Candidate Information Booklet

A COMMISSIONER FOR OLDER PEOPLE FOR NORTHERN IRELAND

REF: IRC203720

Completed Application Forms must be returned to HRConnect no later than 12:00 noon on Monday 7th December 2015
This Candidate Information Pack has been produced as a guide to help you provide the relevant information when completing the application form to become the Commissioner for Older People. These documents are only a memorandum and should not be taken as constituting conditions of appointment.

The experience, skills and qualities required and details of how to complete the application form are set out within this pack. It is recommended that you read this information carefully before completing the application form.

Completed application forms must be received by HRConnect no later than 12:00 noon on Monday 7th December 2015.

LATE APPLICATIONS WILL NOT BE ACCEPTED. If you are having technical problems submitting your form, please telephone HR Connect staff on 0800 1 300 330 to discuss before the closing date.

Return completed application via www.nicsrecruitment.gov.uk
or by post or hand to:

HRConnect
PO Box 1089
2nd Floor
The Metro Building
6-9 Donegall Square South
Belfast
BT1 9EW
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Foreword

Thank you for your interest in the appointment of a Commissioner for Older People.

The legislation to establish a Commissioner for Older People became law on 25 January 2011. It provides that a Commissioner for Older People will be established with a wide range of promotional, advisory, educational, legal and investigatory functions and powers and duties to be deployed in the interests of older people, both generally and individually.

The Commissioner will be appointed by the First Minister and the deputy First Minister and will have a role in promoting and safeguarding the interests, advancing equality, challenging discrimination and empowering and enabling the voice of older people in Northern Ireland.

Once you submit your application form, it will be assessed by the people who will be on the interviewing panel. If you are to be interviewed, you will be informed by week ending 18 December 2015. The interview will be in front of a panel of five people, including OFMDFM representatives, an Independent Assessor and two members representing the perspective of older people.

The qualities required and details of how to complete the application form are set out in this booklet. You should read this information carefully before completing the application form. It is important to note that applications will be considered against the specific criteria and they will form the basis of the interview. It is important that you provide practical evidence and examples of how you meet the criteria.

I hope that this information meets your needs and encourages you to apply for this important position. If, after reading this Candidate Information Booklet, you would like to discuss the policy behind this post before making an application, I would encourage you to look at the OFMDFM website http://www.ofmdfmni.gov.uk/index/equality/age/older-peoples-commissioner.htm or to contact the Commissioner for Older People appointment team on 028 9052 3128 or by email at nicola.drennan@ofmdfmni.gov.uk with any queries you may have.

MARGARET ROSE McNAUGHTON
Head of Equality, Rights and Social Change Division
The Office of the First Minister and deputy First Minister (OFMDFM)
Background

Background to the Appointment

The Executive is committed to providing a strong, independent voice for older people. As evidence of this commitment, on 18 December 2007, the then First Minister Ian Paisley and deputy First Minister Martin McGuinness announced their intention to create a Commissioner for Older People.

The development of legislation was a complicated and lengthy process so the First Minister and deputy First Minister decided, in the interim, to appoint an Advocate for Older People. Dame Joan Harbison was appointed on 1 December 2008 and Dame Joan continued with her work until a Commissioner was appointed.

The Bill received Royal Assent in January 2011 and became the Commissioner for Older People Act (Northern Ireland) 2011. Claire Keatinge took up post as the first Commissioner for Older People for Northern Ireland on 14 November 2011 and has chosen not to seek a second term.

About the Office of the First Minister and deputy First Minister (OFMDFM)

The Commissioner for Older People will be appointed by the First Minister and deputy First Minister. For your assistance we provide some information below about the Office of the First Minister and deputy First Minister (OFMDFM).

The Office of the First Minister and deputy First Minister is a fully functioning department of the Northern Ireland Executive with a wide range of responsibilities.

The overall aim of the Office of the First Minister and deputy First Minister is to contribute to and oversee the co-ordination of Executive policies and programmes to deliver a peaceful, fair, equal and prosperous society. In pursuing this aim, the key interlinked objectives of the Department are:

- **Driving investment and sustainable development**: Through regeneration of strategic former military sites; promoting effective long-term capital planning and delivery; and promoting the Executive’s policy interests internationally.

- **Tackling disadvantage and promoting equality of opportunity**: By driving a programme across Government to reduce poverty; promoting and protecting the interests of children, older people, people with disabilities, victims and survivors, and other socially excluded groups; addressing inequality and disadvantage; and driving the delivery of Government responsibilities in a sustainable manner.

- **The effective operation of the institutions of government in the delivery of an agreed Programme for Government**: By providing a central source of
information, co-ordination and advice to departments on Executive, Assembly, and legislative procedures; co-ordinating and reviewing the Programme for Government; driving the more efficient and sustainable use of capital assets across Government; and ensuring the structure of public administration is efficient, effective and sustainable.

The Office of the First Minister and deputy First Minister currently sponsors the Commissioner for Older People.
Job Description

Functions of the Commissioner for Older People

The Commissioner’s role is based upon the range of functions ascribed under the Commissioner for Older People Act (Northern Ireland) 2011.

The post is a full time appointment and will be for a four year term, which may be renewed once, however this would also be subject to satisfactory performance. The Commissioner has the power to appoint staff as he/she may determine subject to agreement from the sponsoring Department and the Department of Finance and Personnel.

