

Appointments to the Board of the Charities Regulatory Authority

Closing Date: 15:00 on Friday 2nd November 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, 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 Charities Regulatory Authority

Location:	IFSC, Dublin 1
Number of Vacancies:	3 Board vacancies
Remuneration:	€5,985. (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 expenses are payable at civil service rates, where applicable, in respect of attendance at meetings.
Time Requirements:	10 half day meetings per annum and approximately one half day preparatory work in advance of meetings. Board members may be invited to become members of a Board Sub Committee. Currently there are four such Committees (details in Section 2 below).

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 Charities Regulatory Authority ("Charities Regulator") was established in October 2014, to regulate Ireland's charities in accordance with Section 13(1) of the [Charities Act 2009](#). The Authority is responsible for the registration and regulation of all charities that carry out activities in Ireland including community groups, schools, universities, churches, healthcare providers and others providing public benefit as specified in the Act.

The general functions of the Authority, as set out in the Charities Act 2009 are to: -

- increase public trust and confidence in the management and administration of charitable trusts and charitable organisations,
- promote compliance by charity trustees with their duties in the control and management of charitable trusts and charitable organisations,
- promote the effective use of the property of charitable trusts or charitable organisations,
- ensure the accountability of charitable organisations to donors and beneficiaries of charitable gifts, and the public,
- promote understanding of the requirement that charitable purposes confer a public benefit,
- establish and maintain a register of charitable organisations,
- ensure and monitor compliance by charitable organisations with this Act,
- carry out investigations in accordance with this Act,

- encourage and facilitate the better administration and management of charitable organisations by the provision of information or advice, including in particular by way of issuing (or, as it considers appropriate, approving) guidelines, codes of conduct, and model constitutional documents,
- carry on such activities or publish such information (including statistical information) concerning charitable organisations and charitable trusts as it considers appropriate,
- provide information (including statistical information) or advice, or make proposals, to the Minister on matters relating to the functions of the Authority.

2. Functions of the Board

The Charities Regulatory Authority is governed by a Board which, in accordance with Schedule 1 of the Act, shall comprise of not less than nine and not greater than twenty members. Section 2(2) of Schedule 1 of the Act provides that the members of the Authority shall be appointed by the Minister, with the approval of the Government.

The Authority is responsible for setting the broad strategy and policies of the organisation. It is responsible for the System of Internal Controls and for putting in place processes and procedures for the purpose of ensuring that the system is effective. The Board also has oversight responsibility for the activities of the organisation.

The "[Code of Practice for the Governance of State Bodies](#)" provides a framework for the application of best practice in corporate governance by both commercial and non-commercial State bodies and also sets out information on the duties and responsibilities of Chairpersons, Boards and directors of State Bodies, including the Charities Regulatory Authority.

The Authority is assisted in the discharge of its responsibilities by four sub-committees as follows:

- Finance, Audit and Risk Committee
- Regulatory Committee
- Charities Services Committee
- Performance, Resource and Planning Committee

Further information on the Charities Regulatory Authority can be found at <http://www.charitiesregulatoryauthority.ie>.

The current composition of the Board is as follows:

Name	First Appointed	Expiry Date	Position type
Maire McMahon	16/01/2018	15/01/2023	Ordinary Board Member
Niamh Cahill	16/01/2018	15/01/2023	Ordinary Board Member
Ercus Stewart	16/01/2018	15/01/2023	Ordinary Board Member
Cynthia Clampett	16/10/2014	15/10/2018	Ordinary Board Member
David Brady	16/10/2014	15/10/2022	Ordinary Board Member
Fergus Finlay	16/10/2014	15/10/2018	Ordinary Board Member
Graham Richards	16/10/2014	15/10/2018	Ordinary Board Member
Katie Cadden	16/10/2014	15/10/2018	Ordinary Board Member
Noel Wardick	16/10/2014	15/10/2018	Ordinary Board Member
Patricia Cronin	16/10/2014	15/10/2022	Ordinary Board Member
Patrick Hopkins	16/10/2014	15/10/2018	Chair
Sandra Chambers	16/10/2014	15/10/2018	Ordinary Board Member
Tom Costello	16/10/2014	15/10/2022	Ordinary Board Member

3. Person Specification

The Charities Act 2009 provides that the Authority shall consist of not less than 9 and not greater than 20 members, of whom not less than 3 shall be persons, each of whom: -

- (a) hold or formerly held judicial office in the Superior Courts, or
- (b) are barristers or solicitors of not less than 10 years standing.

The Act also provides that the Minister shall, in appointing the members of the Authority, ensure that among those members there are persons who have knowledge of, and significant senior level expertise in:

- (a) the law relating to charities;
- (b) the keeping of accounts by, and the funding of, charitable organisations; and
- (c) the management of charitable organisations.

For the purpose of this process the Minister for Rural and Community Development invites expressions of interest from candidates who possess the skills and experience necessary in one or more of the following areas.

a. Organisation Development and Strategy

Candidates must demonstrate in their application evidence of significant professional experience at an appropriately senior level in a role which directs organisational development and/or contributes to strategic reviews/strategic change initiatives.

Desirable:

- Experience in a Human Resource function;
- Experience of leading an organisation through a period of significant transformation;
- Previous board membership;
- Corporate governance experience and/or qualifications;
- Experience which would demonstrate significant knowledge of the Charities Sector.

b. Regulatory Skills

Candidates must have significant demonstrable management experience at an appropriately senior level in regulatory procedures and regulatory matters generally.

c. Financial, Audit & Risk Management

Candidates must demonstrate in their application evidence of:

Knowledge of and significant financial experience at an appropriate senior management level with a particular emphasis on forensic accounting, risk management and financial compliance.

Desirable:

- Relevant qualification as an accountant/auditor and membership of a professional body.
- Knowledge of the funding of and accounting for charitable organisations;
- Carrying out or overseeing investigations/inspections of organisations;
- Experience in data protection and/or financial management information systems; and
- Risk management expertise.

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](#).

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

Appointments to the Board 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 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 Revised Code of Practice for the Governance of State Bodies 2016 which is available on the website of the Department of Finance [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 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 arise if appointed to this board.

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 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.

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/video-conference; 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.

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.