

Public Appointments Service

Code of Practice

May 2022

Purpose of Document

The Code of Practice for the Board of the Public Appointments Service is drawn up in accordance with best practice as outlined in “*The Combined Code of Corporate Governance*” and “*The Code of Practice for the Governance of State Bodies*”, published by the Department of Public Expenditure and Reform.

The Code also reflects the legislation governing the operation of all Government Departments/Offices (in particular the Public Service Management Act 1997) and legislation particularly relating to this Office (Public Service Management (Recruitment and Appointments) Act 2004 as amended).

The requirements of this Code of Practice are supplementary to and do not affect existing statutory requirements and other obligations imposed by any other relevant legislation (including equality legislation).

The Public Appointments Service will review these codes at regular intervals. This Code of Practice was amended in line with the review conducted of the Code of Practice for the Governance of State Bodies and the subsequent adoption of some of the best practice elements of that Code on a voluntary basis by the Board. It was also updated in 2021 (with regard to the Schedule of Matters Reserved for the Board) to reflect recommendations arising from an external evaluation of the PAS Board (conducted by the IPA).

Public Appointments Service

Code of Practice

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CODE OF PRACTICE

1. Definitions

'Board' means the Board of the Public Appointments Service established under the Public Service Management (Recruitment and Appointments) Act 2004.

'Act' means the Public Service Management (Recruitment and Appointments) Act 2004.

'Chief Executive' means a person appointed to the post of Chief Executive Officer (CEO) of the Public Appointments Service.

'Minister' means the Minister for Public Expenditure and Reform.

'PAS' means the Public Appointments Service.

'Commission'/'CPSA' means the Commission for Public Service Appointments.

2. General Corporate Governance Provisions

2.1 Introduction

2.1.1

The Public Appointments Service is a public sector organisation with functions and responsibilities as set out by Public Service Management (Recruitment and Appointments) Act 2004 to 2014. This Code of Practice sets out the standards of conduct and probity that the Board Members of the Public Appointments Service are required to observe.

2.1.2

The functions of the Public Appointments Service are as follows (Section 34 of the 2004 Act refers):

- a) to act as the centralised recruitment, assessment and selection body for the Civil Service and to provide a similar service, where requested, to the local authorities and health boards, the Garda Síochána and any other public service body;
- b) to ensure that standards of probity, merit, equity and fairness, consistent with the codes of practice set down by the Commission are followed in the public interest in the recruitment, assessment and selection of persons for appointments in the Civil Service and other public service bodies;
- c) to carry out all the procedures necessary to undertake the recruitment, assessment and selection of suitable candidates for appointment;
- d) to undertake such other selection competitions, including promotion competitions under section 57 at the request of the relevant Minister or Office Holder;
- e) to determine having due regard to relevant criteria, such as the requirements of the position concerned: the criteria for selection, and the form of selection process to be adopted subject to the codes of practice issued by the Commission and to matters relating to the formulation of policy for recruitment and promotion by the relevant Minister;
- f) to provide advice and expert services, including research and development, to the Civil Service and other public service bodies on recruitment, assessment and selection and related matters;
- g) without prejudice to the granting of a licence under *section 43(1)(b)* of the Act to any office holder, to exercise the functions which, immediately before the commencement of this provision, were exercisable by the Local Appointments Commissioners in respect of any recruitment and selection;

- h) to undertake such other competitions, examinations, interviews and tests, (as required) which are not otherwise provided for by *paragraphs (a) to (g)*, as the Government may from time to time direct;
- i) to inform itself of best practice in relation to all recruitment, assessment and selection matters, and, on the basis of this information, to provide advice to the Civil Service and public service bodies;
- j) subject to the public interest, to make its expertise in recruitment and selection services otherwise available on such terms and conditions as it deems appropriate.

Subject to the Act, the Public Appointments Service is independent in the exercise of its functions.

The Minister may, after consulting the Commission, by order:

- a) confer on the Public Appointments Service such additional functions relating to recruitment, assessment and selection and connected with the functions conferred on the Service by *subsection (1)* of the Act or an order made under this subsection, as the Minister considers appropriate;
- b) make such provision as s/he considers necessary or expedient in relation to matters ancillary to or arising out of the conferral on the Public Appointments Service of functions so conferred.

2.1.3

Key functions of the Board are set out as follows (Section 36 of the Act refers):

- a) to represent the interests of the public service and ensure that all appropriate service standards are being achieved;
- b) to consider and approve plans and strategic objectives put forward by the Chief Executive of the Service;
- c) to monitor and advise the Public Appointments Service in the performance of its functions;
- d) to ensure that appropriate review procedures are developed and implemented by the Public Appointments Service in relation to recruitment and promotion competitions, having regard to any relevant codes of practice issued by the Commission;
- e) to publish the annual report of the Public Appointments Service;
- f) where relevant, to give effect to the exercise of a ministerial function to which *section 58* of the Act relates or to which that section refers;
- g) to give directions to the Chief Executive of the Service in respect of functions of the Public Appointments Service which it regards as necessary.

2.1.4

The grades of staff in the organisation and the numbers of staff in each grade shall be determined by the Board with the consent of the Minister for Public Expenditure and Reform.

2.2 Key Roles/Values of the Board

2.2.1

The Chairperson and the Board Members of the Board of the Public Appointments Service shall:

- a) consider and approve the strategic direction of the Public Appointments Service, within the framework laid down by the Act and the resources allocated to it;
- b) ensure that a rolling three year corporate strategy is formulated, adopted and reviewed;
- c) seek all necessary information to ensure that the Annual Report presents a balanced and understandable assessment of the Public Appointments Service's position and performance;
- d) maximise value for money, through ensuring that services are delivered in the most economical, efficient and effective way, within available resources;
- e) approve the remit of the Internal Audit function, and review the annual report of the Audit Committee on the achievement of the approved audit plan;
- f) monitor the system of internal financial control;
- g) monitor and ensure that the organisation operates fair, open and transparent recruitment practices in line with the CPSA Codes of Practice;
- h) agree an annual work plan;
- i) have a fiduciary duty to PAS in the first instance (i.e. the duty to act in good faith and in the best interests of PAS);
- j) if a board member finds evidence that there is non-compliance with any statutory obligations that apply to PAS, he/she should immediately bring this to the attention of their fellow board members with a view to having the matter rectified. The matter should be brought to the attention of the Minister by the Chairperson, indicating the consequences of non-compliance and the steps taken to rectify the position;
- k) bring independent judgement to bear on issues of strategy, performance, resources, and standards of conduct.

2.2.2

The Chairperson of the Board has particular responsibility for:

- a) presiding at all meetings of the Board at which he/she is present;
- b) providing effective leadership to the Board;
- c) ensuring that the Board meets not less than six times yearly, chairing the meetings and ensuring that the minutes of the meeting accurately record the decisions taken and, where appropriate, the views of individual Board Members;
- d) ensuring that the Board, in reaching decisions, takes proper account of guidance provided by the Minister;
- e) calling additional meetings as appropriate.

In the absence of the Chairperson the Vice-Chairperson is expected to carry out these functions.

2.2.3

The Chairperson and the Board Members of the Board of the Public Appointments Service are expected to adhere to the following values/principles in carrying out their duties:

- a) observe the highest standards of propriety involving impartiality, integrity and objectivity;
- b) fully engage in impartial and balanced consideration of all issues;
- c) represent accurately and objectively the business of the Public Appointments Service to all relevant external parties;
- d) comply with all aspects of this Code of Practice, which includes the declaration of all relevant interests;
- e) inform the CEO of any pending appointments or activities which may impinge on, or conflict with, their duties as a Board Member of the Public Appointments Service;
- f) act in good faith and in the best interests of the Public Appointments Service;
- g) not disclose, without the consent of the Board, save in accordance with law, any information obtained by him or her while performing duties as a member of the Board;
- h) not misuse information gained in the course of their duties for personal gain or political purposes;

- i) treat all records and material as confidential to themselves - not discuss them with others outside the Public Appointments Service - not leave them unattended where others may gain access to them, and dispose of them appropriately;
- j) ensure that a candidate's right to confidentiality is maintained by treating all information obtained in relation to a particular candidate, or competition, as confidential;
- k) uphold the values of equality and diversity in all activities;
- l) promote the standards of service outlined in the Government's "Principles of Quality Customer Service for Customers and Clients of the Public Service" (1997).

2.3 Functions of the Executive

2.3.1

Responsibility for implementation of Board policy, strategy, management and operation of the Public Appointments Service resides with the Corporate Executive, affected through the Chief Executive.

