1

VOTE 34 – JOBS, ENTERPRISE & INNOVATION

Brief for Minister's Presentation of the 2011 Estimate to the Select Committee on Jobs, Social Protection and Education

Subhead: A09

Subhead Title: Office of the Director of Corporate Enforcement

Budget Officer and Extension No: Paul Appleby - 8585820

Budget Officer Alternative and Extension No: Conor O'Mahony - 8585827

2010 Estimate €000	2010 Outturn €000	2011 Estimate €000	Increase (+) / Decrease (-) On 2010 Outturn €000	Percentage Increase (+) / Decrease (-) on 2010 Outturn %
6,086	3,699[1]	5,967	+ 2,268	+ 61%

Purpose of Subhead

The purpose of this Subhead is to provide for the administration costs of the Office of the Director of Corporate Enforcement (ODCE). The functions of the Director are to encourage compliance with the Companies Acts and to investigate and enforce suspected breaches of those Acts.

ODCE staff comprise people with administrative, legal, accountancy and police expertise. The costs associated with the ten members of An Garda Síochána who are on secondment to the Office to facilitate its criminal investigative role are met from Vote 20 – Garda Síochána. All other staffing, legal, administration and information technology support services are provided for through Subhead A09 of Vote 34.

Explanation for Increase on 2010 Outturn

The outturn for 2010 was somewhat lower than expected. A significant element of the ODCE non-pay budget relates to projected legal and accounting fees associated

[1] This is a provisional figure. The outturn per ODCE records is €3,674,000, and this is likely to be the final figure when the Appropriation Accounts are complete.

with court cases under preparation and before the courts. However, it is not possible to anticipate with precision the timing or duration of investigations or Court hearings nor the nature of the Courts' eventual decisions, including with respect to the award of costs in favour of or against the ODCE. In this regard, the 2010 outturn figure was €2.41 m. less than the amount allocated mainly because potential legal costs relating to Supreme Court appeals and High Court judgements did not arise during the year.

Continuing savings also arose from the curtailment of all non-essential expenditure. Advertising and promotional costs have been virtually eliminated; new and innovative ways to maintain the Office's advocacy activities have been developed (e.g., Facebook, Twitter); public procurement has been used to obtain more favourable contracts where possible (e.g., Office cleaning), and the 8% reduction in the professional fees of Counsel engaged by the Office continues to apply.

The increase in the estimate for 2011 reflects a prudent provision in respect of the costs that may fall to be borne by the Office in respect of its outstanding cases. The actual outturn will depend on the determinations made by the Courts in pending enforcement cases. Although there can be no certainty about Court decisions, the Office expects that a number of important cases will be determined in 2011 at Supreme Court and High Court levels.

Main Achievements in 2010

Highlights and achievements for the ODCE in 2010 included the following:

- the ODCE transmitted one investigation file and three reports on four aspects of its Anglo Irish Bank investigation to the DPP (see separate briefing note);
- the Office made decisions on some 1,820 other cases, including 1,240 initial liquidator reports which are a consequence of the large increase in newly insolvent companies (see separate briefing note). ODCE scrutiny of liquidator reports saw some 8 directors disqualified and 156 directors restricted by liquidators in 2010. The majority of the remaining reports and complaints to the Office were resolved administratively. ODCE criminal and civil enforcement work was limited in 2010 due to the priority accorded to the Anglo investigation. However, one disqualification and eight convictions

were secured, and seven further enforcement cases were initiated. By year-end, the ODCE had some 20 cases before the Courts;

- the ODCE issued four new publications on aspects of company law and its remit and distributed 24,000 copies of its various publications to the public;
- Office staff made 52 presentations to over 2,300 directors and others involved in company affairs and attended 19 company law related exhibitions/seminars;
- the Office made a number of policy submissions, including the following:
    - to the Department of Enterprise Trade and Innovation on company inquiries in the context of the planned Companies Consolidation Bill;
    - to the Department of Justice and Law Reform on white collar crime;
    - to the Central Bank on corporate governance and
    - to the European Commission on future audit policy.

Main Priorities for 2011

The Anglo investigation will continue to dominate the work of the Office throughout 2011. A second investigation file was sent to the DPP in March 2011, and it is envisaged that a number of further files will follow before the end of the year.

Notwithstanding the priority of the Anglo investigation, there will be an increase in ODCE enforcement action this year. To date, the Office has successfully prosecuted 13 criminal charges and secured 8 disqualifications in 8 enforcement cases. One of those disqualifications is that of a former Managing Director of National Irish Bank in consequence of the findings in a 2004 High Court Inspectors' Report. The ODCE has other substantial investigations underway which are unrelated to Anglo, and a small number of these will likely result in the initiation of enforcement action during 2011.

The Office also estimates that it will make close to 2,000 other determinations on liquidator, auditor, regulator, public and other reports and detections relating to aspects of company law and duty. These matters relate to all forms and sizes of company, including listed public limited companies. Many of these issues will be dealt with administratively and will not result in the taking of legal action.

As part of the Office's continuing compliance work, the Office will make about 60 presentations and attend some 15 other public events to promote high standards of compliance with the requirements of the Companies Acts. Newspaper articles, press statements and new or revised ODCE publications will also be issued.

The Office will continue to contribute policy advice in respect of proposed legislation. A particular focus is the Government's new Criminal Justice Bill and the recently published Part A of the Companies Consolidation and Reform Bill. The ODCE will be undertaking a review of priority aspects of Part A in the coming months with a view to ensuring the published text is enforceable and otherwise satisfactory.

The Government's fiscal and other corrective measures will necessarily see the Office continuing to manage its resources on a very prudent basis. In particular, this will see a continuing curtailment of all non-essential Office expenditures. As a result, the ODCE will necessarily have to be selective in identifying and pursuing its priorities.

Issues which might arise at Select Committee

With respect to staffing resources, the ODCE has about 41 Departmental staff and 10 seconded members of An Garda Síochána. The Office has not sought additional staffing resources in recent times. Since 2007, some 13 additional Departmental staff were sanctioned and assigned to the Office in tranches between 2007 and 2010 to help progress its heavy caseload. More recently, the Garda Commissioner approved the secondment of three additional Garda officers to help with the Anglo investigation.

As indicated, separate notes are attached in relation to the Anglo Irish Bank investigation and the review of insolvent companies which are absorbing most ODCE staffing resources. **If any questions arise relating to individual cases which the ODCE may be investigating, it is respectfully suggested that the Minister refer to the legally independent role of the Director in relation to company law compliance and enforcement matters. The Director is prepared to correspond with any Deputy/Senator on an issue of concern to him/her.**

1

VOTE 32 – JOBS, ENTERPRISE & INNOVATION

Subhead: **A09**

Subhead Title: **ODCE**

Budget Officer and Extension No: **Ian Drennan Ext. 5820**

Budget Officer Alternative and Extension No: **Conor O'Mahony Ext 5827**

2012 Estimate €,000	2012 Forecast Outturn €,000	Increase (+) / Decrease (-) On 2012 Estimate €,000
5,697	3,873	-1,833

Summary Explanation for Underspend

On Pay, a small saving is attributable to a number of retirements/departures with non-replacement or delayed replacement.

The larger underspend arises on Non-Pay. The Office has managed to generate relatively modest savings on several of our overhead-type expenditures. However, the vast bulk of the savings relate to legal costs that are not now arising this year. The allocation included a significant provision for legal costs that the Office may have to bear in relation to a small number of large cases that have been ongoing now for several years, mostly involving appeals to the Supreme Court. When setting the allocation for the year, we had expected that some, or all, of these cases would be determined during this year. At this stage, it is not likely that any large scale costs will fall to be paid this year. We are hopeful that a number of the cases can be concluded within a relatively short timeframe.

As always, legal costs of this nature are extremely difficult to forecast as we have little or no control over when the cases will be determined, we cannot be sure of the outcome of the cases in terms of costs orders and we cannot anticipate the scale of costs that other parties may seek. It is, however, worth recalling that one of these cases was determined in 2010 with an order for costs made against the Office. This resulted in the Office have to pay out costs of nearly €900k in just one case.

Accordingly, the Office will still need a significant provision for legal costs in 2013.

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VOTE 32 – JOBS, ENTERPRISE & INNOVATION

Brief for Minister's presentation of the 2013 Estimate to the Select Committee on Jobs, Enterprise and Innovation

Subhead: *C7*

Subhead Title: *Office of the Director of Corporate Enforcement*

Budget Officer and Extension No: *Ian Drennan 8585820*

Budget Officer Alternative and Extension No: *Conor O'Mahony 8585827*

2012 Estimate €,000	2012 Outturn €,000	2013 Estimate €,000	Increase (+) / Decrease (-) On 2012 Outturn €,000	Percentage Increase (+) / Decrease (-) on 2012 Outturn %
5,697	3,436	5,330	+ €1,984	+ 57%

Purpose of Subhead

The purpose of this Subhead is to provide for the ODCE's administration costs. The primary functions of the Director are to encourage compliance with the Companies Acts and to investigate and enforce suspected breaches of those Acts.

The ODCE comprises staff with administrative, legal, accountancy and police expertise. The costs associated with the nine members of An Garda Síochána who are on secondment to the Office to facilitate its criminal investigative role are met from Vote 20 – Garda Síochána. All other Office staffing, legal, administration and information technology support services are funded through Subhead A09 of Vote 34.

Explanation for Increase on 2012 Outturn

The financial outturn for 2012 was some €2,261,000 lower than expected. Some savings on Pay were gained through the non-filling of vacancies arising from the Incentivised Scheme of Early Retirement. However, a significant element of the ODCE non-pay budget relates to projected legal and accounting fees associated with court cases under preparation and before the courts. It is not possible to anticipate

with precision the complexity, timing or duration of investigations or Court hearings nor the nature of eventual Court decisions. In this regard, the 2012 outturn figure was somewhat less than that allocated mainly because potential legal costs relating to a number of significant legal cases currently before the Courts did not arise during the year.

In common with the wider Public Service the Office continued to curtail all non-essential expenditure. Public Procurement procedures have been used to best advantage in order to obtain further savings on essential expenditure and achieve the best possible value for money.

The increase in the 2013 estimate reflects a prudent provision in respect of the costs that may arise in respect of its outstanding legal cases. The actual outturn will depend largely on the outcomes of a number of significant pending Court cases. Although there can be no certainty, the Office expects that a number of these cases will be determined in the course of 2013.

Main Outputs in 2012

- The office continued its outreach activities during 2012 by attending 63 public events, including the delivery of information presentations and attendance at relevant conferences, seminars and exhibitions.

- It also developed and published 10 new publications with information and guidance for stakeholders' benefit.

- The office continued to offer an informed perspective on policy discussions at national and EU level. These included suggestions on Parts 2 and 22 of the Companies Bill 2012 and suggestions on the EU Commission proposal for a new Accounting Directive.

- In relation to the Office's investigations into the former Anglo Irish Bank Corporation plc, the Office submitted a further file to the DPP in February, 2012. Furthermore, the DPP directed, in July, 2012, that a total of 48 charges

should be preferred against 3 individuals on foot of files previously submitted by the Office. The Office continues to assist the DPP in relation to the preparation of Books of Evidence and Disclosure requirements.

- 16 criminal convictions were secured in 4 District Court prosecution cases and a further 14 charges were taken into consideration i.e. a total of 30 charges were proven to the satisfaction of the court and none were dismissed. In one case, a suspended custodial sentence was imposed and, in another, a consequential disqualification order was made (in addition to the fines imposed). Two appeals to the Circuit Court were also successfully dealt with by the Office during the year.

- On average, 50 criminal enforcement cases were under investigation at any one time during the year. A significant proportion of these were concluded on a satisfactory basis through the use of forms of enforcement other than prosecution. Actions taken in these cases would have included interventions as formal warning letters to company directors and others; securing voluntary resignations (as directors, auditors etc) where suspected offences have been committed or the referral of accountants to their professional bodies (leading, often, to the imposition of substantial fines and costs and possibly the expulsion of individuals).

- The ODCE reviewed and made decisions in respect of a total of 1,324 initial liquidator reports during the year, a 12% increase on 2011. Arising from the liquidator reporting regime, 242 directors were restricted or disqualified during 2012 (128 in 2011).

- As a result of High Court proceedings taken by the ODCE, 17 directors were disqualified and one director was restricted during 2012 in respect of unliquidated insolvent companies that were struck-off by the Registrar of Companies.

- Aside from liquidator reports, the Office assessed and closed some 685 cases relating to suspected misconduct. In the course of investigation of some of

these cases, powers delegated by the Director to his staff were used on 30 occasions.

Main Output Targets 2013

- The office will continue its outreach activities of communicating its compliance message by attendance at 75 public events during 2013.

- The Office will continue to devote considerable resources to its investigations into the former Anglo Irish Bank Corporation plc, and, in particular, to the provision of assistance to the DPP in relation to the preparation of Books of Evidence and Disclosure requirements.

- The Office will continue to take criminal prosecutions in appropriate cases. Each potentially prosecutable case is assessed on its merits and the appropriate interventions then determined. While the Office does not consider it appropriate to set targets for the number of prosecutions to be taken, 15 convictions have been secured at District Court level in 2013 to date. A further case is due to be heard very shortly and it is expected that summonses will be issued in several other District Court cases before the end of the year.

- In addition, the Office of the Director of Public Prosecutions has directed - following consideration of detailed files submitted by the ODCE last year - that charges be brought in two other (non-Anglo related) cases and it is expected that these cases will come before the Circuit Criminal Court during the year. At least one further case is likely to be sent to the DPP for directions during the year.

- It is estimated that some 1,300 initial liquidator reports will again be received and reviewed by the Office in 2013, which suggests that insolvencies are continuing at a high level.

- The Office will assess some 680 cases of suspected / reported wrongdoing in 2013

Context and Impact Indicators

With respect to staffing resources generally, the ODCE currently has 36.3 Departmental staff and 6.6 seconded members of An Garda Síochána (these are whole-time equivalent figures). While additional staffing resources were provided in 2009 to assist, inter alia, with the Anglo investigation, the benefit of these additional resources has been eroded in the intervening period by the departure, and non-replacement, of a number of staff. Notwithstanding the reductions in staffing, the Office continues to devote considerable resources to ongoing work associated with the Anglo investigation. Furthermore, the Office continues to face an extremely challenging workload arising from the very high level of insolvent liquidations occurring as a result of the economic crisis.

The relevant Departmental and Garda staffing figures at the end of each of the last five years are outlined in the following table.

ODCE Staff	End-2008	End-2009	End-2010	End-2011	End-2012
DJEI	36.8	41.5	40.7	39.7	35.9
Garda	8.0	8.0	10.1	10.1	8.6
Total	44.8	49.5	50.8	49.8	44.4

The rise in casework, coupled with the Government's fiscal and other corrective measures, has necessitated that the Office manage its resources on a very prudent basis. In particular, the Office has implemented a significant curtailment of all non-essential Office expenditures. As a result, the ODCE has to be selective in identifying and pursuing its priorities. In this context, it should be noted that the considerable caseload associated with insolvent liquidations is non-discretionary as the Company Law Enforcement Act of 2001 imposes a statutory framework in relation to this work.

Issues which might arise at Select Committee

A separate note is attached in relation to the Anglo Irish Bank investigation.

If any questions arise relating to individual cases which the ODCE may be investigating, it is respectfully suggested that the Minister refer to the legally independent role of the Director in relation to company law compliance and enforcement matters. The Director is prepared to correspond with any Deputy/Senator on an issue of concern to him/her.

1

Re ODCE Non Pay allocation 2013

From: CN=Conor O'Mahony/O=entemp

To: CN=Orla Maher/O=entemp@ENTEMP

CC: CN=Carlos Acarreta/O=entemp@entemp,
CN=Eddie Nolan/O=entemp@ENTEMP,
CN=Nicola Haran/O=entemp@entemp,
CN=Phil Flood/O=entemp@entemp,
CN=Ian Drennan/O=entemp@ENTEMP

Posted Date: 18/01/2013 10:57:53

Subject: Re: ODCE Non Pay allocation 2013

Orla

The Non-Pay allocation for 2012 included a significant provision for legal costs that the Office had felt were likely to fall due for payment during the year. A significant proportion of these costs relates to a small number of large cases that have been ongoing now for several years, mostly involving appeals to the Supreme Court. When setting the allocation for the year, we had expected that some, or all, of these cases would be determined during this year. As it happens, the cases in question did not progress as quickly as we had expected and, accordingly, the costs provided for did not arise during the year. However, the corollory of this, is that the cases are still ongoing and we would now consider that it is quite likely that they (or at least some of them) will be determined this year.

As always, legal costs of this nature are extremely difficult to forecast as we have little or no control over when the cases will be determined, we cannot be sure of the outcome of the cases in terms of costs orders and we cannot anticipate the scale of costs that other parties may seek. If the cases go in our favour, we should need only a modest provision but if the cases go against us, we could have to pay out very significant sums and even the provision now included in the estimates might not be sufficient in those circumstances. It is worth recalling that one of these cases was determined in 2010 with an order for costs made against the Office. This resulted in the Office having to pay out costs of nearly €900k in just one case.

Accordingly, the Office would consider it prudent to provide for a significant provision for legal costs in 2013 and would not be inclined to reduce the provision already included in the estimates.

Regards

Conor O'Mahony
Principal Officer
Office of the Director of Corporate Enforcement
16 Parnell Square

Re ODCE Non Pay allocation 2013

Dublin 1
ph. +353 - 1 - 858 5827

From: Orla Maher/entemp
To: Conor O'Mahony/entemp@entemp
Cc: Nicola Haran/entemp@entemp, Eddie Nolan/entemp@ENTEMP, Carlos Acarreta/entemp@entemp, Phil Flood/entemp@entemp
Date: 16/01/2013 12:14
Subject: ODCE Non Pay allocation 2013

Conor,

In reviewing the proposed 2013 Non Pay Subhead allocations across the Vote, I note that an allocation of €3.077m was made for 2012 in respect of the ODCE, of which, only €973k was drawn down. An allocation of €2.913m had been proposed for 2013, however, in view of the 2012 outturn, I would be grateful if you could review what practical allocation for 2013 is required.

Regards

Órla Maher
Estimates Section
Finance Unit
Dept of Jobs, Enterprise and Innovation
Davitt House
65a Adelaide Road
Dublin 2

Tel: +353 1 6313372

2

(1)

Minutes of ODCE /Department liaison meeting of 27th February 2013
Earlsfort Centre

Attendance:

ODCE – Ian Drennan, Conor O'Mahony, Kevin Prendergast, Kevin O'Connell and Ann Keating

Department - Breda Power (Chairperson), Helen Curley, Claire Gordon, Margaret Dunniece and Joan Howley

Items Discussed

1. Corporate Governance

Minutes of previous liaison meeting were adopted.

Risk register was discussed and it was agreed that there were no issues of high risk to consider.

The Business Plan is a work in progress which should be finalised midyear. It was agreed that a draft would be submitted to the Department in advance of sign off.

Deadline of end March was noted in respect of the 2012 Annual Report.

2. Budgetary Resources and Staffing.

The 2013 budgetary estimates were noted.

Staffing was discussed and in particular the requirement to complete and submit the workforce planning template to the Department by the 27th March deadline.

Concern was expressed that a vacancy arising in November 2013, at accountancy level, must be filled as a matter of urgency and by someone with specialist skills in the area of forensic accounting. The ODCE will forward a submission on this issue to the Department for onward transmission to D/Per. It was also agreed that this issue should be indicated in the workforce planning template.

3. Policy Developments.

Court Cases:

Discussion dealt primarily with the Anglo case and in particular the fact that significant resources of the office are still being deployed to assist the DPP in progressing the case.

To date 5 files have been submitted to the DPP, there are two court dates scheduled in March and DPP instruction is awaited in respect of the GBFI files.

A brief outline was given on enforcement actions recently taken and particular attention drawn to the successful outcome in respect of a case taken to the High Court against a management company with a significant number of members, for non–compliance with a direction under S.371 Companies Act 1963. Subsequent to the order the company established a registered office in the state and held a properly convened AGM.

The ODCE is considering implementing a revised enforcement strategy to consider the possibility of pursuing various additional offences e.g. S. 19, Companies Act 1990, S. 57 CLEA, 2001 and is also considering the feasibility of implementing S.110 CLEA 2001 in respect of administrative fines.

Consideration is also being given to streamlining current procedures to ensure that the Office would be in a position to utilise available resources at short notice to deal with any complex cases coming to attention. Particular attention was drawn to the requirement to have appropriate IT skills in place.

It was also noted that a substantial number of S.187 Companies Act 1990 breaches continue to be notified in respect of unregistered auditors.

Company Law Developments:

The company law bill was published in December 2012 and it is envisaged that it will get through the Dáil Committee Stage by year end. ODCE has amendments to suggest and agreed to submit details to the Dept. as soon as possible.

4. Review of Outputs

K.P.I.

- KPI's as indicated in the SLA's will be considered in the context of the 2012 annual report.
- The ODCE had a very successful training programme in the Garda Training Unit, Templemore attended by circa 20 staff.
- The Office is currently organising PMDS training for all staff.

5. Support and Intervention Requirements

With regard to the Anglo case, now in disclosure phase, ODCE brought to attention the fact that document analysis software procured at commencement of the investigation and subsequently replaced must be made available to the Defence, as all search facilities made available to DPP must also be made available to the Defence. As a consequence the office must re-procure the software to meet the Courts disclosure requirements. This software may be

required at short notice and having regard to concerns surrounding procurement rules, the ODCE is in discussion with IT and the DPP on the issue and will keep the Dept. abreast of developments.

6. Section 77 of the Finance Act 2011

Attention was drawn to the importance of ODCE having access to Revenue information and that since implementation of S. 77 of the Finance Act 2011 the Office's access to Revenue records has been severely limited. It was agreed that a legislative amendment is required urgently and that consideration should be given to having this amendment included with legislation due to be enacted soon e.g. RFS legislation due to be published in April. Ann Keating agreed to forward a submission on this issue to Breda Power.

7. Irish Banking Resolution Corporation – possible issues arising as a result of the appointment of a Special Liquidator

The ODCE discussed possible issues arising from the liquidation of the IBRC.

A.O.B.

F.O.I.:

The ODCE is to put forward a business case to D/Per on the FOI issue. It was suggested that there seems to be an acceptance that there would be a derogation for Garda records.

Health and Safety:

It was brought to attention that there was an incident in the ODCE car park. A member of staff was mugged, suffered some injuries and has been out sick since. Claire Gordon is to contact the Health and Safety Unit and Personnel to seek clarity on health and safety legislative issues.

Next Meeting:

Date to be confirmed.

3

Fw Staffing in the ODCE 010313.txt

From: CN=breda power/O=entemp

To: CN=Helen Curley/O=entemp@ENTEMP,
CN=Claire Gordon/O=entemp@ENTEMP

CC:

Posted Date: 01/03/2013 13:11:25

Subject: Fw: Staffing in the ODCE

Attachment(s): ODCE Staff Changes 2012 &2013.xlsx

Colleagues

For information in case there are any queries.

Breda

Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
----- Forwarded by breda power/entemp on 01/03/2013 13:10 -----

From: Eamonn Balmer/entemp
To: Breda Power/entemp@ENTEMP
Cc: Maureen O'Sullivan/entemp@ENTEMP
Date: 01/03/2013 10:45
Subject: Re: Staffing in the ODCE

Breda

Our phone call refers. Attached is a schedule outlining staff moves in and out of the ODCE since the beginning of 2012.

In relation to the need for additional staff that was made in the context of the Workforce Planning exercise, it might be appropriate to point out in response to any subsequent query that corresponding submissions were invited and received from all offices and sections of the Department. Notwithstanding the legitimacy of any such submissions, the moratorium on recruitment and the need to observe ECF targets severely limit the capacity of the Department to respond as required. Assignments are made by reference to the priority needs of the Department and its offices as a whole.

Regards

Eamonn

From: Breda Power/entemp
To: Eamonn Balmer/entemp@ENTEMP
Cc: Maureen O'Sullivan/entemp@entemp
Date: 28/02/2013 17:48
Subject: Staffing in the ODCE
Sent by: breda power

Eamonn

Could you give me a call about staffing in the ODCE. I want to establish if they got any additional staff last year or this year or if they lost any staff. An FOI response has just issued on correspondence from the former Director and I expect to get some follow up questions from our own Press Office.

Thanks

Breda

Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

4

Fw Material re ODCE staffing 020513.txt

From: CN=Naomi Clohisey/O=entemp

To: CN=Claire Gordon/O=entemp@ENTEMP

CC: CN=Aoife Kavanagh/O=Entemp@Entemp

Posted Date: 02/05/2013 9:57:24

Subject: Fw: Material re ODCE staffing

Hi Claire

See below for info from Maureen O'Sullivan.

Naomi
----- Forwarded by Naomi Clohisey/entemp on 02/05/2013 09:59 -----

From: Breda Power/entemp
To: elaine.cassidy@djei.ie, Aoife Kavanagh/Entemp@Entemp, Naomi Clohisey/entemp@Entemp
Date: 24/04/2013 11:06
Subject: Fw: Material re ODCE staffing
Sent by: breda power

Colleagues

To see please. I am checking the figure for the number of Garda staff in the ODCE so we may add a sentence later. I am also checking the last sentence with Maureen. In the meantime you might add the material below from Maureen to the concluding speech.

Thanks

Breda

Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
----- Forwarded by breda power/entemp on 24/04/2013 11:02 -----

From: Maureen O'Sullivan/entemp
To: Breda Power/entemp@ENTEMP
Cc: Mary Cullen/entemp@ENTEMP

Date: 24/04/2013 10:55
Subject: Material re ODCE staffing

Breda,

See below. Come back to me if you need anything else.

"As an Office of my Department, the staffing of the ODCE is subject to the same constraints and pressures that apply generally across the Department. The moratorium on recruitment and the need to reduce staff numbers to comply with challenging targets imposed by the Employment Control Framework (ECF) means there is little scope to increase staff resources in response to what might otherwise be regarded as a legitimate case for increased resources. Assignments in my Department are made by reference to the priority needs of the Department and its offices as a whole.

Since 2008, the numbers of staff available to my Department and its offices has fallen very significantly from 1,003 at the end of 2008 to 789.5 at the end of Quarter 1 of 2013. Notwithstanding this reduction, the resources available to the ODCE have remained relatively static, with the current figure of 35.5 staff representing a loss of just one administrative staff relative to 2008 figures. Given that the ECF targets require further reductions for 2013 and 2014, there is little prospect of any increase to staff numbers in the ODCE in the foreseeable future."

Maureen

Maureen O'Sullivan
Personnel Officer
Department of Jobs, Enterprise and Innovation
Kildare St
Dublin 2
Phone: 01 6312246
Email: maureen.osullivan@djei.ie

5

Fw: Advance copy letter re personnel issues

From Breda Power
To helen.curley@djei.ie, claire.gordon@djei.ie
Cc
Date 20/09/2013 14:15

Helen, Claire

Please consider.

Breda

----- Original Message -----
From: Ian Drennan
Sent: 20/09/2013 14:11 GDT
To: Breda Power
Cc: John Hughes; Conor O'Mahony; Kevin O'Connell; Ann Keating
Subject: Advance copy letter re personnel issues

Breda,

FYI - please find attached a soft copy of a letter that has issued to you in today's post. As I have, in light of its contents, copied Mr. Hughes on this letter, I am similarly copying him on this email.

Regards,

Ian

Ian Drennan
Director
Office of the Director of Corporate Enforcement
16 Parnell Square, Dublin 1

Tel: +353 1 858 5800 - Lo Call: 1890 315 015 - Fax: +353 1 858 5801 - Web: www.odce.ie

ATTACHMENTS:

Oifig an Stiúrthóra um
Fhorfheidhmiú Corparáideach

Office of the Director
of Corporate Enforcement

Ms. Breda Power
Assistant Secretary
Department of Jobs, Enterprise & Innovation
Earlsfort Centre
Lower Hatch Street
Dublin 2

20 September, 2013

Re: ODCE staffing issues

Dear Breda,

Previous request for sanction re Professional Accountant post
As you will be aware, notwithstanding that accountancy expertise is critical to its operations, the Office currently has a complement of only two Professional Accountants. As advised at our last liaison meeting, one of those two Professional Accountants, [redacted], is scheduled to retire, on age grounds, on 12 November, 2013. That being the case, you will recall that, by letter dated 5 July, 2013, I requested that sanction be sought from the Department of Public Expenditure & Reform ("D/PER") as early as possible in order that any period during which the post would be vacant would kept to an absolute minimum.

Given that sanction has not to date been received and, given that [redacted] retirement is now only a matter of weeks away, it seems that, regrettably, the post will lie vacant for some time. That being the case, I would reiterate the importance to the Office's operations of this post being filled - by a suitably qualified and experienced candidate - as a matter of priority. Accordingly, I would be grateful if you could again contact D/PER requesting that sanction be granted in as expeditious a manner as is possible.

Request for sanction of certain [redacted] arrangements
[redacted] is currently, as has for some time been, heavily involved in a large scale criminal investigation being undertaken by the Office, with his involvement in that investigation being directly related to his professional knowledge and expertise. That investigation is now approaching a critical phase, i.e. preparation for submission of files to the Director of Public Prosecutions ("DPP") for consideration as to whether charges should be directed on indictment.

Given that this case is now entering a critical phase, and having regard to the centrality of the role that [redacted] is currently playing in the associated investigation and preparations for submission of material to the DPP, this Office wishes to propose that consideration be given to an arrangement whereby [redacted] could continue to be employed post retirement for a short period, i.e. for a period of five and a half weeks (up to Friday 20 December, 2013). Were this proposal to be favourably received, it is suggested that the proposed contract for service would be one under which [redacted] would be paid at a daily rate which, on an annualised basis, would be the equivalent of his existing annual salary less the amount of his civil service pension.

Related issues – Workforce Planning
As you are aware, having taken up this position, I conducted a review of the Office's current HR capabilities having regard to its mandate and set out the resultant analysis, risks, conclusions and proposals in the Office's Workforce Planning document ("WFP") as submitted to the Department. Specifically, as you will recall, the current deficit of professional accountancy expertise has been

16 Ceannóg Phearnell, Baile Átha Cliath 1 · 16 Parnell Square, Dublin 1 · DX145003, 16 Parnell Square
Fón / Phone: (+353) 1 8585800 · Facs / Fax: (+353) 1 8585801 · Íosghlao / Lo-Call: 1890 315 015 · R-phoist / E-mail: info@odce.ie
www.osfc.ie · www.odce.ie

Identified as being a major risk and limiting factor in that context. On the assumption that sanction is granted to fill the abovementioned vacancy (which, as indicated in the WFP, must, in my view, be filled through open competition in order to ensure that the Office has access to the best possible candidates), it occurs that, were the Office's analysis of its current deficit in accountancy expertise to be acknowledged and accepted, the associated recruitment exercise would present an opportunity to also address the broader skills shortage as set out in the WFP and to do so in a cost and time effective manner. Accordingly, I would be grateful if you would also give consideration to this point.

Whilst I trust that the foregoing suffices for the purposes of facilitating consideration of the issues raised herein, should you consider it helpful that we meet to discuss these matters further, I would be happy to do so.

Yours sincerely,

Ian Drennan
Director

cc Mr. John Hughes, Personnel Officer
Ms. Claire Gordon, ODCE Liaison

6

Re: Fw: Advance copy letter re personnel issues

From Breda Power
To Claire Gordon
Date 23/09/2013 15:35

Thanks Claire.

John hasn't been in touch with me yet about this.

Tough luck yesterday. It was very close. Hope you are not feeling too bad about the result.

Breda

From:	Claire Gordon
To:	Breda Power
Cc:	
Date:	23/09/2013 15:30 GDT
Subject:	Re: Fw: Advance copy letter re personnel issues

Breda

I emailed Eamonn Balmer to see what has been done in relation to getting an accountant for ODCE in general - not in relation to this new element. He said that John Hughes was going to talk to you about a particular aspect of it (didn't say what that was) bilaterally and gave no further information. I hope that you are expecting that - it seems harsh that a person cannot be sick in peace. Anyhow I guess they will talk to you about this request as well. I can't see what information we can provide additional to what is already in this letter so don't see that there is much that we can do until you talk to them.

I hope you are feeling better. There is no such hope for Mayo people today.

Claire

From: Breda Power/entemp
To: helen.curley@djei.ie, claire.gordon@djei.ie,
Date: 20/09/2013 14:15
Subject: Fw: Advance copy letter re personnel issues

Helen, Claire

Please consider.

Breda

----- Original Message -----
From: Ian Drennan
Sent: 20/09/2013 14:11 GDT
To: Breda Power
Cc: John Hughes; Conor O'Mahony; Kevin O'Connell; Ann Keating
Subject: Advance copy letter re personnel issues

Breda,

FYI - please find attached a soft copy of a letter that has issued to you in today's post. As I have, in light of its contents, copied Mr. Hughes on this letter, I am similarly copying him on this email.

Regards,

Ian

Ian Drennan
Director
Office of the Director of Corporate Enforcement
16 Parnell Square, Dublin 1

Tel: +353 1 858 5800 - Lo Call: 1890 315 015 - Fax: +353 1 858 5801 - Web: www.odce.ie

[attachment "SKMBT_75013092011240.pdf" deleted by Claire Gordon/entemp]

ATTACHMENTS:

7

Accountants for ODCE

From Breda Power
To Claire Gordon
Cc Helen Curley
Date 03/12/2013 09:02

Claire

As discussed yesterday, please prepare a submission to John Hughes seeking sanction for the ODCE to recruit the accountants that it is seeking based on the letter form Ian Drennan and also their Workforce Plan.

As you know I had discussed the ODCE request previously with the former Personnel Officer and her view at the time was that sanction would not be forthcoming because the Department was in excess of its ECF figures. I had also discussed this with John Hughes and we decided that it would be best to first progress sanction for the the retention of [redacted] until the end of the year and then consider how best to progress the request for the additional accountant posts. I understand that DPER have been refusing to sanction posts as the Department and its agencies are over the ECF numbers.

John and I discussed this issue again yesterday and we agreed that we should pursue the issue of sanction with DPER. Please include in your submission the fact that following the retirement of [redacted] at the end of the year that the ODCE will be down to just one accountant which is unsustainable.

Thanks

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
ATTACHMENTS:

8

Requests to seek sanction from DPER on behalf of IAASA and ODCE

From Claire Gordon
To John Hughes
Cc Breda Power
Date 09/12/2013 12:34

John

Please see attached requests for Personnel Unit to seek sanction from DPER in relation to vacancies in IAASA and ODCE as well as a request for sanction for the ODCE to rebalance its staff.
If you need any further information please ask.

Claire

ATTACHMENTS:

Mr John Hughes
Personnel Unit

09 December 2013

Re: Request for sanction to recruit a Professional Accountant Grade 1 for the Office of the Director of Corporate Enforcement (ODCE) and for sanction for a rebalancing of staff in the ODCE.

Dear John

I am writing to request that sanction be sought from the Department of Public Expenditure and Reform to recruit a Professional Accountant Grade 1 for the ODCE. This post will become vacant on 20 December this year when the current incumbent retires on age grounds. Additionally I am asking that sanction be requested for approval for the ODCE to effect a rebalancing of its staffing structure.

Request for sanction to fill imminent vacancy

There are two professional accountants only in the ODCE and given the complex and technical nature of the existing work of the Office, in particular of the two accountants, it is crucial that the upcoming vacancy be filled as a matter of urgency.

The replacement accountant will need to have the particular skills and expertise necessary to deal with the complex and serious company law investigations that the ODCE is dealing with in the aftermath of the economic collapse. In this context a person with forensic accountancy experience is a necessity and the filling of the post

by open competition would ensure as wide a pool of talent as possible from which to choose a candidate. This request was previously sent in July this year.

Request for sanction to rebalance staff in the ODCE

A new Director of Corporate Enforcement was appointed in August last year. Following his appointment the Director carried out an internal review of the ODCE's ability to carry out its mandate. The review concluded that the insufficiency of in-house accountancy expertise is a major limiting factor in the Office's capacity to:

- formulate individual investigation strategy;
- examine to the requisite standard companies' and liquidators' books and records;
- draw conclusions from, and opine upon, companies' and liquidators' books and records;
- progress investigations to the requisite standard having conducted reviews of books and records.

These areas of activity were identified by the ODCE as being fundamental in seeking to address the more complex investigation and enforcement issues facing the Office on an on-going basis. The conclusion of the review was that an increase in in-house accountancy expertise will better reflect the nature of the Office's staffing requirements and, as a consequence, better equip the Office to tackle the more complex end of the spectrum of non-compliance with company law.

As a result of this review the ODCE submitted a revised workforce plan in April this year. The original plan of July 2012 had identified future staffing needs as follows:

- 2 x Professional Accountants Grade I;
- 1 x Solicitor;
- 1 x AP (for a minimum of 3 years);
- 2 x HEOs (1 of whom would possess specialist IT expertise, including digital forensics);
- 2 x EOs (1 of which would have, or be capable of acquiring, specialist IT skills).
-

The revised assessment of April 2013, following the internal review undertaken by the new Director, identified the Office's additional staffing needs over the foreseeable future as follows:

- 5 x Professional Accountants Grade I (i.e. excluding the replacement of the impending retirement related vacancy); and
- 1 x HEO (possessing IT and digital forensics expertise).

The new workforce plan represents a 25% reduction in the number of additional staff envisaged and the ODCE will compensate for the reduced numbers through a combination of internal deployments, increased efficiencies and re-prioritisation.

Functions of the ODCE

The ODCE was established on the 28 November 2001 under the *Company Law Enforcement Act 2001*. The functions assigned to the Director of Corporate Enforcement under that Act include:

- enforcing and encouraging compliance with company law;
- investigating suspected offences under the Companies Acts;
- prosecuting detected breaches of the Companies Acts;
- referring cases to the Director of Public Prosecutions for prosecution on indictment; and
- exercising a supervisory role over the activities of liquidators and receivers.

The need for accountancy expertise

The work of the Office in 2012 included the following:

- The examination of reports submitted to the Office by liquidators of insolvent companies resulting in 227 company directors being restricted and 15 disqualified by the High Court

- The securing of the rectification on a non-statutory basis, of suspected infringements of the Companies Acts, in relation to Directors' loans to an aggregate value of €55m approximately

- Approximately 2000 statutory reports from liquidators, auditors and professional bodies were received and examined.

- A further five files submitted to the Director of Public Prosecutions in its investigation of events at the former Anglo Irish Bank. The files relate to

matters including the giving of financial assistance by a company for the purchase of its own shares and to false statements to auditors

The above selected list gives a flavour of the complexity and the large amounts of money involved in the company law matters with which the ODCE is involved. In 2013, in addition to its on-going work, the Office continues to deploy significant resources assisting the Director of Public Prosecutions to meet disclosure obligations for the upcoming legal proceedings in relation to the former Anglo Irish Bank.

Public perception

There has been on-going media and political discussion in relation to the events at the former Anglo Irish Bank and to the State's response to those events. That response came under scrutiny again with the recent releases of audio tapes of conversations in the Bank. At that time questions were raised as to whether the State has the necessary expertise to address this matter and why no progress had been made in relation to it. In this context, the situation arising where one of the main investigating agencies of those billion euro events has only one accountant's experience to call upon is an unacceptable situation.

Company Law fully supports the ODCE's request for sanction to fill the upcoming Professional Accountant Grade 1 vacancy and also fully supports the rebalancing of staff proposed by the Director. I am requesting that sanction be sought to recruit for the imminent vacancy as a matter of urgency and for approval for the proposed rebalancing of staff in the Office.

Claire Gordon
Company Law Policy Unit

9

Fw: Re:
From Breda Power
To Claire Gordon
Cc Helen Curley
Date 13/12/2013 15:15

Claire - FYI

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
----- Forwarded by breda power/entemp on 13/12/2013 15:15 -----

From: Breda Power/entemp
To: Ian Drennan/entemp@ENTEMP,
Date: 13/12/2013 15:14
Subject: Re:
Sent by: breda power

Ian

John Hughes and Phillip Kelly are hoping to have a meeting next week with DPER to follow up on a number of sanction requests including those in relation to the ODCE. I will be in touch next week after that meeting.

Regards

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

From: Ian Drennan/entemp
To: Breda Power/entemp@ENTEMP,
Date: 12/12/2013 17:33
Subject: Re:

Ok, thanks Breda. Appreciated.

Ian

Ian Drennan
Director
Office of the Director of Corporate Enforcement
16 Parnell Square, Dublin 1

Tel: +353 1 858 5800
Lo Call: 1890 315 015
Fax: +353 1 858 5801
Web: www.odce.ie

From: Breda Power
To: Ian Drennan
Cc:
Date: 12/12/2013 17:31 GMT
Subject. Re:
Sent by: breda power

Ian

Thanks. I was trying to read your message on the Blackberry. It appeared like an attachment. I have put a call through to John Hughes and am awaiting a call back. I will get back to you as soon as I can.

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

From: Ian Drennan/entemp
To: Breda Power/entemp@ENTEMP,
Date: 12/12/2013 16:30
Subject: Re:

Breda,

That's strange, there was no attachment to it. The text of it was as follows:

Breda,

Given that [redacted] is due to retire tomorrow week, could I enquire as to whether there have been any

developments as regards (i) sanction to recruit a replacement for him; and (ii) sanction to recruit further accounting professionals into the Office, as indicated as being necessary in the revised Workforce Planning document? As you will appreciate, given that, as of Friday week, we'll be down to one accountant, with that accountant currently being on sick leave, we are in a particularly problematic situation at the moment.

Thanks,

Ian

From: Breda Power/entemp
To: ian.drennan@djei.ie,
Date: 12/12/2013 16:17
Subject: Re:

Ian

I couldn't open the attachment to your earlier email or reply to it.

Can you send in a word document or in the text of an email.

Thanks

Breda

ATTACHMENTS:

1

RE: Outstanding Sanctions
Keeley, Anne
to:
'john.hughes@djei.ie'
11/02/2014 13:43
Hide Details
From: "Keeley, Anne" <Anne.Keeley@per.gov.ie>
To: "'john.hughes@djei.ie'" <john.hughes@djei.ie>,

Many thanks for reply John, which is indeed very helpful.

Your 2nd point is noted.

Thanks again
Anne

From: john.hughes@djei.ie [mailto:john.hughes@djei.ie]
Sent: 11 February 2014 13:01
To: Keeley, Anne
Subject: RE: Outstanding Sanctions

Hi Anne,

(1) The sanction you granted on 20th December 2013 related to an earlier request of 25th Sept 2013.

Hope that information is helpful.

Regards,

John,
11/2.

John Hughes,
Principal,
Personnel and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.

From: "Keeley, Anne" <Anne.Keeley@per.gov.ie>
To: "'john.hughes@djei.ie'" <john.hughes@djei.ie>,
Date: 11/02/2014 12:01
Subject: RE: Outstanding Sanctions

Dear John

Re list below,

Many thanks
Anne

From: john.hughes@djei.ie [mailto:john.hughes@djei.ie]
Sent: 16 January 2014 13:43
To: Brady, Judith; Keeley, Anne; O hAodha, Fearghal
Cc: Eamonn.Balmer@djei.ie; Philip.Kelly@djei.ie
Subject: Outstanding Sanctions

Colleagues,

the following is the list of sanctions that are awaiting decision which I had prepared before yesterday's meeting. Obviously, the IDA one has moved on with the issue of that sanction by you this morning.

- ODCE - 6 Accountants & I HEO ICT specialist - Originally submitted on 13/12/2013

Regards,

John,
16/1.

John Hughes,
Principal,
Personnel and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.

2

Fw: Sanction for recruitment of accountants in ODCE

From **Claire Gordon**
To Breda Power, John Hughes
Cc Helen Curley
Date 03/03/2014 11:35

Breda and John,

Please see attached a draft letter from the Minister to Minister Howlin for use if it is decided that a letter between Ministers would contribute to obtaining sanction for the outstanding vacancies in ODCE and IAASA and the related requests.

The second paragraph on page 2 has blank spaces for the dates on which the requests for sanction were sent from Personnel to DPER as I am not certain of those..

Claire

----- Forwarded by Claire Gordon/entemp on 03/03/2014 09:54 -----

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Helen Curley/entemp@ENTEMP
Date: 26/02/2014 15:09
Subject: Fw: Sanction for recruitment of accountants in ODCE
Sent by: breda power

John

I refer to the email below from Claire and earlier correspondence in relation to the request from the ODCE for sanction to recruit additional accountants and also the request from IAASA in relation to project managers. As you know CCC Division supports the requests from both bodies.

