



**COIMISIÚN UM  
ATHCHÓIRIÚ AN DLÍ  
LAW REFORM  
COMMISSION**

**CANDIDATES' INFORMATION BOOKLET**

PLEASE READ CAREFULLY

Open competition for appointment to the position of:

**Director of Research**

in the

**Law Reform Commission**

Closing date: 12 noon on Monday, 27<sup>th</sup> November 2023

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The Law Reform Commission is committed to a policy of equal opportunity.

The Law Reform Commission will run this campaign in compliance with the Code of Practice for Appointment to Positions in the Civil Service and Public Service prepared by the Commission for Public Service Appointments (CPSA).

Codes of practice are published by the CPSA and are available on [www.cpsa.ie](http://www.cpsa.ie)

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## **Director of Research in the Law Reform Commission**

### **Background Information on the Post**

The Law Reform Commission is a statutory body established by the *Law Reform Commission Act 1975*. The Commission has five members—the President and four Commissioners (a full-time Commissioner and three part-time Commissioners).

The Commission's role is to keep Irish law under independent, objective and expert review, to make recommendations for law reform that are responsive to the contemporary and anticipated needs of society in Ireland, and to make current law accessible for all.

### **Job Function**

The Director of Research plays a key role in the work of the Commission, under its direction, as the leader and manager (with the assistance of the two Deputy Directors of Research), of the Commission's legal research team. The Director of Research manages and assists the legal research team with a view to assuring an appropriate quality and level of output of the legal research work. This includes overseeing the background research for law reform projects by the legal research team and the preparation of draft scoping papers for those projects. It also involves providing oversight of, and editing assistance for, the relevant draft documents, including draft Consultation Papers and draft Reports prepared by legal researchers for consideration by the Commission.

The Director of Research will be a person with demonstrated experience in legal research and legal writing, and therefore the Director will also be involved in making written contributions to these draft documents, in particular where the Director's research and writing experience will assist the Commission's overview, and progress towards completion, of the research work in question. The Director of Research thus plays a key role in assisting the Commission in carrying out its role to produce an expert and thoroughly researched body of work containing published proposals for law reform.

### **Key Responsibilities**

- Leading and managing (with the assistance of the Deputy Directors of Research) the Commission's legal research team and generally supervising and giving advice and assistance, including editing of text prepared by members of the legal research team, with a view to assuring the appropriate high quality and output of the Commission's work in a timely manner;

- Leading and managing the preparation and completion of draft documents and related material for the Commission, in particular, scoping papers, Consultation Papers and Reports (including, where relevant, draft Bills) related to law reform projects;
- Making written contributions to the draft documents, in particular where the Director's research and writing experience is required to assist the Commission's overview, and progress towards completion, of the research work in question;
- Assisting the Commission in developing and managing its ongoing programme of legal research to enable it to ensure progress through its Programmes of Law Reform and on statutory requests from the Attorney General;
- Attending Commission meetings, liaising and communicating effectively with Commissioners on all matters concerning law reform, and supporting the collegiate nature of the Commission's decision making;
- Actively participating as a member of the Management Committee and supporting other senior managers in their work, including in connection with the Commission's research work on Access to Legislation;
- Assisting the Commission's administration generally, including the preparation of annual business plans, annual reports and strategy statements;
- Preparing for and facilitating at seminars and meetings, whether internally or for outside audiences, and participating at such events on behalf of the Commission;
- Assisting (with the Deputy Directors of Research), at the request of the Commission, in drawing up a draft Programme of Law Reform for consideration by the Commission;
- Appearing when required by the Commission before Oireachtas Committees or other public committees or bodies or acting when required as spokesperson in relation to the Commission's law reform projects;
- Undertaking such other research-related duties as may from time to time be assigned by the Commission.
- Lead the management of the legal research capacity.

## **Qualifications and Experience**

### **Essential Requirements**

Candidates must have, on or before 1 September 2023:

- (a) Proven knowledge in Irish law,
- (b) experience in leading and managing legal research projects at an appropriate senior level, whether in the public service, in legal practice or in an academic setting;
- (c) experience in legal writing;
- (d) ability to communicate complex legal issues effectively in writing or by way of public presentations;
- (e) experience in the analysis and review of complex legal information and issues, and the ability to propose workable and effective proposals for law reform;
- (f) excellent skills in critical analysis and decision making; and
- (g) strong interpersonal, networking and influencing skills with a demonstrated capacity to present information and facts in a confident, logical and convincing manner.

