supreme Court. It is also necessary to adopt a detail conscious approach to information handling and to ensure that all relevant information is accessed on an issue and that all such information is checked for consistency and completeness.

An Investigator must be assertive in resisting pressure while maintaining amicable relations. S/he must be able to ask difficult questions, even of more senior personnel, and to constructively challenge others without causing offence. An Investigator must also demonstrate a willingness to question given or accepted practices and to put forward new or independent points of view.

An Investigator must also 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 delegate tasks efficiently, to anticipate obstacles to task completion and to handle problems and crises in a well-organised manner.

In the current climate, it is critical that an Investigator demonstrates self-motivation, commitment, a willingness to put in the extra effort, and persistence in ensuring that a large volume of work is completed to a very 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.

• **Duties and Responsibilities:**

Successful candidates will be required to perform all duties appropriate to the role and these duties include, but are not limited to, the following:

- Managing, from acceptance to completion, applications for review of decisions taken by public bodies on FOI requests under the FOI Act.
- Making recommendations to, and drafting appropriate decisions for, the Information Commissioner, cognisant of the fact that such decisions are subject to appeal to the High Court and, ultimately, to the Supreme Court.
- Managing High Court and Supreme Court appeals. This includes reviewing affidavits and legal submissions, attending at Court hearings and instructing Counsel when required.
- Representing the Office at conferences/delivering presentations, and drafting speeches for the Information Commissioner.
- Contributing to the wider objectives of the OIC as set out in the Office's annual business plans.

Entry Requirements

Essential

Candidates **must have**:

1. On or before **15th of September 2025**, a qualification of at least Level **8** on the National Framework of Qualifications in Law **OR** two years' relevant experience.

and

2. Excellent analytical and decision-making skills
3. Attention to detail
4. Excellent work management skills
5. Excellent communication skills (oral and written)
6. Strong leadership qualities
7. Results driven and self-motivated
8. Self-reliance and perseverance
9. Proven track record of analysing legal issues and articulating analysis in written reports/decisions/submissions.
10. Demonstrable written and verbal communication skills.
11. Demonstrable interpersonal and communication skills with the ability to work effectively in a team environment and on one's own initiative.

NOTE: Qualifications/eligibility may not be verified until the final stage of the process. Therefore, those candidates who do not possess the eligibility requirements, and proceed with their application, are putting themselves to unnecessary effort/expense and will not be offered a position from this campaign. An invitation to tests, interview or any element of the selection process is not acceptance of eligibility.

Desirable:

- Experience of AIE or FOI legislation.
- Experience in case management with a proven track record of working towards fixed deadlines.
- Qualification as a solicitor or barrister.

Key Competencies for effective performance at Assistant Principal Officer Level

Leadership
<ul style="list-style-type: none"> • Actively contributes to the development of the strategies and policies of the Department • 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 and goals and delegates effectively, encouraging ownership and responsibility for tasks • Develops capability of others through feedback, coaching and creating opportunities for skills development • Identifies and takes opportunities to exploit new and innovative service delivery channels
Analysis & Decision Making
<ul style="list-style-type: none"> • 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
<ul style="list-style-type: none"> • 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
<ul style="list-style-type: none"> • 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 and Sectors • Maintains poise and control when working to influence others • Instils a strong focus on Customer Service in his/her area • Develops and maintains a network of contacts to facilitate problem solving or information sharing • Engages effectively with a range of stakeholders, including members of the public, Public Service Colleagues and the political system
Specialist Knowledge, Expertise and Self Development
<ul style="list-style-type: none"> • Has a clear understanding of the roles objectives and targets of self and the team and how they fit into the work of the unit and Department • Has a breadth and depth of knowledge of Department and Governmental issues and is sensitive to wider political and organisational priorities • Is considered an expert by stakeholders in own field/ area • Is focused on self-development, seeking feedback and opportunities for growth to help carry out the specific requirements of the role
Drive & Commitment to Public Service Values
<ul style="list-style-type: none"> • 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

