

Candidate Information Booklet

Director of Planning Reviews and Examinations at the Office of the Planning Regulator

About the Office of the Planning Regulator

The Office of the Planning Regulator (OPR) is a new independent public body that has been established by Government to oversee the functioning and policy consistency of Ireland's planning process to ensure quality outcomes in relation to proper planning and sustainable development. The Planning Regulator who is the Chief Executive of the Office is Mr Niall Cussen who was appointed as Ireland's first Planning Regulator subsequent to a Government Decision in December 2018 and following an open and competitive recruitment process conducted by the Public Appointments Service.

In establishing the OPR, the Government's aim is to enhance proper oversight of the planning system and to promote quality outcomes from, and consistency within, the planning system. Under the provisions of the Act, the OPR is fully independent of the wider government.

Functions of the OPR

The Planning and Development (Amendment) Act 2018 established the legal basis for the OPR and outlines its role and functions, which include the following:

- assessment of all local authority and regional assembly forward planning, including development plans, local area plans, regional spatial and economic strategies, etc. The OPR will provide statutory observations during the drafting of statutory plans to ensure consistency with relevant regional or national policies;
- organisational review of the systems and procedures used by any planning authority, including An Bord Pleanála, in the performance of any of their planning functions, including assessing risks of maladministration or corruption. The OPR will not overlap with the role of existing appeals procedures in relation to individual planning applications as operated by An Bord Pleanála, cases being considered by the Ombudsman, the criminal justice system or under judicial review;
- driving national research, training, education and public information programmes. The OPR will establish best practice in planning matters and highlight the role and benefit of proper planning.

Job Description

Responsibilities

The Director of Planning Reviews and Examinations will report directly to the Planning Regulator and will be initially responsible for the establishment of the Office of the Planning Regulator's practices and procedures

in relation to its statutory reviews and examinations function. They will conduct reviews and examinations of the systems and procedures used by any planning authority, including An Bord Pleanála, in the performance of any of their planning functions, including assessing risks of maladministration or corruption and will assist the Planning Regulator and Deputy Planning Regulator in the discharge of the Office's statutory functions.

This is an exciting opportunity for a suitable candidate to implement policy on a national level and to be involved in the establishment of a state agency from inception.

The role will entail:

Planning Reviews & Examinations

- Oversee and manage reviews of planning authorities or An Bord Pleanála in respect of the systems and procedures used by such authorities or the Board in relation to the performance of their functions under the Planning and Development Act (as amended) or as requested by the Minister from time to time;
- oversee the delivery of effective planning services to the public by planning authorities have regard to any relevant indicator identified by the National Oversight and Audit Commission or prescribed by the Minister and regulations made by the Minister under section 134A(7) of the Local Government Act 2001;
- oversee and manage examinations of complaints by any other person in respect of a planning authority where such complaint relates to the organisation of the planning authority and of the systems and procedures used by the planning authority in relation to the performance of its functions under the Act;
- lead and manage work in relation to all planning examinations matters in order to ensure compliance with Office of the Planning Regulator statutory obligations;
- provide expert technical support/professional advice in relation to specific cases and issues and policy/developmental and related issues affecting operations;
- keep up to date, and ensure that staff are up to date, with developments in planning matters, including legislation at national and EU levels;
- effectively plan and deploy operational resources within the Planning Reviews and Examinations division to ensure timely delivery of case work and compliance with annual targets and objectives.

Organisation and Management

- Contribute to the development of the Office of the Planning Regulator's strategic direction for the Planning Reviews and Examinations division and the wider organisation including preparation of annual divisional plans, setting objectives and associated performance indicators;
- advise on necessary internal structures, resources and practices to ensure that the Office of the Planning Regulator is capable of adapting to varying levels of casework and potential new functions;
- devise and support implementation of change management initiatives to maximise efficiencies in the discharge of functions the Office of the Planning Regulator;
- manage staff performance, including through the effective implementation of PMDS and staff development programmes addressing essential training needs;
- other duties as may be assigned from time to time.

