

An Garda Síochána



INFORMATION BOOKLET FOR CANDIDATES

PLEASE READ CAREFULLY BEFORE APPLYING

Open Competition for Appointment to the position of
Data Protection Officer
(Principal Officer)
in
An Garda Síochána

HRD_37D-240927/21

Closing Date: Friday 25th June, 2021

An Garda Síochána 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) – available on www.cpsa.ie

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

THE DIFFERENCE IS YOU

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SECTION 1: Overview of An Garda Síochána

An Garda Síochána is the national police and security service of Ireland with approximately 14,500, Garda Members, 3,400 Garda Staff and 500 Garda Reserves. The mission of An Garda Síochána is 'Keeping People Safe'. An Garda Síochána is unique among policing services internationally, as a unitary body responsible for the security of the State, and the provision of policing services. The two functions are 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.

To allow An Garda Síochána to provide more responsive, efficient and effective policing services, fundamental changes are currently being made to the structure of the organisation. Through implementing a new Organisation Operating Model, An Garda Síochána will move from a geographic to a functional model of police service provision, organising our resources around the services we provide. There will also be a significant restructuring of both headquarters sections and national units. This restructuring will allow for more efficient working, enhanced service provision and an increased capacity to provide support to communities and victims of crime.

The Government approved an overall vision for the Garda workforce in 2016 to bring the strength of the service to 15,000 Garda Members, 4,000 Garda Staff and 2,000 Garda Reserves by 2021. As well as investing in its people, the organisation will invest in ICT infrastructure and equipment.

The changing demands and expectations of citizens, the emerging security and policing challenges and the wide ranging reform programme combined with the introduction of new technology and systems create an urgent demand for continued enhancement of strategies and policies. These enhancements must ensure that our people, whether Garda Members (police officers), Garda Staff or Garda Reserves, have the skills, knowledge and expertise to provide the capacity that the organisation needs to respond to the ever changing demands that policing presents.

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

A Policing Service for the Future

In December 2018, the Government published [A Policing Service for the Future](#) – a 4-year Plan (2019-2022) to implement the *Report of the Commission on the Future of Policing in Ireland* (CoFPI).

The CoFPI Report outlines the drivers for change and presents a clear vision for the future of An Garda Síochána. The consultation by the Commission led to the development of 10 key principles for the future of policing in Ireland, and a comprehensive set of recommendations to meet not just current, but also future challenges.



Data Protection Officer

SECTION 2: Job Specification

The Data Protection Unit was established in mid-2018 to assist the Data Protection Officer in all matters pertaining to Data Protection and following the introduction of the General Data Protection Regulation (GDPR) and the Law Enforcement Directive (LED), transposed through the Data Protection Act 2018, which placed significant additional obligations on An Garda Síochána. The transfer and centralisation of all data protection work to the Data Protection Unit was completed in late 2019.

Independence

The Data Protection Officer is required to perform their functions independently. Article 38(3) of the GDPR and Section 88(4)(c) of the Data Protection Act 2018 provide that the data controller will ensure that the Data Protection Officer:

- Reports directly, in relation to his or her functions, to the highest level of management of the controller,
- Does not receive any instructions regarding the exercise of such functions, and
- Is involved in an appropriate and timely manner in all matters relating to the protection of personal data.

Strategic Context

Garda Operating Model

Under the new Operating Model, each Division will for the first time have a Superintendent dedicated to Governance and Performance Assurance, including data quality, and an Assistant Principal responsible for Business Services, including ensuring the timely provision of data to the Data Protection Unit. These new roles and the management of relationships with same will be essential in assisting the new Data Protection Officer ensure An Garda Síochána complies with data protection obligations, as the new model is rolled out in incremental stages over the next few years.

Information Led Policing

An Garda Síochána is strongly committed to the principle that policing should be information led. This means that the already strong demand for analytical investigation support, data analytics and information systems (applications) that consume large volumes of personal data will continue to grow. This in turn is increasing the need to acquire data from new sources and use new techniques to process, analyse and disseminate it. It is essential that all of this happens in the context of strong adherence to data protection principles and regulations.

Role Overview

As Principal Officer, the Data Protection Officer oversees the National Data Protection Office which encompasses:

- The Data Protection Unit, managed by an Assistant Principal Officer, and
- The Freedom of Information Office, managed by an Assistant Principal Officer (Freedom of Information Officer)

An Garda Síochána is also currently examining enhancement of its records management procedures which may include the future appointment of a Chief Records Officer, at Assistant Principal Officer level, with responsibility for data management policy and audit.

Key Responsibilities

Reporting to the Chief Information Officer, the Data Protection Officer will be a key senior manager.

