

# An Garda Síochána



INFORMATION BOOKLET FOR CANDIDATES

PLEASE READ CAREFULLY BEFORE APPLYING

## Open Competition for Appointment to Assistant Principal Officer Legal Professional in An Garda Síochána.

**Dublin**

HRD\_37\_592825/22

**Closing Date: 13<sup>th</sup> January, 2023**

**Applications received after the closing date will not be accepted**

An Garda Síochána is committed to a policy of equal opportunity.

This competition will be run in compliance with the Code of Practice for Appointment to Positions in the Civil Service and Public Service (CPSA) – available on [www.cpsa.ie](http://www.cpsa.ie)

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CONTACT: An Garda Síochána, HR Directorate, Athlumney House, Johnstown, Navan, Co. Meath C15 ND62. Phone: 046 903 6376/7/5 or [HRPD.StaffCompetitions@garda.ie](mailto:HRPD.StaffCompetitions@garda.ie)

## THE DIFFERENCE IS YOU

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## **Legal Professional (Assistant Principal) in An Garda Síochána**

### **Section 1: Overview of An Garda Síochána**

An Garda Síochána is the national police service of Ireland with approximately 14,700 Garda members, 3,000 Garda staff and 600 Garda Reserves working in four regions across the State and in a number of national, regional, specialist and administrative units. The Mission of An Garda Síochána is “*to deliver professional policing and security service with the trust, confidence and support of the people it serves*”. An Garda Síochána is directed and controlled by the Garda Commissioner. An Garda Síochána is a unitary body responsible for the security of the State and the provision of policing services, two functions united by an underpinning philosophy: the protection of the individual and the safety of communities. An Garda Síochána is in and of the community and community policing is the key and core to what the organisation does.

The changing demands and expectations of citizens, the emerging security and policing challenges, require a programme that will professionalise, modernise and reform An Garda Síochána to ensure the organisation can meet present and future challenges. Over the past decade statutory and other reviews have highlighted the need for major reform of the organisation, how it is managed and the manner in which policing services are provided. A wide-ranging transformation programme, drawing on the recommendation of these reviews is underway. This is a challenging reform agenda across key areas including cultural change, governance, performance management, technology, structural change and capacity building and offers a significant opportunity to make a valuable contribution to Irish life.

An Garda Síochána is a dynamic organisation in which staff members can enjoy a rewarding and worthwhile career of service to the communities and people of Ireland.

### **Garda Legal**

Located within Garda Headquarters and Ashtown Gate, the Offices of Executive Director Legal services the full range of complex legal needs of An Garda Síochána in general and the Executive of An Garda Síochána (the Garda Commissioner, the Deputy Commissioners and the Chief Administrative Officer) in particular. There are four Sections within Garda Legal which comprise Civil, Employment, Criminal and Human Rights.

The Legal Professional, Assistant Principal position is for the Civil Legal section within this Directorate being responsible for the proactive management of all civil litigation involving the Garda Commissioner; legal advice in relation to administrative, employment and regulatory legal issues; and for providing legal advice on key organisation projects and strategies. A panel will be established from which an appointment will be made and from which other vacancies in Civil Legal and other sections may be filled.

The panel will expire two years after the establishment of the panel, unless otherwise extended or when it has been exhausted, whichever is the sooner. Candidates not appointed at the expiry of the panel will have no claim to appointment thereafter, because of having been on the panel.

## **Section 2: Job Specification**

An Garda Síochána is seeking candidates who hold a Professional Legal Qualification.

The Solicitors/Barristers will be required to provide advice in a fast paced legal environment dealing with a broad range of legal issues and will report to the Senior Management and also to the Head of Civil Legal within the Civil Legal Section.

### **Duties of the role**

The duties of the role will vary depending on the area to which a staff member is assigned.

#### ***The following is a general overview of the Legal Professional, Assistant Principal duties in the Civil Legal Section:***

- Assisting the Head of Civil Legal in providing advice to Executive Director Legal in all civil legal proceedings concerning An Garda Síochána;
- Managing and preparing Briefs for the Chief State Solicitor's Office/Attorney General's Office as necessary;
- Monitoring the outcome of litigation and casework and supervising staff on proposed follow-up actions;
- Liaising as necessary with all relevant stakeholders within the organisation and external stakeholders on procedural matters in connection with litigation;
- Analysing legal issues and providing effective and timely legal advice on a broad range of issues to include data protection law, freedom of information, administrative and regulatory law;
- Preparation of briefing documents for submission to Executive Director Legal;
- Liaising with and maintaining effective and professional working relations with An Garda Síochána staff and external agencies;
- Performing management functions to include providing leadership, motivation and managing staff performance;
- Any other duties that may be assigned from time to time by the Head of Civil Legal.

