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Recruitment of Senior Legal Advisor

(Assistant Principal level)

Candidate Information Booklet

**Introduction**

An Coimisiún Toghcháin is a statutory, independent body, established on 9 February 2023 with responsibility for a broad range of electoral functions set out in the *Electoral Reform Act, 2022.* An Coimisiún is central to Ireland’s electoral system, carrying out a range of existing electoral functions, including:

* responsibility for the registration of political parties, and for the preparation and maintenance of the Register of Political Parties;
* the decision-making, oversight, secretariat and supporting services associated with explaining the subject matter of referendum proposals, the promotion of public awareness of referendums and encouragement of the electorate to vote at referendum polls;
* the conducting of reviews and making reports in relation to the constituencies for the election of members to the Dáil and the election of members to the European Parliament; and
* making reports for the Minister in relation to local electoral boundaries.

An Coimisiún is also tasked in the *Electoral Reform Act, 2022* with several new electoral roles, including:

* preparing research programmes and conducting research on electoral policy and procedure, and providing advice, as required, to the Minister and Government;
* promoting public awareness of, and working to increase public participation in the State’s electoral and democratic processes through education and information programmes;
* overseeing the modernised Electoral Register, making recommendations and setting standards in relation to its maintenance and updating;
* the preparation of ex-post reports on the administration of electoral events.

Also relevant to this role are the intended regulatory powers for An Coimisiún in the areas of misinformation, disinformation and manipulative or inauthentic behaviour online during election campaign periods. Part 5 of the *Electoral Reform Act, 2022* which deals with this area is currently being reviewed to ensure it is harmonised and aligned with relevant EU law including the EU AI Act and the Digital Services Act. Furthermore, An Coimisiún Toghcháin will have responsibility for implementing part of the EU Regulation on Political Advertising which takes effect on 10 October 2025.

It is anticipated that the initial set of functions assigned to An Coimisiún will be expanded upon as it builds capacity and expertise.

**Working with An Coimisiún**

If you’re looking for a career where you can make a difference, this is it.

The position offers a unique opportunity for an ambitious and enthusiastic individual to work within Ireland’s independent electoral commission. With a passion for all things electoral matters, the successful applicant will be joining the newly established Legal team as Senior Legal Advisor (AP) and will be responsible for a number of key functions within the Legal Team.

You will be working in an inclusive and dynamic environment, where your wellbeing and self-development is supported by a number of work-life balance initiatives including blended working, continuous professional development and wellbeing.

Given the size of the organisation, there is and will continue to be significant cross-functional working and collaboration across the organisation.

**The Role**

Reporting to the Head of Legal, the Senior Legal Advisor will support An Coimisiún and the Chief Executive in the effective delivery of its strategic priorities and legislative mandate and will take an active role in all legal aspects of An Coimisiún’s functions.

The Senior Legal Advisor will be primarily focussed on providing sound, solution-focused legal advice and support to An Coimisiún and the Chief Executive on all aspects of An Coimisiún’s functions. The position offers a fulfilling and responsible role in an interesting and busy environment dealing with a diversity of legal issues including but not limited to, Constitutional, Electoral, Privacy and Media Law as well as Data Protection and Corporate Governance. The scope of the role will extend to Contract, Employment and European Law and may expand as the functions of An Coimisiún develop further.

The Senior Legal Advisor will play an important and ongoing role in advising and supporting An Coimisiún in exercising its forthcoming powers under Parts 4 and 5 of the *Electoral Reform Act*, both in terms of preparation, and once commenced, working closely with the Head of Supervision and Enforcement. They will also draft policy, lead on litigation and liaise with external legal advisors and manage associated budgets when required.

