



An Roinn Dlí agus Cirt Department of Justice

COMPETITION BOOKLET FOR CANDIDATES

PLEASE READ CAREFULLY

Open Competition for Appointment to the Position of

Senior Legal Researcher

In the Department of Justice

The Department of Justice is committed to a policy of equal opportunity. This competition will be run in compliance with the Codes of Practice prepared by the Commission for Public Service Appointments (CPSA). Codes of Practice are published by the CPSA and are available on www.cpsa.ie.

1. Introduction

An opportunity now exists for a suitably qualified and committed individual to take up the role of **Senior Legal Researcher** within the Immigration Service Delivery (ISD) section of the Department of Justice. ISD is part of the Department's Civil Pillar.

ISD was initially established as the Irish Naturalisation and Immigration Service (INIS) in 2005 to provide a "one stop shop" in relation to Ireland's immigration system. ISD is part of the Department of Justice and is responsible for administering the functions of the Minister in relation to visas, border control, residence, repatriation, citizenship and asylum. The Department of Justice now seeks to recruit talented individuals with specialist skills, qualifications and expertise in immigration law, to play a leading and active role in supporting ISD through the provision of high quality legal support.

The work of ISD frequently concerns new and complex policy and legal issues. Successful candidates will have the opportunity to work on immigration case-law and regulation. In particular, the International Protection Act, developments in the jurisprudence of the Irish and European Courts, as well as developments regarding the implementation of EU Directives and International Law (particularly at EU level).

Successful applicants will be placed on a panel, in order of merit. The panel will remain in place for up to 2 years. The Senior Legal Researcher vacancies to be filled from this panel will be in various locations in Dublin 1 and 2.

Vacancies of a closely similar nature arising elsewhere in the Department or wider Civil Service may be filled from the panel established on foot of this competition.

2. The Civil Service

The Irish Civil Service is a large complex organisation employing over 37,000 people in approximately 40 Government Departments and offices and a range of other bodies.

Every day the Civil Service makes a vital contribution to Irish life. Everything the Civil Service does - from carrying out the work of Government to delivering frontline public services - impacts Ireland in some way.

3. The Department of Justice

The Department of Justice is the Department of State with overall responsibility for public policy and administration in respect of justice, public safety, civil law, national security and immigration issues. Its vision, as set out in the Strategy Statement 2021-2023 ([Strategy Statement-Justice](#)), is for **"a safe, fair and inclusive Ireland"** achieved through working together with the Department's values to advance community and national security, promote justice and safeguard human rights.

The Department directly employs close to 2700 staff, with 28 agencies operating under its aegis. The Department also has an international reach, with almost 40 officers posted in 11 Irish embassies and missions across 4 continents, working on a broad range of immigration services and international issues.

It is centrally responsible for law enforcement, national security and counter terrorism, rehabilitation of offenders, courts policy, civil and criminal law, prisons policy, and promoting actions in the areas of human rights as well as immigration and citizenship. A significant proportion of all legislation, civil, criminal and regulatory, passed by the Oireachtas every year is drafted by the Department. Operating either directly under its aegis, or at one remove, are a number of the key institutions of State – An Garda Síochána, the Courts Service, and the Irish Prison Service. A range of other important responsibilities are also exercised by the 28 agencies under the aegis of the Department.

The mission of the Department of Justice is to work for a safe, fair and inclusive Ireland. We do this by striving to maintain community and national security, promote justice and equity, and safeguard human rights and fundamental freedoms consistent with the common good. Working with colleagues across the Civil Service we work to serve the State and the people of Ireland by offering objective and evidence-informed advice to Government, responding to developments and delivering Government objectives while striving to achieve optimal outcomes in the long-term national interest and serving citizens and stakeholders efficiently, equally and with respect, in a system that is open, transparent and accountable.

Further details about the Department and its work may be found on its website here: www.gov.ie/justice/

4. The Role

The key duties of the role are:

- Providing legal advice and expertise, including responding to requests for legal advice and information in order to contribute to legally robust decision making by relevant units;
- Liaising with various units in order to deliver feedback and guidance on issues stemming from Court judgments;
- Assisting in the provision of legal training on aspects of immigration law relevant to the work of various units;
- Attending at hearings and consultations to assist in ensuring that the most appropriate instructions are given to legal representatives acting for the Minister in Judicial Reviews and other proceedings relating to decisions of the Minister;
- Assisting in other legal projects as and when they arise;
- Managing the team of legal researchers as well as the professional development and performance management of the team;
- Preparation of fortnightly judgment summaries;
- Supervising the compilation of a database of key immigration related judgments.