The Chief Executive shall (Sections 35, 40 & 41 of the Act refers):

- a) within 6 months after the establishment day, prepare and submit to the Minister a statement of strategy for the purposes of paragraph (b) of section 4(1) of the Public Service Management Act 1997;
- b) manage and control generally the staff, administration and business of the Public Appointments Service;
- c) perform such other functions that are conferred on him or her by or under this Act or as may be determined by the Board;
- d) be the recruitment licence holder for the Public Appointments Service;
- e) be responsible to the Board for the performance of his or her functions and the implementation of the Public Appointments Service's policies;
- f) draw up the strategic plan for the Public Appointments Service for consideration and approval by the Board before submitting it to the Minister;
- g) be the Accounting Officer for the appropriation accounts of the Public Appointments Service for the purposes of the Exchequer and Audit Departments Acts 1866 and 1921 and the Comptroller and Auditor General (Amendment) Act 1993;

- h) provide the Board with such information (including financial information) in relation to the performance of his or her functions as the Board may from time to time require;
- i) report periodically to the Board and, from time to time, advise the board on relevant issues;
- j) carry out his or her functions as the Head of the Scheduled Office under the Public Service Management Act 1997 (as amended by *Part 1 of Schedule 2*);
- k) undertake such other functions of the Public Appointments Service as may be determined by the Board;
- l) consult with the relevant Secretary General of the Department of the State as appropriate for designated senior appointments;
- m) at the request in writing of an Oireachtas Committee, attend before it to give account for the general administration of the Public Appointments Service, as may be required by such Committee.

Such of the functions of the Chief Executive of the Service as may from time to time be specified by him or her may, with the consent of the Board, be performed by such member of the staff of the Public Appointments Service as may be authorised by the Chief Executive.

The functions of the Chief Executive of the Service may be performed during his or her absence or when the position of Chief Executive is vacant by such member of the staff of the Public Appointments Service as may from time to time be designated for that purpose by the Board.

Arrangements for communication with the public generally and the media of policy or other developments in the organisation, including where such developments or policy have been formulated by the Board will be a matter for the Chief Executive (and/or his/her staff).

2.4 Authority, Membership and Meetings of the Board.

2.4.1

The Board's authority is derived from the Act and from the appointment of the Chairperson and members by the Minister for Public Expenditure and Reform (following consultation with the relevant Ministers as set out in the Act).

2.4.2

The Board consists of nine members, who are appointed for a period of not more than three years. A Board member may be re-appointed for a second or subsequent term.

2.4.3

It is the Chairperson's duty to ensure that no individual member, or interest, has

excessive influence on decision making and that all members have an equal opportunity to participate in debate and final decisions.

Essential to the effective functioning of the Board is dialogue which is both constructive and challenging. The Chairperson should promote a culture of openness and debate by facilitating the effective contribution of key management and all board members.

The Chairperson is responsible for ensuring that the Board receive accurate, timely and clear information.

2.4.4

The Board operates to an agreed Terms of Reference. The voting procedure is laid down in the Terms of Reference. Decisions are recorded in the minutes.

The Quorum for a meeting of the Board shall be five or such greater number of members as the Board may from time to time determine. There will be no facility to send substitutes.

2.4.5

Meetings are normally scheduled for every two months and take place not less than six times annually.

Board members are appointed as they bring specific knowledge, skills, experiences and expertise to the deliberations of the Board, and this is only possible if board members attend all Board meetings and contribute as appropriate. There is an expectation of 100% attendance at Board meetings.

2.4.6

The Chairperson and the CEO are responsible for the effective management of the Board's agenda and ensuring that adequate time is available for discussion on all agenda items, particularly strategic issues. Regular agenda items include:

- Approval of Minutes of previous meeting
- Matters arising
- Operational Report
- Financial Report
- CEO's Report
- Key Strategic Issues
- Corporate Risk Register
- Update on Achievement of Key Performance Indicators
- AOB as set forth on the Agenda

Schedule of Matters Reserved for the Board

Strategy

- Approve the PAS Strategy
- Approve the annual Business Plan
- Six-monthly review of progress on all strategic projects
- Quarterly review of progress on designated significant organisational projects
- Review of Super 8 Performance Report at each Board Meeting
- Publish the Annual Report

Governance

- Approve the Audit and Assurance Arrangements annually
- Approve the Risk Appetite Statement annually
- Review the Corporate Risk Register twice annually
- Review key risk area at each meeting

2.4.7

The Board may appoint committees and determine their terms of reference.

2.4.8

A Board member may resign at any time by following the procedures outlined in Section 37 (6) of the Act. A Board member may be removed or disqualified from holding office under Sections 37 (7) and (8) of the Act respectively. A Board member may cease to be a Board member under the terms of Section 38 of the Act in relation to involvement in political matters.

2.5 The Board Secretariat

2.5.1

The Board Secretary is responsible for ensuring that Board procedures are followed and applicable rules and regulations are complied with. The Secretary is responsible for ensuring that Board procedures are complied with.

2.5.2

All members of the Board have access to the Secretary for advice and services.

2.5.3

The Secretary ensures that induction and training for Board Members takes place, and that the Board are updated on any developments in corporate governance.

2.5.4

The Secretary ensures that an objective procedure for a review of the performance of the Board is in place and is effected regularly.

2.5.5

Unless and until a post of Secretary to the Board is approved, the Chief Executive Officer is *de facto* the Secretary.

2.6 Briefing for new Board Members

2.6.1

The Board shall undergo orientation through a planned induction programme to ensure that they understand their responsibilities and duties, and Public Appointments Service's functions and services (including the requirement to keep information about clients confidential and to avoid undue external influence).

2.6.2

The Board Secretary, supplies new Board members with the following induction material:

- details of Board members specific roles and responsibilities (as set out in this Code);
- an up-to-date copy of this 'Code of Practice';
- a copy of the most recent annual report and Statement of Strategy;
- a Public Appointments Service Information Pack;
- a copy of the Act;
- a statement informing Board members that they have access to advice and services of the Board Secretary;
- the Commission for Public Service Appointments Codes of Practice;
- the Service Standards of the Public Appointments Service.

2.6.3

All new Board members shall formally acknowledge in writing that they understand, and will comply with, their responsibilities as Board members.

2.7 Disclosure of Interests

2.7.1

The Public Appointments Service is a public body prescribed for the purposes of the Ethics in Public Office Act 1995 and the Standards in Public Office Act 2001 (i.e. the 'Ethics Acts'). Members of the Board holding designated directorships and employees occupying designated positions of employment are subject to the requirements of the Ethics Acts. These are described in the 'Guidelines of Compliance with the Provisions of the Ethics in Public Office Acts 1995 and 2001 - Public Servants', drawn up by the Standards in Public Office Commission.

Members of the Board also subscribe to identified Codes of Corporate Ethics and Codes of Business Conduct, and employees are additionally subject to the Civil Service Code of Standards and Behaviour. They should also comply with any advice given by the Standards in Public Office Commission, unless by doing so they would be contravening another provision of the Ethics legislation.

2.7.2

Designated directors and employees occupying designated positions of employment are required to prepare and furnish annual statements of interests, where an interest exists, including the interests of which the person has actual knowledge, of his or her spouse or a child of the person or of his or her spouse, which could materially

influence the person in, or relation to, the performance of their official functions by reason of the fact that such performance could so affect those interests as to confer on, or withhold from, the person, or the spouse or child, a substantial benefit. Where there are no interests to be disclosed, a nil return is not required.

Board Members must furnish their statements to the Standards in Public Office Commission and to the Chief Executive of the Public Appointments Service. Employees who occupy of designated positions of employment must furnish their statements to the relevant authority for the position.

Statements of interests/nil returns will be requested by the Secretary for completion by the 31st January each year.

2.7.3

When an official function falls to be performed by a Board Member (i.e. by a designated director) or by an employee who occupies a designated position of employment, and that person has actual knowledge that he or she, or a connected person (as defined at section 2(2)a of the 1995 Ethics Act), has a material interest in the matter to which the function relates, he or she is required to furnish a statement at the time the matter arises. A Board Member is required to furnish such a statement to the other directors. The occupier of a designated position of employment is required to furnish such a statement to the relevant authority for the position.

The function should not be performed unless there are compelling reasons to do so. If this is the case, a Board Member must furnish a statement in writing of the compelling reasons to the other Board Members and to the Standards in Public Office Commission. The occupier of a designated position of employment must furnish the statement in writing of the compelling reasons to the relevant authority for the position. This applies whether or not the interest has been disclosed in an annual statement of interests.

2.7.4

Board members should adhere to the general principles of the Companies Acts. The requirements under the Companies Acts will be interpreted as follows:

- Any outside employment/business interest, which could be interpreted as being in conflict with the business of this organisation, must be disclosed;
- Should a matter relating to the interests of any Board member arise, he/she should not participate while the matter is being discussed.

2.8 Reporting responsibilities

2.8.1

It is the responsibility of the Chief Executive and the Management Advisory Team to ensure that the Board is supplied with accurate and timely information which enables it and the Chairperson to fulfil their responsibilities under the Act, their legal obligations and responsibilities to all stakeholders.

The Annual Report should include a statement of how the Board operates. The frequency of Board meetings and attendance of each board member should be reported in the Annual Report.

2.9 Report & Evaluation

2.9.1

Members of the Board shall review the achievements of the Public Appointments Service and the effectiveness of their own individual and collective performance on an annual basis. The Board will constantly review its own operation and seek to identify ways of improving its effectiveness. This will include the identification of gaps in competencies and ways these could be addressed (including ensuring that at least one Board Member has risk management experience/expertise). Where the Board Chair is of the view that specific skills are required on the Board, he/she will advise the relevant Minister of this view for his/her consideration sufficiently in advance of a time when board vacancies are due to arise in order that the Minister may take the Chair's views into consideration when making appointments.

