

Appointment to the Mental Health Commission
Closing Date: 15:00 on Thursday 5th September 2019

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 Mental Health Commission

Location: Dublin

Number of Vacancies: 1

Remuneration: €7,695 per annum. Travel and subsistence allowances may be claimed in accordance with approved public sector rates. (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, save for situations that are statutorily provided for e.g. Worker Directors). Travel and subsistence is payable at appropriate Civil Service rates.

Time Requirements: There are approximately 8 half day meetings per annum. Preparation for Commission and sub-committee meetings may include reading a large volume of paperwork which is circulated in advance of meetings. Commission members are also expected to sit on one of the sub-committees or the Audit Committee of the Commission which meet at least 4 times per annum.

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 principal functions of the Mental Health Commission, established under the Mental Health Act, 2001, are to promote, encourage and foster the establishment of high standards and good practices in the delivery of mental health services and to take all reasonable steps to protect the interest of persons detained under the Mental Health Act 2001.

Under the Assisted Decision-Making (Capacity) Act 2015, the Decision Support Service will be located within the Mental Health Commission.

2. Functions of the Commission

The Members of the Commission should have the skills and knowledge appropriate to the activities of the Commission to enable them to discharge their respective duties and responsibilities effectively. Commission Members should bring an independent judgement to bear on issues of strategy, regulation and governance.

Role of the Commission (under Mental Health Act, 2001):

The Commission:

- shall appoint the Chief Executive and may, for stated reasons, remove him or her from office with the consent of the Minister.
- may appoint such and such number of persons to be members of the staff of the Commission as it may determine with the consent of the Minister and the Minister for Finance.
- shall from time to time appoint a consultant psychiatrist to be the Inspector of Mental Health Services
- may appoint such and such number of its staff as it considers necessary to assist the Inspector in the performance of his or her functions.
- shall from time to time appoint one or more Mental Health Tribunals to determine such matter or matters as may be referred to it by the Commission.
- shall prepare and submit to the Minister a scheme or schemes for the granting of superannuation benefits to or in respect of such members of the staff of the Commission as it may think fit.
- may, for the purpose of providing for current or capital expenditure, from time to time, borrow money...but shall not do so without the consent of the Minister and the Minister for Finance.
- shall, whenever so requested by the Minister, furnish to the Minister information in relation to such matters as he or she may specify concerning or relating to the scope of its activities, or in respect of any account prepared by the Commission
- shall, as soon as may be after its establishment, provide itself with a seal.
- shall submit estimates of income and expenditure to the Minister in such form, in respect of such periods, and at such times as may be required by him or her and shall furnish to the Minister any information which he or she may require in relation to such estimates.
- shall cause to be kept on a continuous basis proper books of account of all income and expenditure of the Commission, and of the sources of such income and the subject matter of such expenditure, and of the property, assets and liabilities of the Commission and shall keep all such special accounts as the Minister may from time to time direct.
- shall, whenever so requested by the Minister, permit any person appointed by him or her to examine the books and accounts of the Commission in respect of any financial year or other period and shall facilitate any such examination.

Much of the above work comprises overseeing the work performed by the CEO of the Mental Health Commission.

Further information can be found at <https://www.mhcirl.ie/>.

Current membership of the Commission

Name	First Appointed	Reappointed	Expiry Date	Position type	Basis of appointment
Aaron Galbraith	05/04/2017		04/04/2022	Member	Nominated by the Children's Rights Alliance: Appointed by Minister for Health
Colette Nolan	05/04/2012	05/04/2017	04/04/2022	Member	Nominated by Irish Advocacy Network: Appointed by Minister for Health
Francis Xavier Flanagan	05/04/2012	05/04/2017	04/04/2022	Member	Nominated by Irish College of General Practitioners and appointed by Minister for Health
Jim Lucey (Dr)	05/04/2017		04/04/2022	Member	Nominated by the College of Psychiatrists in Ireland: Appointed by Minister for Health
John Saunders	05/04/2012	05/04/2017	04/04/2022	Chair	Nominated by Shine/The Wheel: Appointed by Minister for Health
Margo Wrigley (Dr)	05/04/2017		04/04/2022	Member	Nominated by the Irish Hospital Consultants Association: Appointed by Minister for Health
Michael Drumm (Dr)	05/04/2017		04/04/2022	Member	Nominated by the Psychological Society of Ireland: Appointed by Minister for Health
Ned Kelly	26/09/2017		04/04/2022	Member	Nominated by Mental Health Nurse Managers of Ireland. Appointed by the Minister for Health
Nicola Byrne	05/04/2017		04/04/2022	Member	Nominated by the Irish Association of Social Workers: Appointed by Minister for Health
Patrick Lynch	05/04/2017		04/04/2022	Member	Nominated by the HSE: Appointed by Minister for Health
Rowena Mulcahy	26/09/2017		04/04/2022	Member	Nominated and appointed by the Minister for Health following PAS Process
Tomás Murphy	15/01/2019		04/04/2022	Member	Nominated by Area Directors of Nursing. Appointed by Minister for Health

3. Person Specification

The Minister for Health invites applications from suitably qualified candidates to fill one vacancy on the Mental Health Commission.

Candidate's 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](#).

Essential Criteria

A person who must be representative of the interest of the general public

In addition to the specific professional/organisational requirements as set out in the Mental Health Act 2001, candidates must also demonstrate significant experience at an appropriately senior level of two or more of the following:

- Corporate Governance
- Financial management
- Risk Management
- Change management
- Strategy development
- Regulation
- Mental Health services knowledge/experience

Desirable

- Previous experience of Board Membership
- Evidence of an ability to work with others and build consensus with a broad range of stakeholders

The Minister shall have regard to the desirability for gender balance on the Board as the Minister considers appropriate and determines from time to time when making appointments.

In order to qualify for appointment a person must not have any legal impediment or conflicts of interest likely to interfere with his/her ability to assume the role of a member 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

This appointment will be for a period up to April 2022 with an option to extend the term of engagement for a second term, subject to:

- The membership of any member of the Commission may be terminated by the Minister at any time, on the basis of reasons to be stated by the Minister.
- A member of the Commission 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.
- If the Commission fails to perform any of its functions the Minister for Health may direct it in writing to perform the function within a specified timeframe
- 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 Finance [Code of Practice for the Governance of State Bodies](#).
- A Commission 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.

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
 - Meeting/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.

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.
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.