Eligibility to compete and certain restrictions on eligibility

Citizenship Requirement

Eligible candidates must be:

- (a) A citizen of the European Economic Area (EEA). The EEA consists of the Member States of the European Union, Iceland, Liechtenstein and Norway; **or**
- (b) A citizen of the United Kingdom (UK); **or**
- (c) A citizen of Switzerland pursuant to the agreement between the EU and Switzerland on the free movement of persons; **or**
- (d) A non-EEA citizen who is a spouse or child of an EEA or UK or Swiss citizen and has a stamp 4 visa; **or**
- (e) A person awarded international protection under the International Protection Act 2015 or any family member entitled to remain in the State as a result of family reunification and has a stamp 4 visa **or**
- (f) A non-EEA citizen who is a parent of a dependent child who is a citizen of, and resident in, an EEA member state or the UK or Switzerland and has a stamp 4 visa.

To qualify candidates must meet one of the citizenship criteria above by the date of any job offer.

Collective Agreement: Redundancy Payments to Public Servants

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

Incentivised Scheme for Early Retirement (ISER)

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

Department of Health and Children Circular (7/2010)

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

Department of Environment, Community & Local Government (Circular Letter LG(P) 06/2013

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

Declaration

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

Principal Conditions of Service

General

The appointment is to a permanent post in the Civil Service and is subject to the Civil Service Regulations Acts 1956 to 2005, the Public Service Management (Recruitment and Appointments) Act 2004 and any other Act for the time being in force relating to the Civil Service.

Salary

The Salary Scale for the position is as follows - rates effective from 1st August 2025:

Assistant Principal Officer (PPC)

€81,475 €84,475 €87,518 €90,569 €93,617 €95,375 €98,449¹ €101,535²

The PPC pay rate applies when the individual is required to pay a Personal Pension Contribution (otherwise known as a main scheme contribution) in accordance with the rules of their main/personal superannuation scheme. This is different to a contribution in respect of membership of a Spouses' and Children's scheme, or the Additional Superannuation Contributions (ASC).

A different rate will apply where the appointee is not required to make a Personal Pension Contribution.

Long service increments may be payable after 3(LSI1) and 6(LSI2) years satisfactory service at the maximum of the scale.

Important Note

Entry will be at the minimum of the scale and the rate of remuneration will not be subject to negotiation and may be adjusted from time to time in line with Government pay policy.

Different terms and conditions may apply if you are a currently serving civil or public servant.

Subject to satisfactory performance increments may be payable in line with current Government Policy.

You will agree that any overpayment of salary, allowances, or expenses will be repaid by you in accordance with Circular 07/2018: Recovery of Salary, Allowances, and Expenses Overpayments made to Staff Members/Former Staff Members/Pensioners.

Tenure and Probation

The appointment is to a permanent position on a probationary contract in the Civil Service.

The probationary contract will be for a period of one year from the date specified on the contract. Notwithstanding this paragraph and the paragraph immediately following below, this will not preclude an extension of the probationary contract in appropriate circumstances.

During the period of your probationary contract, your performance will be subject to review by your supervisor(s) to determine whether you:

- (i) Have performed in a satisfactory manner,
- (ii) Have been satisfactory in general conduct, and
- (iii) Are suitable from the point of view of health with particular regard to sick leave.

Prior to the completion of the probationary contract a decision will be made as to whether or not you will be retained pursuant to Section 5A(2) Civil Service Regulation Acts 1956 – 2005. This decision will be based on your performance assessed against the criteria set out in (i) to (iii) above. The detail of the probationary process will be explained to you by the Office of the Ombudsman and you will be given a copy of the Department of Public Expenditure and Reform's guidelines on probation.

Notwithstanding the preceding paragraphs in this section, the probationary contract may be terminated at any time prior to the expiry of the term of the contract by either side in accordance with the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

In certain circumstances your contract may be extended and your probation period suspended. The extension must be agreed by both parties.