Candidates must, on or before 1 September 2023, also have:

- (i) five years' experience in teaching law at third level;  
or
- (ii) five years relevant experience in legal practice or in the Public sphere.  
or
- (iii) combination of both to a minimum of five years.

### **Panel**

A panel will be established from which future vacancies may be filled. If you would like additional information on these vacancies, please visit the Commission's website [www.lawreform.ie](http://www.lawreform.ie) or contact the HR Unit at Tel. 01-6377609.

### **Eligibility to compete and certain restrictions on eligibility**

Citizenship Requirement

Eligible candidates must be:

- (a)** A citizen of the European Economic Area (EEA). The EEA consists of the Member States of the European Union, Iceland, Liechtenstein, and Norway; or
- (b)** A citizen of the United Kingdom (UK); or

- (c) A citizen of Switzerland pursuant to the agreement between the EU and Switzerland on the free movement of persons; or
- (d) A non-EEA citizen who has a stamp 4 visa; or
- (e) A person awarded international protection under the International Protection Act 2015 or any family member entitled to remain in the State as a result of family reunification and has a stamp 4 visa; or
- (f) A non-EEA citizen who is a parent of a dependent child who is a citizen of, and resident in, an EEA member state or the UK or Switzerland and has a stamp 4 visa.

To qualify candidates must be eligible by the date of any job offer.

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

The Department of Public Expenditure and Reform letter dated 28th June 2012 to Personnel Officers introduced, with effect from 1st 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)

### **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 not eligible to apply for another position in the same employment or the same sector. Therefore, such retirees may not apply for this position.

### **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).

### **Department of Environment, Community & Local Government (Circular Letter LG(P) 06/2013)**

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. 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, Remote Working (operated on a 'blended' basis) 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

### 1. 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.

### 2. Pay

The salary scale for the position (rates effective from 1 October 2023) is as follows:

Principal Officer Standard Salary Scale						
<i>Personal Pension Contribution Pay Scale</i>						
<b>€98,665</b>	<b>€102,852</b>	<b>€107,006</b>	<b>€111,191</b>	<b>€114,722</b>	LSI 1 - <b>€118,384</b> <sup>1</sup>	LSI 2 - <b>€122,041</b> <sup>2</sup>

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.



Candidates should note that entry will be at the minimum of the scale and will not be subject to negotiation and the rate of remuneration may be adjusted from time to time in line with Government pay policy. Different terms and conditions may apply if, immediately prior to appointment, the appointee is a permanent civil or public servant.

The rate of pay offered will be the first point of the appropriate scale and will be payable fortnightly in arrears by Electronic Fund Transfer (EFT) into a bank account of your choice. Payment cannot be made until you supply a bank account number and bank sort code to the Head of Administration. Statutory deductions from salary will be made as appropriate by the Commission.

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.

### **3. Tenure and Probation**

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

The probationary contract will be for a period of one year 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:

- (i) Have performed in a satisfactory manner,
- (ii) Have been satisfactory in general conduct, and
- (iii) 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 Law Reform Commission 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.
- Probation may be suspended in cases such as absence due to a non-recurring illness, and
- Any other statutory provision providing that probation shall -
  - (i) stand suspended during an employee's absence from work, and
  - (ii) 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.

#### **4. Headquarters**

The successful candidate will be based at the Commission offices, currently at Styne House, Hatch Street Upper, Dublin 2, or at another place should the Commission move its offices. When absent from home and the Commission's offices on duty, the successful candidate will be paid appropriate travelling expenses and subsistence allowances subject to normal civil service regulations.

#### **5. Retirement/Superannuation**

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).

### **III-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 III-health retirement from Civil Service:**

If successful in their application through the competition, the applicant should to 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](#) 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)

## **6. Hours of attendance**

Hours of attendance will be fixed from time to time but will amount to not less than 41 hours and 15 minutes gross or 35 hours net per week. The successful candidate will be required to work such additional hours from time to time as may be reasonable and necessary for the proper performance of their duties subject to the limits set down in the Organisation of Working Time Act 1997. The rate of remuneration payable covers any extra attendance liability that may arise from time to time.

## **7. The Organisation of Working Time Act 1997**

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

## **8. 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.

## **9. 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.

## **10. Sick Leave**

Pay during properly certified sick absence, will apply, in accordance with the provisions of the Public Service Sick Leave Scheme, 2014.