2.9.2

Evaluation mechanisms of the key strategic objectives and targets of the Public Appointments Service shall be utilised. These mechanisms shall be determined by the Board. This shall include:

- financial performance;
- quality, efficiency and effectiveness of Public Appointment Service's operations;
- customer service;
- strategic objectives and milestones.

2.10 Committees

2.10.1

The Board may establish Committees for specified purposes which can include appointees who are not members of the Board.

2.10.2

The terms of reference of committees are determined by the Board. They act, and furnish reports, as directed by the Board.

2.10.3

All committees established by the Board shall be evaluated and reviewed by the Board on an annual basis.

3. Controls

3.1

The Board is committed to a strategy which minimises risks to all of its stakeholders through a comprehensive system of internal controls, whilst maximising potential for flexibility, innovation and best practice in delivery of its strategic objectives.

3.2

The Board should ensure that there are effective arrangements in place in PAS for governance, risk management and internal control.

An effective programme of internal controls, incorporated into the overall quality system, will inform the Board in relation to significant corporate risks. Internal controls shall also assist in the development and review of the Public Appointments Service services.

3.3

The internal controls include defined performance indicators, written policies and procedures, clearly defined lines of accountability, and the delegation of authority. It makes provision for comprehensive reporting and analysis of the performance indicators on a quarterly basis, against approved standards and budgets, as well as compliance with legal/governmental requirements. The responsibility for the adequacy, extent and operations of these systems lies with the Chief Executive.

3.4

Specific controls are in place in relation to the following areas:

- a) Financial performance (including internal audit)
- b) Risk Management
- c) Internal Audit
- d) Audit Committee
- e) Human resources
- f) Buildings, equipment and contractor control
- g) Stakeholder management
- h) Health and safety management
- i) Information management and technology
- j) Quality operational procedures

3.5

These controls will be augmented by committees including (but not limited to) the Audit Committee and the Risk Management Group.

The role, duties and responsibilities of the Audit Committee are set out in the Audit and Assurance Arrangements for PAS (which are reviewed annually).

The Board will satisfy itself that at least one member of the Audit Committee has recent and relevant financial experience. Any internal audit/audit items that relate to the Board's areas of responsibilities will be communicated to the Board (by the

board representative on the Audit Committee) as soon as they are identified. The Strategic Audit Plan will be submitted to the Board for approval.

3.6

As recommended in the Report of the Working Group on the Accountability of Secretaries General and Accounting Officers, the organisation's risk management processes are an integral and ongoing part of the management process. The Risk Management Group (who report to the Internal Audit Committee and the Management Board) oversee and monitor the implementation of the organisation's Risk Management Strategy and Policy.

Each section in the organisation is obliged to identify and assess the risks associated with their business plan each year. A Corporate Risk Register is compiled from these operational Risk Registers and is submitted to the Board for its approval twice each year. The Risk Management Business Plan is submitted to the Board for approval on an annual basis. The Board may require an external review of effectiveness of risk management framework on a periodic basis as part of the Internal Audit programme.

Confirmation will be included in the Annual Report that PAS has carried out an assessment of the principal risks, including a description of those risks and associated mitigation measures or strategies.

3.7

Management, and ultimately the Board, will ensure that there is an appropriate focus on good practice in purchasing and that procedures are in place to ensure compliance with procurement policy and guidelines.

4. Remuneration/Director Fees

4.1

In relation to remuneration/directors fees the instructions from the Department of Finance/Public Expenditure and Reform in this regard will be adhered to.

4.2

All aspects of travel and subsistence allowances will be in line with current public sector rates and in keeping with all current guidelines as issued by the Minister for Public Expenditure and Reform.

5. The Code of Corporate Ethics and Code of Business Conduct

5.1

The Public Appointments Service's prescribed Code of Corporate Ethics is identified as part of the process associated with promulgating this Code of Practice. **(Appendix 2)**

5.2

The Code of Business Conduct sets out behaviour necessary to ensure the integrity of individuals and of decision making and measures to maintain confidence in the Public Appointments Service including openness and accountability. (Appendix 3).

5.3

Both codes are adopted by the Board. The Civil Service Code of Standards and Behaviour applies to all staff members.

5.4

The Civil Service Code of Standards and Behaviour is available upon request and is published <http://www.sipo.ie/en/Codes-of-Conduct/Civil-Servants/Civil-Service-Code-of-Standards.pdf>. Particular guidelines for this organisation in relation to this code have also been agreed and are given to all staff members.

6. Code of Practice Reports

6.1

The following reports are produced:

Year Beginning

Allocation of the vote for the year and the provisional profile for the year.

Throughout the year

Progress reports on activities and expenditure to the Board for each Board meeting.

Year End+

Appropriation Accounts (to the Comptroller and Auditor General)

Published Annual Report (to the Minister for Public Expenditure and Reform)

Statement of Financial and Internal Controls

Reports on Compliance with:

- Code of Practice
- Code of Business Conduct
- Code of Corporate Ethics
- Ethics/Standards in Public Office
- Service Standards

Every three years (or within six months of new Government)

Statement of Strategy (to the Minister for Public Expenditure and Reform and the Houses of the Oireachtas)

Appendices

Appendix 1

Public Service Management (Recruitment and Appointments Act) 2004
Public Service Management Act 1997

Appendix 2

Code of Corporate Ethics

Appendix 3

Code of Business Conduct

Appendix 4

Civil Service Code of Standards and Behaviour (*External Document*) & Guidelines for its implementation in the Public Appointments Service

Appendix 5

Standards in Public Office Commission Guidelines of Compliance with the Provisions of the Ethics in Public Office Acts 1995 and 2001

Appendix 6

Principles of Quality Customer Service for Customers and Clients of the Public Service (*External Document*)

Appendix 7

Terms of Reference of the Board

Appendix 8

General Rules and Terms of Reference for Committees of the Board

Appendix 9

PAS Foreign Travel Policy

Appendix 10

PAS Fraud Policy

Appendix 1

Public Service Management (Recruitment and Appointments Act) 2004

<http://www.irishstatutebook.ie/eli/2004/act/33/enacted/en/html>

Public Service Management Act 1997

<http://www.irishstatutebook.ie/eli/1997/act/27/enacted/en/html>

Appendix 2

Code of Corporate Ethics

Policy

The Public Appointments Service upholds the following values:

- The inherent dignity of each and every human being
- The practice of justice, fairness, honesty and integrity
- The proper stewardship of resources
- The striving for excellence

Responsibility

- ◇ All Public Appointments Service Board Members – Adherence to this Code.
- ◇ All Public Appointments Service staff – Adherence to this Code.
- ◇ Chief Executive/Board Secretary – Dissemination (Board)
- ◇ Management Board – Dissemination (Staff)

Principles

These values will be guided by the following principles:

1. All individuals of whatever ability, culture, class or belief will be treated with respect.
2. The principle of justice will be observed in the avoidance of all discriminatory practices and the provision of equal opportunity.
3. Organisational activity, including administration, will be conducted in a fair, open and collaborative manner.
4. Responsibility and accountability will be exercised in all decisions and actions at every level to ensure that the best use of resources is achieved.
5. The Public Appointments Service acknowledges that it shares both a natural and a cultural environment with a wider community and affirms its commitment to respect and nurture those environments.
6. The pursuit of excellence will be encouraged in every field of activity with the aim of improving standards of service to clients and the population of Ireland in general.

Appendix 3

Code of Business Conduct

Policy

It is the objective of the Public Appointments Service to ensure that the highest possible standards of integrity are maintained. This document sets out guidelines to be followed in this regard. Guidelines are formulated to reflect obligations falling on Board and Staff members in their disposition of public duties, and in a spirit of explicitly specifying the position of the Public Appointments Service for all concerned.

Responsibility

- ◇ All Board members - Adherence to this Code.
- ◇ All Public Appointments Service staff – Adherence to all Policies and Procedures (including the Civil Service Code of Standard and Behaviour and the Guidelines agreed for this organisation)
- ◇ Chief Executive/Board Secretary – Dissemination (Board)
- ◇ Management Advisory Team – Dissemination (Staff)

Procedure

1. Conflict Of Interest

The Public Appointments Service recognises that by nature, Board Membership and employment in a public sector setting embraces potential for conflict of interest. The principal circumstances giving rise to such possibilities in Public Appointments Service's case are as follows:

- Instances where a Board / Staff Member or a family member holds an interest directly or indirectly in groupings or enterprises which deal commercially and / or contractually with the Public Appointments Service.
- Instances where a Board / Staff Member or a family member can influence procurements and awarding of contracts for which groupings or enterprises with which he / she is associated directly or indirectly are competing.

In all such cases a designated director and / or an occupier of designated position of employment must comply with the requirements of the Ethics Acts for the disclosure of material interests. (See paragraph 2.7.3. of the Code of Practice).

