



**An Roinn Tithíochta,
Rialtais Áitiúil agus Oidhreachta**
Department of Housing,
Local Government and Heritage

**Appointment as Member of the
Outside Appointments Board
for the Local Government Sector**

Closing Date: 3pm, 25 October 2023

Appointment as Member of the Outside Appointments Board for the Local Government Sector

Entity: Outside Appointments Board (OAB) for the Local Government Sector

Board Meeting Location: Department of Housing, Local Government and Heritage, Custom House, Dublin

Number of Vacancies: Three

Remuneration: Per diem fee of €295 for ordinary board members and €377 for the Chairperson. Expenses are payable at civil service rates.

Time Requirements: Meetings of the OAB are demand led, depending on the number of cases received by the OAB. It is envisaged that any meetings would be infrequent and that there would be no more than 2-3 meetings per annum.

1. The Outside Appointments Board

The Outside Appointments Board for the Local Government Sector (OAB) is established in accordance with section 10 of the [Code of Conduct for Local Authorities Employees](#) (the Code of Conduct). The OAG has adopted guidelines for its operation, which are Appendix 1 below.

The main function of the Board is to consider applications from more senior local authority employees, at or above Director of Services level and including Chief Executives, that intend to take up appointments outside the sector following resignation or retirement where the possibility of a conflict of interest arises.

Membership of the Board comprises the Secretary General of the Department of Housing, Local Government and Heritage, a former county or city manager, and three other members who are not serving or former public servants, one of whom will act as chairperson. The OAB is supported by a Secretary, who is a member of staff of the Department of Housing, Local Government and Heritage. Members of the board are appointed by the Minister.

2. Board Membership

Code of Conduct Requirement
Secretary General, Department of Housing, Local Government and Heritage
Former City or County Manager
3 x 'other members' who are not serving or former public servants - (These are the vacancies for which this advertisement is running)

3. Function of the Board

The main function of the Board is to consider applications from more senior local authority employees, at or above Director of Services level and including Chief Executives, that intend to take up appointments outside the sector following resignation or retirement where the possibility of a conflict of interest arises.

The Board also has an appellate role in relation to employees below Director of Services level. Where employees, who are required under the Code to make an application to the relevant Local Authority Chief Executive, when taking up outside employment following resignation or retirement, are dissatisfied with the decision of the Chief Executive, or any conditions attached to such decision, they may make an appeal to the Outside Appointments Board.

4. Role and Appointment of the Chairperson

The Chair of the Board will be required to convene and chair meetings of the OAB in accordance with the guidelines. From time to time, the Chairperson may be required to provide an update to the Minister for Housing, Local Government and Heritage on the work of the OAB and the cases that have been dealt with in the intervening period since the last report.

According to the Code of Conduct one of the 'other members' will act as the Chairperson of the Board. Interested applicants should therefore indicate if they would be willing to be considered for this position also.

5. Person Specification

The Minister for Housing, Local Government and Heritage invites applications from suitably qualified individuals to become a Member of the OAB. It is important to note that, in accordance with the conditions set out in the Code of Conduct for Local Government Employee, application can only be accepted from those **who are not serving or former public servants**. Persons expressing an interest in this appointment must be able to demonstrate that they meet the following essential criteria:

- Have extensive experience in senior leadership levels with a high degree of integrity, particularly in the area of conflict of interest issues,
- A proven track record of independent, objective and effective judgement and decision making, including in roles such as Appeals Boards, Arbitration Boards etc.;
- Have a strong commitment to the Public Service and its values, in particular a clear understanding of the importance of upholding the public interest,
- Good communication and interpersonal skills.

5. Terms of Appointment

- The appointment will be for a three year period, with an option to extend.
- The membership of any member of the OAB may be terminated by the Minister at any time, on the basis of reasons to be stated by the Minister.
- A member of the OAB may resign their membership of the OAB by notice in writing sent or given to the Secretary of the OAB.
- Members of the OAB shall hold office upon such terms and conditions as the Minister may, from time to time determine.
- An OAB member shall cease to be a member of the OAB if he or she is nominated as a member of Seanad Éireann, is elected as a member of either House of the Oireachtas, elected to the European Parliament, or becomes a member of a local authority.
- An OAB member shall cease to be a member of the OAB if he or she is appointed to a role in the public service.

6. How to Apply

Please forward a succinct CV having regard to the requirements described at number 4 above (no more than 2 pages).

Please also enclose a cover letter (no more than 1 page) outlining why you fulfil all the requirements described at number 4 above, and the specific expertise you would bring to the role as a Member and Chairperson of the OAB.

Please forward your CV and Cover Letter to kevin.forde@housing.gov.ie with the Heading "Outside Appointments Board Membership", no later than 3pm on 25 October 2023.

If you have any queries regarding this, please e-mail kevin.forde@housing.gov.ie

7. Assessment Process

An Assessment Panel (the "Panel") will be convened by the Department of Housing, Local Government and Heritage to consider and assess applications.