**The duties assigned to the Legal Professional, Assistant Principal may differ from these if a successful candidate is assigned to another section within the Office of the Executive Director Legal.**

## **Section 3: Person Specification**

## Essential Qualifications and Requirements:

Candidates **must** on or before the closing date of 6<sup>th</sup>, January, 2023

(a) Have at least 3 years Post Qualification experience

(b) Have significant management experience, including leading legal teams and managing resources **at an appropriate scale and senior level;**

- Be enrolled as a Solicitor in the State or be entitled to be enrolled\* and have applied for enrolment;

*\*Entitled to be enrolled and have applied to be enrolled shall mean that on the closing date for this campaign all examination and/or other Law Society requirements have been completed successfully and that the candidate is, therefore, eligible to be put on the roll of solicitors and has so applied;*

**Or**

- Be called to the Bar of Ireland or is a qualified barrister (as defined in section 2(1) of the Legal Services Regulation Act 2015) and is registered with the Roll of Practising Barristers or is entitled to be registered\* and has applied for registration;

*\*Entitled to be registered and have applied for registration shall mean that on the closing date for this campaign all examinations and/or other requirements for a person to be deemed a qualified barrister (as defined in section 2(1) of the Legal Services Regulation Act 2015) have been completed successfully and the candidate is therefore eligible to be registered with the Roll of Practising Barristers and has so applied.*

**AND**

- Have sound knowledge of the law and a good understanding of the procedures used in the general legal tasks encountered in the practice of law;
- Have excellent communication, negotiation and relationship management skills with the ability to fully engage with a range of stakeholders;
- Have the ability to work on their own initiative, to work independently and in a team environment;
- Have the ability to prioritise, organise and manage a multi-layered case load in a busy environment;
- Have the ability to take responsibility for meeting defined performance targets with clear accountability for outcomes;
- Have the ability to analyse risk and to take corrective action;
- Have a clear understanding of the Government Reform Plan as set out at <http://reformplan.per.gov.ie/> with particular focus on service delivery, efficiency, openness, leadership and capacity.

## **Desirable requirements**

Experience of Practice Law is desirable in the following two areas:

- Administrative and/or Constitutional and/or European law
- Litigation and/or litigation involving public bodies

and experience in at least one of the following areas:

- Employment and Equality Law
- Data Protection Law and Freedom of Information Law
- Regulatory Law
- Human Rights Law and Jurisprudence
- Criminal Justice legislation and practice

Candidates should also demonstrate the following:

- Substantial experience in a fully computerised office environment, in the use of electronic case management systems and other IT applications commonly used in a modern law office.
- Contributed to the development of knowledge management in an office environment.

**Candidates must also demonstrate the key competencies for effective performance at this level which are detailed below.**

## Assistant Principal Officer Level Competencies

### Effective Performance Indicators

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

## **Section 4: Eligibility to Compete**

### **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 Switzerland pursuant to the agreement between the EU and Switzerland on the free movement of persons; or
- (c) 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
- (d) 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
- (e) 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

## **Section 5: 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 post is offered at Assistant Principal Officer level with effect from 1<sup>st</sup> October, 2022.

### **Personal Pension Contribution**

The PPC (Personal Pension Contribution) salary scale (annually) for this position, with effect from 1<sup>st</sup> October 2022, is as follows:

## **Assistant Principal Officer (PPC)**

€72,511 – €75,181 – €77,889 – €80,606 - €83,318 - €84,881 - LSI 1 €87,619 - LSI 2 €90,366

\*Long Service increment (LSI 1) may be payable following 3 years' satisfactory service at the maximum of scale.

\*\*Long Service increment (LSI 2) may be payable following 6 years' satisfactory service at the maximum of scale.

This rate applies where the appointee is an existing civil or public servant appointed on or after 6<sup>th</sup> April 1995 and is required to make a personal pension contribution. A different rate will apply where the appointee is a civil or public servant recruited before 6<sup>th</sup> April 1995 and who is not required to make a Personal Pension Contribution.

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

### **Important Note:**

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

Payment will be made fortnightly in arrears by Electronic Fund Transfer (EFT) into a bank account of an officer's choice. Payment cannot be made until a bank account number and bank sort code has been supplied to the HR Directorate, Athlumney House, Johnstown, Navan, Co Meath C15 ND62 statutory deductions from salary will be made as appropriate.

Upon appointment, 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.

### **Location**

Please note that the positions will be based at An Garda Síochána's Legal Department at Garda Headquarters, Phoenix Park Dublin 8 and Ashtown Gate, Navan Road, Dublin 15. There may be a requirement to work in other locations in the Dublin area.