Appointees will be required to sign a mandate authorising the Department of Social Protection to pay any benefits due under the Social Welfare Acts direct to the Law Reform Commission and payment during illness will be subject to the appointee making the necessary claims for social insurance benefit to the Department of Social Protection directly within the required time limits.<sup>9</sup>

Annual Leave

## **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 appointment 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.

### **Personnel Code**

All circulars are available on the web site [www.circulars.gov.ie](http://www.circulars.gov.ie)

### **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 successful candidate.**

## Competition Process

### **How to apply**

Applications must be made by submitting the application form (see below) and must include the following elements:

- Academic, Professional or Technical Qualifications
- Employment History
- Personal Statement
- Key Achievements

Any inaccuracy in completing the form may result in rejection. Therefore, it is in your own interest to ensure that the information supplied in all sections is correct. If it is necessary to continue on a separate sheet, please set the information out in the same manner as in the application form.

The admission of a person to a competition, or invitation to attend an interview, is not to be taken as implying that the Law Reform Commission is satisfied that such person fulfils the requirements of the competition 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 as the Law Reform Commission will not be responsible for refunding any expenses incurred.

The application form can be accessed online at [www.lawreform.ie](http://www.lawreform.ie).

Applications should be made by email to [recruitment@lawreform.ie](mailto:recruitment@lawreform.ie)

**Closing Date: 12.00 noon on Monday, 27th of November 2023**

**Applications received after the closing date and time will not be accepted.**

The completed application form must be forwarded by e-mail to [recruitment@lawreform.ie](mailto:recruitment@lawreform.ie) not later than 12.00 noon on Monday, 27th of November 2023. If you do not receive an acknowledgement confirming receipt of your completed application form, please contact Legal and Corporate Support, Law Reform Commission—telephone: 01-637-7600 / e-mail: [lcs@lawreform.ie](mailto:lcs@lawreform.ie).

### **Selection Methods**

Normally the number of applications received for a position exceeds that required to fill existing and future vacancies to the position. While you 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, the Law Reform Commission may decide that only a certain number of candidates will be called to interview. In this respect, the Law Reform Commission will employ a shortlisting process to select a group for interview who, based on an examination of the application form, 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 are, based on the examination of the application form, better qualified and/or have more relevant experience. It is therefore in your own interests to provide a detailed and accurate account of your qualifications/experience on the application form.

A Board of Assessors, selected and appointed by the Commission and the methods used to select the successful candidate for this post will include:

- Shortlisting (if necessary) of candidates on the basis of the information contained in the application form.
- If shortlisted, a competitive interview, which may include an oral presentation.

The onus is on all applicants to make themselves available on the date(s) specified by the Law Reform Commission and to make whatever arrangements are necessary to ensure that they receive communications sent to them at the contact details specified on their application form (e-mail is the preferred communication medium, but regular post may be utilised where deemed appropriate). The Law Reform Commission will not be responsible for any expenses incurred by candidates in relation to their candidature.

### **Confidentiality**

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

### **Security Clearance**

Garda vetting may be sought in respect of individuals who are considered for appointment. The applicant will be required to complete and return a Garda Vetting form. This form will be forwarded to An Garda Síochána for security checks on all Irish and Northern Irish addresses at which they resided. Enquiries may also be made with the police force of any country in which the applicant resided. If unsuccessful, this information will be destroyed by the Law Reform Commission. If the applicant is subsequently considered for another position, the applicant will be required to supply this information again.



## Candidates' Rights

### **Guidelines for dealing with appeals/requests for review**

The Law Reform Commission will consider requests for review in accordance with the provisions of the codes of practice published by the CPSA and referred to in the cover sheet at the front of this booklet. The Codes of Practice are available on the website of the Commission for Public Service Appointments ([www.cpsa.ie](http://www.cpsa.ie)).

Where a candidate is unhappy with an action or decision in relation to his or her application the candidate can seek a review under Section 7 of the code of practice governing the recruitment process by a person in the recruiting body (initial reviewer). Where a candidate remains dissatisfied following this initial review, the candidate may seek to have the conduct of the initial review examined by a "decision arbitrator".

As an alternative to the above, it is open to a candidate to seek to have the matter resolved on an informal basis, as set out below. If a candidate remains dissatisfied following any such discussion it is open to the candidate to seek a formal review.