The postholder will be the Accounting Officer and is accountable to the Assembly for the body’s use of resources in carrying out its functions.

The principal aim of the Commissioner is to safeguard and promote the interests of older people. Importantly, in considering what the interests of older people are and in the course of carrying out his or her work as a Commissioner, the Commissioner is required to take account of the United Nations Principles for Older Persons. There are eighteen principles based on five themes: independence, participation, care, self-fulfilment and dignity.

More information on the Principles is available at http://www.un.org/ageing/un_principles.html or by contacting the Commissioner for Older People appointment team on 028 905 23128 or by e-mail at nicola.drennan@ofmdfmni.gov.uk

The Commissioner has a wide range of promotional, advisory, educational, legal and investigatory functions and powers and duties to be deployed in the interests of older people, both generally and individually. The Commissioner has a role in promoting and safeguarding the interests, advancing equality, challenging discrimination and empowering and enabling the voice of older people in Northern Ireland.

Duties

The Commissioner has a series of duties that he/she must perform. These include:

- Promote an awareness of matters relating to the interests of older people and of the need to safeguard those interests;
- Keep under review the adequacy and effectiveness of the law and practice relating to the interests of older people;
- Keep under review the adequacy and effectiveness of the services provided to older people by relevant authorities (a relevant authority is the name given in the Commissioner for Older People Act for organisations that are mainly publicly
funded bodies like Government Departments, Councils, Health Trusts and both statutory and private nursing and residential care homes);

- Promote the provision of opportunities for, and the elimination of discrimination against, older people;
- Encourage best practice in the treatment of older people;
- Promote positive attitudes towards older people and encourage participation by older people in public life;
- Advise the Assembly, the Secretary of State, the Executive and a relevant authority on matters concerning the interests of older people;
- Take reasonable steps to make older people aware of the existence and functions of his/her office and its location;
- Take reasonable steps to encourage older people to communicate with the Commissioner and his or her staff and to seek the views of older people; and
- Ensure that the Commissioner’s services are available, as far as is practicable, at a place convenient for older people.

**General Powers**

The Commissioner has the following general powers:

- Undertaking, commissioning or providing financial or other assistance for research or educational activities concerning the interests of older people or the exercise of the Commissioner’s functions;
- Issuing guidance on best practice in relation to any matter concerning the interests of older people; for the purposes of any of the Commissioner’s functions, conducting (such) investigations as the Commissioner considers necessary or expedient;
- Compiling, providing and publishing information on matters concerning the interests of older people;
- Making representations or recommendations to any body or person about any matter concerning the interests of older people; and
- The Commissioner also has a General Power which enables the Commissioner to do anything related to the Commissioner’s functions. This means that the Commissioner will be enabled to work collaboratively or to co-operate with other bodies in the UK and elsewhere. This will enable the Commissioner to build relationships, avoid duplication and co-operate well with other bodies in order to provide a strategic approach to addressing those issues of interest to or affecting older people.

**Specific Powers**

The Commissioner has specific powers to:

- Conduct general reviews of advocacy, complaint, inspection and whistle-blowing
arrangements of relevant authorities;

- Conduct reviews of advocacy, complaint, inspection and whistle-blowing arrangements of relevant authorities in individual cases;
- Assist older people with complaints to relevant authorities;
- Investigate complaints against relevant authorities;
- Bring, intervene in or assist in legal proceedings;
- Provide assistance in relation to legal proceedings; and
- Commission services in relation to conciliation of disputes.

In relation to the specific powers of the Commissioner, there is provision for three different types of investigation which can be carried out by the Commissioner’s staff or others working on behalf of the Commissioner:

- **Informal general investigations:** These can be used in relation to any organisation;

- **Review powers:** Review of the adequacy and the effectiveness of the law and practice relating to the interests of older people and review of the adequacy and effectiveness of the services provided to older people by relevant authorities; this intermediate type of investigation has set procedures, but few associated formal powers;

- **Formal investigations:** These relate specifically to a range of organisations listed or referenced in the Commissioner for Older People Act (Northern Ireland) 2011 as relevant authorities. Formal investigations cover the investigation of complaints, or the review of arrangements for complaints, inspections, whistle-blowing or advocacy, either in relation to individual cases or general reviews. There are set procedures; formal powers of entry and evidence gathering; sanctions to deal with obstruction including powers equivalent to those of the High Court; and safeguards on the disclosure of information.
Terms and Conditions

Period of Appointment

The post is a full time appointment and will be for a four year term, which may be renewed once, however this would also be subject to satisfactory performance.

The post of Commissioner for Older People carries with it a substantial range of responsibilities and this post will require a full time commitment.

Salary

£75,000 per annum

In order to comply with disclosure requirements, the Office of the First Minister and deputy First Minister will be required to disclose details of the total remuneration, including any taxable benefits in kind and pension benefits for this post in its annual accounts.

Location

The office of the post holder will be located in Equality House, 7-9 Shaftesbury Square, Belfast, BT2 7DP.

Travel

As Commissioner you will be required to travel extensively within Northern Ireland, and on occasion, within the United Kingdom, Europe and further afield (standard Northern Ireland Civil Services (NICS) expenses policy will apply).

Transport

This job requires the post holder to have access to a form of transport which will enable them to carry out the duties of the post in full (standard NICS expenses policy will apply).