**Key Responsibilities**

* Via the Head of Legal, provide legal advice to the Chairperson and members of An Coimisiún in relation to any legal issue arising in the discharge of their statutory functions;
* Provide legal advice to the Chief Executive of An Coimisiún where directed in relation to any legal issue arising in the discharge of their statutory functions;
* Respond to legal queries arising from all units within An Coimisiún where directed and provide advice as required;
* Legal advice will include but not be limited to:
	+ Administrative and constitutional law;
	+ Electoral Law;
	+ Assisting with the drafting of requests for tenders and contracts;
	+ Advice relating to employment law and contract law;
	+ FOI and data protection;
	+ Public procurement processes;
	+ General statutory interpretation;
	+ Civil enforcement procedures;
	+ Principles of due process and fair procedures;
	+ Human rights law.
* Procure and/or engage with external specialist services and stakeholders as necessary;
* Advise and represent An Coimisiún in any judicial or quasi-judicial fora if required;
* Provide legal advice and policy paper preparation including analysis and observations on current legal positions and potential recommendations;
* Providing legal advice on and undertaking An Coimisiún Toghcháin compliance and enforcement functions including through representation in the Courts;
* Lead and manage the performance and development of staff reporting to you within the Legal team;
* Liaise and maintain effective and professional relationships with key stakeholders (internal and external);
* Manage risk, Freedom of Information requests, budgets and other governance arrangements;
* Undertaking speaking engagements and representing An Coimisiún at events, nationally and internationally;
* Carrying out such other functions as may be required from time to time to fulfil the business objectives of An Coimisiún and as appropriate to the grade.

***The responsibilities outlined above should not be regarded as comprehensive in scope and may be added to or altered as required, in line with the requirements of An Coimisiún.***

# **Essential Requirements:**

Candidates must, on or before 25 September 2025:

1. Be enrolled as a solicitor in the State or be a practicing Barrister registered with the Legal Services Regulatory Authority of Ireland;
2. Have at least 3 years significant relevant post qualification experience as a practising Barrister or Solicitor in the State, or in-house counsel in the public, private or third sector, with a strong record of professional achievement;
3. Have significant experience of providing substantive legal opinions to a high level in **at least three** of the following areas of law; Irish Constitutional law, Administrative law, Contract law, Employment law, European Union law, Regulatory Law, Civil or Criminal enforcement and/or the law of Procurement;
4. Have experience of administrative enforcement regimes and investigations (civil and/or criminal) including experience of litigation arising from enforcement or investigations​;
5. Have a proven ability to operate collaboratively at all levels within an organisation providing accurate, timely and clear advice on a variety of legal topics;​
6. Have significant experience in drafting and/or reviewing complex legal documentation such as​ regulatory decisions or procedures, legislation or consultation documentation and contracts;
7. Experience of the administrative and organisational aspects of a functioning legal office including the use of legal research tools;
8. Have a strong focus on delivery and results with an ability to work dynamically in a pressurised/complex environment where urgent and/or challenging timelines can arise.

## **Desirable Criteria​**

1. A commitment to the fundamental principles of democracy and an understanding of the environment within which An Coimisiún operates;
2. Relevant qualifications and/or experience in law relating to An Coimisiún, above the essential requirements;
3. The ability to communicate effectively in Irish.

**In addition to the above, candidates must also be able to demonstrate the Key Competencies identified for effective performance at this level – Assistant Principal Officer. AP is a senior management position in the Civil Service and the full narrative for the competencies can be found at:** [**https://www.publicjobs.ie/images/pdfs/Assistant\_Principal\_Officer\_Level.pdf**](https://www.publicjobs.ie/images/pdfs/Assistant_Principal_Officer_Level.pdf)

**How to Apply**

To apply for this role, candidates must submit the relevant, signed and completed application form to careers@electoralcommission.ie

The application form must be completed and must outline why you wish to be considered for the post and how your skills and experience meet the requirements for the position.

Only applications fully completed and submitted will be accepted into the competition.

**Closing Date**

**Deadline for application:** Please note latest receipt for applications is closing date **25 September 2025 at 5:30pm.**

Incomplete applications, postal applications or CVs will not be accepted. Any applications received after the closing date and time will not be considered.

An acknowledgement email will be issued for all applications received. If you do not receive acknowledgement of your application within two working days of submission, please contact sarah.conran@electoralcommission.ie to ensure your application has been received.

**Selection Process**

The Selection Process may include the following:

* Shortlisting of candidates based on the information contained in their application
* Initial/preliminary interview
* Presentation or other assessment/exercise
* A final competitive interview
* Any other assessments or exercises that may be deemed appropriate.

**Shortlisting**

The number of applications received for a position generally exceeds that required to fill existing and possible future vacancies for the position. While a candidate may meet the eligibility requirements of the competition, if the numbers applying for the position are such that it would not be practical to interview everyone, An Coimisiún may decide that a smaller number will be called to the next stage of the selection process. In this respect, An Coimisiún provide for the employment of a short-listing process to select a group who, based on an examination of the application forms, appear to be the most suitable for the position. This is not to suggest that other candidates are necessarily unsuitable or incapable of undertaking the job, rather that there are some candidates, who based on their application, appear to be better qualified and/or have more relevant experience. An expert board will examine the application forms against agreed shortlisting criteria based on the requirements of the position. The shortlisting criteria may include both the essential and desirable criteria specified for the position. It is therefore in your own interest to provide a detailed and accurate account of your qualifications/experience in your application.