### **Informal process**

- The candidate can avail of the informal review within five working days of notification of the initial decision. The review should normally take place between the candidate and the person who communicated the decision (or relevant person).
- Where the decision being conveyed relates to an interim stage of a selection process, the request for informal review must be received within two working days of the date of receipt of the decision.
- Where a candidate remains dissatisfied following any such informal discussion, the candidate may adopt the formal procedures set out below.
- If the candidate wishes the matter to be dealt with by way of a formal review, the candidate must do so within two working days of the notification of the outcome of the informal review.

### **Formal Process: Internal review**

- The candidate must address any concerns in relation to the process in writing to the Head of Administration, Law Reform Commission setting out those aspects of the action or decision in relation to the candidature that the candidate wishes to have reviewed.
- A request for review must be made within ten working days of the notification of the initial decision. Where the decision relates to an interim stage of a selection process, the request for review must be received within four working days.

- Any extension of these time limits will only be granted in the most exceptional of circumstances and will be at the sole discretion of the full-time Commissioner or other designated officer within the Commission.
- The outcome must generally be notified to the candidate within 20 working days of receipt of the complaint or request for review. The candidate will receive the outcome of the review by means of a written report.
- Should a candidate be dissatisfied with the outcome of the initial review, the candidate may request a review by a decision arbitrator of the conduct of the initial review.

### **Review by the decision arbitrator**

The decision arbitrator is appointed by the President of the Law Reform Commission. The decision arbitrator will have been unconnected with the selection process and will adjudicate on requests for review in cases where a candidate is not satisfied with the outcome of the initial review. The decision of the decision arbitrator in relation to such matters will be final.

- A request made to the decision arbitrator must be received within seven working days of the notification of the outcome of the initial review.
- The outcome of the investigation must be notified to the candidate in the form of a written report within 10 working days.

Where a candidate believes that an aspect of the process breached the CPSA's Code of Practice, the candidate can have it investigated under Section 8 of the code of practice.

### **Informal process**

- The CPSA recommends that the candidate avail of the informal process to try to resolve the matter with the recruiting body. If the candidate is still dissatisfied, the candidate may resort to the formal process within two working days of receiving notification of the informal process.

### **Formal process**

- If you are requesting a formal review you must write to the full-time Commissioner or other designated officer within the Commission providing details of the breach of the code of practice and enclosing any relevant documentation that might support the allegation.
- The outcome must generally be notified to the candidate within 20 working days of receipt of the complaint or request for review. If a decision cannot be made within this timeframe, the reviewer will keep the candidate informed of the status of the review.
- Should a candidate be dissatisfied with the outcome of this review, the candidate may request a further review by referring the matter to the Commission for Public Service

Appointments in the form of an appeal of the review of the licence holder. The candidate must write to the Commission for Public Service Appointments within ten working days of receiving the outcome of the licence holder's review.

### **Candidates' Obligations**

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

Candidates must not:

- knowingly or recklessly provide false information,
- canvass any person with or without inducements or
- 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 may be guilty of an offence.

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

- where the candidate has not been appointed to a post, the candidate will be disqualified as a candidate; and
- where the candidate has been appointed subsequently to the recruitment process in question, the candidate shall forfeit that appointment.

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

Candidates who do not attend for interview or other test when and where required by the Law Reform Commission, or who do not, when requested, furnish such evidence, as the Law Reform Commission requires in regard to any matter relevant to their candidature, will have no further claim to consideration.

### **Quality customer service**

We aim to provide an excellent quality service to all our customers. If, for whatever reason, you are unhappy with any aspect of the service you receive from us, we urge you to bring this to the attention of the HR Unit or staff member concerned. This is important as it ensures that we are aware of the problem and can take the appropriate steps to resolve it.

## **Data Protection Acts 1988 to 2018**

When your application form is received, we create a computer record in your name, which contains much of the personal information you have supplied. This personal record is used solely in processing your candidature. Such information held on computer is subject to the rights and obligations set out in the Data Protection Acts 1988 to 2018. You are entitled under these Acts to obtain, at any time, a copy of information about you, which is kept on computer. The Law Reform Commission charges a fee of €6.35 for each request. You should enclose a cheque or postal order and address your request to:

The Head of Administration,  
Law Reform Commission,  
Styne House,  
Hatch Street Upper,  
Dublin 2,  
D02 DY27,  
Ireland.

Certain items of information, not specific to any individual, are extracted from computer records for general statistical purposes.

**Note: This document is for information only, and is not intended as a legal interpretation of any other documents, guidelines, or legislation.**

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