Working Hours

The Commissioner will be required to work such hours as may be necessary to discharge effectively the duties as the Commissioner, subject to a minimum of 37 hours per week. You may be regularly required to work outside normal office hours in evenings and at weekends, in order to attend meetings and to be accessible to older people.
Annual Leave

In addition to the 12 public and privilege holidays, the annual leave allowance will be 30 days.

Performance Assessment

An annual performance assessment will be carried out by the Office of the First Minister and deputy First Minister.

Nationality Requirements

HRConnect must ensure that you are legally entitled to work in the United Kingdom. The Commissioner for Older People for Northern Ireland post is classified as Non-Public Service, therefore certain nationality requirements apply. Applicants must be either:

(i) A UK national; or
(ii) A Commonwealth citizen; or
(iii) A British Protected Person; or
(iv) An EEA national; or
(v) A Swiss national; or
(vi) A person who is not an EEA or Swiss national, but is a family member of an EEA national who has moved to the UK from another EEA Member State for an approved purpose.

For further guidance on Nationality requirements please see Annex C.

Advice on Nationality for (i), (ii) and (iii) above may be obtained from the Home Office website, www.ind.homeoffice.gov.uk.

Vetting

In the course of his/her work, the Commissioner may have contact with vulnerable adults. The successful candidate will therefore be required to consent to an AccessNI Enhanced Disclosure check, which is a condition of appointment. The appointment will only be confirmed on completion of a successful AccessNI Enhanced Disclosure check.

AccessNI provides a criminal record disclosure service in Northern Ireland (in England and Wales, this is provided by the DBS). More information on AccessNI is available on: http://www.nidirect.gov.uk/accessni. Criminal Record information is subject to the provisions of the Rehabilitation of Offenders (NI) Order 1978.

Political Activity

The successful candidate will be asked to complete a Political Activity Questionnaire Form. The Committee on Standards in Public Life recommends that all candidates for
public appointments be asked to declare any significant political activity including office holding, public speaking and standing for election that they may have undertaken in the previous 5 years. This question is asked because it enables monitoring of political activity of those appointed to a public appointment, in so far as it is already in the public domain. Neither activity, nor affiliation, is a criterion for appointment (except where statute dictates specific representation). If you are the successful applicant, the information provided will be published with the announcement of your appointment.

**Announcing the Appointment**

If you are successful and appointed, some information on your completed application form will be made public at the time of the announcement. This will include: length of the appointment; remuneration; and details of any current Ministerial appointments held with any related remuneration received. The Department will also request further details at this stage, which will include a brief summary of your career/experience and your response to the political activity question.

**Further Information**

If you have any questions about the competition process, you should contact HR Connect, quoting reference IRC203720, either by telephone on 0800 1 300 330 or by email recruitment@hrconnect.nigov.net
Person Specification

EXPERIENCE, KNOWLEDGE AND SKILLS

Essential Criteria

Applicants must, by the closing date for applications, demonstrate all of the following criteria on their application form:

1. Evidence of a clear understanding of policies, legislation and service delivery issues for older people, including the principles of equal opportunities and the United Nations Principles for Older Persons;

2. Evidence of experience in promoting the interests of a specific group or groups within the population;

3. Evidence of the ability to engage effectively and be accessible to a specific group or groups within the population. This should include evidence of gaining a full understanding of issues which are relevant to them and advocating on their behalf;

4. Evidence of developing relationships with a wide range of institutions, including the media, in order to influence decision making;

5. Evidence of the ability to create and communicate a vision for the future and, through personal drive and example, translate this vision into tangible outcomes;

6. Experience in a ‘senior leadership position’* in the private, public or voluntary sectors requiring the management of resources, both human and financial, together with the application of current best practice in relation to governance, accountability and financial management.

*‘Senior leadership position’ is defined as: (i) someone who is/was involved in the provision of detailed advice that directly influenced strategic issues or who is/was personally involved in taking decisions on strategic/high level issues concerning the corporate body or organisation within which an individual is/was working; or (ii) membership of, or reporting at board level; or (iii) Northern Ireland Senior Civil Servant or equivalent grade in the wider public sector.
**Shortlisting Criterion**

In addition, applicants should be aware that after an eligibility sift, should it be necessary to shortlist candidates to go forward to interview, the following shortlisting criterion will be applied in the order listed:

1. Evidence of influencing the development of policy, legislation and service delivery for older people.

2. Commitment to promoting the interests of older people in Northern Ireland.
How to Apply

The competition to fill the post of Commissioner for Older People is being managed by HR Connect on behalf of the Department.

The following notes give guidance on completing the application form.

The information will be treated as confidential during the selection process. If you are offered and accept the appointment, your name and some biographical details may be published after the information has been checked with you for accuracy.

Personal Details

Please give full details of your name, home address, e-mail address and contact telephone numbers. Please ensure HRConnect is informed immediately of any changes in your contact information. Candidates should be advised that they are not required to provide their national insurance number on the application form if they do not have a UK national insurance number.

Commitments and Appointments

Current Commitments

Please give details of any current commitments including notice period which you consider relevant to this appointment.

Current Public Appointments

Please give details of any current appointments to which you are appointed by any Government Minister or Department, giving the dates you have held the appointment, the position and the name of the relevant public body.

Please note that, the following question should not be completed by candidates:

“Have you previously served on the board of this organisation?”

Please leave this field blank.

