



An Coimisiún
um Cheapacháin
Seirbhíse Poiblí
Commission
for Public Service
Appointments

Audit of Policies and Practices relating to Appointments
within the Houses of the Oireachtas

AUDIT REPORT
February 2015

Contents

Chapter 1 - Introduction and Background	3
1.1 Introduction	3
1.2 The Public Service Management (Recruitment and Appointments) Act 2004	3
1.3 Houses of the Oireachtas.....	3
1.4 Purpose of the Audit.....	4
1.5 Details of Work Undertaken and Areas Reviewed	4
1.6 Acknowledgements	4
Chapter 2 - Audit Findings in respect of External Appointment Processes	5
2.1 Introduction	5
2.2 Overview of the appointment processes	5
Chapter 3 - Findings on Internal Appointments including Higher Duties on a Temporary Basis	8
3.1 Introduction	8
3.2 Higher Duties on a Temporary Basis (Acting-up Appointments)	8
3.3 Overview of Senior Researcher Law Competition	8
3.4 Overview of Head Usher Internal Promotion Competition	10
Chapter 4 – Audit Conclusions.....	12

Chapter 1 - Introduction and Background

1.1 Introduction

This report has been prepared under section 43 (5) and section 13 of the Public Service Management (Recruitment and Appointments) Act 2004.

The report provides an account of an audit of the policies and practices regarding appointments made in the Houses of the Oireachtas during 2014, including internal promotions, temporary acting-up assignments and open competitions conducted under licence.

The Commission is committed to undertaking audits in a spirit of improvement and with the goal of sharing knowledge and best practice rather than focusing solely on compliance.

1.2 The Public Service Management (Recruitment and Appointments) Act 2004

Appointment processes to all positions within the remit of the Public Service Management (Recruitment and Appointments) Act 2004 are subject to Codes of Practice published by the Commission. The Codes set out the regulatory framework for such appointment processes and centre on five recruitment principles. Through its audit function, the Commission safeguards the standards established in the Codes of Practice and ensures compliance by the Office Holder with these standards for the recruitment of staff to positions within the organisation.

1.3 Houses of the Oireachtas

The Houses of the Oireachtas Commission (the Commission) is the statutory corporate body responsible for the running of the Houses of the Oireachtas, or the Irish Parliament (Dail Eireann, Seanad Eireann and Oireachtas Committees). The Commission is also responsible for the administration and management of the Houses of the Oireachtas Service (the Service), which provides administrative services to the Houses of the Oireachtas and their members.

The Service is headed by the Secretary General/Clerk of the Dáil. The functions of the Service are to provide advice and support services to the Commission, to the Houses of the Oireachtas and their Committees, and to members of the Houses. The Service is staffed by approximately 400 civil servants of the State and 48 State industrial staff who are employed by the Commission. There are also non-established civil service staff comprising five civilian drivers and 7 staff of Office Holders. There are also approximately 400 (full-time equivalents) political staff working in either Leinster House or in members' constituency offices who are employed directly by the members or the party for whom they work and who are paid by the Commission.

1.4 Purpose of the Audit

The purpose of this audit is to confirm compliance by the Office Holder with the recruitment principles and to ensure that procedures in place for managing appointment processes are designed and operated in accordance with the Code of Practice. The audit focussed on reviewing competitions conducted during the last twelve months.

The audit entailed an examination of the competition file for each of the processes selected, together with meetings and discussions with key personnel in the Human Resources Unit of the Houses of the Oireachtas Service who have responsibility for the management of recruitment and selection in the organisation.

1.5 Details of Work Undertaken and Areas Reviewed

The audit reviewed the following appointment processes, conducted during the period covered by the audit, for appointment to positions as:

- Web and Digital Marketing Manager – Open competition
- Advisory Counsel (Grade III) – Open competition
- Senior Researcher Law –Internal Temporary Acting-Up Assignment

The audit also includes details of an internal competition for Head Usher which was examined by the Commission in November 2014 following a request for review under Section 8 of the Code of Practice.

1.6 Acknowledgements

The Commission would like to thank the personnel in the HR Recruitment Division of the Houses of the Oireachtas Service who gave their time and cooperation to this audit process.

Chapter 2 - Audit Findings in respect of External Appointment Processes

2.1 Introduction

The Houses of the Oireachtas Service carried out a number of open competitions from which permanent and fixed-term appointments were made in 2014. The following processes were selected for review during the audit:

- (i) Web and Digital Marketing Manager – (Assistant Principal) 3 Year Fixed-term Appointment
- (ii) Advisory Counsel (Grade III) – Office of the Parliamentary Legal Advisor – Permanent or Fixed-term

The Commission also considered issues highlighted in a recent complaint as well as its previous audit of the Office Holder.