**Interviews**

Interviews are anticipated to be held in October 2025. Candidates should make themselves available on the date(s) specified by An Coimisiún and should make sure that the contact details specified on their application form are correct.

**Eligibility Requirements**

Qualifications/eligibility may not be confirmed until the final stage of the process, therefore, those candidates who do not possess the essential requirements and proceed with their application are putting themselves to unnecessary effort/expense and will not be offered a position from this competition. Please note that An Coimisiún is not in a position to consider or offer advice on the qualifications/eligibility of individuals unless they come under consideration. The onus is on the candidate to ensure they fulfil the eligibility requirements set out. An Coimisiún reserves the right to deem an applicant ineligible at any stage if it is apparent that the candidate does not hold the required eligibility/qualifications e.g. from the submitted application form. Candidates who come under consideration following the final selection stage will be required to provide documentary evidence of their eligibility, including qualifications. Candidates who are unable to show that they hold the required qualifications may be withdrawn from the competition at any stage. An invitation to interview or any stage of the selection process is not acceptance of eligibility.

**Eligibility to Compete and Certain Restrictions on Eligibility**

**Citizenship Requirements**

Eligible candidates must be:

1. A citizen of the European Economic Area (EEA). The EEA consists of the Member States of the European Union, Iceland, Liechtenstein and Norway; or
2. A citizen of the United Kingdom (UK); or
3. A citizen of Switzerland pursuant to the agreement between the EU and Switzerland on the free movement of persons; or
4. A non-EEA citizen who has a Stamp 4 permission[[1]](#footnote-1) or a Stamp 5 permission.

 *Please note that a 50 TEU visa, which is a replacement for Stamp 4EUFAM after Brexit, is acceptable as a Stamp 4 equivalent.*

**Incentivised Scheme for Early Retirement (ISER)**

It is a condition of the Incentivised Scheme for Early Retirement (ISER) as set out in Department of Finance Circular 12/09 that retirees, under that Scheme, are excluded from applying for another position in the same employment or the same sector. Therefore, such retirees cannot apply while the above restrictions continue in force.

**Department of Health and Children Circular (7/2010)**

The Department of Health Circular 7/2010 dated 1 November 2010 introduced a Targeted Voluntary Early Retirement (VER) Scheme and Voluntary Redundancy Schemes (VRS). It is a condition of the VER scheme that persons availing of the scheme will not be eligible for re- employment in the public Health sector or in the wider public service or in a body wholly or mainly funded from public moneys. The same prohibition on re-employment applies under the VRS, except that the prohibition is for a period of 7 years.

People who availed of the VER scheme are not eligible to compete in this competition*.* People who availed of the VRS scheme and who may be successful in this competition will have to prove their eligibility (expiry of period of non-eligibility).

**Collective Agreement: Redundancy Payments to Public Servants**

The Department of Public Expenditure and Reform letter dated 28 June 2012 to Personnel Officers introduced, with effect from 1 June 2012, a Collective Agreement which had been reached between the Department of Public Expenditure and Reform and the Public Services Committee of the ICTU in relation to ex-gratia Redundancy Payments to Public Servants. It is a condition of the Collective Agreement that persons availing of the agreement will not be eligible for re-employment in the public service by any public service body (as defined by the Financial Emergency Measures in the Public Interest Acts 2009 – 2011) for a period of 2 years from termination of the employment. People who availed of this scheme and who may be successful in this competition will have to prove their eligibility (expiry of period of non-eligibility).

**Department of Education and Skills Early Retirement Scheme for Teachers**

**Circular 102/2007**

The Department of Education and Skills introduced an Early Retirement Scheme for Teachers. It is a condition of the Early Retirement Scheme that with the exception of the situations set out in paragraphs 10.2 and 10.3 of the relevant circular documentation, and with those exceptions only, if a teacher accepts early retirement under Strands 1, 2 or 3 of this scheme and is subsequently employed in any capacity in any area of the public sector, payment of pension to that person under the scheme will immediately cease. Pension payments will, however, be resumed on the ceasing of such employment or on the person's 60th birthday, whichever is the later, but on resumption, the pension will be based on the person's actual reckonable service as a teacher (i.e. the added years previously granted will not be taken into account in the calculation of the pension payment).