Eligibility Section / Evidence Used in Your Application

Please read carefully all the information provided, paying particular attention to the job description which gives details of the key areas of responsibility and the person specification which describes the selection criteria which will be used to assess your application.
Failure to address all of the areas may result in rejection of your application by the panel. Answers must be written / typed in the spaces provided and no other additional pages should be included in your completed application. **Additional pages as well as Curriculum Vitae or other documents in support of your application are not acceptable.**

You should take full advantage of the application form to provide practical evidence and examples of how your experience, skills, knowledge, achievements and background make you suitable for appointment as Commissioner for Older People for Northern Ireland. Evidence provided may include details and dates of previous employment or any voluntary third sector appointments to which your examples refer.

In this section you are asked to provide practical information against the essential and shortlisting criteria for appointees. **It is your responsibility to ensure that there is sufficient and relevant information to enable the panel to make a decision on whether you meet the criteria.**

The Panel will want to know about what you have done rather than what a team has done. Before starting to complete this section it is important to think about your role and what you have done individually, either on your own or as a team member. To complete this section effectively you need to understand the relationship between the examples you will use and the relevant selection criteria.

In addition, you should bear in mind the following points:

- You should use language which is simple and easy to understand in your examples to describe what you have done;
- Use actual examples, rather than ‘how you would do something’;
- You can use examples from either your working life or your personal life including any voluntary or community or trade union work you are, or have been, involved in;
- Avoid statements that describe your personal beliefs or philosophies - focus on specific challenges and results;
- Describe what you did and how you behaved – if your example includes activities completed by a team, focus on your role and not that of the team as a whole;
- Given the limitation on words permitted in applications, lengthy descriptions of your experience will not be possible. You are advised to focus on the issue and on your personal involvement;
- You should ensure that you provide evidence of your experience in your application form, giving length of experience, examples and dates as required;
- ONLY the details provided by you in your application form (essential and shortlisting criteria) will be provided to the selection Panel for the purpose of determining your eligibility for the post;
- The Panel will interview only those applicants who appear, from the information available, to have fulfilled the essential criteria and are therefore deemed to be most suitable in terms of relevant experience and ability;
• In the letter advising those applicants that they have not been selected for interview, information will be included about the procedure for having their application reviewed should they choose to do so.

Disqualification, Probity - Integrity and Conflicts of Interest

Probity and Conflict of Interest - A Guide for applicants is attached at Annex A at the end of this Candidate Information Booklet.

An appointee to a public body could find that matters or incidents which previously attracted no attention could become matters of legitimate public interest once the person concerned holds a public appointment. Information which might be relevant could include prominent activities, for example, in voluntary or political organisations, a criminal conviction (including relevant spent convictions), disbarred Director, bankruptcy or has made an arrangement or composition with creditors. All information given in this section will be treated in confidence.

Further Information - Reasonable Adjustments

Please let HRConnect know if you require any reasonable adjustments, due to disability, to enable you to attend any part of the assessment process. Any information provided will be used for this purpose only and will not form any part of the selection process. Should you be successful, you will be asked to outline any adjustments you consider necessary in order for you to carry out the role effectively. Please state if you have any particular access or other requirements if called for interview. If you wish to discuss your requirements further, please contact HRConnect.

Declaration and Signature

You should ensure that you understand the degree of publicity the appointment will attract, read the declaration statement and sign your application form.

Equal Opportunities Monitoring Form

A guide for applicants is also attached at Annex B at the end of this Candidate Information Booklet. The Office of the First Minister and deputy First Minister monitors applications for employment in terms of Community Background, Sex, Disability and Race. The use and confidentiality of Community Background information is protected by the Fair Employment and Treatment (Northern Ireland) Order 1998. It will be used only for monitoring, investigations or proceedings under the requirements of the above legislation. This information will be used for monitoring purposes only. It will not be disclosed to the selection panel.

Candidates should note that filing in this form, partially or fully, is optional and
for those candidates who choose to fill it in, if they do not have a UK national insurance number, this field can be left blank.

Please note that, to ensure equality of opportunity for all applicants:

- CVs, letters, or any other supplementary material in place of, or in addition to, completed application forms will not be accepted;
- Applications will not be examined until after the closing deadline;
- Late applications or applications received by fax or email will not be accepted;
- Incomplete application forms will not be forwarded to the panel for consideration;
- Applicants must not contact or seek support for an application from a member of the Interview Panel or any official involved in this recruitment competition;
- Evidence of canvassing will disqualify you from appointment;
- The NI Assembly Disqualification Act 1975 prohibits the Commissioner from also holding membership of the Northern Ireland Assembly.
Assessment

Applicants who meet all of the essential criteria, and if required, the shortlisting criterion will be invited to participate in the next stage of the selection process.

It is intended that interviews for this post will take place in the Greater Belfast area on 14th, 15th and 18th December 2015. **Candidates are expected to make themselves available during this time and interviews can only be arranged outside this period in exceptional circumstances.**

As OFMDFM is not obliged to make alternative arrangements and there is no guarantee of an alternative, in the event of a request to re-schedule an interview, the following criteria will be considered:

1. Whether the applicant has provided a compelling reason
2. Proportionality (time and money in reconvening versus size of applicant field)
3. Whether reasonable notice of anticipated interview date was given

Costs for attendance at interview will not be reimbursed. Consideration will be given to any request for reasonable adjustments necessary to allow you to attend this and any other part of the recruitment process.