The key responsibilities of the role are;

- Informing and advising An Garda Síochána, and the employees of An Garda Síochána who carry out processing, of their obligations under the Data Protection Acts 1988 - 2018, the GDPR and any other law of the European Union or law of the State that relates to the protection of personal data.
- Monitoring the compliance of An Garda Síochána with the Data Protection Acts 1988 - 2018, the GDPR and any other law of the European Union or law of the State that relates to the protection of personal data.
- Monitoring the compliance of the policies of An Garda Síochána in relation to the protection of personal data, including the assignment of responsibilities of the controller in relation to the protection of personal data.
- The raising of awareness and the training of staff involved in processing operations in that regard, and any audit activity related to the protection of personal data.
- Providing advice, where requested to do so, in relation to the carrying out of a data protection impact assessment and monitoring any steps taken on foot of that assessment.
- Acting as the contact point for data subjects with regard to all issues related to the processing of their personal data and to the exercise of their rights under data protection legislation.
- Co-operating with the Data Protection Commissioner (DPC) and acting as a contact point for the DPC for issues related to processing carried out by An Garda Síochána, including consultation by An Garda Síochána with the DPC on relevant issues.
- Undertake duties that are commensurate with the post as determined by the Chief Information Officer.

SECTION 3: Person Specification

Essential requirements

Candidates must have:

- Significant experience and expertise in National and European data protection laws and practices including an in-depth understanding of the GDPR (and its implementation);
- An in-depth understanding of Information and Data Security policies and practices;
- A strong understanding of Records Management policies and best practice procedures;
- Excellent communication and interpersonal skills and proven experience of engaging at the highest level with stakeholders in both the public and private sectors;
- The ability to balance compliance obligations with effects on operational efficiency and effectiveness;
- The ability to interpret complex regulatory requirements and provide actionable advice;
- The ability to promote a data protection culture within the organisation.

AND

Candidates must, on or before the closing date, also have:

- A qualification at minimum level 8 in the National Framework of Qualifications (Honours Bachelor Degree level), in a related discipline.

Candidates should note that admission to the competition does not imply that they meet the eligibility criteria. Therefore, candidates should satisfy themselves that they meet the eligibility criteria for this competition.

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

It would be an advantage for candidates to possess the following:

- Experience of data transparency and proactive publication of information;
- Strong knowledge of Freedom of Information legislation and the implementation of data transparency practices;
- Experience of promoting data protection awareness;
- A strong aptitude for understanding complex information processing technologies;
- Auditing skills.

Key Competencies for effective performance at Principal Officer Level

<p>Leadership & Strategic Direction</p> <ul style="list-style-type: none"> • Leads the team, setting high standards, tackling any performance problems & facilitating high performance; • Facilitates an open exchange of ideas and fosters an atmosphere of open communication; • Contributes to the shaping of Departmental/Government strategy and policy; • Develops capability and capacity across the team through effective delegation; • Develops a culture of learning & development, offering coaching and constructive/supportive feedback; • Leads on preparing for and implementing significant change and reform; • Anticipates and responds quickly to developments in the sector/broader environment; • Actively collaborates with other Departments and Agencies.
<p>Judgement & Decision Making</p> <ul style="list-style-type: none"> • Identifies and focuses on core issues when dealing with complex information/situations; • Assembles facts, manipulates verbal and numerical information and thinks through issues logically; • Sees the relationships between issues and quickly grasp the high level and socio-political implications; • Identifies coherent solutions to complex issues; • Takes action, making decisions in a timely manner and having the courage to see them through; • Makes sound and well informed decisions, understanding their impact and implications; • Strives to effectively balance the sectoral issues, political elements and the citizen impact in all decisions.
<p>Management & Delivery of Results</p> <ul style="list-style-type: none"> • Initiates and takes personal responsibility for delivering results/services in own area; • Balances strategy and operational detail to meet business needs; • Manages multiple agendas and tasks and reallocates resources to manage changes in focus; • Makes optimum use of resources and implements performance measures to deliver on objectives; • Ensures the optimal use of ICT and new delivery models; • Critically reviews projects and activities to ensure their effectiveness and that they meet Organisational requirements; • Instils the importance of efficiencies, value for money and meeting corporate governance requirements; • Ensures team are focused and act on Business plan priorities, even when faced with pressure.
<p>Building Relationships & Communication</p> <ul style="list-style-type: none"> • Speaks and writes in a clear, articulate and impactful manner; • Actively listens, seeking to understand the perspective and position of others; • Manages and resolves conflicts/disagreements in a positive & constructive manner; • Works effectively within the political process, recognising and managing tensions arising from different stakeholders' perspectives; • Persuades others; builds consensus, gains co-operation from others to obtain information and accomplish goals; • Proactively engages with colleagues at all levels of the organization and across other Departments/Organisations and builds strong professional networks; • Makes opinions known when s/he feels it is right to do so.
<p>Specialist Knowledge, Expertise and Self Development</p> <ul style="list-style-type: none"> • Develops and maintains skills and expertise across a number of areas that are relevant to his/her field and recognised by people internal and external to the Department/Organisation; • Keeps up to date with key departmental, sectoral, national and international policies and economic, political and social trends that affect the role; • Maintains a strong focus on self-development, seeking feedback and opportunities for growth.
<p>Drive & Commitment to Public Services Values</p> <ul style="list-style-type: none"> • Consistently strives to perform at a high level; • Demonstrates personal commitment to the role, maintaining determination and persistence while maintaining a sense of balance and perspective in relation to work issues; • Contributes positively to the corporate agenda; • Is personally trustworthy, honest and respectful, delivering on promises and commitments; • Ensures the citizen is at the heart of all services provided; • Is resilient, maintaining composure even in adverse or challenging situations; • Promotes a culture that 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 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.