- The probationary period stands suspended when an employee is absent due to Maternity or Adoptive Leave

- In relation to an employee absent on Parental Leave or Carers Leave, the employee may require probation to be suspended if the absence is not considered to be consistent with the continuation of the probation
- Probation may be suspended in cases such as absence due to a non-recurring illness

The employee may, in these circumstances, make an application to the employer for an extension to the contract period.

All appointees will serve a one-year probationary period. If an appointee who fails to satisfy the conditions of probation has been a serving civil servant immediately prior to their appointment from this competition, the issue of reversion will normally arise. In the event of reversion, an officer will return to a vacancy in their former grade in their former Department.

Headquarters

Headquarters will be 6 Earlsfort Terrace, Dublin 2, D02 W773. When required to travel on official duty the appointee will be paid appropriate travelling expenses and subsistence allowances, subject to normal civil service regulations.

Duties

The employee will be required to perform any duties appropriate to the position which may be assigned from time to time. The officer may not engage in private practice or be connected with any outside business which would interfere with the performance of official duties or conflict with his/her role.

Hours of attendance

Hours of attendance will be fixed from time to time but will amount to not less than 41 hours 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 allowance for this position is 30 days. This allowance is subject to the usual conditions regarding the granting of annual leave in the civil service, is based on a five day week and is exclusive of the usual public holidays.

Sick Leave

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

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

Superannuation and Retirement:

The successful candidates 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, an appointee who has never worked in the Public Service will be offered appointment based on membership of the Single Public Service Pension Scheme ("Single Scheme"). Full details of the Scheme are at www.singlepensionscheme.gov.ie

Where the appointees have worked in a pensionable (non-Single Scheme terms) public service job in the 26 weeks prior to appointment or is currently on a career break or special leave with/without pay different terms may apply. The pension entitlement of such appointees will be established in the context of their public service employment history.

Key provisions attaching to membership of the Single Scheme are as follows:

- Pensionable Age: The minimum age at which pension is payable is the same as the age of eligibility for the State Pension, currently 66.

- Retirement Age: Scheme members must retire on reaching the age of 70.
- Career average earnings are used to calculate benefits (a pension and lump sum amount accrue each year and are up-rated each year by reference to CPI).
- Post retirement pension increases are linked to CPI

Pension Abatement

- If the appointee(s) has previously been employed in the Civil or Public Service and is in receipt of a pension from the Civil or Public Service or where a Civil/Public Service pension comes into payment during his/her re-employment that pension **will be subject to abatement** in accordance with Section 52 of the Public Service Pensions (Single Scheme and Other Provisions) Act 2012. **Please note: In applying for this position you are acknowledging that you understand that the abatement provisions, where relevant, will apply. It is not envisaged that the employing Department/Office will support an application for an abatement waiver in respect of appointments to this position.**
- However, if the appointee(s) was previously employed in the Civil or Public Service and awarded a pension under voluntary early retirement arrangements (other than the Incentivised Scheme of Early Retirement (ISER), the Department of Health Circular 7/2010 VER/VRS or the Department of Environment, Community & Local Government Circular letter LG(P) 06/2013, any of which renders a person ineligible for the competition) the entitlement to that pension will cease with effect from the date of reappointment. Depending on their scheme placement, special arrangements may however, be made for the reckoning of previous service given by the appointee for the purpose of any future superannuation award for which the appointee may be eligible. Please consult this Department of Public Expenditure and Reform at pensions@per.gov.ie for further guidance in these instances.
- **Department of Education and Skills Early Retirement Scheme for Teachers Circular 102/2007**
The Department of Education and Skills introduced an Early Retirement Scheme for Teachers. It is a condition of the Early Retirement Scheme that with the exception of the situations set out in paragraphs 10.2 and 10.3 of the relevant circular documentation, and with those exceptions only, if a teacher accepts early retirement under Strands 1, 2 or 3 of this scheme and is subsequently employed in any capacity in any area of the public sector, payment of pension to that person under the scheme will immediately cease. Pension payments will, however, be resumed on the ceasing of such employment or on the person's 60th birthday, whichever is the later, but on resumption, the pension will be based on the person's actual reckonable service as a teacher (i.e. the added years previously granted will not be taken into account in the calculation of the pension payment).
- **III-Health-Retirement**
Please note any person who previously retired on ill health grounds under the terms of a superannuation scheme are required to declare, at the initial application phase, that they are in receipt of such a pension to the organisation administering the recruitment competition.