I consider that the delay by DPER in responding to requests for sanction is not acceptable. While I appreciate that the Department has a number of requests seeking sanction to fill pressure posts or recruit new skills based on changing priorities and these need to be considered in the context of the ECF, I nevertheless consider that we have to find a way to convince DPER that enforcement bodies such as the ODCE and IAASA should not be starved of key skills which they have identified are necessary to enable them fulfil their statutory mandates.

The points articulated by Claire below are well made and I would appreciate if you would consider whether this matter should now be escalated to Ministerial level.

Thanks

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552

email breda.power@djei.ie
----- Forwarded by breda power/entemp on 26/02/2014 14:24 -----

From: Claire Gordon/entemp
To: Breda Power/entemp@ENTEMP,
Date: 26/02/2014 13:28
Subject: Sanction for recruitment of accountants in ODCE

Breda

There is currently a request for sanction with DPER in relation to accountants in the ODCE - for a specific replacement for a current vacancy as well as a rebalancing of staff. While I understand that this Department has no control over the speed at which DPER makes its decisions I suggest that we need to do something more than await DPER's response as if this request is not of particular urgency relative to other requests. The reasons for this are as follows:

It is now over seven months since since we were informed that the number of accountants in the ODCE would be reduced to one in November 2013 and a request for a replacement was made.

That request was received in July 2013 and was made in the context of the revised workforce plan received in April 2013 from ODCE which specifically highlighted the centrality of accountancy skills as being fundamental to the Office being able to deal with more complex issues and investigation which it has been facing since the recession. That document makes it clear that the Office cannot carry out its functions unless it has seven accountants and yet the number of accountants there has now been reduced to one.

The ODCE is required to submit its Annual Report by end March and publish by end May. There is usually a lot of media interest in it and no doubt will be this year because of the Anglo trials. It seems unlikely that the staffing situation in ODCE and the the request made in July will not form part of that Report. It is probable that the fact that the Office which carried out the investigation into Anglo is now operating with one accountant only will be of interest to the media in that context.

Alleged inaction from Ministers in relation to enforcement matters is high on the public agenda at the moment and there is a potential for this situation to be characterised in that way.

Unless Personnel is confident that DPER will be responding soon I think that we need to do more than wait and suggest that perhaps a letter from the Minister to the Minister for PER may be necessary. We could mention the request for sanction for a Project Manager in IAASA and the request to keep Project Manager numbers at a specific level in any such letter also as the same concerns in relation to inaction on enforcement issues would apply.

Claire

ATTACHMENTS: 1Draft ltr Min to Min PER re ODCE IAASA staffing 030314.doc,

March 2014

Mr Brendan Howlin T.D.,
Minister for Public Expenditure and Reform,
Department of Public Expenditure and Reform,
Government Buildings,
Upper Merrion Street,
Dublin 2.

Re: Requests for sanction for staffing for the Office of the Director of Corporate Enforcement and the Irish Auditing and Accounting Supervisory Authority.

Dear Brendan

I am requesting your assistance in expediting two requests from my Department for sanction to fill important vacancies in the Office of the Director of Corporate Enforcement (ODCE) and the Irish Auditing and Accounting Supervisory Authority (IAASA).

I am aware of the constraints under which it is necessary to operate in relation to recruitment however I consider the filling of the current vacancies to be of priority importance for the reasons below.

First, the failure to fill these roles endangers the continuing recovery of Ireland's reputation as a good country in which to do business. The ten criteria used by the World Bank to rank economies on Ease of Doing Business include measures in relation to Protection of Investors and Resolving Insolvency. The roles for which there are outstanding vacancies in the ODCE and IAASA relate directly to Ireland's performance against these measures and therefore I consider it a priority that these vacancies should be filled.

Secondly, the continuing high profile trials in relation to events at the former Anglo Irish Bank could serve to undermine domestic and international confidence in corporate governance and compliance with company law in the State. In this context I consider that when vacancies arise in company law enforcement organisations, and those organisations are within their Employment Control Framework limit, that sanction for replacement should be given immediately. Long delay in such circumstances is an obstacle to law enforcement and I see no justification for it.

Your Department already has the detail of the relevant sanctions sought (by letter of and) but I wish to briefly summarise why these vacancies are of particular importance.

1. Vacancy - Professional Accountant Grade 1 in the ODCE.

Following a retirement in December 2013 there is now only one professional accountant in the ODCE. A second accountant is urgently required to deal with the investigation and enforcement work of the Office, particularly that which involves examining the complex financial transactions of large companies in group structures.

The urgency to fill this vacancy is further underlined by the ODCE's revised workforce plan, received in April 2013, which specifically highlighted the centrality of accountancy skills as being fundamental to that Office's ability to deal with the more complex issues and investigation which it has been facing since the economic downturn. According to that plan the ODCE requires a total of seven accountants and a person with IT and digital forensic skills at Higher Executive Officer level in order to deal with its current caseload. I am supportive of this request and I note that the rebalancing of staff proposed in the ODCE workforce plan will lead to a 25% reduction of its overall numbers.

2. Vacancy - Project Manager (Professional Accountant Grade 1) in IAASA

A vacancy has arisen in Regulatory and Monitoring Supervision Unit (RMSU) in IAASA and the replacement of this key position is crucial to its ability to discharge its functions. The RMSU currently has a staff of only five and has primary responsibility for supervising of how the prescribed accountancy bodies ('PABs')[1] regulate and monitor their approximately 30,000 members. This Unit also carries out additional functions under the EC (Statutory Audits) (Directive 2006/43/EC) Regulations 2010 in relation to the registration and approval of auditors from third countries. IAASA already takes a risk-based approach to its supervisory activities in order to use its extremely scant resources to the most beneficial effect but it requires the Project Manager post to be filled, as five is the absolute minimum number of staff that it requires to carry out these important functions.

My Department has additionally sought sanction to allow IAASA to keep its Project Manager numbers (across all Units) at eight. This is to resolve a difficulty that arises because three Project Manager posts are filled by persons on contracts of five year's duration. When a vacancy arises at Project Manager level, sanction is required from your Department to fill that post. Owing to the length of time that it takes for sanction to be given, the likelihood that internal candidates on short term contracts will apply for the post is increased as they will wish to extend their contract duration. Due to the comparatively low pay on offer, few candidates apply for such vacancies and this, combined with the specialist nature of IAASA's work, means that an internal candidate has a high chance of success. A successful internal candidate will cause a vacancy in the

[1] ACCA - Association of Chartered Certified Accountants, AIA - Association of International Accountants, CIMA - Chartered Institute of Management Accountants, CIPFA - Chartered Institute of Public Finance & Accountancy, ICAEW - Institute of Chartered Accountants in England & Wales, ICAI - Institute of Chartered Accountants in Ireland, ICAS - Institute of Chartered Accountants of Scotland, ICPAI - Institute of Certified Public Accountants in Ireland and IIPA - Institute of Incorporated Public Accountants.

position they leave and the delay in sanctioning the filling of this vacancy means that the other Project Managers on short term contracts will be likely to apply for and get the newly vacant post thus causing another vacancy and continuing the pattern.

The time and money spent on multiple rolling recruitment campaigns could be avoided if IAASA is given sanction to keep its Project Manager numbers at eight. If such sanction is granted and a vacancy arises that is filled by an internal candidate, the internal candidate's now vacant post could be immediately filled by the next candidate. This would allow for all vacancies arising to be filled immediately and an expensive recruitment campaign would be avoided.

I look forward to hearing from you in relation to these important matters as soon as possible.

Yours sincerely

Richard Bruton T.D.
Minister for Jobs, Enterprise and Innovation.

3

Re: Fw: Sanction for recruitment of accountants in ODCE
Claire Gordon to: John Hughes 04/03/2014 10:47
Cc: Breda Power, Helen Curley, Eamonn Balmer, Una Walsh

John

Thank you very much for this. I understand that there are other priorities out there and I very much appreciate your response and all that Personnel has been doing to get sanction. It is difficult not to see the delays in sanctioning recruitment (due to scarce public money) as being the result of the State having to aid private institutions that got into difficulty due to poor corporate governance and possibly breaches of company law and therefore to see the filling of these sorts of vacancies as fundamental to any hope of a stable economic recovery.

Claire

John Hughes Claire, I will be writing to DPER again this week on v... 04/03/2014 09:46:02

From: John Hughes/entemp
To: Claire Gordon/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP, Helen Curley/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP, Una Walsh/entemp@ENTEMP
Date: 04/03/2014 09:46
Subject: Re: Fw: Sanction for recruitment of accountants in ODCE

Claire,

I will be writing to DPER again this week on various sanctions and would propose that we not ask the Minister to contact his counterpart in PER until I have written and DPER has had a short time within which to respond. If there continues to be a delay in securing the sanction we can then elevate the matter to higher levels. I say the foregoing in the context of a number of urgent sanctions relating to other Ministerial priorities having been secured in recent weeks such that DJEI requests are being progressed in DPER, albeit that yours are currently among those that are outstanding at this time.

John,
4/3.

John Hughes,
Principal,
Personnel and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.

Claire Gordon Breda and John, Please see attached a draft letter fr... 03/03/2014 11:35:07

From: Claire Gordon/entemp
To: Breda Power/entemp@ENTEMP, John Hughes/entemp@ENTEMP,
Cc: Helen Curley/entemp@ENTEMP
Date: 03/03/2014 11:35
Subject: Fw: Sanction for recruitment of accountants in ODCE

Breda and John,

Please see attached a draft letter from the Minister to Minister Howlin for use if it is decided that a letter

between Ministers would contribute to obtaining sanction for the outstanding vacancies in ODCE and

The second paragraph on page 2 has blank spaces for the dates on which the requests for sanction were sent from Personnel to DPER as I am not certain of those..

Claire

[attachment "Draft ltr Min to Min PER re ODCE IAASA staffing 030314.doc" deleted by Claire Gordon/entemp]

----- Forwarded by Claire Gordon/entemp on 03/03/2014 09:54 -----

From:	Breda Power/entemp
To:	John Hughes/entemp@ENTEMP,
Cc:	Claire Gordon/entemp@ENTEMP, Helen Curley/entemp@ENTEMP
Date:	26/02/2014 15:09
Subject:	Fw: Sanction for recruitment of accountants in ODCE
Sent by:	breda power

John

I refer to the email below from Claire and earlier correspondence in relation to the request from the ODCE for sanction to recruit additional accountants and . As you know CCC Division supports the requests from both bodies.

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The points articulated by Claire below are well made and I would appreciate if you would consider whether this matter should now be escalated to Ministerial level.

Thanks

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

----- Forwarded by breda power/entemp on 26/02/2014 14:24 -----

From:	Claire Gordon/entemp
To:	Breda Power/entemp@ENTEMP,
Date:	26/02/2014 13:28
Subject:	Sanction for recruitment of accountants in ODCE

Breda

There is currently a request for sanction with DPER in relation to accountants in the ODCE - for a specific replacement for a current vacancy as well as a rebalancing of staff. While I understand that this Department has no control over the speed at which DPER makes its decisions I suggest that we need to do something more than await DPER's response as if this request is not of particular urgency relative to other requests. The reasons for this are as follows:

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Unless Personnel is confident that DPER will be responding soon I think that we need to do more than wait and suggest that perhaps a letter from the Minister to the Minister for PER may be necessary.

Claire

4

Re: Fw: Sanction for recruitment for ODCE and IAASA
John Hughes to: Breda Power 22/04/2014 15:41
Cc: Claire Gordon, Eamonn Balmer, Una Walsh

History: This message has been forwarded.

Breda,

I have no problem with that. I accept fully the arguments re ODCE.

The Department has over a dozen sanction requests with DPER and while all were brought to their attention once again by correspondence at the start of March I could not go over each one at the bilateral and so I focussed on some. However, I did highlight the fact that each request was meritorious in its own right - and this would, of course, include the ODCE request.

As soon as the sanction arrives, I will be in touch re next steps.

John,
22/4.

John Hughes,
Principal,
Personnel and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.

Breda Power John I note that you highlighted the case of IAAS... 22/04/2014 15:32:19

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP, Una Walsh/entemp@ENTEMP
Date: 22/04/2014 15:32
Subject: Re: Fw: Sanction for recruitment for ODCE and IAASA
Sent by: breda power

John

I note that you highlighted the case of IAASA with DPER but you will appreciate that we are anxious to receive sanction in respect of the request from the ODCE as well. A key requirement for the ODCE is accounting expertise. There has been much comment in recent times by the media and Oireachtas members about the provision of adequate resources for the ODCE. You will be aware of the amendments tabled by Deputy Calleary on the Companies Bill in this regard. I believe that it is crucial for the proper functioning of that office in terms of the enforcement of company law that they have the expertise identified and requested by them.

If DPER do not respond favourably by the end of this week, in my view this matter must be escalated to Ministerial level.

Breda

Breda Power
Department of Jobs, Enterprise & Innovation,
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Lower Hatch Street,
Dublin 2

Tel: 01 6312609

Fax: 016312552
email breda.power@djei.ie

John Hughes | Claire, after a bilateral meeting with DPER last w... | 22/04/2014 11:24:45

From: John Hughes/entemp
To: Claire Gordon/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP, Una Walsh/entemp@ENTEMP
Date: 22/04/2014 11:24
Subject: Re: Fw: Sanction for recruitment for ODCE and IAASA

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after a bilateral meeting with DPER last week I am awaiting a sanction letter in respect of some of our outstanding requests. Among the cases I specifically highlighted was IAASA. We might wait for that sanction letter to issue, expected this week, and see where we stand before considering elevating the matter further.

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John Hughes,
Principal,
Personnel and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.

Claire Gordon | John I am following up again on your email of 4... | 22/04/2014 11:15:12

From: Claire Gordon/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP
Date: 22/04/2014 11:15
Subject: Fw: Sanction for recruitment for ODCE and IAASA

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I am following up again on your email of 4 March in which you proposed that the Minister not be contacted in relation to the above sanctions until DPER was contacted and given a short time in which to respond. I don't know if any response has been received but I am assuming that sanction has not been granted yet. In view of the very high profile of the recent Anglo prosecutions and the fact that these requests have been with DPER since December I suggest this may be an opportune time to act.

Claire

----- Forwarded by Claire Gordon/entemp on 22/04/2014 11:06 -----

From: Claire Gordon/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP
Date: 18/03/2014 11:47
Subject: Re: Fw: Sanction for recruitment for ODCE and IAASA

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I wonder if there has been any response from DPER to your correspondence on the above and if not whether you think it is now time to move to Ministerial level on this.The continuing revelations from the Anglo trials and the ongoing allegations around the charity sector daily demonstrate the negative impact of poor corporate governance and the importance of filling these vacancies.

Claire

John Hughes	Claire, I will be writing to DPER again this week o...	04/03/2014 09:46:02

From: John Hughes/entemp
To: Claire Gordon/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP, Helen Curley/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP, Una Walsh/entemp@ENTEMP
Date: 04/03/2014 09:46
Subject: Re: Fw: Sanction for recruitment of accountants in ODCE

Claire,

I will be writing to DPER again this week on various sanctions and would propose that we not ask the Minister to contact his counterpart in PER until I have written and DPER has had a short time within which to respond. If there continues to be a delay in securing the sanction we can then elevate the matter to higher levels. I say the foregoing in the context of a number of urgent sanctions relating to other Ministerial priorities having been secured in recent weeks such that DJEI requests are being progressed in DPER, albeit that yours are currently among those that are outstanding at this time.

John,
4/3.

John Hughes,
Principal,
Personnel and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.

Claire Gordon	Breda and John, Please see attached a draft lette...	03/03/2014 11:35:07

From: Claire Gordon/entemp
To: Breda Power/entemp@ENTEMP, John Hughes/entemp@ENTEMP,
Cc: Helen Curley/entemp@ENTEMP
Date: 03/03/2014 11:35
Subject: Fw: Sanction for recruitment of accountants in ODCE

Breda and John,

Please see attached a draft letter from the Minister to Minister Howlin for use if it is decided that a letter between Ministers would contribute to obtaining sanction for the outstanding vacancies in ODCE and IAASA and the related requests.

The second paragraph on page 2 has blank spaces for the dates on which the requests for sanction were sent from Personnel to DPER as I am not certain of those..

Claire

[attachment "Draft ltr Min to Min PER re ODCE IAASA staffing 030314.doc" deleted by Claire Gordon/entemp]

----- Forwarded by Claire Gordon/entemp on 03/03/2014 09:54 -----

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Helen Curley/entemp@ENTEMP
Date: 26/02/2014 15:09
Subject: Fw: Sanction for recruitment of accountants in ODCE
Sent by: breda power

John

I refer to the email below from Claire and earlier correspondence in relation to the request from the ODCE for sanction to recruit additional accountants and also the request from IAASA in relation to project managers. As you know CCC Division supports the requests from both bodies.

I consider that the delay by DPER in responding to requests for sanction is not acceptable. While I appreciate that the Department has a number of requests seeking sanction to fill pressure posts or recruit new skills based on changing priorities and these need to be considered in the context of the ECF, I nevertheless consider that we have to find a way to convince DPER that enforcement bodies such as the ODCE and IAASA should not be starved of key skills which they have identified are necessary to enable them fulfil their statutory mandates.

The points articulated by Claire below are well made and I would appreciate if you would consider whether this matter should now be escalated to Ministerial level.

Thanks

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From: Claire Gordon/entemp
To: Breda Power/entemp@ENTEMP,
Date: 26/02/2014 13:28
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Unless Personnel is confident that DPER will be responding soon I think that we need to do more than wait and suggest that perhaps a letter from the Minister to the Minister for PER may be necessary. We could mention the request for sanction for a Project Manager in IAASA and the request to keep Project Manager numbers at a specific level in any such letter also as the same concerns in relation to inaction on enforcement issues would apply.

Claire

Re: Fw: Sanction for recruitment for ODCE :
John Hughes to: Breda Power 25/04/2014 14:41
Cc: Claire Gordon, Eamonn Balmer, Una Walsh

Nothing yet, Breda.

John Hughes,
Principal,
Personnel and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.

Breda Power John Any word from DPER? 25/04/2014 10:43:43

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP, Una Walsh/entemp@ENTEMP
Date: 25/04/2014 10:43
Subject: Re: Fw: Sanction for recruitment for ODCE and
Sent by: breda power

John

Any word from DPER?

Breda
Breda Power
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From: Claire Gordon/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP
Date: 18/03/2014 11:47
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6

Earlsfort Centre,
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Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
----- Forwarded by breda power/entemp on 09/05/2014 17:07 -----

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP, Joan Howley/entemp@entemp
Date: 01/05/2014 18:26
Subject: Re: Fw: Dail banking enquiry
Sent by: breda power

John

I spoke with Anne Keeley this afternoon en marge of another meeting and I raised with her the urgency of receiving sanction for the ODCE and IAASA. She mentioned that she had heard the media comments on resources for enforcement bodies and said that she hoped to get back to the Department next week.

You will appreciate that we see this as a critical issue for both bodies and we will be following up again next week.

Breda
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Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

John Hughes	I spoke again with DPER on this today and will ke...	01/05/2014 17:59:24

From: John Hughes/entemp
To: Breda Power/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP, Joan Howley/entemp@ENTEMP
Date: 01/05/2014 17:59
Subject: Re: Fw: Dail banking enquiry

I spoke again with DPER on this today and will keep you posted.

John Hughes,
Principal,
Personnel and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.

Breda Power	John Claire is absolutely correct.	01/05/2014 10:56:32

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,

Cc: Claire Gordon/entemp@ENTEMP, Joan Howley/entemp@entemp, Eamonn Balmer/entemp@ENTEMP
Date: 01/05/2014 10:56
Subject: Fw: Dail banking enquiry
Sent by: breda power

John

Claire is absolutely correct.

I mentioned to the Minister yesterday about the outstanding requests for sanction from the ODCE and IAASA and the increasing focus on the adequacy of the resources available to enforcement bodies, in particular the ODCE. This is very much to the fore at the moment as you can see from various media comments. I also mentioned to the Minister that we had considered escalating this to Ministerial level. If sanction is not forthcoming I consider that this needs to be revisited.

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----- Forwarded by breda power/entemp on 01/05/2014 10:48 -----

From: Claire Gordon/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP, Joan Howley/entemp@entemp
Date: 01/05/2014 10:40
Subject: Dail banking enquiry

John

Minister Howlin is publicly leading on the establishment and commencement of the Dail enquiry into the causes of the banking collapse. I suggest that it might be said to his Department that it would demonstrate a consistency of strategic intention if it were to sanction resources for the state agency that was the instigator of the first successful prosecution in relation to the collapse of Anglo Irish Bank (ODCE) and the state agency (IAASA) that oversaw the first enquiries which made regulatory findings against certain of the major parties involved in the collapse of that bank. Perhaps DPER should be told also that conversely the strength of Minister Howlin's position on this issue may be undermined if the failure to sanction these resources is made public, which it is likely to be on the publication of the ODCE's Annual Report at the end of this month and the publication of IAASA's Report in the following month.

Claire

7

Re : Comprehensive Spending Review
From Conor O'Mahony
To Estimates
Cc Breda Power, Ian Drennan, Phil Flood, Claire Gordon
Date 02/05/2014 15:20

Hi

The REV provision for 2014 for the ODCE (subhead C7) is a total of €4,672k made up of Pay €2,465k and Non-pay €2,207k.

The request below asks that we consider cuts for 2015 and 2016 in two steps:

A - a cut of 1.2% to meet a previously approved Departmental provision for 2015 and 2016
B - a further cut of 5%.

In the case of the ODCE, this equates to reductions of €56k and €231k respectively or a cut of €287k in total. This would mean a provision of €4,385k for 2015 & 2016, made up of Pay €2,465k and Non-pay €1,920k.

The ODCE does not consider that any cut in the **Pay** provision is possible. On the contrary, the Office is seeking the allocation of additional staffing resources and would need to additional financial provision to cover the cost of the additional staffing resources provided.

Accordingly, a cut of this magnitude would have to be fully absorbed in our Non-pay allocation. As you will recall, part of our non-pay provision is there to cover prospective negative costs awards being made against us in respect of a number of protracted legal proceedings that are, or have been, before the Superior Courts. In this regard, there have been positive developments recently in relation to some of these cases with settlements reached that do not involve any payment of costs by the ODCE (on the contrary, the ODCE will achieve some partial recovery of costs already incurred in processing these cases). Notwithstanding these favourable developments, we still remain at risk of significant costs being awarded against us. In this regard, it is worth recalling that the Byrne case that was previously determined by the Supreme Court resulted in us having to pay out some €850,000. In addition, the ongoing work in relation to the Anglo cases may involve significant costs on external expertise, etc, while the Office is currently considering some outsourcing of legal/accounting work.

Having regard to the foregoing factors,we believe that we could live with the reduced provisions in accordance with the request from Finance Unit. However, this is subject to the understanding that we are not able to control the timing or quantum of any costs that might be awarded against us in legal cases. Accordingly, while we are indicating that we will require less funds than previously thought, there will still remain a risk that we might require additional funds to meet such costs in the event that they exceed the amounts provided in our estimates or that other large unanticipated costs arise.

Apart from our main subhead, we have a separate provision of €50k in subhead X02 for legal costs. This is essentially a precautionary provision to cover exceptional costs that might arise, for example, in the context of the appointment of Inspectors. In this regard, I would remind you of the appointment of the inspector in the DCC case where the costs amounted to some €1.4m. Those costs were met partly out of the main subhead and partly out of X02. We would regard it important that the provision in subhead X02 be maintained in order to facilitate payment of any exceptional legal costs that might arise.

Regards

Conor O'Mahony
Principal Officer
Office of the Director of Corporate Enforcement
16 Parnell Square
Dublin 1
ph. +353 - 1 - 858 5827

From: Cathal O'Gorman/entemp

To: Aidan Hodson/entemp@ENTEMP, Anne ColemanDunne/entemp@ENTEMP, Conor Verdon/entemp@entemp, Dermot Sheridan/entemp@ENTEMP, Eugene Forde/entemp@ENTEMP, Fiona Flood/entemp@ENTEMP, Fiona Kilcullen/entemp@ENTEMP, Gerard Monks/entemp@ENTEMP, Helen Curley/entemp@ENTEMP, Helen Dixon/entemp@Entemp, Ian Drennan/entemp@ENTEMP, John Hughes/entemp@ENTEMP, Kieran Grace/entemp@ENTEMP, Liam Kelly/entemp@ENTEMP, Maire Ni Chuirc/entemp@entemp, Maureen O'Sullivan/entemp@entemp, namccutcheon@equalitytribunal.ie, Paraig Hennessy/entemp@ENTEMP, Pat A Houlihan/entemp@Entemp, Pat McCourt/entemp@ENTEMP, Pauline Mulligan/entemp@ENTEMP, Stephen Curran/entemp@entemp, Thomas Murray/entemp@ENTEMP, William Parnell/entemp@Entemp, Adrienne Byrne/entemp@entemp, Aedin Doyle/entemp@ENTEMP, Ailish Looby/entemp@ENTEMP, Aine de Bairtiseil/entemp@ENTEMP, Aisling McCarthy/entemp@ENTEMP, Andrew O'Shea/entemp@ENTEMP, Anne Maree/entemp@ENTEMP, Anne Slevin/entemp@ENTEMP, Augustine O'connell/entemp@entemp, Bernard Rooney/entemp@ENTEMP, Bill Cox/entemp@Entemp, Breda Murphy/entemp@ENTEMP, Brenda Ward/entemp@entemp, Brendan Hogan/entemp@ENTEMP, Brian Dalton/entemp@ENTEMP, Conor O'Mahony/entemp@entemp, Caitriona O'Connell Maher/entemp@ENTEMP, Caroline Kiernan/entemp, Celyna Coughlan/entemp@ENTEMP, Cian Neville/entemp@ENTEMP, Claire Gordon/entemp@ENTEMP, Cliona Hickey/entemp@ENTEMP, Colette Reilly/entemp@ENTEMP, Don O'Connor/entemp@ENTEMP, Dave Lockhart/entemp@ENTEMP, David Small/entemp@ENTEMP, Declan Tighe/entemp@ENTEMP, Deirdre Durnin/entemp@ENTEMP, Eadaoin Collins/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP, Eamonn Gallagher/entemp@entemp, Elaine Lynch/entemp@ENTEMP, Elaine Nolan/entemp@entemp, Enda M Murphy/entemp@ENTEMP, Eric Giguere/entemp@ENTEMP, Evelyn Daly/entemp@ENTEMP, Fergal Cullen/entemp@ENTEMP, Fergus Doyle/entemp@ENTEMP, Fionna Hallinan/entemp@ENTEMP, Fionnuala Kehoe/entemp@ENTEMP, Frances Gaynor/entemp@ENTEMP, Francesca Atkinson/entemp@ENTEMP, Gerry Wrynn/entemp@Entemp, Grainne O'Carroll/entemp@ENTEMP, Geraldine Drumm/entemp@ENTEMP, Gerard Barrett/entemp@ENTEMP, Gerry Doyle/entemp@ENTEMP, Gillian Leyden/entemp@ENTEMP, John Moran/entemp@ENTEMP, James A Kelly/entemp@ENTEMP, Joan Howley/entemp@entemp, Joan Kehoe/entemp@ENTEMP, Joan O'Brien/entemp@ENTEMP, Joe Wilson/entemp@ENTEMP, John Nolan/entemp@ENTEMP, Julia O'Malley/entemp@ENTEMP, Laura Allen/entemp@ENTEMP, Lelia Abe/entemp@ENTEMP, Michael Davitt/entemp@ENTEMP, Michael Greene/entemp@ENTEMP, marcus.maginniss@djei.ie, Margaret Dunniece/entemp@ENTEMP, Margaret Lawlor/entemp@ENTEMP, Margaret Ryan/entemp@ENTEMP, Maria O'Rourke/entemp@Entemp, Marie Hogarty/entemp@ENTEMP, Marie McMahon/entemp@ENTEMP, Martina Murray/entemp@ENTEMP, Mary Flynn/entemp@ENTEMP, Mary Dooley/entemp@ENTEMP, Michael O'Flaherty/entemp@ENTEMP, Michael Pender/entemp@ENTEMP, Niamh Mathews/entemp@Entemp, Nicola Haran/entemp@entemp, Nina Brennan/entemp@ENTEMP, Orla Kenny/entemp@ENTEMP, Orla O'Brien/entemp@ENTEMP, Padraig Dooley/entemp@ENTEMP, Pat Kelly/entemp@ENTEMP, Patricia Phillips/entemp@ENTEMP, Patricia Timmons/entemp@ENTEMP, Patricia Brady/entemp@ENTEMP, Patrick Rochford/entemp@ENTEMP, Paul Brennan/entemp@Entemp, Paul McMorrow/entemp@ENTEMP, Pauline Connolly/entemp@ENTEMP, Phil Flood/entemp@entemp, Philip Gallagher/entemp@ENTEMP, Richard Barry/entemp@ENTEMP, Ronnie Breen/entemp@ENTEMP, Rose Ball/entemp@ENTEMP, Sabha Greene/entemp@ENTEMP, Sandra Mullen/entemp@ENTEMP, Seamus Chamberlain/entemp@ENTEMP, Seamus Grehan/entemp@ENTEMP, Siobhan Daly/entemp@ENTEMP, Siobhan O'Carroll/entemp@Entemp, siobhan fitzpatrick/entemp@ENTEMP, siobhan.o'leary@djei.ie, Stacey Brant/entemp@ENTEMP, Susan A McNamee/entemp@ENTEMP, Tony Daly/entemp@ENTEMP, Una Walsh/entemp@ENTEMP, Wendy Gray/entemp@ENTEMP, Catherine Curran/entemp@ENTEMP, freda nolan/entemp@entemp,

Cc: Dermot Curran/entemp@ENTEMP, Breda Power/entemp@ENTEMP, Martin Shanagher/entemp@ENTEMP, Philip Kelly/entemp@ENTEMP, Clare Dunne/entemp@ENTEMP

Date: 16/04/2014 16:47

Subject: Re : Comprehensive Spending Review

Colleagues,
The Secretary General of the Department of Public Expenditure and Reform recently wrote to all Secretaries General advising of the intention to commence the reviews of both Current and Capital expenditure as announced in Budget 2014, and as agreed by Government at its recent cabinet meeting.

The comprehensive reviews are part of the Government's multi-annual budgetary framework and are conducted on a periodic basis to re-set the multi-year Ministerial Expenditure ceilings in line with emerging Government priorities and informed by evaluations of expenditure programmes. Colleagues will recall the previous CRE exercise undertaken in 2011 for the period 2011 - 14.

Subsequent to the issue of Secretary General Watt's letter, D/PER made a presentation to Finance Officers last week in relation to the format and timing of the expenditure reviews.

This email is essentially concerned with the requirements of the Current Expenditure Review. A separate email regarding the format of the Capital expenditure review, which is being undertaken in parallel with the CRE, is being sent to budget officers who are responsible for subheads which involve capital expenditure.

Format of the Current Expenditure Review

As outlined by PER the ceilings published in the 2014 Expenditure Report 2014 will form the basis of the Current Expenditure Review.

DJEI's published current expenditure ceilings are: **2014 : €339m, 2015 : €335m, 2016 : €335m**

(A) PER has asked all Departments to identify measures to deliver the level of savings required to meet the published 2015/2016 Current ceilings i.e. a reduction of €4m in DJEI's case.

(B) In addition, PER has asked Departments to identify further savings options worth 5% of the 2015/16 ceilings

Applying a further 5% saving (on €335m) would yield a further reduction of **€16.75m** which when added to the €4m outlined in (a) above would mean a total reduction of €20.75m on the 2014 Current allocation, for 2015 and subsequent years.

This would require the Department to work within a revised annual ceiling of **€318.25m** for each of the 3 years in the period 2015-2017.

PER has advised that Departments in proposing measures to achieve their respective expenditure ceilings, should examine particular proposals in a number of key areas including in the areas of Public Service Reform, Procurement, Pay and Numbers and New/Increasing Charges.

Finance Unit appreciates that, notwithstanding PER's intimations regarding areas in which expenditure may be reduced, scope to reduce current pay/pension allocations within the Vote may be very limited. Accordingly to deliver the full €20.75m reduction being sought, Budget Officers may have to concentrate their proposals for reductions exclusively in Non-pay areas.

Accordingly, Budget Officers are being asked to forward to Finance Unit via their Divisional Coordinator the following:

Details of measures that would be required to yield a reduction of the amount required (i.e. the minimum €4m) to ensure the Department at least achieves the ceilings published in the 2014 Expenditure Report. The pro-rata reductions expected of Budget Officers equates to 1.2% across all elements of your 2014 current allocation. If Pay/Pensions cannot be further reduced in your respective area then the pro-rata reduction expected is 3% of your Non-Pay allocation.

In addition, B/Officers should also provide proposals to achieve the reduced ceilings required by the additional PER 5% savings option (-€16.75m) as detailed above in (B). Given the likely difficulty B/Officers will have to further reduce Pay/Pensions allocations, the pro-rata reduction expected in this additional request by PER means that we are asking B/Officers to articulate the feasibility and consequences of a further -12.6% reduction on their 2014 Non-Pay allocation. (* in addition to reductions being made in (1) above whereby we must deliver €4m in savings).*
The implications that such reductions would have on service/programme delivery, knock-on impact on job creation, statutory obligations, reform processes etc; and if possible suggest

Alternative measures that might yield some additional level of savings, by applying greater reductions in one particular area in order to protect others.

A copy of the PER CRE template for submission of returns is attached below.

Timelines
PER has advised that it intends to submit policy and expenditure options arising from the current expenditure reviews to Government for consideration in June and has requested that Departments forward their proposals/material in relation to the review in late May.

Assistant Secretaries will be asked to nominate a contact person within their Divisions to liaise with Finance Unit in relation to the CRE and to coordinate returns in respect of each Divisional Subhead.

Budget Officers are requested to forward their current expenditure review proposals via their Divisional Coordinator to Finance Unit's **Estimates mailbox** by close of business on **30th April 2013**. This will allow for a preliminary discussion on various proposals at the Management Board meeting of May 6th prior to a subsequent discussion at a Ministerial Management Board shortly thereafter.

Finance Unit's Estimates team, Fergal Cullen, Órla Maher, Carlos Acarreta, will be available to engage with Budget Officers to discuss the details of the reviews in relation to their particular areas.

Cathal O' Gorman
Finance Unit
16th April 2014

[attachment "CRE template for Budget Officers.docx" deleted by Conor O'Mahony/entemp]

ATTACHMENTS:

8

Re: Fw: Dail banking enquiry
Breda Power to: John Hughes 09/05/2014 17:50
Sent by: breda power
Cc: Claire Gordon, Eamonn Balmer, Joan Howley

Thanks John

We will be submitting a Memo for Government on the ODCE Annual Report to the Minister on Monday. Government's attention is being drawn to the reference in the Report to "the current insufficiency of in-house accountancy expertise will have to be addressed".

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

John Hughes | No Breda, so I am clean out of reasons to sugges... | 09/05/2014 17:42:29

From: John Hughes/entemp
To: Breda Power/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP, Joan Howley/entemp@ENTEMP
Date: 09/05/2014 17:42
Subject: Re: Fw: Dail banking enquiry

No Breda, so I am clean out of reasons to suggest that elevating the matter should be delayed further.

John,
9/5.

John Hughes,
Principal,
Personnel and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.

Breda Power | John Any word from DPER? | 09/05/2014 17:08:21

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP, Joan Howley/entemp@entemp
Date: 09/05/2014 17:08
Subject: Fw: Dail banking enquiry
Sent by: breda power

John

Any word from DPER?

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,

9

Fw: Re : Current and Capital Expenditure Reviews

From Cathal O'Gorman
To Fergal Cullen, Orla Maher
Cc
Date 23/05/2014 17:39

FYI
----- Forwarded by Cathal O'Gorman/entemp on 23/05/2014 17:39 -----

From: Conor O'Mahony/entemp
To: Cathal O'Gorman/entemp@ENTEMP,
Cc: Ian Drennan/entemp@ENTEMP, Breda Power/entemp@ENTEMP, Helen Curley/entemp@ENTEMP, Claire Gordon/entemp@ENTEMP, Phil Flood/entemp@entemp
Date: 23/05/2014 17:26
Subject: Re: Fw: Re : Current and Capital Expenditure Reviews

Cathal

As indicated in my earlier response of 2 May, the entirety of these proposed cuts would have to be absorbed in Non-pay allocation. While we had indicated that we believed that we could probably live with the reduced provisions proposed in your email of 16 April (though with the caveat that we might require additional funds to meet legal costs or other large unanticipated costs that might arise), we have concerns that a further cut - which amounts to another €175k (or an additional 8% of our 2014 provision and a total cut of 21%!) - could have potentially serious implications for our operational capacity.

A considerable element of our non-pay budget is essentially fixed with binding contractual arrangements in place. This would include, for example, security and cleaning, while basic requirements such as phones and stationary have already been cut to the bone and cannot be cut any further. In terms of non fixed expenditure, this largely relates to legal and other costs incurred in investigating, preparing and taking and/or defending legal actions.

The latest "cut" proposed would, in our opinion, pose a material risk that we might not have sufficient funds available to properly investigate, prosecute and/or support the DPP's prosecution of, significant cases, including high profile cases already on hands, in a manner which is likely to achieve successful outcomes, especially if we were to face any significant adverse costs awards. Having regard to the extent of the cuts already accepted by the Office, we would not consider it prudent to compromise our ability to function to this extent.

Accordingly, we would urge you to preserve our funding at the level indicated in your April email, i.e. a provision of €4,385k for 2015 & 2016, made up of Pay €2,465k and Non-pay €1,920k.

Regards

Conor O'Mahony
Principal Officer
Office of the Director of Corporate Enforcement
16 Parnell Square
Dublin 1
ph. +353 - 1 - 858 5827

From: Cathal O'Gorman/entemp

To: Aidan Hodson/entemp@ENTEMP, Anne ColemanDunne/entemp@ENTEMP, Conor Verdon/entemp@entemp, Dermot Sheridan/entemp@ENTEMP, Eugene Forde/entemp@ENTEMP, Fiona Flood/entemp@ENTEMP, Fiona Kilcullen/entemp@ENTEMP, Gerard Monks/entemp@ENTEMP, Helen Curley/entemp@ENTEMP, Helen Dixon/entemp@Entemp, Ian Drennan/entemp@ENTEMP, John Hughes/entemp@ENTEMP, Kieran Grace/entemp@ENTEMP, Liam Kelly/entemp@ENTEMP, Maire Ni Chuirc/entemp@entemp, Maureen O'Sullivan/entemp@entemp, namccutcheon@equalitytribunal.ie, Paraig Hennessy/entemp@ENTEMP, Pat A Houlihan/entemp@Entemp, Pat McCourt/entemp@ENTEMP, Pauline Mulligan/entemp@ENTEMP, Stephen Curran/entemp@entemp, Thomas Murray/entemp@ENTEMP, William Parnell/entemp@Entemp, Adrienne Byrne/entemp@entemp, Aedin Doyle/entemp@ENTEMP, Ailish Looby/entemp@ENTEMP, Aine de Bairtiseil/entemp@ENTEMP, Aisling McCarthy/entemp@ENTEMP, Andrew O'Shea/entemp@ENTEMP, Anne Maree/entemp@ENTEMP, Anne Slevin/entemp@ENTEMP, Augustine O'connell/entemp@entemp, Bernard Rooney/entemp@ENTEMP, Bill Cox/entemp@Entemp, Breda Murphy/entemp@ENTEMP, Brenda Ward/entemp@entemp, Brendan Hogan/entemp@ENTEMP, Brian Dalton/entemp@ENTEMP, Conor O'Mahony/entemp@entemp, Caitriona O'Connell Maher/entemp@ENTEMP, Caroline Kiernan/entemp, Celyna Coughlan/entemp@ENTEMP, Cian Neville/entemp@ENTEMP, Claire Gordon/entemp@ENTEMP, Cliona Hickey/entemp@ENTEMP, Colette Reilly/entemp@ENTEMP, Don O'Connor/entemp@ENTEMP, Dave Lockhart/entemp@ENTEMP, David Small/entemp@ENTEMP, Declan Tighe/entemp@ENTEMP, Deirdre Durnin/entemp@ENTEMP, Eadaoin Collins/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP, Eamonn Gallagher/entemp@entemp, Elaine Lynch/entemp@ENTEMP, Elaine Nolan/entemp@entemp, Enda M Murphy/entemp@ENTEMP, Eric Giguere/entemp@ENTEMP, Evelyn Daly/entemp@ENTEMP, Fergal Cullen/entemp@ENTEMP, Fergus Doyle/entemp@ENTEMP, Fionna Hallinan/entemp@ENTEMP, Fionnuala Kehoe/entemp@ENTEMP, Frances Gaynor/entemp@ENTEMP, Francesca Atkinson/entemp@ENTEMP, Gerry Wrynn/entemp@Entemp, Grainne O'Carroll/entemp@ENTEMP, Geraldine Drumm/entemp@ENTEMP, Gerard Barrett/entemp@ENTEMP, Gerry Doyle/entemp@ENTEMP, Gillian Leyden/entemp@ENTEMP, John Moran/entemp@ENTEMP, James A Kelly/entemp@ENTEMP, Joan Howley/entemp@entemp, Joan Kehoe/entemp@ENTEMP, Joan O'Brien/entemp@ENTEMP, Joe Wilson/entemp@ENTEMP, John Nolan/entemp@ENTEMP, Julia O'Malley/entemp@ENTEMP, Laura Allen/entemp@ENTEMP, Lelia Abe/entemp@ENTEMP, Michael Davitt/entemp@ENTEMP, Michael Greene/entemp@ENTEMP, marcus.maginniss@djei.ie, Margaret Dunniece/entemp@ENTEMP, Margaret Lawlor/entemp@ENTEMP, Margaret Ryan/entemp@ENTEMP, Maria O'Rourke/entemp@Entemp, Marie Hogarty/entemp@ENTEMP, Marie McMahon/entemp@ENTEMP, Martina Murray/entemp@ENTEMP, Mary Flynn/entemp@ENTEMP, Mary Dooley/entemp@ENTEMP, Michael O'Flaherty/entemp@ENTEMP, Michael Pender/entemp@ENTEMP, Niamh Mathews/entemp@Entemp, Nicola Haran/entemp@entemp, Nina Brennan/entemp@ENTEMP, Orla Kenny/entemp@ENTEMP, Orla O'Brien/entemp@ENTEMP, Padraig Dooley/entemp@ENTEMP, Pat Kelly/entemp@ENTEMP, Patricia Phillips/entemp@ENTEMP, Patricia Timmons/entemp@ENTEMP, Patricia Brady/entemp@ENTEMP, Patrick Rochford/entemp@ENTEMP, Paul Brennan/entemp@Entemp, Paul McMorrow/entemp@ENTEMP, Pauline Connolly/entemp@ENTEMP, Phil Flood/entemp@entemp, Philip Gallagher/entemp@ENTEMP, Richard Barry/entemp@ENTEMP, Ronnie Breen/entemp@ENTEMP, Rose Ball/entemp@ENTEMP, Sabha Greene/entemp@ENTEMP, Sandra Mullen/entemp@ENTEMP, Seamus Chamberlain/entemp@ENTEMP, Seamus Grehan/entemp@ENTEMP, Siobhan Daly/entemp@ENTEMP, Siobhan O'Carroll/entemp@Entemp, siobhan fitzpatrick/entemp@ENTEMP, siobhan.o'leary@djei.ie, Stacey Brant/entemp@ENTEMP, Susan A McNamee/entemp@ENTEMP, Tony Daly/entemp@ENTEMP, Una Walsh/entemp@ENTEMP, Wendy Gray/entemp@ENTEMP, Catherine Curran/entemp@ENTEMP, freda nolan/entemp@entemp,

Cc: Dermot Curran/entemp@ENTEMP, Breda Power/entemp@ENTEMP, Martin Shanagher/entemp@ENTEMP, Philip Kelly/entemp@ENTEMP, Clare Dunne/entemp@ENTEMP

Date: 22/05/2014 17:40

Subject: Fw: Re : Current and Capital Expenditure Reviews

Colleagues,
Mea culpa, obviously the deadline should have read **lunchtime Monday the 26th May,**
Cathal

----- Forwarded by Cathal O'Gorman/entemp on 22/05/2014 17:35 -----

From: Cathal O'Gorman/entemp

To: Aidan Hodson/entemp@ENTEMP, Anne ColemanDunne/entemp@ENTEMP, Conor Verdon/entemp@entemp, Dermot Sheridan/entemp@ENTEMP, Eugene Forde/entemp@ENTEMP, Fiona Flood/entemp@ENTEMP, Fiona Kilcullen/entemp@ENTEMP, Gerard Monks/entemp@ENTEMP, Helen Curley/entemp@ENTEMP, Helen Dixon/entemp@Entemp, Ian Drennan/entemp@ENTEMP, John Hughes/entemp@ENTEMP, Kieran Grace/entemp@ENTEMP, Liam Kelly/entemp@ENTEMP, Maire Ni Chuirc/entemp@entemp, Maureen O'Sullivan/entemp@entemp, namccutcheon@equalitytribunal.ie, Paraig Hennessy/entemp@ENTEMP, Pat A Houlihan/entemp@Entemp, Pat McCourt/entemp@ENTEMP, Pauline Mulligan/entemp@ENTEMP, Stephen Curran/entemp@entemp, Thomas Murray/entemp@ENTEMP, William Parnell/entemp@Entemp, Adrienne Byrne/entemp@entemp, Aedin Doyle/entemp@ENTEMP, Ailish Looby/entemp@ENTEMP, Aine de Bairtiseil/entemp@ENTEMP, Aisling McCarthy/entemp@ENTEMP, Andrew O'Shea/entemp@ENTEMP, Anne Maree/entemp@ENTEMP, Anne Slevin/entemp@ENTEMP, Augustine O'connell/entemp@entemp, Bernard Rooney/entemp@ENTEMP, Bill Cox/entemp@Entemp, Breda Murphy/entemp@ENTEMP, Brenda Ward/entemp@entemp, Brendan Hogan/entemp@ENTEMP, Brian Dalton/entemp@ENTEMP, Conor O'Mahony/entemp@entemp, Caitriona O'Connell Maher/entemp@ENTEMP, Caroline Kiernan/entemp, Celyna Coughlan/entemp@ENTEMP, Cian Neville/entemp@ENTEMP, Claire Gordon/entemp@ENTEMP, Cliona Hickey/entemp@ENTEMP, Colette Reilly/entemp@ENTEMP, Don O'Connor/entemp@ENTEMP, Dave Lockhart/entemp@ENTEMP, David Small/entemp@ENTEMP, Declan Tighe/entemp@ENTEMP, Deirdre Durnin/entemp@ENTEMP, Eadaoin Collins/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP, Eamonn Gallagher/entemp@entemp, Elaine Lynch/entemp@ENTEMP, Elaine Nolan/entemp@entemp, Enda M Murphy/entemp@ENTEMP, Eric Giguere/entemp@ENTEMP, Evelyn Daly/entemp@ENTEMP, Fergal Cullen/entemp@ENTEMP, Fergus Doyle/entemp@ENTEMP, Fionna Hallinan/entemp@ENTEMP, Fionnuala Kehoe/entemp@ENTEMP, Frances Gaynor/entemp@ENTEMP, Francesca Atkinson/entemp@ENTEMP, Gerry Wrynn/entemp@Entemp, Grainne O'Carroll/entemp@ENTEMP, Geraldine Drumm/entemp@ENTEMP, Gerard Barrett/entemp@ENTEMP, Gerry Doyle/entemp@ENTEMP, Gillian Leyden/entemp@ENTEMP, John Moran/entemp@ENTEMP, James A Kelly/entemp@ENTEMP, Joan Howley/entemp@entemp, Joan Kehoe/entemp@ENTEMP, Joan O'Brien/entemp@ENTEMP, Joe Wilson/entemp@ENTEMP, John Nolan/entemp@ENTEMP, Julia O'Malley/entemp@ENTEMP, Laura Allen/entemp@ENTEMP, Lelia Abe/entemp@ENTEMP, Michael Davitt/entemp@ENTEMP, Michael Greene/entemp@ENTEMP, marcus.maginniss@djei.ie, Margaret Dunniece/entemp@ENTEMP, Margaret Lawlor/entemp@ENTEMP, Margaret Ryan/entemp@ENTEMP, Maria O'Rourke/entemp@Entemp, Marie Hogarty/entemp@ENTEMP, Marie McMahon/entemp@ENTEMP, Martina Murray/entemp@ENTEMP, Mary Flynn/entemp@ENTEMP, Mary Dooley/entemp@ENTEMP, Michael O'Flaherty/entemp@ENTEMP, Michael Pender/entemp@ENTEMP, Niamh Mathews/entemp@Entemp, Nicola Haran/entemp@entemp, Nina Brennan/entemp@ENTEMP, Orla Kenny/entemp@ENTEMP, Orla O'Brien/entemp@ENTEMP, Padraig Dooley/entemp@ENTEMP, Pat Kelly/entemp@ENTEMP, Patricia Phillips/entemp@ENTEMP, Patricia Timmons/entemp@ENTEMP, Patricia Brady/entemp@ENTEMP, Patrick Rochford/entemp@ENTEMP, Paul Brennan/entemp@Entemp, Paul McMorrow/entemp@ENTEMP, Pauline Connolly/entemp@ENTEMP, Phil Flood/entemp@entemp, Philip Gallagher/entemp@ENTEMP, Richard Barry/entemp@ENTEMP, Ronnie Breen/entemp@ENTEMP, Rose Ball/entemp@ENTEMP, Sabha Greene/entemp@ENTEMP, Sandra Mullen/entemp@ENTEMP, Seamus Chamberlain/entemp@ENTEMP, Seamus Grehan/entemp@ENTEMP, Siobhan Daly/entemp@ENTEMP, Siobhan O'Carroll/entemp@Entemp, siobhan fitzpatrick/entemp@ENTEMP, siobhan.o'leary@djei.ie, Stacey Brant/entemp@ENTEMP, Susan A McNamee/entemp@ENTEMP, Tony Daly/entemp@ENTEMP, Una Walsh/entemp@ENTEMP, Wendy Gray/entemp@ENTEMP, Catherine Curran/entemp@ENTEMP, freda nolan/entemp@entemp,

Cc: Dermot Curran/entemp@ENTEMP, Breda Power/entemp@ENTEMP, Martin Shanagher/entemp@ENTEMP, Philip Kelly/entemp@ENTEMP, Clare Dunne/entemp@ENTEMP

Date: 22/05/2014 17:23

Subject: Re : Current and Capital Expenditure Reviews

Colleagues

Further to my email of 16th April in regard to the Current and Capital Expenditure Reviews and further discussions at this morning's Ministerial Management Board meeting; please find attached under a revised Non Pay table outlining the financial impact of (a) a €4m reduction of the Dept's Non Pay budget for 2015 and (b) a further reduction 17.2%

Non Pay reduction to achieve the 5% overall reduction to the the Current ceiling requested by DPER.