The Panel will:

- review and discuss the applications received against the specific appointment criteria for the role at number 4;
- assess potential appointees further, once they meet the specified appointment criteria, by undertaking any or all of the following steps:
 - Consideration of the written applications; and/or
 - Meeting/conference call; and/or
 - Referee checks;
 - Any other selection method deemed appropriate.
- compile a list of people deemed suitable for appointment which will then be sent forward for consideration by the Minister.

8. Confidentiality and data protection

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

Further information on the Department of Housing, Local Government and Heritage data protection policy is available at <https://www.gov.ie/en/organisation-information/648102-data-protection/>.

APPENDIX 1

OUTSIDE APPOINTMENTS BOARD FOR THE LOCAL GOVERNMENT SECTOR

GUIDELINES

Code of Conduct for Local Authority Employees

The Minister for Housing, Local Government and Heritage published the Code of Conduct for Local Authority Employees in June 2004 under section 169 of the Local Government Act, 2001. The purpose of the Code is to set out standards of conduct and integrity for employees and to uphold public confidence in local government. An employee is required to have regard to and be guided by the Code in the performance of his or her duties and a person's terms and conditions of employment are deemed to include an undertaking to this effect.

The Code was amended in June 2006 to further strengthen the existing provisions in relation to local authority employees accepting employment or consultancy engagements outside the sector following resignation or retirement where a conflict of interest may exist.

Where employees, who are required under the Code to make an application to the relevant county or city manager, are dissatisfied with the decision of the manager, or any conditions attached to such decision, they may make an appeal to the Outside Appointments Board.

Who must make an application to the Outside Appointments Board?

The Code of Conduct for Local Authority Employees at section 10 sets out guidelines for employees on the acceptance of outside appointments and consultancy engagements following resignation or retirement. Employees at or above Director of Services level (including Local Authority Chief Executives) must obtain approval from the Outside Appointments Board if they intend, **within twelve months of resigning or retiring**, to accept an offer of appointment from an employer outside the local authority service or to accept an engagement in a particular consultancy project ***where the nature and terms of such an appointment or engagement could lead to a conflict of interest.***

Making applications to the Outside Appointments Board

Applications for approval should be made directly to the Board, and will include:

- full details of the proposed appointment;
- details of any official dealings with the prospective employer or with any competitors of the prospective employer; and
- other information relevant to the proposed appointment.

Board Procedures

The Board will deal with applications to it without delay. When an application is received, the Secretary to the Board will convene a meeting to consider the application.

Where possible, a decision on the application will be made at the Board meeting and will be conveyed in writing to the applicant within one week. Where in the opinion of the Board, the application requires further consideration, a decision may be postponed to allow the Board to obtain further information. The Board will generally seek the views of the relevant Local Authority Chief Executive and make such other enquiries as it thinks appropriate before reaching a decision on an application.

When the Board is of the opinion that conditions should be attached to the appointment, the applicant will be informed in writing of the views of the Board and will be given the opportunity to make representation to the Board or to supply additional information before a final decision is made.

Having taken into account the representations made or information given, the Board will make a final decision in the matter and inform the applicant in writing of its decision.

Terms of approval by the Outside Appointments Board

Applications to the Board will be approved either unconditionally or subject to conditions which may apply for up to one year from the final day of employment in the local authority service. At the discretion of the Board conditions may include:

- a waiting period before taking up the appointment
- an absolute or qualified ban on the involvement of the applicant in dealings between the prospective employer and local authorities generally or one or more particular local authority/ies
- in the case of consultancies, a requirement to seek official approval before accepting commissions of a particular nature, or from named employers.

If the Board considers that the appointment is unsuitable, it may add that advice to its decision recommending that the application be subject to a waiting period of one year.

Appeal provisions

An applicant who is not satisfied with a decision of the Board may request a review of the decision. If an application for review is made, the Board may apply to the General Council of the Bar of Ireland to propose an independent reviewer to consider the matter and to make a recommendation to the Board for its final decision.

Referral to the Board of a decision of a county or city manager

A local authority employee below Director of Services level who has made an application for approval to accept an outside appointment to the relevant Local Authority Chief Executive, and who has received a decision attaching conditions to taking up the appointment, in accordance with section 10.7 of the Code, may refer the decision to the Board for review.

Applications to the Board for review should include:

- a submission from the applicant setting out full details of the proposed appointment
- details of any official dealings with the prospective employer or with any competitors of the prospective employer
- the Decision of the Local Authority Chief Executive
- agreement that the Board may contact any party to the Decision

- any other information relevant to the proposed appointment

The Board will consider the decision concerned and will inform the applicant, and the county or city manager of the local authority concerned, in writing of its decision within 14 days of receiving the request for review. The Board may uphold the conditions applied to the decision or amend or vary them as the Board considers appropriate. The decision of the Board is final.

Guidance for local authorities

The Board may from time to time publish information for local authorities on the detailed basis on which applications to the Board will be assessed and provide guidance on identifying and preventing conflicts of interest situations