Candidate Information Booklet

IRC87577
Department of Agriculture and Rural Development – Rivers Agency
District Foreperson – Technical Grade 1

Completed Application Forms must be returned to HRConnect no later than 12 noon (UK time) on Friday 1st July 2011
Department of Agriculture and Rural Development – Rivers Agency

A thriving and sustainable rural community and environment in Northern Ireland

Communication between HRConnect and you

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.

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BACKGROUND

ABOUT THE DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

The vision, aim and strategic goals of the Department of Agriculture and Rural Development (DARD) are:

VISION

A thriving and sustainable rural community and environment in Northern Ireland.

AIM

To put the customer first, build partnerships, value staff and be efficient, adaptable, responsive to change and focused on making a difference.

STRATEGIC GOALS OF DARD

The key goals of the DARD Strategy 2006-2011 supporting the DARD vision of a thriving and sustainable rural community in Northern Ireland are:

1. To improve performance in the market place
2. To strengthen the social and economic infrastructure of rural areas
3. To enhance animal, fish and plant health and welfare
4. To develop a more sustainable environment
5. To deliver effectively our services to customers

ABOUT RIVERS AGENCY

Rivers Agency is an Executive Agency of the Department of Agriculture and Rural Development. Rivers Agency aims to manage flood risk to facilitate the social, economic and environmental development of Northern Ireland by reducing risk to life and damage to property from flooding from rivers and the sea and by undertaking watercourse and coastal flood management in a sustainable manner.

Rivers Agency fulfils the Department’s role as the flood defence and drainage authority for Northern Ireland. It is also responsible for water level control on Lough Neagh and Lough Erne. Rivers Agency also has responsibility for the management of the Lough Erne Estate.

Rivers Agency is currently responsible for the maintenance of some 6,800 km of designated watercourses and 26 km of designated sea defences. Under current arrangements those watercourses which are considered to be of high conservation interest are maintained by Rivers Agency’s Direct Labour Organisation utilising civil engineering plant owned and maintained by the agency or hired from the private sector. Designated watercourses with lower conservation interest are generally maintained by contractors.
In recent years capital works have consisted almost exclusively of flood defence schemes to protect developed areas, the refurbishment of structurally inadequate culverts and improvement works to accommodate increased storm run-off from new developments. Of all the capital new works managed by Rivers Agency some 90% are designed and executed by the private sector.

Rivers Agency is also responsible for administering enforcement of the Drainage (Northern Ireland) Order 1973, to ensure that flood risk is not exacerbated or drainage is not adversely affected by the placing of any structure in a watercourse or by maintenance neglect on non-designated watercourses by riparian owners.

Rivers Agency Headquarters is located in Belfast, with Regional Offices in Lisburn and Omagh and Sub Offices in Craigavon, Coleraine and Ballinamallard near Enniskillen. The Agency’s Plant Unit is also located in Craigavon.

Further information about Rivers Agency can be obtained on our website at www.riversagencyni.gov.uk
JOB DESCRIPTION

There are currently 3 permanent full time posts to be filled from this competition. The successful candidates will be employees of the Department of Agriculture and Rural Development, Rivers Agency.

This competition may be used to fill further permanent vacancies at this grade with similar duties and responsibilities that may arise again within one year of the interviews.

SALARY SCALE

The salary for the post will be within the range £17,348 to £22,180 within which pay progression will be performance related. Starting salary will be at the minimum of the scale. The starting pay on appointment for existing NICS staff who are successful in open recruitment competition may be determined by either promotion or re-grading terms if these are more favourable than the recruitment terms. In cases where an existing civil servant is successful in an open competition to a lower grade, starting pay on appointment will be determined by downgrading terms.

HOLIDAYS

In addition to the usual public and privilege holidays, there is an annual leave allowance of 25 days rising to 30 days after 5 years service.

LOCATION

To enable the Agency to meet the Department’s statutory goal and its own objectives to effectively deliver services to customers, particularly in respect of response to flooding emergencies, candidates’ permanent residence must be within 35 miles travelling distance by public road of the designated centre of the District, as measured by RAC Route Planner from full postcode to full postcode via the “shortest route” selection on the website.

