

**Appointments to the Board of Port of Waterford Company**

**Closing Date: 15:00 on 12<sup>th</sup> September 2018**

**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.

## Appointments to the Board of Port of Waterford Company

<b>Location:</b>	Port of Waterford Company Office 3rd Floor, Marine Point, Belview Harbour, Waterford.
<b>Number of Vacancies:</b>	2
<b>Remuneration:</b>	€8,100. (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>	7 half day Board meetings per annum. An addition 1-2 days' preparatory time would also be required in advance of meetings.

### 1. Background

National Ports Policy categorises The Port of Waterford Company as a Port of National Significance (Tier 2). The port is also recognised at a European level through its inclusion in the 'comprehensive network' in the Ten-T Regulation. The Company is the States' 5th largest commercial port.

As with all other State owned commercial ports, the company must operate without any State financial support and derives all its income from commercial operations. Additionally, all capital expenditure projects must be funded without recourse to the Exchequer. The Company is profitable (€1.7m operating profit in 2017).

The port offers bulk and LoLo services. In 2017, total bulk volumes through the port grew to 1.33m gross tonnes, an increase of 27% on the previous year. Total LoLo showed a slight decrease of 2% down to 42,408 teu.

More information is available on the Port of Waterford Company's website: [www.portofwaterford.com](http://www.portofwaterford.com)

The 2016 annual report can be found [here](#).

### 2. Functions of the Board

The Board and Chairperson of the Port of Waterford Company (POW) are appointed by the Minister for Transport, Tourism & Sport with the consent of the Minister for Public Expenditure and Reform. The Board consists of up to eight members in total including the Chairperson and CEO, and currently has one sub-committee (an Audit and Risk Committee).

The purpose of the Board of Directors is:

- to act as custodians for, and to maximise the value of, POW assets;
- to direct strategy and operations;
- to act in the best interests of POW and its stakeholders at all times;
- to ensure that good corporate governance is always practiced within POW and to manage risk appropriately.

The following are the main items of the Port of Waterford Company's work programme

- The formulation of a long term Masterplan
- The preparation and adoption of the annual rolling 5-year strategic plan
- Oversight of the company's operations
- Oversight of the company's risk management and system of internal control
- Ensuring that the company complies with corporate governance procedures.
- Oversee the appointment of the Chief Executive Officer, Company Secretary and other posts such as solicitors and auditors.
- Oversight of the remuneration of the Chief Executive Officer.
- Review and oversight of the procurement of goods and services and contracts.
- Review and approve the acquisition and disposal of assets.

Oversight of the financial practices within the company including the approval of the annual budget, changes to accounting policies.

The current composition of the board is as follows:

<b>Name</b>	<b>First Appointed</b>	<b>Reappointed</b>	<b>Expiry Date</b>	<b>Position type</b>	<b>Basis of appointment</b>
Des Whelan	06/10/2014		06/10/2019	Chair	
Frank Ronan	01/10/2015			Board Member	External Nomination
Joe Dreelan	25/06/2014		24/06/2019	Board Member	
John Kehoe	02/07/2015		01/07/2020	Board Member	External Nomination
Louise Grubb	25/06/2014	24/06/2018	24/06/2021	Board Member	
Mary Mosse	25/06/2014	24/06/2018	24/06/2021	Board Member	

### **3. Person Specification**

The Minister for Transport, Tourism and Sport invites expressions of interest from suitably qualified members of the public to serve as a Director on the Board of the Port of Waterford Company.

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](#).

Candidates must demonstrate in their application significant experience, at an appropriately senior level in one of the following areas:

#### **A. Director with Legal expertise/experience**

- A recognised professional qualification in law
- significant professional experience in the area of commercial law ideally in the maritime area
- membership of a relevant professional body

#### **B. Director with Engineering/Environmental expertise/experience**

- A relevant qualification in engineering or environmental management
- Significant professional experience preferably in the marine or coastal sphere

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.

### **4. Term of appointment**

This Appointment shall be subject to the relevant provisions of the Harbours Act 1996 as amended by the Harbours Act 2015 and the Articles of Association of the Company and to the following conditions:

- Appointments to the Board may be for a period of up to 5 years at the Minister's discretion with an option to extend the term of engagement for a second term of up to 5 years at the Minister's discretion with the consent of the Minister for Public Expenditure and Reform
- 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.

- The roles and responsibilities of Chairpersons and Board Members are described in the Code of Practice for the Governance of State Bodies 2016 which is available on the website of the Department of Public Expenditure ([Code of Practice for the Governance of State Bodies 2016](#) )
- The Board member shall be aware of the duties of a director under the Companies Act 2014 and at all times act in compliance with the Act.
- 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.
- If the Board Member is removed from office, or otherwise ceases to hold office, he or she shall have no claim for compensation or other payments in respect of such removal or cessation.
- 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 Board Member shall devote to the performance of his or her duties as much time as may be necessary for all proper and efficient discharge of those duties.
- The Board Member shall not be entitled to receive any remuneration as Member of the Board in respect of any other services over and above those of Member performed by him or her on behalf of the Company, save with the consent of the Minister for Transport, Tourism and Sport and the Minister for Public Expenditure and Reform.
- 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.
- The Board Member shall be aware of and supportive of National Ports Policy and give due regard to it in the board's decision making process.
- The Board Member shall ensure that appropriate commercial decisions are made acting in the best interests of Waterford Port Company and its shareholders at all times.

## **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 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.

**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.**

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<sup>1</sup>/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 suitable candidates to be sent forward for consideration by the Minister.

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<sup>1</sup> The Public Appointments Service will not be responsible for refunding any expenses incurred by candidates.

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 Bill 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.
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.