Essential Criteria

Candidates, must have on or before 21 May 2019;

- experience of, or the capacity to acquire necessary skills, in leading both broadly based reviews of organizational systems and procedures as well as complaint-handling within a regulatory defined context;
- ability to demonstrate an understanding of best practice standards in relation to complaints-handling, for example the 'Caseworker Competency Framework' issued by the Ombudsman Association;
- knowledge of risk management assessment in connection with regulatory examinations, to include strategic, legal and reputational risk assessment;
- capacity to contribute strategically to the overall leadership and future development of the Office of the Planning Regulator, most particularly in developing and driving the examinations and reviews function;
- abilities in leading and managing teams to deliver high performance outcomes against a background of demanding time-driven requirements, multiparty interactions and complex legal/regulatory factors;
- sound judgement and creative problem-solving skills, including demonstrable negotiation and conflict resolution skills;
- excellent leadership, negotiation, communication, management and teamwork skills demonstrable by reference to key achievements;
- highly developed oral communication skills with an ability to express him/herself articulately, concisely and persuasively;
- strong relationship-building and interpersonal skills and a proven ability to manage, develop and get the best from a team;
- familiarity with, or have the capacity to acquire quickly, a clear understanding of the OPR's wide range of statutory responsibilities, its development needs and the challenges it faces in the planning environment and in delivering on public sector reform plans; and
- have knowledge of planning, its nature, objective and place in public policy in Ireland and in the international context.

Desirable qualities

- A professional qualification in planning recognised by the Irish Planning Institute or the Royal Town Planning Institute as a qualification enabling the person to seek full membership of the relevant Institute;
- third level qualification in the area or legal studies or public administration;
- experience of litigation arising out of regulatory activities (e.g. through internal management of litigation or instructing external legal advisors in relation to litigation);
- good knowledge and understanding of the EU and national policy agendas in the area of planning and public administration.

Location of the post

The post will be located at the interim premises of the Office of the Planning Regulator, Block C, 77 Sir John Rogerson's Quay, Dublin 2, pending the acquisition of permanent premises for the Office.

Principal Conditions of Service

Tenure

The appointment is on a permanent basis as a civil servant, subject to the satisfactory completion of the specified probationary period.

Hours of attendance

Hours of attendance will be fixed from time to time but will amount to not less than 43 hours 15 minutes gross per week. The successful candidate will 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.

Salary Scale

The salary scale for the position (rates effective from 1st January 2019) is as follows. This rate applies to new entrants and will also apply where the appointee is an existing civil or public servant appointed on or after 6th April 1995 and is required to make a personal pension contribution.

Principal Officer (PPC):

€85,823	€89,356	€92,862	€96,365	€99,375	€102,465 ¹	€105,552 ²
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The following rate will apply where the appointee is a civil or public servant recruited before 6th April 1995 and who is not required to make a Personal Pension Contribution.

Principal Officer:

€81,661	€85,012	€88,345	€91,705	€94,535	€97,471 ¹	€100,40 ²
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Long service increments may be payable after 3 (LSI 1) and 6 (LSI 2) years' satisfactory service at the maximum of the scale.

Subject to satisfactory performance increments may be payable in line with current Government policy. Different terms and conditions may apply if, immediately before appointment, you are a currently serving civil/public servant.

Annual Leave

In addition to the usual public holidays, annual leave for this position is 30 working 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 directly to the employing

Organisation. 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.

The above represents the principal conditions of service and is not intended to be a comprehensive list of 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

Applications should be submitted via email to recruiting@opr.ie by **21 May 2019 at 5pm**.

Candidate should submit a completed application form and a covering letter.

Please note that omission of any or part of the 2 requested documents, as set out above, will render the application incomplete. Incomplete applications will not be considered for the next stage of the selection process.

An acknowledgement email will be issued in respect of all applications received (this email will acknowledge receipt of application but will not confirm eligibility or otherwise). If an applicant does not receive an acknowledgement email within 3 working days of the date of submission, the applicant should contact the OPR to ensure their application has been received.

Closing Date

Deadline for application: **21 May 2019 at 5pm**.

Applications will not be accepted after the closing date.

Selection Process

The selection process may include:

- shortlisting of candidates (on the basis of the information contained in their application);
- a competitive interview;
- a second competitive interview may be held;
- assessment testing may be held.

Please note that any offer of employment made to a successful candidate will be subject to satisfactory:

- reference verification;
- pre-employment medical assessment.

Shortlisting

The OPR will carry out a shortlisting process to select a group of applicants who, based on an examination of the applications submitted, appear to be the most suitable and qualified for the position.