The successful candidate must be in a position to be on site at the normal starting and finishing times – 0800 - 1645 Monday – Thursday and 0800 – 15.20 on Friday. For the purposes of applying this condition the geographical centre for each of the posts advertised is:-

Post 1 – Rivers Agency, Lisburn Area Office – Headquarters in Lisburn, geographical centre of the district is Crossgar BT30 9DQ (the roundabout at the northern end of the village at the junction of Kilmore Road, Downpatrick Street and Killyleagh Street).

Post 2 - Armagh Area Office - Headquarters in Craigavon, geographical centre of the district is Banbridge Town Centre BT32 4AP (Crozier Monument, at Church Square).

Post 3 – Rivers Agency, Omagh Area Office – Headquarters in Omagh, geographical centre of the district is Rivers Agency Depot, Loughry College, Cookstown BT80 9AA.
Additional hours worked at the request of management attract overtime payments in accordance with the NICS Staff Handbook.

Candidates are required to indicate which post(s) they are prepared to consider. Applicants should therefore clearly specify, in Part 2 of their application form, which post(s) they wish to be considered for and should note that only one interview will be conducted. If a candidate wishes to be considered for more than one post they should write ‘yes’ in the box(es) provided. A merit list will be compiled for each individual post, any post not selected as ‘yes’ will mean a candidate will not be considered for that post. Successful candidates will be made only one offer of appointment from this competition. Successful candidates will be offered in merit order by location of posts available and considering business needs if necessary. Should a successful applicant decline an offer of appointment they will be removed from all merit lists for this competition.

WORKING HOURS

The successful candidate will be required to work 5 days each week – 08:00 – 16:45 Monday – Thursday and 08:00 – 15:20 on Friday. In addition the duties will include some evening and weekend working. You will be expected to respond to flood emergencies whenever they occur.

TRAVEL

As this post entails travel on official duty, you will be required to drive a Departmental vehicle as part of your duties and as such you must have a full current driving licence, enabling you to drive in Northern Ireland.
MEDICAL REQUIREMENTS

The successful candidate will be required to pass a Working in Confined Spaces medical Category A and B and a Drivers medical prior to an appointment being offered

FURTHER INFORMATION

Candidates wishing to learn more about the posts before deciding to apply may telephone the following persons Neil Jenkinson on 028 38399138 regarding this post.

If you have any queries about the competition process you should contact HRConnect on 0800 1 300 330 or email recruitment@hrconnect.nigov.net
PERSON SPECIFICATION

KEY RESPONSIBILITIES

District Forepersons have responsibility for the supervision of the day-to-day work of industrial staff and contractors on projects assigned to them and receive instructions on the execution of works from the Area Foreperson and/or Area Engineering staff. They are responsible to the Area Foreperson/Area Engineering staff for the provision of routine records and reports, also consulting with the Area Foreperson/Area Engineer on matters relating to discipline, standards, methods of work and health and safety. The use of Information Technology is a key element of this work.

The main duties of the posts are:-

1. Deploying labour, materials and plant in their district in accordance with the work programmes and instructions agreed with their Line Manager.

2. Supervising the resources under their control to ensure high standards of workmanship, performance and conduct

3. Collecting and verifying timesheets, plant and vehicle logs and other documents.

4. Applicants are required to drive Departmental vehicles on a daily basis to carry out their roles and responsibilities.

5. Monitoring performance of Contractors engaged by the Agency; as required by line management.

6. Completion of daily diary and standard report forms indicating progress on new work/schemes, and maintenance works etc. using information technology as appropriate.

7. Arranging the timely ordering and supply of materials to ensure effective progression of the project.

8. Notifying landowners and service authorities in advance of works commencing and liaising with them during the progress of work.

9. Assessing the requirements for tools, equipment, protective clothing and welfare facilities for appropriate routine tasks and arranging for their provision.

10. Ensuring that industrial employees under their supervision are aware of, and comply with the requirements of the Agency’s Health and Safety at Work Policy and as far as reasonably practicable to ensure safe working practices and compliance with Health and Safety legislation and regulations. This will include carrying out risk assessments and tool-box talks on a site by site basis.

11. Investigating and reporting on complaints received as directed.

12. Inspecting, assessing and reporting on the condition of flood defences, recreation sites, designated culverts, open watercourses and other Rivers Agency maintained assets within their District. Work in relation to culverts would require occasional entry into confined spaces. Candidates will be
required to undergo a medical to ensure fitness for confined space working and pass the necessary training.