Please note that the table precludes reductions in respect of International Subscriptions and has been revised to take account of the probable reclassification of certain Current R&D expenditure as Capital expenditure in 2015, on foot of obligations arising under new European Standards of Accounting Regulations. Such reclassification will impact on the Capital Expenditure Review as Capital expenditure ceilings are likely to increase by a quantum of approximately €40m. Finance Unit will be in contact with relevant Capital Budget Officers in this regard shortly.

At this morning's Management Board meeting, Minister Bruton asked that specific argumentaire be provided in respect of the impact of **both of the reductions** proposed (Columns C & E of the table) on Departmental/Agency activities, with particular focus on the additional 17.2% element (column E) e.g. number of overseas offices that would be closed, number of HSA inspections that would not be carried out etc. Whilst the returns already supplied by Budget Offices are appreciated, more detailed information in relation to the specifics of the impacts of **each of the 2 scenarios** is required in order to enable Finance Unit to frame the Department's response to DPER in accordance with the Minister's directions.

Budget Officers are requested to review the revised proposals and to forward the material sought by the Minister to Finance Unit - **Estimates mailbox by lunchtime Monday 19 May.**

Cathal O'Gorman
Finance Officer

ATTACHMENTS:

Re: Fw: Dail banking enquiry
Claire Gordon to: Breda Power 29/05/2014 19:12

Breda

Please see attached draft note to accompany the letter below.

I am not convinced that all of the changes suggested by John in his redraft of yesterday should be included in the final letter.

Claire

NoteDraftLtrMinToMinDPERIAASAODCEResources290514.doc

John Hughes Claire, some quick thoughts on the proposed draf... 29/05/2014 12:01:22

From: John Hughes/entemp
To: Claire Gordon/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP
Date: 29/05/2014 12:01
Subject: Re: Fw: Dail banking enquiry

Claire,

some quick thoughts on the proposed draft are attached for your consideration.

John,
29/5.

[attachment "Draft2ltrMinToMinPERreODCEIAASAstaffing280514.doc" deleted by Claire Gordon/entemp]

John Hughes,
Principal,
Personnel, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.

Claire Gordon On further thought I think it may make more sens... 28/05/2014 15:56:04

From: Claire Gordon/entemp
To: Breda Power/entemp@ENTEMP,
Cc: John Hughes/entemp@ENTEMP
Date: 28/05/2014 15:56
Subject: Fw: Dail banking enquiry

On further thought I think it may make more sense to look for sanction for all six accountants for ODCE as well as the IT specialist up front. I think that there is no point looking for one accountant at this stage. Apologies for this.

Claire

[attachment "Draft2ltrMinToMinPERreODCEIAASAstaffing280514.doc" deleted by Claire Gordon/entemp]

----- Forwarded by Claire Gordon/entemp on 28/05/2014 15:48 -----

From: Claire Gordon/entemp
To: Breda Power/entemp@ENTEMP,
Cc: John Hughes/entemp@ENTEMP
Date: 28/05/2014 15:42
Subject: Re: Fw: Dail banking enquiry

Breda

Please see attached updated draft for the Minister's signature. Note to accompany it will follow.

Claire

John Hughes	No Breda, so I am clean out of reasons to sugges...	09/05/2014 17:42:29
Breda Power	John Any word from DPER?	09/05/2014 17:08:21
John Hughes	I spoke again with DPER on this today and will ke...	01/05/2014 17:59:24
Breda Power	John Claire is absolutely correct.	01/05/2014 10:56:32

Breda Power
Assistant Secretary

John Maher
Private Secretary to the Minister

Re: Draft letter from the Minister to the Minister for Public Expenditure and Reform in relation to outstanding requests for sanction to recruit.

Please see attached a draft letter to the Minister for Public Expenditure and Reform for the signature of Minister Bruton.

The purpose of the draft letter

The letter has two purposes:

1. The detail of the requests for sanction to recruit staff for the Office of the Director of Corporate Enforcement (ODCE) and the Irish Auditing and Accounting Supervisory Authority (IAASA) are being brought to the attention of the Minister for Public Expenditure and Reform.

2. The Minister for Jobs, Enterprise and Innovation is requesting the aid of the Minister for Public Expenditure and Reform in expediting the requests.

The reason for the letter

Requests to allow IAASA and the ODCE to fill vacancies have been with the Department of Public Expenditure and Reform since and . The need to fill the relevant vacancies has been urgent since that time.

Both IAASA and the ODCE are small organisations[1] and therefore the outstanding vacancies are having a disproportionately high impact on their work. Both organisations have already moved to a risk based approach in relation to the

[1] IAASA has 13 staff. The ODCE has 42.9 whole-time equivalent staff.

enforcement aspects of their work in order to achieve the maximum impact but their limited numbers inevitably means that enquiries or investigations that might be done cannot be done.

The current context of the vacancies

Attached at Tab 2 are two articles that appeared in the Irish Independent subsequent to the publication of the ODCE's Annual Report for 2013 both of which highlighted that ODCE is operating with one accountant only, despite its assessment that seven are required for it to be able to carry out its functions effectively. The message from both articles is that the ODCE is not properly resourced to carry out its functions and that things have not changed and no lessons have been learned from the events at Anglo Irish Bank and the banking collapse which led to the insolvency of the State.

The future context

There are a number of upcoming events which are likely to bring the resourcing of company law bodies into the spotlight in the near future.

The issue is likely to arise during the passage of the Companies Bill 2012 through the Seanad at the end of this month as it was raised in the Dáil in which the following opposition amendment was proposed:

"798. The Minister shall, within three months of the enactment of this Act, publish a report on the adequacy of the resources available to

(a) The Companies Registration Office

and

(b) The Office of the Director of Corporate Enforcement

and such report shall detail the areas in which resources need to be increased in order to allow both agencies to adequately deal with each agency's area of responsibility."

IAASA's Annual Report for 2013 is statutorily required to be published by the end of June. In that Report the Chairperson's statement includes the following:

We currently have 13 staff working to fulfil a remit which includes supervising nine Prescribed Accountancy Bodies (whose aggregate membership in the State exceeds 32,000) and enforcing compliance with financial reporting standards for the annual and half yearly reports of 144 listed entities. In order deliver a service commensurate with this remit we need a significant increase in our staff numbers.

It is difficult to imagine that the miniscule resources which has IAASA has to carry out its remit will not receive some attention in view of the imminent banking enquiry and the focus that that is likely to place on the role of auditors and accountants in the crisis.

On 31 July the sentencing of Pat Whelan and Willie McAteer, formerly of Anglo Irish Bank, will be finalised and in view of the high profile of the trials to date it is certain that this will again raise media and public interest in the enforcement of white collar crime.

Further into the future it is likely that any decision from the Director of Public Prosecutions in relation to the investigation files sent to her by the Garda Bureau of Fraud Investigation will focus interest on this matter again and in February next year the trial of former Anglo Irish Bank chairman Seán FitzPatrick on charges of failing to tell the bank's auditors about loans to him will once again spotlight these matters.

The overall impact of under-resourcing

Each time that conclusions are drawn such as those in the attached Irish Independent articles that resources are not being provided to tackle corporate crime the efforts to rebuild the reputation of Ireland as a secure place to invest are being undermined.

IAASA is wishes to recruit one accountant in order to bring its overall numbers back to fifteen staff while the ODCE is seeking to increase its accountant numbers from one to seven and to recruit one Higher Executive Officer recruit with IT skills. These numbers are negligible in the context of the breadth of the remit of these organisations and their importance in tackling white collar crime and rebuilding confidence in Ireland and it is on this basis that it is suggested that the Minister might intervene to

seek the aid of the Minister for Public Expenditure and Reform to expedite sanction for these vacancies.

Draft letter submitted for approval and forwarding for the signature of the Minister.

Claire Gordon
29 May 2014

Re: Fw: Dail banking enquiry
John Hughes to: Claire Gordon 29/05/2014 12:01
Cc: Breda Power

History: This message has been replied to.

Claire,

some quick thoughts on the proposed draft are attached for your consideration.

John,
29/5.

- Draft2ltrMinToMinPERreODCEIAASAstaffing280514.doc

John Hughes,
Principal,
Personnel, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.

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Cc: John Hughes/entemp@ENTEMP
Date: 28/05/2014 15:56
Subject: Fw: Dail banking enquiry

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Claire

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To: Breda Power/entemp@ENTEMP,
Cc: John Hughes/entemp@ENTEMP
Date: 28/05/2014 15:42
Subject: Re: Fw: Dail banking enquiry

Breda

Please see attached updated draft for the Minister's signature. Note to accompany it will follow.

Claire

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John Hughes	I spoke again with DPER on this today and will ke...	01/05/2014 17:59:24
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May 2014

Mr Brendan Howlin T.D.,
Minister for Public Expenditure and Reform,
Department of Public Expenditure and Reform,
Government Buildings,
Upper Merrion Street,
Dublin 2.

Re: ~~Requests for sanction for s~~Minimum Staffing Requirements for the Office of the Director of Corporate Enforcement and the Irish Auditing and Accounting Supervisory Authority to enable both Regulatory Bodies satisfactorily meet their statutory Mandates.

Dear Brendan

I am requesting your assistance to expedite two requests from my Department for sanction to fill important posts/vacancies in the Office of the Director of Corporate Enforcement (ODCE) and the Irish Auditing and Accounting Supervisory Authority (IAASA).

While I am acutely aware of the constraints under which it is necessary for all public bodies to operate in relation to recruitment, ~~however~~ I consider the filling of these posts/ vacancies to be of priority importance, given the necessity, in my view, for Ireland to be able to demonstrate that we are adequately resourcing our Company Law and Financial Regulatory bodies in light of recent well-documented cases, most notably ~~particularly owing to~~ the continuing high profile attention attracted -at both international and national level ~~of the fallout from~~ to events at the former Anglo Irish Bank.

I draw your attention to recent reportage[1] following the publication of the ODCE's Annual Report for 2013 which highlights that the ODCE is operating with one accountant only, despite its assessment that seven are required for it to be able to carry out its functions effectively, and which concludes that the lack of provision of resources to that Office demonstrates that this Government is not committed to tackling corporate crime

Comment [JH1]: Insert the direct quote

This continuing -negative perception of Ireland's commitment to effectively resourcing our regulatory regimes and attendant publicity can only serve to undermine our efforts to restore domestic and international confidence in corporate governance and compliance with company law in the State and to impede our efforts to attract investment here. ~~You have personally supported and promoted the establishment of an enquiry into the causes of the banking collapse therefore I know that you understand the critical importance of ensuring that the bodies tasked with investigating breaches of white collar crime and ensuring corporate governance compliance are suitably resourced to do so.~~

On this basis I ask for your support to expedite the requests for sanction for seven specialist Accounting posts in the ODCE and a Project Manager (Professional Accountant) plus 11 Accountant for IAASA to allow it implement existing oversight responsibilities as well as its new responsibilities under the recently enacted Companies (Amendment) Act 2013 which have now been with your Department for over five months and which are set out in detail below. The latter 11 posts are to be fully funded by an industry levy.

Comment [JH2]: Check accuracy of nos and references etc. Also, I cannot immediately recall if we formally received sanction for the 11 "Companies Act 2013" posts

The specific sanctions sought b~~B~~y letter of and my ~~Department requested sanction~~were to recruit the following in the ODCE and IAASA:

1. Six Professional Accountants Grade I and HEO in the ODCE.

[1] "Lack of resources hampers probes" and "ODCE asks for forensic accountants to prosecute cases" - Irish Independent 28 May 2014

Following a retirement in December 2013 there is now only one professional accountant in the ODCE. A second accountant is urgently required to deal with the investigation and enforcement work of the Office, particularly that which involves examining the complex financial transactions of large companies in group structures.

The urgency to fill this vacancy is further underlined by the ODCE's revised workforce plan, received in April 2013, which specifically highlighted the centrality of accountancy skills as being fundamental to that Office's ability to deal with the more complex issues and investigation which it has been facing since the economic downturn. According to that plan the ODCE requires a total of seven accountants and a person with IT and digital forensic skills at Higher Executive Officer level in order to deal with its current caseload. I am strongly supportive of the case made ~~this request~~ and ~~I note that~~ the rebalancing of staff proposed in the ODCE workforce plan which will lead to a 25% reduction of its overall numbers.

2. Vacancy - Project Manager (Professional Accountant Grade 1) in IAASA

A vacancy has arisen in Regulatory and Monitoring Supervision Unit (RMSU) in IAASA and the replacement of this key position is crucial to its ability to discharge its functions. The RMSU currently has a staff of only five and has primary responsibility for supervising of how the nine prescribed accountancy bodies regulate and monitor their approximately 30,000 members. This Unit also carries out additional functions under the EC (Statutory Audits) (Directive 2006/43/EC) Regulations 2010 in relation to the registration and approval of auditors from third countries. IAASA already takes a risk-based approach to its supervisory activities in order to use its extremely scant resources to the most beneficial effect but it requires the Project Manager post to be filled, as five is the absolute minimum number of staff that it requires to carry out these important functions.

My Department has additionally sought sanction to allow IAASA to keep its Project Manager numbers (across all Units) at eight thus avoiding the necessity for rolling recruitment campaigns when vacancies are filled by an internal candidate.

I look forward to hearing from you in relation to these very important matters as soon as possible.

Yours sincerely

Richard Bruton T.D.
Minister for Jobs, Enterprise and Innovation.

Re: Fw: Dail banking enquiry
Claire Gordon to: Breda Power 28/05/2014 15:42
Cc: John Hughes

Breda

Please see attached updated draft for the Minister's signature. Note to accompany it will follow.

Claire

Draft2ltrMinToMinPERreODCEIAASAstaffing280514.doc

John Hughes	No Breda, so I am clean out of reasons to sugges...	09/05/2014 17:42:29

From: John Hughes/entemp
To: Breda Power/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP, Joan Howley/entemp@ENTEMP
Date: 09/05/2014 17:42
Subject: Re: Fw: Dail banking enquiry

No Breda, so I am clean out of reasons to suggest that elevating the matter should be delayed further.

John,
9/5.

John Hughes,
Principal,
Personnel and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.

Breda Power	John Any word from DPER?	09/05/2014 17:08:21
John Hughes	I spoke again with DPER on this today and will ke...	01/05/2014 17:59:24
Breda Power	John Claire is absolutely correct.	01/05/2014 10:56:32

May 2014

Mr Brendan Howlin T.D.,
Minister for Public Expenditure and Reform,
Department of Public Expenditure and Reform,
Government Buildings,
Upper Merrion Street,
Dublin 2.

Re: Requests for sanction for staffing for the Office of the Director of Corporate Enforcement and the Irish Auditing and Accounting Supervisory Authority.

Dear Brendan

I am requesting your assistance to expedite two requests from my Department for sanction to fill important vacancies in the Office of the Director of Corporate Enforcement (ODCE) and the Irish Auditing and Accounting Supervisory Authority (IAASA).

I am aware of the constraints under which it is necessary to operate in relation to recruitment however I consider the filling of these vacancies to be of priority importance, particularly owing to the continuing high profile at international level of the fallout from events at the former Anglo Irish Bank.

I draw your attention to recent reportage[1] following the publication of the ODCE's Annual Report for 2013 which highlights that the ODCE is operating with one accountant only, despite its assessment that seven are required for it to be able to carry out its functions effectively, and which concludes that the lack of provision of resources to that Office demonstrates that this Government is not committed to tackling corporate crime

[1] "Lack of resources hampers probes" and "ODCE asks for forensic accountants to prosecute cases" - Irish Independent 28 May 2014

This negative publicity can only serve to undermine our efforts to restore domestic and international confidence in corporate governance and compliance with company law in the State and to impede our efforts to attract investment here. You have personally supported and promoted the establishment of an enquiry into the causes of the banking collapse therefore I know that you understand the critical importance of ensuring that the bodies tasked with investigating breaches of white collar crime and ensuring corporate governance compliance are suitably resourced to do so.

On this basis I ask for your support to expedite the requests for sanction for the ODCE and IAASA which have now been with your Department for over five months and which are set out in detail below.

By letter of and my Department requested sanction to recruit the following in the ODCE and IAASA:

1. Six Professional Accountants Grade 1 and a Higher Executive Officer with IT skills for the ODCE.

Following a retirement in December 2013 there is now only one professional accountant in the ODCE. A second accountant is urgently required to deal with the investigation and enforcement work of the Office, particularly that which involves examining the complex financial transactions of large companies in group structures.

The urgency to fill this vacancy is further underlined by the ODCE's revised workforce plan, received in April 2013, which specifically highlighted the centrality of accountancy skills as being fundamental to that Office's ability to deal with the more complex issues and investigation which it has been facing since the economic downturn. According to that plan the ODCE requires a total of seven accountants and a person with IT and digital forensic skills at Higher Executive Officer level in order to deal with its current caseload.

I am supportive of this request and I note that the rebalancing of staff proposed in the ODCE workforce plan will lead to a 25% reduction of its overall numbers.

2. Vacancy - Project Manager (Professional Accountant Grade 1) in IAASA

A vacancy has arisen in Regulatory and Monitoring Supervision Unit (RMSU) in IAASA and the replacement of this key position is crucial to its ability to discharge its functions. The RMSU currently has a staff of only five and has primary responsibility for supervising of how the nine prescribed accountancy bodies regulate and monitor their approximately 30,000 members. This Unit also carries out additional functions under the EC (Statutory Audits) (Directive 2006/43/EC) Regulations 2010 in relation to the registration and approval of auditors from third countries. IAASA already takes a risk-based approach to its supervisory activities in order to use its extremely scant resources to the most beneficial effect but it requires the Project Manager post to be filled, as five is the absolute minimum number of staff that it requires to carry out these important functions.

My Department has additionally sought sanction to allow IAASA to keep its Project Manager numbers (across all Units) at eight thus avoiding the necessity for rolling recruitment campaigns when vacancies are filled by an internal candidate.

I look forward to hearing from you in relation to these very important matters as soon as possible.

Yours sincerely

Richard Bruton T.D.
Minister for Jobs, Enterprise and Innovation.

11

Resources for the ODCE and IAASA
Breda Power to: John Maher 04/06/2014 18:57
Sent by: breda power
Cc: Claire Gordon

History: This message has been forwarded.

John

Hard copy file is on the way to you. I would be grateful if you would print the letter on headed paper.

Thanks

Breda

D3ltrMinToMinPERreODCEIAASAstaffing040614.docx

NoteDraftLtrMinToMinDPERIAASAODCEResources040614.docx

Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

Resources for ODCE and IAASA
Breda Power to: John Hughes
Sent by: breda power
Cc: Claire Gordon

04/06/2014 18:54

John

Further to previous correspondence seeking sanction to fill various posts/vacancies in the ODCE and IAASA we have sent a hard copy of the attached to the Minister's Office.

Thanks for your assistance on this.

Breda

D3ltrMinToMinPERreODCEIAASAstaffing040614.docx

NoteDraftLtrMinToMinDPERIAASAODCEResources040614.docx

Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

Breda Power
Assistant Secretary

John Maher
Private Secretary to the Minister

Re: Draft letter from the Minister to the Minister for Public Expenditure and Reform in relation to outstanding requests for sanction to recruit staff for the ODCE and IAASA.

Please see attached a draft letter to the Minister for Public Expenditure and Reform for the signature of Minister Bruton.

The purpose of the draft letter

The Minister for Jobs, Enterprise and Innovation is requesting the aid of the Minister for Public Expenditure and Reform in expediting important requests for sanction for staffing of company law enforcement bodies.

The reason for the letter

Requests to allow IAASA and the ODCE to fill vacancies have been with the Department of Public Expenditure and Reform since the 13th of December last year. The need to fill the relevant vacancies has been urgent since that time.

Both IAASA and the ODCE are small organisations[1] and therefore the outstanding vacancies are having a disproportionately high impact on their ability to carry out their statutory mandates. Both organisations have already moved to a risk based approach in relation to the enforcement aspects of their work in order to achieve the maximum impact but their limited staffing numbers inevitably means that enquiries or investigations that might be done cannot be done.

The current context of the vacancies

[1] IAASA has 13 staff. The ODCE has 42.9 whole-time equivalent staff.

Attached at Tab 2 are five newspaper articles that appeared in the Irish Independent and the Irish Times subsequent to the publication of the ODCE's Annual Report for 2013 both of which highlighted that ODCE is operating with one accountant only, despite its assessment that seven are required for it to be able to carry out its functions effectively. The message from both articles is that the ODCE is not properly resourced to carry out its functions and that things have not changed and no lessons have been learned from the events at Anglo Irish Bank and the banking collapse which led to the insolvency of the State.

The future context

There are a number of upcoming events which are likely to bring the resourcing of company law bodies into the spotlight in the near future.

The issue is likely to arise during the passage of the Companies Bill 2012 through the Seanad as it was raised in the Dáil in which the following opposition amendment was proposed:

"798. The Minister shall, within three months of the enactment of this Act, publish a report on the adequacy of the resources available to

(a) The Companies Registration Office

and

(b) The Office of the Director of Corporate Enforcement

and such report shall detail the areas in which resources need to be increased in order to allow both agencies to adequately deal with each agency's area of responsibility."

In IAASA's 2013 Annual Report the Chairperson's statement includes the following:

"We currently have 13 staff working to fulfil a remit which includes supervising nine Prescribed Accountancy Bodies (whose aggregate membership in the State exceeds 32,000) and enforcing compliance with financial reporting standards for the annual and half yearly reports of 144 listed entities. In order deliver a service commensurate with this remit we need a significant increase in our staff numbers."

It is difficult to imagine that the limited resources which IAASA has to carry out its remit will not receive some attention in view of the imminent banking enquiry and the focus that that is likely to place on the role of auditors and accountants in the crisis.

On 31 July the sentencing of Pat Whelan and Willie McAteer, formerly of Anglo Irish Bank, will be finalised and in view of the high profile of the trials to date it is certain that this will again raise media and public interest in the enforcement of white collar crime.

Further into the future it is likely that any decision from the Director of Public Prosecutions in relation to the investigation files sent to her by the Garda Bureau of Fraud Investigation will focus interest on this matter again and in February next year the trial of former Anglo Irish Bank chairman Seán FitzPatrick on charges of failing to tell the bank's auditors about loans to him will once again spotlight these matters.

The overall impact of under-resourcing

Each time that conclusions are drawn such as those in the attached newspaper articles that resources are not being provided to tackle corporate crime the efforts to rebuild the reputation of Ireland as a secure place to invest are being undermined so on this basis it is suggested that the Minister might intervene to seek the aid of the Minister for Public Expenditure and Reform to expedite sanction to recruit for the relevant posts.

Draft letter submitted for approval and forwarding for the signature of the Minister.

Claire Gordon
03 June 2014

June 2014

Mr Brendan Howlin T.D.,
Minister for Public Expenditure and Reform,
Department of Public Expenditure and Reform,
Government Buildings,
Upper Merrion Street,
Dublin 2.

Re: Minimum staffing requirements for the ODCE and IAASA to enable both regulatory bodies satisfactorily meet their statutory mandates.

Dear Brendan

I am requesting your assistance to expedite two requests from my Department for sanction to fill important posts/vacancies in the Office of the Director of Corporate Enforcement (ODCE) and the Irish Auditing and Accounting Supervisory Authority (IAASA).

While I am acutely aware of the constraints under which it is necessary for all public bodies to operate in relation to recruitment, I consider the filling of these posts/vacancies to be of priority importance, given the necessity, in my view, for Ireland to be able to demonstrate that we are adequately resourcing our Company Law bodies in light of recent well-documented cases, most notably the continuing high profile attention given to events at the former Anglo Irish Bank at both international and national level.

I draw your attention to recent reportage[1] following the publication of the ODCE's Annual Report for 2013 which highlights that the ODCE is operating with one accountant

[1] "Lack of resources hampers probes" and "ODCE asks for forensic accountants to prosecute cases" - Irish Independent 28 May 2014; "There's never been a better time for white collar crime, warns lawyer"- Irish Independent 2 June 2014; "White-collar crime ignored, forum told" – Irish Times 2 June 2014 and "White-collar crime will flourish so long as our corporate enforcer's hands remain tied" – Irish Independent 3 June 2014.

only, despite its assessment that seven are required for it to be able to carry out its functions effectively, and which concludes that the lack of provision of resources to that Office demonstrates that this Government is not committed to tackling white collar crime.

This negative perception of Ireland's commitment to effectively resourcing our regulatory regimes and attendant publicity can only serve to undermine our efforts to restore domestic and international confidence in corporate governance and compliance with company law in the State and to impede our efforts to attract investment here.
On this basis I ask for your support to expedite the requests for sanction which have now been with your Department for over five months and which are set out in detail below.

The specific sanctions were sought on the 13th of December last year and were to recruit for the following posts in the ODCE and IAASA:

1. **Six Professional Accountants Grade 1 and a HEO with IT skills in the ODCE.**

Following a retirement in December 2013 there is now only one professional accountant in the ODCE. A second accountant is urgently required to deal with the investigation and enforcement work of the Office, particularly that which involves examining the complex financial transactions of large companies in group structures.

Additionally the ODCE's revised workforce plan, received in April 2013, has specifically highlighted the centrality of accountancy skills as being fundamental to that Office's ability to deal with the more complex issues and investigations which it has been facing since the economic downturn. According to that plan the ODCE requires a total of seven accountants and a person with IT and digital forensic skills at Higher Executive Officer level in order to deal with its current caseload. I am strongly supportive of the case made and the rebalancing of staff proposed in the ODCE workforce plan which will lead to a 25% reduction of its overall numbers.

2. **Vacancy - Project Manager (Professional Accountant Grade 1) in IAASA and 11 staff for the Quality Assurance of Auditors.**

A vacancy has arisen in the Regulatory and Monitoring Supervision Unit (RMSU) in IAASA and the replacement of this key position is crucial to its ability to discharge its functions. The RMSU currently has a staff of only five and has primary responsibility for supervising how the nine prescribed accountancy bodies regulate and monitor their approximately 32,000 members. This Unit also carries out additional functions under the EC (Statutory Audits) (Directive 2006/43/EC) Regulations 2010 in relation to the registration and approval of auditors from third countries. IAASA already takes a risk-based approach to its supervisory activities in order to use its extremely limited resources to the most beneficial effect but it requires the Project Manager post to be filled, as five is the absolute minimum number of staff required to carry out these important functions.

My Department has additionally sought sanction to allow IAASA to keep its Project Manager numbers (across all Units) at eight thus avoiding the necessity for rolling recruitment campaigns when vacancies are filled by an internal candidate.

Since 2012 my Department has sought sanction for IAASA to recruit 11 staff to carry out Quality Assurance inspections of Irish audit firms. These 11 staff, which will be fully funded by a levy on the industry as provided for in the Companies (Miscellaneous Provisions) Act 2013, are required at the following grades:

- Nine inspectors at Principal Officer level
- One Head of Function at Principal Officer (Higher) level
- One Administrative support at Executive Officer level

The current Employment Control Framework figure for IAASA is 26 which includes the 11 additional staff required to undertake the Quality Assurance function. I understand that there has been significant correspondence on this request to date. While originally

the Quality Assurance function was based on a Recommendation from the European Commission it has now become a mandatory obligation under *Regulation (EU) No 537/2014 of 16 April 2014 on specific requirements regarding statutory audit of public-interest entities.*

I look forward to hearing from you in relation to these very important matters as soon as possible.

Yours sincerely

Richard Bruton T.D.
Minister for Jobs, Enterprise and Innovation.

12

Correspondence from MJEI re ODCE/IASSA Staffing levels

John Maher to: Michelle O'Connor 06/06/2014 12:23

Bcc: Claire Gordon

History: This message has been forwarded.

Hi Michelle

Please see attached correspondence from Minister Bruton for the attention of Minister Howlin

Hard copy in the post

Regards
John

[Untitled].pdf

Oifig an Aire Post, Fiontar agus Nuálaíochta
Office of the Minister for Jobs, Enterprise and Innovation

6 June 2014

Mr Brendan Howlin T.D.,
Minister for Public Expenditure and Reform,
Department of Public Expenditure and Reform,
Government Buildings,
Upper Merrion Street,
Dublin 2.

Re: Minimum staffing requirements for the ODCE and IAASA to enable both regulatory bodies satisfactorily meet their statutory mandates.

Dear Brendan

I am requesting your assistance to expedite two requests from my Department for sanction to fill important posts/vacancies in the Office of the Director of Corporate Enforcement (ODCE) and the Irish Auditing and Accounting Supervisory Authority (IAASA).

While I am acutely aware of the constraints under which it is necessary for all public bodies to operate in relation to recruitment, I consider the filling of these posts/vacancies to be of priority importance, given the necessity, in my view, for Ireland to be able to demonstrate that we are adequately resourcing our Company Law bodies in light of recent well-documented cases, most notably the continuing high profile attention given to events at the former Anglo Irish Bank at both international and national level.

I draw your attention to recent reportage[1] following the publication of the ODCE's Annual Report for 2013 which highlights that the ODCE is operating with one accountant

[1] "Lack of resources hampers probes" and "ODCE asks for forensic accountants to prosecute cases" - Irish Independent 28 May 2014; "There's never been a better time for white collar crime, warns lawyer"- Irish Independent 2 June 2014; "White-collar crime ignored, forum told" – Irish Times 2 June 2014 and "White-collar crime will flourish so long as our corporate enforcer's hands remain tied" – Irish Independent 3 June 2014.

Sráid Chúil Dorcha, Baile Átha Cliath 2, Éire • Kildare Street, Dublin 2, Ireland
Tel: [illegible] • Fax: [illegible] • www.[illegible]

only, despite its assessment that seven are required for it to be able to carry out its functions effectively, and which concludes that the lack of provision of resources to that Office demonstrates that this Government is not committed to tackling white collar crime.

This negative perception of Ireland's commitment to effectively resourcing our regulatory regimes and attendant publicity can only serve to undermine our efforts to restore domestic and international confidence in corporate governance and compliance with company law in the State and to impede our efforts to attract investment here.
On this basis I ask for your support to expedite the requests for sanction which have now been with your Department for over five months and which are set out in detail below.

The specific sanctions were sought on the 13th of December last year and were to recruit for the following posts in the ODCE and IAASA:

1. **Six Professional Accountants Grade 1 and a HEO with IT skills in the ODCE.**

Following a retirement in December 2013 there is now only one professional accountant in the ODCE. A second accountant is urgently required to deal with the investigation and enforcement work of the Office, particularly that which involves examining the complex financial transactions of large companies in group structures.

Additionally the ODCE's revised workforce plan, received in April 2013, has specifically highlighted the centrality of accountancy skills as being fundamental to that Office's ability to deal with the more complex issues and investigations which it has been facing since the economic downturn. According to that plan the ODCE requires a total of seven accountants and a person with IT and digital forensic skills at Higher Executive Officer level in order to deal with its current caseload. I am strongly supportive of the case made and the rebalancing of staff proposed in the ODCE workforce plan which will lead to a 25% reduction of its overall numbers.

2. **Vacancy - Project Manager (Professional Accountant Grade 1) in IAASA and 11 staff for the Quality Assurance of Auditors.**

A vacancy has arisen in the Regulatory and Monitoring Supervision Unit (RMSU) in IAASA and the replacement of this key position is crucial to its ability to discharge its functions. The RMSU currently has a staff of only five and has primary responsibility for supervising how the nine prescribed accountancy bodies regulate and monitor their approximately 32,000 members. This Unit also carries out additional functions under the EC (Statutory Audits) (Directive 2006/43/EC) Regulations 2010 in relation to the registration and approval of auditors from third countries. IAASA already takes a risk-based approach to its supervisory activities in order to use its extremely limited resources to the most beneficial effect but it requires the Project Manager post to be filled, as five is the absolute minimum number of staff required to carry out these important functions.

My Department has additionally sought sanction to allow IAASA to keep its Project Manager numbers (across all Units) at eight thus avoiding the necessity for rolling recruitment campaigns when vacancies are filled by an internal candidate.

Since 2012 my Department has sought sanction for IAASA to recruit 11 staff to carry out Quality Assurance inspections of Irish audit firms. These 11 staff, which will be fully funded by a levy on the industry as provided for in the Companies (Miscellaneous Provisions) Act 2013, are required at the following grades:

- Nine inspectors at Principal Officer level
- One Head of Function at Principal Officer (Higher) level
- One Administrative support at Executive Officer level

The current Employment Control Framework figure for IAASA is 26 which includes the 11 additional staff required to undertake the Quality Assurance function. I understand that there has been significant correspondence on this request to date. While originally

the Quality Assurance function was based on a Recommendation from the European Commission it has now become a mandatory obligation under *Regulation (EU) No 537/2014 of 16 April 2014 on specific requirements regarding statutory audit of public-interest entities.*

I look forward to hearing from you in relation to these very important matters as soon as possible.

Yours sincerely

Richard Bruton T.D.
Minister for Jobs, Enterprise and Innovation

13

Representation Tracking

Created by: Conor Farrell On: 20/06/2014

Process is complete 20/06/2014 by Conor Farrell

Reference Number 141197/MIN Date of 19/06/2014 Date Received: 20/06/2014

Subject: Staffing at the ODCE and IAASA

Status: For Information

☐ No Reply Necessary

☐ Unscannable material to follow
☐ Is this an urgent query?
☐ Is this a further query?
☐ Is this a request for speech material?

Representation Details

- Scanned image document link

Representor Details:

Name Prefix
Title TD/Senator

Representee Details:

Surname Howlin Firstname Brendan Prefix Mr.
Title Minister for Public Expenditure and Reform
Address 1 Department of Public Expenditure and Reform
Address 2 Upper Merrion Street
Town
County Dublin Postal Code 2 Country

Forwarding Detail

Forwarded to : BREDA POWER/ENTEMP Division : Commerce Consumer and Competition

20/06/2014 - 04/07/2014 to Breda Power/entemp Dept. Commerce Consumer and Competition Subj. 141197/MIN - re: 'Staffing at the ODCE and IAASA'

Letters (to open a letter expand the section by clicking here)

Comments

Minister's office comment

20/06/2014 14:26:56 Conor Farrell

Sent to BPower for info and Rep Closed - CF 20/6/14

Your comment !

An Roinn Caiteachais Phoiblí
agus Athchóirithe
Department of Public
Expenditure and Reform

Our Ref: 14/0001/PER

19th June 2014

Mr Richard Bruton TD
Minister for Jobs, Enterprise and Innovation
Kildare House
Kildare Street
Dublin 2

Re: Staffing at ODCE and IAASA

Dear Richard

Thank you for your letter of 6 June 2014 concerning the above matters.

I will be in contact with you again on this matter in the near future.

Yours sincerely

Brendan Howlin TD
Minister for Public Expenditure and Reform

OIFIG AN AIRE FIONTAR, TRÁDÁLA AGUS NUÁLAÍOCHTA
20 JUN 2014
OIFIG AN RÚNAÍ AIRE

OIFIG AN AIRE OFFICE OF THE MINISTER

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14

ODCE and

Claire Gordon to John Hughes 01/07/2014 17:11
Cc: Breda Power

John

I would appreciate it if you could send the attached extract to our colleagues in DPER. It is from a recent Oireachtas debate which arose from a Question to the Minister for Justice on resources for the Gardai and the ODCE. Perhaps it might speed up the response promised "in the near future" in Minister Howlin's acknowledgment letter of 19 June to Minister Bruton.

Claire

Oireachtas debate 24 June 2014.docx

Tuesday, 24 June 2014

Garda Bureau of Fraud Investigations

69. Deputy Pádraig Mac Lochlainn asked the **Minister for Justice and Equality** if she is satisfied that the Garda Bureau of Fraud Investigation has the necessary resources to deal with all reports of alleged white collar crime; if there is a joined-up approach to tackling white collar crime with the Office of the Director of Corporate Enforcement, with the requisite resources deployed. **[26923/14]**

Deputy Pádraig Mac Lochlainn: My question follows media reports on the Bar Council's annual conference. Mr. Remy Farrell, senior counsel, heavily criticised the lack of resources given to the Garda Bureau of Fraud Investigation and the Office of the Director of Corporate Enforcement. He expressed the view that there was never a better time for white collar criminals to get away with it. These were serious comments. Mr. Farrell is one of the most eminent practitioners in tackling this area and seen as a leading expert. His comments, therefore, were alarming. What is the Minister's response?

Deputy Frances Fitzgerald: While the deployment of resources within An Garda Síochána is a matter for the acting Garda Commissioner, I have received a detailed report from her on the Garda Bureau of Fraud Investigation and its functions. As the Deputy will be aware, the acting Commissioner has initiated an immediate comprehensive review and strategic realignment of An Garda Síochána's capacity to deal with emerging and complex crime and this will have an important bearing on how these functions are performed. As the Deputy has rightly noted, a major challenge facing the bureau is the rapidly changing environment in which white collar and other criminals operate, as well as the scale and complexity of some white collar crime investigations. As part of the review process An Garda Síochána is liaising with its international partners and national institutions to identify collaborative approaches. Clearly, international work and co-operation are singularly important in the investigation of these crimes. I am in ongoing contact with the Garda authorities in this regard.

The Government moved rapidly to provide new legislation with the Criminal Justice Act 2011 which served to help to speed up investigations into white collar crime. The acting Commissioner is aware that I will give careful consideration to additional proposals from the Garda authorities in this regard. Furthermore, while specialist and major investigations are a matter for the Garda Bureau of Fraud Investigation, many types of white collar crime are investigated by local units within An Garda Síochána with support and advice from the bureau. In addition, the Criminal Assets Bureau has been active in targeting the proceeds of deception, fraud, money laundering, bribery and corruption and other types of criminal activity commonly referred to as white collar crime.

In so far as the question referred to liaison with other enforcement bodies, I emphasise that the Garda Bureau of Fraud Investigation is working closely with other bodies that have enforcement functions, for example, the Office of the Director of Corporate Enforcement, the Central Bank and the Competition Authority. GBFI staff are seconded to the Director of

Corporate Enforcement and the Competition Authority. There is considerable liaison between the various bodies with responsibilities in this area.

Deputy Pádraig Mac Lochlainn: The reports on the comments made by Mr. Remy Farrell, senior counsel, were most alarming. I will go through some of them. He referred to the Office of the Director of Corporate Enforcement. The director, Mr. Ian Drennan, had said the office needed five forensic accountants to keep up with the volume of complaints coming in, yet the office has only one. Clearly, this is not up to standard.

One quote on forensic computer analysis, a core part of the investigatory functions of the office, struck me in particular. Mr. Farrell said:

> So if you're going to commit an elaborate fraud, make sure to password lock your computer, even if it's a really obvious password. That should buy you at least two to three years.