2. Attraction of Benefits

The Public Appointments Service recognises that certain Board and Staff Members may attract benefits in cash or in kind over and above normal remuneration (director fees, salary, travel, subsistence etc.) in respect of associations and activities arising purely and solely by virtue of their position in

the organisation. In such cases, Board Members and the Chief Executive are required to disclose such positions to the Chairperson of the Board. Staff Members are required to adhere to the Guidelines for the implementation of the Civil Service Code of Standards and Behaviour.

PAS will ensure a culture of claiming expenses only as appropriate to business needs and in accordance with good practice in the public sector generally. The PAS Foreign Travel Policy (*Appendix 9*) will be adhered to by all staff and board members.

3. Unjust Enrichments

The Public Appointments Service recognises that having regard to the nature of their duties and responsibilities, some Board and Staff Members may be exposed to the possibility of inviting and / or attracting offers of personal enrichments. Such enrichments, when established to be materially significant and / or calculated to engender or reward bias are regarded by the Public Appointments Service as unjust and are prohibited.

The Board will avoid giving or receiving corporate gifts, hospitality, preferential treatment or benefits which might affect, or appear to affect, the ability of the donor or the recipient to make independent judgement on business transactions or on any activities this organisation is involved in.

4. Confidentiality

Having regard to the nature of their position, all Board and certain Staff Members are privy to information and material which is confidential to the organisation and its Clients. All Board and relevant Staff Members are required to maintain confidentiality in such matters.

All Board and Staff Members are required to operate within these guidelines which are designed to ensure the maintenance of acceptable standards of integrity of the Public Appointments Service.

Former Board and Staff Members are required to maintain confidentiality in regard to the business of the Board. Board members should not retain documentation obtained during their terms as board members and should return such documentation to the Secretary or otherwise indicate to the Secretary that all such documentation in their possession has been disposed of in an appropriate manner. In the event that former board members require access to Board papers from the time of their term on the Board, this can be facilitated by the Board Secretary.

5. Disclosure of Interests/ Avoidance of Conflict Of Interest

- 5.1 Board Members of the PAS and employees occupying designated positions of employment shall comply with their obligations under the Ethics Acts.

- 5.2 The Chairperson and the CEO will provide advice or assistance to any Board Member requiring guidance in relation to any aspect of the Code (particularly in relation to avoidance of conflicts of interest). Where doubt arises about the need for disclosure the person should consult the Standards in Public Office Commission.
- 5.3 The Secretary maintains a confidential register of Board members interests which is updated annually. Only the Chairperson, Chief Executive and Secretary have access to the register (subject to the requirements of the Freedom of Information legislation).
- 5.4 When a matter arises which may relate to interests of the Chairperson, the other members attending the meeting shall chose one of their members present to chair the meeting. The Chairperson should absent himself/herself when the Board is deliberating or deciding on a matter in which the Chairperson or his/her connected person has an interest.
- 5.5 Documents relating to dealings with interests of a member of the Board are not made available to the member concerned. Where such documents are received they should be returned. A member absents himself/herself from discussions relating to such dealings.

6. Information

- 6.1 Board and staff facilitate access to general information relating to the Public Appointments Service in a way that enhances accountability to the general public. Board members may take independent professional advice, if necessary, at the reasonable expense of PAS where they judge it necessary to discharge their responsibilities as a board member. Concerns of a board member that cannot be resolved will be recorded in a appendix to the minutes of a meeting.
- 6.2 Confidentiality is maintained concerning information of personal and/or confidential and/or commercial interests of the Public Appointments Service and especially on client data. There is prior consultation with third parties when it is proposed to release sensitive information in the public interest.
- 6.3. There is compliance with statutory provisions relating to information.

7. Obligations

- 7.1 Board and Staff are committed to the Code of Practice adopted by the Board, including the accompanying Code of Business Ethics, and all statutory obligations.
- 7.2 An obligation of loyalty to the Public Appointments Service is recognised together with a commitment to the highest standards of business ethics.
- 7.3 Board members use their best endeavours to attend all Board meetings.

- 7.4 The acceptance of further employment by a board member where the potential for conflict of interest arises should be avoided during a reasonable period of time after their role as board member has ceased.
- 7.5 Concerns of board members that cannot be resolved will be recorded in the appropriate minutes and actioned as agreed by the board.

8. Complaints and Reviews

PAS has a range of complaints and review procedures. If a Board member is approached by an individual in relation to an issue, complaint or review, the person should be advised to avail of the relevant complaints/review procedure as set out in the attached document. If the issue relates to an area not covered by any of the existing procedures, the issue should be referred to the Board Chairman for investigation or review. The Board Chairman (in consultation with the CEO or Board Secretary if appropriate) will decide on how best to investigate the matter.

9. General

- 9.1 This code of conduct including the policy on disclosure of interests is circulated to all Board members and staff and receipt is acknowledged.
- 9.2 This code is reviewed at three year intervals, coinciding with the appointment of new Board members.

Complaints / Reporting Procedures

Protected Disclosures Policy

Who can use this: Workers

Report to: Line Manager, Senior Manager, HR Manager, Chair of the Board, Prescribed Person, Other Persons External to PAS

What it can be used for: All major concerns a worker may have regarding any aspect of PAS activities. A protected disclosure under this policy involves the disclosure of information which a worker reasonably believes demonstrates a suspected wrongdoing or danger in PAS. A protected disclosure may include:

- that an offence has been, is being, or is likely to be committed;
- that a person has failed, is failing, or is likely to fail to comply with any legal obligation (other than one arising from the staff member's contract of employment);
- that a miscarriage of justice has occurred, is occurring or is likely to occur;
- that the health and safety of a person has been, is being, or is likely to be endangered;
- that the environment has been, is being, or is likely to be damaged;
- that an unlawful or improper use of funds and/or resources in PAS has occurred, is occurring, or is likely to occur (please also refer to the Fraud Policy);
- that an act or omission by PAS (or on behalf of PAS) is oppressive, discriminatory, grossly negligent or constitutes gross mismanagement;
- that information tending to show any matter falling within any of the above points has been, or is being, or is likely to be concealed or destroyed.

Fraud and Anti-Corruption Policy

Who can use this: Workers/PAS Board

Report to: Line Manager, Senior Manager, Personnel Officer, CEO, Chair of the Internal Audit Committee

What it can be used for: Any suspicion of fraud or corruption.

Code of Standards and Behaviour

Who can use this: Workers

Report to: Line Manager, Senior Manager, HR.

What it can be used for: Any suspected violations of the Code including breaches in relation to standards or service delivery or probity, breach of procedures in relation to gifts, hospitality, media relations, or use of social media.

Health and Safety Statement

Who can use this: Workers

Report to: Line Manager, Senior Manager, Health and Safety Officer.

What it can be used for: Any suspected violations of health and safety legislation/H&S Statement/any health and safety risks.

CPSA Codes of Practice

Who can use this: Candidates

Report to: CEO.

What it can be used for: Review of any decision taken in relation to their application. Any suspected violations of CPSA Codes – investigated by person not connected with the recruitment campaign under Section 8 of the Code.

CPSA Codes of Practice under the Protected Disclosures Route

Who can use this: Workers

Report to: Line Manager, Senior Manager, HR Manager, Chair of the Board.

What it can be used for: Any suspected violations of CPSA Codes.

Customer Complaints Procedures under Quality Customer Service Action Plan

Who can use this: Any customers, members of the public

Report to: Complaints Officer (Colm Dorgan) (customerfeedback@publicjobs.ie)

What it can be used for: Customer feedback on all of our services (including compliments, general comments and complaints)

Complaints Procedures Under the Disability Act

Who can use this: Any customers, members of the public

Report to: Relevant Recruitment Unit, Inquiry Officer.

What it can be used for: Customer complaints or issues in relation to accessibility.

Complaints Procedures Under the Dignity at Work Policy

Who can use this: Workers

Report to: Line Manager, Senior Manager, HR.

What it can be used for: Complaints in relation to bullying or harassment.

Breaches of the Code of Practice for the Protection of Personal Data

Who can use this: Workers, Selection Board Members

Report to: Line Manager, Data Protection Co-ordinator.

What it can be used for: Breaches of the Code of Practice for the Protection of Personal Data or any aspect of the Data Protection legislation.

Appendix 4

Civil Service Code of Standards and Behaviour & Guidelines for its implementation in the Public Appointments Service

As our main role involves recruitment and selection for the Public Service it is essential that our business is based on the principles of integrity, impartiality, effectiveness, equity and accountability.

Staff are required to maintain high standards in service delivery and the highest standards of probity. Staff must also behave appropriately at work. All staff should also ensure that their standard of dress is appropriate to the business of this organisation, and that they show consideration and respect to the public, customers and colleagues.

The Business of the Office

All of the requirements of the Code apply to staff in this organisation. There are also particular issues which apply to our office, including ensuring that proper standards are maintained in relation to our access to recruitment and selection material and processes for all the posts for which we recruit. It is essential that this access is not abused in any way.

Therefore, the following specific requirements apply to all staff in this office.

