

Candidate Information Booklet

Campaign code:	MHCEX12
Role title:	Mental Health Tribunals Manager
Grade:	Higher Executive Officer
Contract type:	Full Time, Permanent



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The Position

Introduction:	The Mental Health Commission (“the MHC”) wishes to fill the role of Mental Health Tribunals Manager
Grade:	Higher Executive Officer
Specialist Positions:	Mental Health Tribunals Manager
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 Assisted Decision Making (Capacity) Act 2015 (“the 2015 Act”) provides for the establishment of the Decision Support Service (“the DSS”) within the MHC to support decision-making by and for adults with capacity difficulties and to regulate individuals who are providing support to people with capacity difficulties. The 2015 Act reforms Ireland’s capacity legislation which has been in place since the 19th century. It establishes a modern statutory framework to support decision-making by adults who have difficulty in making decisions without help.

The Role

The MHC is seeking to recruit a Mental Health Tribunals Manager to manage the Mental Health Tribunals (MHT) team on all matters pertaining to the functions of the MHT team. The Mental Health Tribunals Manager will manage a team of 12 / 14 people, will report to the Head of Mental Health Tribunals and will be responsible for operational activities of the team.

The Mental Health Tribunals Manager will be required to engage with external stakeholders to include the MHC Panel members, sector experts, government stakeholders and staffing representatives with regards to various aspects of Mental Health Tribunal work.

Key Responsibilities

Under the overall direction of the Head of Mental Health Tribunals, the Mental Health Tribunals Manager's 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 operational team targets.
2. Management and supervision of the team on a daily basis.
3. Achieving defined business plan objectives.
4. Collate, validate and publish Mental Health Tribunals Audited Data and provide anonymised data to Regulatory Team for Risk Profiles.
5. Contribute to the review, update and publication of relevant literature / documentation relating to MHT functions /activities.
6. Quality Improvement Audits.
7. Contribute to training for MHT panel members and external stakeholders.
8. Contribute to Policy Review and Statutory Forms Review
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. Producing written reports and presentations as required.
11. Attending and contributing to all relevant meetings as appropriate to the role.
12. Collaborating with external stakeholders
13. Supporting the Head of Mental Health Tribunals in an administrative capacity
14. Reporting feedback to the Head of Mental Health Tribunals on operational and staffing matters as they arise.

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

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 2 years' experience in a similar role managing work in health, mental health or social care services.

- Knowledge and experience in the application of relevant health, mental health or social care standards and quality improvement initiatives.
- Ability to lead, manage and motivate a team of professional staff.
- The requisite competencies to carry out the role as outlined below

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

Desirable

- Relevant qualification in Public Administration, Social Policy, Mental Health, Health and Social Care or a Legal discipline
- Demonstrated project management skills and the ability to manage multiple projects simultaneously.
- An awareness of the legislative framework the Mental Health Commission works within.

Competencies

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

Analysis & Decision Making

- Gathers and analyses information from relevant sources, whether financial, numerical or otherwise weighing up a range of critical factors
- Takes account of any broader issues and related implications when making decisions
- Uses previous knowledge and experience in order to guide decisions
- Makes sound decisions with a well-reasoned rationale and stands by these
- Puts forward solutions to address problems

Management & Delivery of Results

- Takes responsibility and is accountable for the delivery of agreed objectives
- Successfully manages a range of different projects and work activities at the same time
- Structures and organises their own and others work effectively
- Is logical and pragmatic in approach, delivering the best possible results with the resources available
- Delegates work effectively, providing clear information and evidence as to what is required
- Proactively identifies areas for improvement and develops practical suggestions for their implementation
- Demonstrates enthusiasm for new developments/changing work practices and strives to implement these changes effectively.
- Applies appropriate systems/ processes to enable quality checking of all activities and outputs

- Practices and promotes a strong focus on delivering high quality customer service, for internal and external customers

Team Leadership

- Works with the team to facilitate high performance, developing clear and realistic objectives and addressing and performance issues if they arise
- Provides clear information and advice as to what is required of the team
- Strives to develop and implement new ways of working effectively to meet objectives
- Leads the team by example, coaching and supporting individuals as required
- Places high importance on staff development, training and maximising skills & capacity of team
- Is flexible and willing to adapt, positively contributing to the implementation of change

Interpersonal & Communication Skills

- Builds and maintains contact with colleagues and other stakeholders to assist in performing role
- Acts as an effective link between staff and senior management
- Encourages open and constructive discussions around work issues
- Projects conviction, gaining buy-in by outlining relevant information and selling the benefits
- Treats others with diplomacy, tact, courtesy and respect , even in challenging circumstances
- Presents information clearly, concisely and confidently when speaking and in writing
- Collaborates and supports colleagues to achieve organisational goals

Specialist Knowledge, Expertise and Self Development

- Has a good understanding of the production processes related to the development of evidence-based guidance documents and standards
- Has a clear understanding of the roles, objectives and targets of self and team and how they fit into the work of the unit and Department/ Organisation and effectively communicates this to others
- Has high levels of expertise and broad Public Sector knowledge relevant to his/her area of work
- Focuses on self-development, striving to improve performance

Drive & Commitment to Public Service Values

- Strives to perform at a high level, investing significant energy to achieve agreed objectives
- Demonstrates resilience in the face of challenging circumstances and high demands
- Is personally trustworthy and can be relied upon
- Ensures that customers are at the heart of all services provided
- Upholds high standards of honesty, 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 another person 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
- Vetting – where applicable

At the reference verification stage, 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 on Thursday, 12 December 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 Higher Executive Officer on terms and conditions determined by the Mental Health Commission, with the consent of the Minister for Health and the Minister for Public Expenditure and Reform.

Salary

The Higher Executive Officer salary scale (rates effective 1 October 2024) is as follows:

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

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.

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 Higher Executive Officer will be 29 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 debars retirees 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