13. Participating in the on-call rota and assisting with the Agency’s flooding emergency response including working outside normal working hours.
ELIGIBILITY CRITERIA

Knowledge, Skills and Experience Required:

Applicants must demonstrate that by the closing date for applications they meet the following criteria:

1. (a) Possess an ONC/D or BTEC National Certificate/Diploma in Civil Engineering or Building Studies, or subject closely related to Civil Engineering or Construction;
   
   and

   Have at least 2 years’ relevant post qualification experience in the supervision of construction in the Civil Engineering or Building Industry.

OR

(b) Possess a City and Guild Advance Craft qualification in a subject directly related to Civil Engineering, Construction or Building;

   and

   Have at least 4 years’ relevant post qualification experience in the supervision of construction in the Civil Engineering or Building Industry.

OR

(c) Have an aggregate of at least 6 years’ experience in civil engineering or construction in connection with river drainage and similar works,

   and

   Have at least 2 years experience of supervising operations and working as part of a team in a civil engineering construction context; including responsibility for health and safety, efficient deployment of construction plant, equipment and materials and maintaining appropriate works records.

AND

2. Hold a full and current driving licence enabling the jobholder to drive in Northern Ireland.

AND

3. Must reside within 35 miles travelling distance by public road of the designated centre of the district, as measured by RAC Route Planner from full postcode to full postcode via the “shortest route” selection on the website. This is to enable the Agency to meet the Department’s statutory goal and its own objectives to effectively deliver services to customers, particularly in respect of response to flooding emergencies.
Relevant or equivalent qualifications
Applications will also be considered from applicants with relevant formal qualifications considered by DARD to be of an equivalent or higher standard to those stated. Where applicants have applied under the equivalent category or under a closely related subject category they must provide the necessary evidence in their application form. Such evidence should define the qualification and list the modules taken.

Relevant or equivalent qualifications: give the type of qualification and date awarded (the date awarded is the date on which you were notified of your result by the official awarding body). If you believe your qualification is equivalent to the one required, the onus is on you to provide the panel with details of modules studied etc so that a well-informed decision can be made.

SHORTLISTING CRITERIA

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 criteria will be used in order listed:

At least 2 years in the last 5 of the following:

1. Supervision construction operations on site including pipe laying and reinforced concrete works and also maintaining appropriate works records.

2. Application of Health and Safety legislation and regulations relevant to the civil engineering/building industry.

3. Application of environmentally sensitive working practices.
Please note:

- You should ensure that you provide evidence of your experience in your application form, giving length of experience, examples and dates as required.
- It is not sufficient to simply list your duties and responsibilities.
- The Department will not make assumptions from the title of the applicant’s post or the nature of the organisation as to the skills and experience gained.
- If you do not provide sufficient detail, including the appropriate dates needed to meet the eligibility criteria, the selection panel will reject your application.
- ONLY the details provided by you in your application form (the employment history and eligibility criteria) will be provided to the selection panel for the purpose of determining your eligibility for the post.
- The Department may decide to interview only those applicants who appear, from the information available, to be most suitable in terms of relevant experience and ability.
- Further information on the Core Competences for this grade can be accessed through www.nicsrecruitment.gov.uk
CORE COMPETENCES

The Core Competence Framework, which is grade specific, describes what people need to do in order to be effective at work. It is not enough to just have the knowledge and skills to do our jobs. Competence is about what people actually do, it is about how you apply or demonstrate the knowledge and skills whilst carrying out your tasks. Demonstrated competence is observable and measurable.

The District Area Foreperson (Technical Grade 1) is analogous to AO grade in the NICS. Further information on the Core Competences for this grade can be accessed through www.nicsrecruitment.gov.uk.

INTERVIEW CRITERIA

In addition to satisfying the eligibility criteria and shortlisting criteria applicants will also be expected to display the following qualities and skills at interview:

1. **Professional / Specialist / Technical Knowledge and Skills**
   Knowledge and experience of civil engineering construction, particularly in relation to drainage work; including the use of civil engineering plant. Knowledge of Health and Safety legislation and regulations relevant to the civil engineering/building industry.

2. **Services**
   Delivers services to meet required standards of quality. Plans and organises workload to meet standards and deadlines. Identifies and responds to customer needs and problems.

