

Appointments to the Residential Tenancies Board (RTB)

Closing Date: 15:00 on Monday 12th November 2018

**State Boards Division
Public Appointments Service
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stateboards.ie operates under the auspices of the Public Appointments Service and is committed to a policy of equal opportunity.

The Public Appointments Service (PAS), established under statute in 2004, provides an independent shared service in recruitment, assessment and selection to organisations across the Civil and Public Services. On 30 September 2014, the Government decided that the PAS should also be given responsibility for putting in place an open, accessible, rigorous and transparent system to support Ministers in making appointments to State Boards. Our dedicated website, www.stateboards.ie, is the channel through which the PAS advertises vacancies on State Boards. It is also the means through which accomplished, experienced and qualified people, including people who might not previously have been identified as available for appointment, can then apply to be considered for particular vacancies.

Membership of State Boards

High standards of corporate governance in all State Agencies, whether in the commercial or non-commercial sphere, are critical to ensuring a positive contribution to the State's overall social and economic development.

Members of State Boards are appointed to act on behalf of the citizen to oversee the running of the affairs of state bodies. State bodies must serve the interests of the taxpayer, pursue value for money in their endeavours (including managing risk appropriately), and act transparently as public entities. Members of State Boards, and the relevant management team, are accountable for the proper management of the organisation.

Board members should act on a fully informed basis, in good faith, with due diligence and care, and in the best interest of the State body, subject to the objectives set by Government. In that regard and in accordance with 13.2 of the Guidelines on Appointments to State Boards, "it is advisable that no member of a State Board should serve more than two full terms of appointment or should hold appointments to more than two State Boards."

The [Code of Practice for the Governance of State Bodies 2016](#) (the Code) provides a framework for the application of best practice in corporate governance by both commercial and non-commercial State bodies.

In order to be an effective contributor on a State Board it is recommended that members should:

- bring independent and objective scrutiny to the oversight of the organisation;
- be prepared to be challenging when necessary while being supportive to the delivery of organisational strategy and objectives;
- be equipped to offer considered advice on the basis of sound judgement and experience;
- be prepared to make a time commitment to their work commensurate with their role.

Appointments to the Residential Tenancies Board

Location:	Dublin
Number of Vacancies:	2
Remuneration:	<p>Board members are paid for attendance at Board and Board Committee meetings at an annual amount of €5,985 (based on a minimum of 11 Board meetings per year).</p> <p>An additional payment for meetings in which the Board exercises its powers under the Residential Tenancies Acts with respect to tenancy disputes and jurisdiction decisions is paid at an annual amount of €5,250. This rate is based on a minimum of 13 meetings per year.</p>
Time Requirements:	<p>A minimum of 11 Board meetings per annum which are typically 4 hours long with a similar time required for preparation. The additional commitments for Board members are a minimum of 13 tenancy dispute/jurisdiction decision meetings and other meetings including where appointed to a Committee. The duration of those meetings vary but are typically two hours or less.</p>

Candidates' attention is also drawn to the provisions of the Code in relation to Audit and Risk Committee membership which can be found [here](#).

1. Background

The Residential Tenancies Board (RTB) is an independent national statutory body established to support and develop a well-functioning rental housing sector. In operation since 2004, the RTB is one of the only rental housing regulators in Europe and plays a significant role in the provision of services and information to support those who live and work in the sector and to the public. Our offices are located at O'Connell Bridge House, D'Olier Street, Dublin 2, with some services provided outside of the main office.

The RTB provides the following services to support and develop a well-functioning rental housing sector:

- Maintaining a published register of rented tenancies. Registration of a tenancy is an essential part of tenancy management, and a key element in regulating and supporting the rental sector
- The provision of information and education on the rights and responsibilities of tenants and landlords to support those living and working in the rental sector
- The Dispute Resolution Service offers options of resolution – mediation and adjudication – to those with issues relating to a rented tenancy
- Registration compliance and Determination Order Enforcement to ensure compliance with legal obligations

- Research conducted by the RTB provides accurate and authoritative data and information on the rental sector, which assists in policy decision making.

The rental sector has grown considerably in recent years, and with it the demand for RTB services. At the end of 2017 there were approximately 174,000 landlords and 340,000 tenancies registered with the RTB which encompassed over 714,000 occupants. The organisation also received over 170,000 calls, 60,000 e-mails and nearly 6,000 dispute applications in 2017.

The organisation launched its new strategic plan in 2018. This strategic plan is intended to support and complement Rebuilding Ireland - Action Plan for Housing and Homelessness and the Strategy for the Rental Sector published by the Department of Housing, Planning and Local Government. A significant focus of this plan is on our customers, and on promoting education and awareness of rights and responsibilities. A programme of change has also been agreed with the Minister and the Department of Housing, Planning and Local Government since the publication of the Strategy for the Rental Sector. One of the most important changes will be the expansion of the role of the RTB to no longer just provide dispute resolution services, but to also have a new regulatory enforcement role where the law is not adhered to. This means the RTB will be able to proactively investigate potential breaches, with the power to apply sanctions if breaches are found, establishing the RTB as an effective regulator for the market as a whole.