**Department of Environment, Community & Local Government (6/2013)**

The Department of Environment, Community & Local Government Circular Letter LG(P) 06/2013 introduced a Voluntary Redundancy Scheme for Local Authorities. In accordance with the terms of the Collective Agreement: Redundancy Payments to Public Servants dated 28 June 2012 as detailed above, it is a specific condition of that VER Scheme that persons will not be eligible for re-employment in any Public Service body [as defined by the Financial Emergency Measures in the Public Interest Acts 2009 – 2011 and the Public Service Pensions (Single Scheme and Other Provisions) Act 2012] for a period of 2 years from their date of departure under this Scheme. These conditions also apply in the case of engagement/employment on a contract for service basis (either as a contractor or as an employee of a contractor).

**Declaration**

Applicants will be required to declare whether they have previously availed of a public service scheme of incentivised early retirement and/or the collective agreement outlined above. Applicants will also be required to declare any entitlements to a Public Service pension benefit (in payment or preserved) from any other Public Service employment and/or where they have received a payment-in-lieu in respect of service in any Public Service employment.

**Employer of Choice**

As an **Employer of Choice** the Civil Service has many flexible and family friendly policies e.g. Work sharing, Shorter Working Year, Blended Working etc. All elective policies can be applied for in accordance with the relevant statutory provisions and are **subject to the business needs of the organisation**.

The Civil Service also operates a Mobility scheme for all general service grades. This scheme provides staff with career opportunities to learn and partake in diverse roles across a range of Civil Service organisations and geographical locations.

**Principal Conditions of Service**

**General**

The appointment is to a permanent post in the Civil Service and is subject to the Civil Service Regulations Acts 1956 to 2005, the Public Service Management (Recruitment and Appointments) Act 2004 and any other Act for the time being in force relating to the Civil Service.

**Salary**

The Salary Scale for the position is as follows: (rates effective from 1st August, 2025):

*€81,475 €84,475 €87,518 €90,569 €93,617 €95,375 €98,449 (LSI1) €101,535 (LSI2)*

**Personal Pension Contribution (PPC)**

The PPC pay rate applies when the individual is required to pay a Personal Pension Contribution (otherwise known as a main scheme contribution) in accordance with the rules of their main/personal superannuation scheme. This is different to a contribution in respect of membership of a Spouses’ and Children’s scheme, or the Additional Superannuation Contributions (ASC).

A different rate will apply where the appointee is not required to make a Personal Pension Contribution.

Long service increments may be payable after 3(LSI1) and 6(LSI2) years satisfactory service at the maximum of the scale.

**Important Note**

Entry will be at the minimum of the scale and the rate of remuneration will not be subject to negotiation and may be adjusted from time to time in line with Government pay policy.

Different terms and conditions may apply if you are a currently serving civil or public servant.

Subject to satisfactory performance increments may be payable in line will current Government Policy.

Payment will be made fortnightly in arrears by Electronic Fund Transfer (EFT) into a bank account of your choice. Payment cannot be made until a bank account number and bank sort code has been supplied on appointment and statutory deductions from salary will be made as appropriate.

You will agree that any overpayment of salary, allowances, or expenses will be repaid by you in accordance with Circular 07/2018: Recovery of Salary, Allowances, and Expenses Overpayments made to Staff Members/Former Staff Members/Pensioners.

**Tenure and Probation**

The appointment is to a permanent position on a probationary contract in the Civil Service.

The probationary contract will be for a period of twelve months from the date specified on the contract. During the period of your probationary contract, your performance will be subject to review by your supervisor(s) to determine whether you –

1. Have performed in a satisfactory manner,
2. Have been satisfactory in general conduct, and
3. Are suitable from the point of view of health with particular regard to sick leave.

Prior to the completion of the probationary contract a decision will be made as to whether or not you will be retained pursuant to *Section 5A(2) Civil Service Regulation Acts 1956–2005*.  This decision will be based on your performance assessed against the criteria set out in (i) to (iii) above. The detail of the probationary process will be explained to you by the An Coimisiún Toghcháin and you will be given a copy of the Department of Public Expenditure NDP Delivery and Reform’s guidelines on probation.