Perhaps this was something of a rhetorical flourish, but the comments were alarming. We need reassurance that resources are being deployed. White collar crime is what brought the State to its knees. Arguably, there are all sorts of issues, but certainly there is a fear, as well as a concern, among the public that white collar crime was part of what led to the collapse of the economy.

Deputy Frances Fitzgerald: Regarding the Deputy's point on the need for greater accountancy skills in the Office of the Director of Corporate Enforcement, ODCE, such skills are fundamental to the office's ability to deal with the more complex issues and investigations it has been facing since the economic downturn. My colleague, the Minister for Jobs, Enterprise and Innovation, Deputy Bruton, has been addressing this issue and working with the Department of Public Expenditure and Reform to ensure that the posts are filled. This is critical.

The Acting Garda Commissioner has told me that the main challenge the Garda is facing is the rapidly changing environment in which fraudsters and white collar criminals operate. This owes to changing technology, criminality and questionable business practices. As the Deputy knows, the Garda is working on a range of cases. I will keep the question of resources under review with the Acting Garda Commissioner.

Deputy Pádraig Mac Lochlainn: As part of my preparation for this question, I read an article from the respected writer and columnist, Ms Elaine Byrne, which referred to the need for an independent audit of the capacity of the oversight agencies, namely, the Criminal Assets Bureau, CAB, the ODCE, the Garda bureau of fraud investigation, the Central Bank, Revenue, the national bureau of criminal investigation, NBCI, the Competition Authority and so on. These agencies have a joined-up responsibility. Will the Minister consider Ms Byrne's brilliant suggestion of an independent audit of the agencies' collective capacity to tackle white collar crime? In the article, which Ms Byrne wrote last year, she mentioned that we did not have a police-led multi-agency task force approach to this issue. Will the Minister consider a police-led approach so as to join up the dots between the agencies and ensure they are effectively tackling white collar crime as a team?

Mr. Remy Farrell, senior counsel, has stated that raising fines will not be enough. The people involved in white collar crime need to see clearly that they will be brought to justice, that resources will be deployed in the investigations and that there will be a joined-up approach. When people start being prosecuted and going to jail, the culture will change. Raising fines will not cut it.

Deputy Frances Fitzgerald: To a degree, the Deputy's points could best be dealt with in the context of the Acting Garda Commissioner's strategic review. By undertaking such a review, she clearly recognises that this issue is an emerging and serious priority. The questions of resources and of engagement with international and local partners are key. The precise mechanisms for that engagement and who should lead it are questions that will arise in the course of the review. I will seek the review's outcome and keep in mind the Deputy's points.

Deputy Pádraig Mac Lochlainn: I thank the Minister.

15

Re: [redacted] ODCE sanctions

Claire Gordon to: John Hughes 07/07/2014 10:39
Cc: Breda Power

Thank you John. Perhaps if someone could email over the extract from the Oireachtas debate that I sent you last week and ask DPER to confirm when they intend to respond to the letter from our Minister to theirs that that might spur a response. Minister Howlin signed a letter of 19 June stating that he would respond to our Minister in the near future so I think we are due a response.

..

Claire

John Hughes No news. And I haven't pursued with DPER in recen... 07/07/2014 10:23:58

From: John Hughes/entemp
To: Claire Gordon/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP
Date: 07/07/2014 10:23
Subject: Re: nd ODCE sanctions

No news. And I haven't pursued with DPER in recent weeks.

John Hughes,
Principal,
Personnel, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.

Claire Gordon John Breda asked me to enquire whether you have... 07/07/2014 10:16:34

From: Claire Gordon/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP
Date: 07/07/2014 10:16
Subject: nd ODCE sanctions

John

Breda asked me to enquire whether you have heard anything from DPER on the above.

Claire

16

Re: Anglo Irish Bank - DPP v. Sean Fitzpatrick - Engagement of Expert Witnesses (Experienced Forensic Accountant & Experienced Audit Expert) - Budgetary Issues

From Kevin O'Connell
To Claire Gordon
Cc Ian Drennan, Conor O'Mahony
Date 21/08/2014 15:08

Claire,

As you probably know the DPP's proceedings against Mr. Sean Fitzpatrick, for alleged breaches of Section 197 of the Companies Act 1990, are listed for trial before the Dublin Circuit Criminal Court beginning on 2 February 2015.

It has been determined by the DPP, having taken advice from prosecuting Counsel, that two key aspects of the prosecution's case against the accused will be evidence summarising the complex and numerous transactions by which Mr Fitzpatrick's borrowings from Anglo were routinely "refinanced", for short periods of time spanning the ends of Anglo's financial years, and evidence establishing the nature and importance of an audit and the consequences of statements made to Anglo's former auditors by Mr Fitzpatrick. In order to establish this evidence, it was agreed with the ODPP that we needed to engage the services of two expert witnesses, viz,

> a highly experienced Forensic Accountant who will be able to communicate the complex and numerous money movements (which are at the root of the criminal proceedings) to a jury in a manner which optimises the likelihood of the transactions being readily comprehended by that jury.
> A highly experienced audit expert who, ideally, will have previously carried out audits of banks or other large financial institutions, as well as having experience of testifying in civil and criminal proceedings.

We are currently in the process of conducting procurement processes to recruit suitable professionals to carry out these roles. Given the significance of this case from both the perspective of this Office and of the ODPP, we are looking for someone with skills and experience at the upper end of the scale, i.e. in terms of expertise, experience, credibility and professional reputation. Furthermore, given the extent of conflicts of interest for local prospective experts, we concluded, in consultation with the ODPP, that we needed to look abroad when seeking to engage such experts.

While this process is ongoing, it is clear that significant costs will arise this year with further amounts arising next year when the case proceeds. While we cannot be sure of the costs involved until all tenders are received and contracts awarded, we would expect that it is likely to be of the order of €200,000 but with a risk that it could be considerably higher depending on who gets the contracts. Fortunately, we believe that we should be able to meet these costs from within existing resources as we now appear unlikely, at this time, to require the full provision for legal costs included in our subhead for this year (though we are still at risk of large adverse costs awards in 2015 and/or subsequent years).

In conducting the procurement process, we have sought to comply fully with all relevant requirements. In particular, we designed the process in the expectation that the value of the contracts would be below EU OJ thresholds. However, on the basis of the tenders received, prices both above and below the threshold have been received. These tenders have still to be assessed. In any event, it is our understanding that public procurement rules allow us to proceed once we are satisfied that our original estimate of the contract was reasonable.

KEVIN O'CONNELL
SOLICITOR
HEAD OF SPECIAL PROJECTS
OFFICE OF THE DIRECTOR OF CORPORATE ENFORCEMENT
16 PARNELL SQUARE
DUBLIN 1

Direct Dial: 01-8585838
kevin_oconnell@odce.ie

ATTACHMENTS:

17

Fw: Anglo Irish Bank - DPP v. Sean Fitzpatrick - Engagement of Expert Witnesses (Experienced Forensic Accountant & Experienced Audit Expert) - Budgetary Issues

From Joan Howley
To Claire Gordon
Cc
Date 22/08/2014 15:16

----- Forwarded by Joan Howley/entemp on 22/08/2014 15:15 -----

From: Kevin O'Connell/entemp
To: Joan Howley/entemp@entemp,
Cc: Ian Drennan/entemp@ENTEMP, Conor O'Mahony/entemp@entemp
Date: 22/08/2014 15:13
Subject: Re: Fw: Anglo Irish Bank - DPP v. Sean Fitzpatrick - Engagement of Expert Witnesses (Experienced Forensic Accountant & Experienced Audit Expert) - Budgetary Issues

Joan,

That's great, thanks. We will keep you informed according as the situation becomes clearer. In that regard the next major milestone will be on 6 September, when we receive responses to the second of the RFTs. On Monday and Tuesday of the following week (8 and 9 September) we will be holding interviews with respondents to the first of the RFTs. Accordingly by the end of that week we should be clear as to which of the firms we will be selecting (for the Forensic Accountant engagement). It will be a further two to three weeks before we will be in the same position as regards the second of the RFTs (for the Expert Audit engagement).

KEVIN O'CONNELL
SOLICITOR
HEAD OF SPECIAL PROJECTS
OFFICE OF THE DIRECTOR OF CORPORATE ENFORCEMENT
16 PARNELL SQUARE
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Direct Dial: 01-8585838
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From: Joan Howley/entemp
To: Kevin O'Connell/entemp@entemp,
Date: 22/08/2014 14:36
Subject: Fw: Anglo Irish Bank - DPP v. Sean Fitzpatrick - Engagement of Expert Witnesses (Experienced Forensic Accountant & Experienced Audit Expert) - Budgetary Issues

Hi Kevin

With regard to the 2015 estimates process, I have alerted Finance Unit to the fact that the ODCE will require additional resources in 2015 to pay for the services of the professionals whose expertise is required in connection with the above mentioned case, that the costs should be in the region of €200,000, but with a risk that it could be higher.

I also brought to their attention the fact that costs will be incurred in respect of 2014, but that your budget allocations for this year should be sufficient to cover these costs.

I agreed to revert with actual figures as soon as the contracts are awarded and costs established..

Trust this is of assistance.

Kind regards
Joan

Joan Howley
Company Law Policy
Earlsfort Centre,
Lr Hatch Street
Dublin 2

Phone 01-6312613, e-mail joan.howley@djei.ie

TTACHMENTS:

18

Re: ODCE- Budgetary Issues
From Joan Howley
To Fergal Cullen
Cc Breda Power, Claire Gordon, Orla Maher, Cathal O'Gorman
Date 22/08/2014 15:52

HI Fergal

You are correct, the cost is in respect of professional services and will come under non - pay expenditure,

I will revert as soon as the cost has been established, just wanted to give you a heads up at this stage.

Many thanks, have a lovely weekend.

Regards
Joan

Joan Howley
Company Law Policy
Earlsfort Centre,
Lr Hatch Street
Dublin 2

Phone 01-6312613, e-mail joan.howley@djei.ie

From: Fergal Cullen/entemp
To: Joan Howley/entemp@entemp,
Cc: Breda Power/entemp@entemp, Claire Gordon/entemp@entemp, Orla Maher/entemp@entemp, Cathal O'Gorman/entemp@ENTEMP
Date: 22/08/2014 15:00
Subject: Re: ODCE- Budgetary Issues

Thanks Joan, noted.

Pls keep us posted, 2015 Estimates process will kick off in earnest first week in Sept.

Just so I'm absolutely clear, I am presuming that the c.€200k indicative costs will come under Non-Pay expenditure relating to "Legal Costs & Other Services" and would not be regarded as Pay related costs?

We have an expectation of further significant current expenditure reductions coming this way - so securing such a €200k provision will be challenging in 2015 give the likely pressure across the Vote - but we note the requirement for additional funding for forthcoming criminal proceedings.

Talk to you in due course.

All the best
Fergal

Fergal Cullen
Finance Unit [with responsibility for Estimates, Payroll & Travel Units]
Department of Jobs, Enterprise & Innovation
Davitt House
65A Adelaide Road
Dublin 2
Republic of Ireland.
ph: + 353 1 6313057
web : www.enterprise.gov.ie

From: Joan Howley/entemp
To: Orla Maher/entemp@ENTEMP, Fergal Cullen/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP, Claire Gordon/entemp@ENTEMP
Date: 22/08/2014 13:32
Subject: ODCE- Budgetary Issues

Hi Orla

With regard to the 2015 estimates process, I wish to alert you to the fact that the ODCE will require additional resources to pay for the professional services of two candidates whose expertise is required in connection with criminal proceedings to be commenced in 2015.

It was agreed with the ODPP that these experts are required and the ODCE is currently conducting a procurement process to recruit suitable professionals to carry out these roles.

While this process is ongoing, it is clear that significant costs will arise this year with further amounts arising next year when the case proceeds. However, additional funding may not be required in respect of 2014, as the ODCE should have sufficient resources in their provision for legal costs included in their subhead for this year.

With regard 2015, we cannot be sure of the costs involved until all tenders are received and contracts awarded, however it is expected to be in the region of €200,000, but with a risk that it could be considerably higher.

I will revert as soon as the costs have been established.

Should you require additional information please give me a call.

Kind regards
Joan

Joan Howley
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Earlsfort Centre,
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Dublin 2

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ATTACHMENTS:

19

~~Overview on Sanction Requests to DPER - Note for Minister - 15Sept2014~~
John Hughes to: Eamonn Balmer 17/09/2014 09:10

Eamonn,

this Note will be updated later today after our meeting at 10:15 with DPER in Mr. Kelly's office. Specifically, I will develop draft Speaking Points for the Minister for his Bilateral with Minister Howlin now scheduled for next Monday based on today's meeting. The Note brings together all the details on current staffing "asks" for the Department and the Agencies.

John,
17/9.

John Hughes,
Principal,
Personnel and Learning & Development Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
Phone - 01-6312246

- Overview on Sanction Requests to DPER - Note for Minister - 15Sept2014.docx

Brief for Minister & for Secretary-General

[ODCE staffing material only for disclosure under this FoI]

Staffing in the Department and In the Offices & Agencies

Possible Speaking Points

Departmental Operating Context & Priorities 2011-2014:

9. As a result of the decrease in staffing, pressure points have developed in the Department as well as in some downsized Agencies. This has required careful Workforce Planning responses by my Department such as the assignment of additional resources to the ODCE at the height of its work on the Anglo and related investigations. In addition, Management has proactively reprioritised tasks to match the reduced staffing levels as well as worked with staff to work smarter and ever-more efficiently (e.g. streamlining EAT or Employment Permit application processes, or merging call centre activities etc.).

Background

1.

2.

3. Of concern, in addition to the pressures outlined above, has been the Department's capacity to respond to new priority issues as they emerge. For example, the Department redeployed 6 staff to work in the Office of the Director of Corporate Enforcement to assist with the investigation into Anglo Irish Bank. However, in the ever-tightening staffing situation, the Department's ability to redeploy staff resources to deal with new issues, while continuing to deliver on existing commitments, is severely constrained. Concern about the Department's "capacity to respond" to new issues because of staff cutbacks was identified in the Brief for the New Minister and reported on in the Irish Times on 9th August 2014.

4.

Office	Numbers serving end 2008	Numbers serving end 13th June 2014
Office of the Director of Corporate Enforcement	36.50	35.30

"Overall Position:

"Since the introduction of the moratorium on recruitment and promotions in March, 2009, followed by other schemes to facilitate reductions in the Civil and Public Service, the Department has experienced a decrease of over 20%[2] in its staff resources while experiencing no diminution of the level and range of services it is required to provide. Under the terms of the Employment Control Framework (ECF), the Department is expected to further reduce its staffing numbers to 767 by end-2014 and it is likely that between retirements and staff opting to redeploy to other Departments/Agencies we will get very close to reaching this target. However, that assumes that there are no replacements sought at any level or in any post, and that may not be tenable in a small number of cases (e.g. Head of a key Business Unit or a legal expert in the ODCE) nor does it take account of any additional essential recruitments (e.g. Accountants for the ODCE or

[2] The figure takes account of the fact that certain functions were transferred from this Department to the Departments of Education and Social Protection in May 2010 and January 2011.

"Of concern, in addition to the pressures outlined above, will be the Department's capacity to respond to new priority issues as they emerge. For example, the Department redeployed 6 staff to work in the Office of the Director of Corporate Enforcement to assist with the investigation into Anglo Irish Bank. However, in the ever-tightening staffing situation, the Department's ability to redeploy staff resources to deal with new issues, while continuing to deliver on existing commitments, is severely constrained.

Possible Questions on Staff Resources:

Q. In the Brief for New Minister prepared last June the Department noted that :

Is the Minister satisfied that : – and indeed Offices such as the ODCE – currently have the staffing levels required to fulfil their important regulatory functions?

A. The Department had an aggregate target for the number of employees in its family of Non-Commercial Semi-State Bodies (NCSSBs) for 2014 and that target under the ECF had to be divided up across the family of Agencies in line with Government policy priorities for the Department and its mission. In that regard, after several years of reducing targets, a number of Agencies has represented to the Department and the Minister that reduced staffing levels challenged those agencies' ability to achieve their missions and goals. In that context – and on a case-by-case basis – the Department has engaged with the Department of Public Expenditure

and Reform on sanctioning the filling of key vacancies within the ECF/Moratorium framework. ~~Indeed, in 2014 the two Departments agreed to sanction the filling of several critical posts in a~~ number of agencies ., ODCE included). Nonetheless, the respective managements of each agency have had to reconfigure their organisations and adapt to a constrained-resources environment in continuing to deliver their mandates.

Recent PQ – 20th November 2014 – Deputy Peadar Tóibín.

To ask the Minister for Jobs, Enterprise and Innovation if he will provide in tabular form the annual number of civil servants employed in his Department between 2007 and 2014..

REPLY

Minister for Jobs, Enterprise and Innovation (Mr Bruton)

The number of full-time equivalent staff (in rounded numbers) employed in my Department at the end of each year in question is as follows:

Year	Number of full-time equivalent staff at year end
2007	1,021
2008	1,075
2009	994
2010	906
2011	831
2012	788
2013	802
2014 (at November)	803

These figures include staff at all grades, and incorporate staff in the offices of my Department: the National Employment Rights Authority (NERA), the Labour Court, the Labour Relations Commission and the Employment Appeals Tribunal, the Equality Tribunal, the Office of the Director of Corporate Enforcement and the Companies Registration Office. Also included are the staff personally appointed to my office and that of the Minister of State for Business and Employment at my Department.

Staffing levels for each year are reflective of the requirement to manage numbers in line with Government policy to reduce the overall staffing numbers in the public sector, and within the context of challenging staff reduction targets contained in the employment control framework managed centrally by the Department of Public Expenditure and Reform.

The numbers also reflect various changes to the Department's statutory functions that have occurred in recent years which have required the transfer of associated staff. These changes

include the integration into my Department of Forfas in 2014 and the Equality Tribunal in 2013; the transfer of policy responsibility for employment training from my Department to the Department of Education and Science in 2010 and the transfer of policy responsibility for Redundancy and Insolvency to the Department of Social Protection in 2011.

Q. To what extent have particular Divisions of the Department been affected in terms of staff resources, including the area of Company Law investigations?

A. While the structures and functions of most divisions of the Department have changed in recent years, the Commerce, Consumers and Competition (CCC) Division (which deals with Company Law matters) has remained relatively constant in its remit. The number of staff assigned to CCC Division (which includes the Companies Registration Office, the Registry of Friendly Societies and the Office of the Director of Corporate Enforcement) over recent years is as follows:

Year	Staff Assigned to ODCE*
2007	36
2008	41
2009	44
2010	43
2011	43
2012	38
2013	37
2014 (Nov)	36

**Refers to overall number of staff, some of whom may be on reduced hours arrangement*

Appendix 1 - Causes of Changes in Staff Numbers in Department 2007-2014

C. Offices and Agencies of the Department

Q. Have the Office and Agencies of the Department been adversely affected by staffing reductions?

A. The moratorium on recruitment and adherence to ECF targets has been as necessary for the Offices and Agencies of my Department as with all other public sector bodies.

While the Department engages with the Department of Public Expenditure and Reform on sanctioning the filling of key vacancies within the ECF/Moratorium framework, the respective management of each agency has had to reconfigure their organisation and adapt to a constrained-resources environment. Notwithstanding these constraints, through a comprehensive series of reforms, changed work practices, and an absolute focus on the Department's core mission through the Action Plan for Jobs to support the rebuilding of the enterprise sector, the Department and its agencies have been able to deliver a comprehensive range of services and supports while also managing to add new and additional services and supports through that period. That focus and that approach to delivering for Irish enterprise will continue.

Resources for all Business Units in my Department are reviewed periodically and local managements advocate on behalf of their Units in terms of resource allocation. I am satisfied that in the ongoing resource-constrained environment we must operate, adequate resources are allocated to Offices and Agencies although that will be kept under review as needs dictate.

Note for Minister for Bilateral Meeting with DPER on 18th September 2014

[ODCE outreach only]

Staffing in the Department and In the Offices & Agencies

Background:

3. Of concern, in addition to the pressures outlined above, is the Department's capacity to respond to new priority issues as they emerge. For example, the Department redeployed 6 staff to work in the Office of the Director of Corporate Enforcement to assist with the investigation into Anglo Irish Bank. However, in the ever-tightening staffing situation, the Department's ability to redeploy staff resources to deal with new issues, while continuing to deliver on existing commitments, is severely constrained. Concern about the Department's "capacity to respond" to new issues because of staff cutbacks was identified in the Brief for the New Minister and reported on in the Irish Times on 9th August.

ECF Targets for 2014:

7. It is currently anticipated that the Department will ~~meet~~ come in below its end-2014 ECF target on the basis of expected retirements and/or redeployments by staff who have voluntarily sought to redeploy to other locations across the public service. In fact, we anticipate at this time achieving a staffing level of ~~804~~ 803 against the 822 target, assuming no additions to the staffing levels. However, if sanctions were granted in respect of our Offices (ODCE, etc.) plus possible Career Break returnees rejoined, we will be much closer to the actual target but, we currently forecast, still below. Therefore, the additional posts for which we recently sought sanction (25th July letter from the Secretary General to his counterpart in DPER) would not drive our staffing levels much beyond our ECF target for 2014, if at all.

Current Requests for Sanction to Recruit with DPER:

10. During the currency of the Moratorium and ECF etc. the Department has submitted, on a case-by-case basis, requests to DPER for sanction and several have been approved and the Department has delegated authority to sanction posts – within ECF limits – However, the sanctions process can take a long time and in very many cases several months elapse before decisions are taken. For the smaller Offices and Agencies (e.g. ODCE,) this has proved very frustrating.

Department/ Agency	Post	Date submitted	Rationale
ODCE	6 posts – Accountants & 1 HEO ICT specialist	13/12/2013	Key to ability of ODCE to forensically assess levels of company law compliance, post-Anglo and similar cases

Numbers serving in Offices of the Department at end 2008 and 12/09/2014

The following table shows how the staff reduction programme has impacted the staffing levels in the Department's client-facing statutory Offices:

Office	Numbers serving end 2008	Numbers serving 12/09/2014
Office of the Director of Corporate Enforcement	36.50	34.30

21

Re: Fw: Anglo Irish Bank - DPP v. Sean Fitzpatrick - Engagement of Expert Witnesses (Experienced Forensic Accountant & Experienced Audit Expert) - Budgetary Issues

From Kevin O'Connell
To Joan Howley
Cc Claire Gordon, Ian Drennan, Phil Flood, Conor O'Mahony, Central.Anglo
Date 19/09/2014 16:51

Joan,

Further to my email below we recently awarded the first of these contracts to one of the London-based accountancy firms whose proposal, following careful evaluation, we adjudged the most economically advantageous, having regard to the criteria and weightings that we had set forth in our tender documentation. On Wednesday last I signed an Engagement Letter on behalf of the ODCE. The contract provides for a fixed price of €80,000 (plus VAT) for the bulk of the financial analysis & preparatory work. At least 80% of that amount (€64,000 plus VAT) will be payable between now and 31 December 2014, in accordance with a timeframe stipulated in the contract. It is also conceivable that the balance (€16,000 plus VAT) might have to be paid during 2014 but, if not, it will certainly fall due during January 2015.

So far as other payments in 2015 under this contract are concerned this will depend on *(i)* the extent to which the Office of the DPP and/or prosecuting counsel engaged by them see a need for the forensic accountants to attend for consultations or other meetings here in Dublin and *(ii)* how much time the forensic accountant will be required to spend in Dublin while giving his testimony during the forthcoming trial, or waiting around to do so. Accordingly I cannot be definite as to how much will be due. However my best estimate at the present time is that it is unlikely to be less than €10,000 (plus VAT) nor more than €20,000 (plus VAT). We will of course be seeking to minimise such expenditure, not only to save money but also to ensure that no-one's time is needlessly wasted.

We expect to be awarding the second of these contracts (relating to an Experienced Audit Expert) during the coming week and I will be in contact with you subsequently about the levels of expenditure to which that is likely to give rise. For the moment I would simply point out that, as we had anticipated, the firms have quoted lower fees for this engagement, with two of the three tenders quoting amounts comfortably below the current EU threshold of €134,000.

KEVIN O'CONNELL
SOLICITOR
HEAD OF SPECIAL PROJECTS
OFFICE OF THE DIRECTOR OF CORPORATE ENFORCEMENT
16 PARNELL SQUARE
DUBLIN 1

Direct Dial: 01-8585838
kevin_oconnell@odce.ie

----- Forwarded by Kevin O'Connell/entemp on 19/09/2014 16:30 -----

From: Kevin O'Connell/entemp
To: Joan Howley/entemp@entemp,
Cc: Ian Drennan/entemp@ENTEMP, Conor O'Mahony/entemp@entemp
Date: 22/08/2014 15:13
Subject: Re: Fw: Anglo Irish Bank - DPP v. Sean Fitzpatrick - Engagement of Expert Witnesses (Experienced Forensic Accountant & Experienced Audit Expert) - Budgetary Issues

Joan,

That's great, thanks. We will keep you informed according as the situation becomes clearer. In that regard the next major milestone will be on 6 September, when we receive responses to the second of the RFTs. On Monday and

Tuesday of the following week (8 and 9 September) we will be holding interviews with respondents to the first of the RFTs. Accordingly by the end of that week we should be clear as to which of the firms we will be selecting (for the Forensic Accountant engagement). It will be a further two to three weeks before we will be in the same position as regards the second of the RFTs (for the Expert Audit engagement).

KEVIN O'CONNELL
SOLICITOR
HEAD OF SPECIAL PROJECTS
OFFICE OF THE DIRECTOR OF CORPORATE ENFORCEMENT
16 PARNELL SQUARE
DUBLIN 1

Direct Dial: 01-8585838
kevin_oconnell@odce.ie

From: Joan Howley/entemp
To: Kevin O'Connell/entemp@entemp,
Date: 22/08/2014 14:36
Subject: Fw: Anglo Irish Bank - DPP v. Sean Fitzpatrick - Engagement of Expert Witnesses (Experienced Forensic Accountant & Experienced Audit Expert) - Budgetary Issues

Hi Kevin

With regard to the 2015 estimates process, I have alerted Finance Unit to the fact that the ODCE will require additional resources in 2015 to pay for the services of the professionals whose expertise is required in connection with the above mentioned case, that the costs should be in the region of €200,000, but with a risk that it could be higher.

I also brought to their attention the fact that costs will be incurred in respect of 2014, but that your budget allocations for this year should be sufficient to cover these costs.

I agreed to revert with actual figures as soon as the contracts are awarded and costs established..

Trust this is of assistance.

Kind regards
Joan

Joan Howley
Company Law Policy
Earlsfort Centre,
Lr Hatch Street
Dublin 2

Phone 01-6312613, e-mail joan.howley@djei.ie

ATTACHMENTS:

Department/ODCE Liaison Meeting Agenda
08 October 2014, 4pm.
Room 110, Kildare Street.

1. Corporate Governance
   - Minutes and Matters Arising
   - Risk Management
   - Business Plan – SLA and Key Performance Indicators

2. Budgetary Resources and Staffing
   a. ODCE request for sanction for six accountants and one HEO IT specialist.

3. Policy Developments
   - Court Cases
   - Company Law Developments – Companies Bill 2012.

4. Review of Outputs
   - Key Performance Indicators

5. Support and Intervention Requirements
   a. ICAV legislation

6. A.O.B.

Department/ODCE Liaison Meeting Minutes
08 October 2014, 4pm.
Room 110, Kildare Street.

In attendance:

ODCE - Ian Drennan (Director), Conor O'Mahony, Kevin O'Connell and Kevin Prendergast

Department – Breda Power, Helen Curley and Claire Gordon.

1. Corporate Governance

Risk Management

The ODCE inputs into CCC Division's Risk Register and the Office confirmed that it keeps risk under constant review.

2. Resources and Staffing

Immediately following this meeting, the ODCE is to meet the Minister to discuss its request for sanction to recruit six accountants and one HEO IT specialist.

3. Policy Developments

Court Cases

The ODCE's ongoing involvement with the legal proceedings that arose as a result of its investigation into events at the former Anglo Irish Bank was discussed.

Company Law Developments

<u>The Companies Bill 2012</u>

There was discussion on provisions of the Companies Bill which are relevant to the work of the ODCE.

The Accounting Directive

The impact of the Accounting Directive on unlimited companies was discussed.

4. Review of Outputs

The ODCE set out its progress in relation to the Key Performance Indicators contained in its MOU with the Department and confirmed that all are being met.

Advocacy

The ODCE is participating in the Department's Taking Care of Business Conference on 16 October which is to be held in Dublin Castle.

5. Support and Intervention Requirements

ICAV legislation

A number of issues were discussed in relation to this legislation from the Department of Finance including:

- The apparent enlargement of the scope of the ODCE's enforcement role;
- The fitness for purpose of the legislation; and
- The effectiveness of the cross-application of company law provisions to ICAVs.

The ODCE thanked the Department for its ongoing support in relation to the development of the legislation.

Note: This meeting was followed by a meeting between the ODCE and the Minister for Jobs, Enterprise and Innovation. At this meeting the Minister informed the Director that sanction had been received from the Department of Public Expenditure and Reform (DPER) for the ODCE to recruit six accountants and a HEO IT specialist. The sanction request had been submitted to DPER in December 2013.

Media reports state that Mr Alan Dukes has criticised the Director of Corporate Enforcement for delays in its investigation into Anglo Irish Bank.

1. The Director of Corporate Enforcement has indicated that he will be making no comment on the matter.
2. The ODCE is independent in the exercise of its statutory functions.
3. The investigation into certain activities in Anglo Irish Bank is very complex.
4. A large volume of documents both hard and electronic have to be evaluated.
5. Understand that the investigation is progressing satisfactorily, and the Office continues to work constructively with the Bank, the Financial Regulator and other relevant parties in the matter.
6. **Because of the risk of prejudicing the investigation it would not be appropriate to make any comment at this time.**
7. Six additional staff has been assigned to the ODCE to assist the Office in its investigation.

Fw: ODCE Staffing

John Hughes to: Ian Drennan, Kevin Prendergast, Kevin O'Connell, Conor O'Mahony, Breda Power, Helen Curley, Claire Gordon 14/10/2014 10:54

Cc Eamonn Balmer, Mary Cullen

(1) Ian,

thanks for that, that would, indeed, be helpful. I will ask the Recruitment, Assignment & Pay team to add this task to their growing list.

(2) Eamonn / Mary,

we should add this task to the many others we are looking to progress at this time.

John,
14/10.

John Hughes,
Principal,
Personnel and Learning & Development Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
Phone - 01-6312246

----- Forwarded by John Hughes/entemp on 14/10/2014 10:51 -----

From: Ian Drennan/entemp
To: john.hughes@djel.le,
Cc: "Breda Power" <Breda.Power@djei.ie>, helen.curley@djei.le, "Kevin Prendergast" <kevin_prendergast@odce.ie>, "Kevin O'Connell" <kevin_oconnell@odce.ie>, "Conor O'Mahony" <conor_omahony@odce.ie>, "Claire Gordon" <Claire.Gordon@djei.ie>
Date: 14/10/2014 09:05
Subject: Fw: ODCE Staffing

John,

I refer to Breda's email below.

Firstly, I would like to thank you and your colleagues for all your assistance and support in securing this sanction. The filling of these posts will greatly assist us in furthering the objectives of the Office.

I note from your email below that Personnel Unit will be taking the lead on this matter. In that regard, please do not hesitate to let me know what you want/need of us. It strikes me that a Job Spec would be a good place to start and I'll begin drafting that. Similarly, I'm happy to draft a newspaper/web advert for discussion.

As above, if anything else occurs, please let me know.

Regards,

Ian

Ian Drennan
Director
Office of the Director of Corporate Enforcement

16 Parnell Square, Dublin 1

Tel: +353 1 858 5800
Lo Call: 1890 315 015
Fax: +353 1 858 5801
Web: www.odce.ie
Breda Power

----- Original Message -----
From: Breda Power
Sent: 13/10/2014 14:05 GDT
To: Ian Drennan
Cc: Claire Gordon; Helen Curley
Subject: Fw: ODCE Staffing

Ian

Please see sanction under. You might copy us with your correspondence to Personnel Unit in this regard.

If there is any further assistance that we on the Liaison side can give in securing the early recruitment of staff to fill these posts please let us know.

Regards

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

----- Forwarded by breda power/entemp on 13/10/2014 13:58 -----

From:	John Hughes/entemp
To:	Breda Power/entemp@ENTEMP,
Cc:	Philip Kelly/entemp@ENTEMP, John Murphy/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP
Date:	13/10/2014 12:02
Subject:	ODCE Staffing

Breda,

just to confirm that DPER last week issued a sanction letter concerning Departmental staffing and it included the appointment of 6 Professional Accountants Grade I and a HEO ICT specialist as originally sought by the ODCE.

As the ODCE staffing complement comprises staff of the Department, Personnel Unit will need to take the lead on the recruitment/appointment process with PAS in relation to these posts. We will, of course, work with the ODCE Director in that regard.

John,
13/10.

John Hughes,
Principal,
Personnel and Learning & Development Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,

Dublin 2.
Phone - 01-6312246

1

VOTE 32 – JOBS, ENTERPRISE & INNOVATION

Brief for Minister's presentation of the 2015 Estimate to the Select Committee on Jobs, Enterprise and Innovation

Subhead: *C7*

Subhead Title: *Office of the Director of Corporate Enforcement*

Budget Officer and Extension No: **Ian Drennan, 5820**

Budget Officer Alternative and Extension No: **Conor O'Mahony, 5827**

2014 Estimate €,000	2014 Outturn €,000	2015 Estimate €,000	Increase (+) / on 2014 Outturn €,000	Percentage Increase (+) / on 2014 Outturn %
4,672	3,012	5,091	(+) 2,079	(+) 69%

Purpose of Subhead

The purpose of this Subhead is to provide for the ODCE's administration costs. The primary functions of the Director are to encourage compliance with the Companies Acts and to investigate and enforce suspected breaches of those Acts.

The ODCE currently employed 32.5[1] staff including a number of legal and accounting professionals. Sanction was recently obtained to increase the staffing levels in the Office by appointing an additional five accountants and an ICT expert. In addition, there are 6.5[1] members of An Garda Síochána seconded to the Office. The costs associated with the members of An Garda Síochána are met from Vote 20 – Garda Síochána. All other staffing, legal, administration and information technology support services are funded through Subhead C7 of Vote 32.

Explanation for Increase on 2014 Provisional Outturn

In 2014, a large underspend arose mainly on Non-Pay but also with a small underspend on the Pay side. The Office continues to minimise costs across our overhead-type expenditures. However, the vast bulk of the savings in 2014 related to

[1] Whole-time equivalent figure

anticipated legal costs that did not arise during the year. The allocation included a significant provision for legal costs anticipated in relation to a small number of large cases that have been ongoing for several years, mostly involving appeals to the Supreme Court. In 2014, one of these was determined in 2014 with 50% of our costs being awarded to the Office, while another was settled on a basis that will not entail the Office paying out legal costs. These two cases significantly reduce the Office's ongoing exposure to large costs.

Notwithstanding these favourable developments, the Office still remains potentially exposed to significant costs being awarded against us in Court cases involving the Office. As always, legal costs of this nature, as well as the timing of the crystallisation of such costs, are extremely difficult to forecast as we have little or no control over the timing of when the cases will be determined; we cannot be sure of the outcome of the cases in terms of costs orders and we cannot anticipate the scale of costs that other parties may seek. Accordingly, the Office continues to require a significant provision for legal costs in 2015.

The smaller underspend, on Pay, was the result of delays in filling posts vacated in late 2013 and in 2014. The higher 2015 provision reflects the inclusion of some funding in connection with the additional posts sanctioned recently.

Main Outputs delivered in 2014

- 4 individuals were tried on indictment in the Circuit Court during the year of which 3 were convicted;
- 10 convictions were secured in District Court cases in 2014.
- A number of criminal enforcement cases continue to be under investigation at any given time. A significant proportion of which are concluded on a satisfactory basis but which does not involve prosecution. In the cases where, all things considered, a prosecution is not considered to be warranted, we may seek to resolve matters through interventions such as

    - formal warning letters to company directors and others;
    - securing voluntary resignations (as directors, auditors etc) where suspected offences have been committed; or

- referral of accountants to their professional bodies (leading, often, to the imposition of substantial fines and costs and possibly the expulsion of individuals).

- The ODCE anticipates the receipt of in close to 1000 initial liquidator reports during 2015. This would represent a small reduction on the corresponding 2014 figures. More recent trends would seem to indicate that the modest downward trend in the number of insolvent liquidations may continue into 2015 due to the gradual pick up in the economy.

- The ODCE determined a total of 1168 liquidator reports during 2014, a 14% reduction on 2013. A similar number of determinations is expected to be made in 2015.

- Arising from the liquidation-related work of the Office a large number of directors were restricted or disqualified during the year. However, the actual numbers involved are not yet available.

No. of Cases Dealt With	2011	2012	2013	2014
Start of Period	939	1016	1087	908
Received	2021	2126	1920	1419
Concluded	1944	2055	2084	1669
On hands End of Period	1016	1087	923	658
Some incompatibility of figures arose at the end of 2013 in connection with an internal reorganisation. Accordingly, there is a small discrepancy on closing figures 2013 and opening figure for 2014.				
Legal Proceedings:	2011	2012	2013	2014
No. of Proceedings Concluded	23	18	20	22
No. of Ongoing Proceedings	16	6	10	12
Includes all Court proceedings that have been commenced involving the Office, i.e. arising from investigations, insolvency, compliance and enforcement				
Advocacy	2011	2012	2013	2014

Total No.of Events	90	81	88	57
Includes all presentations, exhibitions attended, new publications, articles and other advocacy events (e.g., media interviews).				

Main Output Targets 2015

- Criminal enforcement activity in the Office does not operate on a prosecution targets basis *per se*. Each potentially prosecutable case is assessed on its merits and the appropriate interventions then determined. However, at the start of the year, 12 civil and criminal cases were before the Courts and it is anticipated that most of these will be disposed of during the year. In addition, other cases are likely to arise during the year.

- It is estimated that the Office will receive some 1000 initial liquidator reports in 2015. The Office will be aiming to make determination of at least this number of reports during the year.

- The Office will continue to promote compliance with the Companies Acts through presentations to relevant stakeholders, attendance at exhibitions and conferences, information publications and other advocacy activities.

Context and Impact Indicators

The ODCE currently has 32.5 Departmental staff and 6.5 seconded members of An Garda Síochána; these are whole-time equivalent figures. The Office has recently received sanction for additional accounting and IT resources. Additional staff previously assigned to the Office to assist with the ongoing considerable workload associated with the various strands of the Anglo investigation was offset by subsequent reductions in staff numbers through retirements, re-assignments and other departures. The relevant Departmental and Garda staffing figures at the end of each of the last five years are outlined in the following table.

ODCE Staff	End-2010	End-2011	End-2012	End - 2013	End - 2014
DJEI	40.7	39.7	35.9	36.3	32.5

Garda	10.1	10.1	8.6	6.6	6.5
Total	50.8	49.8	44.4	42.9	39

In common with the other areas of the Public Sector the ODCE, in striving to achieve more with less resources, will have to be selective in identifying and pursuing its priorities. It is a considerable challenge for the Office to properly discharge its statutory functions with the limited resources available to it. In this context, it is worth noting that, while the investigative phase of the Anglo case is largely complete, there remains a significant amount of work in supporting the DPP in preparation for forthcoming prosecutions, etc. In addition, the Office has a number of substantial cases where extremely resource-intensive criminal investigations are underway or are being contemplated. Meanwhile, the very high number of insolvent liquidations, while down slightly in the past year, still demands the application of a considerable amount of scarce resources. In this context, it should be noted that the caseload associated with insolvent liquidations is non-discretionary as the Company Law Enforcement Act of 2001 imposes a statutory framework in relation to this work.

Issues which might arise at Select Committee

A separate note is attached in relation to the Anglo Irish Bank investigation.

If any questions arise relating to individual cases which the ODCE may be investigating, it is respectfully suggested that the Minister refer to the legally independent role of the Director in relation to company law compliance and enforcement matters.

VOTE 32 – JOBS, ENTERPRISE & INNOVATION

Brief for Minister's presentation of the 2015 Estimate to the Select Committee on Jobs, Enterprise and Innovation

Subhead: *C16*

Subhead Title: *Legal Expenses (part)*

Budget Officer and Extension No: **Ian Drennan, 5820**

Budget Officer Alternative and Extension No: **Conor O'Mahony, 5827**

2014 Estimate €,000	2014 Outturn €,000	2015 Estimate €,000	Decrease (+) / on 2014 Outturn €,000	Percentage Decrease (-) on 2014 Outturn %
50	Nil	50	(+) 50	n/a

Purpose of Subhead

A precautionary provision is made each year in subhead C16 for exceptional legal costs that might arise during the year. This might, for example, include the costs associated with the appointment of a High Court Inspector. However, no such exceptional costs arose in 2014.

Explanation for Increase on 2014 Provisional Outturn

Main Outputs delivered in 2014

n/a

Main Output Targets 2015

n/a

Context and Impact Indicators

n/a

Issues which might arise at Select Committee

n/a

J:\FINANCE_Estimates folders 95-17\2015 Estimates\Select Committee - Feb 2015\Subhead Returns\C16 ODCE.docx

2

~~RE: Professional Accountants for Office of Director of Corporate Enforcement~~

Eamonn Balmer to: McCabe, Margaret 14/01/2015 17:00
Cc: John Hughes, Mary Cullen

Thanks Margaret

Regards

Eamonn

"McCabe, Margaret" Hi Eamonn, Happy new year to you to. We can pu... 14/01/2015 16:57:49

From: "McCabe, Margaret" <Margaret.McCabe@publicjobs.ie>
To: "Eamonn.Balmer@djei.ie" <Eamonn.Balmer@djei.ie>,
Cc: "Murphy, Brian" <brian.murphy@publicjobs.ie>
Date: 14/01/2015 16:57
Subject: RE: Proferssional Accountants for Office of Director of Corporate Enforcement

Hi Eamonn,

Happy new year to you to. We can put this in our job jar and come back to you with a timeline.

Best regards

Margaret

From: Eamonn.Balmer@djei.ie [mailto:Eamonn.Balmer@djei.ie]
Sent: 14 January 2015 16:36
To: McCabe, Margaret
Subject: Fw: Proferssional Accountants for Office of Director of Corporate Enforcement

Hi Margaret

Happy new year.

I was wondering whether you had chance to consider the issue I raised in the email below?

Regards

Eamonn

----- Forwarded by Eamonn Balmer/entemp on 14/01/2015 16:34 -----

From: Eamonn Balmer/entemp
To: margaret.mccabe@publicjobs.ie,
Cc: Mary Cullen/entemp@ENTEMP
Date: 12/12/2014 15:09
Subject: Proferssional Accountants for Office of Director of Corporate Enforcement

Margaret

This Department recently got sanction from DPER to recruit/appoint six Professional Accountants Grade 1 for the Office of the Director of Corporate Enforcement (ODCE). We would hope to make the appointments as early as possible in the new year.

The ODCE is currently putting together a job spec/person fit, etc.

Can you advise whether PAS would be in a position to undertake the recruitment process on the Department's behalf?

Regards

Eamonn

Eamonn Balmer
Personnel Unit
Department of Jobs, Enterprise and Innovation
Kildare Street
Dublin 2

Tel +353 1 631 2288

Email Disclaimer:
http://www.djei.ie/corporate/it/e-mail_disclaimer_text.htm

---**[attachment "~WRD000.jpg" deleted by Eamonn Balmer/entemp]**

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Tá an ríomhphost seo agus aon chomhad a chuirtear ar aghaidh leis, rúnda, agus tá sé beartaithe gur d'úsáid an duine aonair nó an aonáin amháin ar cuireadh chucu é, a tá sé. Munar tú an duine

Re: Fw: ODCE - Professional Accountant Recruitment

John Hughes to: Eamonn Balmer 19/01/2015 10:31
Cc: Mary Cullen, Paul McMahon, Tracy fitzpatrick

Eamonn,

Ian submitted material on Friday evening which I will forward shortly. We might discuss before further engagement on the project.

John,
19/1.

John Hughes,
Principal,
Personnel, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
Phone - 01-6312246

Eamonn Balmer John To note please the following. 19/01/2015 10:23:48

From: Eamonn Balmer/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Mary Cullen/entemp@ENTEMP, Tracy fitzpatrick/entemp@entemp, Paul McMahon/entemp@ENTEMP
Date: 19/01/2015 10:23
Subject: Fw: ODCE - Professional Accountant Recruitment

John

To note please the following.