Applicants will be required to attend the CMO's office to assess their ability to provide regular and effective service taking account of the condition which qualified them for IHR.

Appointment post Ill-health retirement from Civil Service

If successful in their application through the competition, the applicant should be aware of the following:

1. If deemed fit to provide regular and effective service and assigned to a post, their civil service ill-health pension ceases.
2. If the applicant subsequently fails to complete probation or decides to leave their assigned post, there can be no reversion to the civil service IHR status, nor reinstatement of the civil service IHR pension, that existed prior to the application nor is there an entitlement to same.
3. The applicant will become a member of the Single Public Service Pension Scheme (SPSPS) upon appointment if they have had a break in pensionable public/civil service of more than 26 weeks.

Appointment post Ill-health retirement from public service

1. Where an individual has retired from a public service body his/her ill-health pension from that employment may be subject to review in accordance with the rules of ill-health retirement under that scheme.

2. If an applicant is successful, on appointment the applicant will be required to declare whether they are in receipt of a public service pension (ill-health or otherwise) and their public service pension may be subject to abatement.
3. The applicant will become a member of the Single Public Service Pension Scheme (SPSPS) upon appointment if they have had a break in pensionable public/civil service of more than 26 weeks.

Please note more detailed information in relation to pension implications for those in receipt of a civil or public service ill-health pension is available [via this link](#).

Pension Accrual

A 40-year limit on total service that can be counted towards pension where a person has been a member of more than one pre-existing public service pension scheme (i.e. non-Single Scheme) as per the 2012 Act shall apply. This 40-year limit is provided for in the Public Service Pensions (Single Scheme and Other Provisions) Act 2012. This may have implications for any appointee who has acquired pension rights in a previous public service employment.

Additional Superannuation Contribution (ASC)

These appointments are subject to the ASC in accordance with the Public Service Pay and Pensions Act 2017. Please note that ASC is a contribution in addition to any pension contributions required under scheme membership. **Note:** ASC deductions are in addition to any pension contributions (main scheme and spouses' and children's contributions) required under the rules of your pension scheme.

For further information in relation to the Single Public Service Pension Scheme please see the following website: www.singlepensionscheme.gov.ie

Secrecy, Confidentiality and Standards of Behaviour: Official Secrecy and Integrity:

You will, during the term of your appointment, be subject to the provisions of the Official Secrets Act, 1963 as amended by the Freedom of Information Act 2014. You will agree not to disclose to unauthorised third parties any confidential information especially that with commercial potential either during or subsequent to the period of employment. You will also be subject to the Civil Service Code of Standards and Behaviour.

Civil Service Code of Standards and Behaviour:

The appointee will be subject to the Civil Service Code of Standards and Behaviour.

Ethics in Public Office Acts:

The Ethics in Public Office Acts will apply, where appropriate, to this appointment.

Prior approval of publications:

You will agree not to publish material related to your official duties without prior approval of the Minister.

Political activity:

During the term of your employment, you will be subject to the rules governing civil servants and politics.

Please Note

As an Employer of Choice the Civil Service has many flexible and family friendly working policies including some opportunities for remote working. Please note, successful candidates may request flexible working opportunities, however, this is at the discretion of the employer and decided in line with the business needs of the organisation, and on a case by case basis.

Important Notice

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

COMPETITION PROCESS

How to Apply

Applications must be submitted on the official application form which is available under [this page](#) on the OIC Website. Completed applications should be sent to hrrecruitment@ombudsman.ie. Please note that all sections of the application form must be fully completed, or your application may receive no further consideration. All applications will be acknowledged; it is the candidate's responsibility to ensure they have received an acknowledgement.

