

Office of the
Commission for Public Service
Appointments

Freedom of Information Act, 2014

Publication Scheme 2020

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Chapter 1

1.1 Introduction and Background

The following Publication Scheme has been prepared under Section 8 of the Freedom of Information Act 2014 (FOI Act). The Scheme came into effect on 23 February 2021. It is designed to facilitate the provision of information to the greatest extent possible, except for information exempted under the FOI Act. The Scheme is web based and contains links to reference material on our website, which will be updated as provided for under the Act. A hard copy will be made available for viewing by appointment.

1.2 Overview of the Office of the Commission for Public Service Appointments

The Commission for Public Service Appointments was established in October 2004 in accordance with the Public Service Management (Recruitment and Appointments) Act 2004 as an independent body to regulate recruitment to the Civil Service and to certain other public service organisations, such as An Garda Síochána, the Health Service Executive and the Health Information and Quality Authority.

The Commission sets standards, which it publishes as codes of practice, for recruitment and selection to positions in the organisations under its remit. One of the principal functions of the Commission is to safeguard these standards through regular monitoring and auditing of recruitment and selection activities.

The Commission also grants licences to certain public service bodies to recruit on their own behalf.

The work of the Commission is supported by its Secretariat which is a discrete unit within the overall corporate structure of the Office of the Ombudsman which is currently located at 6 Earlsfort Terrace, Dublin 2, D02 W773. Staff of the Secretariat are staff of the overall Office of the Ombudsman which provides corporate support for the Secretariat including finance, human resources, IT and general office administration.

1.3 Stakeholders

The outcome of the work of the Office of the Commission for Public Service Appointments impacts on our stakeholders. The key stakeholders are listed below:

- Civil Service Bodies
- An Garda Síochána
- Local authority positions to which the [Local Authorities Act 1926](#) applies, such as technical and professional posts
- The HSE
- Public bodies where the appointment must be made under the [Public Service Management \(Recruitment and Appointments\) Act 2004](#)
- Candidates competing at appointment processes under the Commission's remit.

Our external customers include members of the general public and suppliers. The Office of the Commission interacts with members of the public in responding to general enquiries, processing cases of alleged breaches of the Codes of Practice, and in responding to requests under the Freedom of Information Act.

1.4 Functions of the Commission

1.4.1 Establishing Standards for Recruitment and Selection

- establishing standards of probity, merit, equity and fairness, and other principles to be followed in the appointment of persons to positions in the organisations under the Commission's remit

1.4.2 Codes of Practice

- publishing the standards established as codes of practice

1.4.3 Monitoring Standards

- auditing and evaluating recruitment policies and practices to safeguard the standards and to establish whether the Code of Practice is being observed

1.4.4 Licensing

- evaluating applications for recruitment licences
- granting recruitment licences
- revoking recruitment licences where necessary
- issuing instructions and advices to licence holders

1.4.5 Appeals Procedures

- establishing and setting down appropriate appeal procedures
- investigating of complaints under Section 8 of the Code
- reporting to both the Oireachtas and the Government
- providing information to ministers on the operation of recruitment and selection processes

Chapter 2

2.1 Records held in the Office

The range of records held in the Office fall within the following broad categories (some overlap may occur)

2.1.1 Internal Administration Records

General office administration records such as personnel and accounts records, and civil/public service Guidelines and Circulars, are held centrally within the corporate functions of the Office of the Ombudsman. The following are the main internal administration records held by the Office:

- Published Media Coverage, including press cuttings
- Speeches, Presentations and Articles by Commission members and the Commission Secretariat
- Contacts with public bodies including contact names for each body covered by the legislation under which the Commission operates
- Notes and minutes of management meetings and associated documentation
- Records relating to publication of reports e.g. periodic and annual reports, including records relating to translation, tendering, designing and printing
- Management of the website of the Commission (www.cpsa.ie)
- FOI requests for access to records held by the Commission
- Applications for review of FOI decisions
- Data Protection Act requests for access to records held by the Commission
- General enquiries and correspondence

2.1.2 Staff Instructions/Guidelines

- Various Guidelines and Procedures documents for dealing with the work under the various pieces of legislation for which the Commission is responsible
- Liaison arrangements with public bodies

2.1.3 Investigations/Enquiries by the Commission

- Communications with complainants, subjects of investigation, any relevant public body and any relevant third parties
- Records relating to enquiries made to the Commission
- Submissions in connection with an investigation/preliminary inquiry/case assessment
- Legal advice provided to the Office
- Decisions of the Commission, including decisions by staff with delegated authorities
- Other records relating to investigations and enquiries, including briefing notes for the Commission, investigation reports, analysis, comment by Secretariat staff

2.2 Governance and Management arrangements.

This Office is committed to best practice structures, processes and systems that support the successful operation of duties in an ethical, accountable, transparent and effective manner. Details of the Office's governance arrangements can be found in its Corporate Governance Framework document, which sets out the systems, principles and processes by which the Office is directed and controlled.

2.3 Corporate Plans & Strategies

The staff of the Secretariat to the Standards Commission also contributes to, and is guided by, the wider Strategy Statement of the Office of the Ombudsman. Links to the Strategy Statement of the Office of the Ombudsman can be found [here](#).

2.4 Annual Reports

The Commission's Annual Reports are available [here](#) on the Commission's website at CPSA.ie.