Assessment of application

The assessment will consist of:

**Presentation**

Applicants will be required to make a presentation lasting no longer than 7 minutes after which the panel will ask questions. You will be given 30 minutes to prepare. The topic will be decided by the panel and may be hypothetical/scenario in nature. The option of a flip-chart or cue cards will be available to assist in preparing the presentation. No personal documentation may be brought into the preparation room. The only materials candidates will be permitted to bring into the presentation room will be flip chart paper or cue cards prepared in the preparation room.

**Interview**

Immediately following the presentation you will be interviewed by the panel. The panel will focus on testing the applicant’s experience, skills and knowledge of the essential criteria outlined on page 13. It is envisaged that this interview, including presentation, will last approximately one hour.

The Panel will design interview questions based on the job description and essential criteria listed in this document and may include hypothetical/scenario type questions.
The Panel will assess the information presented by the candidate at interview against each selection criterion. A score will then be allocated against each selection criterion and a total interview score derived accordingly. A minimum pass mark for the interview will apply.

The Ministers’ Decision

Following interviews, the list of applicants who meet the pass mark (including a short summary) will be forwarded in alphabetical order to the First Minister and deputy First Minister. The First Minister and deputy First Minister may meet with any of the applicants who meet the pass mark prior to making a final decision on the appointment of the Commissioner. The First Minister and deputy First Minister will make the final decision acting jointly.
Interview Guidance for Applicants

If this is your first experience of a criteria/competence-based interview, bear in mind that it does not require you to:

- Talk through previous jobs or appointments from start to finish;
- Provide generalised information as to your background and experience; or
- Provide information that is not specifically relevant to the competence/criteria the question is designed to test.

A criteria/competence-based interview does however require you to:

- Focus exclusively, in your responses, on your ability to fulfill the competences/criteria required for effective performance in the role; and
- Provide specific examples of your experience in relation to the required competence/criteria areas.

You are strongly advised to read the guide to public appointments entitled ‘Make Your Mark’ which is available online at [http://www.ofmdfmni.gov.uk/make-your-mark-nv.pdf](http://www.ofmdfmni.gov.uk/make-your-mark-nv.pdf). Hard copies are also available on request.

In preparation for the interview you may wish to think about having a clear structure for each of your examples, such as:

- Situation – briefly outline the situation;
- Task – what was your objective, what were you trying to achieve;
- Action – what did you actually do, what was your unique contribution;
- Result – what happened, what was the outcome, what did you learn.

The Panel will ask you to provide specific examples from your past experience in relation to each of the competences/criteria. You should therefore come to the interview prepared to discuss in detail an example or range of examples which best illustrate your skills and abilities in each competence/criteria area. You may draw examples from any area of your work/life experiences.
Recruitment Process and Indicative Timetable

All applications will be acknowledged.

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<tr>
<td>Review of applications</td>
<td>The Appointments Panel will meet to consider applications, and HRConnect hope to advise week ending 18 December 2015 whether you have been selected for interview.</td>
</tr>
<tr>
<td>Interviews</td>
<td>14th, 15th and 18th January 2016</td>
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<tr>
<td>Preferred starting date</td>
<td>Spring 2016</td>
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HRConnect will issue electronically as many competition communications as possible. You should therefore check your email account to make sure that you don’t miss any important communications in relation to this competition. There may, however, still be a necessity to issue some correspondence by hard copy mail.
Feedback

The Office of the First Minister and deputy First Minister is committed to ensuring that the processes used to recruit public appointments are fair and in accordance with the principles of the Commissioner for Public Appointments (NI) Code of Practice. The Office of the First Minister and deputy First Minister is committed to providing feedback in respect of decisions taken in determining eligibility/shortlisting as well as at interview. HRConnect will forward any feedback requests to the Panel, who will be responsible for providing feedback in respect of decisions taken in determining eligibility/shortlisting as well as at interview. Feedback in respect of eligibility/shortlisting will be communicated automatically to those candidates who fail to satisfy any criteria. All requests for feedback are welcome.

Complaints

Should you wish to make a complaint about any stage of this process you should first direct your concerns to:

HRConnect, PO BOX 1089,
2nd Floor,
Metro Building,
6-9 Donegall Square South,
Belfast, BT1 9EW
recruitment@hrconnect.nigov.net
Tel: 0800 1 300 330
Fax: 028 9024 1665

If, after receiving a comprehensive response you are still concerned, you can send your complaint, in writing, to the Commissioner for Public Appointments. Information on how to go about this is available at [http://www.publicappointmentsni.org/index/our-role/making-complaint.htm](http://www.publicappointmentsni.org/index/our-role/making-complaint.htm)

THIS INFORMATION PACK DOES NOT FORM PART OF CONDITIONS OF EMPLOYMENT
ANNEX A

Probity and Conflicts of Interest: Guidance for Candidates

This guidance should be read in conjunction with the information contained in the leaflet on Complaints, Conflict of Interest and Integrity from Judena Leslie, Commissioner for Public Appointments which provides examples of the types of issues that may give rise to conflicts of interest.

Standards of behaviour

Ministers expect that the conduct of those they appoint will be above reproach.

The Seven Principles Underpinning Public Life

In 1995, the Committee on Standards in Public Life defined seven principles, which should underpin the actions of all who serve the public in any way.

