LEGAL AID BOARD

INFORMATION BOOKLET AND APPLICATION DOCUMENTS

PLEASE READ CAREFULLY

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| The Legal Aid Board intends to hold a competition for the appointment to the position of **Managing solicitor grade II****in** **Navan Law Centre****legal aid board** **Closing Date: 4pm on 30 May 2017** |

The Legal Aid Board is committed to a policy of equal opportunity.

The Legal Aid Board will run this campaign in compliance with the codes of practice prepared by the Commission for Public Service Appointments (CPSA).

**MANAGING SOLICITOR GRADE II**

**Legal Aid Board**

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| **Managing Solicitor Grade II, Legal Aid Board** |

**The Legal Aid Board**

The Legal Aid Board is an independent, publicly funded organisation. It has been in existence since 1979 and was set up as a statutory body on foot of the Civil Legal Aid Act 1995. The Board’s statutory remit was widened in 2011 to include responsibility for providing a family mediation service following the transfer of that service to the Board from the Family Support Agency.

The Board's Mission Statement, set out in its Corporate Plan 2015 – 2017, is “To facilitate the effective resolution of civil disputes through the delivery of efficient and accessible legal aid and mediation services and to effectively manage and administer the State’s criminal legal aid schemes.” The Corporate Plan sets out a number of steps that the Board has adopted in order to achieve the objective set out in its Mission Statement.

The Board itself consists of a chairperson and twelve ordinary members. They are appointed by the Minister for Justice and Equality and have a five-year term of office.

The Board has an executive management structure primarily located at its Head Office at Quay St, Cahirciveen, Co Kerry and also at an office at 48-49 North Brunswick Street, Smithfield, Dublin 7.

The Board has thirty three full time law centres located throughout the country, as well as a Private Practitioner Service, a Refugee Documentation Centre and a library service located in central Dublin. Family Mediation Services are also provided from a further 16 locations.

***More details about the Legal Aid Board can be obtained by accessing the Board’s website*** [***www.legalaidboard.ie***](http://www.legalaidboard.ie)***.***

**Overview of the Role**

The role of any candidate offered appointment will be the provision of legal services in the form of aid and advice to the Board’s clients to whom legal aid and/or advice has been granted, within the terms of the Civil Legal Act, 1995, and the Civil Legal Aid Regulations, made thereunder.

**The key aspect of the Managing Solicitor’s role will be to:**

* manage available resources for the provision of a quality and timely legal service to applicants to whom legal advice and / or legal aid is granted by the Board, within the terms of the Civil Legal Aid Act, 1995 and the Civil Legal Aid Regulations, and instructions issued from time to time by the Chief Executive or his/her nominee. This will involve:
  + maximisation of throughput of cases consistent with the provision of a quality service;
  + effective management of risk and performance in the law centre;
  + playing an active and constructive role in the overall management of the organisation and in provision of high quality professional legal services in a cost effective manner.
  + Engagement with and use of the Board’s ICT systems, including the EOS case-management system,
  + Adherence to the Board’s guidelines and procedures for the delivery of quality legal services.

**Essential Entry Requirements:**

Candidates must:

* On or before **Tuesday 30 May, 2017** be entitled to hold a Practising Certificate issued by the Incorporated Law Society of Ireland (without any restrictions attached) and must continue to be so entitled to hold such a certificate

And Have:-

* at least 2 years post qualification experience;
* have, or the capacity to quickly acquire, an understanding of the role of the Legal Aid Board and its operating environment;
* proven high level of management and organisational skills with the ability to develop teams and manage staff effectively;
* demonstrated ability to communicate effectively with a wide variety of people;
* the ability to provide excellent legal services;
* well developed advocacy skills;
* demonstrated sound judgement, decisiveness, innovation and problem solving ability when dealing with complex legal matters;
* a proven ability to work in a demanding and pressurised environment;
* a strong results focus;
* a proven ability to provide excellent customer service;
* experience of legal databases and the capacity to exploit the use of ICT to manage risk and performance and deliver services efficiently;

**Competencies**

The attention of candidates is drawn to the key competencies that have been developed for the role by the Legal Aid Board.