- You must comply with the Code of Practice for the Protection of Personal Data in PAS.
- You must inform HR (in writing or by e-mail) when you, or a member of your family, or close friends, have applied (or intend to apply) for a competition run by this Office.
- No information can be supplied to your personal contacts (friends, family, etc.) in relation to our processes, procedures, or documentation that would not normally be supplied to members of the public/applicants for competitions. Standard procedures must be followed in the assignment process of all applicants, including the assignment of any contacts of staff involved in the assignment process.
- If you have access to any of the assessment/selection processes, or the material involved, you must not use this access to benefit yourself should you apply for any of these posts in the future. Therefore, only material that is required in order for you to carry out your duties must be read. If you intend to apply for a competition you should not access any material related to that competition.
- You must only access information which is required in the course of your work. You should not therefore access information in relation to colleagues, other contacts, or the general public unless required to do so as part of the work of your section. You should also be aware that you have signed the Official Secrets Act and the Civil Service Code of Standards and Behaviour and must therefore not discuss any of the information you have access to with anyone other than staff members which are directly involved in a particular campaign.
- If you are an applicant for a competition run by this Office you can contact the section involved if requested to do so, or if you have a general query in relation to your application (similar to queries candidates might normally be expected to contact sections with). Staff should not have greater access to information (e.g. in relation to what vacancies may exist or advance notice of results) than external candidates for the same

competition. If you do have queries (other than general queries) these should be directed to the nominated intermediary (*Sandra Cairns*), who will then contact the relevant section in respect of your query and let you know the response in due course, if appropriate.

- You may not have any involvement with outside work in the area of recruitment and selection which would in any way conflict with the interests of this organisation, or which would in any way be inconsistent with your position/duties in this organisation. Voluntary work (e.g. providing assistance to schools or other groups) as set out in the External Relations Policy is acceptable.
- If you are a budget holder you must ensure that value for money is obtained in all the areas for which you have responsibility and no unnecessary expense is incurred.
- Any payments received by any staff member (other than subsistence payments) while the staff member is also paid by this office (e.g. payments from the Department of Social Protection in respect of sick leave/maternity leave or payments in respect of attendance in Court) must be handed over to the organisation immediately on receipt.
- If a staff member uses any social networking sites (or other websites) no references should be made to PAS and the sites may not be used for any purposes which could jeopardise the reputation of PAS.

Gifts & Hospitality

The Code also sets out the rules regarding the acceptance of Gifts and Hospitality. These general rules apply to all staff in this Office. In this area the following specific requirements apply to all staff in this Office.

- Only gifts of modest value (e.g. diary, pen – approx. value 40 euro) can be accepted/retained. Anything more valuable must be refused or handed over to the organisation.
- No cash, cheques (or equivalent) can be accepted.
- Gifts cannot be solicited.
- No discounts, special facilities can be accepted on private purchases from suppliers you deal with in the course of your work.
- Only hospitality that is a normal business courtesy can be accepted (e.g. occasional business lunch) and care must be taken that this does not influence any decisions you take. If staff have any doubts about the acceptance of hospitality they must consult with a Principal Officer or the Chief Executive Officer.
- Any hospitality offered in excess of the above can only be accepted after consulting a Principal Officer or the Chief Executive Officer for direction.
- No payment may be accepted by any individual for work carried out on behalf of this organisation. All payments for services provided by Public Appointments Service staff must be processed through the official channels.

Media Relations

Before you engage in any form of communication with any channel of the media regarding office business you should obtain approval from Aine Gallagher, Head of Marketing or the Chief Executive Officer.

Reporting Violations of the Code

You should report any suspected violations of the Code to your Manager or any member of the People & Culture team. These reports will be kept confidential to the extent possible and consistent with the conduct of an appropriate investigation.

If it is deemed that a staff member has violated any aspect of the overall Code, or the Guidelines for this office, disciplinary action may be taken (up to and including dismissal). Please refer to the Disciplinary Code for the range of possible disciplinary actions which can be taken.

Access Issues

This Policy is available in alternative formats on request from any member of the People & Culture team. If there are any access issues in relation to adherence to these Guidelines please contact the DLO (currently Emma Adams) to discuss these at any stage.

General

If any staff member has any queries concerning this policy they should clarify it with their manager or a member of the People & Culture team.

This Policy may be amended at any time; the most up-to-date version will be available on the eHub at all times.

Below is a link to the Civil Service Codes of Standards and Behaviour document.

<https://hr.per.gov.ie/wp-content/uploads/2020/03/Civil-Service-Code-of-Standards-and-Behaviour.pdf>

Appendix 5

Standards in Public Office Commission Guidelines of Compliance with the Provisions of the Ethics in Public Office Acts 1995 and 2001

The most up-to-date version of these Guidelines are available on

<http://www.sipo.ie/en/Guidelines/Guidelines-for-Public-Servants/Public-Servants-Guidelines-10th-Edition-Updated-March-2017-.pdf>

Appendix 6

Principles of Quality Customer Service for Customers and Clients of the Public Service

In their dealings with the public, Civil Service Departments and Public Service offices the Public Appointments Service will:

Quality Service Standards

Publish a statement that outlines the nature and quality of service which customers can expect, and display it prominently at the point of service delivery.

Equality/Diversity

Ensure the rights to equal treatment established by equality legislation, and accommodate diversity, so as to contribute to equality for the groups covered by the equality legislation (under the grounds of gender, marital status, family status, sexual orientation, religious belief, age, disability, race and membership of the Traveler Community). Identify and work to eliminate barriers to access to services for people experiencing poverty and social exclusion, and for those facing geographic barriers to services.

Physical Access

Provide clean, accessible public offices that ensure privacy, comply with occupational and safety standards and, as part of this, facilitate access for people with disabilities and others with specific needs.

Information

Take a proactive approach in providing information that is clear, timely and accurate, is available at all points of contact, and meets the requirements of people with specific needs. Ensure that the potential offered by Information Technology is fully availed of and that the information available on public service web sites follows the guidelines on web publication. Continue the drive for simplification of rules, regulations, forms, information leaflets and procedures.

Timeliness and Courtesy

Deliver quality services with courtesy, sensitivity and the minimum delay, fostering a climate of mutual respect between provider and customer. Give contact names in all communications to ensure ease of ongoing transactions.

Complaints

Maintain a well-publicised, accessible, transparent and simple-to-use system of dealing with complaints about the quality of service provided.

Appeals

Similarly, maintain a formalised, well-publicised, accessible, transparent and simple-to-use system of appeal/review for customers who are dissatisfied with decisions in relation to services.

Consultation and Evaluation

Provide a structured approach to meaningful consultation with, and participation by, the customer in relation to the development, delivery and review of services. Ensure meaningful evaluation of service delivery.

Choice

Provide choice, where feasible, in service delivery including payment methods, location of contact points, opening hours and delivery times. Use available and emerging technologies to ensure maximum access and choice, and quality of delivery.

Official Languages Equality

Provide quality services through Irish and/or bilingually and inform customers of their right to choose to be dealt with through one or other of the official languages.

Better Co-ordination

Foster a more co-ordinated and integrated approach to delivery of public services.

Internal Customer

Ensure staff are recognised as internal customers and that they are properly supported and consulted with regard to service delivery issues.

Appendix 7

Terms of Reference of the Board

Meetings

- The Board shall hold such and so many meetings as may be necessary for the performance of its functions but shall meet not less frequently than six meetings per annum.
- The Quorum for a meeting of the Board shall be five or such greater number of members as the Board may from time to time determine. There will be no facility to send substitutes.
- The Chairperson of the Board shall preside at all meetings of the Board at which he or she is present. In the absence of the Chairperson, the Board Members present will agree on a Chairperson who shall preside for the purpose of that particular meeting.
- Each member of the Board present at a meeting of the Board shall have a vote.
- Every question at a meeting of the Board shall be determined by a majority of the votes of the members present and voting on the question and, in the case of an equal division of votes, the chairperson or other member presiding at the meeting shall have a second or casting vote.
- Minutes of the proceedings of a meeting of the Board shall be drawn up and agreed by the chairperson at the next meeting at which the minutes are presented.
- The names of all members present at a meeting of the Board shall be recorded in the minutes of the proceedings of the meeting.
- The Proceedings of the Board shall not be invalidated by any vacancy or vacancies among its members or by any defect in the appointments to the Board or in the qualification of any member thereof.
- The Chairperson may call a meeting of the Board at any time.
- Each member of the Board shall be notified in writing, in so far as is practicable, of all meetings in advance of the meetings.
- Each member wishing to put forward policy proposals for consideration by the Board should submit same to the Secretary prior to the meeting. Matters may be raised by any members with the permission of the Chairperson under any other business.

- In the normal course of events papers will be delivered to each Board member seven days in advance of Board meetings

Confidentiality

Reports and documents issued to members in relation to Board matters must be treated as confidential.

Ethics in Public Office Act

Each member will be required to adhere to this Act.

The Public Service (Recruitment & Appointments) Act 2004 established a Board of the Public Appointments Service.

The Board will consist of

- (a) a chairperson,
- (b) the Chief Executive of the Service, and
- (c) 7 ordinary members.