Senior Legal Researchers will be reporting to a Principal Officer grade in the area of the Department to which they have been assigned.

5. Eligibility

Essential Qualifications & Requirements

Candidates must, on or before the deadline:

- Hold a Law Degree (Level 8 in the National Framework of Qualifications) with at least 2:1 Honours **or** a recognised relevant professional legal qualification, **and**
- Have relevant practical experience in providing legal advice.

In addition candidates must demonstrate:

- An extensive knowledge of Irish immigration law, human rights law and the law of international protection;
- Knowledge of administrative law, including contemporary legislative developments and evolving jurisprudence;
- Strong legal writing, research and analytical skills with excellent attention to detail;
- Strong information technology skills, particularly using Microsoft Office, legal research databases and online legal resources;
- The ability to prioritise and manage multiple projects;
- Management experience at an appropriate level, including leading teams and managing resources;
- Strong experience of the management of or development of research services/projects;
- The ability to guide the professional development and expertise of a team;
- Excellent communication and interpersonal skills; and
- The ability to work independently and in a team environment;
- Candidates will also be expected to be able to demonstrate the competencies for a role at Assistant Principal Officer level in the Civil Service (see below).

Desirable Skills (but not essential)

- Familiarity with the law of the European Union and the law of evidence.

Competencies for the role of Senior Legal Researcher in the Civil Service
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/ 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
<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/ 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
Drive & Commitment
<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
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

6. The Application Process

A completed application form **must** be downloaded, completed and be submitted by email to competitions@justice.ie not later than 3pm (Irish time/GMT) on **26th January 2023**.

An application form can be found on the online database:

<https://jobs.justice.ie/website/jobs/jobs.nsf/page/index-en>

Deadline for Applications

Applications must be submitted online **not later than 3pm (Irish time/GMT) 26th January 2023**. The onus is on applicants to ensure that they have correctly submitted their applications. Applicants must complete and submit one application only.

Application Forms must be submitted using Microsoft Word only. Applications using another programme, such as '.pdf', will not be accepted.

Human Resources Division's experience is that some applicants leave both registering and/or submitting their application until the last day or indeed the last few minutes before a competition deadline. This invariably leads to a number of applications being received late. Applicants are strongly advised to submit their applications as early as possible to avoid any difficulties with applying in time.

In the interest of fairness to all applicants, late applications will not be accepted in any circumstances. This policy is strictly applied.

The Application Form

The Application Form must be typed. It comprises two sections, as follows:

- Section A – Curriculum Vitae, to include educational qualifications and career history
- Section B – Specific examples (of not more than **400 words** per example, in the space provided) setting out experience and/or achievement and demonstrating how the candidate has displayed each of the 6 attributes/areas of experience identified as required for the role of Senior Legal Researcher

7. Selection Process

The methods used to select the successful candidate for this post may include:

- Short-listing of candidates on the basis of the information contained in their application;
- A competitive interview.

In the event of a shortlisting exercise being employed, an expert board will examine the application forms and assess them against pre-determined criteria based on the requirements of the position in order to reduce the list of candidates to a more manageable number for interview. It is therefore in your own interest to provide a detailed and accurate account of your qualifications, experience, and how you fulfil the specific requirements as set out in this Information Booklet.

Candidates should make themselves available on the date(s) specified by the Department of Justice and ensure that the contact details provided are correct.

The Department of Justice will not be responsible for refunding any expenses incurred by candidates.

It is envisioned that a panel will be formed as a result of this competition, from which future vacancies may be filled.

Prior to recommending any candidate for appointment to this position, the Department of Justice 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, Department of Justice may at its discretion, select and recommend another person for appointment on the results of this selection process.

Candidates who do not attend for interview or other tests at the time and place required by the Department of Justice, or who do not, when requested, furnish such evidence as the Department of Justice require in regard to any matter relevant to their candidature, will have no further claim to consideration.