Notwithstanding the preceding paragraphs in this section, the probationary contract may be terminated at any time prior to the expiry of the term of the contract by either side in accordance with the Minimum Notice and Terms of Employment Acts, 1973 to 2005.

In the following circumstances your contract may be extended and your probation period suspended.

* The probationary period stands suspended when an employee is absent due to Maternity or Adoptive Leave.
* In relation to an employee absent on Parental Leave or Carers Leave, the employer may require probation to be suspended if the absence is not considered to be consistent with the continuation of the probation and
* Any other statutory provision providing that probation shall -
1. stand suspended during an employee’s absence from work, and
2. be completed by the employee on the employees return from work after such absence.

Where probation is suspended the employer should notify the employee of the circumstances relating to the suspension.

All appointees will serve a one-year probationary period.  If an appointee who fails to satisfy the conditions of probation has been a serving civil servant immediately prior to their appointment from this competition, the issue of reversion will normally arise.  In the event of reversion, an officer will return to a vacancy in their former grade in their former Department.

**Unfair Dismissals Acts 1977-2015**

The Unfair Dismissals Acts 1977–2015 will not apply to the termination of this employment by reason only of the expiry of this probationary contract without it being renewed.

**Organisation of Working Time Act**

The terms of the Organisation of Working Time Act 1997 will apply, where appropriate, to this employment.

**Location**

The post is based in Dublin and blended working is available, subject to business needs. When required to travel on official duty the appointee will be paid appropriate travelling expenses and subsistence allowances, subject to normal civil service regulations.

**Duties**

The employeewill be required to perform any duties appropriate to the position which may be assigned from time to time. The officer may not engage in private practice or be connected with any outside business which would interfere with the performance of official duties or conflict with their role.

**Hours of attendance**

Hours of attendance will be fixed from time to time but will amount to not less than 41 hours 15 minutes gross per week or 35 hours net per week. Where extra attendance is necessary, overtime payments, or time off in lieu, will be allowed in accordance with the Civil Service overtime regulations.

**Annual Leave**

The annual leave allowance for this position is 30 days. This allowance is subject to the usual conditions regarding the granting of annual leave in the civil service, is based on a five day week and is exclusive of the usual public holidays.

**Sick Leave**

Pay during properly certified sick absence, provided there is no evidence of permanent disability for service, will apply on a pro-rata basis, in accordance with the provisions of the sick leave circulars.

Officers who will be paying Class A rate of PRSI will be required to sign a mandate authorising the Department of Social Protection to pay any benefits due under the Social Welfare Acts directly to the employing department. Payment during illness will be subject to the officer making the necessary claims for social insurance benefit to the Department of Social Protection within the required time limits.

**Superannuation and Retirement**

The successful candidate will be offered the appropriate superannuation terms and conditions as prevailing in the Civil Service at the time of being offered an appointment.  In general, an appointee who has never worked in the Public Service will be offered appointment based on membership of the Single Public Service Pension Scheme (“Single Scheme”). Full details of the Scheme are at [www.singlepensionscheme.gov.ie](http://www.singlepensionscheme.gov.ie).

Where the appointee has worked in a pensionable (non-Single Scheme terms) public service job in the 26 weeks prior to appointment or is currently on a career break or special leave with/without pay different terms may apply. The pension entitlement of such appointees will be established in the context of their public service employment history.

Key provisions attaching to membership of the Single Scheme are as follows:

* Pensionable Age: The minimum age at which pension is payable is the same as the age of eligibility for the State Pension, currently 66.
* Retirement Age: Scheme members must retire on reaching the age of 70.
* Career average earnings are used to calculate benefits (a pension and lump sum amount accrue each year and are up-rated each year by reference to CPI).
* Post retirement pension increases are linked to CPI.