An expert panel will examine the application forms against agreed shortlisting criteria based on the requirements of the position. The shortlisting criteria may include both the essential and desirable criteria specified for the position. It is therefore in applicant's interest to provide a detailed and accurate account of their qualifications/ experience in their application.

Interviews

The interviews for this post are likely to be held in June 2019. Interviews will be semi-structured in format, with candidates asked to provide examples of the **competencies for the role as outlined in Appendix 1**. We will endeavour to give as much notice as possible of interview dates.

Candidates who do not attend for interview as scheduled, or who do not furnish such evidence as required in regard to any matter relevant to their application, will have no further claim to consideration in this process.

References

Candidates should start considering names of people who would be suitable referees and that we might consult. The referees do not have to include your current employer but should be in a position to provide a reference for you. Please be assured that we will only contact referees should you come under consideration after interview stage. Please note, should you be successful in this competition, we will require a reference from your current employer, prior to recommendation for appointment.

General Data Protection Regulation (GDPR)

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. Such information held is subject to the rights and obligations set out in the Data Protection Acts 1988 to 2018.

If you have any queries related to the processing of your data, or if you wish to make a request under the Data Protection Acts 1988 to 2018, please submit your request in writing to dataprotection@opr.ie.

General Information

Candidates should note that canvassing will disqualify. The OPR will not be responsible for any expenses, including travelling expenses that applicants may incur in connection with their application for this post.

Should the person recommended for appointment decline, or, having accepted it, relinquish it or if any additional vacancy arises, the OPR may, at its discretion, select and recommend another person for appointment on the results of this selection process.

The OPR is committed to a policy of equal opportunity.

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

Appendix 1: Competencies



Principal Officer Level Competencies

Effective Performance Indicators

Leadership & Strategic Direction	Leads the team, setting high standards, tackling any performance problems & facilitating high performance
	Facilitates an open exchange of ideas and fosters an atmosphere of open communication
	Contributes to the shaping of Departmental / Government strategy and policy
	Develops capability and capacity across the team through effective delegation
	Develops a culture of learning & development, offering coaching and constructive / supportive feedback
	Leads on preparing for and implementing significant change and reform
	Anticipates and responds quickly to developments in the sector/ broader environment
	Actively collaborates with other Departments, Organisations and Agencies
Judgment & Decision Making	Identifies and focuses on core issues when dealing with complex information/ situations
	Assembles facts, manipulates verbal and numerical information and thinks through issues logically
	Sees the relationships between issues and quickly grasp the high level and socio-political implications
	Identifies coherent solutions to complex issues
	Takes action, making decisions in a timely manner and having the courage to see them through
	Makes sound and well informed decisions, understanding their impact and implications
	Strives to effectively balance the sectoral issues, political elements and the citizen impact in all decisions
Management & Delivery of Results	Initiates and takes personal responsibility for delivering results/ services in own area
	Balances strategy and operational detail to meet business needs
	Manages multiple agendas and tasks and reallocates resources to manage changes in focus
	Makes optimum use of resources and implements performance measures to deliver on objectives
	Ensures the optimal use of ICT and new delivery models
	Critically reviews projects and activities to ensure their effectiveness and that they meet Organisational requirements
	Instils the importance of efficiencies, value for money and meeting corporate governance requirements
	Ensures team are focused and act on Business plans priorities, even when faced with pressure
Building Relationships & Communication	Speaks and writes in a clear, articulate and impactful manner
	Actively listens, seeking to understand the perspective and position of others
	Manages and resolves conflicts / disagreements in a positive & constructive manner
	Works effectively within the political process, recognising & managing tensions arising from different stakeholders perspectives.
	Persuades others; builds consensus, gains co-operation from others to obtain information and accomplish goals
	Proactively engages with colleagues at all levels of the organisation and across other Departments// Organisations and builds strong professional networks
	Makes opinions known when s/he feels it is right to do so
Specialist Knowledge, Expertise and Self Development	Develops and maintains skills and expertise across a number of areas that are relevant to his/her field and recognised by people internal and external to the Department/ Organisation
	Keeps up to date with key departmental, sectoral, national and international policies and economic, political and social trends that affect the role
	Maintains a strong focus on self-development, seeking feedback and opportunities for growth
Drive & Commitment to Public Service Values	Consistently strives to perform at a high level
	Demonstrates personal commitment to the role, maintaining determination and persistence while maintain a sense of balance and perspective in relation to work issues
	Contributes positively to the corporate agenda
	Is personally trustworthy, honest and respectful, delivering on promises and commitments
	Ensures the citizen is at the heart of all services provided
	Is resilient, maintaining composure even in adverse or challenging situations
	Promotes a culture that fosters the highest standards of ethics and integrity

Appendix 2: Eligibility to compete and certain restrictions on eligibility

European Economic Area Nationals

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. Swiss citizens under EU agreement may also apply. To qualify candidates must be citizens of the EEA by the date of any job offer.

