

Candidate Information Booklet

Campaign code:	MHCEX08
Role title:	Head of Mental Health Tribunals
Grade:	Assistant Principal Officer
Contract type:	Permanent Full Time



Contents

CONTENTS.....	2
THE POSITION.....	3
HOW TO APPLY.....	6
CONDITIONS OF SERVICE.....	8
GENERAL INFORMATION.....	11

The Position

Introduction:	The Mental Health Commission (“the MHC”) wishes to fill the role of Head of Mental Health Tribunals
Grade:	Assistant Principal Officer
Specialist Positions:	Head of Mental Health Tribunals
Office:	Mental Health Commission
Location:	Mental Health Commission, Waterloo Exchange, Waterloo Road. Staff at MHC may also apply for a blended working arrangement.
Organisation Website:	www.mhcirl.ie

The MHC is an independent statutory body established in April 2002 under the provisions of the Mental Health Act 2001 (“the 2001 Act”). The principal functions of the MHC, as specified in the 2001 Act, are to promote, encourage and foster the establishment and maintenance of high standards and good practices in the delivery of mental health services and to take all reasonable steps to protect the interests of persons detained in approved centres. The MHC is also empowered to undertake such activities, as it deems appropriate to foster and promote these standards and practices.

The remit of the MHC was extended by the Assisted Decision-Making (Capacity) Act 2015 (“the 2015 Act”) which provides for the establishment of the Decision Support Service (“the DSS”). The DSS commenced in 2023 and provides for a new legal framework that reforms the law in relation to the treatment of people who require or who may shortly require assistance in exercising their decision- making capacity.

The Role

The MHC is seeking to recruit an Assistant Principal to lead the Mental Health Tribunals team on all matters pertaining to the functions and operation of the Mental Health Tribunals (MHT) team

The Head of Mental Health Tribunals shall manage a team of 12 / 14 people, shall report to General Counsel and shall be responsible for the completion of the Tribunal team’s Business Plan and ensure alignment with the MHC’s strategic objectives.

The successful candidate will also be part of the team working on the implementation of all the changes which will arise from the new Mental Health Bill.

The Head of Mental Health Tribunals shall be required to engage with external stakeholders to include those receiving mental health services, all the MHC Panel members, sector experts, government stakeholders and staffing representatives with regards to various aspects of the Mental Health Tribunal work and wider mental health services.

Key Responsibilities

The key responsibilities of the Head of Mental Health Tribunals are those as set out in the annual Business Plan. The key duties and responsibilities include -

1. Mental Health Tribunals - Administer MHTs to ensure compliance with the statutory deadlines under the Mental Health Acts 2001-2018 and team targets.
2. Statistics - Collate, validate and publish Mental Health Tribunals Audited Data and provide anonymised data to Regulatory Team for Risk Profiles.
3. Review, update and publish any relevant literature / documentation relating to MHT functions / activities.
4. Quality Improvement Audits.
5. Training for internal, panel members and external parties to discuss issues, to share knowledge, understanding and address issues in a collaborative setting with the MHC providing information and guidance.
6. Policy Review and Statutory Forms Review.
7. MHT Decisions Audits.
8. Ensure that all relevant planning is undertaken in relation to the impact of changes to the MHT process arising from the amendments of the Mental Health Acts.
9. Develop, publish, and distribute literature for service-users and other relevant stakeholders on involuntary admission and MHTs, plus provision of information in other languages.
10. Patient Survey on Mental Health Tribunals.

This list is not exhaustive but serves to reflect the nature of the duties included in the role. Given the nature of the organisation and the need to respond to change on an ongoing basis, the role is subject to change over time.

Reporting and Working Relationships

The Head of Mental Health Tribunals is accountable to the Chief Executive of the MHC and reports directly to the General Counsel.

