

**Appointments to the Irish Human Rights and Equality Commission**

**Closing Date: 15:00 on Thursday 14<sup>th</sup> November 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. Under the Irish Human Rights and Equality Commission Act, 2014, (“the 2014 Act”), the PAS is given responsibility for operating an open, accessible, rigorous and transparent system to support the Government in making appointments to the Commission. Our dedicated website, [www.stateboards.ie](http://www.stateboards.ie), is the channel through which the PAS advertises vacancies on State Boards/Commissions. 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 the Irish Human Rights and Equality Commission

Members of State Boards generally, (and this applies also to membership of the Irish Human Rights and Equality Commission), 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/Commissions, and the relevant management team, are accountable for the proper management of the organisation.

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.

Commission 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. 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." There are statutory requirements set out in the 2014 Act in relation to this matter – see section 5 of this booklet – Terms of Appointment – for further detail.

The process of appointment as a member of the Irish Human Rights and Equality Commission is set out in Section 13 of the 2014 Act. Members are appointed by the President on the advice of the Government and following the passing of a resolution of each House of the Oireachtas recommending the appointment. The Public Appointments Service (PAS) undertakes a selection process in order to make recommendations to the Government in respect of those persons to be appointed as members of the Commission. The Government is obliged to accept the PAS's recommendations, unless it has substantial and stated grounds not to do so. This is a key point of difference with the standard state boards selection process.

The [Code of Practice for the Governance of State Bodies 2016](#) (the Code) is also relevant and 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/Commission 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 Irish Human Rights & Equality Commission

**Location:** Dublin

**Number of Vacancies:** 7

The post of Chief Commissioner, who will also be a member of the Commission, is being advertised in a separate competition.

**Remuneration:** €7,695 (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 allowances will be paid in line with Government guidelines. Travel costs from outside the State are not payable.

**Time Requirements:** Circa one day meeting plus one day preparation per month (24 days).

Candidate's 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 Irish Human Rights and Equality Commission (the Commission) is an independent statutory body, established on 1 November 2014 under the Irish Human Rights and Commission Act 2014 (The Act).

The statutory mandate of the Commission is to protect and promote human rights and equality in Ireland and to build a culture of respect for human rights, equality and intercultural understanding. The Commission is Ireland's National Human Rights Institution (NHRI) and National Equality Body (NEB).

The provisions of the Act are designed to ensure the independence of the Commission in its work. Members of the Commission are appointed by the President, following a vote in both Houses of the Oireachtas and the members independently determine the Commission's policy and activity.

The Commission has agreed the following set of six values that will guide its work: independence, accountability, participation, human rights, equality and non-discrimination, rights and standards, dignity and respect.

Further information on the Irish Human Rights and Equality Commission can be found on [www.ihrec.ie](http://www.ihrec.ie).

## 2. Functions of the Commission

The overall functions of the Irish Human Rights and Equality Commission as set out in the Act (S. 10.1) are:

- (a) To protect and promote human rights and equality
- (b) To encourage the development of a culture of respect for human rights, equality, and intercultural understanding in the State
- (c) To promote understanding and awareness of the importance of human rights and equality in the State,
- (d) To encourage good practice in intercultural relations, to promote tolerance and acceptance of diversity in the State and respect for the freedom and dignity of each person, and
- (e) To work towards the elimination of human rights abuses, discrimination and prohibited conduct.

The key collective statutory functions of the Commission as provided for in the Act can be summarised as follows:

- In accordance with Section 10.2(c), to examine any legislative proposals and determine its views on any implications for human rights and equality
- In accordance with Section 10.2(e) to determine whether to apply to the High Court or the Supreme Court for liberty to appear as an amicus curiae
- In accordance with Section 10.2(h), to represent the Commission at regional or international bodies or agencies having a knowledge or expertise in the field of human rights or equality
- In accordance with Section 17, the Commission shall appoint from amongst its membership a person to be a member of the Management Board of the European Union Agency for Fundamental Rights
- In accordance with Section 18, to chair any Advisory Committees as determined by the Commission
- In accordance with Section 25, to prepare and present a strategy statement to the Oireachtas every three years
- In accordance with Section 28, to report to the Oireachtas through its annual report not later than six months at the end of each financial year
- In accordance with Section 31, to determine whether to prepare a Code of Practice
- In accordance with Section 32, to determine whether to invite or undertake an equality review and or action plan
- In accordance with Section 24(4), the Commission shall be the appropriate authority (within the meaning of the Civil Service Commissioners Act 1956 and the Civil Service Regulation Acts 1956 to 2005) in relation to its officers
- To serve on Commission subcommittees, for instance, Audit and Risk, Finance, Casework, Policy committees
- To undertake any Section 35 inquiries, as determined by the Commission
- In accordance with Section 41, to determine whether to institute proceedings in any court of competent jurisdiction for the purpose of obtaining declaratory relief in respect of any matter concerning the human rights of any person or class of persons
- To participate in the Joint Committee with the Northern Ireland Human Rights Commission

## Strategy

In accordance with Section 25 of the 2014 Act, the Commission prepares a strategy statement every three years which is laid before each house of the Oireachtas. The current strategy statement 2019 – 2021 is available on their website at <https://www.ihrec.ie/app/uploads/2019/02/Final-Strategy-Statement-ENG-VERSION.pdf>

## Advisory Committees

In accordance with Section 18, the Commission shall, for the purpose of establishing and maintaining effective co-operation with representatives of relevant agencies and civil society appoint, such and so many advisory committees as it thinks fit to assist and advise it on matters relating to its functions.

The Commission currently has established two S.18 Advisory Committees as follows:

- Worker and Employer Advisory Committee; and a
- Disability Advisory Committee.

## Current Commission Membership

The composition of the Commission as at 1 November 2019 will be as follows:

Name of Member	Start	Finish
Frank Conaty	01/11/2014	01/02/2023
Patrick Connolly	01/02/2018	01/02/2023
Prof. Caroline Fennell	01/02/2018	01/02/2023
Heydi Foster Breslin	01/11/2014	01/02/2023
Tony Geoghan	01/02/2018	01/02/2023
Salome Mbugua	01/02/2018	01/02/2023
Colm O'Dwyer	01/02/2018	01/02/2023

## Person Specification

Applications are invited from suitably qualified candidates for these positions on the Irish Human Rights and Equality Commission.

Having regard to section 13(13) of the Act, the appointments made will reflect the need to ensure that members of the Commission broadly reflect the nature of Irish society and that such persons possess knowledge of, or experience, in the following areas:

- a) matters connected with human rights, and
- b) without prejudice to the generality of paragraph (a), matters connected with persons or classes of persons who are disadvantaged by reference to the following factors
  - (i) gender;
  - (ii) civil status;
  - (iii) family status;
  - (iv) sexual orientation;
  - (v) religious belief;
  - (vi) age;
  - (vii) disability;
  - (viii) race, including colour, nationality, ethnic or national origin;
  - (ix) membership of the Traveller community

Ireland ratified the Convention on the Rights of Persons with Disabilities (CRPD) in March 2018. The CRPD includes a series of obligations aimed at ensuring that people with disabilities enjoy fundamental rights and freedoms. IHREC has been designated as the independent body which has the task of monitoring Ireland's implementation of the Convention. In January 2019, IHREC established a Disability Advisory Committee, a statutory advisory committee formed predominantly of persons with disabilities, which has the mandate to advise IHREC on this monitoring role. Ireland's first report to the UN on implementation of CRPD will be submitted in 2020.

