

Candidate Information Booklet

Open competition for appointment to position of:

Legal (Senior Executive Officer)

Location: 3 Shelbourne Buildings, Shelbourne Road, Dublin 4.

Closing Date: 5pm, Friday, 7th of March 2025

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About the Competition:

The Higher Education Authority (the 'HEA') is recruiting for a Senior Executive Officer in the Legal Unit. At the end of the selection process, a Panel of qualified candidates is formed from which any further vacancies may be filled. Qualification and placement on a panel is not a guarantee of appointment to a position. There is one permanent position available.

About the Higher Education Authority:

The HEA is a statutory body under the aegis of the Department of Further and Higher Education, Research, Innovation and Science. It leads the strategic development of the Irish higher education and research system. The HEA is the statutory funding authority for Irish universities, technological universities, institutes of technology and a number of other designated colleges providing annual funding of c. €1.7bn. It has responsibility for the oversight of governance and effective accountability of the HEA funded higher education institutions. The HEA plays a key leadership role in driving change in the higher education system and ensuring strong performance across institutions.

Further information about the HEA, visit our website at www.heai.ie.

The HEA can offer suitable candidates a very satisfying and varied career, with competitive terms and conditions.

Context for the Position Senior Executive Officer - Legal:

The HEA is seeking to fill one permanent position for a Senior Executive Officer in our Legal Unit. In addition, we are seeking to create a panel which will be established from the interviews; this will be in place for two years.

Legal (Senior Executive Officer)

The post of Senior Executive Officer in Legal is a middle management grade in the HEA, equivalent to the civil service role of Higher Executive Officer. Postholders report to a Senior Manager/Assistant Principal Officer (or equivalent) in a section and would be responsible for a wide range of activities including:

Duties

- Assist with management, tracking and co-ordination of Legal Unit workflow.
- Assist with the development of evidence-based analysis of work for lawyer members of the team and for the Legal Unit as a whole.
- Engage in legal research and drafting with a particular focus on legislative review.
- Prepare material for reply – Parliamentary Questions, Freedom of Information Requests, Protected Disclosures, Internal and External Queries etc.
- Represent the HEA at meetings, conferences etc.
- Assist with the organisation of meetings, conferences, and other events.

- Prepare draft minutes of meetings attended.
- Manage records and files in the Legal Unit.
- Undertake other duties appropriate to the grade.

Requirements

- NFQ level 8 qualification in a relevant discipline with at least 18 months' relevant experience or NFQ level 7 qualification with at least 3 years' relevant experience.
- Evidence of relevant work experience in line with the SEO Competencies.
- Excellent organisational and project management skills.
- Excellent communication skills (verbal and written).
- Good IT skills, including MS Excel, MS Word, MS Outlook and MS PowerPoint.
- Ability to work in an effective manner with other members of a team.
- Excellent time management skills.
- Ability to complete tasks to a very high standard.

Desirable

- Experience working in a law firm or other legal background.
- Experience of working in an academic legal context.
- Interest in learning and development of own skills and knowledge.
- Knowledge and interest in Higher Education policy and development.
- Knowledge and interest in research programmes.
- Knowledge and experience of public sector administration.

For further details on the competency framework requirements at SEO grade please see link below:

[Senior Executive Officer Capability Framework \(publicjobs.ie\)](https://publicjobs.ie)

Terms of Post:

1. **Pay:** The Senior Executive Officer (HEO) standard salary scale for this position is as follows (rates effective from 1st of October 2024):

PPC - €57,122, €58,791, €60,459, €62,124, €63,796, €65,460, €67,129, €69,537¹ €71,939²

PPC (Personal Pension Contribution) scale (for officers who are existing civil or public servants appointed on or after 6th April 1995 or who are new entrants to the civil or public service and who are making a compulsory personal pension contribution).

Different pay and conditions may apply if, prior to appointment, the appointee is an existing civil or public servant appointed prior to 6th April 1995.

Increments may be awarded subject to satisfactory service and to changes in the terms and conditions relating to salary increments in the Civil/Public Service generally.

The rate of remuneration may be adjusted from time to time in line with Government pay policy.

The appointment will be made on the salary scale at a point in line with current Government Pay Policy. New entrants to the Civil or Public Sector, as defined in Circular 18/2010, will commence on the first point of the salary scale. Different pay and conditions may apply if, immediately prior to appointment, the appointee is a serving civil or public servant.