### **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 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.

### **Hours of attendance**

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

The successful candidate will be required such additional hours from time to time as may be reasonable and necessary for the proper performance of their duties subject to the limits set down in the working time regulations.

### **Outside Employment**

The position is full time and the appointee must avoid involvement in outside employment/business interests in conflict or in potential conflict with the business of An Garda Síochána. Clarification must be sought from management where any doubt arises.

### **Annual Leave**

Your annual leave allowance will be 30 working days a year. This allowance, which is subject to the usual conditions regarding the granting of annual leave, is on the basis of 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 or 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.

You 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 direct to An Garda Síochána. Payment of salary during illness will be subject to your 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 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](http://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).
- in the Civil or Public Service and is in receipt of a pension from the Civil or Public Service or Post retirement pension increases are linked to CPI

## **Pension Abatement**

- If the appointee has previously been employed 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.
- **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).

### **Ill-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 to be aware of the following:

- If deemed fit to provide regular and effective service and assigned to a post, their civil service ill-health pension ceases.
- 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 it.
- 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:*

- 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.
- 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.
- 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 or upon request to PAS.

### **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**

This appointment is subject to the additional superannuation contribution in accordance with the Public Service Pay and Pensions Act, 2017. 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](http://www.singlepensionscheme.gov.ie)

### **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 third parties any confidential information either during or subsequent to the period of employment.

### **Civil Service Code of Standards and Behaviour**

The appointee will be subject to the Civil Service Code of Standards and 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 Acts 1997, 2003 and 2014. The officer will agree not to disclose to third parties any confidential information either during or subsequent to the period of employment.

### **Ethics in Public Office Acts**

**The Code of Ethics** sets out nine standards of conduct and practice for everyone in An Garda Síochána, each with a number of commitments. It has been developed by the Policing Authority, in accordance with the Garda Síochána Act 2005, as amended. The Code has regard to the Policing Principles set out in that Act.

Candidates should note that, should they be deemed successful in the competition, they will be required to sign a declaration to affirm their commitment to the Code of Ethics and will declare that they have read and understand the Code of Ethics of An Garda Síochána, and will adhere to the standards set out therein.

### **Prior approval of publications**

An officer will agree not to publish material related to his or her official duties without prior approval by the Chairperson of the Authority or by another appropriate authorised officer.

### **Political Activity**

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

## **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**

## SECTION 6: Application and Selection Process



### APPLICATION PROCESS

#### **How to Apply**

Application forms may be downloaded from:

[www.garda.ie](http://www.garda.ie)

All sections of the application form must be fully completed in Word document format and submitted by way of email to [hrpd.staffcompetitions@garda.ie](mailto:hrpd.staffcompetitions@garda.ie) with subject heading: **AP Legal Professional**

#### **Closing Date**

The closing date for receipt of applications is: **17:00 on Friday 13<sup>th</sup> January, 2023.**

*Applications will not be accepted after the closing date.*

It is suggested that you apply well in advance of the closing date in case you experience any difficulties. Support will be available during office hours at 046 903 6376/7/5 (local rate number) or via email at [HRPD.StaffCompetitions@garda.ie](mailto:HRPD.StaffCompetitions@garda.ie) until the closing date.

#### **Candidates who wish to avail of Reasonable Accommodation**

Candidates who wish to avail of reasonable accommodations are asked to submit a psychologists/medical report. The purpose of the report is to act as a basis for determining reasonable accommodations where appropriate. These reports must be forwarded to Assistant Principal Officer Ms. Rosslyn May, HR Directorate, Athlumney House, Johnstown, Navan, Co. Meath C15 ND62.



### SELECTION PROCESS

#### **Selection Process methods**

The methods used to select the successful candidates for this post may include some or all of the following:

- Shortlisting of candidates on the basis of the information contained in their application;
- A competency based interview which may also include a presentation and/or an additional assessment exercise(s);
- Any other tests or exercises that may be deemed appropriate.

Posts will be offered in sequence to those candidates who finish highest in the overall order of merit drawn up following the interviews, i.e. the highest ranking candidates will, in turn, be offered a post.



### **Non-Refund of expenses**

Candidates should note that the provisions of Circular 6/89, Removal Expenses, will not apply to any offers of appointments arising from this competition. Additionally, any expenses incurred by candidates whilst undertaking or attending any elements of the selection process will not be refunded.

### **Communication**

Candidates should note that all communications relating to this competition, including the provision of results, will issue by way of email only. Candidates should ensure that a valid email address and contact details are provided on the application form and should check that email address on a regular basis.

### **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, An Garda Síochána may decide that a smaller number will be called to the next stage of the selection process.