Attributes/Areas of Experience	Maximum Mark Available	Minimum Mark Required*
Specialist Knowledge Expertise and Self-Development: Knowledge of Immigration & Asylum Law.	100	50
Interpersonal and Communications Skills: Ability to Present Information Clearly, Concisely, and Confidently	100	50
Analysis and Decision Making: Ability to research thoroughly and understand complex issues quickly to make well-grounded decisions.	100	50
Drive and Commitment: Ability to be self-motivated and lead by example and understands commitment to public service value	100	50
Management & Delivery of Results Ability to Deliver High Performance in Challenging Circumstances	100	50
Leadership Ability to consider the effectiveness of outcomes in terms wider than own immediate area and contribute to development of strategy and policy	100	50
Total	600	360*

* A Minimum Mark of 50 out of a total available of 100 under each criteria heading is required for an applicant to pass the interview. It should be noted however that in order to be considered for placement on the panel, a score of at least 360 marks, from the 600 available, must be achieved.

8. Acceptance of Appointments

Appointments will be made from a panel in order of merit.

Staff are required to serve a probationary period after which they will be deemed suitable or unsuitable for appointment to the role of Senior Legal Researcher.

Officers who are placed on the panel will be subject to the normal requirements in relation to satisfactory performance and conduct when under consideration for appointment.

9. Security Clearance

You will be required to complete and return a Garda eVetting form should you 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 you resided. However should your application for the competition be unsuccessful this form will be destroyed by the Department of Justice.

If you have resided / studied in countries outside of the Republic of Ireland for a period of 6 months or more, it is **mandatory** for you to furnish a **Police Clearance Certificate** from those countries stating that you have no convictions recorded against you while residing there. You will need to provide a separate **Police Clearance Certificate for each country you have resided in**. Clearance must be dated after the date you left the country.

It is your responsibility to seek security clearances in a timely fashion as they can take some time. You cannot be appointed without this information being provided and being in order.

10. 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 this position, as of 01 October 2022:

€67,148.00, €68,682.00, €70,213.00, €71,750.00, €73,283.00, €73,691.00, €75,203.00, €76,772.00, (NMAX) €79,326.00 (LSI 1) €81,887.00 (LSI 2)

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.

Salary is payable fortnightly in arrears by Electronic Funds Transfer (EFT) into a bank account of the appointee's choice. Payment cannot be made until the appointee supplies a bank account number and bank sort code to Human Resources in the Department of Justice. Statutory deductions will be made from salary as appropriate.

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.

In certain circumstances, different conditions may apply for existing civil or public servants.

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 Department of Justice 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 such as may be designated from time to time by the Head of the Department / Organisation. When required to travel on official duty the appointee will be paid appropriate travelling expenses and subsistence allowances, subject to normal civil service regulations.

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 27 days rising to 30 days after 5 years' service. 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 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 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 Civil 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 appointee has 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 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 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. 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.

However, if the appointee 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. 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.

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 III-health retirement from Civil Service

If successful in their application through the competition, the applicant should to 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 III-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

In addition to pension contribution requirements under the rules of the appropriate pension scheme of which an appointee may be a member, this appointment is subject to the additional superannuation contribution in accordance with the Public Service Pay and Pensions Act 2017.

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

Ethics in Public Office Act 1995

The Ethics in Public Office Acts 1995 will apply, where appropriate, to this employment.

Outside Employment

The position will be whole time and the appointee may not engage in private practice or be connected with any outside business, which conflicts in any way with his/her official duties, impairs performance or compromises his/her integrity.

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

During the term of the probationary contract, an officer will be subject to the Provisions of the Official Secrets Act, 1963, as amended by the Freedom of Information Act 2014. The officer will agree not to disclose to unauthorised third parties any confidential information either during or subsequent to the period of employment.

The officer will be subject to the Civil Service Code of Standards and Behaviour. The Ethics in Public Office Acts 1995 will apply, where appropriate, to this employment.

Political Activity

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

Unfair Dismissals Act 1977 – 2015

The Unfair Dismissals Acts 1977-2015 will not apply to the termination of your employment by reason only of the expiry of the probationary period of this contract without it being renewed.

Hours of attendance will be as fixed from time to time but will amount to on average not less than 41 hours and 15 minutes gross or 35 hours net per week.

Candidates should note that hours of attendance may be adjusted from time to time in line with Government policy. 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.

The Organisation of Working Time Act 1997

The terms of the Organisation of Working Time Act, 1997, will apply, where appropriate, to your employment.