**Pension Abatement**

* If the appointee has previously been employed in the Civil or Public Service and is in receipt of a pension from the Civil or Public Service or where a Civil/Public Service pension comes into payment during his/her re-employment that pension **will be subject to abatement** in accordance with Section 52 of the Public Service Pensions (Single Scheme and Other Provisions) Act 2012. **Please Note: In applying for this position you are acknowledging that you understand that the abatement provisions, where relevant, will apply. It is not envisaged that the employing Department/Office will support an application for an abatement waiver in respect of appointments to this position**.
* However, if the appointee was previously employed in the Civil or Public Service and awarded a pension under voluntary early retirement arrangements (other than the Incentivised Scheme of Early Retirement (ISER), the Department of Health Circular 7/2010 VER/VRS or the Department of Environment, Community & Local Government Circular letter LG(P) 06/2013, any of which renders a person ineligible for the competition) the entitlement to that pension will cease with effect from the date of reappointment. Special arrangements may, however be made for the reckoning of previous service given by the appointee for the purpose of any future superannuation award for which the appointee may be eligible.
* **Department of Education and Skills Early Retirement Scheme for Teachers Circular 102/2007**

The Department of Education and Skills introduced an Early Retirement Scheme for Teachers. It is a condition of the Early Retirement Scheme that with the exception of the situations set out in paragraphs 10.2 and 10.3 of the relevant circular documentation, and with those exceptions only, if a teacher accepts early retirement under Strands 1, 2 or 3 of this scheme and is subsequently employed in any capacity in any area of the public sector, payment of pension to that person under the scheme will immediately cease. Pension payments will, however, be resumed on the ceasing of such employment or on the person's 60th birthday, whichever is the later, but on resumption, the pension will be based on the person's actual reckonable service as a teacher (i.e. the added years previously granted will not be taken into account in the calculation of the pension payment).

* **Ill-Health-Retirement**

Please note any person who previously retired on ill health grounds under the terms of a superannuation scheme are required to declare, at the initial application phase, that they are in receipt of such a pension to the organisation administering the recruitment competition.

Applicants will be required to attend the CMO’s office to assess their ability to provide regular and effective service taking account of the condition which qualified them for IHR.

*Appointment post ill-health retirement from Civil Service*

If successful in their application through the competition, the applicant should be aware of the following:

1. If deemed fit to provide regular and effective service and assigned to a post, their civil service ill-health pension ceases.
2. If the applicant subsequently fails to complete probation or decides to leave their assigned post, there can be no reversion to the civil service IHR status, nor reinstatement of the civil service IHR pension, that existed prior to the application nor is there an entitlement to same.
3. The applicant will become a member of the Single Public Service Pension Scheme (SPSPS) upon appointment if they have had a break in pensionable public/civil service of more than 26 weeks.

*Appointment post ill-health retirement from Public Service*

1. Where an individual has retired from a public service body his/her ill-health pension from that employment may be subject to review in accordance with the rules of ill-health retirement under that scheme.
2. If an applicant is successful, on appointment the applicant will be required to declare whether they are in receipt of a public service pension (ill-health or otherwise) and their public service pension may be subject to abatement.
3. The applicant will become a member of the Single Public Service Pension Scheme (SPSPS) upon appointment if they have had a break in pensionable public/civil service of more than 26 weeks.

Please note more detailed information in relation to pension implications for those in receipt of a civil or public service ill-health pension is available [via this link](https://hr.per.gov.ie/wp-content/uploads/2020/06/Ill-Health-Retirement-linked-document.pdf) or upon request to PAS.

**Pension Accrual**

A 40-year limit on total service that can be counted towards pension where a person has been a member of more than one pre-existing public service pension scheme (i.e. non-Single Scheme) as per the 2012 Act shall apply. This 40-year limit is provided for in the Public Service Pensions (Single Scheme and Other Provisions) Act 2012. This may have implications for any appointee who has acquired pension rights in a previous public service employment.

**Additional Superannuation Contribution**

This appointment is subject to the Additional Superannuation Contribution (ASC) in accordance with the Public Service Pay and Pensions Act 2017.

**Note:** ASC deductions are in addition to any pension contributions (main scheme and spouses’ and children’s contributions) required under the rules of your pension scheme.

For further information in relation to the Single Public Service Pension Scheme please see the following website - [www.singlepensionscheme.gov.ie](http://www.singlepensionscheme.gov.ie).

**Secrecy, Confidentiality and Standards of Behaviour:** **Official Secrecy and Integrity**

During the term of the probationary contract, an officer will be subject to the Provisions of the Official Secrets Act, 1963, as amended by the Freedom of Information Act 2014. The officer will agree not to disclose to unauthorised third parties any confidential information either during or subsequent to the period of employment.

**Civil Service Code of Standards and Behaviour**

The appointee will be subject to the Civil Service Code of Standards and Behaviour.

**Ethics in Public Office Acts**

The Ethics in Public Office Acts will apply, where appropriate, to this appointment.