These are:

Selflessness Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or other friends.

Integrity Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership Holders of public office should promote and support these principles by leadership and example.
All candidates who put themselves forward for a public appointment must be able to demonstrate their commitment to the principles and values of public service. The Commissioner’s Code of Practice states that individuals must meet the integrity principle. This is highlighted in paragraph 2.7 of the Code, which states:

“Public appointees must be people who understand, apply and are committed to the principle of integrity and will perform their duties with moral rigour and honesty without personal or corporate gain.” It is important that the candidate’s commitment to the integrity principle is tested and assessed at interview. One of the issues which might arise in relation to this is that of conflict of interest.

What is a conflict of interest?

Public Appointments require the highest standards of propriety, involving impartiality, integrity and objectivity, in relation to the stewardship of public funds and the oversight and management of all related activities. This means that any private, voluntary, charitable or political interest which might be material and relevant to the work of the body concerned, should be declared. There is always the possibility for real or perceived conflicts of interest to arise. Both are a problem, as the perceived inference of a conflict may, on occasions, be as damaging as the existence of a real conflict. No-one should use, or give the appearance of using, their public position to further their private interests. This is an area of particular importance, as it is of considerable concern to the public and receives a lot of media attention. It is important, therefore, that you consider your circumstances when applying for a public appointment and identify any potential conflicts of interest, whether real or perceived.

Surely a perceived conflict is not a problem, as long as I act impartially at all times?

The integrity of the individual is not in question here. However, it is necessary for the standing of the individual that members of the public have confidence in their independence and impartiality. Even a perceived conflict of interest on the part of an individual can be extremely damaging to the body’s reputation and it is therefore essential that these are declared and explored, in the same way as an actual conflict would be. The fact that a member acted impartially may be no defence against accusations of potential bias.

What should I do if I think I have a conflict of interest?

You will find a section on conflicts of interest in the application form for you to complete. This asks you to consider and declare whether or not you have a real, or perceived, conflict. If you are unsure if your circumstances constitute a possible conflict, you should still complete this section, in order to give the Interview Panel as much information as possible.
If I declare a conflict, does this mean I will not be considered for appointment?

No - each case is considered individually. If you are short-listed for interview, the Panel will explore with you how far the conflict might affect your ability to contribute effectively and impartially as Commissioner and how this might be handled, if you were to be appointed. For example, it may be possible to arrange for you to step out of meetings when an issue is discussed, in which you have an interest. However, if, following the discussion with you, the Panel believes that the conflict is too great and would call into question the probity of the Commissioner or the appointment, they can withdraw your application from the competition.

What happens if I do not declare a known conflict, which is then discovered by the Office of the First Minister and deputy First Minister after my appointment?

Again, each case would be considered on its merits, but the Office of the First Minister and deputy First Minister may take the view that by concealing a conflict of interest, you would be deemed to have breached the Seven Principles of Conduct Underpinning Public Life and may terminate your appointment.

What happens if I do not realise a potential conflict exists?

This situation may arise where the applicant is not familiar with the broad range of work which a body covers and therefore does not realise that a conflict might exist. In some cases, the Panel, with their wider knowledge of the body, might deduce that there is a potential conflict issue, based on the information on employment and experience provided by the candidate in the application form. They will then explore this at interview with the candidate.

What happens if a conflict of interest arises after an appointment is made?

This could arise where the person appointed as a Commissioner is unfamiliar with the range of the work of the Commissioner’s office, but after appointment, it becomes clear that a conflict exists where none had been envisaged during the appointment process. In this case, the issue should be discussed with the appropriate official from the Office of the First Minister and deputy First Minister to decide whether or not the person can continue to carry out their role as Commissioner in an appropriate manner and each case is considered individually. It may be that the conflict is such that it would be impractical for the person to continue as a Commissioner if they would have to withdraw from a considerable amount of the office of the Commissioner’s routine business. In such cases, the individual may be asked to stand down as Commissioner.
This guidance should be read in conjunction with the information contained in the leaflet “CPA NI Guidance on Conflicts of Interest, Integrity and how to raise a complaint” which provides examples of the types of issues that may give rise to conflicts of interest.
ANNEX B

Equality, Diversity and Inclusion Policy Statement

The Office of the First Minister and deputy First Minister follows the Northern Ireland Civil Service Equality, Diversity and Inclusion Policy statement which is set out below.

“The Northern Ireland Civil Service (NICS) has a strong and clear commitment to equality, diversity and inclusion. It is our policy that all eligible persons shall have equal opportunity for employment and advancement in the NICS on the basis of their ability, qualifications and aptitude for the work. Everyone has a right to equality of opportunity and to a good and harmonious working environment and atmosphere where they are treated with dignity and respect. We aim to provide opportunities for all sections of the community and continue to strive to create an inclusive working environment in which difference is recognised and valued. Bringing together people from diverse backgrounds and giving each person the opportunity to contribute their skills and experience will help us to respond more effectively to the needs of the people we serve”.

We all want to work in an harmonious workplace where we feel valued, respected and included, irrespective of gender, including gender reassignment, marital or civil partnership status, race/ethnic origin, religious belief or political opinion, disability, having or not having dependants, sexual orientation and age.

In order to provide a high quality service to the people of Northern Ireland the NICS needs to attract, recruit, develop and retain the very best people at all levels. Our approach is based on three key principles:-

Equality – we promote equality of opportunity by seeking to remove barriers, eliminating discrimination and ensuring equal opportunity and access for all groups of people.