3. **Resources**
   Contributes to the planning, organising and supervising of labour, plant and materials. Plans and uses resources effectively and efficiently to meet objectives.

4. **People**
   Contributes to the development of teams and individuals to improve performance. The ability to supervise staff and contractors and to liaise with members of the public.

5. **Information and Communication**
   Effective oral and written communication skills, including interpersonal and ICT skills.
COMPETENCE BASED INTERVIEWS

Selection panels will design questions to test the applicant’s knowledge and experience in each of the above areas and award marks accordingly.

INTERVIEWS

It is intended that interviews for this post will take place in Craigavon during September.

INTERVIEW GUIDANCE FOR APPLICANTS

If this is your first experience of a 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 the question is designed to test.

A competence-based interview does however require you to:

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

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. You should therefore come to the interview prepared to discuss in detail a range of examples which best illustrate your skills and abilities in each competence area. You may draw examples from any area of your work / life experiences.
**SELECTION PROCESS**

**The Merit Principle**

In accordance with the Office of the Civil Service Commissioners’ Recruitment Code, appointments to the NICS are made under the ‘merit principle’, where the best person for any given post is selected in fair and open competition.

Further information on the Civil Service Commissioners can be found at [www.nicscommissioners.org](http://www.nicscommissioners.org).

**Making your application:**

The application form is designed to ensure that applicants provide the necessary information to determine how they meet the competition requirements and the eligibility/shortlisting criteria.

**Guidance for Applicants**

- The space available on the application form is the same for all applicants and must not be altered.
- We will not accept CVs, letters, additional pages or any other supplementary material in place of or in addition to completed application forms, unless it is specifically requested in the application form and candidate information booklet, eg an organisational chart.
- Should an organisational chart be required this must be submitted to HRConnect by the closing date for applications.
- Applicants must complete the application form in either typescript font size 12, or legible, block capitals using black ink.
- Applicants must not reformat application forms.
- Information in support of your application will not be accepted after the closing date for receipt of applications.
- HRConnect will not examine applications until after the closing deadline;
- Do not use acronyms, complex technical detail etc. Write for the reader who may not know your employer, your branch or your job.
- Write down clearly your personal involvement in any experience you quote. Write “I” statements e.g. I planned meetings, I managed a budget, I prepared a presentation. It is how you actually carried out a piece of work that the panel will be interested in.
- The examples you provide should be concise and relevant to the criteria. This is very important as the examples which you provide may be checked out at interview and you may need to be prepared to talk about these in detail if you are invited to interview. It is your unique role the panel are interested in, not that of your team or division.
Application Form Submission

- Please refer to the Candidate Information Booklet before completing an application.
- All parts of the application form must be completed by the applicant before this application can be considered. Failure to do so may result in disqualification.
- All applications must be received by the advertised closing date. Late applications or applications received by fax will not be accepted. Applicants using Royal Mail should note that 1st class mail does not guarantee next day delivery. It is also the responsibility of the applicant to ensure that sufficient postage has been paid to return the form to HRConnect. HRConnect will not accept any application where they are asked to pay any shortfall in postage.
- Only sections 2 and 3 will be made available to shortlisting and interview panels.
- Applicants are encouraged to submit online applications wherever possible. However, all requests for hard copy application packs are welcomed and all applications will be treated equally regardless of whether they are hard copy or online.
- When completing the online application, your information is saved as you move through the pages. You may leave the application at any time, providing you have clicked on the 'Save & Continue' button. Once your application has been submitted the option to edit will no longer be available.
- Please note - the session timeout for the online application is 40 minutes, if you do not save or change page within this time you will automatically be logged out.
- Please do not attempt to reformat application forms as this will result in disqualification.

Changes in personal circumstances

Please ensure HRConnect are informed immediately of any changes in personal circumstances.

Communication between HRConnect and you

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.

Further appointments from this competition

Where a further position in the NICS/NIO is identified which is considered broadly similar to that outlined in this candidate information booklet, consideration will be given to filling the position from this competition. The merit list resulting from this competition will be valid for a period of up to one year.
Disability Requirements

We will ask on the application form if you require any reasonable adjustments, due to disability, to enable you to attend any part of the assessment process. Details of any disability are only used for this purpose and do not form any part of the selection process. If you have indicated on your application that you have a disability and are successful in the selection process and are being considered for appointment, you may be required to outline any adjustments you consider necessary in order for you to take up an appointment. If you wish to discuss your disability requirements further, please contact HRConnect.