Essential Requirements

- The ideal candidate must possess, by the closing date, the following: educated to Honors Bachelor's degree level (NFQ Level 8 on the Irish National Framework of Qualifications).
- Minimum 3 years' senior experience in a similar role managing and delivering a programme of work annually in health, mental health or social care services.
- Knowledge and experience in the development and application of relevant health, mental health or social care standards, patient/resident quality improvement initiatives and patient safety methodologies.
- Demonstrated project management skills and the ability to manage multiple projects simultaneously.
- Ability to lead, manage and motivate a team of professional staff.
- The requisite competencies to carry out the role outlined below

Applicants for the post of should have an understanding of the work of the MHC and experience which demonstrates the required skills for the role.

Desirable Requirements

- Relevant qualification in Public Administration, Social Policy, Mental Health, Health and Social Care or a Legal discipline.
- An understanding of working with and applying risk management frameworks to complex information.
- Knowledge of international best practice in quality and patient safety.

Competencies

The person appointed to the role of Head of Mental Health Tribunals will be required to show evidence of the following competencies:

Leadership

- Actively contributes to the development of the strategies and policies of the MHC.
- Brings a focus and drive to building and sustaining high levels of performance, addressing any performance issues as they arise
- Leads and maximises the contribution of the team as a whole
- Considers the effectiveness of outcomes in terms of the wider rather than own immediate area
- Clearly defines objectives/ goals & delegates effectively, encouraging ownership and responsibility for tasks
- Develops capability of others through feedback, coaching & creating opportunities for skills development
- Identifies and takes opportunities to exploit new and innovative service delivery channels

Management and Delivery of Results

- Takes responsibility for challenging tasks and delivers on time and to a high standard
- Plans and prioritises work in terms of importance, timescales and other resource constraints, re-prioritising in light of changing circumstances
- Ensures quality and efficient customer service is central to the work of the division
- Looks critically at issues to see how things can be done better
- Is open to new ideas initiatives and creative solutions to problems
- Ensures controls and performance measures are in place to deliver efficient and high value services
- Effectively manages multiple projects

Analysis and Decision Making

- Research issues thoroughly, consulting appropriately to gather all information needed on an issue
- Understands complex issues quickly, accurately absorbing and evaluating data (including numerical data)

- Integrates diverse strands of information, identifying inter-relationships and linkages
- Makes clear, timely and well-grounded decisions on important issues
- Considers the wider implications of decisions on a range of stakeholders
- Takes a firm position on issues s/he considers important

Interpersonal and Communication Skills

- Presents information in a confident, logical and convincing manner, verbally and in writing
- Encourages open and constructive discussions around work issues
- Promotes teamwork within the section, but also works effectively on projects across Departments/ Sectors
- Maintains poise and control when working to influence others
- Instils a strong focus on Customer Service in his/her area
- Develops and maintains a network of contacts to facilitate problem solving or information sharing
- Engages effectively with a range of stakeholders, including members of the public, Public Service Colleagues and the political system

Specialist Knowledge

- Has a clear understanding of the roles objectives and targets of self and the team and how they fit into the work of the unit and Department/ Organisation
- Has a breadth and depth of knowledge of Department and Governmental issues and is sensitive to wider political and organisational priorities
- Is considered an expert by stakeholders in own field/ area
- Is focused on self-development, seeking feedback and opportunities for growth to help carry out the specific requirements of the role

Drive & Commitment to Public Service Values

- Is self-motivated and shows a desire to continuously perform at a high level
- Is personally honest and trustworthy and can be relied upon
- Ensures the citizen is at the heart of all services provided
- Through leading by example, fosters the highest standards of ethics and integrity

How to Apply

Eligibility to Compete

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

- a) A citizen of the European Economic Area. The EEA consists of the Member States of the European Union, Iceland, Liechtenstein and Norway; or
- b) A citizen of the United Kingdom (UK); or
- c) A citizen of Switzerland pursuant to the agreement between the EU and Switzerland on the free movement of persons; or
- d) A non-EEA citizen who is a spouse or child of an EEA or Swiss citizen and has a stamp 4 visa; or

- e) A person awarded international protection under the International Protection Act 2015 or any family member entitled to remain in the State as a result of family reunification and has a stamp 4 visa; or
- f) A non-EEA citizen who is a parent of a dependent child who is a citizen of, and resident in, an EEA member state or Switzerland and has a stamp 4 visa.