The competency framework has identified individual competencies associated with effective performance, clustered into 6 main dimensions as illustrated below:

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| --- | --- | --- |
| **Professional Expertise & Knowledge** | **Using Technology Effectively for Service Delivery** | **Interpersonal and Communication Skills** |
| * Capacity to apply legal knowledge effectively; * Understanding of court process and role of solicitor in dispute resolution | * Capacity to use legal databases; * Application of IT skills | * Managing Solicitor/Client Relationship in a public service environment; * Communication and advocacy skills |
| **Personal Drive**  **for Results** | **Teamworking** | **Managerial Capacity/Leadership Ability** |
| * Organisational Skills; * Results Orientated Approach; * Professional Integrity | * Interpersonal Effectiveness within a team; * Working collaboratively with colleagues to achieve an objective | * Vision; * Management of Change; * Management, Motivation & development of Staff |

**GENERAL MATTERS**

**Eligibility to compete**

Candidates should note that eligibility to compete is open to citizens of the European Economic Area (EEA). The EEA consists of the Member States of the European Union along with Iceland, Liechtenstein and Norway.

**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 debarred from applying 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, after which time any re-employment will require the approval of the Minister for Public Expenditure and Reform. People who availed of either of these schemes are not eligible to compete in this competition.

**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.

**Principal Conditions of Service**

**General**

The appointment is to a position of Managing Solicitor Grade II in the Legal Aid Board and is governed by the Civil Legal Aid Act, 1995, as amended.

**Pay**

The salary for the position is as follows;

Solicitor Grade II Personal Pension Contribution Salary Scale –

€69,579 – €71,689 – €73,869 – €76,045 – €78,295 – €80,434 – €82,879 (LSI I) – €85,407 (LSI II)

LSI1 may be payable after 3 years satisfactory service at the maximum, LSI2 may be payable after 6 years satisfactory service at the maximum.

This rate will apply where the appointee is newly recruited to the Civil Service and is making a personal pension contribution.

**Important Note:** Different pay and conditions may apply for existing civil / public servants. The rate of remuneration may be adjusted from time to time in line with Government pay policy.

Candidates should note that entry will be at the minimum of the scale and the rate of remuneration may be adjusted from time to time in line with Government pay policy. Increments may be awarded annually subject to satisfactory performance.

**Tenure**

The appointment is to a permanent, established position in the Legal Aid Board with a 12 month probationary unestablished period.

**Duties**

The successful candidates may not engage in private practice or be connected with any outside business which would interfere with the performance of official duties or conflict in any way with the position of a Solicitor in the Legal Aid Board.

**Headquarters**

Solicitors of the Board normally work in Law Centres established by the Board but may be required to serve in such other locations as may be designated by the Board.

a) Notwithstanding your initial assignment to a particular location you may be transferred to a different location or assigned to such specific duties at a different location as the Board may determine from time to time so as to enable it to perform its functions under the Act.

b) The duration of a transfer and/or assignment to other duties will be determined by the Board.

The headquarters of the successful candidate will be a law centre to be decided by the Legal Aid Board. When absent from home and headquarters on official duty a solicitor will be paid appropriate travelling expenses and subsistence allowances, subject to normal civil service regulations.

**Hours of attendance**

Hours of attendance will be fixed from time to time but will amount to not less than 43.25 hours gross per week. The Solicitor may be required to work such additional hours from time to time as may be reasonable and necessary for the proper performance of his/her duties subject to the limits set down in the working time regulations. The rate of remuneration payable covers any extra attendance liability that may arise from time to time.

**Annual Leave**

In addition to the usual public holidays the annual leave for this position is 30 days.

**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 direct to the Legal aid Board and 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 (including retirement age) as prevailing in the Legal Aid Board Staff Superannuation Scheme at the time of being offered an appointment.  The current superannuation terms and conditions are set out below.

