



Appointment of a Chairperson and Ordinary Members to the AHBRA Appeals Panel

Closing Date: 15:00 on Friday 3rd December 2021

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Public Appointments Service
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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. PAS also has responsibility for providing 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.

Appointment as Chairperson and Ordinary members to the AHBRA Appeals Panel

Location:	Location may vary, depending on an appeal. Meetings may also be held virtually.
Number of Vacancies:	1 Chairperson and at least 9 Ordinary Members
Remuneration:	Chair €500 and Ordinary Member €400 per diem rate for sitting days only. Travel and subsistence are payable at the appropriate civil service rate. (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.)
Time Requirements:	Time requirements will be dictated by the number of appeals in a given year. At this stage, it is not possible to predict how many appeals there may be in a year.

1. Background

The Approved Housing Bodies Regulatory Authority (AHBRA) was established on 1 February 2021, as provided for in the Housing (Regulation of Approved Housing Bodies) Act 2019 (hereafter referred to as "the Act"), to oversee the effective governance, financial management and performance of voluntary and co-operative housing bodies, also known as Approved Housing Bodies (AHBs). Members of the Regulator were appointed on 11 February 2021 and it is anticipated that the AHBRA will be operational by Q1 2022.

The functions of the Regulator, as set out in Section 9 of the Act, include establishing and maintaining a register of AHBs; preparing draft standards for approval by the Minister; monitoring and assessing compliance by AHBs with the Act; carrying out investigations; and cancelling registrations. Part 7 of the Act provides for the establishment of an Appeals Panel.

The purpose of the Appeals Panel is to determine the appeals provided for in section 61 of the Act. At least 10 people who, in the opinion of the Minister, have experience or expertise in matters relating to the hearing of appeals or the functions of the Regulator (other than members of the Regulator or staff of the Regulator) will be appointed to be members of this Appeals Panel. The Minister shall appoint a chairperson of the Appeals Panel from among the members of the Appeals Panel.

In accordance with the Act, the Appeals Panel shall be independent in the performance of its functions.

2. Functions of the Appeals Panel

An AHB can submit appeals to an Appeals Panel for the following reasons:

- i. Registration: An AHB can appeal the decision of the Regulator to refuse to grant application for registration.

ii. Compliance Plans: If an AHB is found not to be in compliance with a standard(s), they must enter into a compliance plan. If an AHB does not submit a compliance plan, the Regulator may issue them with a notice of non-compliance. An AHB can appeal the decision of the Regulator to give a notice of non-compliance to an AHB. An AHB can appeal the decision of the Regulator to reject a compliance plan. An AHB can also appeal when they have been issued a notice of non-implementation of a compliance plan.

iii. Cancellation of Registration: An AHB can appeal the decision of the Regulator to refuse to grant the AHB's request to cancel its registration or the decision of the Regulator to cancel the registration of the AHB.

Appeals Board

Upon receipt by the Appeals Panel of an appeal, an Appeals Board of 3 persons shall be appointed by the chairperson of the Appeals Panel from among the members of the Appeals Panel to determine the appeal.

The chairperson of an Appeals Board shall be appointed by the chairperson of the Appeals Panel from among the members of the Appeals Board.

In relation to an appeal falling, to be determined by an Appeals Board, the Appeals Board may establish the procedures to be followed. In accordance with Section 63 of the Act, for the purposes of the Appeal for which the Board has been appointed, the Appeals Board may request information from the relevant parties and hold a hearing.

Both the Appeals Panel and the Appeals Board will be assisted by a secretariat provided by the Department.

3. Person Specification

The Minister for Housing, Local Government and Heritage invites applications from suitably qualified candidates to fill at least 10 vacancies, including a Chairperson post, on the Approved Housing Bodies Regulatory Authority Appeals Panel.

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 Appeals Panel 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 meetings of the Appeals Panel level.

If a candidate wishes to be considered for the role of Chairperson of the Appeals Panel; they must be able to clearly demonstrate an ability to conduct a hearing with due regard to fair procedures, as well as meeting the essential criteria below for ordinary members.

Ordinary Members:

Essential:

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

- Previous experience as a member of a Board, Committee or Appeals Panel;
- Proven track record that demonstrates highly effective communication skills;
- A proven ability to analyse and constructively challenge complex summaries of evidence in the course of preparing for and the holding of an appeal.;

In addition to the above candidates must also demonstrate evidence at an appropriately senior level in at least one of the following:

i. Finance

Knowledge and experience, under two or more of the following areas: -

- accounting and/or audit experience
- audit/risk committee
- treasury management
- risk profiling
- debt management
- investment opportunities

ii. Governance

Evidence of experience in the practices of governance.

iii. Legal

Candidates must be, or have been, a barrister or solicitor of not less than five years standing.

iv. Regulatory

Experience in a regulatory environment or carrying out/overseeing investigations/inspections of organisations.

Desirable:

- Knowledge of the social housing sector; and/or
- Knowledge of the voluntary sector.

For the **Finance** role It would be desirable if candidates had a relevant professional qualification and/or membership of a professional body.

For the **Legal** role, experience in charity law would be beneficial.

The Minister encourages applications from diverse, qualified candidates to ensure the Panel is a true reflection of Irish society and shall have regard to the desirability for gender balance, diversity and inclusion on the Panel as the Minister considers appropriate and determines from time to time when making appointments, in line with the updated [Code of Practice for the](#)

[Governance of State Bodies 2016](#). The Minister shall also have due regard to an appropriate balance of skills on the Appeals Panel.

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 member of the Appeals Panel. 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 Appeals Panel 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, subject to the following:

- The membership of any member of the Appeals Panel may be terminated by the Minister at any time, on the basis of reasons to be stated by the Minister.
- A member of the Appeals Panel may resign his or her membership of the Appeals Panel by giving notice to the Minister, and the resignation shall take effect on the day on which the Minister receives the notice.
- A member of the Appeals Panel shall cease to be a member of the Appeals Panel 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.
- A person shall not be appointed to the Appeals Panel/a member of the Appeals Panel shall cease to be qualified for office and shall cease to hold office if he or she:
 - a) is adjudicated bankrupt,
 - b) makes a composition or arrangement with creditors,
 - c) is sentenced by a court of competent jurisdiction to a term of imprisonment,
 - d) is convicted on indictment of an offence, or is convicted outside the State of an offence consisting of acts or omissions which would constitute an offence triable on indictment if done or made in the State,
 - e) is convicted of an offence involving fraud or dishonesty,
 - f) has a declaration under section 819 of the Companies Act 2014 made against him or her or is deemed to be subject to such a declaration by virtue of Chapter 5 of Part 14 of that Act, or
 - g) is subject or is deemed to be subject to a disqualification order, within the meaning of Chapter 4 of Part 14 of the Companies Act 2014, whether by virtue of that Chapter or any other provision of that Act.

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 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.

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 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. 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 Appeals Panel.

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.