Selection Process

The selection process will include:

- Shortlisting of applications,
- A competitive interview, and
- Completion of all relevant checks as set out below

Additional selection steps may be included.

A selection board shall be established and shall use the essential requirements as referred to earlier in this candidate information booklet to shortlist candidates. Scoring at the shortlisting stage shall be based on the information contained in the application form. Therefore, it is in your interest to provide a detailed and accurate account of how your skills, personal qualities, qualifications, and experience meet the requirements of the post. While candidates may meet the eligibility criteria of the competition, if the numbers applying for the post are such that it would not be practical to progress all candidates to the next stage of the selection, which is the interview process, the MHC may decide that a certain number of candidates shall only be progressed to the next stage. Candidates will be progressed through the various stages of the selection process based on their order of merit at each stage.

Following the interview stage, the MHC may produce a panel of candidates listed in order of merit. This panel may also be used to fill future temporary posts. Not all those interviewed may be placed on the panel.

Prior to recommending any candidate for appointment to a position, the HR team complete all relevant checks. Until all stages of the recruitment process have been fully completed a final determination cannot be made nor can it be deemed or inferred that such a determination has been made.

Should the person recommended for appointment decline or having accepted it, relinquish it, the MHC may at its discretion, select and recommend the next person on the panel for appointment and this will be based on the results of this selection process.

The MHC is not obliged to appoint any candidate arising from this competition.

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

- Reference verification,
- Qualification verification,
- Medical Assessment, and
- Garda Vetting – where applicable.

At the reference verification stage, please note that referees sought will include your current employer and your next most recent employer.

Closing Date

The recruitment process is being managed by the HR Team at Osborne Recruitment. Applicants must submit their completed application form to **MHC@Osborne.ie**

Deadline for application: **5.00 pm, Thursday, 26 September 2024.**

Applications will not be accepted after the closing date and time. Late applications will be ineligible for consideration. Therefore, it is your responsibility to ensure that you have allowed sufficient transmission time of your application. Applicants must ensure they retain a copy of the email submitted to **MHC@osborne.ie** including the date and time in case of any queries.

An acknowledgement email will be issued in respect of all applications received (this email will acknowledge receipt, and it will not confirm eligibility or otherwise). If an applicant does not receive an acknowledgement email within 2 working days of the date of submission, the applicant should contact **MHC@osborne.ie** to ensure the application has been received.

Conditions of Service

Contract Arrangements

A permanent, full-time contract of employment with the Commission will be offered to the candidate on terms and conditions determined by the Mental Health Commission, with the consent of the Minister for Health and the Minister for Public Expenditure, NPD Delivery and Reform.

Salary

The Assistant Principal Officer salary scale (rates effective 1 June 2024) is as follows:

€78,303 ♦ €81,187 ♦ €84,111 ♦ €87,044 ♦ €89,973 ♦ €91,662 ♦ €94,617^{1*} ♦ €97,583^{2**}

**LSI 1 after 3 years satisfactory service at the maximum.*

***LSI 2 after 6 years satisfactory service at the maximum.*

Candidates should note that entry will be at the minimum point of the scale and will not be subject to negotiation and the rate of remuneration may be adjusted from time to time in line with Government pay policy.

This rate will apply where the appointee is an existing civil or public servant appointed on or after 6 April 1995 or is newly recruited to the MHC and is required to make a personal pension contribution.

Different terms and conditions may apply if immediately before appointment you are a current serving civil/public servant.

Note: Salary for the purposes of calculation of superannuation benefits may differ from the above depending on individual circumstances.