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, 1997 and 2003. You will agree not to disclose to 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

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

Ethics in Public Office Act 1995

The Ethics in Public Office Act, 1995, will apply, where appropriate, to your employment.

Prior approval of publications

You will agree not to publish material related to your official duties without prior approval by the Chief Executive Officer of the Courts Service.

Personnel code

All circulars are available on the website www.circulars.gov.ie

Please note;

As an Employer of Choice the Civil Service has many flexible and family friendly working policies including some opportunities for remote working which in the civil service is on a blended basis. 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 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.

11. Eligibility to Compete and Certain Restrictions on Eligibility

Citizenship Requirements

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 be eligible 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.

12. Other Important Information

The Department of Justice 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 Department of Justice 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.

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.

A panel may be formed from which future vacancies may be filled from this campaign.

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.

Candidates' obligations

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.

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.

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.

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.

Use of Recording Equipment

The Department of Justice does not allow the unsanctioned use of any type of recording equipment on its premises. 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.

13. 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.
- Are fully competent and available to undertake, and fully capable of undertaking, the duties attached to the position.

Confidentiality

Subject to the provisions of the Freedom of Information Acts, 1997 and 2003, applications will be treated in strict confidence

Canvassing will disqualify

Applicants should note that canvassing by or on behalf of an applicant will disqualify the applicant and will result in their exclusion from the selection process.

14. Review Procedures

The selection process for this competition is being carried out in accordance with the principles set out in the Code of Practice for Appointment to Positions in the Civil Service and Public Service. This Code of Practice can be accessed through the Commission for Public Service Appointments website at www.cpsa.ie.

Information regarding review procedures is set out in Sections 7 and 8 of the above Code of Practice. (The two procedures are mutually exclusive. Where a formal review has taken place under Section 7 of the Code, you 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 at its sole discretion.)

- **Informal Review:** Where possible, and only with the agreement of the candidate, every effort will be made to resolve any issues/complaints by way of an informal process.
- **Section 7** review procedures apply in cases where a candidate is unhappy with an action or decision in relation to his/her candidature (but does not believe there was a breach of the Code of Practice).
- **Section 8** review procedures apply where a candidate believes that an aspect of the process breached the CPSA’s Code of Practice.

Requests for Review

Where a candidate requests a review, they should determine which procedure is appropriate to their circumstances, i.e. Informal or Formal, Section 7 or Section 8. The candidate must submit their request within the timelines specified in the Code of Practice. These timelines are restricted in order to ensure that corrective action can be taken, if necessary, without delaying the process for other candidates. Candidates must clearly set out the grounds for review and specify the relevant Section of the Code. *A request for a review may be refused if the candidate cannot support their request.*

You are entitled to acknowledgement, within 3 days, of a request for formal review, and the outcome of the review must be provided to you within 25 days of receipt of the request. If it is not possible to complete the review within this time, you will be informed of the status of the review and the reasons for the delay.

Timelines for review requests are as follows:

SECTION 7 Review	SECTION 8 Review
<p><u>Interim stage of competition</u></p> <ul style="list-style-type: none"> - Request for Informal Review – 2 working days after receipt of decision - Request for Formal Review – 4 working days after receipt of decision <p><u>Final stage of competition</u></p> <ul style="list-style-type: none"> - Request for Informal Review – 5 working days after receipt of decision - Request for Formal Review – 10 working days after receipt of decision <u>or</u> 2 working days after notification of informal review 	<p><u>Interim and Final stages of competition</u></p> <ul style="list-style-type: none"> - Request for Informal Review – 5 working days after receipt of decision - Request for Formal Review – 2 working days after notification of decision arising from informal review or without delay where candidate does not avail of informal Review - CPSA – 10 working days after receipt of decision arising from office holder’s review

15. Deeming of candidature to be withdrawn

Candidates who do not attend for interview when and where required by the Department of Justice, or who do not, when requested, furnish such evidence as the Department of Justice 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 Department of Justice, including all forms issued by the Department of Justice 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.

16. 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.

Feedback will be provided to candidates in relation to the selection process is available on request. There are no specific timeframes set for the provision of feedback.

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.

17. 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 register with jobs.justice.ie or submit an application for a competition, we create 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.

18. Further queries

Any queries regarding this competition should only be sent to competitions@justice.ie.

Human Resources Division

12th January 2023