Only applications fully submitted will be accepted into the campaign. **Applications will not be accepted after the closing date.**

Closing date

Your application must be submitted to hrrecruitment@ombudsman.ie not later than **12 noon, Friday 15th of September 2025**.

Preliminary interviews for these posts are likely to commence the week of the 6th of October 2025.

You are advised to check your email on a regular basis as email notifications of updates/ tests/ Interviews.

The onus is on each applicant to ensure that she/he is in receipt of all communication from the Office of the Ombudsman.

The Office of the Ombudsman accept no responsibility for communication not accessed or received by an applicant.

Candidates should make themselves available on the date(s) specified by the Office and should make sure that the contact details specified on the application form are correct.

Selection Methods

The selection may include:

- shortlisting of candidates on the basis of the information contained in their application
- a competitive preliminary interview
- presentation or other exercises
- a final competitive interview
- any other tests or exercises that may be deemed appropriate

Shortlisting

The number of applications received for a position generally exceeds that required to fill existing and future vacancies for 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 Office of the Ombudsman may decide that a smaller number will be called to the next stage of the selection process. In this respect, the Office of the Ombudsman provide for the employment of a short listing process to select a group who, based on an examination of the application forms, appear to be the most suitable for the position. This is not to suggest that other candidates are necessarily unsuitable or incapable of undertaking the job, rather that there are some candidates, who based on their application, appear to be better qualified and/or have more relevant experience.

An expert board will examine the application forms against agreed shortlisting criteria based on the requirements of the position. The shortlisting criteria may include both the essential and desirable criteria specified for the position. It is therefore in your own interest to provide a detailed and accurate account of your qualifications/ experience in your application.

Confidentiality

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

Security Clearance

Garda vetting may be sought in respect of individuals who come under consideration for appointment. The applicant will be required to complete and return a Garda Vetting form should they come under consideration for appointment. This form will be forwarded to An Garda Síochána for security checks on all Irish and Northern Irish addresses at which they resided. The applicant will also be required to provide clearance/disclosure from the police force or equivalent authority of any country in which the applicant under consideration for appointment has resided for more than 6 months. If unsuccessful this information will be destroyed by the Office of the Ombudsman. If the applicant subsequently comes under consideration for another position, they will be required to supply this information again.

It is the applicant's responsibility to seek security clearances in a timely fashion as they can take some time. An appointment cannot be made without this information.

Eligibility Requirements

Qualifications/eligibility may not be confirmed until the final stage of the process, therefore, those candidates who do not possess the essential requirements and proceed with their application are putting themselves to unnecessary effort/expense and will not be offered a position from this competition.

Please note that, given the volume of applications, the Office of the Ombudsman is not in a position to consider or offer advice on the qualifications/eligibility of individuals unless they come under consideration. The onus is on the candidate to ensure they fulfil the eligibility requirements set out. The Office of the Ombudsman reserves the right to deem an applicant ineligible at any stage if it is apparent that the candidate does not hold the required eligibility/qualifications e.g. from the submitted application form. Candidates who come under consideration following the final selection stage will be required to provide documentary evidence of their eligibility, including qualifications.

Candidates who are unable to show that they hold the required qualifications may be withdrawn from the competition at any stage. An invitation to tests, interview or any element of the selection process is not acceptance of eligibility.

Other important information

The Office of the Ombudsman will not be responsible for refunding any expenses incurred by candidates.

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

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

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

Once a candidate has accepted an offer of appointment their name will be removed from the panel and no further offers of appointment will be made.

Should similar type vacancies arise elsewhere in the Organisation candidates may be drawn from this competition.

Review and Complaint Procedures under the Code of Practice for Appointments to Positions in the Civil and Public Service

If a candidate is unhappy following the outcome of any stage of a selection process, they can either:

1. Request a **Review of a decision** made during the process
- or**
2. **Make a Complaint** that the selection process followed was unfair

A candidate can follow either one of the two procedures in relation to the same aspect of a selection process, but not both. Where a review of a selection process has taken place under Section 7 (as detailed below), a complainant may not seek a further review of the same process under Section 8, other than in the most exceptional circumstances that will be determined by the Commission for Public Service Appointments (CPSA) **at its sole discretion**.