Payment Arrangements

Payment will be made fortnightly in arrears by Electronic Fund Transfer (EFT) into a bank account of the successful candidate's choice. Payment cannot be made until a bank account number, and bank sort code has been supplied to the MHC. Statutory deductions from salary will be made as appropriate.

A staff member appointed to this post will agree that any overpayment of salary or travel and subsistence may be deducted from future salary payments due in accordance with the Payment of Wages Act 1991 (as amended). In accordance with that Act, the MHC will advise the staff member in writing of the amount and details of such overpayment and give at least one week's notice of the deduction to take place and will deduct the overpayment, at an amount that is fair and reasonable having regard to all the circumstances, within six months of such notice in accordance with the Act.

Tenure

The appointment will be based on a permanent contract of employment with the MHC.

The probationary period will be for a period of nine months from the date of appointment. Notwithstanding this paragraph and the paragraph immediately following below, this will not preclude an extension of the probationary period in appropriate circumstances.

During the probationary period, a staff member's performance will be subject to review by the line manager to determine whether the staff member:

- (i) has performed in a satisfactory manner; and
- (ii) has been satisfactory in general conduct.

Prior to completion of the probationary period a decision will be made as to whether the staff member will be retained. This decision will be based on the staff member's performance assessed against the criteria set out in (i) and (ii) above. The detail of the probationary process will be explained to the staff member by the MHC on commencement of employment.

Notwithstanding the preceding paragraphs in this section, the probationary period may be terminated at any time prior to the expiry of the term of the contract by either side in accordance with the Minimum Notice and Terms of Employment Acts 1973 to 2005.

Location

The usual place of work for this role will be MHC, Waterloo Exchange, Waterloo Road, D04 E5W7. The MHC reserves the right, at its discretion, to change this location to any other place within Ireland.

Staff at the MHC can apply for a blended working arrangement as per the MHC Blended Working Policy.

Hours of Attendance

Hours of attendance will be fixed from time to time but will amount, on average, to not less than 40 hours gross of rest breaks or 35 hours net of rest breaks per week.

The successful candidate will be required to work such additional hours from time to time as may be reasonable and necessary for the proper performance of his/her duties, subject to the limits set down in the working time regulations. This may include working evenings and weekends. The rate of remuneration payable covers any extra attendance liability that may arise from time to time.

Outside Employment: The position will be full-time, and the appointee shall not engage in private practice or be connected with any outside business which conflicts in any way with his/her official duties, impairs performance or compromises his/her integrity.

Annual Leave

The annual leave allowance for the position of Assistant Principal Officer will be 30 days per annum. This allowance is subject to the usual conditions regarding the granting of annual leave in the public sector, is based on a five-day week and is exclusive of the usual public holidays.

The Organisation of Working Time Act 1997 (as amended)

The terms of the Organisation of Working Time Act 1997 will apply, where appropriate, to this appointment.

Superannuation and Retirement

The successful candidate will be offered the appropriate superannuation terms and conditions as prevailing in the Public Service, at the time of being offered an appointment. Further information is available on request.

Candidates are also advised to refer to the following for further information:

- Incentivised Scheme for Early Retirement
- The Department of Health Circular 7/2010
- Collective Agreement: Redundancy Payments to Public Servants

Normal rules of the Public Service will apply as regards eligibility. In the case of the Incentivised Scheme for Early Retirement (ISER), one of its conditions at paragraph 12 of Circular 12/09 debarretirees from the Public Service under that Scheme from applying for another position in the Public Service. Therefore, such retirees cannot apply while the above restrictions continue in force.

Important Notice: The above represents the principal conditions of service and is not intended to be the comprehensive list of all terms and conditions of employment which will be set out in the employment contract to be agreed with the successful candidate.

Declaration

Applicants will be required to declare whether they have previously availed of a Public Service scheme of incentivised early retirement. Applicants will also be required to declare any entitlements to a Public Service pension benefit (in payment or preserved) from any other Public Service employment and/or where they have received a payment-in-lieu in respect of service in any Public Service employment.