Further information on the RTB can be found at www.rtb.ie.

2. Functions of the Board

The Board of the RTB sets the strategy for the organisation and oversees the delivery of the strategic plan by the Director and her management team. The Board is additionally responsible for executing its powers under the Residential Tenancies Acts, ensuring sound financial management of the RTB, and prudent management of the risks affecting the organisation.

Board Members are expected to participate at a minimum of 11 Board meetings, a minimum of 13 tenancy dispute/jurisdiction decision meetings and may be asked to join one of the Board Committees. The Board currently has the following Committees in place to assist it in its work: Audit & Risk Committee, Legislative Committee, Research Committee, and Section 189 Committee. Each Committee has terms of reference for its work which are set and regularly reviewed by the Board, and members of these Committees are appointed by the Board.

The RTB is also responsible for direct operational implementation of legislation and Government policy in the rental housing sector. It has a quasi-judicial role and is independent in its decision-making functions. Given this quasi-judicial role, there is a considerable commitment by the Board of the RTB in overseeing certain decisions related to tenancy disputes, jurisdiction decisions, and more. It is expected that the Board will meet a minimum of 13 times per year to execute these powers, in addition to regular Board & Committee meetings.

The membership of the Board of the RTB is as follows:

Name	First Appointed	Reappointed	Expiry Date	Position type
Catriona Walsh	16/04/2013	17/04/2017	30/04/2019	Chair
John Fitzgerald	01/04/2013	01/04/2017	30/09/2020	Board Member
Mary O'Donovan	01/07/2016		30/06/2020	Board Member
Paul White	15/06/2017		30/06/2021	Board Member
Justin O'Brien	15/06/2017		30/06/2021	Board Member
Paddy Gray	01/07/2017		31/07/2021	Board Member
Julia Carmichael	01/12/2017		30/11/2022	Board Member
Audry Dean	23/4/2018		22/04/2022	Board Member
James Doorley	23/4/2018		22/04/2022	Board Member

3. Person Specification

Essential requirements

The Minister for Housing seeks expressions of interest from suitably qualified individuals interested in serving as a member of the Board of the RTB. Two vacancies on the Board are being filled at this time, one for each of the two areas listed below. Candidates must therefore demonstrate competence and experience in one of the following areas:

(i) Financial Expertise

Candidates must demonstrate in their application, evidence of significant professional experience at an appropriately senior level in financial management including but not limited to

- Accounting
- Financial planning & analysis
- Capital and revenue/expense budgeting
- Financial control & compliance

(ii) **Legal Expertise**

Candidates must demonstrate in their application, evidence of significant professional experience as a current or former practising Barrister or Solicitor and have substantial litigation and/or regulatory legal experience.

Desirable for all roles

In addition to the essential requirements above, it is desirable that candidates can demonstrate knowledge and experience in areas relevant to the RTB's mandate and work including:

- An understanding of rental/housing policy at a national or international level
- Experience of Board membership & knowledge of corporate governance
- Experience/knowledge of similar regulatory or quasi-judicial bodies
- Change management
- General business management/administration.

While the Residential Tenancies Act 2004 does not provide that membership be drawn from specific professions or organisations. The Act at Section 154(3) does provide that membership of the Board shall **not** include a person who -

- a) Is adjudicated bankrupt
- b) Makes a composition or arrangements with creditors
- c) Is sentenced by a court of competent jurisdiction to a term of imprisonment, or
- d) Is disqualified or restricted from being a director of any company

Candidates' attention is drawn to the provisions of the Code in relation to the role of a Board member, where the principle states: -

- Each State body should be headed by an effective Board which is collectively responsible for the long-term sustainability of the body.
- Non-executive Board members should bring an independent judgement to bear on issues of strategy, performance resources, key appointments and standard of conduct.

Details on the role of Board Members can be found in Section 3 of the Code which can be found [here](#).

4. Term of Appointment

Appointments to the Board will be for an initial period of up to 5 years with an option to extend the term of engagement for a second term of up to 5 years, subject to:

- The membership of any member of the Board may be terminated by the Minister at any time, on the basis of reasons to be stated by the Minister.
- A member of the Board may resign his or her membership of the Board by notice in writing sent or given to the Minister, and the resignation shall take effect on the day on which the Minister receives the notice.

- Members of the Board shall, subject to the provisions of this Schedule, hold office upon such terms and conditions as the Minister may, with the consent of the Minister for Public Expenditure and Reform, from time to time determine.
- The roles and responsibilities of Board Members are described in the Revised Code of Practice for the Governance of State Bodies 2016 which is available on the website of the Department of Public Expenditure and Reform [Code of Practice for the Governance of State Bodies](#).
- A board member shall cease to be a member of the board if he or she is nominated as a member of Seanad Éireann, is elected as a member of either House of the Oireachtas or as a representative in the European Parliament, elected to the European Parliament, or becomes a member of a local authority.

5. Submitting your Application

Before submitting your application, please review the self-assessment questionnaire which can be found [here](#). This questionnaire is designed to help you in considering whether to submit an expression of interest - you are not required to submit the questionnaire as part of the application process.