There is no obligation on the Office of the Ombudsman to suspend an appointment process while a Review or Complaint is being considered. However, the CPSA expects that, where possible, the Office of the Ombudsman will intervene in cases where it finds an error is likely to have occurred.

Requesting a Review under Section 7

A request for review may be taken by a candidate should they be dissatisfied with an action or decision taken by the Office of the Ombudsman. The Office of the Ombudsman will consider requests for review in accordance with the provisions of **Section 7** of the Code of Practice for Appointments to Positions in the Civil and Public Service published by the CPSA.

When making a request for a review, the candidate must support their request by outlining the facts they believe show that the action taken, or decision reached was wrong. A request for review may be refused if the candidate cannot support their request.

The Informal Review will consist of a desk-based examination of any available information in relation to the recruitment process and the decision taken regarding the candidate's application. The outcome of the Informal Review Process will be communicated to the requester in writing.

- A request for Informal Review must be made within 5 working days of notification of the decision and will normally take place between the candidate and a representative of the Office of the Ombudsman who had played a key role in the administration of the selection process.
- Where a candidate remains dissatisfied following any such informal communication, he/she may adopt the formal procedures set out below.

A request for Formal Review must be made within 5 working days of either the notification of the selection decision, or the notification of the outcome of the Informal Review process. 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 Office.

- The candidate must address his/her concerns in relation to the process in writing to hrrecruitment@ombudsman.ie outlining the facts that they believe show an action taken or decision reached was wrong.
- The Formal Review will be conducted by a person who is completely independent of the selection process
- The outcome of the Formal Review must generally be notified to the candidate within 25 working days of receipt of the request for review. If the investigation does not produce a decision within this time, the Office of the Ombudsman must keep the candidate informed of the status of the review and the reasons for the delay.

Making a Complaint under Section 8

A candidate may believe there was a breach of the Commission's Code of Practice by the Office of the Ombudsman that may have compromised the integrity of the decision reached in the appointment process. The complaints process enables candidates to make a complaint under **Section 8** to the Office of the Ombudsman in the first instance, and to the Commission for Public Service Appointments subsequently on appeal if they remain dissatisfied.

On foot of a Section 8 Complaint process, either the Office of the Ombudsman or the CPSA may find that the recruitment and selection process in question has not adhered to the standard set out in the Code of Practice. In such cases, the Office of the Ombudsman and the CPSA may make recommendations in order to prevent such issues from reoccurring again in the future. **The CPSA cannot instruct the Office of the Ombudsman to reverse a decision taken in the course of an appointment process.** Any candidate wishing for an investigation into the decision taken regarding their application as part of a selection process should request a Review under Section 7, as outlined above.

The complainant must outline the facts that they believe show that the process followed was wrong. The complainant must also identify the aspect of the Code they believe has been infringed and enclose any relevant documentation that may support the allegation. A complaint may be dismissed if they the complainant cannot support their allegations by setting out how the Office of the Ombudsman has fallen short of the principles of this Code.

The Informal Complaint will consist of a desk-based examination of any available information in relation to the recruitment process. The outcome of the Informal Complaint will be communicated to the requester in writing.

- An Informal Complaint must be made within 5 working days of notification of the decision, and will normally take place between the candidate and a representative of the Office of the Ombudsman who had played a key role in the administration of the selection process.
- Where a candidate remains dissatisfied following any such informal communication, he/she may adopt the formal procedures set out below.

A Formal Complaint must be made within 5 working days of either the notification of the selection decision, or the notification of the outcome of the Informal Complaint. 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 Office.

- The candidate must address his/her concerns in relation to the process in writing to hrrecruitment@ombudsman.ie outlining the facts that they believe show an action taken or decision reached was wrong.
- The Formal Complaint will be investigated by a person who is completely independent of the selection process
- The outcome of the Formal Complaint must generally be notified to the candidate within 25 working days of receipt of the request for review. If the investigation does not produce a decision within this time, the Office of the Ombudsman must keep the candidate informed of the status of the review and the reasons for the delay.