The chairperson and the ordinary members of the Board shall be appointed by the Minister for Public Expenditure and Reform, in consultation with the Minister for the Environment, Heritage and Local Government, the Minister for Health and Children and the Minister for Justice, Equality and Law Reform.

The business or functions of the Board as specified in the Act are as follows:

- to represent the interests of the public service and ensure that all appropriate service standards are being achieved;
- to consider and approve plans and strategic objectives put forward by the Chief Executive of the Service;
- to monitor and advise the Public Appointments Service in the performance of its functions;
- to ensure that appropriate review procedures are developed and implemented by the Public Appointments Service in relation to recruitment and promotion competitions, having regard to any relevant codes of practice issued by the Commission.
- to publish the annual report of the Public Appointments Service;
- where relevant, to give effect to the exercise of a ministerial function to which *section 58* relates or to which that section refers;
- to give directions to the Chief Executive of the Service in respect of functions of the Public Appointments Service which it regards as necessary.

Membership of the Board

This section applies to a Board member other than the Chief Executive of the Service.

In appointing persons as members of the Board, the Minister—

- shall ensure that—
 - at least 2 of them have either or both civil service and other public service experience and knowledge which the Minister considers relevant, and
 - at least 2 of them have expertise in human resource management, customer service and recruitment outside the public service which the Minister considers relevant,
- otherwise shall have regard to such experience and knowledge of the person that the Minister, after consultation with the other Ministers referred to in section 58 considers necessary or appropriate to enable the Board to carry out its functions,
- shall have regard to the desirability of an appropriate gender balance as the Minister may determine from time to time.
-

Tenure of the Board

- A person appointed a Board member shall be appointed for a period of not more than 3 years.
- Each Board member shall be paid such remuneration (if any) and allowances for expenses incurred by him or her (if any) as the Minister may determine.
- A person appointed a Board member may be re-appointed to a second or subsequent term as a Board member.
- A Board member may resign by letter addressed to the Minister and the resignation shall take effect from the date specified in the letter or upon receipt of it by the Minister, whichever is the later.
- A Board member may at any time be removed by the Minister if, in the Minister's opinion, the member has become incapable of performing his or her functions, or has committed stated misbehaviour, or his or her removal appears to the Minister to be necessary for the effective performance by the Board of its functions.
- A Board member shall be disqualified from holding office and shall cease to be a member of the Board if he or she is adjudged bankrupt or makes a composition or arrangement with creditors or is sentenced by a court of competent jurisdiction to a term of imprisonment or penal servitude.
- Notice of every appointment of a person to be a Board member or as a Board member and every resignation or removal from office as a Board member shall be published as soon as practicable in Iris Oifigiúil. However, failure to so publish shall not affect any appointment.

Political Involvement

Where a member of the Board—

- is nominated as a member of Seanad Éireann,
- is nominated to stand as a candidate for election as a member of either House of the Oireachtas or to the European Parliament,
- is regarded, pursuant to Part XIII of the Second Schedule to the European Parliament Elections Act 1997, as having been elected to the European Parliament to fill a vacancy, or
- is or becomes a member of a local authority,

he or she shall thereupon cease to be a member of the Board.

- A person who is, for the time being, entitled under the Standing Orders of either House of the Oireachtas to sit therein or who is a member of the European Parliament shall, while he or she is so entitled or is such a member, be disqualified from becoming a member of the Board or a member of the staff of the Public Appointments Service.
- A member of the Board shall be subject to the same restrictions as apply generally to established civil servants above the grade of clerical officer, or its equivalent, in respect of not identifying himself or herself actively or publicly with political matters.

Functions of the Chief Executive

There shall be a Chief Executive Officer of the Public Appointments Service appointed by the Minister.

The Chief Executive of the Service shall—

- manage and control generally the staff, administration and business of the Public Appointments Service, and
- perform such other functions that are conferred on him or her by or under this Act or as may be determined by the Board.
- be the recruitment licence holder for the Public Appointments Service,
- be responsible to the Board for the performance of his or her functions and the implementation of the Public Appointments Service's policies,
- draw up the strategic plan for the Public Appointments Service for consideration and approval by the Board before submitting it to the Minister,
- be the accounting officer for the appropriation accounts of the Public Appointments Service for the purposes of the Exchequer and Audit Departments Acts 1866 and 1921 and the Comptroller and Auditor General (Amendment) Act 1993,
- provide the Board with such information (including financial information) in relation to the performance of his or her functions as the Board may from time to time require,
- report periodically to the Board and, from time to time, advise the Board on relevant issues,

- carry out his or her functions as the Head of the Scheduled Office under the Public Service Management Act 1997 (as amended by Part 1 of Schedule
- undertake such other functions of the Public Appointments Service as may be determined by the Board,
- in respect of arrangements for competitions for the following posts being organised by the Public Appointments Service, to consult with the Secretary General of the Department of the State as indicated:
 - city manager or county manager — the Secretary General of the Department of the Environment, Heritage and Local Government,
 - chief executive officer of a health Board — the Secretary General of the Department of Health and Children, and
 - chief executive officer of a vocational education committee — the Secretary General of the Department of Education and Science.
- Such of the functions of the Chief Executive of the Service as may from time to time be specified by him or her may, with the consent of the Board, be performed by such member of the staff of the Public Appointments Service as may be authorised by the Chief Executive.
- The functions of the Chief Executive of the Service may be performed during his or her absence or when the position of Chief Executive is vacant by such member of the staff of the Public Appointments Service as may from time to time be designated for that purpose by the Board.

Schedule of Matters Reserved for the Board

Strategy

- Approve the PAS Strategy
- Approve the annual Business Plan
- Six-monthly review of progress on all strategic projects
- Quarterly review of progress on designated significant organisational projects
- Review of Super 8 Performance Report at each Board Meeting
- Publish the Annual Report

Governance

- Approve the Audit and Assurance Arrangements annually
- Approve the Risk Appetite Statement annually
- Review the Corporate Risk Register twice annually
- Review key risk area at each meeting

Appendix 8

***General Rules Applying and Terms of Reference For
Committees of the Board
of Public Appointments Service***

1. Definitions

The Board refers to the Board of the Public Appointments Service appointed by the Minister for Finance, under the Public Service Management (Recruitment and Appointments) Act 2004.

Committee(s) refers to any Committee(s) appointed by the Board, in accordance with its standing orders.

2. General Rules Applying to Committees*

- Committee members, including the Chair, are appointed by the Board for a term of no more than one year.
- The terms of reference for Committees are agreed and can be amended by the Board.
- Committee Chairs will report on progress to the Board at each meeting of the Board.
- Committees shall meet at least four times during the year.
- Committees can invite other Board members and procure or seek the advice and support from individuals or bodies outside of the Committee or Board membership.
- Any disclosure of interests by any member of the Committee must be discussed with and reported to the Chairperson of the Board.
- A quorum for a Committee meeting shall be three members.
- Any member or members of the Committee may at any time be removed by the Board and another or other persons appointed.
- The CEO or other designated officer working on behalf of the Public Appointments Service will attend the committee meetings, unless considered inappropriate by the Chair of the Committee.

Audit Committee

*The current Audit Committee was not established under these general rules as it was in existence prior to the establishment of the Board.

All details in respect of the Audit Committee and the Risk Management Group are set out in the Audit and Assurance Arrangements for PAS.

Appendix 9 – PAS Foreign Travel Policy

General

1. The general principles governing all travel are those set out in Department of Finance Circular 11/82 and their Foreign Travel Policy Guidelines 2009. Travel and subsistence allowances for foreign travel are payable only in respect of necessary absence from headquarters. All travelling duties must be planned so as to reduce the total amount of travel to the minimum consistent with efficiency. All official travel should be by the shortest practicable routes and by the cheapest practicable mode of conveyance. PAS will ensure that the best value for money is obtained in respect of each official trip undertaken, consistent with the requirements of official business.
2. The Office is prepared to use the service of all carriers operating out of Ireland and no exclusive arrangements will be entered into with any one carrier. The Civil Service currently has a contract with Club Travel and they are obliged to provide us with the most economical flights available. The member of HR booking a flight should ensure that they are supplying us with the full list of available flights and spot checks should be carried out to ensure that we are being provided with the most economical flights. If more competitive rates are available (e.g. on internet), there is no obligation to use the above for those particular flights. In this event, the booking officer (in People and Culture) will obtain three quotes and book the cheapest flight.

3. Class of Air Travel

- (a) It is expected that for short-haul flights (and provided the service provided is appropriate to the business needs of the Office) every effort will be made to use economy class travel including internet (low cost carriers) fares.
- (b) Cheaper restricted fares should be used where the travel abroad is predictable and changes are unlikely to occur. PAS will be responsible for any additional charges which may be incurred by an internet/economy class ticket holder as a result of having to change flight times for official business reasons, but the value should be assessed against the (usually low) risk of having to change the flight.
- (c) There are a range of fully flexible economy fares, but these should be used only where it can be shown that the flexibility provided and the extra cost of the ticket are warranted compared to the potential cancellation cost of a restricted internet/economy ticket.
- (d) Premium economy class travel (where available) may only be used for long-haul flights where the additional flexibility afforded is considered necessary for the effective discharge of official business. Business class travel is confined to limited situations where the CEO is satisfied that the additional cost can be justified in relation to the length of the flight and the official business being conducted.
- (e) First class travel should not be used. If it is considered that there are exceptional circumstances where the use of first class travel can be justified for business reasons the written permission of the CEO is

required and the reasons for it should be recorded and forwarded to the Travel Officer in advance of the booking.