Chapter 3

3.1 Membership of the Commission

The Commission is comprised of the following people who serve in an ex-officio capacity, that is they perform their functions as Commissioners as part of their core function:

- Mr Sean Ó Feargháil, Ceann Comhairle;
- Mr David Moloney, Acting Secretary General, Department of Public Expenditure and Reform;
- Mr Martin Fraser, Secretary General, Department of An Taoiseach;
- Mr Peter Tyndall, Ombudsman; and
- Mr Garrett Sheehan, Chairperson, Standards in Public Office Commission.

The Chairperson of Standards in Public Office Commission receives a per diem payment for attendance and is entitled to claim travel and subsistence allowance, where appropriate. The other ex-officio members of the Commission do not receive any additional remuneration or allowance for their work on the Commission.

3.2 Staff of the Secretariat to the Commission:

The Secretariat is comprised of 1 Principal Officer (Sean Garvey), 1 Assistant Principal Officer (Linda Joyce), three Executive Officers and 1 Clerical Officer. The Principal Officer and Assistant Principal Officer are shared resources with other parts of the Office of the Ombudsman. The staff of the Secretariat are civil servants and the salary scales of civil servants may be found in the circular available at the following link: Salaries of Civil Servants Code of Practice <https://circulars.gov.ie/pdf/circular/per/2019/17.pdf>. The staff of the Secretariat are serving civil servants in the Civil Service of the State and are therefore bound by the Civil Service Code of Standards and Behaviour a link to where to find the code can be found [here](#).

3.3 Location and Contact Information

6 Earlsfort Terrace, Dublin 2, D02 W773

Telephone: (01) 6395666

Email: info@cpsa.ie

Opening hours: between 9.15 and 5.00 Monday to Friday. Directions to the Office can be found [here](#).

3.4 Media Enquiries

Contact: Dave Nutley

Head of Communications, Office of the Ombudsman

Tel: 01 639 5610

Mobile: 086 023 1420

Email: david.nutley@ombudsman.ie

3.5 Financial information

The Commission is funded under the financial vote allocated to the Office of the Ombudsman. Appropriation accounts are published by the Office of the Comptroller and Auditor General on an annual basis. Details are available [here](#).

Chapter 4

4.1 FOI Requests to the Office

Under the FOI Act, any person is entitled to apply for access to information which is not otherwise publicly available. In general, a person has a right of:

1. Access to records held by the Office
2. Correction of personal information, relating to oneself, held by the Office, where such information is inaccurate, incomplete or misleading.
3. Access to reasons for decisions made by the Office which directly affect oneself.

All records held by the Commission's Secretariat available under the FOI Act (subject to the standard exemptions).

FOI requests relating to records of the Office should be made to:

FOI Decision Officer
Commission for Public Service Appointments
6 Earlsfort Terrace
Dublin 2
D02 W773
Telephone: (01) 6395666
Email: foi@cpsa.ie

Requests should be made in writing and should specify that they are being made under the FOI Act. The form in which the records are sought – e.g. photocopies/disk – should be stated in the request. While every effort will be made to provide records in the format in which they are sought, this might not always be possible if such records have been created in a format different to that sought by a requester. To allow identification of the records sought, requesters should describe the records in as much detail as possible. If possible, a contact number which can be used during office hours should be provided for the purpose of clarifying the details of an FOI request. The staff of the Office will assist in the formulation of an FOI request, if necessary.

The Office will acknowledge a request under the FOI Act within two weeks. This will include notification that, in the event that the requester is not satisfied with the FOI decision issued, there is a right to request an internal review of the decision. The decision will issue within four weeks.

4.2 Right to Internal Review of a Decision

The FOI Act provides for a right to internal review of decisions of public bodies. An internal review may be requested where an FOI request has been refused or partially granted or where access has been deferred. An internal review can also be requested where the form of access or the level of fees charged is disputed. *Refusal of an FOI request is deemed to have occurred where a decision has not issued within four weeks of receipt of the FOI request.*

Requests for internal review of decisions of the Office should be made, in writing, to:

FOI Internal Reviewer
Commission for Public Service Appointments
6 Earlsfort Terrace
Dublin 2, D02 W773
Telephone: (01) 6395666
Email: foi@cpsa.ie

The internal reviewer will ensure that the review is carried out by an official at a higher level than the official who made the original FOI decision. Such a request should be made within four weeks of the original decision. The decision following internal review must issue within three weeks of receipt.

4.3 Information published by the Office

The FOI Act is intended to allow access to information held by public bodies which is not routinely available by other means subject to certain exemptions, procedures and time limits. The following information about the activities and functions of the Office is available without the need to use the FOI Act.

4.4 Codes of Practice

The Commission's standards for recruitment and selection to positions in the organisations under its remit are published in its Codes of Practice which are available from the Commission Secretariat at 6 Earlsfort Terrace, Dublin 2, and on our website at the following link [here](#).

4.5 Annual Reports

The Commission submits a report to the Minister for Public Expenditure and Reform each year in relation to the Commission's activities during the previous year. Annual reports are available from the Commission Secretariat at 6 Earlsfort Terrace, Dublin 2, and on our website at the following link [here](#).

4.6 Other publications

The Commission also publishes reports on the various aspects of its operation. See reports section of our website at the following link [here](#).

4.7 Website

Our website, CPSA.ie contains additional information about the Office. This includes:

- Information about the Commission and its role
- Information on the Commission, including its compliance with the Disability Act and the Reuse of Public Sector Information
- Full text of the legislation it supervises
- Lists of all Public Bodies within the scope of the Commission's functions
- How to make an FOI request to the Office