The following information relates to the processes and procedures in place in the Houses of the Oireachtas Service for the recruitment and selection of candidates on foot of external appointment processes. The Office Holder advised that these procedures described below are followed for all external appointments processes. The report notes any deviations from the standard process, if appropriate.

The findings set out below are based on discussions with relevant HR personnel and have been verified following a detailed review of the relevant competition files.

2.2 Overview of the appointment processes

All recruitment and selection in the Houses of the Oireachtas Service is conducted centrally by the HR Recruitment Division, which has responsibility for managing all stages of the appointment process from planning the competition through to making the offer of appointment. Based on the information gathered during the course of this Audit, the staff involved in the management of the selection processes have the requisite recruitment experience and knowledge of the Codes of Practice. New staff appointed to the HR area receive recruitment related on-the-job training and coaching before they are asked to carry out recruitment related duties.

Circulars

During the planning stage the Recruitment Division liaise with the Head of the Section where the vacant position needs to be filled in order to get an understanding of the relevant operational knowledge on the role, its principal duties and competencies required for effective performance.

All positions are advertised on the Careers section of the Oireachtas Website and on the PAS website - publicjobs.ie.

Information in the Candidate Information Booklet covers all aspects of the process including background information on the post, duties and requirements for the role, key competencies, application and selection process and conditions of appointment. The Booklet also makes reference to the Commission's Code of Practice and the review procedures available to candidates.

Selection Boards

Where shortlisting is utilised, members of the selection board will evaluate written applications to determine those candidates most likely to attain a competitive standard at interview. The same selection board will also participate in the interview process to facilitate a consistent approach to the assessment of candidates. HR Services retains a pool of potential board members who are trained and experienced interviewers and from which board members are selected for each competition. Training for board members is provided by an external provider including refresher training as required.

The selection board for a competition is supported by one external person, who is generally chosen from a list of PAS interviewers.

In most cases, the Office Holder selects two internal members, at least one of whom will have expert knowledge of the professional role. The second internal board member is selected by HR Services and will be at an appropriate level.

All board members are briefed by a member of the Recruitment Division in advance of a competition and are provided with documentation relating to the competition. A notetaker is provided for all interviews. HR Services liaises with the selection board throughout and reviews the process when it concludes to identify any issues arising to be addressed for future competitions. A report on the process is prepared for the file.

The Office does not employ multiple selection boards when conducting an appointment process.

Application and Selection Process

Candidates are required to complete a standard job application form that includes particulars of qualifications and employment record, as well as providing details of experience under a number of headings that have been identified as relevant to the particular job. Candidates are also required to provide the names of two referees to be contacted in the event of the candidate being successful at the interview stage.

The Information Booklet sets out that the selection process will include

- (i) shortlisting on the basis of information contained in the application form
- (ii) preliminary interviews may be required to reduce the numbers going forward to the main interview
- (iii) a competitive interview including a presentation on a topic notified in advance

The assessment of candidates at the shortlisting stage involves the examination of application forms by an expert board against pre-determined criteria based on the requirements for the role. These criteria are discussed and agreed by the board members in advance. A member of HR Services is present during the shortlisting process to ensure consistency and to address any matters raised by the board members.

Candidates are assessed at interview under the headings set out in the circular and application forms, i.e. knowledge, experience, requirements and key competencies for the role as well as a presentation exercise, if considered appropriate for the position. Scores are awarded by the board members at interview on individual marking sheets. Candidates receive written feedback from the selection board in the form of summary comments and the scores awarded under each heading assessed at interview.

Panels and Appointments

Following the interview process, a board report setting out the panel of candidates deemed suitable for appointment to the particular role is presented to HR Recruitment Division by the selection board. Appointments are made from the panel in order of merit to fill permanent or fixed term contract vacancies as they arise in accordance with the sanction received from the Department of Public Expenditure and Reform.

Referees/Validation

At the application stage all external candidates are required to provide the names of two referees who can be contacted if the candidate is deemed suitable for appointment after the interview stage. In the event that a candidate is being considered for a job offer a member of the HR Recruitment Division contacts the two named referees by phone and requests a written reference in relation to the candidate. No formal job offer is made until HR Services is satisfied with the references received. The Office Holder has advised that it has procedures in place to manage situations where adverse references are received during this process. In the event that a reference is not favourable to a candidate the candidate may be liable to disqualification. All civil service appointment to the Service are also subject to Garda clearance.

