

**Appointment as Chairperson to the Broadcasting Authority of Ireland (BAI).**

**Closing Date: 15:00 on Friday 11<sup>th</sup> June 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](http://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 to the Broadcasting Authority of Ireland (BAI).

<b>Location:</b>	BAI offices (Dublin 2) – currently virtually
<b>Number of Vacancies:</b>	1
<b>Remuneration:</b>	€11,970 (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.
<b>Time Requirements:</b>	30+ days per annum in total. (11 half-day meetings, 2 performance review meeting with potential requirement to sit on ad-hoc sub-committees as they may arise. Considerable time is required in preparation for meetings).

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 Broadcasting Authority of Ireland (BAI) is the regulator of broadcasting in Ireland.

The BAI was established under the Broadcasting Act 2009 (“the Act”) on 1st October 2009. The Act sets out a range of general and specific objectives for the BAI and specifies that its constituent parts, in performing their functions, “shall endeavour to ensure:

- that the number and categories of broadcasting services made available in the State best serve the needs of the people of the island of Ireland, bearing in mind their languages and traditions and their religious, ethical and cultural diversity;
- that the democratic values enshrined in the Constitution, especially those relating to rightful liberty of expression, are upheld; and,
- the provision of open and pluralistic broadcasting services.”

The Act also sets out a range of other objectives for the Authority which include:

- stimulating the provision of high quality, diverse, and innovative programming;
- facilitating public service broadcasters in the fulfilment of their public service objects;
- promoting diversity of control in the commercial and community sectors;
- providing a regulatory environment that:
- sustains independent and impartial journalism;
- sustains compliance with employment law;
- protects the interests of children;
- facilitates a broadcasting sector which is responsive to audience needs and accessible to people with disabilities;
- promotes and stimulates the development of Irish language programming and broadcasting services.

The BAI consists of the Board (“the Authority”) and two statutory committees – the Contract Awards Committee and the Compliance Committee. The Authority has appointed a standing committee (“The FAR Committee”) to oversee finance, audit and risk matters. The BAI Executive supports the work of the organisation.

## **2. Functions of the Board**

As set out above, the BAI has a clear mandate as set out in the Broadcasting Act 2009. The Act outlines the various functions, roles and responsibilities of the Authority, the Contract Awards Committee and the Compliance Committee.

The Authority is collectively responsible for leading and directing the BAI’s activities. Its key functions include:

- reviewing and guiding strategic direction and major plans of action, risk management policies and procedures, annual budgets and business plans, setting performance objectives, monitoring implementation and BAI performance, and overseeing major capital expenditure and investment decisions.
- The preparation and adoption of the BAI strategic plan is a primary responsibility of the Authority. The BAI draws up and adopts a statement of strategy every 3 years, in accordance with the requirements of Section 29 of the Act. The Statement contains a mission, high level objectives and target outputs and outcomes in the key strategic areas of activity. Implementation of the strategy by the management is supported through an annual planning and budgeting cycle. The BAI is currently finalising its Strategy Statement 2021-2023 and this is expected to be published in January 2021.

The Authority has a formal Schedule of Matters Reserved for Decision of the Authority and Statutory Committees (the Schedule). This Schedule aims to ensure an effective working relationship between the Authority, Committees and the Executive, and acts to ensure that those matters requiring a determination of the Authority and Committee under statute are brought for decision. The Schedule comprises an overview of the BAI Corporate Structure, six principles of decision-making and outlines the functions of the Authority and Statutory Committees.

The Authority also has responsibility for ensuring that effective systems of internal control are instituted and implemented.

The Authority has appointed a standing committee (“The FAR Committee”) to oversee finance, audit and risk matters. The BAI Executive supports the work of the organisation. The BAI Chairperson will be responsible for leading the Board in the implementation of the BAI’s Strategy Statement 2021-23 and ensuring the highest level of governance practice within the organisation.

A key area of focus for the Board over the coming months and years will be the transition of the BAI into a new Media Commission, as provided for under the General Scheme of the Online Safety and Media Regulation Bill. . Under the draft legislation, it is envisaged that the BAI and its Board will be dissolved on the establishment of the new Media Commission. BAI staff will be transferred into the new Commission.