Equal Opportunity Monitoring Form

Please note, this form is regarded as part of your application and failure to complete and return it will result in disqualification.

For guidance on completing the Monitoring Form and to read the NICS Equal Opportunities Policy Statement please refer to page 22.

As Protestants and women are currently known to be under represented in this occupational group across the NICS, applications from Protestants and women would be particularly welcome. All applications for employment are considered strictly on the basis of merit.

Assessment Information

It is HRConnect policy that all candidates invited to attend for assessment bring sufficient documentation to satisfy the eligibility/shortlisting criteria and the Nationality and Vetting requirements. Further details regarding acceptable documentation will be issued with an invitation to attend for assessment.

You should ensure that these documents are readily available.

Nationality Requirements

HRConnect must ensure that you are legally entitled to work in the United Kingdom. The District Area Foreperson – Technical Grade 1 posts are 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 A.

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

**Vetting Procedures**

1. Baseline Personnel Security Standard

For District Area Foreperson – Technical Grade 1 posts in the NICS the level of vetting is a Baseline Standard. For this check you will be required to provide the following:

   a) Your passport **OR**
   b) A document verifying your permanent National Insurance number (e.g. P45, P60 or National Insurance card) **AND** your birth certificate which includes the names of your parents (long version).
   c) Other acceptable documents are listed on www.ind.homeoffice.gov.uk.
   d) A specimen signature at any assessment event and have this validated against passport, driving licence, application form etc.

We will organise a Criminal Record Check on all applicants to be carried out by AccessNI. The category of AccessNI check required for this post is;

**Basic Disclosure Certificate**

You should not put off applying for a post because you have a conviction. We deal with all criminal record information in a confidential manner, and information relating to convictions is destroyed after a decision is made.

**PLEASE NOTE:** It is a criminal offence for anyone who is included on a barred list to work or seek work, in regulated activity. Individuals who are barred may be able to work in controlled activity. >>

For more information, the address of the AccessNI website is: http://www.accessni.gov.uk/. Those applicants who are being considered for appointment will be contacted by HRConnect, normally after interview/test, and will be asked to complete the AccessNI application form. This can be downloaded from the AccessNI website. Guidance notes of the completion of the form are also included on the website. Please note that a request to complete this form should not be seen as a guarantee of an offer of appointment. Failure to complete the above form and return it within the specified time will be regarded as ‘no longer interested in the position’ and your application will be withdrawn.

Criminal Record information is subject to the provisions of the Rehabilitation of Offenders (NI) Order 1978.
Order of Merit

The selection panel will assess candidates against the interview criteria. Those candidates who meet the required standard(s) and pass mark will be deemed suitable for appointment. The selection panel will then list those suitable for appointment in order of merit with the highest scoring applicant ranked first. HRConnect will allocate a candidate (or candidates) to a vacancy (or vacancies) in the order listed. The order of merit is valid for one year.
GENERAL INFORMATION

Pensions:

New entrants who join the Northern Ireland Civil Service (NICS) are eligible to join the NICS pension scheme, the (PCSPS (NI)] – NUVOS arrangement. Pension is an important part of the reward package for civil servants and, on average, employers pay more than 18% of pay towards pension costs. As well as providing you with an easy and secure way to help you provide for your retirement, the PCSPS (NI) also provides dependants and ill health benefits.

We offer all new employees the choice of either:

- Nuvos - a high quality, index-linked defined benefit pension scheme that currently has a 3.5% member contribution rate. Your employing Department also makes contributions; or

- Partnership in a stakeholder type money purchase arrangement with an employer contribution. The employer basic contribution is based on your age, and this is paid regardless of whether you choose to contribute. You do not have to contribute if you do not wish to, but if you do your employing Department will match your contributions up to an additional 3% of pay. Your employing Department will also pay a further contribution, of 0.8% of pay, to the PCSPS (NI) to cover you for Death in Service benefits.