We've been given a deadline of 6 February for completion of the documentation required for the recruitment of Professional Accountants Grade 1 to the ODCE. I understand Ian Drennan has been made aware of the need to provide a job /person spec so we'll follow up with him.

Also, we spoke previously of the desirability of having a DJEI person on the board, given that those selected will be staff of the Department rather than the ODCE specifically. Given the grade involved, this would require representation at a minimum level of Principal Officer.

Eamonn
----- Forwarded by Eamonn Balmer/entemp on 19/01/2015 10:14 -----

From: "Phelan, Marese" <Marese.Phelan@publicjobs.ie>
To: "Eamonn.Balmer@djei.ie" <Eamonn.Balmer@djei.ie>,
Date: 16/01/2015 17:34
Subject: Accountant Recruitment

Dear Eamonn

I am the Recruitment Manager who will be looking after your recruitment campaign for Accountants

and we have you provisionally pencilled in for advertising on 13 February so if you get all your documentation approved by the Friday preceding this date that would be great.

Kind regards
Marese

Marese Phelan
Professional and Technical Recruitment
Public Appointments Service
Chapter House
26-30 Abbey St Upper
Dublin 1
Ph: 00353 1 8587437

publicjobs.ie
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Tá an ríomhphost seo agus aon chomhad a chuirtear ar aghaidh leis, rúnda, agus tá sé beartaithe gur d'úsáid an duine aonair nó an aonáin amháin ar cuireadh chucu é, a tá sé. Munar tú an duine a ba chóir an ríomhphost seo, nó aon chuid de, a fháil, níor chóir duit aon chuid de a nochtadh, a chóipeáil nó a dháileadh. Déan teagmháil leis an té a chuir chugat é agus inis dó/di go bhfuair tú é trí thimpiste. Ba chóir d'éinne a tá ag déanamh idirghníomhaíochta trí ríomhphost caighdeánach a thuiscint go bhfuil priacail i gceist agus tú ag seachadadh faisnéise pearsanta nó íogair leis an teicneolaíocht seo (mar nach modh iomlán slán a tá ann chun sonraí a chur ar aghaidh). Mar sin, ná cuir sonraí pearsanta no íogair trí ríomhphost chuig an oifig seo. Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

****
****

4

Fw: Recruitment materials
John Hughes to: Eamonn Balmer 19/01/2015 10:33

Eamonn,

as per email exchange a few moments ago and recent PAS engagement, attached is the material Ian Drennan sent on Friday afternoon last. Pl assess and let me know the position.

John,
19/1.

John Hughes,
Principal,
Personnel, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
Phone - 01-6312246
----- Forwarded by John Hughes/entemp on 19/01/2015 10:32 -----

From: Ian Drennan/entemp
To: Breda Power/entemp@ENTEMP, John Hughes/entemp@ENTEMP,
Cc: Kevin Prendergast/entemp@entemp, Conor O'Mahony/entemp@entemp, Kevin O'Connell/entemp@entemp, Ann Keating/entemp@entemp
Date: 16/01/2015 14:47
Subject: Recruitment materials

John/Breda,

Please find attached a newspaper advert and the ODCE-specific elements of a PAS Information Booklet. I'm not in a position to draft the Principal Conditions of Service element of the latter without knowing the specific terms of the sanction but, in any event, I expect that the Personnel Unit might be better placed to do that aspect of the drafting. Should you require any clarification etc., please don't hesitate to let me know.

Regards,

Ian

Investigators (Accounting Professionals) - newspaper advertisement.docx

Investigators (Accounting Professionals) - Information Booklet.doc

5

Fw: Information booklet ICT Professional - ODCE

John Hughes to: Eamonn Balmer, Mary Cullen 13/02/2015 13:15

Eamonn / Mary,

for any further comments pl.

John,
13/2.

John Hughes,
Principal,
Personnel, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
Phone - 01-6312246

----- Forwarded by John Hughes/entemp on 13/02/2015 13:15 -----

From: Kevin Prendergast/entemp
To: John Hughes/entemp@ENTEMP,
Date: 13/02/2015 12:00
Subject: Information booklet ICT Professional - ODCE

John

I attach the Information booklet for the above position, with a slight amendment
. Please keep me/Ian apprised on developments.

Also, just a note to thank you for your assistance in arranging
.

Kind regards

Kevin

ICT professional - Information Booklet 130215.doc

Kevin Prendergast
Head of Enforcement
Office of the Director of Corporate Enforcement

Phone (Direct): 01 8585844

ODCE recruitments
Mary Cullen to: John Hughes 18/02/2015 17:30

John

FYI and consideration: Eamonn and I haven't had a chance to discuss the email below, but re the further Information Booklet for the ICT Professional/HEO, I've done a further 'work in progress' draft this afternoon of that, incorporating earlier elements from the 9/2/15 Accountant draft...

ICT professional - Information Booklet 130215 HR DRAFT work in progress 180215.doc

Regards.

Mary Cullen
Recruitment Assignments and Pay Section
Personnel Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
email: mary.cullen@djei.ie
Tel: 01-6312466
----- Forwarded by Mary Cullen/entemp on 18/02/2015 17:27 -----

From: Mary Cullen/entemp
To: Eamonn Balmer/entemp@ENTEMP,
Date: 09/02/2015 16:02
Subject: Re: Fw: Recruitment materials

Eamonn

Partial redrafts for consideration:

CSHR Probationary Contract - DPER website 9 Feb 2015 DJEI DRAFT.doc

Investigators (Accounting Professionals) - Information Booklet HR DRAFT.doc

Investigators (Accounting Professionals) - newspaper advertisement HR DRAFT.docx

Regards.

Mary Cullen

Recruitment Assignments and Pay Section
Personnel Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
email: mary.cullen@djei.ie
Tel: 01-6312466

Eamonn Balmer Mary We might discuss. 20/01/2015 17:36:38

From: Eamonn Balmer/entemp
To: Mary Cullen/entemp@ENTEMP,
Date: 20/01/2015 17:36
Subject: Fw: Recruitment materials

Mary

We might discuss.

Thanks

Eamonn
----- Forwarded by Eamonn Balmer/entemp on 20/01/2015 17:36 -----

From: John Hughes/entemp
To: Eamonn Balmer/entemp@ENTEMP,
Date: 19/01/2015 10:33
Subject: Fw: Recruitment materials

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19/1.

John Hughes,
Principal,
Personnel, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
Phone - 01-6312246
----- Forwarded by John Hughes/entemp on 19/01/2015 10:32 -----

From: Ian Drennan/entemp
To: Breda Power/entemp@ENTEMP, John Hughes/entemp@ENTEMP,
Cc: Kevin Prendergast/entemp@entemp, Conor O'Mahony/entemp@entemp, Kevin O'Connell/entemp@entemp, Ann Keating/entemp@entemp
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Regards,

Ian

Investigators (Accounting Professionals) - newspaper advertisement.docx

Investigators (Accounting Professionals) - Information Booklet.doc

7

~~Fw: ODCE additional staff - Financial Accountants and HEO ICT~~

John Hughes to: Eamonn Balmer 07/04/2015 16:25

Eamonn,

we might endeavour to progress this week, if possible.

John,
7/4.

John Hughes,
Principal,
Personnel, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
Phone - 01-6312246

----- Forwarded by John Hughes/entemp on 07/04/2015 16:22 -----

From: Kevin Prendergast/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Ian Drennan/entemp@ENTEMP, Conor O'Mahony/entemp, Kevin O'Connell/entemp@entemp
Date: 07/04/2015 16:15
Subject: ODCE additional staff - Financial Accountants and HEO ICT

John

You will be aware of the above staffing proposals, in respect of which the Office forwarded draft documentation some time ago. Can you let me know the current status on these?

Many thanks

Kevin

Kevin Prendergast
Head of Enforcement
Office of the Director of Corporate Enforcement

Phone (Direct): 01 8585844

8

Fw: Urgent
John Hughes to: Eamonn Balmer 14/05/2015 17:48

FYI. We'll need to discuss.
Breda Power

----- Original Message -----
From: Breda Power
Sent: 14/05/2015 17:38 GDT
To: John Hughes
Subject: Urgent

John

What is the current position on the filling of the additional staffing posts for the ODCE? The Minister has requested an update and I need to advise him of the position. I will need details of when the ODCE sent the job specs etc to you and then the follow on with DPER/PAS.

You might give me a call when you have a few minutes to discuss.

Thanks

Breda

Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

~~Re: Note re Staffing in ODCE for BPower - May 2015~~

Breda Power to: John Hughes 15/05/2015 19:56

John,

I will give you a call on Monday.

Breda

John Hughes I have corrected that date error in my Note, Breda.... 15/05/2015 19:01 GDT

From: John Hughes
To: Breda Power
Cc: Eamonn Balmer
Date: 15/05/2015 19:01 GDT
Subject: Re: Note re Staffing in ODCE for BPower - May 2015

I have corrected that date error in my Note, Breda.

I cannot be sure precisely when we will have the ads cleared here but I would hope within a fortnight at most. As to DPER clearance, I will have to check if that will be required and if it is, I expect it would take 2 to 3 weeks max.

John,
15/5.

John Hughes,
Principal,
Personnel, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
Phone - 01-6312246

Breda Power John Thanks very much. Should the reference to 13... 15/05/2015 15:35:56

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Eamonn Balmer/entemp@ENTEMP
Date: 15/05/2015 15:35
Subject: Re: Note re Staffing in ODCE for BPower - May 2015
Sent by: breda power

John

Thanks very much. Should the reference to 13/01/2014 be to 2015?

Can you give me an indication of when you expect to be ion a position to send the draft advertisements to PAS? Must they be cleared by DPER?

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,

Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

John Hughes Breda, note as requested. 15/05/2015 15:04:26

From: John Hughes/entemp
To: Breda Power/entemp@ENTEMP,
Cc: Eamonn Balmer/entemp@ENTEMP
Date: 15/05/2015 15:04
Subject: Note re Staffing in ODCE for BPower - May 2015

Breda,

note as requested.

John,
15/5.

John Hughes,
Principal,
Personnel, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
Phone - 01-6312246
[attachment "Note re Staffing in ODCE for BPower - May 2015.docx" deleted by breda power/entemp]

Staffing in ODCE – Recruitment of 6 Professional Accountants

- 25/07/2014 - DJEI makes sanction request to DPER for various posts in the Department including 6 Professional Accountants Grade 1 and a HEO with ICT skills for the ODCE

- 07/10/2014 – DPER grants the sanction including the ODCE posts

- 13/01/2015 – Personnel Officer meets Director of ODCE and other colleagues re i and notes the need for Draft Advertisements to allow for progressing of recruitment sanction

- 16/01/2015 – Personnel engages with PAS regarding capacity to conduct competition, advertising requirements etc.

- 16/01/2015 – Personnel receives input to Draft Advertisement from Director of ODCE

- 19/01/2015 – Personnel Unit undertakes preliminary assessment of draft material and notes need to carefully adjust certain aspects regarding the status of the staff to be recruited who should be assigned to the Department itself, for subsequent/immediate assignment to ODCE and not directly to the ODCE who is not an employer itself. Consideration also needed to be given as to how the Department will be represented on PAS Board noted.

- 15/05/2015 – Work on revised Drafts has been crowded out by a huge variety of issues in Personnel Unit (PeoplePoint, plethora of other Competitions and Assignments, urgent HR matters too many to number and too sensitive in some cases to specify here –

10

Fw: Recruitment of Accountants
Breda Power
to:
Helen Curley, Claire Gordon, Joan Howley
29/05/2015 16:58
Sent by:
breda power
Hide Details
From: Breda Power/entemp
To: Helen Curley/entemp@ENTEMP, Claire Gordon/entemp@ENTEMP, Joan Howley/entemp@entemp,
Sent by: breda power/entemp

1 Attachment

Professional Accountants Grade I (Investigators) - Information Booklet HR DRAFT.pdf

FYI

Breda
Breda Power
Department of Jobs, Enterprise & Innovation
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email: breda.power@djei.ie
---- Forwarded by breda power/entemp on 29/05/2015 16:58 ----

From: Eamonn Balmer/entemp
To: Ian Drennan/entemp@ENTEMP,
Cc: Jenn Hughes/entemp@ENTEMP, Breda Power/entemp@ENTEMP,
Date: 29/05/2015 16:53
Subject: Recruitment of Accountants

Ian

Apologies for the delay in reverting to you on this. The early part of this year has been particularly challenging for HR Unit for various reasons.

I'm attaching an amended version of the information booklet you sent relating to the Accountants posts. (There is still a small amount of standard information, related to pensions and security clearance, to be inserted.)

The contract and advertisement documents will follow the finalisation of this document

The principal difference, as you will observe, is the description of appointees as employees of the Department rather than the ODCE specifically. This is in accordance with the status of all other professional staff in the ODCE

I'd be grateful if you would review the revised document and revert with any observations you may have

Eamonn Balmer
Personnel Unit
Department of Jobs, Enterprise and Innovation
Kildare Street

Dublin 2

Tel +353 1 631 2288

(See attached file: Professional Accountants Grade 1 (Investigators) - Information Booklet HR DRAFT.pdf)

An tSeirbhís um Cheapacháin Phoiblí
Public Appointments Service

INFORMATION BOOKLET

The Public Appointments Service intends to hold a competition for the purpose of recommending a number of persons for appointment as:

Professional Accountant Grade 1
Department of Jobs,Enterprise and Innovation
(Office of the Director of Corporate Enforcement)

The Public Appointments Service is committed to a policy of equal opportunity. The Public Appointments Service will run this campaign in compliance with the codes of practice prepared by the new Commissioners for Public Service Appointments (CPSA). Codes of practice are published by the CPSA and are available on www.cpsa-online.ie

CHAPTER HOUSE
26 – 30 ABBEY STREET UPPER
DUBLIN 1

Telephone Number: 353 1 858 7400

www.publicjobs.ie

Title of Position: Professional Accountant Grade 1

Employing Authority: **Department of Jobs, Enterprise and Innovation**

Location: Office of the Director of Corporate Enforcement, 16 Parnell Square, Dublin 1

The mission of the Department of Jobs, Enterprise and Innovation (the Department) is to encourage the creation of high quality and sustainable full employment by championing enterprise across government, supporting a competitive enterprise base, promoting a low tax environment to incentivise work and enterprise and promoting fair and competitive markets.

The Office of the Director of Corporate Enforcement (ODCE) is an Office of the Department. Its specific mission is to improve the compliance environment for corporate activity in the Irish environment.

The Office of the Director of Corporate Enforcement
Mandate and high level goals

The ODCE was established under the Company Law Enforcement Act 2001 (the Act). Under the Act, the principal functions of the Director of Corporate Enforcement include the:

- encouragement of compliance with the Companies Acts;
- investigation of instances of suspected offences under the Companies Acts;
- enforcement of the Companies Acts, including the prosecution of offences by way of summary proceedings;
- referral of cases, at his discretion, to the Director of Public Prosecutions for consideration as to whether they should be prosecuted on indictment;
- exercise, insofar as considered necessary or appropriate, a supervisory role over the activity of liquidators and receivers in the discharge of their functions under the Companies Acts.

Those statutory functions have been further distilled into the ODCE's high level goals, which are to:

- promote a greater understanding of affected parties' rights and duties under company law;
- confront unlawful and irresponsible behaviour insofar as it relates to company law; and
- provide a quality customer service to internal and external stakeholders.

Structure and current resources

Currently, the ODCE has a staff complement of approximately 40 comprising solicitors, accountants, members of An Garda Síochána, civilian case officers and administrative staff. Its budget for 2015 is €5m.

Having regard to its principal statutory functions, and the associated workstreams, the ODCE is organised into a number of Units, each of which comes under the responsibility of a Head of Function. Further information regarding the ODCE's principal activities can be accessed at www.odce.ie.

The roles

Arising from a review of the extent to which the ODCE's current skills mix is commensurate with its statutory mandate, it has been decided that the additional in-house accountancy expertise would further support the ODCE in delivering on its important mandate.

Specifically, the ODCE seeks to the appointment of Professional Accountants to be assigned, in the first instance, as investigators. These roles will be at a senior level within the Office, with the post holders reporting to a Head of Function or, as may be required from time to time, directly to the Director. As such, the successful candidates must be capable of demonstrating an appreciation for the pivotal nature of their roles and functions within the organisation.

The nature of these demanding roles will be wide and varied. In that context, the following is a non-exhaustive overview of the types of work that the successful candidates are likely to be engaged in:

- managing individual cases/a portfolio of cases;
- developing strategies and plans for progressing individual cases;
- the effective management of competing priorities;
- investigating alleged breaches of company law, including:
- gathering evidence (including by the exercise of statutory powers of production or on foot of search warrants);
- liaising with third parties as necessary, including obtaining witness statements;
- critically and forensically analysing financial, and other information/evidence;
- drafting written reports, detailing, *inter alia*, analysis undertaken, conclusions, proposals and recommendations;
- preparing case files and other appropriate materials in contemplation of civil and/or criminal legal proceedings (in conjunction with other ODCE staff as necessary);

- testifying, as required, in Court proceedings initiated by the ODCE or by the Director of Public Prosecutions;
- examining, and making determinations in respect of liquidators' reports under section 56 of the Act;
- contributing to/leading on projects associated with the ODCE's supervision of insolvency practitioners;
- contributing to/leading on the ongoing development and improvement of policies and procedures;
- contributing to/leading on the ongoing development and improvement of risk assessment and analysis methodologies;
- providing advice and other professional input on matters relating to accounting, audit and related disciplines;
- co-operating with other regulatory and enforcement Agencies on matters of mutual interest;
- contributing to/leading on the ongoing development of advocacy materials;
- relationship management and development;
- contributing to the ODCE's ongoing compliance with its obligations as a public sector organisation;
- contributing to/leading on projects associated with any other aspect of the ODCE's mandate and functions as required.

ENTRY REQUIREMENTS

Essential Qualifications & Requirements

In order to be eligible for appointment, candidates must be members of a Recognised Professional Accountancy Body[1].

Desirable (but not essential)

Whilst not essential, additional qualifications of relevance (for example, in the area of forensics) are likely to be an advantage.

[1] There are six Recognised Accountancy Bodies. There are the:

- Association of Chartered Certified Accountants (ACCA)
- Institute of Certified Public Accountants (ICPA)
- Institute of Chartered Accountants in England & Wales (ICAEW)
- Institute of Chartered Accountants in Ireland (ICAI)
- Institute of Chartered Accountants of Scotland (ICAS)
- Institute of Incorporated Public Accountants (IIPA)

Essential Skills/Attributes

The successful candidates will:

- have significant post qualification experience at a suitably senior level in audit, forensics, insolvency and/or in another area of relevance to the roles;
- be flexible, results-focussed and have the ability to work under pressure in a complex, legal, technical and regulatory environment;
- be capable of operating effectively on their own initiative;
- be capable of demonstrating the capacity to analyse and assimilate large volumes of complex material and to identify quickly the key issues;
- have an appreciation of the requirements for working effectively in a multi-disciplinary environment, including the flexibility and mobility to work effectively with all other relevant colleagues and stakeholders across sectoral, organisational and professional boundaries
- possess strong project management skills;
- be capable of demonstrating a strong track record in the exercise of sound professional judgement;
- possess the capacity to operate effectively and credibly at senior levels, both within the organisation and externally;
- possess excellent communications and interpersonal skills;
- be technically proficient to a high level in one or more areas of relevance to the roles;
- be capable of demonstrating an appreciation of the ODCE and its position and role within the wider functions of the Department and have a strong commitment to serving the public interest.

Principal Conditions of Service

1. General
The appointment is to an established post in the Civil Service and is subject to the Civil Service Regulation Acts 1956 to 2005, the Public Service Management (Recruitment and Appointments) Act 2004 and any other Act for the time being in force relating to the Civil Service.

2. Pay
The salary scale for this position is as follows:

PPC [Personal Pension Contribution] Scale:
€ € € €

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

Non-PPC Payscale:
€ € € €

This rate will apply where the appointee is a civil or public servant recruited before 6th April 1995 and who is NOT required to make a Personal Pension Contribution.

Long service increments may be payable after three (LSI-1) and six (LSI-2) years' satisfactory service at the maximum of the scale.

Entry will be at the minimum of the scale and the rate of remuneration will not be subject to negotiation. The rate of pay may be adjusted from time to time in line with Government pay policy. Different terms and conditions may apply depending on whether a successful candidate is a currently serving civil or public servant.

Statutory deductions from salary will be made as appropriate by the Department of Jobs, Enterprise and Innovation.

You will agree that any overpayment of salary or of travel and subsistence may be deducted from future salary payments due to you in accordance with the Payment of Wages Act 1991. In the event of such an occurrence, the Department will advise you in writing of the amount and details of any such overpayment and give you 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.

3. Tenure

The appointment is to an established position in the Civil Service. The appointee will be required to serve a 12 month probationary period.

4. Probationary Review
During the period of your probation, performance will be subject to review by the appointee's Manager(s) to determine whether the appointee has:

(i) performed in a satisfactory manner,
(ii) been satisfactory in general conduct, and
(iii) is suitable from the point of view of health with particular regard to sick leave.

Prior to completion of the probationary contract, a decision will be made as to whether or not you will be retained pursuant to *Section 5A(2)* of the *Civil Service Regulation Acts 1956-2005*. This decision will be based on your performance assessed against the criteria set out in (i) to (iii) above.

The details of the probationary process will be explained to you by your employing Department and you will be given a copy of guidelines on probation issued by the Department of Public Expenditure and Reform.

In the event that you are not considered as suitable to the position of Professional Accountant Grade 1 having been assessed against stated criteria, you will be notified in writing of the action to be taken prior to the expiry of this contract and any extensions thereof.

5. Unfair Dismissals Acts
The Unfair Dismissals Acts 1977-2007 will not apply to the termination of your employment by reason only of the expiry of this probationary contract without it being renewed.

6. Suspension of Probation
The Department may suspend the probationary period and, as a result, extend the term of the probationary contract in the following circumstances:

- the probationary period will be suspended if the officer is on Maternity or Adoptive leave,
- the probationary period may, at the discretion of the Department, be suspended where the employee is absent on any other form of statutory or non- statutory leave.

Where the Department's ability to assess the officer and/or the officer's ability to demonstrate their suitability for permanent appointment is compromised by the officer's absence on leave, the contract period will be extended by the period of leave taken.

7. Duties
You will be required to perform any duties appropriate to your grade which may be assigned to you during the probationary period. You may not engage in private practice or be connected with any outside business which would interfere with the performance of official duties.

8. Headquarters
On appointment to the Department your headquarters will the Office of the Director of Corporate Enforcement (ODCE), or be such as may be designated from time to time by the Head of the Department. When absent from home and headquarters on official duty you will be paid appropriate travelling expenses and subsistence allowances, in accordance with Civil Service regulations.

9. The Organisation of Working Time Act 1997
The terms of the Organisation of Working Time Act 1997 will apply to your employment and the hours of attendance and leave entitlements that will apply is at Section 10 below.

10. Hours of Attendance
Hours of attendance will be as fixed from time to time but will amount to on average not less than 43 hours and 15 minutes gross per week. The successful candidate will be required to work with such additional hours from time to time as may be reasonable and necessary for the performance

for the proper performance of his/her duties subject to the limits set down in the working time regulations. The rate of remuneration payable covers any extra attendance liability that may arse from time to time.

11. Annual Leave
The annual leave allowance will be 30 working days a year. This allowance which is subject to the usual conditions regarding the granting of annual leave is on the basis of a five day week and is exclusive of the usual public holidays.

12. Sick Leave
Pay during properly-certified sick absence, provided there is no evidence of permanent disability for service, will apply on a pro rata basis in accordance with the provisions of the sick leave Circulars.

Officers who are paying Class A rate of PRSI will be required to sign a mandate authorising the Department of Social Protection to pay any benefits due to you under the Social Welfare Acts direct to the Department of Jobs, Enterprise and Innovation. Payment of salary during illness will be subject to you making the necessary claims for social insurance benefit to the Department of Social Protection within the required time limits.

13. Superannuation and Retirement

The successful candidate will be subject to the terms of the appropriate pension scheme – as determined by previous employment history:

[MATERIAL ON PENSIONS TO BE INSERTED]

Pension-Related Deduction
This appointed is subject to the pension-related deduction in accordance with the Financial Emergency Measures in the Public Interest Act, 2009

14. Health and Safety
Attention is drawn to the health and safety policy. It is a condition of employment that all aspects of the policy, of the Safety, Health and Welfare at Work Act and relevant regulations must be complied with at all times.

15. Secrecy, Confidentiality and Standards of Behaviour
Official Secrecy and Integrity
You will during the term of your probationary contract be subject to the provisions of the Official Secrets Act 1993 as amended by the Freedom of Information Acts 1997 and 2003. You will agree not to disclose to third parties any confidential information either during or subsequent to the period of employment.

Civil Service Code of Standards and Behaviour
You will be subject to the Civil Service Code of Standards and Behaviour.

Ethics in Public Office Act 1995
The Ethics in Public Office Act 1995 will apply, where appropriate, to your employment.

Publication of any Material
You will agree not to publish material related to your official duties without prior approval by the Minister.

Political Activity
During the term of your employment you will be subject to the rules governing Civil Servants and politics.

16. Personnel Code
All Circulars are available on the website http://circulars.gov.ie or from the Personnel Section.

11

Fw: Recruitment of Accountants
Eamonn Balmer to: Ian Drennan 03/06/2015 11:24
Cc: John Hughes, Mary Cullen, Breda Power

Ian

As referred to in my e-mail of Friday last, attached is an updated draft of the information booklet for the Accountants posts.

This version includes some additional standard information, principally in relation to pensions, security, etc.

Eamonn Balmer
Personnel Unit
Department of Jobs, Enterprise and Innovation
Kildare Street
Dublin 2

Tel +353 1 631 2288

Professional Accountants Grade 1 (Investigators) - Information Booklet HR DRAFT 030615.docx

----- Forwarded by Eamonn Balmer/entemp on 03/06/2015 11:20 -----

From:	Eamonn Balmer/entemp
To:	Ian Drennan/entemp@ENTEMP,
Cc:	John Hughes/entemp@ENTEMP, Breda Power/entemp@ENTEMP
Date:	29/05/2015 16:50
Subject:	Recruitment of Accountants

Ian

Apologies for the delay in reverting to you on this. The early part of this year has been particularly challenging for HR Unit for various reasons.

I'm attaching an amended version of the information booklet you sent relating to the Accountants posts. (There is still a small amount of standard information, related to pensions and security clearance, to be inserted.)

The contract and advertisement documents will follow the finalisation of this document.

The principal difference, as you will observe, is the description of appointees as employees of the Department rather than the ODCE specifically. This is in accordance with the status of all other professional staff in the ODCE.

I'd be grateful if you would review the revised document and revert with any observations you may have.

Eamonn Balmer

Personnel Unit
Department of Jobs, Enterprise and Innovation
Kildare Street
Dublin 2

Tel +353 1 631 2288

[attachment "Professional Accountants Grade 1 (Investigators) - Information Booklet HR DRAFT.pdf" deleted by Eamonn Balmer/entemp]

12

Fw: Recruitment of Accountants

From Breda Power
To Helen Curley, Claire Gordon
Cc
Date 04/06/2015 14:05

Helen, Claire

To see please

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
---- Forwarded by breda.power/entemp on 04/06/2015 14:04 ----

From: Ian Drennan/entemp
To: Eamonn Balmer/entemp@ENTEMP
Cc: Breda Power/entemp@ENTEMP, John Hughes/entemp@ENTEMP, Mary Cullen/entemp@ENTEMP, Kevin Prendergast/entemp@entemp
Date: 04/06/2015 13:32
Subject: Re: Fw: Recruitment of Accountants

Eamonn

Thanks for this. Please find attached, in marked up format, my suggested amendments to the document

Regards,

Ian

From: Eamonn Balmer/entemp
To: Ian Drennan/entemp@ENTEMP,
Cc: John Hughes/entemp@ENTEMP, Mary Cullen/entemp@ENTEMP, Breda Power/entemp@ENTEMP
Date: 03/06/2015 11:24
Subject: Fw: Recruitment of Accountants

Ian

As referred to in my e-mail of Friday last, attached is an updated draft of the information booklet for the Accountants posts.

This version includes some additional standard information, principally in relation to pensions, security, etc.

Eamonn Balmer
Personnel Unit
Department of Jobs, Enterprise and Innovation
Kildare Street
Dublin 2

Tel +353 1 631 2288

[attachment "Professional Accountants Grade 1 (Investigators) - Information Booklet HR DRAFT 030615.docx" deleted by Ian Drennan/entemp]

--- Forwarded by Eamonn Balmer/entemp on 03/06/2015 11:23 ---

From: Eamonn Balmer/entemp
To: Ian Drennan/entemp@ENTEMP
Cc: John Hughes/entemp@ENTEMP, Breda Power/entemp@ENTEMP
Date: 29/05/2015 16:50
Subject: Recruitment of Accountants

Ian

Apologies for the delay in reverting to you on this. The early part of this year has been particularly challenging for HR Unit for various reasons.

I'm attaching an amended version of the information booklet you sent relating to the Accountants posts. (There is still a small amount of standard information, related to pensions and security clearance, to be inserted.)

The contract and advertisement documents will follow the finalisation of this document.

The principal difference, as you will observe, is the description of appointees as employees of the Department rather than the ODCE specifically. This is in accordance with the status of all other professional staff in the ODCE.

I'd be grateful if you would review the revised document and revert with any observations you may have.

Eamonn Balmer
Personnel Unit
Department of Jobs, Enterprise and Innovation
Kildare Street
Dublin 2

Tel +353 1 631 2288

[attachment "Professional Accountants Grade 1 (Investigators) - Information Booklet HR DRAFT.pdf" deleted by Eamonn Balmer/entemp]

ATTACHMENTS: 1Professional Accountants Grade 1 (Investigators) - Information Booklet HR DRAFT 030615 (ODCE comments).docx,

An tSeirbhís um Cheapacháin Phoiblí
Public Appointments Service

INFORMATION BOOKLET

The Public Appointments Service intends to hold a competition for the purpose of recommending a number of persons for appointment as:

Professional Accountant Grade 1
Department of Jobs, Enterprise and Innovation
(Office of the Director of Corporate Enforcement)

The Public Appointments Service is committed to a policy of equal opportunity. The Public Appointments Service will run this campaign in compliance with the codes of practice prepared by the new Commissioners for Public Service Appointments (CPSA).

Codes of practice are published by the CPSA and are available on www.cpsa-online.ie

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CHAPTER HOUSE
26 – 30 ABBEY STREET UPPER
DUBLIN 1

Telephone Number: 353 1 858 7400

www.publicjobs.ie

Title of Position: Professional Accountant Grade 1

Employing Authority: **Department of Jobs, Enterprise and Innovation**

Location: Office of the Director of Corporate Enforcement, 16 Parnell Square, Dublin 1

The mission of the Department of Jobs, Enterprise and Innovation (the Department) is to encourage the creation of high quality and sustainable full employment by championing enterprise across government, supporting a competitive enterprise base, promoting a low tax environment to incentivise work and enterprise and promoting fair and competitive markets.

The Office of the Director of Corporate Enforcement (ODCE) is an Office of the Department. Its specific mission is to improve the compliance environment for corporate activity in the Irish environment.

The Office of the Director of Corporate Enforcement
Mandate and high level goals

The ODCE was established under the Company Law Enforcement Act 2001 (the Act). Under the Act, the principal functions of the Director of Corporate Enforcement include the:

- encouragement of compliance with the Companies Acts;
- investigation of instances of suspected offences under the Companies Acts;
- enforcement of the Companies Acts, including the prosecution of offences by way of summary proceedings;
- referral of cases, at his discretion, to the Director of Public Prosecutions for consideration as to whether they should be prosecuted on indictment;
- exercise, insofar as considered necessary or appropriate, of a supervisory role over the activity of liquidators and receivers in the discharge of their functions under the Companies Acts.

Those statutory functions have been further distilled into the ODCE's high level goals, which are to:

- promote a greater understanding of affected parties' rights and duties under company law;
- confront unlawful and irresponsible behaviour insofar as it relates to company law; and

- provide a quality customer service to internal and external stakeholders.

Structure and current resources

Currently, the ODCE has a staff complement of approximately 40 comprising solicitors, accountants, members of An Garda Síochána, civilian case officers and administrative staff. Its budget for 2015 is €5m.

Having regard to its principal statutory functions, and the associated workstreams, the ODCE is organised into a number of Units, each of which comes under the responsibility of a Head of Function. Further information regarding the ODCE's principal activities can be accessed at www.odce.ie.

The roles

Arising from a review of the extent to which the ODCE's current skills mix is commensurate with its statutory mandate, it has been decided that ~~the~~ additional in-house accountancy expertise would further support the ODCE in delivering on its important mandate.

Specifically, the ODCE seeks to the appointment of Professional Accountants. ~~to be assigned, in the first instance, as investigators.~~ These roles will be at a senior level within the Office, with the post holders reporting to a Head of Function or, as may be required from time to time, directly to the Director. As such, the successful candidates must be capable of demonstrating an appreciation for the pivotal nature of their roles and functions within the organisation.

The nature of these demanding roles will be wide and varied. In that context, the following is a non-exhaustive overview of the types of work that the successful candidates are likely to be engaged in:

- managing individual cases/a portfolio of cases;
- developing strategies and plans for progressing individual cases;
- the effective management of competing priorities;
- investigating alleged breaches of company law, including:
  - gathering evidence (including by the exercise of statutory powers of production or on foot of search warrants);
  - liaising with third parties as necessary; ~~including obtaining witness statements~~;
  - critically and forensically analysing financial, and other information/evidence;

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- drafting written reports, detailing, *inter alia*, analysis undertaken, conclusions, proposals and recommendations;
- preparing case files and other appropriate materials in contemplation of civil and/or criminal legal proceedings (in conjunction with other ODCE staff as necessary);
- testifying, as required, in Court proceedings initiated by the ODCE or by the Director of Public Prosecutions;
- examining, and making determinations in respect of liquidators' reports under section 56 of the Act;
- contributing to/leading on projects associated with the ODCE's supervision of insolvency practitioners;
- contributing to/leading on the ongoing development and improvement of policies and procedures;
- contributing to/leading on the ongoing development and improvement of risk assessment and analysis methodologies;
- providing advice and other professional input on matters relating to accounting, audit and related disciplines;
- co-operating with other regulatory and enforcement Agencies on matters of mutual interest;
- contributing to/leading on the ongoing development of advocacy materials;
- relationship management and development;
- contributing to the ODCE's ongoing compliance with its obligations as a public sector organisation;
- contributing to/leading on projects associated with any other aspect of the ODCE's mandate and functions as required.

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ENTRY REQUIREMENTS

Essential Qualifications & Requirements

In order to be eligible for appointment, candidates must be members of a Recognised Professional Accountancy Body[1].

Desirable (but not essential)

Whilst not essential, additional qualifications of relevance (for example, in the area of forensics) are likely to be an advantage.

Essential Skills/Attributes

The successful candidates will:

- have significant post qualification experience at a suitably senior level in audit, forensics, insolvency and/or in another area of relevance to the roles;
- be flexible, results-focussed and have the ability to work under pressure in a complex, legal, technical and regulatory environment;
- be capable of operating effectively on their own initiative;
- be capable of demonstrating the capacity to analyse and assimilate large volumes of complex material and to identify quickly the key issues;
- have an appreciation of the requirements for working effectively in a multi-disciplinary environment, including the flexibility and mobility to work effectively with all other relevant colleagues and stakeholders across sectoral, organisational and professional boundaries
- possess strong project management skills;
- be capable of demonstrating a strong track record in the exercise of sound professional judgement;
- possess the capacity to operate effectively and credibly at senior levels, both within the organisation and externally;

[1] There are six Recognised Accountancy Bodies. There are the:

- Association of Chartered Certified Accountants (ACCA)
- Institute of Certified Public Accountants (ICPA)
- Institute of Chartered Accountants in England & Wales (ICAEW)
- Institute of Chartered Accountants in Ireland (ICAI)
- Institute of Chartered Accountants of Scotland (ICAS)
- Institute of Incorporated Public Accountants (IIPA)

- possess excellent communications and interpersonal skills;
- be technically proficient to a high level in one or more areas of relevance to the roles;
- be capable of demonstrating an appreciation of the ODCE and its position and role within the wider functions of the Department and have a strong commitment to serving the public interest.

Other Eligibility Criteria

Citizenship Requirement:
Candidates should note that eligibility to compete is open to citizens of the European Economic Area (EEA). The EEA consists of the Member States of the European Union along with Iceland, Liechtenstein and Norway.

Incentivised Scheme for Early Retirement (ISER):
It is a condition of the Incentivised Scheme for Early Retirement (ISER) as set out in Department of Finance Circular 12/09 that retirees, under that Scheme, are debarred from applying for another position in the same employment or the same sector. Therefore, such retirees may not apply for this position.

Department of Health and Children Circular (7/2010):
The Department of Health Circular 7/2010 dated 1 November 2010 introduced a Targeted Voluntary Early Retirement (VER) Scheme and Voluntary Redundancy Schemes (VRS). It is a condition of the VER scheme that persons availing of the scheme will not be eligible for re-employment in the public health sector or in the wider public service or in a body wholly or mainly funded from public moneys. The same prohibition on re-employment applies under the VRS, except that the prohibition is for a period of 7 years, after which time any re-employment will require the approval of the Minister for Public Expenditure and Reform. People who availed of either of these schemes are not eligible to compete in this competition.

Collective Agreement: Redundancy Payments to Public Servants:
The Department of Public Expenditure and Reform letter dated 28th June 2012 to Personnel Officers introduced, with effect from 1st June 2012, a Collective Agreement which had been reached between the Department of Public Expenditure and Reform and the Public Services Committee of the ICTU in relation to ex-gratia Redundancy Payments to Public Servants. It is a condition of the Collective Agreement that persons availing of the agreement will not be eligible for re-employment in the public service by any public service body (as defined by the Financial Emergency Measures in the Public Interest Acts 2009 – 2011) for a period of 2 years from termination of the employment. Thereafter the consent of the Minister for Public Expenditure and Reform will be required prior to re-employment. People who availed of this scheme and who may be successful in this competition will have to prove their eligibility (expiry of period of non-eligibility) and the Minister's consent will have to be secured prior to employment by any public service body.

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

General Information

Shortlisting of Applications

Normally the number of applications received exceeds the numbers required to fill existing and future vacancies. While you may meet the eligibility requirements of the competition, if the numbers applying for the positions are such that it would not be practical to interview everyone, the Public Appointments Service may decide that a number only will be called to interview. In this respect, the Public Appointments Service provide for the employment of a short listing process to select a group for interview who, based on an examination of the application forms, appear to be the most suitable for the position. This is not to suggest that other candidates are necessarily unsuitable, or incapable of undertaking the job, rather that there are some candidates who are, prima facie, better qualified and/or have more relevant experience.

During any short listing exercise that may be employed, the Public Appointments Service are guided by an assessment board(s) who examine the application forms and assess them against pre-determined criteria based on the requirements of the position. It is therefore in your own interests to provide a detailed and accurate account of your qualifications/experience on the application form.

Security Clearance

You will be required to complete and return a Garda Vetting form should you come under consideration for appointment. This form will be forwarded to An Garda Síochána for security checks on all Irish and Northern Irish addresses at which you resided. However should your application for the competition be unsuccessful this form will be destroyed by PAS. If you subsequently come under consideration for another position, you may therefore be required to complete a further Garda Vetting Form.

Enquiries

Prior to recommending any candidate for appointment to positions the Public Appointments Service or employing organisation will make all such enquiries that are deemed necessary e.g. employer references, to determine the suitability of that candidate. 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.

Specific candidate criteria
In addition to fulfilling the eligibility criteria set out, candidates must:

- Have the knowledge and ability to discharge the duties of the post concerned;
- Be suitable on the grounds of health & character;
- Be suitable in all other relevant respects for appointment to the post concerned;
- If successful, they will not be appointed to the post unless they:
  - Agree to undertake the duties attached to the post and accept the conditions under which the duties are, or may be required to be performed; and
  - Are fully competent and available to undertake, and fully capable of undertaking, the duties attached to the position.

Non-Refund of Expenses
Any expenses incurred by candidates whilst undertaking or attending any elements of the selection process will not be refunded.

Appointments from panels
It is envisaged that a panel(s) of qualified individuals will be established from which vacancies may be filled. Qualification and placement on a panel is **not** a guarantee of appointment to a position. Please note that once an offer of appointment has been accepted a candidate will no longer remain on the panel.

Declining an offer of appointment
Should the person recommended for appointment decline, or having accepted it, relinquish it, the Department may at its discretion, select and recommend another person for appointment on the results of this selection process.

Candidates' Rights – Review Procedures in relation to the Selection Process
General information
The PAS will consider requests for review in accordance with the provisions of the codes of practice published by the CPSA. A candidate can seek a review by a person in the recruiting body (initial reviewer). Where a candidate remains dissatisfied following this initial review, he/she may seek to have the conduct of the initial review examined by a "decision arbitrator".

As an alternative to the above, it is open to a candidate to seek to have the matter resolved on an informal basis, as set out below. If a candidate remains dissatisfied following any such discussion it is open to him/her to seek a formal review.

The Codes of Practice are available on the website of the Commission for Public Service Appointments, www.cpsa.ie.

Principal Conditions of Service

1. General
The appointment is to an established post in the Civil Service and is subject to the Civil Service Regulation Acts 1956 to 2005, the Public Service Management (Recruitment and Appointments) Act 2004 and any other Act for the time being in force relating to the Civil Service.

2. Pay
The salary scale for this position is as follows:

PPC [Personal Pension Contribution] Scale:
€61,698 - €65000 - €65,000 - €66,742 - €68,707 - €70,668 - €72,626 - €74,956 - €77,556[2] - €80,140[3]
This rate will apply where the appointee is an existing civil or public servant appointed on or after 6th April 1995 or is newly recruited to the Civil Service and is required to make a personal pension contribution.

or

Non-PPC Payscale:
€58,722 - €62,275 - €65,000 - €65,000 - €65,389 - €67,255 - €69113 - €71,325 - €73,848[4] - €76,349[5]
This rate will apply where the appointee is a civil or public servant recruited before 6th April 1995 and who is NOT required to make a Personal Pension Contribution.

Long service increments may be payable after three (LSI-1) and six (LSI-2) years' satisfactory service at the maximum of the scale.

Entry will be at the minimum of the scale and the rate of remuneration will not be subject to negotiation. The rate of pay may be adjusted from time to time in line with Government pay policy. Different terms and conditions may apply depending on whether a successful candidate is a currently serving civil or public servant.

Statutory deductions from salary will be made as appropriate by the Department of Jobs, Enterprise and Innovation.

You will agree that any overpayment of salary or of travel and subsistence may be deducted from future salary payments due to you in accordance with the Payment of Wages Act 1991. In the event of such an occurrence, the Department will advise you in writing of the amount and details of any such overpayment and give you 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.

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[2] *After 3 years satisfactory service at the maximum*
[3] *After 6 years satisfactory service at the maximum*
[4] *After 3 years satisfactory service at the maximum*
[5] *After 6 years satisfactory service at the maximum*

3. Tenure

The appointment is to an established position in the Civil Service. The appointee will be required to serve a 12 month probationary period.

4. Probationary Review

During the period of your probation, performance will be subject to review by the appointee's Manager(s) to determine whether the appointee has:

(i) performed in a satisfactory manner,
(ii) been satisfactory in general conduct, and
(iii) is suitable from the point of view of health with particular regard to sick leave.

Prior to completion of the probationary contract, a decision will be made as to whether or not you will be retained pursuant to *Section 5A(2)* of the *Civil Service Regulation Acts 1956-2005*. This decision will be based on your performance assessed against the criteria set out in (i) to (iii) above.

The details of the probationary process will be explained to you by your employing Department and you will be given a copy of guidelines on probation issued by the Department of Public Expenditure and Reform.

In the event that you are not considered as suitable to the position of Professional Accountant Grade 1 having been assessed against stated criteria, you will be notified in writing of the action to be taken prior to the expiry of this contract and any extensions thereof.

5. Unfair Dismissals Acts

The Unfair Dismissals Acts 1977-2007 will not apply to the termination of your employment by reason only of the expiry of this probationary contract without it being renewed.

6. Suspension of Probation

The Department may suspend the probationary period and, as a result, extend the term of the probationary contract in the following circumstances:

- the probationary period will be suspended if the officer is on Maternity or Adoptive leave,
- the probationary period may, at the discretion of the Department, be suspended where the employee is absent on any other form of statutory or non- statutory leave.

Where the Department's ability to assess the officer and/or the officer's ability to demonstrate their suitability for permanent appointment is compromised by the officer's absence on leave, the contract period will be extended by the period of leave taken.