Candidates should be aware the Public Service Pensions (Single Scheme and Other Provisions) Act 2012 became law on 28 July 2012. The Act provides for a Single Public Service Pension Scheme (the “Single Scheme”) for new public servants. It also makes certain other changes affecting existing public service pension arrangements. A copy of the Act can be viewed at <http://www.irishstatutebook.ie/2012/en/act/pub/0037/index.html>.

**NB: Candidates should note that this may mean that pension and retirement age terms different from those currently set out below may accompany an offer of appointment.**

**At present the terms of the Pension Scheme and of the associated Spouses’ and Children’s Pension Scheme apply to appointments of this kind. Membership of these schemes is compulsory, and includes the following provisions with respect to pension terms, retirement age and associated conditions:**

* New Entrant Status

If the candidate is deemed to be a new entrant (as defined in the Public Service Superannuation (Miscellaneous Provisions) Act 2004), the minimum age at which pension is payable is 65 and there is no specified maximum retirement age for an appointee to this position.

If the candidate is deemed not to be a new entrant (as defined in the Public Service Superannuation (Miscellaneous Provisions) Act 2004), the minimum age at which pension is payable is 60 and retirement age for an appointee to this position is compulsory on reaching 65 years’ of age.

At the time of being offered an appointment, the Legal Aid Board in consultation with the Department of Public Expenditure and Reform, where necessary, will, in the light of the appointee’s previous Public Service employment history, determine whether he or she is a “new entrant”. Appointees will be required to disclose their full public service history. Candidates are advised to consult section 2 of the Public Service Superannuation (Miscellaneous Provisions) Act 2004 in relation to the definition of “new entrant”. The text of section 2 and of the Act is available on the website [www.irishstatutebook.ie](http://www.irishstatutebook.ie)

Note: A new maximum retirement age of 70 will apply to those who are members of the Single Scheme.

* Pension Abatement

Normal rules regarding abatement of pensions will apply, as appropriate. However, if the appointee was previously employed in the Civil Service and awarded a pension under voluntary early retirement arrangements (other than the Incentivised Scheme of Early Retirement (ISER) or the Department of Health Circular 7/2010 VER/VRS which, as indicated above, render a person ineligible for the competition) the entitlement to payment of that pension will cease with effect from the date of reappointment. Special arrangements will, 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.   
  
If the appointee was previously employed in the Civil Service or in the Public Service please note that the Public Service Pensions (Single Scheme and Other Provisions) Act 2012 includes a provision which extends abatement of pension for all Civil and Public Servants who are re-employed where a Public Service pension is in payment. This provision to apply abatement across the wider public service came into affect on 1 November 2012. This may have pension implications for any person appointed to this position who is currently in receipt of a Civil or Public Service pension or has a preserved Civil or Public Service pension which will come into payment during his/her employment in this position.

**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, 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 cesser 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 that where an individual has retired from a Civil/Public Service body on the grounds of ill-health his/her pension from that employment may be subject to review in accordance with the rules of ill-health retirement within the pension scheme of that employment.

* Pension Accrual

If the appointee was previously employed in the Civil Service or the Public Service, please note that the Public Service Pensions (Single Scheme and Other Provisions) Act 2012, includes a provision which imposes a 40 year limit on the total service which can be counted towards pension where a person has been a member of more than one existing public service pension scheme. This provision to impose a 40 year limit came into effect on 28 July 2012. This may have implications for any appointee who has acquired pension rights in a previous Public Service employment.

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* **Public Service Pension-Related Deduction**

This appointment is subject to the public service pension-related deduction in accordance with the Financial Emergency Measures in the Public Interest Act 2009 (as amended).

For further information in relation to the pension scheme for Established Civil Servants please see the following website: <http://www.cspensions.gov.ie>.