Requests for Review

The Information Booklet provides detailed guidelines for dealing with appeals and requests for review in accordance with the provisions of the Code of Practice.

Of the two open competitions examined there were requests for review under Section 7 of the Code received from two candidates following the shortlisting process for the Advisory Counsel post. An internal reviewer was appointed to carry out the reviews which concluded that neither of the applications reviewed merited progression to the next stage of the recruitment process. A further request for review was received from one candidate which was reviewed by an external Decision Arbitrator who expressed satisfaction with the manner in which the Initial Review was carried out.

Chapter 3 - Findings on Internal Appointments including Higher Duties on a Temporary Basis

3.1 Introduction

During 2014 the Houses of the Oireachtas conducted three internal promotion competitions to the positions of:

- Head Usher
- Usher Grade II
- Senior Researcher Law – Temporary Acting-up Assignment

The audit focussed on a detailed examination of the appointment process for temporary assignment to Senior Researcher Law.

The report also includes an overview of the findings on the appointment process for Head Usher which was recently reviewed by the Commission following a Section 8 complaint.

3.2 Higher Duties on a Temporary Basis (Acting-up Appointments)

Appointments in an acting-up capacity are made in situations where it is necessary to assign a civil servant or public servant to higher duties on a temporary basis for a defined period to address a short-term business need. All such appointments are subject to the Commission's Code of Practice.

The Office Holder has confirmed that all appointments on an acting-up basis are made following a competitive process or alternatively existing panels from previous competitions are used to fill acting-up positions on a temporary basis. This audit included the examination of the selection process used for an Acting-Up appointment as Senior Researcher Law.

3.3 Overview of Senior Researcher Law Competition

The Office Notice invited eligible candidates within the Houses of the Oireachtas Service for an interview-based competition for acting-up assignment to Senior Researcher (Law) in the Library & Research Service. The notice stated that a current short term vacancy (for a period of no less than 7 months) would be filled and a panel would be established for a two year period for further short-term temporary or permanent appointments.

The notice set out details of eligibility requirements, the role and duties, qualifications and the key competencies for effective performance in the role (as per competency framework for Assistant Principal):

- Leadership
- Analysis & Decision Making
- Management & Delivery of Results
- Interpersonal & Communication Skills
- Drive & Commitment
- Specialist Knowledge, Expertise & Self Development

Candidates were required to complete an application form including details of professional qualifications, employment record and experience relevant to the post. They also had to provide examples under each of the competency headings to demonstrate their suitability to meet the challenges of the role which would form the basis of the selection process. Candidates were also advised that 'Communication and Written Skills' would be assessed based on the application form and performance at interview.

The Office Notice advised that the recruitment and selection process for appointment to this position would be conducted in accordance with the Commission's Code of Practice which candidates should familiarise themselves with.

Selection/Appointment Process

The Office Notice advised candidates that the selection process may include shortlisting, a preliminary interview and a competitive interview possibly to include a presentation and/or additional assessment exercise.

Three selection board members were asked to evaluate candidates; a Principal Officer serving in another Civil Service organisation and two internal officers including a Senior Researcher (Law). The board members met in advance to discuss the job description and requirements. They considered and agreed a draft criteria and marking scheme provided by HR Services. They also agreed the areas they would question candidates on.

As there were only five applications received for this post it was decided not to undertake a shortlisting process and all five candidates were invited to interview. The interviews focussed on the candidates' career to-date with special emphasis on the achievements to prepare them for the role as well as assessing candidates against the competencies identified for effective performance in the role. Candidates were advised in advance of the assessment and scoring system to be used.

A panel of candidates deemed suitable for appointment in order of merit was formed by the selection board.

Feedback

Following the interview process candidates were provided with the scores awarded and a summary comment by the selection board. Verbal feedback was available on request.

Complaints and Requests for Review

Candidates were advised of the review procedures available to them under the Codes of Practice. No requests for review under Section 7 or Section 8 were received.

3.4 Overview of Head Usher Internal Promotion Competition

An Office Notice issued to staff on 6 January 2014 in the Houses of the Oireachtas advertising a confined competition for assignment to Head Usher and Deputy Head Usher posts arising before 30 June 2015. The notice stated that the competition was to assess candidates' suitability for appointment based on the application form, a competency-based interview and that appointments would be subject to normal health and sick leave regulations and PMDS ratings.