2. **Annual Leave:** Annual Leave will be 29 working days, rising to 30 working days after 5 years. This leave is exclusive of public holidays.
3. **Hours of Attendance:** Working hours will be in accordance with the standard arrangements for the HEA and will equate to 35 hours (net of rest breaks) per week. No additional payment will be made for extra attendance as the rate of remuneration payable covers any exceptional extra attendance liability that may arise from time to time.
4. **Location:** This position is currently based at 3 Shelbourne Buildings, Shelbourne Road, Dublin. A hybrid policy is in place to facilitate blended working.
5. **Tenure:** The appointment to the post is subject to a probationary period that will be no greater than 11 months.
6. **Duties:** The appointee will be expected to perform all acts, duties and obligations as appropriate to this position (which may be revised from time to time).
7. **Outside Employment:** The position is whole-time and the appointee must avoid involvement in outside employment/business interests in conflict or in potential conflict with the business of Higher Education Authority. Clarification must be sought from management where any doubt arises.
8. **Sick Leave:** Sick leave with full pay may be allowed at the discretion of the Higher Education Authority in accordance with established procedures and conditions for the public service generally.
9. **Retirement and Superannuation:** The appointee will be offered public service pension terms and retirement age conditions in accordance with pension arrangements in the Higher Education Authority depending on the status of the successful appointee:
 - a) In general, an individual who has no prior pensionable Public Service history in the 26 weeks prior to appointment will be a member of the Single Public Service Pension Scheme (Single Scheme) which commenced from 1st January 2013 (Section 10 of the Public Service Pensions (Single Scheme and Other Provisions) Act 2012 refers);
An individual who is on secondment will remain a member of the pension scheme of the employer they are seconded from, and their pensionable remuneration will be based on his/her substantive grade i.e., the grade at which the individual is employed in the organisation he/she is seconded from.
 - b) An individual who was a member of a “pre-existing public service pension scheme” as construed by the Public Service Pensions (Single Scheme and Other Provisions) Act 2012 and who does not qualify for membership of the Single Scheme will be a member of the HEA’s Staff Superannuation Scheme and Associated Spouses and Children’s Scheme.
 - c) At the time of being offered an appointment, the Higher Education Authority, in consultation with the Department of Education and the Department of Public Expenditure and Reform, if necessary, will, in the light of the appointee’s previous Public Service (and/or other) employment history, determine the appropriate pension terms and conditions to apply for the duration of the appointment. Appointees will be

required to disclose their full public service history. Details of the appropriate superannuation provisions will be provided upon determination of appointee's status.

d) Retirement age shall be subject to relevant superannuation scheme provision and the statutory provisions set out in the Public Service Pensions (Single Scheme and Other Provisions) Act 2012 and the Public Service Superannuation (Age of Retirement) Act 2018.

e) The following points should be noted:

- **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 existing public service pension scheme will apply. This 40-year limit, which is provided for in the Public Service Pensions (Single Scheme and Other Provisions) Act 2012 came into effect on 28th July 2012. This may have implications for any appointee who has acquired pension rights in a previous public service employment.

- **Pension Abatement:** The Public Service Pensions (Single Scheme and Other Provisions) Act 2012 extended pension abatement so that a retiree's public service pension is liable to abatement on re-entering public service employment, even where the new employment is in a different area of the public service. 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 Health Service Executive VER/VRS which, as outlined below, 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.

- 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.

10. Pension Related Deduction: This appointment is subject to the pension-related deduction in accordance with the Financial Emergency Measures in the Public Interest Act 2009. For further information in relation to public service superannuation issues please see the following website: <http://per.gov.ie/pensions>

Eligibility Criteria:

Candidates must be authorised to work in the State at the time of application and for the term of the role advertised.

Candidates must, by the date of any job offer, be:

1. A citizen of the European Economic Area. The EEA consists of the Member States of the European Union, Iceland, Liechtenstein and Norway; or
2. A UK citizen; or
3. A citizen of Switzerland pursuant to the agreement between the EU and Switzerland on the free movement of persons; or
4. A non-EEA citizen who is a spouse or child of an EEA or Swiss citizen and has a stamp 4 visa; or
5. 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
6. 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 Switzerland and has a stamp 4 visa.
7. Candidates must, by date of any job offer, be residing on the Island of Ireland to be considered for this role.