- (f) In no circumstances is it permissible to “trade down” premium tickets to enable another person who is not a member of staff in PAS to travel free of charge or at a reduced rate. If for any reason it is decided to downgrade the class of travel, the savings must be returned to PAS.

4. Frequent Flyer Points

Frequent flyer points must not influence decisions taken in relation to the carriers used for official business.

- 5. All allowances set out in this policy are in respect of the staff member only and no payments will be made in respect of partners/other family members travelling with the staff member (if this occurs all expenses must be covered by the individuals concerned, and PAS will not meet any additional expense; all claims should be examined carefully to ensure that only staff member expenses are being claimed from PAS).

6. Travel Officer

This Office has a designated Travel Officer (Emma Adams) who is responsible for travel matters generally. In particular he is responsible for ensuring that the assessments (below) are carried out. He is also responsible for monitoring the implementation of the Office’s travel policy and for liaising (if required) with the company appointed to handle the Office’s foreign business travel.

A value for money assessment must be carried out in respect of all foreign travel every year. The assessment will include checking to ensure that only economy class is used and will closely examine any cases where it is not used (ensuring that valid reasons have been given and that the CEO has approved all applications). It will also include checking the level of hotels paid for by PAS to ensure five star hotels are not used (without written permission from the Personnel Officer). The assessment will also include ensuring all carriers operating on routes out of Ireland are considered; whether schedules offered would reduce the number of overnight stays abroad; whether appropriate deductions were made where accommodation and/or meals were provided.

7. Standard of Hotels/Subsistence

- (i) The subsistence rates abroad are periodically reviewed by the Department of Public Expenditure and Reform, and are set out in a Department of Public Expenditure and Reform Circular.
- (ii) The subsistence allowance rate appropriate to any period of twenty-four hours is the overnight rate appropriate to the place where the night is spent.

- (iii) Staff members are not entitled to claim subsistence where the cost was not incurred or where the accommodation and/or meals are provided free of charge.
- (iv) The time occupied on a journey for which the fare covers the cost of meals and an accommodation cost is not incurred will not reckon for the purposes of payment of subsistence allowances. However, the staff member may claim €10 for incidental expenses.
- (v) Where the conference rate applies (or where a limit is not specified in the overnight rate) the standard of hotel to be used should in general be three or four star. Five star hotels should only be used in exceptional circumstances (with the written agreement of the Personnel Officer).

7. Access Issues

This Policy is available in alternative formats on request from any member of HR. If there are any access issues in relation to foreign travel please contact the DLO (currently Emma Adams) to discuss these at any stage.

Please Note: This Policy may be amended at any time; the most up-to-date version will be available on the Intranet at all times.

Procedures to be followed:

1. Any staff member proposing to travel abroad on official business should submit a Foreign Travel Application Form (attached) to be authorised by their head of section (at by a member of the Management Board).
2. The staff member should inform People & Culture as soon as they have authorisation that they require foreign travel arrangements to be made. It is important that People & Culture are informed as early as possible in order that the most economic flights possible can be obtained. It will not be possible to claim expenses for foreign travel unless arrangements have been made through People & Culture.
3. Three quotes/options will be obtained and the cheapest quotation possible should be selected. All flights should be economy. If there are any reasons why an economy flight is not suitable permission must be sought (in writing) from the Personnel Officer (or the CEO for first class) to make alternative arrangements. If any flights other than economy are used a detailed minute must be prepared outlining the reasons for this.
4. When booking hotels only three or four star must be used. If there are any reasons why this is not possible and five star hotels have to be booked, permission must be sought (in writing) from the Personnel Officer to make the booking. If five star hotels are used a detailed minute must be prepared outlining the reasons for this.
5. The most economical transportation from the airport or hotel must be used and receipts must accompany any claim for expenses.

FOREIGN TRAVEL APPLICATION FORM

(To be completed and authorised before bookings can be made)

I wish to apply for approval to travel abroad as detailed below:

NAME:

SECTION:

TRAVEL DETAILS

DESTINATION:

HOTEL (Yes/No):

TRAVEL DATES:

PURPOSE/NATURE OF TRIP/CONFERENCE TITLE:

APPROVED BY MB MEMBER: (Name)

Signed by MB Member:

Date:

I approve the above foreign travel application. Costs are to be charged to my travel and subsistence budget.

Signed:

Please indicate the details of the flight you wish Human Resources to book.

From:

To:

Date of Departure:

Date of Return:

Proposed time of Departure:

Proposed time of Return:

If you have any special requirements, please outline the details below (or if your conference organisers have recommended a particular hotel):

Appendix 10 – PAS Fraud and Anti Corruption Policy

Purpose

The Public Appointments Service is, and wishes to be seen by all as, honest and opposed to fraud in the way it conducts its business. Our fraud policy addresses the responsibility of employees and management for the detecting and reporting of fraud or suspected fraud, and the responsibilities of PAS Board Members and selection board members in reporting of fraud or suspected fraud. It also covers breaches of the Ethics or Standards in Public Office legislation by staff at AP level or above in PAS or members of the Board of PAS.

Scope

This policy is limited to financial and asset related fraud within PAS. It applies to the staff of PAS, selection board members/assessors, PAS board members, candidates, contractors/suppliers or any entity which has entered into a contract with PAS. The scope of the policy also covers breaches of the Ethics or Standards in Public Office legislation by staff at AP level or above in PAS or members of the Board of PAS.

Policy

It is the policy of PAS to identify and promptly investigate any possibility of fraudulent or related dishonest activities and, when appropriate, to pursue legal remedies available under the law. PAS aims to promote an organisation culture which encourages the prevention of fraud by raising awareness of the need for high standards of personal and professional conduct. Any act of fraud ascertained upon investigation, or pursuant to a criminal conviction, or through written acknowledgment by the person(s) concerned, shall result in the appropriate disciplinary and legal actions against the employee(s) and/or entities, to include the possibility of termination of employment, termination of contract, restitution and/or forwarding information to the appropriate authorities for criminal prosecution. The repayment of losses will be sought in all cases and PAS would normally expect to recover all costs in addition to the recovery of losses.

Definitions

For the purposes of this policy, fraud shall include but is not limited to:

- Theft or misappropriation of PAS assets
- Submitting false claims for payments or reimbursement
- Accepting or offering a bribe or accepting gifts or other favours under circumstances that might reasonably lead to the inference that the gift or favour was intended to influence an employee's, PAS Board Member's or selection board member's/assessor's decision-making while serving in or for PAS
- Accepting a payment/gift from a third party
- Blackmail or extortion
- Paying of excessive prices or fees where justification thereof is not documented
- Violation of PAS procedures with the aim of personal gain or to the detriment of PAS or its reputation
- Willful negligence intended to cause damage to the material interest of PAS
- A dishonourable or irresponsible or deliberate act against the interests of the organisation.

Unethical behaviour for the purposes of this policy is behaviour which breaches the requirements set out in the Ethics or Standards in Public Office legislation. Staff should also ensure that they understand the requirements of the Code of Standards and Behaviour in this regard and the Guidelines for this office.

Responsibility for the Detection and Prevention of Fraud

Managers and employees at all levels are responsible for exercising due diligence and control to prevent, detect and report acts of fraud. Those who fail to carry out these responsibilities will be subject to disciplinary action up to and including termination of employment.

Responsibility of Management

It is the responsibility of managers (particularly budget holders) to be familiar with the types of improprieties that might occur in their area and be alert for any indication that improper activity, misappropriation or dishonest activity is or was in existence in his or her area and put in place controls, checks and governance arrangements to avoid such occurrences.

Managers are required to support and work with PAS staff, other units and law enforcement agencies in the detection, reporting and investigation of dishonest or fraudulent activity including the prosecution of offenders. If a fraud is detected in an area the senior manager is

responsible for taking appropriate corrective actions to ensure adequate controls exist to prevent reoccurrence of improper actions.

Responsibility of Employees

It is the responsibility of all employees to conduct their business in such a way as to prevent fraud occurring in the workplace. Employees must also be alert to the possibilities for fraud and be on guard for any indications that improper or dishonest activity is taking place.

Responsibility of PAS Board Members and Selection Board Members/Assessors

It is the responsibility of all PAS Board Members and selection board members/assessors to conduct their business in such a way as to prevent any improper or dishonest activity occurring in relation to their PAS role and responsibilities.

Reporting Fraud or Unethical Behaviour

It is the responsibility of all concerned to report any suspicion of fraud immediately according to the procedure laid out below. Persons who cover up, obstruct, fail to report, or monitor a fraud that they become aware of, or ought to have been aware of, will be considered to be an accessory after the fact and may be subject to disciplinary action and/or termination of employment. Persons who threaten retaliation against a person reporting a suspected fraud shall be subject to disciplinary action up to and including termination of employment.