7. Duties
You will be required to perform any duties appropriate to your grade which may be assigned to you during the probationary period. You may not engage in private practice or be connected with any outside business which would interfere with the performance of official duties.

8. Headquarters
On appointment to the Department your headquarters will the Office of the Director of Corporate Enforcement (ODCE), or be such as may be designated from time to time by the Head of the Department. When absent from home and headquarters on official duty you will be paid appropriate travelling expenses and subsistence allowances, in accordance with Civil Service regulations.

9. The Organisation of Working Time Act 1997
The terms of the Organisation of Working Time Act 1997 will apply to your employment and the hours of attendance and leave entitlements that will apply is at Section 10 below.

10. Hours of Attendance
Hours of attendance will be as fixed from time to time but will amount to on average not less than 43 hours and 15 minutes gross per week. The successful candidate will be required to work with such additional hours from time to time as may be reasonable and necessary for the performance for the proper performance of his/her duties subject to the limits set down in the working time regulations. The rate of remuneration payable covers any extra attendance liability that may arse from time to time.

11. Annual Leave
The annual leave allowance will be 30 working days a year. This allowance which is subject to the usual conditions regarding the granting of annual leave is on the basis of a five day week and is exclusive of the usual public holidays.

12. Sick Leave
Pay during properly-certified sick absence, provided there is no evidence of permanent disability for service, will apply on a pro rata basis in accordance with the provisions of the sick leave Circulars.

Officers who are paying Class A rate of PRSI will be required to sign a mandate authorising the Department of Social Protection to pay any benefits due to you under the Social Welfare Acts direct to the Department of Jobs, Enterprise and Innovation. Payment of salary during illness will be subject to you making the necessary claims for social insurance benefit to the Department of Social Protection within the required time limits.

13. Superannuation and Retirement
The successful candidate will be offered the appropriate superannuation terms and conditions as prevailing in the Civil Service, at the time of being offered an appointment. In general, and except for candidates who have worked in a pensionable (non-single scheme terms) public service job in the 26 weeks prior to

appointment (see paragraph d below), this means being offered appointment based on membership of the Single Public Service Pension Scheme ("Single Scheme"). Key provisions attaching to membership of the Single Scheme are as follows:

a. Pensionable Age
The minimum age at which pension is payable is 66 (rising to 67 and 68) in line with State Pension age changes.

b. Retirement Age:
Scheme members must retire at the age of 70.

c. Pension Abatement

- If the appointee was previously employed in the Civil Service and is in receipt of a pension from the Civil Service normal abatement rules will apply. However, if the appointee was previously employed in the Civil Service and awarded a pension under voluntary early retirement arrangements (other than the Incentivised Scheme of Early Retirement (ISER) or the Department of Health Circular 7/2010 VER/VRS which, as indicated above, renders a person ineligible for the competition) the entitlement to that pension will cease with effect from the date of reappointment. Special arrangements will however, be made for the reckoning of previous service given by the appointee for the purpose of any future superannuation award for which the appointee may be eligible.

- If the appointee was previously employed in the Civil Service or in the Public Service please note that the Public Service Pensions (Single Scheme and Other Provisions) Act 2012 includes a provision which extends abatement of pension for all Civil and Public Servants who are re-employed where a Public Service pension is in payment. This provision to apply abatement across the wider public service came into effect on 1 November 2012. **This may have pension implications for any person appointed to this position who is currently in receipt of a Civil or Public Service pension or has a preserved Civil or Public Service pension which will come into payment during his/her employment in this position.**

- **Department of Education and Skills Early Retirement Scheme for Teachers Circular 102/2007** The Department of Education and Skills introduced an Early Retirement Scheme for Teachers. It is a condition of the Early Retirement Scheme that with the exception of the situations set out in paragraphs 10.2 and 10.3 of the relevant circular documentation, and with those exceptions only, if a teacher accepts early retirement under **Strands 1, 2 or 3** of this scheme and is subsequently employed **in any capacity in any area of the public sector**, payment of pension to that person under the scheme **will immediately cease**. Pension payments will, however, be resumed on the ceasing of such employment or on the person's 60th birthday, whichever is the later, but on resumption, the pension will be based on the person's actual reckonable service as a teacher (i.e. the added years previously granted **will not be taken into account** in the calculation of the pension payment).

- **Ill-Health-Retirement** Please note that where an individual has retired from a Civil/Public Service body on the grounds of ill-health his/her pension from that employment may be subject to review in accordance with the rules of ill-health retirement within the pension scheme of that employment.

d. Prior Public Servants
While the default pension terms, as set out in the preceding paragraphs, consist of Single Scheme membership, this may not apply to certain appointees. Full details of the conditions governing whether or not a public servant is a Single Scheme member are given in the Public Service Pensions (Single Scheme and other Provisions) Act 2012. However the key exception case (in the context of this competition and generally) is that **a successful candidate who has worked in a pensionable (non-single scheme terms) capacity in the public service within 26 weeks of taking up appointment, would in general not become a member of the Single Scheme.** In this case such a candidate would instead be offered membership of the pension scheme for non-established civil servants ("Non-Established State Employee Scheme"). This would mean that the abatement provisions at (c) above would apply, and in addition there are implications in respect of pension accrual as outlined below:

e. Pension Accrual
A 40-year limit on total service that can be counted towards pension where a person has been a member of more than one existing public service pension scheme would apply. This 40-year limit, which is provided for in the Public Service Pensions (Single Scheme and other Provisions) Act 2012 came into effect on 28 July 2012. **This may have implications for any appointee who has acquired pension rights in a previous public service employment.**

f. Pension-Related Deduction
This appointment is subject to the pension-related deduction in accordance with the Financial Emergency Measure in the Public Interest Act 2009.

For further information in relation to the Single Public Service Pension Scheme for Public Servants please see the following website: http://www.per.gov.ie/pensions.

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(s).

14. Health and Safety
Attention is drawn to the health and safety policy. It is a condition of employment that all aspects of the policy, of the Safety, Health and Welfare at Work Act and relevant regulations must be complied with at all times.

15. Secrecy, Confidentiality and Standards of Behaviour
Official Secrecy and Integrity
You will during the term of your probationary contract be subject to the provisions of the Official Secrets Act 1993 as amended by the Freedom of Information Acts 1997

and 2003. You will agree not to disclose to third parties any confidential information either during or subsequent to the period of employment.

Civil Service Code of Standards and Behaviour
You will be subject to the Civil Service Code of Standards and Behaviour.

Ethics in Public Office Act 1995
The Ethics in Public Office Act 1995 will apply, where appropriate, to your employment.

Publication of any Material
You will agree not to publish material related to your official duties without prior approval by the Minister.

Political Activity
During the term of your employment you will be subject to the rules governing Civil Servants and politics.

16. Personnel Code
All Circulars are available on the website http://circulars.gov.ie or from the Personnel Section.

13

Fw: Accountant in the Public Sector

Eamonn Balmer to: Breda Power 09/06/2015 13:34
Cc: Mary Cullen, John Hughes

Breda

As discussed.

The information booklet issued in respect of the PAS Competition is attached.

The dates for which the Interviweer would be required are outlined in Mary Cullen's email below.

Regards

Eamonn

Eamonn Balmer
Personnel Unit
Department of Jobs, Enterprise and Innovation
Kildare Street
Dublin 2

Tel +353 1 631 2288

----- Forwarded by Eamonn Balmer/entemp on 09/06/2015 13:32 -----

From: Mary Cullen/entemp
To: John Hughes/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP,
Date: 09/06/2015 12:32
Subject: Fw: Accountant in the Public Sector

John / Eamonn

As discussed, the PAS competition currently in play is as detailed in the attached information booklet.

has advised that should DJEI have an Accountant at PO grade available to sit on the Interview Boards for the above, this might be a way of asssisting with the filling of current ODCE accountant grades in DJEI.

The Interview Board sits next week: (Monday) 15th, 16th, 18th, 19th June and (Wednesday) 1st and 2nd July.

Regards.

Mary Cullen
Recruitment Assignments and Pay Section
Personnel Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
email: mary.cullen@djei.ie

Tel: 01-6312466
----- Forwarded by Mary Cullen/entemp on 09/06/2015 12:28 -----

From: "Manning, Siobhan" <siobhan.manning@publicjobs.ie>
To: "mary.cullen@djei.ie" <mary.cullen@djei.ie>,
Date: 09/06/2015 12:26
Subject: Accountant in the Public Sector

Information booklet for above campaign attached as requested.

Regards,

Siobhan.

Siobhan Manning
Professional & Technical Unit
Public Appointments Service
Chapter House,
26/30 Abbey Street Upper,
Dublin 1
Tel: 018587407

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Accountant in the Public Sector 1529103 Info Booklet Final.pdf

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Tá an ríomhphost seo agus aon chomhad a chuirtear ar aghaidh leis, rúnda, agus tá sé beartaithe gur d'úsáid an duine aonair nó an aonáin amháin ar cuireadh chucu é, a tá sé. Munar tú an duine a ba chóir an ríomhphost seo, nó aon chuid de, a fháil, níor chóir duit aon chuid de a nochtadh, a chóipeáil nó a dháileadh. Déan teagmháil leis an té a chuir chugat é agus inis dó/di go bhfuair tú é trí thimpiste. Ba chóir d'éinne a tá ag déanamh idirghníomhaíochta trí ríomhphost caighdeánach a thuiscint go bhfuil priacail i gceist agus tú ag seachadadh faisnéise pearsanta nó íogair leis an teicneolaíocht seo (mar nach modh iomlán slán a tá ann chun sonraí a chur ar aghaidh). Mar sin, ná cuir sonraí pearsanta no íogair trí ríomhphost chuig an oifig seo. Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

14

Fw: Revised HEO ICT papers

Eamonn Balmer to: Mary Cullen, John Hughes 19/06/2015 11:46

John

This completes ODCE's input. We now need to secure PAS agreement to administer the competition on our behalf.

Mary

You might incorporate the amendments as appropriate.

Eamonn

----- Forwarded by Eamonn Balmer/entemp on 19/06/2015 11:44 -----

From:	Ian Drennan/entemp
To:	Eamonn Balmer/entemp@ENTEMP,
Cc:	John Hughes/entemp@ENTEMP, Mary Cullen/entemp@ENTEMP, Kevin Prendergast/entemp@entemp
Date:	18/06/2015 16:48
Subject:	Re: Fw: Revised HEO ICT papers

Eamonn,

Thanks for this. Please find attached a small number of suggested amendments to the document.

Regards,

Ian

ICT professional - Information Booklet 170615 (ODCE suggested amendments 180615).docx

Eamonn Balmer Ian Previous correspondence refers. 17/06/2015 12:43:43

From:	Eamonn Balmer/entemp
To:	Ian Drennan/entemp@ENTEMP,
Cc:	Mary Cullen/entemp@ENTEMP, John Hughes/entemp@ENTEMP
Date:	17/06/2015 12:43
Subject:	Fw: Revised HEO ICT papers

Ian

Previous correspondence refers.

Attached is a revised information booklet in respect of the HEO (ICT) post in ODCE. It's been revised for consistency with the Professional Accountants booklet.

If you have any observations or suggested amendments, please let me know.

Our intention is have PAS administer both competitions simultaneously.

Eamonn Balmer
Personnel Unit
Department of Jobs, Enterprise and Innovation
Kildare Street
Dublin 2

Tel +353 1 631 2288

---- Forwarded by Eamonn Balmer/entemp on 17/06/2015 12:32 -----

From: Mary Cullen/entemp
To: Eamonn Balmer/entemp@ENTEMP,
Date: 17/06/2015 10:29
Subject: Revised HEO ICT papers

Eamonn

Revisions as discussed:

[attachment "HEO ICT Draft information booklet 17 June 2015.docx" deleted by Ian Drennan/entemp]

Regards.

Mary Cullen
Recruitment Assignments and Pay Section
Personnel Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
email: mary.cullen@djei.ie
Tel: 01-6312466

15

Fw: Recruitment of Accountants
Breda Power to: John Hughes 29/06/2015 13:10
Sent by: breda power

John

Can you confirm that PAS have factored this competition into their work programme. Do you have a timeline for the competition? What is the position on the HEO IT specialist?

Breda

Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
----- Forwarded by breda power/entemp on 29/06/2015 13:08 -----

From: Kevin Prendergast/entemp
To: Ian Drennan/entemp@ENTEMP,
Cc: Eamonn Balmer/entemp@ENTEMP, Breda Power/entemp@ENTEMP, John Hughes/entemp@ENTEMP, Mary Cullen/entemp@ENTEMP
Date: 04/06/2015 17:25
Subject: Re: Fw: Recruitment of Accountants

Ian et al.

One or two further amendments, mostly in the way of typo's.

Kevin

[attachment "Professional Accountants Grade 1 (Investigators) - Information Booklet HR DRAFT 030615 (ODCE KP comments).docx" deleted by breda power/entemp]

Kevin Prendergast
Head of Enforcement
Office of the Director of Corporate Enforcement

Phone (Direct): 01 8585844

Ian Drennan From: Ian Drennan/entemp To: Eamonn Balmer/ente... 04/06/2015 13:32:14

From: Ian Drennan/entemp
To: Eamonn Balmer/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP, John Hughes/entemp@ENTEMP, Mary Cullen/entemp@ENTEMP, Kevin Prendergast/entemp@entemp
Date: 04/06/2015 13:32
Subject: Re: Fw: Recruitment of Accountants

Eamonn,

Thanks for this. Please find attached, in marked up format, my suggested amendments to the document.

Regards,

Ian

[attachment "Professional Accountants Grade 1 (Investigators) - Information Booklet HR DRAFT 030615 (ODCE comments).docx" deleted by Kevin Prendergast/entemp]

Eamonn Balmer	Ian As referred to in my e-mail of Friday last, attach...	03/06/2015 11:24:55

16

~~QUERY re Revised HEO ICT papers - and also Accountant ODCE Specialists~~

Mary Cullen to: John Hughes 30/06/2015 15:02
Cc: Eamonn Balmer

John

Breda Power just phoned to ask what the up to date position is re the above, and also whether the booklets have been cleared by DPER. In Eamonn's absence, are you aware of whether DPER need to be consulted (as we have delegated sanction, etc) or have been consulted re the booklets?

I will make the final amendments as per Eamonn's email once I have cleared a few priority items on my desk at the moment.

Regard.

Mary Cullen
Recruitment Assignments and Pay Section
Personnel Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
email: mary.cullen@djei.ie
Tel: 01-6312466

----- Forwarded by Mary Cullen/entemp on 30/06/2015 14:57 -----

From: Eamonn Balmer/entemp
To: Mary Cullen/entemp@ENTEMP, John Hughes/entemp@ENTEMP,
Date: 19/06/2015 11:46
Subject: Fw: Revised HEO ICT papers

John

This completes ODCE's input. We now need to secure PAS agreement to administer the competition on our behalf.

Mary

You might incorporate the amendments as appropriate.

Eamonn

----- Forwarded by Eamonn Balmer/entemp on 19/06/2015 11:44 -----

From: Ian Drennan/entemp
To: Eamonn Balmer/entemp@ENTEMP,
Cc: John Hughes/entemp@ENTEMP, Mary Cullen/entemp@ENTEMP, Kevin Prendergast/entemp@entemp
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Cc: Mary Cullen/entemp@ENTEMP, John Hughes/entemp@ENTEMP
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Attached is a revised information booklet in respect of the HEO (ICT) post in ODCE. It's been revised for consistency with the Professional Accountants booklet.

If you have any observations or suggested amendments, please let me know.

Our intention is have PAS administer both competitions simultaneously.

Eamonn Balmer
Personnel Unit
Department of Jobs, Enterprise and Innovation
Kildare Street
Dublin 2

Tel +353 1 631 2288

---- Forwarded by Eamonn Balmer/entemp on 17/06/2015 12:32 -----

From: Mary Cullen/entemp
To: Eamonn Balmer/entemp@ENTEMP,
Date: 17/06/2015 10:29
Subject: Revised HEO ICT papers

Eamonn

Revisions as discussed:

[attachment "HEO ICT Draft information booklet 17 June 2015.docx" deleted by Ian Drennan/entemp]

Regards.

Mary Cullen
Recruitment Assignments and Pay Section
Personnel Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
email: mary.cullen@djei.ie
Tel: 01-6312466

17

ODCE/Department Liaison Meeting

Draft Agenda

Friday 3rd July 2015

Parnell Square - 10am

1. Corporate Governance
   - Minutes and Matters Arising
   - Risk Management
   - Business Plan
   - Annual Report

2. Budgetary Resources and Staffing

3. Policy Developments
   - Court Cases
   - Company Law Developments

4. Review of Outputs
   - Key Performance Indicators

5. Support and Intervention Requirements

6. A.O.B.

Office of the Director of Corporate Enforcement (ODCE)/Department Liaison Meeting - 3 July 2015

Draft Minutes

Present:

ODCE

Ian Drennan (Director), Conor O'Mahony, Kevin O'Connell and Kevin Prendergast

Department

Breda Power, Helen Curley and Claire Gordon

1. Corporate Governance

Minutes and Matters Arising

The Internal Audit Unit of the Department produced a report in relation to general liaison issues. Breda Power approved the issue of the Report to the Internal Audit Committee.

Risk Management

The ODCE's greatest risk continues to be its need for appropriately skilled staff to facilitate its strategic shift towards indictable cases.

Business Plan

The Office has reviewed its business plan and is on track with its delivery.

2. Budgetary Resources and Staffing

The Office noted that the advertising booklet for six accountant vacancies, which were sanctioned for recruitment by the Department of Public Expenditure and Reform in October 2014, has not yet been sent to the Public Appointments Service despite that it

responded to a request for comments on it from the Department's HR Unit several weeks ago. The ODCE would ideally wish to advertise the positions before August.

3. Policy Developments

Court Cases

Developments in relation to applications by the Director for the disqualification of directors who allow an insolvent company to be struck off the register rather than initiate a formal liquidation process were discussed.

Company Law Developments

The Companies Act 2014, commenced on 1 June 2015, was discussed. The ODCE is in ongoing communication with the Department in relation to issues it has raised.

4. Review of Outputs

Key Performance Indicators

The Office keeps its Key Performance Indicators under continuous review.

5. Support and Intervention Requirements

There was discussion of the increased importance that technology plays in the work of the ODCE, particularly in relation to the electronic storage of documents and other information by companies. The benefits of sharing technology that is available in other areas of the Department was discussed as well as the vacancy in the ODCE for a HEO with ICT skills.

6. A.O.B.

No other business was raised

18

Fw: Recruitment of Accountants
Breda Power to: John Hughes 03/07/2015 18:48
Sent by: breda power
Cc: Eamonn Balmer, Mary Cullen, Helen Curley, Claire Gordon

John

At a meeting with ODCE today I undertook to follow up with you on the recruitment of the Accountants for that Office. When we spoke last Tuesday, you mentioned that the Booklet does not need to be approved by DPER and that you were waiting to talk to Mary Flynn in PAS before sending the Booklet to them to commence the recruitment campaign. It is important that the advertisement for the posts issue as soon as possible i.e. next week otherwise we are into the holiday period.

Can you confirm the current position please?

Thanks

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
----- Forwarded by breda power/entemp on 03/07/2015 18:35 -----

From: Kevin Prendergast/entemp
To: Ian Drennan/entemp@ENTEMP,
Cc: Eamonn Balmer/entemp@ENTEMP, Breda Power/entemp@ENTEMP, John Hughes/entemp@ENTEMP, Mary Cullen/entemp@ENTEMP
Date: 04/06/2015 17:25
Subject: Re: Fw: Recruitment of Accountants

Ian et al.

One or two further amendments, mostly in the way of typo's.

Kevin

Professional Accountants Grade 1 (Investigators) - Information Booklet HR DRAFT 030615 (ODCE KP comments)

Kevin Prendergast
Head of Enforcement
Office of the Director of Corporate Enforcement

Phone (Direct): 01 8585844

Ian Drennan From: Ian Drennan/entemp To: Eamonn Balmer/e... 04/06/2015 13:32:14

From: Ian Drennan/entemp
To: Eamonn Balmer/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP, John Hughes/entemp@ENTEMP, Mary Cullen/entemp@ENTEMP, Kevin Prendergast/entemp@entemp

Re: Fw: Recruitment of Accountants
John Hughes to: Breda Power 06/07/2015 17:33
Cc: Claire Gordon, Eamonn Balmer, Helen Curley, Mary Cullen

Breda,

I have transmitted all the documents on the Forensic Accountants (Professional Accountants Grade 1) posts to PAS and asked that they fast-track the advertising etc. PAS had indicated that they were also looking to hold a competition for An Garda Siochana for the same grades so merging the two competitions seemed a good prospect for them. PAS will review our documents and let me know about next steps as soon as possible.

John,
6/7.

John Hughes,
Principal,
Personnel, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
Phone - 01-6312246

Breda Power John At a meeting with ODCE today I undertook t... 03/07/2015 18:48:49

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Eamonn Balmer/entemp@ENTEMP, Mary Cullen/entemp@ENTEMP, Helen Curley/entemp@ENTEMP, Claire Gordon/entemp@ENTEMP
Date: 03/07/2015 18:48
Subject: Fw: Recruitment of Accountants
Sent by: breda power

John

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Can you confirm the current position please?

Thanks

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
----- Forwarded by breda power/entemp on 03/07/2015 18:35 -----

From: Kevin Prendergast/entemp
To: Ian Drennan/entemp@ENTEMP,
Cc: Eamonn Balmer/entemp@ENTEMP, Breda Power/entemp@ENTEMP, John

Hughes/entemp@ENTEMP, Mary Cullen/entemp@ENTEMP
Date: 04/06/2015 17:25
Subject: Re: Fw: Recruitment of Accountants

Ian et al.

One or two further amendments, mostly in the way of typo's.

Kevin

Professional Accountants Grade 1 (Investigators) - Information Booklet HR DRAFT 030615 (ODCE KP comments)

Kevin Prendergast
Head of Enforcement
Office of the Director of Corporate Enforcement

Phone (Direct): 01 8585844

Ian Drennan	From: Ian Drennan/entemp To: Eamonn Balmer/e...	04/06/2015 13:32:14
Eamonn Balmer	Ian As referred to in my e-mail of Friday last, atta...	03/06/2015 11:24:55

20

Fw: ODCE Staffing
Breda Power To Claire Gordon 04/08/2015 13:41
breda power
This message has been forwarded

Claire

For file please

Thanks

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
----- Forwarded by breda power/enterp on 04/08/2015 13:40 -----

From	Breda Power/enterp
To	Therese Walsh/enterprise Enterprise
Date	16/07/2015 17:33
Subject	ODCE Staffing
Sent by	breda power

Therese

Attached is a chronology of staffing requests from the ODCE since 2011 which was requested by the Minister's Press Officer in May when certain matters came to light during the course of the case against Mr Fitzpatrick. The Minister will recall that I indicated to him in early June that I had parked work on the Chronology due to other more pressing issues, including the huge volume of work associated with the implementation of the Companies Act 2014. 15 Statutory Instruments have been made to date and a number of others are being progressed in relation to the Act. Nearly all of these SIs had to be done by the Department as the ODCE with a few exceptions, will only now settle SIs transposing EU Directives.

A significant number of queries have also been received on the Act and how it will operate. The Minister will be aware of the work involved in the preparation of the new Memorandum for Government on the Companies (Accounting) Bill and the additional Heads (66) to be included in it. While work is advancing on the drafting of the Bill we have to ensure that we respond as quickly as possible to all queries from the OPC to maintain momentum. We will not meet the deadline for transposition of the Directive (20 July) which exposes Ireland to infringement proceedings and significant fines by the EU Commission. In addition, individual companies that could benefit from the Directive can take an action against Ireland for compensation because of the non-transposition.

The Clerys issue has also diverted a significant amount of my time in recent weeks.

I appreciate that you have raised the chronology with me a number of times. In my view attending to the above mentioned issues, and the raft of other day to day matters that arise, merited attention ahead of the completion of the chronology. We are carrying a number of critical vacancies in the Division and the reality is that it is not possible to do everything.

Breda

Chronology of Staffing Requests

20 July 2012	Workforce Plan 2012 – 2015 submitted by the ODCE indicating additional staff required of 2 accountants, 1 solicitor, 1 AP and 4 case officers at HEO/EO level
April 2013	Revised Workforce Plan submitted indicating that the ODCE's additional staffing need over the foreseeable future would comprise 5 accountants and 1 HEO with IT expertise
5 July 2013	Request for an accountant to replace official retiring in November 2013 and also additional staff as indicated in the revised Workforce Plan
20 Sept. 2013	Letter submitted highlighting the urgency in securing the replacement accountant and requesting that the replacement be recruited through open competition and have the appropriate expertise. Request also made for an interim arrangement whereby the accountant, due to retire in November would remain for an additional 5.5 weeks
21 Oct 2013	Sanction from DPER for the retention of the accountant until 20 December 2013
09/12/2013	A submission sent to Personnel by the Liaison Unit requesting sanction for the recruitment of an accountant in respect of the vacancy arising on 20th December 2013 and also the additional staff required in respect of the staff rebalancing as outlined in the Workforce Plan. The Workforce Plans had previously been sent to Personnel Unit for onward transmission to DPER.
27 May 2014	ODCE 2013 Annual Report published highlighting insufficiency of in-house accountancy skills
6 June 2014	Minister Bruton wrote to Minister Howlin requesting that the requests for sanction to fill posts in the ODCE and IAASA be expedited (6 accountants and 1 HEO ICT specialist for the ODCE)
7 Oct 2014	Sanction received by Personnel from DPER for the recruitment of 6 Accountants and 1 HEO ICT specialist
13 Jan 2015	Personnel Officer meets Director of ODCE and other colleagues re HR matters and notes the need for Draft Advertisements to allow for progressing of recruitment sanction
16 Jan 2015	Personnel engages with PAS regarding capacity to conduct competition, advertising requirements etc.
16 Jan 2015	Personnel receives input to Draft Advertisement from Director of ODCE

19 Jan 2015	Personnel Unit undertakes preliminary assessment of draft material and notes need to carefully adjust certain aspects regarding the status of the staff to be recruited who should be assigned to the Department itself, for subsequent/immediate assignment to ODCE and not directly to the ODCE who is not an employer itself. Consideration also needed to be given as to how the Department will be represented on PAS Board noted.
15 May 2015	Personnel Unit advised Company Law Unit that work on revised Drafts has been crowded out by a huge variety of issues in Personnel Unit (PeoplePoint, plethora of other Competitions and Assignments, urgent HR matters.
29 June 2015	Personnel Unit sent draft Information Booklet for the Accountants' posts to ODCE
3 June 2015	Revised Booklet sent to ODCE by Personnel Unit
4 June 2015	ODCE responded
July 2015	Booklet sent to PAS and currently awaiting the recruitment process

21

Re: FYI only re Leave for Judicial Review this Friday
Breda Power
to:
Claire Gordon
19/08/2015 17:51
Hide Details
From: Breda Power/entemp
To: Claire Gordon/entemp@entemp,
History: This message has been replied to
Claire

Thanks for your email.

As you know the workforce plans for all of the agencies, offices and divisions, while submitted to Personnel, we're not to my knowledge pursued with DPER because of Government policy on ECF and the ban on recruitment. The only exception was IDA.

Breda

On 19 Aug 2015, at 17:14, Claire Gordon <Claire.Gordon@djei.ie> wrote:

Breda

FYI - I got these follow up queries from Conor Quinn:

1. Is DPP seeking a restriction on reporting? Answer from ODCE is yes
2. Would 6 Accountants and 1 HEO have worked on Anglo? Answer from ODCE is that they were not recruited for that but if available early enough they may have.
3. Why did the ODCE workforce plan change in 2013? Answer from me - new Director and new focus.

[I gave Conor the above responses already]

3. What is the explanation for the delays between sanction being given and booklets approved? Personnel to answer this one.
4. What actions were taken by here and Personnel between the receipt of the Workforce Plan from ODCE and the sanction being granted? I will answer for our side and let Personnel cover its side
5. The document you sent which gave overall numbers of ODCE staff to 2010 to be updated to 2015.

I re-emphasised no comment. Conor Quinn confirmed that he understood this but said that he wants the information for possible future use.

Claire
Breda Power---18/08/2015 19:08:34---From: Breda Power/entemp To: Therese Walsh/entemp@entemp,

From: Breda Power/entemp
To: Therese Walsh/entemp@entemp,
Cc: Claire Gordon/entemp@entemp
Date: 18/08/2015 19:08
Subject: Fwd: Leave for Judicial Review this Friday

Therese

Please see email below from Claire, which you might bring to the Minister's attention please.

I am on leave at the moment but Claire is available if there are any queries.

Regards

Breda

Begin forwarded message:

> **From:** "Claire Gordon" <Claire.Gordon@djei.ie>
> **Date:** 18 August 2015 18:27:25 IST
> **To:** "Breda Power" <Breda.Power@djei.ie>
> **Subject: Leave for Judicial Review this Friday**
>
> Breda
>
> Conor O'Mahony called in relation to the above hearing in which Sean Fitzpatrick is seeking leave to review the decision of Judge Nolan of 6 August to refuse adjournment of the 5 October trial of Mr. Fitzpatrick. Conor wished to let the Department know that the submissions from Mr Fitzpatrick's side make reference to certain information that came to light during the previous voir dire and that it is unknown at this stage whether this information will deemed to be reportable or not.
>
> Conor reminded me that irrespective of what occurs on Friday the matter would continue to be sub judice and therefore it would not be appropriate for any comment to be made.
>
> Claire

22

Queries from Conor Quinn
Claire Gordon to Eamonn Balmer 20/08/2015 15:17

Eamonn

Conor Quinn spoke to me yesterday in the context of the upcoming hearing tomorrow in relation to Sean Fitzpatrick's trial in October. Conor was referring to 2 documents (attached below) sent by Breda Power to the Minister in July on which he had a number of queries

In particular, in relation to the first document attached "Chronology of Staffing requests", Conor has asked .

- for an explanation of the delay between January and June this year in the approval of the advertising booklet for the vacancies in ODCE
- whether there is anything to add to explain the delay from receipt of ODCE's workforce plan in 2013 to the final sanction being received from DPER in October 2014, in relation to this Department's involvement i.e. he is not interested in delays on DPER's side

I am providing an explanation of what was done and why from the Company Law side in the period since 2013 and also responding to other queries in relation to ODCE staffing numbers. I have told Conor that I cannot speak for Personnel so you are welcome to either send me a response or send it directly to him.

I was not involved in the drafting of the two documents here and Breda Power is out so I don't know who dealt with this on your side

While the information is not required by tomorrow Conor did make it clear that he wants it as soon as possible

Claire

Chronology of Staffing requests re ODCE additional staffing resources 2007, 2008, 2009, 2010.docx

Follow up to queries of Friday on ODCE staffing
Claire Gordon to: Conor Quinn 26/08/2015 10:54

Conor

Further to your queries of last Friday:

1. ODCE staffing table updated to 2014 - see first attachment

2. You asked why action had not been taken until December 2013 on the Workforce plan received from ODCE in April 2013. The submission from the ODCE was as part of the process in which all areas of the Department were required to submit an update of plans previously submitted in 2012 and there was no specific request from ODCE for sanction to be sought at that time.

In July 2013, the ODCE did request that sanction be sought for a replacement for an accountant that was to retire in November 2013. The Liaison Unit submitted this request to Personnel Unit. This request was later merged in with the request for the 5 accountants and one IT specialist (from the Workforce Plan) to become a request for 6 accountants and one IT specialist - see second document attached.

3. I have forwarded your two other queries to Personnel Unit for its response. These were: (i) an explanation for the period of time taken to finalise the advertising booklet for the new staff and (ii) whether Personnel Unit has anything else to add to the information already given in the original documents.

Claire

ODCE additional staffing resources 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014.docx

Chronology of Staffing requests amended 210815.docx
----- Forwarded by Claire Gordon/entemp on 25/08/2015 10:56 -----

From: Claire Gordon/entemp
To: Conor Quinn/entemp@ENTEMP,
Date: 19/08/2015 16:31
Subject: Re: Could you please give me a shout as early as possible?

Conor

I spoke to ODCE and have the following information:

1. The DPP will be seeking a restriction on reporting.

2. The six accountants and one HEO which ODCE sought were being recruited for general ODCE work. Had they been recruited early enough it is possible that some of them may have helped out in relation to the Anglo cases however that was not the reason that they were being sought.

I will provide the other information as I have it.

Claire

Conor Quinn Thanks Conor Quinn 19/08/2015 15:04:44

From: Conor Quinn/entemp

ODCE Staffing Resources 2007 - 2014

2007

At end 2006, the approved staff complement was 37, by end 2007 this had increased to 46. The actual staffing level improved from 34.8 to 39.6. During 2007 eight additional administrative posts were sanctioned and the ODCE's staffing level was enhanced by the filling of four of these eight posts during 2007. One extra Detective Garda post was also sanctioned.

2008

During 2008, the approved staff complement was 46. The ODCE's actual staffing level increased to 44.8 during 2008. This increase of four administrative staff represented the second and final phase of a commitment made by the Department of Enterprise Trade and Employment in 2007 to provide an extra eight staff to the Office.

2009

During 2009, the approved staff complement increased by 5 to 51. The actual staffing complement rose from 44.8 to 49.7. The five additional general service staff were deployed to support the Anglo investigation which, for much of 2009 had 16 full-time equivalent staff working on it.

In mid-2009, the Garda Commissioner also assigned a further five Detective Gardai to the related Anglo investigations of the ODCE and the Garda Bureau of Fraud Investigation (GBFI), and these were supporting the GBFI investigations at year-end.

2010

During 2010, the approved staff complement increased from 51 to 52.1. In the latter part of the year two additional Gardai were temporarily assigned to assist the ODCE work on the Anglo case. Some 16 Garda, administrative, legal, accounting and IT staff in the ODCE continued to work on progressing the Anglo investigations throughout 2010. Actual staffing at 31 December 2010 was 50.8 (full-time job equivalents).

2011

During 2011 the approved staff complement of 52.1 decreased by one as a result of a staff member's retirement. The Office's actual staff complement at the end of 2011 was 49.8, including ten seconded Gardai.

Throughout the year the Anglo investigation was absorbing about one-third of ODCE staff, as 16 Garda, legal and administrative staff within the Office continued to work full-time on this investigation. A significant number of additional Garda officers also remained deployed within the Garda Bureau of Fraud Investigation (GBFI).

2012

As at 1 January 2012, the Office had an approved staff complement of 52.1 and an actual complement of 49.8. At year end, the Office's actual staff complement had been reduced to 45.5 as a result of the Incentivised Scheme of Early Retirement.

The Office's work on the Anglo case continued during 2012 and, for a significant number of the Office's staff, Anglo matters remained the primary focus of their activity throughout the year.

2013

As at 1 January 2013, the Office had an approved staff complement of 49.1 with an actual complement of 45.5. At year end, the Office's approved staff complement stood at 49.1 and the actual staff complement was 42.9.

In 2013, the work of the Office continued to be dominated by its continuing investigations of the former Anglo Irish Bank Corporation Limited. Significant resources of the Office were still being deployed to assist the DPP in progressing the case.

2014

As at 1 January 2014, the Office had an approved staff complement of 49.1 and the actual staff complement was 41.9. At year end, the Office's actual staff complement stood at 40. Significant resources were still being deployed to assist the DPP with the progression of the Anglo case.

Chronology of Staffing Requests

20 July 2012	Workforce Plan 2012 – 2015 submitted by the ODCE indicating additional staff required of 2 accountants, 1 solicitor, 1 AP and 4 case officers at HEO/EO level
April 2013	Revised Workforce Plan submitted indicating that the ODCE's additional staffing need over the foreseeable future would comprise 5 accountants and 1 HEO with IT expertise
5 July 2013	Request from ODCE for an accountant to replace official retiring in November 2013 and also additional staff as indicated in the revised Workforce Plan.
26 July 2013	A submission sent to Personnel by the Liaison Unit requesting sanction from DPER to for the recruitment of an accountant in ODCE to replace the accountant that would be retiring in November.
28 Aug 2013	Email to Personnel Unit from Liaison section setting out that replacement accountant should have forensic accountancy knowledge and that once this vacancy was filled that it was intended that the rebalancing of ODCE staff be examined with a view to seeking sanction from DPER for the proposed changes
20 Sept. 2013	• Letter submitted from ODCE highlighting the urgency in securing the replacement accountant and requesting that the replacement be recruited through open competition and have the appropriate expertise Request also made for an interim arrangement whereby the accountant, due to retire in November would remain for an additional 5.5 weeks
21 Oct 2013	Sanction from DPER for the retention of the accountant until 20 December 2013
09 Dec 2013	A submission sent to Personnel by the Liaison Unit requesting sanction for the recruitment of an accountant in respect of the vacancy arising on 20th December 2013 and also the additional staff required in respect of the staff rebalancing as outlined in the Workforce Plan. The Workforce Plans had previously been sent to Personnel Unit for onward transmission to DPER.
27 May 2014	ODCE 2013 Annual Report published highlighting insufficiency of in-house accountancy skills
6 June 2014	Minister Bruton wrote to Minister Howlin requesting that the requests for sanction to fill posts in the ODCE and IAASA be expedited (5 accountants and 1 HEO ICT specialist for the ODCE)
7 Oct 2014.	Sanction received by Personnel from DPER for the recruitment of 6 Accountants and 1 HEO ICT specialist

13 Jan 2015	Personnel Officer meets Director of ODCE and other colleagues re HR matters and notes the need for Draft Advertisements to allow for progressing of recruitment sanction
16 Jan 2015	Personnel engages with PAS regarding capacity to conduct competition, advertising requirements etc.
16 Jan 2015	Personnel receives input to Draft Advertisement from Director of ODCE
19 Jan 2015	Personnel Unit undertakes preliminary assessment of draft material and notes need to carefully adjust certain aspects regarding the status of the staff to be recruited who should be assigned to the Department itself for subsequent/immediate assignment to ODCE and not directly to the ODCE who is not an employer itself. Consideration also needed to be given as to how the Department will be represented on PAS Board noted
15 May 2015	Personnel Unit advised Company Law Unit that work on revised Drafts has been crowded out by a huge variety of issues in Personnel Unit (PeoplePoint, plethora of other Competitions and Assignments, urgent HR matters
19 June 2015	Personnel Unit sent draft Information Booklet for the Accountants' posts to ODCE
3 June 2015	Revised Booklet sent to ODCE by Personnel Unit
4 June 2015	ODCE responded
July 2015	Booklet sent to PAS and currently awaiting the recruitment process

Chronology of Staffing Requests 2005 - 2015

May 2005 ODCE submitted a request for an additional 20 staff, including 6 Gardai, to increase its staff complement from 37 to 57.

Sept 2005 Company Law Administration Unit received a response from HR stating that the proposal to increase the ODCE staff complement from 37 to 57 appeared to be unrealistic in the current climate.

May 2006 Minister Martin met the Director in May 2006.The Minister indicated that he was generally disposed to the request for additional staff but it would be difficult given the current situation in relation to the Public Service staffing reduction programme and competing priorities in other areas of the department and its agencies.

A letter issued to Minister Brian Cowen, T.D. Minister for Finance on the 31st May 2006 from Minister Michael Martin, T.D indicating the case being made by ODCE and his general positive disposition towards the request for additional staff for ODCE.

August 2006 24TH August the Director updated and submitted the May 2015 staffing submission to the Department stating that the 20 staff requested were essential and that the Office could not do the job which needed to be done within the resources at its disposal at that time. He further stated that ODCE could accommodate a two-stage approach i.e. phasing of 10 staff in 2007 and 10 staff in 2008.

Personnel Unit indicated after the 2007 Estimates discussions with D/Finance in late 2006 that they would look to provide some additional staff to ODCE on a phased basis over 2007-2008. ODCE were asked to identify 3-4 priority posts for the first phase.

2007 At end 2006, the approved staff complement was 37, by end 2007 this had increased to 46. The actual staffing level improved from 34.8 to 39.6. During 2007 eight additional administrative posts were sanctioned and the ODCE's staffing level was enhanced by the filling of four of these eight posts during 2007. One extra Detective Garda post was also sanctioned.

2008 During 2008, the approved staff complement was 46. The ODCE's actual staffing level increased to 44.8 during 2008. This increase of four administrative staff represented the second and final phase of a commitment made by the Department of Enterprise Trade and Employment in 2007 to provide an extra eight staff to the Office.

May 2009 DCE wrote to the Secretary General requesting 6 additional staff.3 HEO's, 2CO's and 1EO. The DCE informed the Department of a meeting with the Garda Commissioner seeking an additional 5 Gardai on a temporary basis.

During 2009, the approved staff complement increased by 5 to 51. The actual staffing complement rose from 44.8 to 49.7. The five additional general service staff were deployed to support the Anglo investigation which, for much of 2009 had 16 full-time equivalent staff working on it. In mid-2009, the Garda Commissioner also assigned a further five Detective Gardaí to the related Anglo investigations of the ODCE and the Garda Bureau of Fraud Investigation (GBFI), and these were supporting the GBFI investigations at year-end.

2010

During 2010, the approved staff complement increased from 51 to 52.1. In the latter part of the year two additional Gardaí were temporarily assigned to assist the ODCE work on the Anglo case. Some 16 Garda, administrative, legal, accounting and IT staff in the ODCE continued to work on progressing the Anglo investigations throughout 2010. Actual staffing at 31 December 2010 was 50.8 (full-time job equivalents).

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Request also made for an interim arrangement whereby the accountant, due to retire in November would remain for an additional 5.5 weeks

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27 May 2014	ODCE 2013 Annual Report published highlighting insufficiency of in-house accountancy skills
6 June 2014	Minister Bruton wrote to Minister Howlin requesting that the requests for sanction to fill posts in the ODCE and IAASA be expedited (6 accountants and 1 HEO ICT specialist for the ODCE)
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13 Jan 2015	Personnel Officer meets Director of ODCE and other colleagues re HR matters and notes the need for Draft Advertisements to allow for progressing of recruitment sanction
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16 Jan 2015	Personnel receives input to Draft Advertisement from Director of ODCE
19 Jan 2015	Personnel Unit undertakes preliminary assessment of draft material and notes need to carefully adjust certain aspects regarding the status of the staff to be recruited who should be assigned to the Department itself, for subsequent/immediate assignment to ODCE and not directly to the ODCE who is not an employer itself. Consideration also needed to be given as to how the Department will be represented on PAS Board noted.
15 May 2015	Personnel Unit advised Company Law Unit that work on revised Drafts has been crowded out by a huge variety of issues in Personnel Unit (PeoplePoint, plethora of other Competitions and Assignments, urgent HR matters.
29 June 2015	Personnel Unit sent draft Information Booklet for the Accountants' posts to ODCE
3 June 2015	Revised Booklet sent to ODCE by Personnel Unit
4 June 2015	ODCE responded
July 2015	Booklet sent to PAS and currently awaiting the recruitment process

24

Fw: Recruitment
Breda Power to: Claire Gordon, Helen Curley 10/09/2015 09:56
Sent by breda power

History This message has been forwarded.

FYI

Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
---- Forwarded by breda power/entemp on 10/09/2015 09:55 ----

From: Ian Drennan/entemp
To: John Hughes/entemp@ENTEMP
Cc: Breda Power/entemp@ENTEMP
Date: 10/09/2015 09:45
Subject: Recruitment

John,

Is there any update on the recruitment campaign for our approved accountants and IT resource? Now that the summer months are out of the way, I'm anxious to progress this matter. As you know, we returned the PAS Booklets before the summer.

Thanks,

Ian

From: CN=Breda Power/O=entemp
To: CN=Claire Gordon/O=entemp@entemp
CC:
Date: 11/09/2015 19:17:51
Subject: Fwd: IAASA - News Alert

Claire - FYI

Breda

Begin forwarded message:

From: "John Hughes" <John.Hughes@djei.ie>
Date: 11 September 2015 18:46:53 IST
To: "Ian Drennan" <Ian_Drennan@odce.ie>
Cc: "Breda Power" <Breda.Power@djei.ie>
Subject: Re: Fw: IAASA - News Alert

Ian,

I am endeavouring to establish from the PAS the very latest state-of-play and will let you know ASAP. Breda raised the matter with me when I attended the Management Board on Tuesday on staffing matters.