Staff were advised that two panels would be established from the competition placing candidates deemed best qualified in order of merit for appointment to; Panel 1 for the position of Head Usher and Panel 2 for the position of Deputy Head Usher.

Selection Criteria

The Office Notice set out the four key competencies identified for the role;

- Management and Delivery of Results
- Effective Management, Teamwork and Group Leadership Skills
- Analysis and Decision Making Skills
- Staff, Public and Members Security and Safety

The application form required candidates to provide specific examples in respect of past or current experiences or achievements that demonstrated their abilities in each competency which would be explored at interview. Candidates were also notified that each interview would involve questions in relation to their understanding of and approach to challenges facing the Service which may impact on the Superintendents Section and their ideas in relation to these challenges.

Briefing Session

The Office Notice advised candidates that a briefing session on the selection process would be held in advance of the interviews 'in accordance with what is now standard practice'.

The briefing covered all aspects of the competency-based interview process including an introduction to the interview board members and guidance on preparation for the interview.

Assessment Process

There were three interview board members; a Superintendent and a Principal Officer from the Houses of the Oireachtas and an external Chairperson. All board members were experienced interviewers. They had previously sat on interview boards for similar positions in the Houses of the Oireachtas and were therefore fully familiar with the requirements of the job. They met in advance of the interviews to discuss the structure of the interviews and to agree the assessment mechanism to be used. It was agreed that a qualifying mark of 40% would be required under each competency heading. Candidates were provided with the agreed scoring sheet in advance of the interviews.

Following each interview the board members discussed the candidate's performance and agreed a score under each of the five headings. Based on their discussions they also agreed feedback comments that were provided to the candidates together with the scores awarded. Additional verbal feedback was also available on request.

Appointments/Panels

The Office Notice advised candidates that a panel would be established for the appointment of qualified candidates to the position of Head Usher.

Following the interviews, the person placed highest on the order of merit was offered the vacant position. However contrary to undertakings in the Office Notice, no panel was established. The Office Holder advised that it was required to take account of the DPER circular to all Civil Service Departments and Offices that issued on 14 January 2014 with regard to implementation arrangements for cross stream promotions in future competitions. This DPER circular issued on foot of a CPSA recommendation contained in its report on cross-streaming. The Office Holder also advised that it was reminded of its responsibilities in this regard by IMPACT. The Office Holder considered that the eligibility for promotion in the current competition fell outside the provisions of the DPER circular and that the best course of action was that a further competition should be held to fill vacancies that might arise beyond its existing vacancy.

Codes of Practice and Review Procedures

The Office Notice advised candidates that the appointment process would be conducted in accordance with the Commission's Code of Practice which candidates should familiarise themselves with. Details of the review procedures available to them were also provided.

The Office Holder received one request for review under Section 8 which was subsequently examined by the Commission for Public Service Appointments which did not uphold the complaint. It concluded that the appointment to the position of Head Usher was carried out in an open and consistent manner by experienced board members who were familiar with the role and through the use of agreed selection criteria for assessing candidates at interview.

Chapter 4 – Audit Conclusions

The role of the Commission is to ensure that all appointments are made following a competitive merit-based selection process and that the principles in the Code of Practice are adhered to thus ensuring the appointment of the best person for the job. The Commission is concerned to nurture a values-based culture of trust, fairness, transparency and respect for all, and to ensure that probity standards are subject to consistent, rigorous oversight through its audit function.

The Commission is satisfied, in the main, that the processes and procedures in place for the recruitment and selection for appointments in the Houses of the Oireachtas are in compliance with the Code principles. The audit found that the appointment processes examined were designed and managed in a fair and transparent manner. The Commission would like to acknowledge the commitment of the Office Holder to ensure that all appointments, including acting-up assignments, are made on merit following the selection of individuals with the competencies, experience and qualities that meet the needs of the organisation. This is reflected in the clearly defined job descriptions and selection criteria based on the requirements of the particular role.

Based on its examination of the competition files the audit found evidence of clear and comprehensive supporting documentation for all stages of the process, including checklists for each stage and reporting arrangements following review at the conclusion of the process. There was also evidence of open and active communication with candidates at all stages of the process to support a transparent process.

Following discussions with staff of the HR Recruitment Division with responsibility for managing recruitment and selection to the organisation it was also evident that there is a clear understanding of the requirements of the Code and the obligations on Office Holders to ensure compliance with the Code principles.