Applications from candidates not falling within categories 1-7 will not be considered and the HEA reserves the right to request proof of authorisation to work in the State prior to interview and/or acceptance.

Other Eligibility Criteria:

1. **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.
2. **Department of Health and Children Circular (7/2010):** The Department of Health Circular 7/2010 dated 1st 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.
3. **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. Thereafter the consent of the Minister for Public Expenditure and Reform will be required prior to re-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) and the Minister's consent will have to be secured prior to employment by any public service body.

4. Change in eligibility criteria

Applicants are required to notify the HEA immediately if there is a change in their eligibility to work in the State at any stage in the application process or should they be placed on a Panel, during the period that they are on that Panel.

5. The HEA reserves the right to remove a candidate from the application process or any relevant recruitment Panel should the candidate no longer have lawful authority to work in the State.

Please ensure that you fulfil the eligibility requirements for this competition as outlined below before applying

Competition Process

How to Apply:

Applications should be made by completing the application form for this competition and submitting it to Mr. Mark Carroll at seorecruit@hea.ie no later than 5pm on Friday, 7th of March 2025.

Please read the application form carefully.

Applications will not be accepted after the closing date.

Candidates with disabilities:

If you have a disability or need reasonable accommodations made during the selection process, we strongly encourage you to share this with us so that we can ensure you get the support that you need. Reasonable accommodation in our selection process refers to adjustments and practical changes which would enable a disabled candidate to have an equal opportunity for this competition.

Examples of adjustments we provide include the use of assistive technology, extra time, scribes, and/or readers or a range of other accommodations. Please be assured that having a disability or requiring adjustments will not impact on your progress in the selection process; you will not be at a disadvantage if you disclose your disability or requirements to us. Your disability and/or adjustments will be kept entirely confidential.

If you would like to talk about your application or any accommodations that may be of benefit during the recruitment process, please contact our Disability Liaison Officer at dlo@hea.ie

Should you be successful, the disclosure of a disability for this stage of the process will not be passed onto the employing department unless you request that we do so.

Selection Process:

The selection may include shortlisting of candidates on the basis of the information contained in their application and by:

- Interview, either in person in the HEA's offices or via MS Teams/Skype/Zoom
- Satisfactory references (referees will not be contacted without the candidate's prior agreement)

The Higher Education Authority reserves the right to require candidates attend a second interview, presentation or other exercises.

Shortlisting:

Normally the number of applications received for a position exceeds that required to fill existing and future vacancies for the position(s). 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 Higher Education Authority may decide that a number only will be called to interview. In this respect, the Higher Education Authority may provide for the employment of a short-listing process to select a group for interview who, based on an examination of the applications, appear to be the most suitable for the position(s). An expert board will examine the applications against pre-determined criteria based on the requirements of 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 in your application.

Panel:

At the end of the selection process a Panel of qualified candidates is formed from which vacancies may be filled. The panel will be used to fill a permanent contract. Qualification and placement on a panel is not a guarantee of appointment to a position. The panel will remain in place for a period of two years from the date of final interviews. Only candidates with a valid work permission will be placed on a panel and the HEA reserves the right to remove candidates from any panel should they no longer have permission to work in the State. The HEA reserves the right to remove candidates from a panel if they decline a permanent position.

Confidentiality:

Subject to the provisions of the Freedom of Information Act, 2014 as amended 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 may 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. If unsuccessful, this information will be destroyed by the Higher Education Authority. If the applicant subsequently comes under consideration for another position, they will be required to supply this information again.

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 impersonate 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 HEA, or who do not, when requested, furnish such evidence as the HEA 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 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. Feedback will be provided on written request.

General Data Protection Regulation (GDPR):

The General Data Protection Regulation (GDPR) came into force on 25th May 2018, replacing the existing data protection framework under the EU Data Protection Directive.

When your application is received, we create a record in your name, which contains much of the personal information you have supplied. This personal record is used solely in processing your candidature and should you be successful certain information you provide will be held by the HEA. Such information held is subject to the rights and obligations set out in the GDPR. To make a request to access your personal data, please submit your request in writing to: Human Resources, Higher Education Authority, 3 Shelbourne Buildings, Crampton Avenue, Shelbourne Road, Dublin 4, ensuring that you describe the records you seek in the greatest possible detail to enable us to identify the relevant record. Alternatively, you can email dataprotection@hea.ie or visit https://hea.ie/about-us/data_protection/.