Great care must be taken in dealing with suspected dishonest or fraudulent activities to avoid:

- Incorrect accusations
- Alerting suspected individuals to an investigation underway
- Treating the person(s) accused unfairly
- Making statements that could lead to claims of false accusations or other charges.

In all cases, the incident, facts, suspicions or allegations should not be discussed with anyone inside or outside of PAS unless specifically directed to do so by the officer investigating the incident. In particular, the matter should not be discussed with the individual suspected of fraud.

Fraud can be detected at any level within PAS and the following general principles should apply in the reporting of suspected fraud:

- A person who suspects that fraudulent practice may be operating should, in the first instance, report the matter to his/her manager. Should it be inappropriate to make such a report to an immediate manager, the report should be made to the senior manager, Head of Corporate Services or directly to the CEO;
- Once a report of suspected fraud is made to the manager that person should report the suspicion to a senior manager, the Head of Corporate Services or the CEO;
- A senior manager on receipt of a report of a suspected fraud should report the matter to the Head of Corporate Services and CEO.

Suspected fraud may also be reported using the procedures set out in the Protected Disclosures Policy, and the person reporting fraud (through either mechanism) may also be entitled to protections set out in the Protected Disclosures Act 2014.

No investigation of the suspected fraud should take place until the Head of Corporate Services and/or CEO has been informed. If the case involves either/both of these individuals, the Chairperson of the Internal Audit Committee should be informed.

Proposed Procedures for the Investigation of Alleged Fraud of Alleged Unethical Behaviour

The Head of Corporate Services /CEO will have responsibility for co-ordinating the PAS response and will seek expert legal advice from the Chief State Solicitor's Office/Office of the Attorney General or other advice if required and will decide whether there is sufficient evidence of a crime being committed to involve An Garda Síochána at this stage. The CEO will inform the Internal Audit Committee as appropriate and keep them informed of developments and will notify the Board that an investigation is underway (either internally or by An Garda Síochána).

Internal Investigation

The CEO/Head of Corporate Services may notify the Internal Auditor who will, if appropriate, conduct an initial investigation to gather factual information and reach a preliminary view as to whether further action is required. The Internal Auditor will report the findings, conclusions, and any recommendations to the Head of Corporate Services/CEO. Alternatively the initial investigation may be conducted by the Head of Corporate Services, or other designated senior manager from PAS (or another Civil Service Office/Department).

Where initial investigation provides reasonable grounds for suspecting the accused of fraud or a dishonest activity, or unethical behaviour, the Head of Corporate Services, in consultation with the CEO and other relevant officers, will decide if any actions are necessary to prevent further loss. This may require the suspension with or without pay of the member or members of staff (which will take place in accordance with the Disciplinary Code) and/or the decision as to whether further investigation is required.

Each case will be considered individually in accordance with the expert advice obtained with a view to minimising the losses (both monetary and otherwise) to the office. Having reached a decision as to what further action is necessary and how such actions should be undertaken, the Head of Corporate Services will liaise with other senior managers and the CEO.

When further investigation is required, an Investigating Committee and its Chair will be appointed by the CEO for each case. All meetings of the Committee will be treated as confidential and shall be fully documented with investigation work normally led by an Internal Auditor. In circumstances where the investigation requires the use of technical expertise which the Internal Auditor may not possess, the Investigating Committee may appoint external specialists (subject to the approval of the CEO) to lead and/or contribute to the investigation.

Upon completion of its investigation, the Investigating Committee will submit a written report of its findings and its recommendation(s) to the CEO who will issue a decision on the matter and determine whether disciplinary procedures should be invoked or whether the Gardaí should be notified. The Head of Corporate Services /CEO will communicate the decision to the person(s) accused of the fraud or related dishonest activity and will submit a copy of the report to the Audit Committee. Any appeal of this decision will be made to the Chairman of the Board.

Employees or others who are under investigation shall be entitled to have a member of staff or other appropriate individual present during the course of any interview that is conducted in connection with the alleged fraud or related dishonest activity or unethical behaviour with a view to defending their case.

The Press Officer/CEO will be responsible for dealing with any enquiries from the press and other media.

The Audit Committee will, at an appropriate time, consider the results of the investigation and assess whether there is a weakness in systems of internal control which need to be addressed. The Audit Committee will report the findings, conclusions and recommendations, following consultation with the relevant unit(s), to the Board.

Accounting for Loss, Restitution and Recovery

The unit incurring the loss from a dishonest or fraudulent act will normally suffer the loss until monies can be recovered through insurance or restitution.

References for Employees Disciplined or Prosecuted for Fraud

Where there is a request for a reference for a member of staff who has been disciplined or prosecuted for fraud or a dishonest activity, the Head of Corporate Services shall prepare any reply to a request for a reference having regard to office policies and employment law.

Communication and Training

This Policy will be communicated to all staff through the Intranet and will include a briefing note as to the importance of vigilance in this area. The existence of a Fraud Policy will also be highlighted to selection board members in their board information pack. The PAS Board will be made aware of this Policy on an ongoing basis.

The Head of Corporate Services and other selected senior managers were trained in the awareness and investigation of fraud.

Review of Fraud and Anti Corruption Policy

This policy (and the risk assessment) will be reviewed annually by the Head of Corporate Services.

Internal Controls

An annual review is conducted of internal controls, including those controls in place to prevent fraud and unethical behaviour. A Report is prepared for the Management Board, PAS Board and the Audit Committee. This Report includes the operation of all internal

controls, highlights any issues identified, and includes an action plan for implementation where any issues or areas for improvement are identified.

Note

If the suspected incident involves the Head of Corporate Services, another member of the Management Board shall undertake the role and functions specified for the Head of Corporate Services.

Internal Controls

- Annual Fraud and Unethical Behaviour risk assessment conducted and appropriate mitigations put in place.
- Internal Audits on identified priority areas including all areas of high expenditure.
- Audits by CPSA.
- Internal checks by Quality Team on random campaigns.
- Security access control.
- All systems password protected and no sharing of passwords allowed.
- Segregation of functions, where possible.
- Code of Standards and Behaviour and Guidelines for this Office in place.
- Code of Corporate Ethics in place.
- All recommendations by Compliance Unit followed up on every six months and overall campaign reviews conducted where required.
- Asset Management Policy with requirements around the Disposal of Assets (see Appendix A below).

Appendix A

DISPOSAL OF ASSETS

In order to meet its requirements under government accounting procedures, it is the policy of the Public Appointments Service (PAS) to adhere in full to the Public Financial Procedures and Circular numbers 1/95, 31/95, 1/96, 14/96, 19/96, 18/97, 30/03 and F7/2/95 in respect of asset categories; valuation; acquisition and disposal and the requirements of the Appropriation Account.

It is the policy of PAS that assets should only be held where they continue to be in effective use. All other assets should be disposed of in accordance with this policy. All assets held on its fixed asset register are subject to regular review (audit) in respect of effective use and carrying (book) value. Disposal should only take after the outcome of such a review.

1. Asset disposal will be carried out in the most cost effective and efficient manner. Appropriate transactions to reflect the disposal will be made in the Fixed Asset Register; the books of account and relevant sections of the Appropriation Account.
2. Assets will be disposed of at the best available estimate of fair market value.
3. To ensure disposal at fair market value the policy detailed immediately below must be followed. "Value" here refers to fair market value for each asset being disposed of:
 - Value in excess of €70,000.00 - must be authorised by the Management Board and sold by an open competitive tender/auction.
 - Value below €70,000.00 but greater or equal to €2,000 - a minimum of three competitive bids must be secured –this process must be overseen and authorised by persons at Principal Officer level or above.
 - Value less than €2,000 - the Head of Corporate Services may authorise a notice to staff of intention to dispose of the item. Staff members will then be entitled to make a written bid in accordance with instructions issued with the offer.
 - Items found to have a zero market value may, at the discretion of the Management Board, be given free to staff, schools charities etc.
4. Staff involved in the disposal of surplus or obsolete assets must:
 - Adequately document reasons for disposal: (i) asset no longer required by the office; (ii) is surplus to current or immediately foreseeable needs; (iii) is due for disposal under an approved asset replacement programme; (iv) is unserviceable or beyond economic repair; (v) its technology is obsolete and operationally inefficient; (vi) other as specified.
 - Advertise and dispose of asset in line with this policy.
 - Record estimated value of asset being disposed of and basis for that estimate.
 - Where required specific expertise should be sought and documented.
 - Obtain from the appropriate authority prior approval for disposal.
 - Ensure assets are disposed of in an environmentally friendly manner.

- Ensure assets are disposed of in a secure manner that does not breach any protocols or client confidences.
 - Notify Finance Unit of the disposal of Asset.
 - Complete relevant form and retain copy on file and forward original to Finance Unit.
5. The Head of Corporate Services/Professional Accountant will report on the disposal of assets at Management Board meetings.
 6. Unless as otherwise specified above, ensuring full compliance with all the requirements of this policy is the responsibility of the Accounting Officer (Chief Executive) and Management Board of PAS.