The Authority consists of 9 members, of which

- 5 are appointed by the Government on the nomination of the Minister, and
- 4 are appointed by the Government on the nomination of the Minister in consultation with the Joint Oireachtas Committee.

The objectives of the Board are set out under Section 25 of the Broadcasting Act 2009. Its functions of the Board are set out under section 26 of the Broadcasting Act 2009.

The criteria for membership of the Board are set out under Section 9 of the Broadcasting Act 2009. The current Board has been in place for a number of years and bring a variety of experience in areas including public service broadcasting, matters pertaining to the Irish language, legal, regulatory and commercial affairs.

Board members should also have the following core competencies:

- Ability to think strategically
- Excellent written and oral communication skills
- The ability to work effectively and collaboratively with others in leading a team;
- Proven ability to critically analyse information and constructively challenge;
- Sound and independent judgment;
- An objective approach to decision-making

The current composition of the board:

<b>Name</b>	<b>Position</b>	<b>Date appointed</b>	<b>Date reappointed</b>	<b>Expiry date</b>	<b>Appointment type</b>
Vacancy1	Chair				
Alan McDonnell	Board Member	02/12/2019		01/12/2022	Government Appointment
Grace Smith	Board Member	02/12/2014	30/11/2019	01/12/2022	Reappointed (Government Nominee)
Mary Curtis	Board Member	31/01/2017	02/12/2019	01/12/2022	PAS Process (Government Nominee)
Vivien McKechnie	Board Member	20/03/2018		19/03/2023	PAS Process (Government Nominee) (
Prof. Maeve McDonagh	Board Member	18/02/2015	22/12/2020	21/12/2023	Reappointed by Minister (JOC Nomination)
Ms Rosemary Day	Board Member	18/02/2015	22/12/2020	21/12/2023	Reappointed by Minister (JOC Nomination)
Mr Denis Wolinski	Board Member	18/02/2015	22/12/2020	21/12/2023	Reappointed by Minister (JOC Nomination)
Mr Seán Ó Mordha	Board Member	18/02/2015	22/12/2020	21/12/2023	Reappointed by Minister (JOC Nomination)

### 3. Person Specification

The Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, invites applications from suitably qualified candidates to fill the position of Chairperson of the Broadcasting Authority of Ireland (BAI).

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.
- 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.

#### **Essential Criteria:**

Candidates for this role must demonstrate in their application evidence of the following: -

- Experience in leading and implementing organisational and strategic change,
- A deep knowledge and understanding of the governance of public bodies and a detailed appreciation of governance requirements contained in the code of practice for the governance of state bodies including risk and compliance standards,
- Understanding and knowledge of the role of a state agency.

#### **Desirable:**

- Experience in board membership with proven track record of mandate delivery
- Understanding and knowledge of the Broadcasting/Media sector in Ireland,
- A general understanding of the evolving broadcasting and audiovisual media services landscape in Ireland and the EU, and the challenges the organisation is likely to face, or a demonstrable ability to attain such knowledge speedily,
- Knowledge of sustainable development practice and principals.,
- Knowledge of the Irish Language;
- Knowledge of matters relating to Diversity, Equality and Inclusion (EDI), such as advocating for greater diversity and inclusion in public services, or the delivery of programmes and/or projects, with participation of, for example, multicultural, minority and disadvantaged groups in mind.

Please be aware that, further to the provisions of the 2009 Act, the following exclusions apply in respect of membership of the BAI Authority. Any candidates who fulfil any of the criteria listed below would, therefore, not be eligible to apply for this vacancy.

- A person who holds employment or an interest in a broadcasting undertaking, including but not limited to a public service broadcaster, or an undertaking holding a contract under this Act
- A person who holds an interest in an undertaking which publishes a newspaper in the State
- A person who holds membership of the Contract Awards Committee

- A person who holds membership of the Compliance Committee

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 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 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**

Appointment to the Board will be for a period of 3 years subject to:

- On the dissolution of the BAI and its transfer into a new Media Commission, (as provided for under the General Scheme of the Online Safety and Media Regulation Bill), it is envisaged that the BAI and its Board will be dissolved on the establishment of the new Media Commission.
- The membership of any member of the Board may be terminated by the Minister at any time, on the basis of reasons to be stated by the Minister.
- 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.
- Members of the Board 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](#).
- 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.

#### **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](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 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](mailto: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](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.