John.
11/9

John Hughes,
Principal,
HR, Learning & Development and Business Services Unit,
Department of Jobs, Enterprise and Innovation
Kildare Street,
Dublin 2
D02 TD30
Phone - 01-6312246
Ian Drennan---11/09/2015 10:07:06---John, I see from an IAASA email alert (below) that they are currently advertising for a new Secretar

From: Ian Drennan/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP
Date: 11/09/2015 10:07
Subject: Fw: IAASA - News Alert

John,

I see from an IAASA email alert (below) that they are currently advertising for a new Secretary. I am aware that the previous Secretary only recently vacated his post. Given my previous association with IAASA, I am pleased for them that they are in a position to advertise for a replacement so quickly. However, our own situation is in stark contrast. Despite having secured sanction many months ago to recruit a number of accountants plus an in-house IT resource, we are still, seemingly, no further towards being in a position to advertise these posts. This is despite our having provided all necessary material as requested, including detailed written material for inclusion in the associated PAS Booklets.

As has been outlined previously, these posts are critical to the effective discharge of the ODCE's mandate and, without

the staff concerned, we remain seriously constrained in what we can achieve.
I would be grateful, therefore, for an indication as to when the PAS will be advertising these critical posts.

ian

----- Forwarded by Ian Drennan/entemp on 11/09/2015 09:54 -----

From: "IAASA" <info@iaasa.ie>
To: ian_drennan@odce.ie,
Date: 11/09/2015 08:53
Subject: IAASA - News Alert

IAASA
Return to IAASA homepage
IAASA seeks to recruit a Secretary & Head of Legal Services
11/09/2015

IAASA is the independent body in Ireland responsible for the supervision of the accountancy profession and the examination and enforcement of certain listed entities' periodic financial reporting. As part of the recent European audit reform measures, IAASA will be given responsibility for inspecting the quality of audit work performed by the auditors of public interest entities.

IAASA wishes to recruit a Secretary & Head of Legal Services. The successful candidate will be a qualified solicitor/barrister with significant and recent experience at a senior level in a similar role, ideally in a regulatory environment. Reporting to the Chief Executive, the successful candidate's responsibilities will include providing a broad range of legal advisory and related services to staff and management, and managing IAASA's relationships with its external providers of legal services. In addition, the successful candidate will be responsible for IAASA's functions in regard to liquidator registration. She will also be appointed as Company Secretary and will report to the chairperson and Board in that capacity.

Advertisement as it appeared in national media
Detailed job description
Application form

Applicants should complete the application form and return it to IAASA together with a covering letter setting out how they meet the specified requirements as outlined in the job description. The deadline for the receipt of applications is midnight on 30 September 2015. Late applications will not be considered

IAASA is committed to a policy of equal opportunities and welcomes applications from people with disabilities

Click to here to unsubscribe

Disclaimer & Statutory Disclosures: www.iaasa.ie/footer/legal-requirements

- 0.11CA.pngATTACHMENTS:

26

Fwd: IAASA - News Alert
Breda Power
to:
Claire Gordon
11/09/2015 17:55
Hide Details
From: Breda Power/entemp
To: Claire Gordon/entemp@entemp,
History: This message has been forwarded.
Claire - FYI

Breda

Begin forwarded message:

From: "Breda Power" <Breda.Power@djei.ie>
Date: 11 September 2015 17:35:01 IST
To: "John Murphy" <John.Murphy@djei.ie>
Subject: Fw: IAASA - News Alert

Secretary General

You will wish to see the correspondence below.

Claire's points are well made. I am seriously concerned about the delay in filling the posts in the ODCE and the impact this is having on the Office's ability to effectively carry out its statutory mandate.

You will also recall that I raised the position regarding the filling of the ODCE posts at last Tuesday's Management Board meeting. If there is anything that you can do to progress this matter I would appreciate it.

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
----- Forwarded by breda power/entemp on 11/09/2015 17:16 -----

From: Claire Gordon/entemp
To: Breda Power/entemp@ENTEMP,
Date: 11/09/2015 16:39
Subject: Re: Fw: IAASA - News Alert

Breda

Re: Fwd: IAASA - News Alert
Ian Drennan to. Claire Gordon 11/09/2015 19:29

2 attachments

M2.2.png M2.3.gif

Claire,

Thank you for this. Your ongoing efforts to achieve a satisfactory outcome in this matter are much appreciated.

Ian

Ian Drennan
Director
Office of the Director of Corporate Enforcement
16 Parnell Square, Dublin 1
D01 W5C2

Tel: +353 1 858 5800
Lo Call: 1890 315 015
Fax: +353 1 858 5861
Web: www.odce.ie
T: @odce

From: Claire Gordon
Sent: 11/09/2015 17:53 GMT
To: Ian Drennan
Subject: Fwd: IAASA - News Alert

Ian

For your information.

Claire

Begin forwarded message:

From: "Breda Power" <Breda.Power@djei.ie>
Date: 11 September 2015 17:55:54 IST
To: "Claire Gordon" <Claire.Gordon@djei.ie>
Subject: Fwd: IAASA - News Alert

Claire - FY!

Breda

Begin forwarded message:

From: "Breda Power" <Breda.Power@djei.ie>
Date: 11 September 2015 17:35:01 IST

chronology of events in relation to ODCE staffing requests, in August this year and in the run up to the Sean Fitzpatrick hearing for an adjournment, Conor Quinn contacted me with a series of questions in relation to the action taken by this Department to secure staff for the ODCE. In particular he asked what was the cause of the delay since January 2015 to date in getting the posts advertised. I forwarded this request to Personnel Unit as this matter was being dealt with by them.

You may recall also that at the start of this process that the ODCE offered to deal directly with the PAS on this matter but that Personnel Unit said that it would handle it.

There are currently no accountants at all in the ODCE. Consequently the Office would have had to engage external expertise with the attendant cost.

In light of other developments in relation to the Anglo cases in particular, it is likely that focus will fall on resources in ODCE. It would be difficult to justify a delay of this length of time, i.e. October 2014 to September 2015, in the advertising of these posts.

The instance of IAASA's legal advisor cited by Ian Drennan below is relevant here. On 3 September I forwarded advertising material for this post in IAASA to Personnel Unit for forwarding to DPER for approval. DPER approved the material in less than 24 hours.

If there is any further assistance I can give in progressing this matter please let me know as I would be very happy to do so.

Claire
Breda Power---11/09/2015 11:01:31---FYI and for file please. Breda

From: Breda Power/entemp
To: Claire Gordon/entemp@ENTEMP, Helen Curley/entemp@ENTEMP,
Date: 11/09/2015 11:01
Subject: Fw: IAASA - News Alert
Sent by: breda power

FYI and for file please.

Breda

Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

27

ODCE Staffing
Breda Power to. John Hughes 28/09/2015 12:18
Sent by: breda power
Cc: Claire Gordon, Eamonn Balmer

John

I understand that PAS have not yet advertised for the accountants in the ODCE. At last week's Management Board meeting Martin Shanagher (who chaired the meeting) mentioned that he had been talking to you about the posts and that you would be following up with PAS. Do you have any indication from PAS as to when they will be advertising the competition for the accountants? Also what is the position regarding the HEO IT position?

Breda
Breda Power
Department of Jobs, Enterprise & Innovation
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

Fw: ODCE Staffing
Breda Power to: John Hughes 30/09/2015 14:49
Sent by: breda power
Cc: Eamonn Balmer, Claire Gordon

John

The Minister raised the staffing issue at this morning's Management Board meeting. I would be grateful for an update

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
-- Forwarded by breda power/entemp on 30/09/2015 14:47 ---

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP
Date: 28/09/2015 12:13
Subject: ODCE Staffing
Sent by: breda power

John

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Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

29

Fw: ODCE Staffing
Breda Power to: John Hughes 01/10/2015 12:53
Sent by: breda power
Cc Eamonn Balmer, Claire Gordon

John

I phoned PAS yesterday seeking an update on the time frame for advertising the competition for the Accountants for the ODCE. I was informed that PAS intends to advertise on the 18th November. They will need a copy of the sanction, the job specification, the person specification and the approved conditions of service. You might confirm that HR Unit will follow up on this. Brian Murphy and Marise Phelan are in charge of the competition.

I would be grateful if you would keep us informed of progress with the competition and also for an update on the IT specialist that ODCE also received sanction for.

Thanks

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
---- Forwarded by breda power/entemp on 01/10/2015 12:17 ----

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Eamonn Balmer/entemp@ENTEMP, Claire Gordon/entemp@ENTEMP
Date: 30/09/2015 14:49
Subject: Fw: ODCE Staffing
Sent by: breda power

John

The Minister raised the staffing issue at this morning's Management Board meeting. I would be grateful for an update.

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
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To: John Hughes/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP
Date: 28/09/2015 12:18
Subject: ODCE Staffing
Sent by: breda power

Fw: ODCE Staffing
Breda Power to: Claire Gordon 01/10/2015 12:57
Sent by: breda power

History This message has been forwarded

Claire - FYI

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
---- Forwarded by breda power/entemp on 01/10/2015 12:57 ----

From Breda Power/entemp
To: John Murphy/entemp@ENTEMP,
Date. 01/10/2015 12:55
Subject Fw: ODCE Staffing
Sent by breda power

Secretary General

You may wish to be aware of the current position on the ODCE staffing as set out below.

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
---- Forwarded by breda power/entemp on 01/10/2015 12:53 ----

From Breda Power/entemp
To. John Hughes/entemp@ENTEMP,
Cc: Eamonn Balmer/entemp@ENTEMP, Claire Gordon/entemp@ENTEMP
Date. 01/10/2015 12:53
Subject Fw: ODCE Staffing
Sent by. breda power

John

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I would be grateful if you would keep us informed of progress with the competition and also for an update on the IT specialist that ODCE also received sanction for.

email breda.power@djei.ie

Re: Fw: ODCE Staffing
John Hughes to: Breda Power 01/10/2015 17:58
Cc: Claire Gordon, Eamonn Balmer

Breda,

I am disappointed that PAS could not/did not give me that information when I both rang and emailed earlier this week. I will follow up and keep you apprised

John,
1/10.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Breda Power John I phoned PAS yesterday seeking an update... 01/10/2015 12:53:12

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Eamonn Balmer/entemp@ENTEMP, Claire Gordon/entemp@ENTEMP
Date: 01/10/2015 12:53
Subject: Fw: ODCE Staffing
Sent by: breda power

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Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
—— Forwarded by breda power/entemp on 01/10/2015 12:17 ——

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Eamonn Balmer/entemp@ENTEMP, Claire Gordon/entemp@ENTEMP
Date: 30/09/2015 14:49
Subject: Fw: ODCE Staffing

Re: Fw: ODCE Staffing
Breda Power to: John Hughes 01/10/2015 18:04
Sent by: breda power
Cc Claire Gordon, Eamonn Balmer

History: This message has been forwarded.

Thanks John

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

John Hughes Breda, I am disappointed that PAS could not/did n... 01/10/2015 17:53:22

From: John Hughes/entemp
To: Breda Power/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP
Date: 01/10/2015 17:58
Subject: Re: Fw: ODCE Staffing

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John,
1/10.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01 6312246

Breda Power John I phoned PAS yesterday seeking an update... 01/10/2015 12:53:12

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Eamonn Balmer/entemp@ENTEMP, Claire Gorson/entemp@ENTEMP
Date: 01/10/2015 12:53
Subject: Fw: ODCE Staffing
Sent by: breda power

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Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

Recruitments through PAS

John Hughes to: Philip Kelly, John Murphy 06/10/2015 19:04

Philip / Secretary General,

the following is a brief update on staffing issues involving engagement with PAS:

- 6 Accountants for ODCE - we now understand that PAS will place the advertisement for the campaign on 18 November (Ian Drennan and Breda Power are aware).
- We still await PAS to confirm that they can administer the process to recruit a HEO/ICT for ODCE.
- [redacted]
- [redacted]
- [redacted]

Overall, we have a good working relationship with PAS and are satisfied that they are doing their best to faciliate us to the greatest extent possible.

John,
6/10.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

31

ODCE - Workforce Plan 2015-17
Conor O'Mahony
to:
Joan Howley
19/10/2015 18:14
Cc:
Ian Drennan, Claire Gordon, Helen Curley, Kevin Prendergast, Kevin O'Connell
Hide Details
From: Conor O'Mahony/entemp Sort List...
To: Joan Howley/entemp@entemp,
Cc: Ian Drennan/entemp@ENTEMP, Claire Gordon/entemp@ENTEMP, Helen Curley/entemp@ENTEMP, Kevin Prendergast/entemp@entemp, Kevin O'Connell/entemp@ENTEMP
History: This message has been replied to.
1 Attachment

WFP2015-1017 - ODCE.xlsx

Joan

Apologies for the late submission of our plan.

I now attach the completed template. The only sheet updated is Projected Structure - Table 2.1. The amendments reflect the sanction already obtained for the employment of 5 additional accountants and a HEO (IT). I have also reflected the filling of the 2 accountants vacancies that we currently have. As you will be aware, the accountant posts are due to be advertised next month.

We do not have any information on possible retirements over the period and have not forecast any. Similarly, while we understand that some transfer applications have been made, we are operating on the basis that any transfers will be on a head for head basis so will not effect the net number of employees.

This plan is produced on the basis that we will be able to manage our workload with this complement of staff (including the additional posts already sanctioned). Of course, if any major investigations were to arise during the period of the plan, this could result in a requirement for additional resources. We do not currently anticipate any such requirements. Conversely, we do not envisage that there are any circumstances in which we could reduce our staffing complement and continue to discharge our statutory remit in a meaningful manner.

Regards

Conor

Conor O'Mahony
Principal Officer
Office of the Director of Corporate Enforcement
16 Parnell Square
Dublin 1
ph. +353 - 1 - 858 5827
(See attached file: WFP2015-1017 - ODCE.xlsx)

Projected Structure (Table 2.1)

Grade	Stream	Salary Plan	Current*	End 2015	End 2016	End 2017
Sec Gen	Admin	Sec Gen				
Ass. Sec	Admin	Ass. Sec				
PO	Admin	PO	1	1	1	1
AP	Admin	AP	3	3	3	3
HEO	Admin	HEO	7	8	8	8
AO	Admin	AO				
EO	Admin	EO	6	6	6	6
SO	Admin	SO				
CO	Admin	CO	6.5	6.5	6.5	6.5
Services	Admin	Services				
TCO	Admin	CO				
Director	Admin	Ass. Sec	1	1	1	1
Legal Advisors	Professional	PO	3	3	3	3
Principal Solicitor	Professional	PO	1	1	1	1
Corporate Compliance Mgr	Admin	PO	1	1	1	1
Solcitors	Professional	AP	2	2	2	2
Accountants	Professional	AP	1	7	7	7
		Total	32.5	39.5	39.5	39.5

Description
This template assesses the impact of retirements and staff movement on the current staff profile

Notes
* Please use end Dec 2014 figures for current staff.

Re: PO vacancies
John Hughes to: Flynn, Mary 13/11/2015 10:24
Cc: Eamonn Balmer

Many thanks, Mary. Just back from a few day's S/L absence.

Any update on the ODCE Accountants competition?

Regards,

John,
13/11.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

"Flynn, Mary" Hi John Just a note to let you know that the candidat... 12/11/2015 11:49:27

From: "Flynn, Mary" <mary.flynn@publicjobs.ie>
To: "john.hughes@djei.ie" <john.hughes@djei.ie>,
Date: 12/11/2015 11:49
Subject: PO vacancies

Hi John

Just a note to let you know that the candidate assignment papers for the first of your PO vacancies were sent to you yesterday. We're awaiting some documents from the second candidate and will forward you on the details once clearance is finalised.

Regards
Mary
****
****

This email and any files transmitted with it are confidential and intended solely for the use of the addressed individual or entity. If you are not the intended recipient of this email, or any parts of it, you should not disclose, copy or distribute any of its contents. Please contact the sender and notify them that you have received it in error. Anyone interacting by standard email should be aware that there are risks involved in transmitting personal or sensitive information using this technology (as email generally is not a fully secure method of sending data). Therefore, please do not send any personal or sensitive data by email to this office. This footnote also confirms that this email message has been swept for the presence of computer viruses.

33

Fw: [redacted]
Breda Power to. Claire Gordon
Sent by breda power

13/11/2015 10:45

History: This message has been forwarded

Claire - FYI

Breda
Breda Power
Department of Jobs, Enterprise & Innovation
Earlsfort Centre
Lower Hatch Street
Dublin 2

Tel: 01 6312809
Fax: 016312552
email: breda.power@djei.ie
..... Forwarded by breda power [illegible] 13/11/2015 10:42 .....

From: John Hughes/entemp
To: Ian Drennan/entemp@ENTEMP
Cc: Breda Power/entemp@ENTEMP, [illegible]@ENTEMP
Date: 13/11/2015 10:30
Subject: Re: Fw: [redacted]

Thanks Ian

Yes, I would need a draft booklet to enable me approach PAS on the vacancy. We may get lucky and find they have an existing "legal" panel we could access or we may have to go through a full recruitment process. Perhaps you would consider the booklet comprehending the Principal Solicitor post too?

On the Accountants competition, I have this morning sought an update. As to your specific concerns I understand them but judging by our own internal competitions experience, it is often difficult to approach potential Board members until you can be specific about the number of days' commitment being sought etc so perhaps that is why they have yet to go out on this logistics. Either way, I am endeavouring to establish the very latest and will revert ASAP.

John
[illegible]

John Hughes
Principal
HR, Learning & Development and Business Services Unit
Department of Jobs, Enterprise and Innovation
Kildare Street
Dublin 2
D02 TD30
Phone - 01-6312246

Ian Drennan John, [redacted] is finishing up here today. As per my 12/11/2015 10:45:55

From: Ian Drennan/entemp
To: John Hughes/entemp@ENTEMP
Cc: Breda Power/entemp@ENTEMP
Date: 12/11/2015 10:45
Subject: Fw: Aoife Raftery

John

[redacted] is finishing up here today. As per my email below, I would be grateful if you could advise as to process by which the resultant vacancy will be filled. Specifically, do you require that we complete a draft Booklet for the PAS?

Also, further to previous correspondence, I understand that our Accountant and IT posts are to be advertised on the 18th of this month. I don't know whether I should be concerned or not (as I haven't dealt with them previously) but, as yet, I have had no contact from the PAS. I would have thought that, at this stage, they would have wanted to engage on issues such as the composition of the shortlisting panel, interview Board etc

Ian

----- Forwarded by Ian Drennan/entemp on 12/11/2015 10:40 -----

From: Ian Drennan/entemp
To: John Hughes/entemp@ENTEMP
Date: 20/10/2015 10:32
Subject: Re: [redacted]

John

On foot of this development - can you advise as to the process by which we proceed with filling the resultant vacancy please

Thanks.

Ian

John Hughes Ian [redacted] request for a transfer has culminated 20/10/2015 10:11:23

From: John Hughes/entemp
To: Ian Drennan/entemp@ENTEMP
Date: 20/10/2015 10:11
Subject: [redacted]

Ian

[redacted]'s request for a transfer has culminated with contact from the Revenue Commissioners today proposing a start date there of 23rd November. Can we work to that date with Revenue? I understand that [redacted] is aware of the date proposed.

John,
20/10.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2

34

Fw: ODCE Staffing
Breda Power to: John Hughes 17/11/2015 15:57
Sent by: breda power
Cc: Eamonn Balmer, Claire Gordon

History: This message has been forwarded.

John

Further to correspondence below and also the recent correspondence between you and Ian Drennan I would appreciate an update on the recruitment of the Accountants for the ODCE. You might also let me know the position regarding the HEO IT specialist.

Thanks

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
----- Forwarded by breda power/entemp on 17/11/2015 15:28 -----

From: John Hughes/entemp
To: Breda Power/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP
Date: 01/10/2015 17:58
Subject: Re: Fw: ODCE Staffing

Breda,

I am disappointed that PAS could not/did not give me that information when I both rang and emailed earlier this week. I will follow up and keep you apprised.

John,
1/10.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Breda Power John I phoned PAS yesterday seeking an update... 01/10/2015 12:53:12

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Eamonn Balmer/entemp@ENTEMP, Claire Gordon/entemp@ENTEMP
Date: 01/10/2015 12:53
Subject: Fw: ODCE Staffing
Sent by: breda power

John

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

35

Re: Fw: ODCE Staffing

From John Hughes
To Breda Power
Cc Claire Gordon, Eamonn Balmer
Date 18/11/2015 19:39

Breda,

I have emailed PAS requesting the latest information and will update you as soon as I have a reply.

John,
18/11.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

From:	Breda Power/entemp
To:	John Hughes/entemp@ENTEMP,
Cc:	Eamonn Balmer/entemp@ENTEMP, Claire Gordon/entemp@ENTEMP
Date:	17/11/2015 15:57
Subject:	Fw: ODCE Staffing
Sent by.	breda power

John

Further to correspondence below and also the recent correspondence between you and Ian Drennan I would appreciate an update on the recruitment of the Accountants for the ODCE. You might also let me know the position regarding the HEO IT specialist.

Thanks

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
----- Forwarded by breda power/entemp on 17/11/2015 15:28 -----

From:	John Hughes/entemp
To:	Breda Power/entemp@ENTEMP,
Cc:	Claire Gordon/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP

Date: 01/10/2015 17:58
Subject: Re: Fw: ODCE Staffing

Breda,

I am disappointed that PAS could not/did not give me that information when I both rang and emailed earlier this week. I will follow up and keep you apprised.

John,
1/10.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Eamonn Balmer/entemp@ENTEMP, Claire Gordon/entemp@ENTEMP
Date: 01/10/2015 12:53
Subject: Fw: ODCE Staffing
Sent by: breda power

John

I phoned PAS yesterday seeking an update on the time frame for advertising the competition for the Accountants for the ODCE. I was informed that PAS intends to advertise on the 18th November. They will need a copy of the sanction, the job specification, the person specification and the approved conditions of service. You might confirm that HR Unit will follow up on this. Brian Murphy and Marise Phelan are in charge of the competition.

I would be grateful if you would keep us informed of progress with the competition and also for an update on the IT specialist that ODCE also received sanction for.

Thanks

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
----- Forwarded by breda power/entemp on 01/10/2015 12:17 -----

From: Breda Power/entemp

To John Hughes/entemp@ENTEMP,
Cc Eamonn Balmer/entemp@ENTEMP, Claire Gordon/entemp@ENTEMP
Date: 30/09/2015 14:49
Subject: Fw: ODCE Staffing
Sent by: breda power

John

The Minister raised the staffing issue at this morning's Management Board meeting. I would be grateful for an update.

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
----- Forwarded by breda power/entemp on 30/09/2015 14:47 -----

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP
Date: 28/09/2015 12:18
Subject: ODCE Staffing
Sent by: breda power

John

I understand that PAS have not yet advertised for the accountants in the ODCE. At last week's Management Board meeting Martin Shanagher (who chaired the meeting) mentioned that he had been talking to you about the posts and that you would be following up with PAS. Do you have any indication from PAS as to when they will be advertising the competition for the accountants? Also what is the position regarding the HEO IT position?

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

ATTACHMENTS:

26-30 Abbey St Upper
Dublin 1
Ph: 00353 1 8587437

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risks involved in transmitting personal or sensitive information using this technology (as email generally is not a fully secure method of sending data). Therefore, please do not send any personal or sensitive data by email to this office. This footnote also confirms that this email message has been swept for the presence of computer viruses.

Tá an ríomhphost seo agus aon chomhad a chuirtear ar aghaidh leis, rúnda, agus tá sé beartaithe gur d'úsáid an duine aonair nó an aonáin amháin ar cuireadh chucu é, a tá sé. Munar tú an duine a ba chóir an ríomhphost seo, nó aon chuid de, a fháil, níor chóir duit aon chuid de a nochtadh, a chóipeáil nó a dháileadh. Déan teagmháil leis an té a chuir chugat é agus inis dó/di go bhfuair tú é trí thimpiste. Ba chóir d'éinne a tá ag déanamh idirghníomhaíochta trí ríomhphost caighdeánach a thuiscint go bhfuil priacail i gceist agus tú ag seachadadh faisnéise pearsanta nó íogair leis an teicneolaíocht seo (mar nach modh iomlán slán a tá ann chun sonraí a chur ar aghaidh). Mar sin, ná cuir sonraí pearsanta no íogair trí ríomhphost chuig an oifig seo.
Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

****
****

From: CN=Breda Power/O=entemp
To: CN=Claire Gordon/O=entemp@entemp
CC:
Date: 20/11/2015 16:49:15
Subject: Fwd: Re:

36

Claire

As discussed earlier today.

Breda

Begin forwarded message:

From: "John Hughes" <John.Hughes@djei.ie>
Date: 19 November 2015 18:37:57 GMT
To: "Ian Drennan" <Ian_Drennan@odce.ie>
Cc: "Breda Power" <Breda.Power@djei.ie>
Subject: Re:

Ian,

I had understood the same. I emailed PAS last night looking for updates on a number of matters and will follow up by phone tomorrow. I'll let you know the outcome as soon as I have a response from PAS.

John,
19/11.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246
Ian Drennan---19/11/2015 15:13:28---John, I had understood that the ODCE posts were to be advertised this week. However, I'm given to un

From: Ian Drennan/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP
Date: 19/11/2015 15:13
Subject:

John,

I had understood that the ODCE posts were to be advertised this week. However, I'm given to understand that there's nothing in today's Independent and so, presumably, there'll be nothing in tomorrow's Times. As indicated recently, I have received no contact from PAS.

Could you advise please as to when these posts are to be advertised.

Many thanks,

Ian**ATTACHMENTS:**

37

Phonecall with PAS re ODCE vacancies
Claire Gordon to: John Hughes, Eamonn Balmer 23/11/2015 10:01
Cc: Breda Power
Bcc: Joan Howley

John

On Friday afternoon I spoke to Marise Phelan in PAS about the advertisements for the ODCE posts. Her immediate response was that PAS had got nothing from our Department. She explained that PAS had intended to advertise the posts on 13 November but were awaiting information from this Department on the DPER approved conditions of service so could not proceed. She had not received that information as of Friday afternoon.

Her phone number is 8587437. Perhaps someone might give her a call to resolve the apparent confusion and hopefully get the posts advertised this week.

Claire

Breda Power From: Breda Power/entemp To: Claire Gordon/en... 20/11/2015 16:49:16

From: Breda Power/entemp
To: Claire Gordon/entemp@entemp,
Date: 20/11/2015 16:49
Subject: Fwd: Re:

Claire
As discussed earlier today.
Breda

Begin forwarded message:

From: "John Hughes" <John.Hughes@djei.ie>
Date: 19 November 2015 18:37:57 GMT
To: "Ian Drennan" <Ian_Drennan@odce.ie>
Cc: "Breda Power" <Breda.Power@djei.ie>
Subject: Re:

Ian,

I had understood the same. I emailed PAS last night looking for updates on a number of matters and will follow up by phone tomorrow. I'll let you know the outcome as soon as I have a response from PAS.

John,
19/11.

John Hughes,

Re: Phonecall with PAS re ODCE vacancies
John Hughes to: Claire Gordon 23/11/2015 10:32
Cc: Eamonn Balmer, Breda Power, Mary Cullen

History. This message has been replied to and forwarded.

Claire,

I have spoken with PAS (including Marise) this morning and expressed surprise that they were awaiting information form us as I had understood the material sent last July was sufficient. They are to check into the matter and revert. I will keep the pressure on as the information referred to below is immediately available, i.e., the recruits are to be graded as Professional Accountants Grade I which is salaried at AP level.

John,
23/11.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Claire Gordon John On Friday afternoon I spoke to Marise Phel... 23/11/2015 10:01:18

From: Claire Gordon/entemp
To: John Hughes/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP
Date: 23/11/2015 10:01
Subject: Phonecall with PAS re ODCE vacancies

John

On Friday afternoon I spoke to Marise Phelan in PAS about the advertisements for the ODCE posts. Her immediate response was that PAS had got nothing from our Department. She explained that PAS had intended to advertise the posts on 13 November but were awaiting information from this Department on the DPER approved conditions of service so could not proceed. She had not received that information as of Friday afternoon.

Her phone number is 8587437. Perhaps someone might give her a call to resolve the apparent confusion and hopefully get the posts advertised this week.

Claire

Breda Power From: Breda Power/entemp To: Claire Gordon/en... 20/11/2015 16:49:16

From: Breda Power/entemp
To: Claire Gordon/entemp@entemp,
Date: 20/11/2015 16:49
Subject: Fwd: Re:

Claire

Re: Recruitment of Accountants

From Ian Drennan
To John Hughes
Cc Breda Power, Eamonn Balmer, Mary Cullen
Date 23/11/2015 10:49

John,

By way of post script, the salary shouldn't impede advertisement in any event. The salary doesn't appear in the ad and it's not uncommon for Information Booklets not to be immediately available on the PAS website. I can see no reason as to whey these posts can't be advertised this week.

Ian

From: John Hughes/entemp
To: Ian Drennan/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP, Mary Cullen/entemp@ENTEMP
Date: 23/11/2015 10:41
Subject: Re: Recruitment of Accountants

Ian,

I have spoken directly this morning to a contact in PAS who will check into the matter and revert. It has been suggested to me from the Liaison Unit that PAS were awaiting some additional information from the Department before going to press but I do not understand that as I was unaware that any information was outstanding. In any event, rather than hold a post-mortem on that issue right now, I have asked PAS to confirm that they have everything they need from our communication of last July and if not to let me know immediately what is outstanding so we can supply same. I think the "missing information" relates to salary which we know is Professional Accountant Grade I or AP level. I'll keep you posted.

Once we get the advertisement agreed we can then look to establish what caused the communications breakdown.

John,
23/11.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

From Ian Drennan/entemp

To: John Hughes/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP
Date: 23/11/2015 10:17
Subject: Re:

John,

Any update on this? It's imperative that we proceed with this without further delay.

Thanks,

Ian

From: John Hughes/entemp
To: Ian Drennan/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP
Date: 19/11/2015 18:37
Subject: Re:

Ian,

I had understood the same. I emailed PAS last night looking for updates on a number of matters and will follow up by phone tomorrow. I'll let you know the outcome as soon as I have a response from PAS.

John,
19/11.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

From: Ian Drennan/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP
Date: 19/11/2015 15:13
Subject:

John,

I had understood that the ODCE posts were to be advertised this week. However, I'm given to understand that there's nothing in today's Independent and so, presumably, there'll be nothing in tomorrow's Times. As indicated recently, I have received no contact from PAS.

Could you advise please as to when these posts are to be advertised.

Many thanks,

Ian

ATTACHMENTS:

40

Re: Fw: Forensic Accountants
John Hughes to: Claire Gordon 26/11/2015 15:07
Cc: Breda_Power, Ian Drennan, Kevin Prendergast

History: This message has been replied to.

Colleagues,

the booklet for the 6 Accountants posts in the ODCE that was agreed and transmitted to PAS before last summer titled the posts as "Professional Accountant Grade 1 Department of Jobs, Enterprise and Innovation (Office of the Director of Corporate Enforcement)" and in subsequent correspondence or discussions between PAS and DJEI I know I have used the shorthand "Forensic Accountants", therefore, PAS advise me that they cannot now use the title "Investigators" as to do so would require withdrawing the competition on their IT system and restarting it under the new name. More crucially, an additional problem is that the advertisement, which PAS always craft themselves, has gone to print so it cannot be withdrawn I have been told. What we are now left with is the advertisement appearing as is, the title staying as is on the publicjobs website, albeit I believe the revised narrative text proposed for the website by Kevin can be adjusted to the text proposed at lunchtime. Finally, I have been asked to clarify for the Information Booklet bullet point number 11 on page 5 ("be technically proficient to a high level in one or more areas of relevance to the role"), i.e. what exactly is the requirement behind the text? PAS advise that the booklet needs to be available on their website this evening to dovetail with the publication of the ad.

John,
26/11.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Claire Gordon John The ad attached needs to be rewritten befor... 26/11/2015 14:09:34

From: Claire Gordon/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Breda_Power@deti.ie, Ian Drennan/entemp@ENTEMP
Date: 26/11/2015 14:09
Subject: Re: Fw: Forensic Accountants

John

The ad attached needs to be rewritten before publication. IAASA is grossly misnamed, "possess" is spelled wrong and the first sentence is such a poor description of the work of the Office as to be bordering on incorrect. It would be an embarrassment to this Department if it were to be published as drafted

Claire

John Hughes Ian, please see material from PAS. Can you let... 25/11/2015 18:56:11

Re: Forensic Accountants
Claire Gordon to: John Hughes 26/11/2015 15:40
Cc: Breda_Power, Kevin Prendergast, Ian Drennan
Bcc: Joan Howley

John

Can the ad be withdrawn from publication in the newspaper at this stage? Even if this would cost money I think that it would be better than to have it published as is. I would appreciate it very much if you could try to stop that at least.

Claire

Ian Drennan From: Ian Drennan/entemp To: John Hughes/ente... 26/11/2015 15:22:29

From: Ian Drennan/entemp
To: John Hughes/entemp@entemp,
Cc: Claire Gordon/entemp@entemp, Breda_Power@deti.ie, Kevin Prendergast/entemp@entemp
Date: 26/11/2015 15:22
Subject: Re: Forensic Accountants

Personally, I have nothing further to say on this subject. The manner in which this has been dealt with is nothing short of a disgrace. I am mortified at the prospect of an ODCE-related advertisement appearing in the national press which contains both spelling and grammatical errors, not to mention misnaming my former employer. Hard to attract professional candidates with high standards when we look like rank amateurs ourselves.

On 26 Nov 2015, at 15:07, John Hughes <John.Hughes@djei.ie> wrote:

Colleagues,

the booklet for the 6 Accountants posts in the ODCE that was agreed and transmitted to PAS before last summer titled the posts as "Professional Accountant Grade 1 Department of Jobs, Enterprise and Innovation (Office of the Director of Corporate Enforcement)" and in subsequent correspondence or discussions between PAS and DJEI I know I have used the shorthand "Forensic Accountants", therefore, PAS advise me that they cannot now use the title "Investigators" as to do so would require withdrawing the competition on their IT system and restarting it under the new name. More crucially, an additional problem is that the advertisement, which PAS always craft themselves, has gone to print so it cannot be withdrawn I have been told. What we are now left with is the advertisement appearing as is, the title staying as is on the publicjobs website, albeit I believe the revised narrative text proposed for the website by Kevin can be adjusted to the text proposed at lunchtime. Finally, I have been asked to clarify for the Information Booklet bullet point number 11 on page 5 ("be technically proficient to a high level in one or more areas of relevance to the role"), i.e. what exactly is the requirement behind the text? PAS advise that the booklet needs to be available on their website this evening to dovetail with the publication of the ad.

John,
26/11.

Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246
(See attached file: Draft ad.pdf)(See attached file: Draft Info Booklet.doc)
<Draft ad.pdf>
<Draft Info Booklet.doc>

Re: Fw: Forensic Accountants
Kevin Prendergast to: John Hughes 26/11/2015 15:18
Cc: Claire Gordon, Breda_Power, Ian Drennan

John

The information about the ad is disappointing to say the least. The fact that it omits any description of the role is immensely frustrating, but the spelling and grammatical errors are frankly an embarrassment to this Office, and by extension the Department. Bearing in mind the protracted time and effort of many parties (in ODCE and DJEI) in getting sanction for this recruitment process, what will issue tomorrow is something of a slap in the face for us all.

Point 11 refers to the earlier list of areas of relevance to the role in point 2, and confirms that not only post-qualification experience but also a high degree of technical proficiency is essential.

Kevin

Kevin Prendergast
Head of Enforcement
Office of the Director of Corporate Enforcement

Phone (Direct): 01 8585844

John Hughes Colleagues, the booklet for the 6 Accountants pos... 26/11/2015 15:07:39

From:	John Hughes/entemp
To:	Claire Gordon/entemp@ENTEMP,
Cc:	Breda_Power@deti.ie, Ian Drennan/entemp@ENTEMP, Kevin Prendergast/entemp@entemp
Date:	26/11/2015 15:07
Subject:	Re: Fw: Forensic Accountants

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John,
26/11.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.

Re: Forensic Accountants
John Hughes to: Ian Drennan 26/11/2015 15:41
Cc: Breda_Power, Claire Gordon, Kevin Prendergast

Colleagues,

I understand completely but this was/is completely outside of my control. I have already left messages at the most senior levels in PAS for someone to contact me. The CEO of PAS is out of the country at present. If it comes to it can I presume withdrawing the advertisement to aim for next week would be the preferable option if available?

John,
26/11.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Ian Drennan From: Ian Drennan/entemp To: John Hughes/ente... 26/11/2015 15:22:29

From: Ian Drennan/entemp
To: John Hughes/entemp@entemp,
Cc: Claire Gordon/entemp@entemp, Breda_Power@deti.ie, Kevin Prendergast/entemp@entemp
Date: 26/11/2015 15:22
Subject: Re: Forensic Accountants

Personally, I have nothing further to say on this subject. The manner in which this has been dealt with is nothing short of a disgrace. I am mortified at the prospect of an ODCE-related advertisement appearing in the national press which contains both spelling and grammatical errors, not to mention misnaming my former employer. Hard to attract professional candidates with high standards when we look like rank amateurs ourselves.

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please see material from PAS. Can you let me know if you are happy with both pl? I have yet to read myself.

John,
25/11.

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Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246
(See attached file: Draft ad.pdf)(See attached file: Draft Info Booklet.doc)
<Draft ad.pdf>
<Draft Info Booklet.doc>

Re: Forensic Accountants
Kevin Prendergast to: John Hughes 26/11/2015 15:44
Cc Ian Drennan, Breda_Power, Claire Gordon, Conor O'Mahony

Yes. Absolutely. My experience of running ads from some years ago directly usually allowed you to make last minute changes due to the digital nature of printing.

Kevin Prendergast
Head of Enforcement
Office of the Director of Corporate Enforcement

Phone (Direct): 01 8585844

John Hughes Colleagues, I understand completely but this was/... 26/11/2015 15:41:55

From: John Hughes/entemp
To: Ian Drennan/entemp@ENTEMP,
Cc: Breda_Power@deti.ie, Claire Gordon/entemp@ENTEMP, Kevin Prendergast/entemp@ENTEMP
Date: 26/11/2015 15:41
Subject: Re: Forensic Accountants

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26/11.

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Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Ian Drennan From: Ian Drennan/entemp To: John Hughes/ente... 26/11/2015 15:22:29

Re: Forensic Accountants
Breda Power to: John Hughes 26/11/2015 15:52
Sent by: breda power
Cc: Ian Drennan, Breda_Power, Claire Gordon, Kevin Prendergast

History: This message has been forwarded.

John

I agree completely with the comments made by Claire, Ian and Kevin. I refrained from responding earlier as I think my language would not have been so polite. It is imperative that the advertisement be amended or else withdrawn. Under no circumstances should it issue as currently drafted.

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

John Hughes Colleagues, I understand completely but this was/... 26/11/2015 15:41:55

From: John Hughes/entemp
To: Ian Drennan/entemp@ENTEMP,
Cc: Breda_Power@deti.ie, Claire Gordon/entemp@ENTEMP, Kevin Prendergast/entemp@ENTEMP
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John Hughes,
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HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

From: Ian Drennan/entemp

From: Claire Gordon/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Breda_Power@deti.ie, Ian Drennan/entemp@ENTEMP
Date: 26/11/2015 14:09
Subject: Re: Fw: Forensic Accountants

John

The ad attached needs to be rewritten before publication. IAASA is grossly misnamed, "possess" is spelled wrong and the first sentence is such a poor description of the work of the Office as to be bordering on incorrect. It would be an embarrassment to this Department if it were to be published as drafted

Claire

John Hughes---25/11/2015 18:56:11---Ian, please see material from PAS. Can you let me know if you are happy with both pl? I have yet t

From: John Hughes/entemp
To: Ian Drennan/entemp@ENTEMP,
Cc: Breda_Power@deti.ie, Claire Gordon/entemp@ENTEMP
Date: 25/11/2015 18:56
Subject: Fw: Forensic Accountants

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25/11.

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Principal,
HR, Learning & Development and Business Services Units,
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(See attached file: Draft ad.pdf)(See attached file: Draft Info Booklet.doc)
<Draft ad.pdf>
<Draft Info Booklet.doc>

Fw: Forensic accountants
Kevin Prendergast to: breda.power, Claire Gordon 26/11/2015 15:54

Breda

As discussed

kevin

Kevin Prendergast
Head of Enforcement
Office of the Director of Corporate Enforcement

Phone (Direct): 01 8585844

----- Forwarded by Kevin Prendergast/entemp on 26/11/2015 15:53 -----

From: Kevin Prendergast/entemp
To: John Hughes/entemp@ENTEMP,
Date: 26/11/2015 13:09
Subject: Forensic accountants

Hi John

Ian is away from the office today and tomorrow but he has asked me to have a look at the ad from PAS.

As I see it, the main problem with the ad is it says nothing at all about the role, moving straight from what the ODCE does to what is required of the successful applicant.

A second but related problem is that as the ad has been sized to fit in with three others, and is the smallest of the three. This severely constrains the ability of the ad to convey any message about the role. Half of the ad space is taken up with the logo and ad title. You will be aware of the importance the Director attaches to these roles as regards the future strategic direction of the Office, and indeed its current resource deficits, and the relegation of the ad to the third of a strip of four, and the smallest of any of them, is deeply disappointing.

My final point is that we believe the title Investigators more properly indicates the roles these people are intended to play in the organisation. They are not being recruited as accountants, although they will need those skills. A key element of this recruitment is to hire people who are not attached to the grade, but are interested in the work.

I would suggest the attached, which is a briefer version of what was forwarded as a suggested ad several months ago, could possibly be included as an alternative.

Investigators (Accounting Professionals) - newspaper advertisement Nov 26.docx

Kevin

Kevin Prendergast
Head of Enforcement
Office of the Director of Corporate Enforcement

Phone (Direct): 01 8585844

[LOGO]
OFFICE OF THE DIRECTOR OF CORPORATE ENFORCEMENT

INVESTIGATORS
(ACCOUNTING PROFESSIONALS)

The Office of the Director of Corporate Enforcement (ODCE) wishes to recruit a number of suitably experienced accounting professionals. The successful candidates will contribute to, and gain an exceptional insight into, all aspects of both civil and criminal enforcement Recruitment of this nature is rare and, as such, this represents an exceptional opportunity for the right candidates to contribute to the furtherance of the public interest and, in so doing, to gain unique experience.

The successful candidates will be members of a Recognised Accountancy Body and the ideal candidates will have significant post qualification experience at a suitably senior level in audit, forensics and/or insolvency.

Re: Fw: Forensic Accountants
Claire Gordon to: John Hughes 26/11/2015 14:09
Cc: Breda_Power, Ian Drennan

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D02 TD30
Phone - 01-6312246

Draft ad.pdf Draft Info Booklet.doc

publicjobs.ie An tSeirbhís um Cheapacháin Phoiblí Public Appointments Service

Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

Assistant Chief Quantity Surveyor

Reporting to the Chief Quantity Surveyor, the Assistant Chief Quantity Surveyor provides advice to the City Council on all quantity surveying matters in ensuring the provision of a comprehensive quantity surveying service. S/he is also required to proactively manage staff within the Division on an on-going basis and is involved in various capacities with Government Departments, Approved Housing Bodies, and other Local Authorities.

The successful candidate will:

- Have passed, or be exempt by examination from, the Final Examination of the Society of Chartered Surveyors/Royal Institution of Chartered Surveyors (Quantity Surveying Divisions), or hold an equivalent professional qualification.
- Have at least eight years satisfactory post-qualification experience of quantity surveying work, including not less than six years satisfactory experience in a responsible capacity.

MET éireann

Senior Meteorologist - Head of Aviation Services

The Aviation Services Division implements Met Éireann's role as Met Service Provider for Ireland. The remit of the Division includes responsibility for the provision of aviation services through Meteorological Offices and to a number of Regional Airports and emergency services.

Reporting to the Assistant Director of Met Éireann, the successful candidate will develop policy and plans for aviation services.

The ideal candidates will have a minimum level 8 of the National Framework of Qualifications in a numerate, scientific or technological discipline, and will have at least seven years satisfactory post-graduate practical experience in a significant scientific or technological role.

This post will be based in Shannon Airport.

Oifig an Stiúrthóra um Fhorfheidhmiú Corparáideach
Office of the Director of Corporate Enforcement

Forensic Accountant (Professional Accountant Grade I) 6 posts.

The mission of the Office of the Director of Corporate Enforcement is to improve the compliance for company law in the Irish environment and to bring to account those who disregard the law.

The ideal candidates will have significant post-qualification experience at a senior level in audit, forensics, insolvency or another area relevant to the roles and will posses full membership of a prescribed accountancy body supervised by the Irish Auditing and Supervising Auditing Authority.

PRTB
Bord Um Thaondóchtaí Cónaithe Príobháideacha
Private Residential Tenancies Board

Director

The Private Residential Tenancies Board (PRTB) is a self financing, statutory agency, established under the Residential Tenancies Act 2004. The principal functions of the PRTB are to maintain a register of all tenancies in the Private Rental Sector, provide a dispute resolution service for Landlord and Tenant disputes, conduct research and advise the Minister on the Private Rented sector.