General Information

Ethics in The Public Office

The Ethics of Public Office Act 1995 and the Standards in Public Office Act 2001 applies to this post.

Confidentiality

Candidate confidentiality will be respected at all stages of the recruitment process. All personal information provided on this application form will be stored securely by the MHC and will be used solely for the purposes of processing your candidature.

Legal Compliance

The MHC are committed to complying with all relevant legislation over the course of this recruitment campaign, including but not limited to, the Employment Equality Acts 1998-2011, the General Data Protection Regulation (GDPR), the Data Protection Act 2018 and the Freedom of Information Act 2014.

Expenses

The MHC will not be responsible for any expense, including travelling expenses, candidates may incur in connection with this competition.

Canvassing

Canvassing is prohibited and will result in disqualification from the competition.

Cancelling Competition

The MHC may at its discretion cancel this competition due to a change in business needs. Should this occur after the competition closing date applicants will be notified in writing.

Data Protection – Recruitment Process

Personal data is collected and processed as part of the recruitment process. This section sets out the information under the following headings:

- Personal data collected.
- Lawful basis for processing personal data.
- How your information may be shared.
- How long your information may be stored.
- Your data protection rights.

Personal Data Collection

The MHC collects personal data from prospective candidates as part of the recruitment process. In meeting its data protection obligations, the MHC is committed to being accountable and transparent about how it gathers and processes this information.

The General Data Protection Regulation (GDPR) defines ‘personal data’ as meaning any information relating to an identified or identifiable living individual. It defines categories of ‘personal data’ as being name, address, date of birth, etc. The GDPR also sets out ‘special categories of personal data’ for more sensitive information that include, for example, health data.

The MHC conducts a competency-based recruitment process. Each candidate is asked to submit an application form. This recruitment process will often include a pre-employment medical assessment and references check. Depending on the role applied for, it may also include Garda vetting.

Lawful Basis for Processing Personal Data Consent

The MHC processes personal data provided by you in your application form during the recruitment process on the lawful basis of ‘consent’. Your consent is required in order to process any personal data provided in the application for the specific purpose of progressing an application through the recruitment process.

Contractual

In the case of a successful candidate, personal data provided during the recruitment process may form the basis of the contract of employment.

Legal Obligation

Personal data of prospective candidates and current employees (full-time, part-time, contract and agency) is processed on the basis that it is required for the MHC’s compliance with legislation (e.g., employment legislation). The MHC provides its employees with a Privacy Statement in relation to its use of employee information.

How Your Information May Be Shared

Your information may be shared with other parties as part of the recruitment process. Where this occurs, information is shared by necessity and in confidence.

How Long Your Information May Be Stored

The MHC has a Data Retention Policy that it applies to all information it stores. This policy is updated on an ongoing basis to keep pace with all relevant legislative changes.

Unsuccessful Candidates

For those individuals who have been unsuccessful in the recruitment process, all information provided to the MHC will be retained by the MHC for a period of no more than 12 months. At the end of this period, or if you withdraw your consent, your information will be securely destroyed.

Successful Candidates

For those individuals who have been successful in the recruitment process, all information provided to the MHC will be placed on your employee file. It will be retained during the course of your employment with the organisation and for an appropriate period thereafter. At the end of this period, or if you withdraw your consent, your information will be securely destroyed.

Your Data Protection Right

You have rights in relation to personal data collected, processed and stored by the MHC. Further information is available on our website under the heading 'Data Protection and Access Requests'. This section outlines what your data protection rights are and how to make a Data Subject Access Request to the MHC.

If you have any questions or would like to make a Data Subject Access Request, you may contact the Data Protection Officer at the MHC. The contact details are as follows:

By Post

Data Protection Officer,
Mental Health Commission,
The Waterloo Exchange, Waterloo Road
Dublin 4 D04 E3W7

By Email

DPFOI@mhcirl.ie