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 Principal Officer salary scale will apply to this position.

Personal Pension Contribution

The PPC (Personal Pension Contribution) salary scale (annually) for this position, with effect from 1 October, 2020, is as follows:

Principal Officer Salary Scale

€89,072 – €92,738 – €96,377 – €100,044 – €103,136 – LSI 1 €106,343 * – LSI 2 €109,547**

*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 6th 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 6th 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

The post to be filled under this competition is located in Dublin.

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 43 hours 15 minutes gross including lunch breaks, or 37 hours net 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.

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.

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.

- **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

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.

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 appointed staff member will agree not to publish material related to his or her official duties without prior approval by the appropriate authorised officer.

Political Activity

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

Please note:

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

IMPORTANT NOTICE

The 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(s).

SECTION 6: Application and Selection Process



APPLICATION PROCESS

How to Apply

Application forms may be downloaded from:
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 with subject heading: **Data Protection Officer**.

Closing Date

The closing date for receipt of applications is: **17:00 Friday 25th June, 2021**

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 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 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.

The successful candidate will be appointed by the Policing Authority.

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. 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.

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.

The Code of Practice sets out the procedures to address candidates' requests for review and candidates' complaints in relation to an appointment process.

The Code reflects the following core principles;

- Probity
- Merit
- Best Practice
- Fairness and Consistency
- Openness, Accountability and Transparency

Under the Code of Practice An Garda Síochána are obliged to;

- Provide all eligible candidates with a reasonable opportunity to apply for the post.
- Ensure that the eligibility requirements are appropriate to the duties and requirements of the post.
- Treat all candidates in a fair, impartial and equal fashion and ensure that their applications are dealt with in confidence.
- Select candidates according to merit using sound, objective and appropriate selection techniques.
- Ensure there is appropriate expertise among the board selecting candidates.
- Comply with all relevant legislation, for example Equality, Employment Law, Data Protection and Freedom of Information.
- Provide a review and appeals mechanism.

There is no obligation on An Garda Síochána to suspend an appointment process while it considers a request for a review. Please note that where a formal review of a recruitment and selection process has taken place under Section 7 or 8 of this Code of Practice, a complainant may not seek a further review of the same process under Section 9, other than in the most exceptional circumstances that will be determined by the Commission at its sole discretion.

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

Information regarding review procedures is set out in Sections 7 and 8 of the above Code of Practice. (The two procedures are mutually exclusive other than in the most exceptional circumstances which 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 Code of Practice.

Requests for Review

Requests for informal review should be submitted in writing to hrpd.cpsa@garda.ie clearly setting out the grounds for review and specifying the relevant Section of the Code. When making a request for a review, the candidate must support their request by outlining the facts they believe show that the action taken or decision reached was wrong. A request for review may be refused if the candidate

cannot support their request. In the event that a formal process is invoked, the candidates should determine which procedure is appropriate to their circumstances, i.e. Section 7 or Section 8.

Timelines for review requests are as follows:

SECTION 7 Review	SECTION 8 Review
<i>Interim stage of competition:</i>	<i>Interim and Final stages of competition:</i>
Request for Informal Review – 2 working days after receipt of decision	Request for Informal Review – 5 working days after receipt of decision
Request for Formal Review – 4 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
<i>Final stage of competition:</i>	
Request for Informal Review – 5 working days after receipt of decision	CPSA – 10 working days after receipt of decision arising from office holder’s review
Request for Formal Review – 10 working days after receipt of decision or 2 working days after notification of informal review	

Requests for Feedback

Feedback in relation to the selection process is available on written 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. It is not necessary for a candidate to compile a detailed case prior to invoking the appeals mechanism. The timeframe set out in the CPSA Code cannot be extended for any reason including the provision of feedback.

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.