Diversity – we accept each person as an individual. Our success is built on our ability to embrace diversity – and we believe that everyone should feel valued for their contributions. By working together we will deliver the best possible service for our staff, customers and stakeholders.

Inclusion – we create a working culture where differences are not merely accepted, but valued; where everyone has the opportunity to develop in a way that is consistent with, and adheres to NICS values of impartiality, honesty, integrity and objectivity. Our aim is to be an organisation where people feel involved, respected and connected to our success.
It is the responsibility of all staff to be aware of and to apply this policy. Both Management and Trade Union Side are fully committed to the policy and will endeavour to ensure its full implementation.

**Equal Opportunities Monitoring Form**

Equality monitoring is the process of collecting, storing and analysing information that is relevant to and necessary for the purpose of promoting equality of opportunity between different categories of persons. This section sets out what information is collected, the reasons for doing so and what it is used for.

The Monitoring Form will be processed separately and neither the form nor the details contained in it will be available to those considering your application.

**Candidates should note that filing in this form, partially or fully, is optional and for those candidates who choose to fill it in, if they do not have a UK national insurance number, this field can simply be left blank.**

Monitoring equality and diversity in the workforce enables the NICS to examine how our employment policies and processes are working and to identify areas where these appear to be impacting disproportionately on certain groups of staff.

**Legislative Context**

This section explains the reasons for gathering this information by setting out the legislative background.

**Gender**

The Sex Discrimination (NI) Order 1976 (as amended) makes it unlawful to discriminate against an individual on the grounds of his or her sex. Information on gender is also provided in the annual statutory monitoring the, as required by the Fair Employment and Treatment (NI) Order 1998. Section 75 of the Northern Ireland Act 1998 requires public authorities in carrying out their functions in NI to have due regard to the need to promote equality of opportunity between men and women generally.

**Transgender Requirements**

Should you currently be going through a phase of transition in respect of gender and wish this to be taken into consideration in confidence to enable you to attend any part of the assessment process please contact HRConnect. Details of this will only be used for this purpose and do not form any part of the selection process.
Age

The Employment Equality (Age) Regulations (NI) 2006 make it unlawful for employers and others to discriminate on grounds of age. Section 75 of the Northern Ireland Act 1998 requires public authorities in carrying out their functions in NI to have due regard to the need to promote equality of opportunity between persons of different ages and age groups.

Community Background

The Fair Employment and Treatment (NI) Order 1998 outlaws discrimination on the basis of religious belief or political opinion. The Order also requires the NICS to submit an annual monitoring return to the Equality Commission for Northern Ireland. This takes the form of a statistical return, providing information on the gender and community background composition of all people working in the NICS at the 1st January each year.

Section 75 of the Northern Ireland Act 1998 requires public authorities in carrying out their functions in NI to have due regard to the need to promote equality of opportunity between persons of different religious belief and political opinion. Following guidance issued in July 2007 by the Equality Commission for NI the NICS has decided to use “community background” information as a proxy for political opinion.

Disability

The Disability Discrimination Act 1995 (the DDA) provides protection for disabled persons against discrimination on the grounds of disability.

The DDA defines disability as a “physical or mental impairment, which has a substantial and long term adverse effect on a person’s ability to carry out normal day-to-day activities.”

This definition is interpreted as follows:

Physical Impairment: this includes, for instance, a weakening of part of the body (eyes, ears, limbs, internal organs etc) caused through illness by accident or from birth. Examples would be blindness, deafness, paralysis of a leg or heart disease.

Mental Impairment: this includes mental ill health and what is commonly known as learning disability, and social functioning.

Substantial: put simply, this means the effect of the physical or mental impairment on ability to carry out normal day to day activities is more than minor or trivial. It does not have to be a severe effect.
Long-term adverse effect: the effect has to have lasted or be likely to last overall for at least 12 months and the effect must be a detrimental one. A person with a life expectancy of less than 12 months is of course covered if the effect is likely to last for the whole of that time.

A normal day to day activity: this is something which is carried out by most people on a fairly regular and frequent basis such as washing, eating, catching a bus or turning on a television. It does not mean something so individual as playing a musical instrument to a professional standard or doing everything involved in a particular job.

What sort of effect must there be?

The person must be affected in at least one of the respects listed in the DDA: mobility; manual dexterity; physical co-ordination; continence; ability to lift, carry or otherwise move everyday objects; speech; hearing or eyesight; memory or ability to concentrate, learn or understand; ability to take part in normal social interaction and form social relationships; or perception of risk of physical danger.

What happens if the effects are reduced by medication or other treatment?

Broadly speaking, the effects that matter are those that would be present if there was no medication or treatment taking place. The exception is people who wear spectacles or contact lenses when what matters is the effect that remain while the spectacles or contact lenses are being used.

Are there any types of condition covered by special provisions in the DDA?

Yes, because some people with particular conditions might not otherwise be counted as disabled. These are provisions covering:
Recurring or fluctuating conditions such as arthritis, where the effects can sometimes be less than substantial, which are treated as continuing to have a substantial adverse effect so long as that effect is likely to recur;
Conditions which progressively deteriorate, such as motor neuron disease, which count as having a substantial effect from the first time they have any effect at all on ability to carryout normal day to day activities even if it is not substantial, so long as there is eventually likely to be a substantial adverse effect; and
People with cancer, HIV, or multiple sclerosis are deemed to be disabled people from the point of diagnosis, regardless of whether or not they have any symptoms.