In addition to the specific requirements set out in the Irish Human Rights and Equality Commission Act 2014, as listed above, it is essential that candidates demonstrate significant experience at an appropriately senior level of at least one of the following:

- **Corporate Governance and Risk Management**  
Strong corporate governance skills at an appropriately senior level in a complex organisation of scale or equivalent business experience.
- **Financial Planning**  
A career history at a senior level in a complex organisation of scale or equivalent business experience which demonstrates experience in accountancy, audit or financial planning and the presentation and interpretation of financial performance.
- **Strategic Change**  
Experience of working with a wide range of public sector bodies to introduce significant strategic change and reform processes while ensuring maximum buy-in from all stakeholders.
- **Sectoral Knowledge/Experience**  
A background in legal, social sciences or economics and relevant experience, academic or otherwise in interculturalism and integration.
- **Previous Experience of Board Membership**  
Previous experience of Board membership to include experience of chairing or sitting on advisory committees.

In addition to the foregoing specific skills and experience, it is also desirable that candidates be able to demonstrate the following:

- The capacity to quickly understand the complex cultural, social, strategic, political legal and regulatory environment within which the Commission operates;
- An understanding of the equality and human rights issues that can arise for public and private sector organisations;
- Experience of implementing equality and human rights approaches in public and private sector organisations;
- Open-minded strategic thinking and an ability to bring own experience to bear on issues under discussion;
- A strong sense of ethics and integrity together with a clear understanding of good governance practices;
- Commitment to an evidence-based approach, and the capacity to appreciate the implications of complex and multi-faceted evidence;
- The ability to make important and difficult objective decisions;
- The ability to challenge constructively the opinions of others, work to achieve a shared consensus and accept collective responsibility for Commission decisions;

- Excellent communication skills, both oral and written, and the ability to express themselves clearly and succinctly; and
- The ability to work as part of a team and act to avoid or address any conflict which may arise with proven track record of collaborative working towards a common goal.

## **Governance Matters**

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

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](#).

### **3. Statutory Requirements/Excluded Groups**

See section 12 of the Act for full details of Membership of the Commission and in particular: 12(2) provides that of the members of the Commission, not less than 6 of them shall be men and not less than 6 of them shall be women, and in a case where there are 14 or more members, not less than 7 of them shall be men and not less than 7 of them shall be women.

### **4. Term of Appointment**

Section 12 of the 2014 Act provides that appointments to the Commission will be for an initial period of 5 years with an option to extend the term of engagement for a second term of 5 years. Appointment is subject to the following conditions as provided for in Sections 14 and 19 of the Act.

- A member of the Commission may resign his or her membership of the Commission by notice in writing given to the President, and the resignation shall take effect on the day on which the President receives the notice.
- The Government may remove a member of the Commission from office but only on one or more of the following grounds:
  - (a) the member has, without reasonable excuse, failed to discharge his or her functions for a continuous period of not less than 3 months prior to the date of the dismissal beginning not earlier than 6 months before the date of the dismissal;
  - (b) the member has become incapable through ill health of performing his or her functions or has committed stated misbehaviour;

And then, and only then, where a resolution is passed by both Houses of the Oireachtas calling for the member's removal.

- A member of the Commission shall cease to be qualified for office and shall cease to hold office if he or she –
  - (a) is an undischarged bankrupt, or
  - (b) is convicted of a criminal offence.
- The Revised Code of Practice for the Governance of State Bodies 2016 is a useful reference point to describe the roles and responsibilities of Board members which is relevant to members of the Commission also. It 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 commission 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, or elected to the European Parliament.

## 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 the Commission, 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 the Commission.

Your submission should be made via the following link [www.stateboards.ie](http://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](mailto:info@stateboards.ie).

## **6. Assessment Process**

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

- Have relevant experience of, and expertise in relation to, matters connected with any or all of the following:
  - (a) human rights matters or law
  - (b) equality matters or law;
  - (c) public sector administration and reform;
  - (d) board management and corporate governance.
- 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:
  - shortlisting of candidates, on the basis of the information contained in their application;
  - a competitive preliminary interview;
  - completion of an online questionnaire(s);
  - work sample/role play/media exercise, and any other tests or exercises that may be deemed appropriate;
  - a competitive interview which may include a presentation
- Compile a list of candidates for recommendation to the President.

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](http://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](http://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 Commission. You must also confirm that you can make yourself available to attend meetings and to carry out the duties of a Commission member.