For further information on the above Review and Complaint procedures please see the *Code of Practice for Appointments to Positions in the Civil and Public Service* which is available on the website of the Commission for Public Service Appointments, www.cpsa.ie

Requests for Feedback/Test Rechecks

Feedback in relation to the selection process is available on written request. There are no specific timeframes set for the provision of feedback or for carrying out rechecks.

Please note that the Review Process as set out in the Code of Practice is a separate process with specified timeframes that must be observed. Receipt of feedback is not required to invoke a review. It is not necessary for a candidate to compile a detailed case prior to invoking the review mechanism. The timeframe set out in the CPSA Code cannot be extended for any reason including the provision of feedback and/or the outcome of rechecks.

Candidates' Obligations

Candidates must not:

- knowingly or recklessly provide false information
- canvass any person with or without inducements
- personate a candidate at any stage of the process
- interfere with or compromise the process in any way

It is important to remember that this is a competitive process for a role where integrity is paramount. Sharing information on the selection process e.g. through social media or any other means, may result in you being disqualified from the competition.

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

Please note that all assessment and test materials are subject to copyright and all rights are reserved. No part of the test material (including passages of information, questions or answer options), associated materials or interview(s) may be reproduced or transmitted in any form or by any means including electronic, mechanical, photocopying, photographing, recording, written or otherwise, at any stage. To do so is an offence and may result in you being excluded from the selection process. Any person who contravenes this provision, or who assists another person(s) in contravening this provision, is liable to prosecution and/or civil suit for loss of copyright and intellectual property.

Use of Recording Equipment

The Office of the Ombudsman does not allow the unsanctioned use of any type of recording equipment. This applies to any form of sound recording and any type of still picture or video recording, whether including sound recording or not, and covers any type of device used for these purposes.

Any person wishing to use such equipment for any of these purposes must seek written permission in advance. This policy is in place to protect the privacy of staff and customers and the integrity of our assessment material and assessment processes.

Unsanctioned use of recording equipment by any person is a breach of this policy. Any candidate involved in such a breach could be disqualified from the competition and could be subject to prosecution under section 55 of the Public Service Management (Recruitment & Appointments) Act, 2004.

In addition, where a person found guilty of an offence was or is a candidate at a recruitment process, then:

- Where he/she has not been appointed to a post, he/she will be disqualified as a candidate, and
- Where he/she has been appointed subsequently to the recruitment process in question, he/she shall forfeit that appointment.

Contravention Code of Practice

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, if a person found guilty of an offence was, or is a candidate at a recruitment process,

- they will be disqualified as a candidate and excluded from the process;
- has been appointed to a post following the recruitment process, they will be removed from that post

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

Be 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 Office of the Ombudsman, or who do not, when requested, furnish such evidence as the Office of the Ombudsman require in regard to any matter relevant to their candidature, will have no further claim to consideration.

Candidates are expected to provide all requested documentation to the Office of the Ombudsman, including all forms issued by the Office of the Ombudsman for completion, within five days of request. Failure to do so will result in the candidate being deemed to have withdrawn from the competition and their candidature will receive no further consideration.

General Data Protection Regulation (GDPR)

The General Data Protection Regulation (GDPR) came into force on the 25th May 2018, replacing the existing data protection framework under the EU Data Protection Directive.

When you submit an application for a competition, the Office of the Ombudsman creates a computer record in your name. Information submitted with a job application is used in processing your application. Where the services of a third party are used in processing your application, it may be required to provide them with information, however all necessary precautions will be taken to ensure the security of your data.

To make a request to access your personal data please submit your request by email to: hrrecruitment@ombudsman.ie ensuring that you describe the records you seek in the greatest possible detail to enable us to identify the relevant record(s).

Information in relation to a candidate's personal data held by the Office of the Ombudsman are set out in its Privacy Notice which can be accessed [here](#).