**Prior approval of publications**

An officer will agree not to publish material related to his or her official duties without prior approval by the Chairperson of the Authority or by another appropriate authorised officer.

**Political Activity**

During the term of employment the officer will be subject to the rules governing public servants and politics.

All circulars are available on the website [www.circulars.gov.ie](http://www.circulars.gov.ie) or from the Personnel Section.

**Important Notice**

**The above represents the principal conditions of service and is not intended to be the comprehensive list of all terms and conditions of employment which will be set out in the employment contract to be agreed with the appointee.**

**Other Conditions of Employment**

***Reasonable Accommodations***

An Coimisiún is an equal opportunities employer and applications are welcome from those with a disability. Reasonable accommodations to support people with disabilities to participate in this competition will be provided. Please contact sarah.conran@electoralcommission.ie to ensure that specific needs are obtained and known at application stage and prior to interview/assessment. Reasonable accommodations will be delivered, meeting the needs of the individual insofar as possible.

***Confidentiality***

Subject to the provisions of the Freedom of Information Act 2014, applications will be treated in strictest confidence.

***Security Clearance***

Garda vetting will be sought in respect of individuals who come under consideration for appointment. The applicant will be required to complete and return a Garda Vetting form should they come under consideration for appointment. This form will be forwarded to the Public Appointments Service and Garda Síochána for security checks on all Irish and Northern Irish addresses at which they have resided.

***Other Important Information***

An Coimisiún will not be responsible for refunding any expenses incurred by candidates.

The admission of a person to a competition, or invitation to attend interview, or a successful result notification, is not to be taken as implying that An Coimisiún is satisfied that such a person fulfils the requirements or is not disqualified by law from holding the position and does not carry a guarantee that your application will receive further consideration. It is important, therefore, for you to note that the onus is on you to ensure that you meet the eligibility requirements for the competition before attending for interview. If you do not meet these essential entry requirements but nevertheless attend for interview you will be putting yourself to unnecessary expense.

Prior to recommending any candidate for appointment to this position, An Coimisiún will make all such enquiries that are deemed necessary to determine the suitability of that candidate. Until all stages of the recruitment process have been fully completed a final determination cannot be made nor can it be deemed or inferred that such a determination has been made.

Should the person recommended for appointment decline, or having accepted it, relinquish it or if an additional vacancy arises may, An Coimisiún at its discretion, select and recommend another person for appointment on the results of this selection process.

**Candidates' Rights - Review and Complaint Procedures in relation to the Selection Process**

An Coimisiún will consider requests for review and complaints in accordance with the provisions of the code of practice published by the CPSA.

A request for review may be taken by a candidate should they be dissatisfied with an action or decision taken by An Coimisiún. An Coimisiún will consider requests for review in accordance with the provisions of Section 7 of the Code of Practice *Appointments to Positions in the Civil and Public Service* published by the Commission for Public Service Appointments (Commission). When making a request for a review, the candidate must support their request by outlining the facts they believe show that the action taken or decision reached was wrong. A request for review may be refused if the candidate cannot support their request.

An Coimisiún recommends that, subject to the agreement of the candidate, where the office holder considers the matter could be resolved they should first seek to engage on an informal basis, before making use of the formal review procedure.

***Procedure for Informal Review***

- A request for Informal Review must be made within 5 working days of notification of the decision, and should normally take place between the candidate and a representative of An Coimisiún who had played a key role in the selection process.

- Where the decision being conveyed relates to an interim stage of a selection process, the request for informal review must be received within 2 working days of the date of receipt of the decision.

- Where a candidate remains dissatisfied following any such informal discussion, he/she may adopt the formal procedures set out below.

- If the candidate wishes the matter to be dealt with by way of a formal review, he/she must do so within 2 working days of the notification of the outcome of the informal review.

***Procedure for Formal Review***

- The candidate must address his/her concerns in relation to the process in writing to An Coimisiún outlining the facts that they believe show an action taken or decision reached was wrong.

- A request for review must be made within 5 working days of the notification of the selection decision. Where the decision relates to an interim stage of a selection process, the request for review must be received within 4 working days.

- Any extension of these time limits will only be granted in the most exceptional of circumstances.

- The outcome must generally be notified to the candidate as soon as possible but in any event within 25 working days of receipt of the request for review.