Collective Agreement: Redundancy Payments to Public Servants

The Department of Public Expenditure and Reform letter dated 28 June 2012 to Personnel Officers introduced, with effect from 1 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 other public service body (as defined by the Financial Emergency Measures in the Public Interest Act 2009 – 2011) for a period of 2 years from termination of the 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).

Incentivised Scheme for Early Retirement (ISER)

It is a condition of the Incentivised Scheme for Early Retirement (ISER) as set out in the Department of Finance Circular 12/09 that retirees, under that Scheme, are debarred from applying for another position in the same employment of the same sector. Therefore, such retirees cannot apply while the above restrictions continue in force.

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. People who availed of the VER scheme are not eligible to compete in this competition. People who availed of the VRS scheme and who may be successful in this competition will have to prove their eligibility (expiry of period of non-eligibility).

Department of Environment, Community & Local Government (Circular Letter LG(P) 06/2013)

The Department of Environment, Community & Local Government Circular Letter LG(P) 06/2013 introduced a Voluntary Redundancy Scheme for Local Authorities. In accordance with the terms of the *Collective Agreement: Redundancy Payments to Public Servants* dated 28 June 2012 as detailed above, it is a specific condition of that VER Scheme that persons will not be eligible for re-employment in any Public Service body [as defined by the Financial Emergency Measures in the Public Interest Acts 2009 – 2011 and the Public

Service Pensions (Single Scheme and Other Provisions) Act 2012] for a period of 2 years from their date of departure under this Scheme. These conditions also apply in the case of engagement/employment on a contract for service basis (either as a contractor or as an employee of a contractor).

Declaration

Applicants will be required to declare whether they have previously availed of a public service scheme of incentivised early retirement and/or the collective agreement outlined above. 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.

Superannuation and Retirement

The appointee will be offered the appropriate superannuation terms and conditions as prevailing in the Public Service at the time of being offered an appointment. In general, an appointee who has never working in the Public Service will be offered appointment based on membership of the Single Public Service Pension Scheme ('Single Scheme'). Full details of the Scheme are at:

<http://www.per.gov.ie/pensions>

Where the appointee has worked in a pensionable (non-Single Scheme terms) public service job in the 26 weeks prior to appointment or is currently on a career break or special leave with/without pay different terms may apply. The pension entitlement of such appointees will be established in the context of their public service employment history.

The key provisions attaching to membership of the Single Scheme are as follows:

- career average earnings are used to calculate benefits (a pension and lump sum amount accrue each year and are up-rated annually by reference to CPI);
- pensionable Age - The minimum age at which pension is payable is 66 (rising to 67 and 68 in line with State Pension age changes);
- retirement Age - Scheme members must retire at the age of 70;
- post retirement pension increases are linked to CPI.

Pension Abatement

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.

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 or comes into payment during this employment. This provision, to apply abatement across the wider public service, came into effect on 1 November 2012. Please note: In applying for this position you are acknowledging that you understand that the abatement provisions, where relevant, will apply. It is not

envisaged that the employing Department/Office will support an application for an abatement waiver in respect of appointments to this position.

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), Department of Health Circular 7/2010 VER/VRS of the Department of Environment, Community and Local Government Circular Letter LG (P) 06/2013 which, as indicated above, renders a person ineligible for the competition, the entitlement to that pension will cease with effect from the date of reappointment. Special arrangement 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 documentation, 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 ceasing 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](#)

For an individual who 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](#)

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 would 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 28 July 2012. This may have implications for any appointee who has acquired pension rights in a previous public service employment.

[Additional Superannuation Contribution](#)

The appointment is subject to the Additional Superannuation Contribution (ASC) in accordance with the Public Service pay and Pensions Act 2017.

For further information in relation to the Single Public Service Pension Scheme please see the following website: www.singlepensionscheme.gov.ie