If you previously worked for an employer covered by the PCSPS (NI) arrangements, different conditions may apply. If you already have a PCSPS (NI) pension in payment, you should be aware that the pension scheme rules prevent members from receiving more by way of pay and pension combined on re-employment than they were earning as salary before they retired. This is called “abatement”. If you want to know more about how this may affect you, please contact Civil Service Pensions at:

Waterside House,
75 Duke Street,
Londonderry,
BT47 6FP;
Tel: 028 7131 9000;
Email: cspensions.cpg@dfpni.gov.uk

If you left the NICS with an early retirement, severance or redundancy package then your existing benefits may be affected if you accept this post. If your service was enhanced (increased) when you left then you will not be able to build up benefits in the defined benefit scheme during the period that is covered by the enhancement included in your existing benefits. If you opt to join the Partnership arrangement, employer contributions will not be payable for this enhancement period but you will be able to contribute if you wish. If you are receiving a pension or annual compensation payment then this may be reduced during your re-employment. If you received a top-up payment...
under the early severance temporary arrangements then your pay may be reduced during your re-employment. If you want to know more about this, please contact Civil Service Pensions.

You may be able to transfer a pension with your current or a previous employer into the PCSPS (NI). Information on Transfers In can be found in the New Entrant Pack which you should receive on taking up employment.

Feedback

The Northern Ireland Civil Service is committed to ensuring that the processes used to recruit and select staff are fair and in accordance with the principles of the Civil Service Commissioners Code. We are consequently committed to 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.

THIS INFORMATION PACK DOES NOT FORM PART OF CONDITIONS OF EMPLOYMENT

Please return completed form to:

HRConnect Recruitment Team

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

Email: Recruitment@HRConnect.nigov.net

Tel: 0800 1 300 330
Fax: 028 9024 1665
EQUAL OPPORTUNITIES

Policy Statement

The Northern Ireland Civil Service Equal Opportunities Policy statement is set out below.

“The Northern Ireland Civil Service (NICS) is committed to providing equality of opportunity. 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 in which all workers are encouraged to apply their diverse talents and in which no worker feels under threat or intimidated. This right is protected in many instances by legislation.

In order to provide a high quality service to the people of Northern Ireland the NICS needs to recruit, retain and promote the best available people. Our equal opportunities policy is central to this strategy. We aim to foster a culture which encourages every member of staff to develop his or her full potential and which rewards achievement. Creating a working environment where individual differences are valued and respected enables all staff to give of their best and helps us to respond more effectively to the needs of the people we serve.

The NICS seeks to maintain the confidence of the whole community. It will continue to promote equality of opportunity and fair participation within the framework of the law and will strive to achieve a workforce that is broadly representative of the society which it serves.

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

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.

You should note that the Monitoring Form is regarded as part of your application and failure to fully complete and return it will result in disqualification. 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.
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 necessary to enable the completion of the annual statutory monitoring return, 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.

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 age.

Community Background
The Fair Employment and Treatment (NI) Order 1998 outlaws discrimination on the basis of religious belief or political opinion. The information requested in the Community Background section of the monitoring form is required in connection with the requirements of the above Order and to enable the completion of the annual statutory monitoring return to the Equality Commission for NI.

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
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. 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.

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; 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 carry out 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.

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.

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 & Dependants
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 and between persons with dependants and persons without.

Use of Monitoring Information
Monitoring information is used to enable the NICS to assess the effectiveness of its EO policies and to determine the impact (if any) of various policies and procedures on different categories of staff. In addition to this internal focus community background and gender information on both staff and applicants is used to complete the annual statutory monitoring return to the Equality Commission.
Confidentiality of Monitoring Information
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.

The confidentiality of community background information is also protected through regulations made under the Fair Employment and Treatment (NI) 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 used for the purposes of monitoring under FETO.

The release of an individual's monitoring information is permitted by legislation as part of prospective or actual proceedings under equality legislation, e.g. where another individual has made a complaint of alleged discrimination.

Many people from all backgrounds in Northern Ireland and beyond are interested in the profile of the NICS workforce and the candidates who apply for jobs. For this reason the NICS regularly publishes data in the form of statistical summaries, graphs etc. On occasions it may also be necessary to use monitoring information to answer questions from Assembly Members, MPs and MEPs or to respond to requests for information under the Freedom of Information Act. In all cases where information is made public, the format of presentation will be such that it will not be possible to identify any individual's information.
ANNEX A

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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<tr>
<th>Austria</th>
<th>France</th>
<th>Liechtenstein</th>
<th>**Romania</th>
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<td>Belgium</td>
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<td>Lithuania</td>
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<td><strong>Bulgaria</strong></td>
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<td>Cyprus</td>
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<td>Finland</td>
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<td>Portugal</td>
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N.B. nationals from Switzerland also have the same free movement and employment rights.

