

Appointment as Chairperson of the Board of the Land Development Agency

Closing Date: 15:00 on Thursday 29 April 2021

**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.

Appointment as Chairperson of the Land Development Agency¹ (LDA)

Location:	Virtual or LDA's headquarters in Dublin, Ireland.
Number of Vacancies:	1
Remuneration:	€31,500 per annum. (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:	c.4-6 days per month including attendance at board meetings and sub-committees of the Board, the Company's AGM and site visits to LDA locations. A more extensive time commitment may be necessary in the initial induction period.

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 Public Appointments Service ("**PAS**"), in conjunction with the New Economy and Recovery Authority ("**NewERA**") (a business unit of the National Treasury Management Agency (the "**NTMA**")²), wish to identify suitable candidates for consideration for appointment by the Minister for Housing, Local Government and Heritage (the "**Minister**") as a member of the Board of the LDA (the "**Board**") who will also act as chairperson of the Board (the "**Chairperson**").

Expressions of interest are now sought from suitably qualified candidates for consideration as part of this process.

The Land Development Agency was established on an interim basis in September 2018, by way of an Establishment Order made under the Local Government Services (Corporate Bodies) Act 1971³, pending the enactment of primary legislation when it will be established as a commercial State agency. The LDA Bill 2021⁴ was published in February of this year

¹ Being the body to be established under the Land Development Agency Bill 2021, once enacted.

² The role of NewERA is to provide independent commercial and financial advice to the relevant Ministers in relation to the exercise of specific functions, including, pursuant to Section 20 of the National Treasury Management Agency (Amendment) Act 2014 the provision of "financial and commercial advisory services to any Minister of the Government in relation to any State body that is not a designated body where that Minister holds shares in, has general responsibility for or has any function in relation to that body". Further detail on NewERA's activities is set out in Part 3 of the National Treasury Management Agency (Amendment) Act 2014 and in the annual reports of the NTMA (www.ntma.ie).

³ [S.I. No. 352/2018 - Land Development Agency \(Establishment\) Order 2018](#), as amended by [S.I. No. 603/2018 - Land Development Agency \(Amendment\) Order 2018](#), is the current legislative basis for the LDA. These orders will be revoked on commencement of the LDA Bill and the Bill provides for the dissolution of the existing Land Development Agency and the transfer of its interests to the LDA established under the Bill.

⁴ <https://data.oireachtas.ie/ie/oireachtas/bill/2021/11/eng/initiated/b1121d.pdf>

(the “**Bill**”) and sets out the proposed corporate form and financial structure of the Agency, which will be constituted as a designated activity company (DAC). It also sets out the proposed principal relationship and governance arrangements between the State and the LDA and its subsidiaries (the “**Group**”), with relevant Ministers to be given various statutory functions in relation to the Group. The Bill is currently going through the Oireachtas and it is envisaged that it will be enacted in the first half of this year.

The LDA has an immediate focus on managing the State’s own lands to develop new homes, and regenerate under-utilised sites. In the longer-term, it will assemble strategic land-banks from a mix of public and private lands, making these available for housing in a controlled manner, which brings essential long-term stability to the Irish housing market.

The main objectives of the LDA under the Bill include:

- to manage and develop certain relevant public land and other land and prepare that land for development;
- to develop housing on relevant public land and other land;
- to manage and to provide housing for rent or purchase;
- to provide, or assist in the provision of, publicly owned infrastructure to service sites for housing and housing development on relevant public land and other land;
- to develop, or facilitate the development of, large-scale local authority sites for housing and, where appropriate, mixed-use development and for that purpose to liaise with any relevant local authority in relation to the appropriate mix of housing in such developments;
- to—
 - (i) appraise sites,
 - (ii) prepare masterplans,
 - (iii) prepare planning submissions for developments,
 - (iv) make a planning application, or intervene in a planning application made by another person, and
 - (v) obtain development consents, permissions and other approvals,for the purpose of the development of relevant public land and, where necessary or expedient in order for that development to take place, the development of other land;
- to take measures to promote the sustainable development of housing, including climate adaptive, low-carbon and affordable housing, that is well served by schools, public transport and public amenities;
- to acquire relevant public land;
- to acquire and hold other land, and to dispose of land owned by the Agency, where to do so is necessary or expedient for the purposes of performing its functions;
- to enter into commercial contracts and other commercial arrangements (including joint ventures) with local authorities or other parties for the purposes of performing its functions;
- to support the implementation of the National Planning Framework;
- to advise the Government and, as appropriate, the Minister on the following in support of the implementation of the National Planning Framework:
 - (i) the management and use of relevant public land;
 - (ii) the provision of publicly owned infrastructure so that relevant public land and other land which is contiguous to relevant public land or land owned by the Agency can be further developed;
- to endeavour, having regard to the policy of the Government on proper planning and sustainable development—
 - (i) to contribute to the economic and social development of the State, and
 - (ii) to enhance the competitiveness of the economy of the State, including by encouraging innovation in housing design and construction methods and

preparation of masterplans to ensure the effective use of land and, where appropriate, the application of such innovative methods;

- to create investment vehicles to facilitate the development of relevant public land and land owned by the Agency;
- to enter into commercial arrangements for the development of relevant public land and land that is privately owned in order to achieve the purposes of the LDA Bill and to expedite the provision of social and affordable housing.

Further information on the LDA can be found at their website here: <https://lda.ie/>

2. Functions of the Board

The Board will be responsible for setting the broad strategy and policies of the LDA, and for the long term success of the organisation. It will be responsible for the system of internal financial control and will have oversight responsibility for the activities of the organisation. Board members will be appointed by the Minister.

The Code provides a framework for the application of best practice in corporate governance by both commercial and non-commercial State bodies, and sets out information on boards and directors.

The Board will be expected to reserve key decisions for its own consideration, including the matters outlined in section 1.7 of the Code.

The Board will be assisted in its discharge of its responsibilities by a number of sub-committees, which may include:

- Risk;
- Audit & Finance;
- Remuneration; and
- Investment/Infrastructure

The successful candidate will be expected to participate in one or more of these sub-committees.

The Chairperson will be responsible for the leadership of the Board. The Chairperson will be responsible for organising the business of the Board, ensuring its effectiveness and setting its agenda.

The Chairperson will facilitate the effective contribution of all directors and constructive relations between the executive and the directors and will ensure that directors receive relevant, accurate and timely information. In addition, the Chairperson should promote a culture of openness and debate by facilitating the effective contribution of key management and all Board members.

The Chairperson will have specific responsibility for managing the LDA's relationship with the Minister and providing detailed reporting to the Minister as required, including reporting in relation to the system of internal control. The Chairperson should seek to ensure through engagement with the Minister that an appropriate skills mix is maintained on the Board.

There is currently an interim board in place for the existing interim LDA entity, which will be replaced with a board recruited through the stateboards process, with appropriate transitional arrangements, when the legislation is enacted and the LDA is established as a designated activity company. The membership of the outgoing interim Board of the interim LDA entity is listed [here](#). The Bill provides that the Board will comprise between 5 and 10

directors, including the Chairperson, and that the Chief Executive Officer of the Agency shall be an ex officio member of the Board.

3. Person Specification

The Minister invites applications from suitably qualified candidates to fill the role of Chairperson of the Board.

Candidates' attention is drawn to the general details of the role of Chairperson as set out on page 18 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.
- 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.

