

Appointment as Chairperson to the Residential Tenancies Board (RTB)

Closing Date: 15:00 on Monday 29th April 2019

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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](#) (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.

Appointment as Chairperson to the Residential Tenancies Board (RTB)

- Location:** Dublin
- Number of Vacancies:** 1 Chairperson
- Remuneration:** The maximum remuneration for the Chairperson role is €16,678 per annum as follows:
- The Board Chairperson is paid for attendance at Board and Board Committee meetings at an annual amount of €8,978 (based on a minimum of 11 Board meetings per year).
 - 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 €7,700. This rate is based on a minimum of 13 meetings per year.
- In addition, travel and subsistence expenses incurred are payable at the appropriate Civil Service rate. It should be noted that in line with the 'One Person One Salary' principle, no public servant will be entitled to receive remuneration in the form of board fees on the RTB Board).
- Time Requirements:** 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 Board Committee. The duration of those meetings varies but are typically two hours. In addition, the Chairperson is expected to attend Oireachtas Committees, parent Department and Ministerial meetings and other external meetings as and when required.

1. Background

The 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 have new regulatory enforcement powers 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. As the RTB implements these changes it is envisaged that the demand for RTB services will continue to grow, requiring additional operational and change management support.

The legislative changes to underpin this expanded mandate for the RTB are contained in the Residential Tenancies (Amendment) (N0.2) Bill, 2018 which is currently going through the Oireachtas.

Further information on the RTB and its activities 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, including the Chairperson, are expected to participate in a minimum of 11 Board and or Committee meetings annually. 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. The Chairperson of the Board will also be the Chairperson of the Dispute Resolution Committee for the period for which he or she is appointed as Chairperson of the Board. 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.

Current Board membership 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 Deane	23/04/2018		22/04/2021	Board Member
James Doorley	23/04/2018		22/04/2021	Board Member

3. Person Specification

The Minister for Housing, Planning and Local Government invites applications from suitably qualified candidates for the role of Chairperson of the RTB.

The Chairperson of the RTB is responsible for the strategic leadership of the Board and ensuring its effectiveness in all aspects of its role and for compliance with the Code of Practice for the Governance of State Bodies. The Chairperson must display high standards of integrity and probity and set expectations regarding culture, values and behaviours for the Board and for the tone of discussion at its meetings. The position requires an understanding and knowledge of the areas relevant to the RTB's mandate and work and the ability to communicate effectively the functions, challenges, standards and demands applicable to that mandate.

Persons being proposed by Ministers as Chairpersons of State Bodies are required to make themselves available to the appropriate Oireachtas Committee to discuss the approach that they will take to their role as Chairperson and their views about the future contribution of the RTB.

The appointed candidate will be required to:

- Chair the Board of the RTB, leading the strategic direction and risk oversight of the RTB
- Lead the Board through a significant period of change for the RTB and through the implementation of a complex body of new legislation
- Ensure that the Board supports and challenges the RTB Director and the RTB Executive team in the planning and delivery of the RTB strategy, Government policy, and the RTB's delivery of services
- Promote a culture of active risk management and accountability within the RTB

- Ensure that the RTB achieves value for money for all funds received from the public and the Exchequer and promotes an organisational culture of continuous improvement
- Develop a constructive relationship with all stakeholders, including the Department of Housing and the Minister
- Ensure that the Board and Chairperson's role fulfil the expectations set for them in the *Code of Practice for the Governance of State Bodies (2016)*
- Make a time commitment to the work commensurate with the role and responsibilities of the Chairperson.

Candidates should have the capacity to quickly develop an understanding of the complex legal and operational environment in which the RTB operates.

Candidates for the position must have previous experience of Board membership or have significant senior leadership experience which demonstrates an ability to chair a Board, and be able to demonstrate proven experience at an appropriately senior level in at least two of the following areas:

- Change management
- Corporate and business management
- Financial oversight and performance evaluation/programme assessment
- Strategic planning
- Legal experience
- Regulatory experience in the public or private sector

Candidates must also be able to demonstrate in their application:

- Achievement at an appropriately senior level displaying the necessary vision, leadership and executive skills, as well as the personal resilience required as Chair
- Experience of effectively leading an organisation through a period of operational and legislative change
- Excellent interpersonal and communication skills including consensus building and influencing skills and the ability to develop constructive relationships with all relevant stakeholders
- The ability to think, plan and act strategically and where appropriate to contribute to the development of organisational strategies
- A strong track record, at an appropriately senior level of best practice in governance, risk management and compliance with applicable laws and regulations
- High levels of professional and personal integrity and probity, imbued with a progressive public-sector ethos.

Desirable

- An understanding of rental/housing policy and regulation at national or international level
- Experience of implementing and evaluating ICT projects and programmes.

In order to qualify for appointment a person must not have any conflicts of interest likely to interfere with his/her ability to assume the role Chairperson of the Board. Please give careful consideration to the possibility of any potential conflict of interest that may exist and address this in your cover letter. The Assessment Panel may decide, based on the perceived level of conflict, not to forward your name for consideration.

4. Term of Appointment

- The position is for a period of up to 5 years as determined by the Minister who may reappoint a person to be Chairperson for a second term
- 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
- The roles and responsibilities of Board Members are described in the Code of Practice for the Governance of State Bodies (August 2016)

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.

In addition, Section 169 (1) of the Act provides that membership of the Board shall not include –

- a) a member of Seanad Éireann;
- b) a member of either House of the Oireachtas;
- c) a member of the European Parliament;
- d) a member of a local authority.

5. Submitting your Application

Before submitting your expression of interest, 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.

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 expression of interest. 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 Authority 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. **Please only include information that is directly relevant to the particular role for which you are applying.**

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 the most suitably qualified candidates (based on the information provided by the candidate) 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.

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

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](#).

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. Click on "continue".
8. 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.
9. 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.