In this respect, An Garda Síochána provide for the employment of a shortlisting process to select a group who 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, appear to be better qualified and/or have more relevant experience.

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.

### **Reschedule Requests**

Reschedule requests will only be considered under exceptional circumstances as deemed acceptable by An Garda Síochána (e.g. Bereavement/Illness). Please note that An Garda Síochána may request supporting documentation as evidence.

### **Vetting & Security Clearance**

You will be required to complete a stringent Garda Síochána vetting process should you come under consideration for appointment. It is a very in-depth process and can take up to 12 weeks to complete. You **cannot** be appointed without clearing this Vetting process.

## **SECTION 7: Important Candidate Information**

### **General Information**

An Garda Síochána will not be responsible for refunding any expenses incurred by candidates.

Posts will be offered in sequence to those candidates who finish highest in the overall order of merit drawn up following the interviews, i.e. the highest ranking candidates will, in turn, be offered a post.

The admission of a person to a competition, or invitation to attend interview, or a successful result letter, is not to be taken as implying that An Garda Síochána is satisfied that such a person fulfils the requirements.

Prior to recommending any candidate for appointment to this position An Garda Síochána will make all such enquiries that are deemed necessary e.g. health, character, employer references, security checks including vetting, or any other enquiries as 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.

### **Specific candidate criteria**

In addition to fulfilling the eligibility criteria set out, candidates must:

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

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.

### **Appointments from panels**

A panel will be established from which an appointment will be made and from which future vacancies may be filled. Qualification and placement on a panel is **not** a guarantee of appointment to a position.

Please note that once an offer of appointment has been accepted a candidate will be removed from the panel and no further offers of appointment will be made. Should similar type vacancies arise elsewhere in the Civil Service candidates may be drawn from this competition.

The panel will expire two years from its establishment, unless otherwise extended, or when it has been exhausted, whichever is sooner. Candidates not promoted at the expiry of the panel will have no claim to promotion thereafter because of having been on the panel.

### **References**

Should you come under consideration for a position you will be required to provide the names of referees. The referees do not have to include your present employer. If you have no previous work experience a reference from your school/university may suffice. The references should provide relatively recent information on your performance and behaviour in a work context. Please note, should you be successful at interview and come under consideration for a position, we will require a reference from your current employer prior to assignment. A statement of employment is **not** sufficient and will not be accepted as an employer reference. Your current employer will only be contacted with your consent.

### **Deeming of candidature to be withdrawn**

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

### **Declining an offer of appointment**

Should the person recommended for appointment decline, or having accepted it, relinquish it, An Garda Síochána HR may at its discretion, offer the position to the next candidate on the panel.

### **Confidentiality**

Candidates can expect that all enquiries, applications and all aspects of the proceedings are treated as strictly confidential subject to the provisions of the Freedom of Information Act 2014.

Certain items of information, not specific to any individual, are extracted from computer records for general statistical purposes.

### **Use of Recording Equipment**

An Garda Síochána 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.

### **Code of Practice**

The Commission for Public Service Appointments (CPSA) Code of Practice Appointment to Positions in the Civil Service and Public Service applies to this competition and is available to view at [www.cpsa.ie](http://www.cpsa.ie). The CPSA Code of Practice outlines the procedures whereby a candidate may seek a review regarding a decision taken in relation to his/her application or in relation to allegations of a breach of the Code of Practice. Requests for a CPSA review should be submitted in writing to [hrpd.cpsa@garda.ie](mailto:hrpd.cpsa@garda.ie) clearly setting out the grounds for review and specifying the relevant Section of the Code.

In accordance with the principles of the above Code of Practice, An Garda Síochána is committed to providing clear, specific and meaningful feedback to candidates. In this regard written feedback will be provided to candidates. This will consist of the candidate marks from the competition and comments from the interview board on the candidate's performance, as appropriate.

## **General Data Protection Regulation (GDPR) and Data Protection Act 2018**

Personal data provided by candidates shall only be processed for the purposes specified in this document, and within a clearly defined lawful basis under the (EU) General Data Protection Regulation (GDPR) ((EU)2016/679) and the Data Protection Acts 1988/2018.

All necessary measures will be put in place to ensure personal data is kept safe and secure, and only relevant personal data will be processed. Personal data will be retained for no longer than is necessary to achieve the purpose for which it has been obtained.

### **Canvassing**

Candidates should note that it is prohibited to do the following, directly or indirectly;

- Canvass in relation to the process;
- Personate a candidate at any stage of the process;
- Influence a decision of any person in relation to the process; or
- Interfere with or compromise the process in any way.

### **Contravention of the 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. Where a candidate has been appointed to a post following the recruitment process, they will be removed from that post.