Are any conditions not covered?

Yes, the following conditions specifically do not count as impairments:
Addiction to or dependency on alcohol, nicotine or any other substance (unless resulting from the substance being medically prescribed);
Seasonal allergic rhinitis (e.g. hay fever) unless it aggravates the effect of another condition;
Tendency to set fires, or steal, or physically or sexually abuse other persons;
Exhibitionism and voyeurism;
Severe disfigurements consisting of tattoos, non-medical body piercing or attachments to such piercing are not treated as having substantial adverse effects.

What if someone has recovered from a disability?

Much of the DDA also applies to people who have had a disability in the past (for example, someone who was disabled by mental ill health) but have now fully recovered. People who were registered disabled under the Disabled Persons (Employment) Act (NI) 1945 both on 12 January 1995 and 2 December 1996 will be regarded as having had a disability in the past if they do not in any case fall within the definition of the DDA.

Section 75 of the Northern Ireland Act 1998 requires public authorities in carrying out their functions in NI to have due regard to the need to promote equality of opportunity between persons with a disability and persons without.

Race

The Race Relations (NI) Order 1997 makes it unlawful to discriminate on grounds of colour, race, nationality or ethnic or national origin. Section 75 of the Northern Ireland Act 1998 requires public authorities in carrying out their functions in NI to have due regard to the need to promote equality of opportunity between persons of different racial group(s).

Sexual Orientation

The Employment Equality (Sexual Orientation) Regulations (NI) Order 2003 makes it unlawful for employers and others to discriminate on the grounds of sexual orientation. In order to monitor the effectiveness of NICS policies information is gathered on sexual orientation. Section 75 of the Northern Ireland Act 1998 requires public authorities in carrying out their functions in NI to have due regard to the need to promote equality of opportunity between persons of different sexual orientation.

Marital Status

The Sex Discrimination (NI) Order 1976 (as amended), makes it unlawful to discriminate against married persons and civil partners in employment. Section 75 of the Northern Ireland Act 1998 requires public authorities in carrying out their functions in NI to have due regard to the need to promote equality of opportunity between persons of different marital status.
Dependants Status

Section 75 of the Northern Ireland Act 1998 requires public authorities, in carrying out their functions in NI, to have due regard to the need to promote equality of opportunity between persons with dependants and persons without.

Confidentiality of Monitoring Information

The following general principles will be applied to all individual monitoring information:-

- individual monitoring information will be afforded a high degree of confidentiality;
- misuse of monitoring information will be viewed as a disciplinary offence; and
- individual monitoring information will only be disclosed to members of staff or officials of a trade union, members of which are employed in the NICS, if it is necessary to do so for the appropriate discharge of their duties and responsibilities.

In addition to the above internal safeguards on the protection of equality monitoring information generally, the confidentiality of community background monitoring information is protected through Regulations made under the Fair Employment and Treatment (Northern Ireland) Order 1998 (FETO). These make it a criminal offence, subject to specific exceptions, for an employer or employee to disclose information on the community background of an individual which has been obtained, or is used, for the purpose of monitoring under FETO.

As with other forms of personal data, the obtaining, use, storage and disclosure of monitoring information is covered by the Data Protection Act 1998 (DPA). Monitoring information is held on computer and is protected by a high level of security. Access to this data is restricted to those NICS staff, employees of HRConnect and Trade Union officials whose duties make it necessary for them to have it. Misuse of monitoring information is viewed as a disciplinary offence.
ANNEX C

Nationality

(i) ‘UK National’ means a person who is a British citizen (including persons from the Channel Islands and the Isle of Man), a British subject under Part IV of the British Nationality Act 1981 having the right of abode in the UK or a British Dependent Territories citizen acquiring his/her citizenship from connection with Gibraltar.

(ii) ‘Commonwealth Citizen’ means any person who has the status of a Commonwealth citizen under the British Nationality Act 1981, not covered by the ‘UK Nationality’ definition above. This includes British Dependent Territories citizens (other than Gibraltarians), British Overseas citizens, and from 1986 those persons in the category British National (Overseas).

(iii) ‘British Protected Person’ means a member of any class of persons declared to be British Protected Persons by Order in Council under the British Nationality Act 1981, or by virtue of the Solomon Islands Act 1978.

(iv) ‘EEA National’ means a national of one of the following countries:

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N.B. nationals from Switzerland also have the same free movement and employment rights.

‘Family member of an EEA or Swiss national’ means:

(i) That national’s spouse*; or

(ii) A direct descendant (child, grandchild etc.) of that national or his/her spouse who is under 21 years of age or is their dependent; or

(iii) A dependent relative in the ascending line (parent, grandparent etc) of the EEA national or his/her spouse.

*Note: ‘Spouse’ does not include a party to a marriage of convenience and in the case of EEA national vocational students; family members are restricted to spouses and dependent children only.

**Croatian nationals who want to work in the UK must obtain authorisation prior to commencing employment. They require a certificate of sponsorship and must also apply for an accession worker card before they can commence employment. There are no provisions for Croatian nationals to take up low-skilled work. Further guidance on nationality can be obtained at www.ind.homeoffice.gov.uk