Having considered the general suitability criteria for membership of a State Board, you should consider carefully how your background and experience fits with the specific appointment criteria set out in the Person Specification section in this booklet. **Please give careful consideration to the possibility of any potential conflict of interest that may arise if appointed to this board.**

Your submission should be made via the following link www.stateboards.ie together with your **Curriculum Vitae** and a **cover letter** (see Appendix 1 of this booklet for help with the online process).

IMPORTANT NOTE

Please take care when submitting your application. As the Assessment Panel will generally make its recommendation(s) based on consideration of the documentation which you submit, it is most important that you do the following:

1. *Ensure your Cover Letter (and supporting CV) clearly specifies how your particular background and experience meets the requirements of the Board position(s) specified in this booklet, and*
2. *That you fully answer any supplementary questions which are presented to you as part of our online application process.*

This will help ensure that the Assessment Panel is as informed as possible as to the basis for your candidature and why you believe you are a person who could potentially be appointed to this State Board.

If you have any questions regarding the application process please email info@stateboards.ie.

6. Assessment Process

An Assessment Panel (the “Panel”) will be convened by PAS to consider and assess the applications received by PAS. The Panel will:

- review and discuss the expressions of interest received against the specific appointment criteria for the role, as advertised in this Information Booklet;
- assess potential candidates further once they meet the specified appointment criteria by undertaking any or all of the following steps:
 - Consideration of the written applications; and/or
 - Meeting¹/conference call; and/or
 - Referee checks; and/or
 - Any other selection or verification method deemed appropriate (this may include PAS requiring statutory declarations from shortlisted applicants as to the bona fides of the qualifications and experience contained in their applications).
- arrive at a shortlist of suitable candidates to be sent forward for consideration by the Minister.

Please note that the Public Appointments Service will not be responsible for any expenses incurred by candidates as part of our selection process.

7. Confidentiality

Subject to the provisions of the Freedom of Information Acts, 2014, applications will be treated in strict confidence. All enquires, applications and all aspects of the proceedings are treated as strictly confidential and are not disclosed to anyone, outside those directly involved in that aspect of the process.

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

8. Data Protection

The Data Protection Act 2018 provides that the processing of personal data shall be lawful where such processing is necessary for the performance of a statutory function of a controller. PAS is mandated by statute under the Public Service Management (Recruitment and Appointments) Act, 2004 to act as the centralised assessment and selection body for the civil service and to carry out all the procedures necessary to undertake the recruitment, assessment and selection of suitable candidates for appointment. By submitting your personal data (including your name, address, contact details and details of your education and work history contained in your curriculum vitae and cover letter) via publicjobs.ie, you acknowledge that such data may be used by the Public Appointments Service and disclosed to and used by client departments, in connection with its statutory roles to assist and advise relevant Ministers in relation to appointments to the boards of State bodies. The information contained in your publicjobs profile is yours to manage, amend, update or delete as appropriate. For more detailed information on our Data Protection Policy, please see our [Code of Practice for the Protection of Personal Data in the Public Appointments Service](#).

¹ The Public Appointments Service will not be responsible for refunding any expenses incurred by candidates.

If your application is assessed and you are considered to be suitable for appointment your c.v. and cover letter (and any additional supplementary information requested as part of the application process), will be forwarded to the State Board Liaison Officer in the relevant Department. Once it obtains your personal data, the Department will act as data controller of such data and will retain it for up to one year following the appointment/s. Unless you request the withdrawal of your application such data may be used in considering your suitability for other similar vacancies/roles that arise for a period of up to one year for this Board.

APPENDIX 1

Submitting your application:

In order to submit your application, you should take the following steps:

1. Go to www.stateboards.ie.
2. On the bar at the top of the page click on "Available Appointments".
3. This brings you to a page with all our advertised vacancies. Select whichever position you would like to apply for (you are welcome to apply for more than one position if you wish).
4. On the relevant page please click on the "apply for position" button at the bottom of the page
5. This will bring you to a page on www.publicjobs.ie and, if you already have a publicjobs.ie account, will prompt you for your username and password. If you do not have an account, you will be asked to create one.
6. Once you input your details you will be brought to a page where there is a prompt in the middle of the page which says "apply here". Click on the link to the online application form beside it.
7. A form will appear on your screen, some of the text boxes will be populated with information from your publicjobs.ie profile (Name, address etc.). You will need to complete the rest of the fields and enter your name and the date at the bottom of the form.
8. If there is a supplementary question, ensure that your response complies with the word limit and that it does not contain any special characters (i.e. %, & etc.) or you may receive an error message and will be unable to submit your application.
9. Click on "continue".
10. You will then be brought to a screen where you should upload your CV and Cover Letter. These are required documents and your application cannot be processed without them. Once you have selected these and uploaded them, please click on the "submit" button at the bottom of the page.
11. You will receive an e-mail confirmation (to the address listed in your publicjobs.ie profile) to confirm that your application has been submitted.

You must confirm that you do not have any conflicts of interest or legal impediment which would be likely to interfere with your ability to play a full part on the Board. You must also confirm that you can make yourself available to attend meetings and to carry out the duties of a Board member.