***Complaints Process***

A candidate may believe there was a breach of the Commission’s Code of Practice by An Coimisiún that may have compromised the integrity of the decision reached in the appointment process. The complaints process enables candidates (or potential candidates) to make a complaint under Section 8 to An Coimisiún in the first instance on an informal or formal basis. A formal review will be carried out by An Coimisiún’s independent reviewer.

Allegations of a breach of the Code of Practice should be addressed in writing, and within a reasonable timeframe, to An Coimisiún in the first instance. The complainant must outline the facts that they believe show that the process followed was wrong. The complainant must also identify the aspect of the Code they believe has been infringed and enclose any relevant documentation that may support the allegation. A complaint may be dismissed if the complainant cannot support their allegations by setting out how An Coimisiún has fallen short of the principles of this Code.

On receipt of a complaint An Coimisiún may determine to engage with the complainant on an informal basis.

For further information on the above procedures please see the Code of Practice Appointments to Positions in the Civil and Public Service which is available on the website of the Commission for Public Service Appointments, [www.cpsa.](http://www.cpsa.ie/)ie

There is no obligation on An Coimisiún to suspend an appointment process while it considers a request for a review.

Please note that where a formal review of a recruitment and selection process has taken place under Section 7 of this Code of Practice, a complainant may not seek a further review of the same process under Section 8, other than in the most exceptional circumstances that will be determined by the CPSA at its sole discretion.

***Candidates’ Obligations***

Candidates should note that canvassing will disqualify and result in their exclusion from the process.

Candidates must not:

- knowingly or recklessly provide false information,

- canvass any person with or without inducements,

- interfere with or compromise the process in any way.

A third party must not personate a candidate at any stage of the process.

Any person who contravenes the above provisions or who assists another person in contravening the above provisions is guilty of an offence. A person who is found guilty of an offence is liable to a fine/or imprisonment.

In addition, where a person found guilty of an offence was or is a candidate at a recruitment process, then:

- where he/she has not been appointed to a post, he/she will be disqualified as a candidate; and

- where he/she has been appointed subsequently to the recruitment process in question, he/she shall forfeit that appointment.

***Specific candidate criteria***

Candidates must:

* Have the knowledge and ability to discharge the duties of the post concerned
* Be suitable on the grounds of character
* Be suitable in all other relevant respects for appointment to the post concerned;

And if successful, they will not be appointed to the post unless they:

* Agree to undertake the duties attached to the post and accept the conditions under which the duties are, or may be required to be, performed
* Are fully competent and available to undertake, and fully capable of undertaking, the duties attached to the position.

***Formation of Panel***

A panel of successful candidates may be formed as a result of the selection process. Candidates who obtain a place on the panel and who fulfil the conditions of the selection process may, within the life of the panel, be considered for subsequent approved vacancies that may arise elsewhere. The candidate who obtains first place on the panel will be the first candidate considered for a position, subject to satisfactory clearances, and so on in order of merit. It is not envisaged that appointments will be made from this competition after February 2027.

Qualification and placement on a panel is not a guarantee of appointment to a position. Once reached on the panel, a candidate will normally be considered for one position only. Once assigned to a position, a candidate will be removed from the panel and will no longer be considered for any future positions.

***Deeming of candidature to be withdrawn***

Candidates who do not attend for interview or other stage of the selection process when and where required by An Coimisiún, or who do not, when requested, furnish such evidence as An Coimisiún requires in regard to any matter relevant to their candidature, will have no further claim to consideration.

***Data Protection***

When your application is received, a record is created by An Coimisiún, in your name, which contains the personal data you have provided as well as additional information which may be gathered throughout the selection process e.g. confirmation of Garda Vetting, tests and assessments, where applicable. This record is used solely in processing your candidature. This processing is necessary in order to take steps on your behalf prior to entering an employment contract. This personal data will be shared with the interview panel and will be retained by An Coimisiún for 2 years from the end of the competition.   Interview board notes may be retained for 30 years after which they will be transferred to the National Archives.  An Coimisiún will NOT transfer your personal data outside the EEA. If you wish to exercise any of your data protection rights enshrined under the GDPR and the Data Protection Acts 2003 – 2018 or you have any questions on data protection, please contact our data protection officer at info@electoralcommission.ie

***An Coimisiún Toghcháin is an equal opportunities employer and welcomes applications from people from diverse backgrounds and under-represented groups***

1. [↑](#footnote-ref-1)