

Appointments as Ordinary Members to the Valuation Tribunal

Closing Date: 15:00 on Monday 15th June 2020

**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 the Tribunal

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 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 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:

- 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 as Ordinary Members to the Valuation Tribunal

Location:	Holbrook House, Holles Street, Dublin 2
Number of Vacancies:	6 current vacancies. Further vacancies which arise in the coming year may be filled from this campaign.
Remuneration:	Daily sitting fee - €339.86. A conference fee of €107.42 is payable for any follow up meetings that may be required, further to the appeal hearing day. Travel and subsistence is payable at appropriate civil service rates.
Time Requirements:	Membership of the Valuation Tribunal requires a significant time commitment and prospective applicants should consider carefully their availability before submitting an application. There are a considerable number of appeals waiting to be heard by the Valuation Tribunal. At present, 10 appeals are listed for oral hearing each week, this number may increase. A member is required to be available for at least one full day per week. The daily core hours are 9.45 a.m. to 4.30 p.m.

1. Background

The Tribunal is an independent body set up under the Valuation Act 1988, and continued by the Valuation Acts 2001 to 2015, to determine appeals against decisions of the Commissioner of Valuation on the valuation of commercial properties for rating purposes. The Valuation Tribunal and the Commissioner of Valuation/Valuation Office are separate bodies, independent of each other.

The Tribunal is also empowered to determine appeals under section 22 of the Derelict Sites Act 1990 against the determination of a local authority in respect of the market value of urban land and under section 13 of the Urban Regeneration Housing Act 2015 against determinations of a planning authority of the market value of a vacant site.

Subject to a right of appeal to the High Court on a point of law, the decision of the Tribunal is final.

2. Functions of the Tribunal

The Tribunal sits in divisions of three chaired by the Chairperson or a Deputy Chairperson to determine oral appeals. A single member division may be appointed by the Chairperson to determine a document- based appeal.

There is no Board within the Tribunal as defined in the Code of Practice for the Governance of State Bodies. The Tribunal acts by divisions as determined by the chairperson of the Tribunal. A division of the Tribunal consists of 3 members of the Tribunal chosen by the chairperson of whom at least one shall be the chairperson or a deputy the chairperson. Subsequent to the hearing of an oral appeal, a nominated member of the division drafts the determination for the agreement of the division. A division may hold a conference meeting to discuss complex legal or valuation issues prior to the writing the determination. A determination of the Tribunal in relation to an oral appeal may be that of a majority of the members hearing the appeal.

Members of the Tribunal receive administrative support from the Registrar and a team of staff at the Tribunal Offices at Holbrook House, Holles Street, Dublin 2.

Current membership of the Tribunal can be found [here](#).

3. Person Specification

The Minister for Housing, Planning and Local Government is seeking expressions of interest from suitably qualified candidates who are willing to engage fully with the work of the Tribunal.

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](#).

It is essential that candidates have a demonstrable knowledge of rating law or the ability to acquire it quickly, including:

- Knowledge of the legislative framework governing the valuation of rateable property in Ireland and of the procedures in place for appealing valuations determined by the Commissioner of Valuation;
- and**
- Knowledge of the legislative framework governing the registration of derelict sites by local authorities and the statutory mechanism in place to appeal the market value of urban land determined by local authorities

Commercial Property Valuation (current vacancies)

Candidates must have significant professional experience, at an appropriately senior level, in a practice which includes the valuation of commercial properties, particularly for rating purposes, preferably as a chartered surveyor.

Legal (future possible vacancies)

Candidates must be, or have been, a practicing Solicitor or Barrister or a qualified lawyer from another common law jurisdiction with significant post qualification experience (minimum 5 years). It is desirable that this professional experience be partially or wholly in the area of valuation/rating law.

Desirable

- valuation of commercial and industrial properties and valuations for rating purposes.
- experience of participation on the SCSJ Arbitration and Expert Panel –
- participation on an administrative tribunal or body

- knowledge and experience of the procedures, practices and legal principles involved in the conduct of quasi-judicial hearing.

The Minister shall have regard to the desirability for gender balance on the Tribunals 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 Tribunal. 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

Under the Act, appointments to the Tribunal will be for a period of up to 5 years and when such term expires, the member shall be eligible to re-apply for a further term of appointment, subject to:

- The membership of any member of the Tribunal may be terminated by the Minister at any time, on the basis of reasons to be stated by the Minister.
- A member of the Tribunal may resign his or her membership 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 Tribunal 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.
- Members of the Tribunal are expected to comply with *Appendix B Ethics in Public Office* of the Code of Practice for the Governance of State Bodies 2009.
- A Tribunal member shall cease to be a member 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.

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 the Tribunal, 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 Tribunal. **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 the Tribunal.

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 Tribunal. You must also confirm that you can make yourself available to attend meetings and to carry out the duties of a Tribunal member.