The appointed candidate will:

- Chair the Board of a company that is in the process of establishing itself as a central body in the efficient management of State-owned land and the sustainable development of social and affordable housing, while making a contribution to the economic and social development of the State;
- Possess the leadership experience required to ensure that the Board guides, challenges and supports the Chief Executive and executive management while also holding them to account;
- Determine the Board agenda;
- Ensure the Board's effectiveness in decision making and facilitate full participation and open discussion in the Board;
- Ensure that directors receive relevant, accurate and timely information;
- Possess an understanding of good governance practices in large commercial enterprises;
- Play a central role in the direction, leadership and corporate governance of the LDA;
- Develop a positive relationship with the Chief Executive to facilitate the conduct of good governance;
- Maintain and grow constructive relationships with the company's shareholders, including the Minister, the Minister for Public Expenditure and Reform, their respective Departments and with NewERA; and
- Ensure the ongoing maintenance of constructive relationships with other key stakeholders including local authorities, other State bodies and communities served by the LDA.

Essential Criteria

Applications are invited from applicants who consider they possess the skills and experience, at an appropriately senior level, necessary to chair the Board. Specifically, candidates must demonstrate in their application, evidence of:

- Proven experience of serving in senior leadership positions (e.g., Chair/Board and/or CEO);
- Proven strategic leadership capability in an organisation of scale with a particular focus on having led the organisation through an establishment phase or significant transformation;
- A successful career, at an appropriately senior level, in large scale organisations;

- Strong commercial acumen to ensure long term financial sustainability and effective risk management; and
- Strong stakeholder management, communication and interpersonal skills with an ability to build strong relationships between board members and executive management.

It is also desirable that candidates demonstrate evidence in their application of:

- Experience of housing delivery, property development and/or construction;
- Knowledge of current housing policy;
- An understanding of affordable housing models.

The Bill provides that the Minister shall, in so far as is practicable, endeavour to ensure that among the directors of the Board there is an equitable balance between men and women. The Minister shall have regard to the desirability for gender balance, diversity and inclusion on the Board as the Minister considers appropriate and determines from time to time when making appointments, in line with the Bill and the updated Code.

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.

PLEASE NOTE:

- Members of the LDA, and their immediate family members and close associates, are deemed to be “Politically Exposed Persons” (“**PEPs**”) under the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 (as amended). This legislation places a requirement on “designated persons” (e.g. credit institutions) to undertake “Enhanced Customer Due Diligence” on those clients who are classified as PEPs. Further information is available [here](#)
- In addition, as required under the Code of Practice for the Governance of State Bodies, the successful candidate who is being proposed for appointment as Chairperson of the LDA is required to make themselves available to the Joint Oireachtas Committee.

4. Term of Appointment

Under the Bill and the Code, appointments to the Board will be for an initial period of 5 years and may (with Ministerial approval) be renewed for a further period, to a maximum of 8 years in total, subject to:

- The Minister may at any time remove a director of the Board from office for reasons stated under Section 19(2) of the Bill.
- 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.
- A Board member shall cease to be qualified to hold office for the reasons stated under Section 19(3) of the Bill.

- A Board 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.
- Members of the Board shall hold office upon such terms and conditions as set out in the Agency's constitution.

The roles and responsibilities of board members are described in the Code which is available [here](#).

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 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 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. **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 in conjunction with NewERA 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 enquiries, 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 and to the NTMA in connection with its statutory roles under the National Treasury Management (Amendment) Act 2014 to assist and advise relevant Ministers in relation to appointments to the boards of relevant State bodies (as defined in that Act). 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.

If appointed, the Department of Housing, Local Government and Heritage will retain your information for the duration of your appointment.

NewERA

In performing its statutory functions, the NTMA may disclose your personal data to relevant Ministers and Department staff, including the State Board Liaison Officer. Once it obtains your personal data, the NTMA will act as data controller of such data and will retain it for up to one year following completion of the appointment. 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 State Board. If appointed, NewERA may retain your information for the duration of your appointment. For further information in relation to how the NTMA processes personal data, including your various rights under data protection law and details of how to contact the NTMA, please refer to the NTMA Data Protection Statement policy which is available [here](#).

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.