‘Family member of an EEA 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.

**Non-exempt Bulgarian and Romanian nationals are required to be registered under the Worker Authorisation Scheme prior to appointment. Guidance on this can be obtained from the Home Office website www.ind.homeoffice.gov.uk.
ANNEX B

CIVIL SERVICE COMMISSIONERS

WHO ARE WE?

Brenda McLaughlin, CBE (Chairperson)
Ruth Laird
Tony Hopkins, CBE
Vilma Patterson, MBE
Dr Raymond Mullan, OBE
Marian Matchett, CBE

LOCATION

Our Office is in Windsor House.
The full address is:

5th Floor
Windsor House
Bedford Street
Belfast
BT2 7SR

OPENING HOURS

The Office is open from 9.00am to 5.00pm,
Monday to Friday, except Public and Bank Holidays.

How to contact us

- write to us at the address at the top of the page
- telephone us on 028 9054 9151
- fax us at 028 9054 9414
- visit us at www.nicscommissioners.org
Annex B  
CIVIL SERVICE COMMISSIONERS

WHAT ARE WE HERE TO DO?

Civil Service Commissioners are appointed by the Crown to uphold the principle that selection for appointment to posts in the Civil Service should be on merit on the basis of fair and open competition.

WHERE DO WE GET OUR AUTHORITY FROM?

Commissioners derived their responsibilities from prerogative Orders made by the Secretary of State. Our authority currently derives from the Civil Service Commissioners (NI) Order 1999.

HOW DO WE DO IT?

We do it by:

- making General Regulations.

- publishing and maintaining a Recruitment Code setting out the essential principles and procedures on which recruitment to the Northern Ireland Civil Service must be based. Departments and Agencies must follow this Code. A copy is available online at: [www.nicscommissioners.org](http://www.nicscommissioners.org)

- it is inevitable that occasions will arise when special circumstances lead to Departments needing to depart from the Merit Principle. The Commissioners have set out the circumstances in which they are prepared to look at requests to depart from the Merit Principle. These ‘exceptions’ must be notified to, and in some instances approved by, the Commissioners before an appointment can be made.

- auditing recruitment policies and practices followed by Departments and Agencies in making appointment to the Northern Ireland Civil Service. Each year, the Commissioners decide on a particular aspect of recruitment to examine in detail (an audit) and request management consultants to carry out independent investigations on their behalf. The results of these audits are published in the Commissioners’ Annual Report.

- requiring Departments and Agencies to publish information about their recruitment activity.
• approving procedures for appointment, through open competition, to the Senior Civil Service in Northern Ireland.

• hearing and determining appeals under the Northern Ireland Civil Service Code of Ethics. Under the Civil Service Commissioners (NI) Order 1999, we have been assigned the role of providing an independent appeals mechanism for Northern Ireland civil servants. The Code of Ethics sets out the constitutional framework within which civil servants work and the values they are expected to uphold. Details of the number and nature of the appeals received by the Commissioners are published each year in our Annual Report.

WHAT CAN WE DO FOR YOU?

If you have ever applied for a post in the Northern Ireland Civil Service, you can be assured that, whether or not you were successful, the Department or Agency was obliged to make that appointment in accordance with directions for good practice set out by the Commissioners.

We are concerned that civil servants are not fully aware of the appeals mechanism under the Code of Ethics. We would strongly encourage any civil servant who believes that he or she has been asked to act in a way which

• is illegal, improper or unethical;
• is in breach of constitutional convention or a professional code;
• may involve a possible maladministration; or
• is otherwise inconsistent with the Code

to report the matter in accordance with procedures laid down in the Northern Ireland Civil Service Pay and Conditions Code or Departmental guidance.

Where the matter has been reported in the appropriate manner and a civil servant believes the response does not represent a reasonable response to his or her concerns, s/he may report the matter in writing to the Civil Service Commissioners.