**IMPORTANT NOTICE**

Different pay and conditions may apply if, **immediately prior to appointment,** the appointee is

-already a serving civil servant who is paying Class B rate of PRSI, or

- serving in an unestablished capacity in the civil service and has had continuous service in that

capacity since 5 April 1995 or,

- serving elsewhere in the public sector in a position in respect of which she/he is paying Class

B, C or D rate of PRSI contribution.

**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**

Completed application forms must be submitted to reach Managing Solicitor Recruitment competition, Human Resources, Legal Aid Board, Quay Street, Cahirciveen, Co. Kerry by the above closing date.

Email: recruitment@legalaidboard.ie

The admission of a person to a competition, or invitation to attend an interview, is not to be taken as implying that the Legal Aid Board 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 Legal Aid Board will not be responsible for refunding any expenses incurred.

**Closing date**

The completed application form must be forwarded so as to reach the Board not later than **4pm on Tuesday 30 May, 2017.** If you do not receive an acknowledgement of receipt of your application within 2 working days of applying, please contact Human Resources at 066 9471000.

**Application** **forms are only available from our website at** [**www.legalaidboard.ie**](http://www.legalaidboard.ie)

The interviews for this post are likely to take place in the week beginning 05 June, 2017.

Candidates should make themselves available on the date(s) specified by the Board and should make sure that the contact details specified on the application form are correct.

The Board will not be responsible for refunding any expenses incurred by candidates.

**Selection Methods**

These may include:

* shortlisting of candidates on the basis of the information contained in their application; and
* a competitive interview which may include a presentation on a topic of relevance to the Board.

The admission of a person to a competition, or invitation to attend interview, or a successful result letter, is not to be taken as implying that the Board is satisfied that such a person fulfils the requirements or is not disqualified by law from holding the position.

**Short-listing**

Normally the number of applications received for a position exceeds that required to fill existing and future vacancies to 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, the Board may decide that a number only will be called to interview. In this respect, the Board will select, based on an examination of the application forms and the requirements of the position, those who 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. **It is therefore in your own interest to provide a detailed and accurate account of your qualifications/ experience on the application form.**

**Confidentiality**

Subject to the provisions of the Freedom of Information Act, 1997 applications will be treated in strict confidence.

All enquires, applications and all aspects of the proceedings are treated as strictly confidential and are not disclosed to anyone, outside those directly involved in that aspect of the process.

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

**Security Clearance**

Police vetting may 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 An Garda Síochána for security checks on all Irish and Northern Irish addresses at which they resided. If unsuccessful this information will be destroyed by the Board. If the applicant subsequently comes under consideration for another position, they will be required to supply this information again.

**General Information**

The Board will consider requests for review in accordance with the provisions of the codes of practice published by the Commission for Public Service Appointments (CPSA). Where a candidate is unhappy with an action or decision in relation to their application he/she 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, he/she 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 him/her to seek a formal review.

**Informal process:**

* the candidate can avail of the informal review within 5 working days of notification of the initial decision, and 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 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.

**Formal process: Initial review:**

The candidate must address his/her concerns in relation to the process in writing to the Chief Executive, setting out those aspects of the action or decision in relation to his/her candidature that he/she wishes to have reviewed.

A request for review must be made within 10 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 4 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 Chief Executive. 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, he/she 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 Chief Executive. The decision arbitrator is unconnected with the selection process and he/she 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 is final.

A request made to the decision arbitrator must be received within 7 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, he/she can have it investigated under Section 8 of the code of practice.

The codes of practice are available on the website of the Commission for Public Service Appointments, [www.cpsa-online.ie.](http://www.cpsa-online.ie)

**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
* 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.

**Deeming of candidature to be withdrawn**

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

**Data Protection Acts 1988 & 2003**

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 & 2003. You are entitled under these acts to obtain, at any time, copy of information about you, which is kept on computer. The Board charges a fee of €6.35 for each request. You should enclose a cheque or postal order and address your request quoting reference to:

**THE DATA PROTECTION CO-ORDINATOR,  
Legal Aid Board,**

**48-19 North Brunswick Street,**

**Smithfield,**

**Dublin 7**

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