

Public Appointments Service

Code of Practice

August 2024

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, NDP Delivery 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 Board (conducted by the IPA), and on an annual basis thereafter.

Public Appointments Service

Code of Practice

| <i>Contents</i> | <i>Page</i> |
|--|-------------|
| 1. Definitions | 2 |
| 2. General Corporate Governance Provisions | |
| 2.1 Introduction (Functions of the organisation & the Board) | 3 |
| 2.2 Key roles/values of the Board | 5 |
| 2.3 Functions of the Executive | 7 |
| 2.4 Authority, membership and meetings of the Board | 8 |
| 2.5 The Board Secretariat | 10 |
| 2.6 Briefing for new Board members | 11 |
| 2.7 Disclosure of interests | 11 |
| 2.8 Reporting responsibilities | 12 |
| 2.9 Report & evaluation | 13 |
| 2.10 Committees | 13 |
| 3. Controls | 14 |
| 4. Remuneration/Directors' fees | 15 |
| 5. The Code of Corporate Ethics and Code of Conduct | 15 |
| 6. Code of practice reports | 16 |

Appendices

1. Public Service Management (Recruitment and Appointments Act) 2004 & Public Service Management Act 1997
2. Codes of Corporate Ethics and Code of Business Conduct
3. Civil Service Code of Standards and Behaviour & Guidelines for its implementation in this organisation
4. Complaints and Reporting Procedures
5. Standards in Public Office Commission Guidelines of Compliance with the Provisions of the Ethics in Public Office Acts 1995 and 2001
6. Principles of Quality Customer Service for Customers of the Public Service
7. Terms of Reference of the Board
8. General Rules and Terms of Reference for Committees of the Board
9. Foreign Travel Policy
10. Fraud and Anti-Corruption Policy

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, NDP Delivery and Reform.

‘publicjobs’ 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, NDP Delivery 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 the organisation in the first instance (i.e. the duty to act in good faith and in the best interests of the organisation);
- j) if a board member finds evidence that there is non-compliance with any statutory obligations that apply to the organisation, 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 Governments "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, NDP Delivery 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 a 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 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 KPI 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 each quarter
- Review the report from the Chair of the Risk Management Committee 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 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 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 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 Committee.

The role, duties and responsibilities of the Audit Committee are set out in the Audit and Assurance Arrangements (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 Committee (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 each quarter. 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 the organisation 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, NDP Delivery 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, NDP Delivery 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 also 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, NDP Delivery 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, NDP Delivery and Reform and the Houses of the Oireachtas)

Appendices

Appendix 1

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

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

Codes of Corporate Ethics and Code of Business Conduct

Appendix 3

Civil Service Code of Standards and Behaviour ([SIPO - Code of conduct for civil servants](#)) & Guidelines for its implementation in the Public Appointments Service

Appendix 4

Complaints and Reporting Procedures (*below*).

Appendix 5

Standards in Public Office Commission Guidelines of Compliance with the Provisions of the Ethics in Public Office Acts 1995 and 2001 [FINAL Public Servants Guidelines 11th edition English Updated June 2024 \(sipo.ie\)](#)

Appendix 6

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

Appendix 7

Terms of Reference of the Board (*below*).

Appendix 8

General Rules and Terms of Reference for Committees of the Board (*below*).

Appendix 9

Foreign Travel Policy

Appendix 10

Fraud and Anti-Corruption Policy

Appendix 4

Complaints / Reporting Procedures

Protected Disclosures Policy

Who can use this: Workers (including candidates).

Report to: Line Manager, Senior Manager, People & Culture Manager, Chair of the Board, Prescribed Person, Other Persons External to publicjobs.

What it can be used for: All major concerns a worker may have regarding any aspect of our activities. A protected disclosure under this policy involves the disclosure of information which a worker reasonably believes demonstrates a suspected wrongdoing or danger in the organisation. 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 publicjobs has occurred, is occurring, or is likely to occur (please also refer to the Fraud Policy);
- that an act or omission by the organisation (or on behalf of the organisation) 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/ Board Members

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, People & Culture.

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 (including candidates)

Report to: Line Manager, Senior Manager, People & Culture 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 (Emma Adams) (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, People & Culture.

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 Officer.

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 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 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 to 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 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, NDP Delivery 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 as 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 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 KPI 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 report from the Chair of the Risk Management Committee 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 Committee are set out in the Audit and Assurance Arrangements.