



**Appointment of a Chairperson and Ordinary Members to the Property Services
Regulatory Authority**

Closing Date: 15:00 on Tuesday 17th November 2020

**State Boards Division
Public Appointments Service
Chapter House, 26 – 30 Abbey Street Upper, Dublin 1**

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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.

Appointment of a Chairperson and Ordinary Members to the Property Services Regulatory Authority

- Location:** Head Office, Abbey Road, Navan, Co. Meath
Dublin Office, Bishop Square, Dublin 2
- Number of Vacancies:** 1 Chairperson; 2 Ordinary Members
- Remuneration:** Chairperson: €8,978 p.a.
Ordinary Member: €5,985 p.a. (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:** Approximately 6 half day Board meetings per annum with additional time required for Committee meetings and preparatory work. Applicants should note that there may also be a requirement to attend an away day on an annual basis to address strategic objectives of the Authority.

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 Property Services Regulatory Authority (the Authority) is a statutory body established on 3 April 2012, pursuant to the Property Services (Regulation) Act 2011 (the Act). Subject to the Act the Authority, shall be independent in the performance of its functions.

The Authority's mission through regulation is to licence, supervise and regulate providers of property services and to protect the interests of the public in their interaction with property services providers by ensuring that high standards are maintained in the delivery of property services.

2. Functions of the Property Services Regulatory Authority

The key functions of the Authority are:

- The licensing of property service providers;
- The provision of redress mechanisms concerning complaints against property services providers (auctioneers, estate agents, letting agents and property management agents);
- The setting of other property related standards;
- The establishment, administration and maintenance of the Property Services Compensation Fund;
- The publication of the Register of Residential Property Sales Prices; and Register of Licensed Property Services Providers;

- The establishment and maintenance of a Commercial Lease database.

Further information can be found at www.psr.ie.

Current membership of the Authority:

Name	First Appointed	Reappointed	Expiry Date	Position type	Basis of appointment
Aideen Hayden	28/11/2016		27/11/2020	Board Member	PAS process
Edward Carey	03/04/2012	28/11/2016	27/11/2020	Board Member	PAS process
Ella Dunphy	15/04/2019		14/04/2023	Board Member	PAS process
Emer Byrne	15/04/2019		14/04/2023	Board Member	PAS process
Geraldine Clarke	03/04/2012	28/11/2016	27/11/2020	Chair	PAS process
Gordon Hughes	15/04/2019		14/04/2023	Board Member	PAS process
Hillary Griffey	28/11/2016		27/11/2020	Board Member	PAS process
Muiris O'Ceidigh	28/11/2016		27/11/2020	Board Member	PAS process
Orla Moran	15/04/2019		14/04/2023	Board Member	PAS process
Paul Mooney	03/04/2012	28/11/2016	27/11/2020	Board Member	PAS process
Vacancy				Board Member	

Requirements of Board Members

Section 12 of the Property Services (Regulation) Act 2011 provides that the Authority shall hold such and so many meetings as may be necessary for the performance of its functions but in each year shall hold not less than one meeting in each period of 3 months.

Generally, an Authority member will be expected to:

- attend Authority meetings, save for exceptional circumstances, and be well prepared by reading relevant papers in advance;
- contribute and engage in decision-making and share collective responsibility for the Authority's decisions;
- attend training events and keep up-to-date with subjects relevant to the organisation's work;
- as and when required, serve on the Authority's Committees;
- attend meetings to consider final investigation reports relating to 'improper conduct';
- attend meetings to consider applications for claims on the Authority's Compensation Fund;
- where a member of the Authority may have a real or perceived interest in a matter brought before the Authority, the member must not seek to influence any discussions on that matter or the decisions made and absent themselves from the decision;

3. Person Specification

The Minister for Justice invites applications from suitably qualified individuals to fill three positions on the Property Services Regulatory Authority.

Section 10 of the Act provides that the Authority shall consist of no more than 11 members, of whom;

- (a) not more than 3 shall be persons who, in the opinion of the Minister, are representatives of persons who provide property services,
- (b) not less than 3 shall be persons who, in the opinion of the Minister, have knowledge of, or experience in, consumer affairs, and
- (c) one shall be an officer of the Minister.

Section 10(8) of the Act provides that a person may not be appointed to be a member of the Authority for more than 2 consecutive terms but is otherwise eligible for reappointment.

Chairperson

Candidate's attention is drawn to the general details of the role of Chairperson as set out on page 19 of the Code which can be found [here](#). The Principle states:-

- The Chairperson is responsible for leadership of the Board and ensuring its effectiveness on all aspects of its role and compliance with the Code of Practice for State Bodies.
- The Chairperson should display high standards of integrity and probity and set expectations regarding culture, values, and behaviours for the State body and for the tone of discussions at Board level.

Candidates applying for this role must, in addition to meeting the criteria under one of the areas outlined for ordinary members, also demonstrate in their application evidence of the following at an appropriately senior level.

- Operational experience in corporate governance and compliance.
- Experience acting in the role of chairperson or leading a group from diverse backgrounds.
- Operational experience of regulatory matters.

Desirable:

- Possession of a relevant qualification in the area of corporate governance; with relevant experience at an appropriately senior level;
- Experience operating as a legal practitioner involving prosecution, mediation negotiation;
- Experience/knowledge of the property services sector;
- Experience in dispute resolution.

Ordinary Member

Candidate's attention is drawn to the provisions of the Code of Practice for Governance of State Bodies 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

(a) Consumer Affairs/Business

Candidates must demonstrate in their application evidence of experience, at an appropriately senior level of:

- Operational experience in the provision of property services;
- Experience of corporate governance, finance and risk management;
- Business management experience including, oversight and governance on implementing standards, addressing conflicts of interest, negotiation engagement, mediation, complaint resolution;
- Consumer advocate regarding consumer protection matters;

(b) Legal/Conflict Resolution

Candidates must demonstrate in their application evidence of experience, at an appropriately senior level of:

- Experience of industrial relations management, or conflict resolution or mediation;
- Practising/retired solicitor or barrister with experience in acquiring of evidence, conducting investigations, court prosecutions; and
- Experience of advising and presenting in Court on civil and or criminal matters

Desirable for both roles

- Previous board experience
- Experience in corporate governance and compliance
- Regulatory experience
- Knowledge/experience relevant to the property market or property service providers.

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 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

Appointments to the Authority will be for an initial period of 4 years with an option to extend the term of engagement for a second term of 4 years, subject to:

- The membership of any member of the Authority may be terminated by the Minister at any time, on the basis of reasons to be stated by the Minister.
- A member of the Authority may resign his or her membership of the Authority 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 Authority 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 Code of Practice for the Governance of State Bodies 2016 which is available here [Code of Practice for the Governance of State Bodies](#).
- An Authority 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 application - 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 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 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. 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.