Following the enactment of the Residential Tenancies Amendment Bill 2012, which is currently before the Oireachtas, the remit of the PRTB will be extended.

The Director will be responsible for the leadership, management and direction and will be accountable to the board for the overall performance of the organisation.

The ideal candidate will have:

- A successful track record as a leader and manager in either the public or private sector that demonstrates the necessary vision, leadership and management skills;
- Detailed knowledge, or the capacity to quickly develop detailed knowledge, of the Residential Tenancies Act, quasi-judicial dispute resolution processes, legal precedent etc.;
- A strong results focus and a track record of successful service delivery in an operational environment;
- Experience in overseeing financial matters such as budgeting, reporting and auditing;
- Excellent communication and interpersonal skills with a proven track record of effective engagement in multiple stakeholder environments.

The closing date for receipt of applications is Thursday 17th December 2015.

For more information and how to apply, visit www.publicjobs.ie

We are committed to a policy of equal opportunity and encourage applications under all nine grounds of the Employment Equality Act.

Cuirfear fáilte roimh chomhfhreagras i nGaeilge

An tSeirbhís um Cheapacháin Phoibli
Public Appointments Service

CANDIDATES INFORMATION BOOKLET

PLEASE READ CAREFULLY

Open competition for appointment to the position of

Forensic Accountant (6 Posts)
(Professional Accountant Grade 1)
Office of the Director of Corporate Enforcement
Department of Jobs, Enterprise and Innovation

Closing Date: 17th December 2015

Cid:15

The Public Appointments Service is committed to a policy of equal opportunity.

The Public Appointments Service will run this campaign in compliance with the Code of Practice for Appointment to Positions in the Civil Service and Public Service prepared by the Commission for Public Service Appointments (CPSA).
Codes of practice are published by the CPSA and are available on www.cpsa.ie

---

Contact: Linda Bridger, PROFESSIONAL & TECHNICAL RECRUITMENT
CHAPTER HOUSE
26 – 30 ABBEY STREET UPPER
DUBLIN 1

Telephone Number: *(353)* 1 8587641

Main Number: *(353)* 1 858 7400

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Candidates Rights	13
Candidates Obligations	14
Data Protection Acts 1988 & 2003	14

Forensic Accountant
(Professional Accountant Grade 1)
In the
Office of the Director of Corporate Enforcement
Department of Jobs, Enterprise and Innovation

Background:

The mission of the Department of Jobs, Enterprise and Innovation (the Department) is to encourage the creation of high quality and sustainable full employment by championing enterprise across government, supporting a competitive enterprise base, promoting a low tax environment to incentivise work and enterprise and promoting fair and competitive markets.

The Office of the Director of Corporate Enforcement (ODCE) is an Office of the Department. Its specific mission is to improve the compliance for company law in the Irish environment.

The ODCE was established under the Company Law Enforcement Act 2001 (the Act). Under the Act, the principal functions of the Director of Corporate Enforcement include the:

- encouragement of compliance with the Companies Acts;
- investigation of instances of suspected offences under the Companies Acts;
- enforcement of the Companies Acts, including the prosecution of offences by way of summary proceedings;
- referral of cases, at his discretion, to the Director of Public Prosecutions for consideration as to whether they should be prosecuted on indictment;
- exercise, insofar as considered necessary or appropriate, of a supervisory role over the activity of liquidators and receivers in the discharge of their functions under the Companies Acts.

Those statutory functions have been further distilled into the ODCE's high level goals, which are to:

- promote a greater understanding of affected parties' rights and duties under company law;
- confront unlawful and irresponsible behaviour insofar as it relates to company law; and
- provide a quality customer service to internal and external stakeholders.

Structure and current resources

Currently, the ODCE has a staff complement of approximately 40 comprising solicitors, accountants, members of An Garda Síochána, civilian case officers and administrative staff. Its budget for 2015 is €5m.

Having regard to its principal statutory functions, and the associated workstreams, the ODCE is organised into a number of Units, each of which comes under the responsibility of a Head of Function. Further information regarding the ODCE's principal activities can be accessed at www.odce.ie.

The Role

The Forensic Accountant is a senior level post within the Office, reporting to a Head of Function or, as may be required from time to time, directly to the Director. As such, the successful candidates must be capable of demonstrating an appreciation for the pivotal nature of their roles and functions within the organisation.

The nature of these demanding roles will be wide and varied. In that context, the following is a non-exhaustive overview of the types of work that the successful candidates are likely to be engaged in:

- managing individual cases/a portfolio of cases;
  - developing strategies and plans for progressing individual cases;
- the effective management of competing priorities;
- investigating alleged breaches of company law, including:
  - gathering evidence (including by the exercise of statutory powers of production or on foot of search warrants);
  - liaising with third parties as necessary;
  - critically and forensically analysing financial, and other information/evidence;
- drafting written reports, detailing, *inter alia*, analysis undertaken, conclusions, proposals and recommendations;
- preparing case files and other appropriate materials in contemplation of civil and/or criminal legal proceedings (in conjunction with other ODCE staff as necessary);
- testifying, as required, in Court proceedings initiated by the ODCE or by the Director of Public Prosecutions;
- examining, and making determinations in respect of liquidators' reports under section 682 of the Companies Act 2014;
- contributing to/leading on projects associated with the ODCE's supervision of insolvency practitioners;
- contributing to/leading on the ongoing development and improvement of policies and procedures;
- contributing to/leading on the ongoing development and improvement of risk assessment and analysis methodologies;
- providing advice and other professional input on matters relating to accounting, audit and related disciplines;
- co-operating with other regulatory and enforcement Agencies on matters of mutual interest;
- contributing to/leading on the ongoing development of advocacy materials;
- relationship management and development;
- contributing to the ODCE's ongoing compliance with its obligations as a public sector organisation;
- contributing to/leading on projects associated with any other aspect of the ODCE's mandate and functions as required.

Location

Office of the Director of Corporate Enforcement, 16 Parnell Square, Dublin 1.

ENTRY REQUIREMENTS

Essential:

Candidates must on or before 17th December 2015

1. have full membership of a prescribed accountancy body supervised by the Irish Auditing and Supervising Auditing Authority (IAASA)

and

2. have significant post qualification experience at a suitably senior level in audit, forensics, insolvency and/or in another area of relevance to the role;
3. be flexible, results-focussed and have the ability to work under pressure in a complex, legal, technical and regulatory environment;
4. be capable of operating effectively on their own initiative;
5. be capable of demonstrating the capacity to analyse and assimilate large volumes of complex material and to identify quickly the key issues;
6. have an appreciation of the requirements for working effectively in a multi-disciplinary environment, including the flexibility and mobility to work effectively with all other relevant colleagues and stakeholders across sectoral, organisational and professional boundaries
7. possess strong project management skills;
8. have demonstrated a strong track record in the exercise of sound professional judgement;
9. possess the capacity to operate effectively and credibly at senior levels, both within the organisation and externally;
10. possess excellent communications and interpersonal skills;
11. be technically proficient to a high level in one or more areas of relevance to the role;
12. be capable of demonstrating an appreciation of the ODCE and its position and role within the wider functions of the Department and the environment in which it operates and have a strong commitment to serving the public interest.

Desirable

additional qualifications of relevance (for example, in the area of forensics)

Eligibility and Certain Restrictions on Eligibility to Compete

European Economic Area Nationals
Candidates should note that eligibility to compete is open to citizens of the European Economic Area (EEA). The EEA consists of the Member States of the European Union along with Iceland, Liechtenstein and Norway. Swiss citizens under EU agreements may also apply.

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

Department of Health and Children Circular (7/2010)
The Department of Health Circular 7/2010 dated 1 November 2010 introduced a Targeted Voluntary Early Retirement (VER) Scheme and Voluntary Redundancy Scheme (VRS). It is a condition of the VER Scheme that persons availing of the scheme will not be eligible for re-employment in the public health sector or in the wider public service or in a body wholly or mainly funded from public moneys. The same prohibition on re-employment applies under the VRS, except that the prohibition is for a period of 7 years, after which time any re-employment will require the approval of the Minister for Public Expenditure and Reform. People who availed of either of the schemes or other Public Sector Voluntary Redundancy Schemes are not eligible to compete in this competition.

Collective Agreement: Redundancy Payments to Public Servants
The Department of Public Expenditure and Reform letter dated 28th June 2012 to Personnel Officers introduced, with effect from 1st June 2012, a Collective Agreement which had been reached between the Department of Public Expenditure and Reform and the Public Services Committee of the ICTU in relation to ex-gratia Redundancy Payments to Public Servants. It is a condition of the Collective Agreement that persons availing of the agreement will not be eligible for re-employment in the public service by any public service body (as defined by the Financial Emergency Measures in the Public Interest Acts 2009 – 2011) for a period of 2 years from termination of the employment. Thereafter the consent of the Minister for Public Expenditure and Reform will be required prior to re-employment. People who availed of this scheme and who may be successful in this competition will have to prove their eligibility (expiry of period of non-eligibility) and the Minister's consent will have to be secured prior to employment by any public service body.

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.

Principal Conditions of Service

General

The appointment is subject to the Civil Service Regulations Acts 1956 to 2005 and the Public Service Management (Recruitment and Appointments) Act 2004 and any other Act for the time being in force relating to the Civil Service.

Pay

Personal Pension Contribution (PPC) Pay Rate:
The salary scale for the position (rates effective from 1 November, 2013) in the case of new entrants and established officers appointed on or after 6 April 1995 is: is as follows:

€61,698.00 €65,000.00 €65,000.00 €66,742.00 €68,707.00 €70,668.00
€72,626.00 €74,956.00(NMAX) €77,556.00(LSI1) €80,140.00(LSI2)
**LSI 1 is Long service Increment after 3 years on Max of scale.*
**LSI 2 is Long service increment after 6 years on Max of scale.*

Entry will be at the minimum of the scale and the rate of remuneration will not be subject to negotiation. The rate of pay may be adjusted from time to time in line with Government pay policy.

Important Note:
Different pay and conditions may apply if immediately prior to appointment the appointee is a serving Civil or Public Servant

Statutory deductions from salary will be made as appropriate by the Department of Jobs, Enterprise and Innovation.

You will agree that any overpayment of salary or of travel and subsistence may be deducted from future salary payments due to you in accordance with the Payment of Wages Act 1991. In the event of such an occurrence, the Department will advise you in writing of the amount and details of any such overpayment and give you 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.

Tenure and probation:
The appointment is to an established position in the Civil Service. The appointee will be required to serve a 12 month probationary period..

During the period of the probationary contract, an officer's performance will be subject to review by the appropriate supervisor(s) to determine whether the officer:

(i) has performed in a satisfactory manner
(ii) has been satisfactory in general conduct, and
(iii) is suitable from the viewpoint of health with particular regard to sick leave.

Prior to completion of the probationary contract, a decision will be made as to whether or not you will be retained pursuant to *Section 5A(2)* of the *Civil Service Regulation Acts 1956-2005*. This decision will be based on your performance assessed against the criteria set out in (i) to (iii) above.

The details of the probationary process will be explained to you by your employing Department and you will be given a copy of guidelines on probation issued by the Department of Public Expenditure and Reform.

In the event that you are not considered as suitable to the position of Professional Accountant Grade 1 having been assessed against stated criteria, you will be notified in writing of the action to be taken prior to the expiry of this contract and any extensions thereof.

Unfair Dismissals Act 1977 - 2005:
The Unfair Dismissals Acts 1977-2005 will not apply to the termination of this employment by reason only of the expiry of this probationary contract without it being renewed

Suspension of Probation

The Department may suspend the probationary period and, as a result, extend the term of the probationary contract in the following circumstances:

- the probationary period will be suspended if the officer is on Maternity or Adoptive leave,
- the probationary period may, at the discretion of the Department, be suspended where the employee is absent on any other form of statutory or non- statutory leave.

Where the Department's ability to assess the officer and/or the officer's ability to demonstrate their suitability for permanent appointment is compromised by the officer's absence on leave, the contract period will be extended by the period of leave taken.

Duties:
You will be required to perform any duties appropriate to your grade which may be assigned to you during the probationary period. You may not engage in private practice or be connected with any outside business which would interfere with the performance of official duties

Headquarters:
On appointment to the Department your headquarters will be at the Office of the Director of Corporate Enforcement (ODCE), or be such as may be designated from time to time by the Head of the Department. When absent from home and headquarters on official duty you will be paid appropriate travelling expenses and subsistence allowances, in accordance with Civil Service regulations.

The Organisation of Working Time Act 1997
The terms of the Organisation of Working Time Act 1997 will apply to your employment and the hours of attendance and leave entitlements that will apply is at Section 10 below

Hours of attendance:
Hours of attendance will be as fixed from time to time but will amount to on average not less than 43 hours and 15 minutes gross per week. The successful candidate will be required to work with such additional hours from time to time as may be reasonable and necessary for the performance for the proper performance of his/her duties subject to the limits set down in the working time regulations. The rate of remuneration payable covers any extra attendance liability that may arise from time to time.

Annual Leave:
The annual leave allowance will be 30 working days a year. This allowance which is subject to the usual conditions regarding the granting of annual leave is on the basis of a five day week and is exclusive of the usual public holidays.

Sick Leave:
Pay during properly-certified sick absence, provided there is no evidence of permanent disability for service, will apply on a pro rata basis in accordance with the provisions of the sick leave Circulars.

Officers who are paying Class A rate of PRSI will be required to sign a mandate authorising the Department of Social Protection to pay any benefits due to you under the Social Welfare Acts direct to the Department of Jobs, Enterprise and Innovation. Payment of salary during illness will be subject to you making the necessary claims for social insurance benefit to the Department of Social Protection within the required time limits.

.

Secrecy, confidentiality and standards of behaviours:
Official Secrecy and Integrity
During the term of the probationary contract, an officer will be subject to the Provisions of the Official Secrets Act, 1963, as amended by the Freedom of Information Act 2014.. The officer will agree not to disclose to third parties any confidential information, especially information with commercial potential, either during or subsequent to the period of employment.

Civil Service Code of Standards and Behaviour
The officer will be subject to the Civil Service Code of Standards and Behaviour.

Ethics in Public Office Act 1995
The Ethics in Public Office Acts 1995 will apply, where appropriate, to this employment.

Prior approval of publications:
An officer will agree not to publish material related to his or her official duties without prior approval by the Minister.

Political activity:
During the term of employment the officer will be subject to the rules governing civil servants and politics

Superannuation and Retirement
The successful candidate will be offered the appropriate superannuation terms and conditions as prevailing in the Civil Service, at the time of being offered an appointment. In general, and except for candidates who have worked in a pensionable (non-single scheme terms) public service job in the 26 weeks prior to appointment (see paragraph d below), this means being offered appointment based on membership of the Single Public Service Pension Scheme ("Single Scheme"). Key provisions attaching to membership of the Single Scheme are as follows:

a) **Pensionable Age**
The minimum age at which pension is payable is 66 (rising to 67 and 68) in line with State Pension age changes.

b) **Retirement Age**:
Scheme members must retire at the age of 70.

c) **Pension Abatement**
If the appointee was previously employed in the Civil Service and is in receipt of a pension from the Civil Service normal abatement rules will apply. However, if the appointee was previously employed in the Civil Service and awarded a pension under voluntary early retirement arrangements (other than the Incentivised Scheme of Early Retirement (ISER) or the Department of Health Circular 7/2010 VER/VRS which, as indicated above, renders a person ineligible for the competition) the entitlement to that pension will cease with effect from the date of reappointment. Special arrangements will, however be made for the reckoning of previous service given by the appointee for the purpose of any future superannuation award for which the appointee may be eligible.

If the appointee was previously employed in the Civil Service or in the Public Service please note that the Public Service Pensions (Single Scheme and Other Provisions) Act

2012 includes a provision which extends abatement of pension for all Civil and Public Servants who are re-employed where a Public Service pension is in payment. This provision to apply abatement across the wider public service came into effect on 1 November 2012. This may have pension implications for any person appointed to this position who is currently in receipt of a Civil or Public Service pension or has a preserved Civil or Public Service pension which will come into payment during his/her employment in this position.

Department of Education and Skills Early Retirement Scheme for Teachers Circular 102/2007

The Department of Education and Skills introduced an Early Retirement Scheme for Teachers. It is a condition of the Early Retirement Scheme that with the exception of the situations set out in paragraphs 10.2 and 10.3 of the relevant circular documentation, and with those exceptions only, if a teacher accepts early retirement under Strands 1, 2 or 3 of this scheme and is subsequently employed in any capacity in any area of the public sector, payment of pension to that person under the scheme will immediately cease. Pension payments will, however, be resumed on the ceasing of such employment or on the person's 60th birthday, whichever is the later, but on resumption, the pension will be based on the person's actual reckonable service as a teacher (i.e. the added years previously granted will not be taken into account in the calculation of the pension payment).

Ill-Health-Retirement

Please note that where an individual has retired from a Civil/Public Service body on the grounds of ill-health his/her pension from that employment may be subject to review in accordance with the rules of ill-health retirement within the pension scheme of that employment.

d) Prior Public Servants

While the default pension terms, as set out in the preceding paragraphs, consist of Single Scheme membership, this may not apply to certain appointees. Full details of the conditions governing whether or not a public servant is a Single Scheme member are given in the Public Service Pensions (Single Scheme and other Provisions) Act 2012. However the key exception case (in the context of this competition and generally) is that a successful candidate who has worked in a pensionable (non-single scheme terms) capacity in the public service within 26 weeks of taking up appointment, would in general not become a member of the Single Scheme. In this case such a candidate would instead be offered membership of the pension scheme for non-established civil servants ("Non-Established State Employee Scheme"). This would mean that the abatement provisions at (c) above would apply, and in addition there are implications in respect of pension accrual as outlined below:

e) Pension Accrual

A 40-year limit on total service that can be counted towards pension where a person has been a member of more than one existing public service pension scheme would apply. This 40-year limit, which is provided for in the Public Service Pensions (Single Scheme and other Provisions) Act 2012 came into effect on 28 July 2012. This may have implications for any appointee who has acquired pension rights in a previous public service employment.

f) Pension-Related Deduction

This appointment is subject to the pension-related deduction in accordance with the Financial Emergency Measure in the Public Interest Act 2009 (as amended).

For further information in relation to the Single Public Service Pension Scheme for Public Servants please see the following website: http://www.per.gov.ie/pensions.

Personnel Code:
Further details and circulars regarding these terms and conditions can be found in An Cod Pearsanra and are available on the following web site www.circulars.gov.ie

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

COMPETITION PROCESS

How to Apply

Applications should be made **online** through **www.publicjobs.ie** All sections of the form must be fully completed.

Before applying candidates should log-on to **www.publicjobs.ie** and if you have not already done so you must register as a ***'New User'*** to create your profile (register a new account). Please do not confuse registering (creating a profile) with submitting an application. Once you have created a profile you must then access the application form, complete and submit it.

Once you have submitted your application form it is suggested that you return to your publicjobs account and ensure that it has been successfully submitted via 'My Applications'. At this point you should consider adding publicjobs.ie to your safe senders or contact list within your email account to avoid not receiving email because a publicjobs e-mail has been blocked.

Only applications fully submitted online will be accepted into the campaign. **Applications will not be accepted after the closing date.**

Closing date

Your application must be submitted on the Public jobs website not later than **midnight, Thursday, 17th December 2015** If you do not receive an acknowledgement of receipt of your application within 24 hours of applying, please contact: **Linda Bridger** at (01) 8587641 or email: linda.bridger@publicjobs.ie

The interviews for these posts are likely to be held in January/February 2016.

You are advised to check your messageboard on a regular basis as email notifications of updates/tests/Interviews etc issued to your Messageboard may sometimes be filtered into your Junk/Spam email folders. You are also advised to check all these folders regularly.

The onus is on each applicant to ensure that she/he is in receipt of all communication from the Public Appointments Service (PAS)

The PAS accept no responsibility for communication not accessed or received by an applicant

Candidates should make themselves available on the date(s) specified by the PAS and should make sure that the contact details specified on the application form are correct.

Selection Methods

The selection may include:

- shortlisting of candidates on the basis of the information contained in their application
- a competitive preliminary interview
- completion of online questionnaire(s)
- presentation or other exercises
- a final competitive interview
- work sample/role play/ media exercise, and any other tests or exercises that may be deemed appropriate

Shortlisting

Normally the number of applications received for a position exceeds that required to fill existing and future vacancies to the position. While a candidate may meet the eligibility requirements of the competition, if the numbers applying for the position are such that it would not be practical to interview everyone, the Public Appointments Service may decide that a number only will be called to interview. In this respect, the Public Appointments Service provide for the employment of a short listing process to select a group for interview who, based on an examination of the application forms, appear to be the most suitable for the position. An expert board will examine the application forms against a pre-determined criteria based on the requirements of the position. This is not to suggest that other candidates are necessarily unsuitable or incapable of undertaking the job, rather that there are some candidates, who based on their application, appear to be better qualified and/or have more relevant experience. It is therefore in your own interest to provide a detailed and accurate account of your qualifications/ experience on the application form.

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

Security Clearance
Police vetting may be sought in respect of individuals who come under consideration for appointment. The applicant will be required to complete and return a Garda Vetting form should they come under consideration for appointment. This form will be forwarded to An Garda Síochána for security checks on all Irish and Northern Irish addresses at which they resided. Enquiries may also be made with the police force of any country in which the applicant under consideration for appointment resided. If unsuccessful this information will be destroyed by the Public Appointments Service. If the applicant subsequently comes under consideration for another position, they will be required to supply this information again.

Other important information
The Public Appointments Service will not be responsible for refunding any expenses incurred by candidates.

The admission of a person to a campaign, or invitation to attend an interview, is not to be taken as implying that the Public Appointments Service are satisfied that such person fulfils the requirements of the competition or is not disqualified by law from holding the position and does not carry a guarantee that your application will receive further consideration. It is important, therefore, for you to note that the onus is on you to ensure that you meet the eligibility requirements for the competition before attending for interview. If you do not meet these essential entry requirements but nevertheless attend for interview you will be putting yourself to unnecessary expense.

Prior to recommending any candidate for appointment to this position the Public Appointments Service will make all such enquiries that are deemed necessary to determine the suitability of that candidate. 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 or if an additional vacancy arises the Board may, at its discretion, select and recommend another person for appointment on the results of this selection process

Should similar type vacancies arise elsewhere in the Civil Service candidates may be drawn from this competition

Candidates' Rights - Review Procedures in relation to the Selection Process
The Public Appointments Service will consider requests for review in accordance with the provisions of the codes of practice published by the CPSA. The Codes of Practice are available on the website of the Commission for Public Service Appointments http://www.cpsa.ie/

Where a candidate is unhappy with an action or decision in relation to an application, s/he can seek a review under Section 7 of the code of practice:-The candidate must address his/her concerns in relation to the process in writing, setting out the basis for the complaint being made, to the Chief Executive, Public Appointment Service, in the first instance. A complaint or request for review must be made within 10 working days of the notification of the initial decision or within 5 working days of the outcome of the informal review stage, if availed of.
However, where the decision being conveyed relates to an interim stage of a selection process, a request for review must be received within 4 working days of the date of receipt of the decision. Candidates electing to use the informal process at the interim stage must do so within 2 working days of communication of the decision to them

In communicating the outcome to the candidate, which will be done by means of written report, the initial reviewer should indicate that he/she may seek further review by referring the matter to the Decision Arbitrator and that a request to do so must be made with 7 working days of receipt of the outcome of the initial review. Where a candidate believes that an aspect of the process breached the CPSA's code of practice, s/he can have it investigated under Section 8 of the code by the CPSA.

Candidates' Obligations
Candidates should note that canvassing will disqualify and will result in their exclusion from the process.

Candidates must not:

knowingly or recklessly provide false information
canvass any person with or without inducements
interfere with or compromise the process in any way

A third party must not personate a candidate at any stage of the process.

Any person who contravenes the above provisions or who assists another person in contravening the above provisions is guilty of an offence. A person who is found guilty of an offence is liable to a fine/or imprisonment.

In addition, where a person found guilty of an offence was or is a candidate at a recruitment process, then: where he/she has not been appointed to a post, he/she will be disqualified as a candidate; and where he/she has been appointed subsequently to the recruitment process in question, he/she shall forfeit that appointment.

Specific candidate criteria
Candidates must:

Have the knowledge and ability to discharge the duties of the post concerned
Be suitable on the grounds of character
Be suitable in all other relevant respects for appointment to the post concerned;
and if successful, they will not be appointed to the post unless they:

Agree to undertake the duties attached to the post and accept the conditions under which the duties are, or may be required to be, performed

Are fully competent and available to undertake, and fully capable of undertaking, the duties attached to the position.

Deeming of candidature to be withdrawn
Candidates who do not attend for interview or other test when and where required by the Public Appointments Service, or who do not, when requested, furnish such evidence as the Public Appointments Service require in regard to any matter relevant to their candidature, will have no further claim to consideration.

Quality Customer Service
We aim to provide an excellent quality service to all our customers. If, for whatever reason, you are unhappy with any aspect of the service you receive from us, we urge you to bring this to the attention of the unit or staff member concerned. This is important as it ensures that we are aware of the problem and can take the appropriate steps to resolve it.

Feedback will be provided on written request.

Data Protection Acts, 1988 and 2003
When your application form is received, we create a record in your name, which contains much of the personal information you have supplied. This personal record is used solely in processing your candidature and should you be successful certain information you provide will be forwarded to the employing organisation. Such information held is subject to the rights and obligations set out in the Data Protection Acts, 1988 & 2003. To make a request under the Data Protection Acts 1988 & 2003, please submit your request in writing to: The Data Protection Co-Ordinator, Public Appointments Service, "Chapter House", 26-30 Abbey Street Upper, Dublin 1, ensuring that you describe the records you seek in the greatest possible detail to enable us to identify the relevant record. A fee of €6.35 should accompany your request. Payment should be made by way of bank draft, money order, or personal cheque, made payable to the 'Public Appointments Service'. Certain items of information, not specific to any individual, are extracted from records for general statistical purposes.

Re: Forensic Accountants
Ian Drennan
to:
John Hughes
25/11/2015 20:23
Cc:
Breda_Power, Claire Gordon, Kevin Prendergast, Kevin O'Connell, Conor O'Mahony
Hide Details
From: Ian Drennan/entemp Sort List...
To: John Hughes/entemp@entemp,
Cc: Breda_Power@deti.ie, Claire Gordon/entemp@entemp, Kevin Prendergast/entemp@entemp, Kevin O'Connell/entemp@entemp, Conor O'Mahony/entemp@entemp
History: This message has been forwarded.
John,

I'm trying to read this on my phone as I'm away from the office until Monday. However, in short, no I'm not remotely happy. The draft advertisement makes no sense whatsoever, reads as though it was drafted by a child and I would be embarrassed to be associated with it as currently drafted.

Frankly, I think that the less I say at this moment in time the better.

Ian

On 25 Nov 2015, at 18:56, John Hughes <John.Hughes@djei.ie> wrote:

Ian,

please see material from PAS. Can you let me know if you are happy with both pl? I have yet to read myself.

John,
25/11.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

(See attached file: Draft ad.pdf)(See attached file: Draft Info Booklet.doc)

<Draft ad.pdf>

<Draft Info Booklet.doc>

41

Fw: Investigators (Accounting Professionals) - newspaper advertisement Nov 26

Breda Power to. Claire Gordon 26/11/2015 16:01

Sent by: breda power

Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

----- Forwarded by breda power/entemp on 26/11/2015 16:00 -----

From:	Kevin Prendergast/entemp
To:	breda.power@djei.ie,
Date:	26/11/2015 15:55
Subject:	Investigators (Accounting Professionals) - newspaper advertisement Nov 26

THIS ONE

Kevin Prendergast
Head of Enforcement
Office of the Director of Corporate Enforcement

Phone (Direct): 01 8585844

Investigators (Accounting Professionals) - newspaper advertisement Nov 26.docx

Re: Fw: Investigators (Accounting Professionals) - newspaper advertisement Nov 26

John Hughes to: Breda Power 26/11/2015 17:01

Cc: Claire Gordon, Ian Drennan, Kevin Prendergast

History: This message has been forwarded.

Colleagues,

I have now spoken with everyone in the hierarchy in the relevant Section of PAS and the following is what they say can be done:

1. The ad cannot be pulled because of timelines, however, the typos relating to "possess" and the incorrect naming of IAASA were both picked up at proof stage.
2. The corresponding ad on the publicjobs.ie website will be titled Forensic Accountants/Investigators... as the title must link back to the title in the newspaper ad.
3. The short narrative text that will appear on the publicjobs.ie website is to be the Kevin Prendergast/Breda Power text of this afternoon and not the one in the newspaper ad.

John,
26/11.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Breda Power John The text I sent you has one slight amendme... 26/11/2015 16:29:07

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP, Kevin Prendergast/entemp@entemp
Date: 26/11/2015 16:29
Subject: Re: Fw: Investigators (Accounting Professionals) - newspaper advertisement Nov 26
Sent by: breda power

John

The text I sent you has one slight amendment from the earlier version so please use this one.

Thanks

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

John Hughes Breda, Kevin's alternative lunchtime text is with th... 26/11/2015 16:26:09

42

Re: ODCE Transfers/ Recruitment
Conor O'Mahony to: John Hughes 09/12/2015 12:13
Cc: Ian Drennan

Thanks John. We look forward to hearing from you.

Regards

Conor

Conor O'Mahony
Principal Officer
Office of the Director of Corporate Enforcement
16 Parnell Square
Dublin 1
ph. +353 - 1 - 858 5827

John Hughes Conor, the first had been actioned by me already. W... 09/12/2015 12:12:15

From: John Hughes/entemp
To: Conor O'Mahony/entemp@entemp,
Cc: Ian Drennan/entemp@ENTEMP
Date: 09/12/2015 12:12
Subject: Re: ODCE Transfers/ Recruitment

Conor,

the first had been actioned by me already. We are talking generally to PAS about ICT qualified staff at AP, HEO and EO levels and the ODCE HEO post is part of those discussions. Will keep you posted on the latter as developments unfold.

John,
9/12.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Conor O'Mahony John 1. Principal Solicitor 09/12/2015 11:17:25

43

Re: Fw: Investigators (Accounting Professionals) - newspaper advertisement Nov 26

Breda Power to: John Hughes 21/12/2015 15:55
Sent by: breda power
Cc Ian Drennan, Claire Gordon, Kevin Prendergast, Eamonn Balmer, Mary Cullen, Philip Kelly, John Murphy

Thanks John

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

John Hughes Breda / Ian, PAS informed me on Friday that they... 21/12/2015 15:20:39

From: John Hughes/entemp
To: Breda Power/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Kevin Prendergast/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP, Mary Cullen/entemp@ENTEMP, Philip Kelly/entemp@ENTEMP, John Murphy/entemp@ENTEMP
Date: 21/12/2015 15:20
Subject: Re: Fw: Investigators (Accounting Professionals) - newspaper advertisement Nov 26

Breda / Ian,

PAS informed me on Friday that they have 46 applications for the Investigators/Accountants posts. We now need to confirm the DJEI members of the Interview Board and I have agreed with PAS that we will supply 2 Board Members; Ian to be one and a second person nominated by HR. PAS will then liaise with the Board members to set the selection process in motion.

John,
21/12.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Breda Power John Do you have any information on the number... 18/12/2015 19:06:07

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP, Kevin Prendergast/entemp@entemp
Date: 18/12/2015 19:06
Subject: Re: Fw: Investigators (Accounting Professionals) - newspaper advertisement Nov 26
Sent by: breda power

John

The text I sent you has one slight amendment from the earlier version so please use this one.

Thanks

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

John Hughes Breda, Kevin's alternative lunchtime text is with th... 26/11/2015 16:26:09

From: John Hughes/entemp
To: Breda Power/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP, Kevin Prendergast/entemp@ENTEMP
Date: 26/11/2015 16:26
Subject: Re: Fw: Investigators (Accounting Professionals) - newspaper advertisement Nov 26

Breda,

Kevin's alternative lunchtime text is with them for use on the website etc. and I am still waiting to hear back on the status of the Irish Times advertisement. Is there any difference between Kevin's earlier text and what you just emailed now?

I have told PAS we are embarrassed by the typos (including the misnaming of IAASA) for example. I have had several phone conversations with different officials in PAS to try and rectify the matter but, as yet, to no avail, but am waiting for a further call back.

As mentioned in an earlier email, I even tried to elevate the matter to the CEO but she is overseas. I will keep you posted.

John,
26/11.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Breda Power John Please ask PAS to use the attached adverti... 26/11/2015 16:13:21

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Ian Drennan/entemp@ENTEMP, Claire Gordon/entemp@ENTEMP, Kevin Prendergast/entemp@entemp
Date: 26/11/2015 16:13
Subject: Fw: Investigators (Accounting Professionals) - newspaper advertisement Nov 26
Sent by: breda power

John

Please ask PAS to use the attached advertisement for the Accounting posts in the ODCE. It more

Re: Fw: Investigators (Accounting Professionals) - newspaper advertisement Nov 26

Breda Power to: John Hughes 26/11/2015 16:29
Sent by: breda power
Cc: Claire Gordon, Ian Drennan, Kevin Prendergast

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Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

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From:	Breda Power/entemp
To:	John Hughes/entemp@ENTEMP,
Cc:	Ian Drennan/entemp@ENTEMP, Claire Gordon/entemp@ENTEMP, Kevin Prendergast/entemp@entemp
Date:	26/11/2015 16:13
Subject:	Fw: Investigators (Accounting Professionals) - newspaper advertisement Nov 26
Sent by:	breda power

John

Please ask PAS to use the attached advertisement for the Accounting posts in the ODCE. It more accurately reflects the type of professional candidates that Office is seeking. These are critical posts and the successful candidates will have a significant role to play in the enforcement of company law so it is essential that we can attract people with the right experience.

Thanks

Breda

Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

[LOGO]
OFFICE OF THE DIRECTOR OF CORPORATE ENFORCEMENT

INVESTIGATORS
(ACCOUNTING PROFESSIONALS)

The Office of the Director of Corporate Enforcement (ODCE) wishes to recruit a number of suitably experienced accounting professionals. The successful candidates will contribute to, and gain an exceptional insight into, all aspects of both civil and criminal enforcement. Recruitment of this nature is rare and, as such, this represents an exceptional opportunity for the right candidates to contribute to the furtherance of the public interest and, in so doing, to gain unique experience.

The successful candidates will be members of a Recognised Accountancy Body and will have significant post qualification experience at a suitably senior level in audit, forensics and/or insolvency.

Fw: Investigators (Accounting Professionals) - newspaper advertisement Nov 26

Breda Power to: John Hughes 26/11/2015 16:13
Sent by: breda power
Cc: Ian Drennan, Claire Gordon, Kevin Prendergast

John

Please ask PAS to use the attached advertisement for the Accounting posts in the ODCE. It more accurately reflects the type of professional candidates that Office is seeking. These are critical posts and the successful candidates will have a significant role to play in the enforcement of company law so it is essential that we can attract people with the right experience.

Thanks

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
----- Forwarded by breda power/entemp on 26/11/2015 16:04 -----

From: Kevin Prendergast/entemp
To: breda.power@djei.ie,
Date: 26/11/2015 15:55
Subject: Investigators (Accounting Professionals) - newspaper advertisement Nov 26

Kevin Prendergast
Head of Enforcement
Office of the Director of Corporate Enforcement

Phone (Direct): 01 8585844

Investigators (Accounting Professionals) - newspaper advertisement Nov 26.docx

[LOGO]
OFFICE OF THE DIRECTOR OF CORPORATE ENFORCEMENT

INVESTIGATORS
(ACCOUNTING PROFESSIONALS)

The Office of the Director of Corporate Enforcement (ODCE) wishes to recruit a number of suitably experienced accounting professionals. The successful candidates will contribute to, and gain an exceptional insight into, all aspects of both civil and criminal enforcement. Recruitment of this nature is rare and, as such, this represents an exceptional opportunity for the right candidates to contribute to the furtherance of the public interest and, in so doing, to gain unique experience.

The successful candidates will be members of a Recognised Accountancy Body and will have significant post qualification experience at a suitably senior level in audit, forensics and/or insolvency.

Re: Fw: Investigators (Accounting Professionals) - newspaper advertisement Nov 26

From Breda Power
To John Hughes
Cc Ian Drennan, Claire Gordon, Kevin Prendergast, Eamonn Balmer, Mary Cullen, Philip Kelly, John Murphy
Date 21/12/2015 15:55

Thanks John

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

From:	John Hughes/entemp
To:	Breda Power/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP,
Cc:	Claire Gordon/entemp@ENTEMP, Kevin Prendergast/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP, Mary Cullen/entemp@ENTEMP, Philip Kelly/entemp@ENTEMP, John Murphy/entemp@ENTEMP
Date:	21/12/2015 15:20
Subject:	Re: Fw: Investigators (Accounting Professionals) - newspaper advertisement Nov 26

Breda / Ian,

PAS informed me on Friday that they have 46 applications for the Investigators/Accountants posts. We now need to confirm the DJEI members of the Interview Board and I have agreed with PAS that we will supply 2 Board Members; Ian to be one and a second person nominated by HR. PAS will then liaise with the Board members to set the selection process in motion.

John,
21/12.

ɔhn Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

From	Breda Power/entemp
To:	John Hughes/entemp@ENTEMP,
Cc:	Claire Gordon/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP, Kevin Prendergast/entemp@entemp
Date	18/12/2015 19:06

Subject Re: Fw: Investigators (Accounting Professionals) - newspaper advertisement Nov 26
Sent by breda power

John

Do you have any information on the number of people who applied for the Accountants posts in the ODCE?

Breda

Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

From: John Hughes/entemp
To. Breda Power/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP, Kevin Prendergast/entemp@ENTEMP
Date: 26/11/2015 17:01
Subject: Re: Fw: Investigators (Accounting Professionals) - newspaper advertisement Nov 26

Colleagues,

I have now spoken with everyone in the hierarchy in the relevant Section of PAS and the following is what they say can be done:

> The ad cannot be pulled because of timelines, however, the typos relating to "possess" and the incorrect naming of IAASA were both picked up at proof stage.
> The corresponding ad on the publicjobs.ie website will be titled Forensic Accountants/Investigators... as the title must link back to the title in the newspaper ad.
> The short narrative text that will appear on the publicjobs.ie website is to be the Kevin Prendergast/Breda Power text of this afternoon and not the one in the newspaper ad.

John,
26/11.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP, Kevin Prendergast/entemp@entemp
Date: 26/11/2015 16:29
Subject: Re: Fw: Investigators (Accounting Professionals) - newspaper advertisement Nov 26
Sent by: breda power

John

The text I sent you has one slight amendment from the earlier version so please use this one.

Thanks

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

From: John Hughes/entemp
To: Breda Power/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP, Kevin Prendergast/entemp@ENTEMP
Date: 26/11/2015 16:26
Subject: Re: Fw: Investigators (Accounting Professionals) - newspaper advertisement Nov 26

Breda,

Kevin's alternative lunchtime text is with them for use on the website etc. and I am still waiting to hear back on the status of the Irish Times advertisement. Is there any difference between Kevin's earlier text and what you just emailed now?

I have told PAS we are embarrassed by the typos (including the misnaming of IAASA) for example. I have had several phone conversations with different officials in PAS to try and rectify the matter but, as yet, to no avail, but am waiting for a further call back.

As mentioned in an earlier email, I even tried to elevate the matter to the CEO but she is overseas. I will keep you posted.

John,
26/11.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,

Dublin 2.
D02 TD30
Phone - 01-6312246

From. Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Ian Drennan/entemp@ENTEMP, Claire Gordon/entemp@ENTEMP, Kevin Prendergast/entemp@entemp
Date: 26/11/2015 16:13
Subject Fw: Investigators (Accounting Professionals) - newspaper advertisement Nov 26
Sent by: breda power

John

Please ask PAS to use the attached advertisement for the Accounting posts in the ODCE. It more accurately reflects the type of professional candidates that Office is seeking. These are critical posts and the successful candidates will have a significant role to play in the enforcement of company law so it is essential that we can attract people with the right experience.

Thanks

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
----- Forwarded by breda power/entemp on 26/11/2015 16:04 -----

From: Kevin Prendergast/entemp
To: breda.power@djei.ie,
Date: 26/11/2015 15:55
Subject Investigators (Accounting Professionals) - newspaper advertisement Nov 26

Kevin Prendergast
Head of Enforcement
Office of the Director of Corporate Enforcement

Phone (Direct): 01 8585844
[attachment "Investigators (Accounting Professionals) - newspaper advertisement Nov 26.docx" deleted by breda power/entemp]

ATTACHMENTS:

From: "Phelan, Marese" <Marese.Phelan@publicjobs.ie>
To: "john.hughes@djei.ie" <john.hughes@djei.ie>,
Cc: "Keaveney, Mary" <Mary.Keaveney@publicjobs.ie>
Date: 18/12/2015 12:18
Subject: Forensic Accountant (Professional Accountant Grade I)

Hi John

Just contacting you to let you know that there are 46 applicants for the above post.

Could you please forward the names of your nominees because I am keen to finalize the panel of interviewers.

Thanking you
Marese

Marese Phelan
Professional and Technical Recruitment
Public Appointments Service
Chapter House
26-30 Abbey St Upper
Dublin 1
Ph: 00353 1 8587437

publicjobs.ie
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Tá an ríomhphost seo agus aon chomhad a chuirtear ar aghaidh leis, rúnda, agus tá sé beartaithe gur d'úsáid an duine aonair nó an aonáin amháin ar cuireadh chucu é, a tá sé. Munar tú an duine a ba chóir an ríomhphost seo, nó aon chuid de, a fháil, níor chóir duit aon chuid de a nochtadh, a chóipeáil nó a dháileadh. Déan teagmháil leis an té a chuir chugat é

Re: Fw: Investigators (Accounting Professionals) - newspaper advertisement Nov 26

Claire Gordon to: Breda Power 21/12/2015 12:49

Breda

On 25 November I enquired with John as to whether the HEO with ICT expertise post in ODCE was to be part of the advertising campaign for the accountant posts. John said that this was not the case and that that vacancy was being pursued separately. I would appreciate it very much if you could ask John if there is any news on the filling of that post as it is now over 14 months since it was sanctioned by DPER.

Claire

Breda Power John Do you have any information on the number... 18/12/2015 19:06:07

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP, Kevin Prendergast/entemp@entemp
Date: 18/12/2015 19:06
Subject: Re: Fw: Investigators (Accounting Professionals) - newspaper advertisement Nov 26
Sent by: breda power

John

Do you have any information on the number of people who applied for the Accountants posts in the ODCE?

Breda

Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

John Hughes Colleagues, I have now spoken with everyone in t... 26/11/2015 17:01:12

From: John Hughes/entemp
To: Breda Power/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP, Kevin Prendergast/entemp@ENTEMP
Date: 26/11/2015 17:01
Subject: Re: Fw: Investigators (Accounting Professionals) - newspaper advertisement Nov 26

Colleagues,

I have now spoken with everyone in the hierarchy in the relevant Section of PAS and the following is what they say can be done:

1. The ad cannot be pulled because of timelines, however, the typos relating to "possess" and the incorrect naming of IAASA were both picked up at proof stage.
2. The corresponding ad on the publicjobs.ie website will be titled Forensic Accountants/Investigators... as the title must link back to the title in the newspaper ad.

will keep you posted.

John,
26/11.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Breda Power John Please ask PAS to use the attached adverti... 26/11/2015 16:13:21

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Ian Drennan/entemp@ENTEMP, Claire Gordon/entemp@ENTEMP, Kevin Prendergast/entemp@entemp
Date: 26/11/2015 16:13
Subject: Fw: Investigators (Accounting Professionals) - newspaper advertisement Nov 26
Sent by: breda power

John

Please ask PAS to use the attached advertisement for the Accounting posts in the ODCE. It more accurately reflects the type of professional candidates that Office is seeking. These are critical posts and the successful candidates will have a significant role to play in the enforcement of company law so it is essential that we can attract people with the right experience.

Thanks

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
---- Forwarded by breda power/entemp on 26/11/2015 16:04 ----

From: Kevin Prendergast/entemp
To: breda.power@djei.ie,
Date: 26/11/2015 15:55
Subject: Investigators (Accounting Professionals) - newspaper advertisement Nov 26

Kevin Prendergast
Head of Enforcement
Office of the Director of Corporate Enforcement

Phone (Direct): 01 8585844

44

Department of Jobs, Enterprise and Innovation

Workforce Plan 2015-17

Contents

Overview.....2
Supply Analysis.....0
Demand Analysis.....0
Gap Analysis.....5
HR "Gap" Strategy.....9
Evaluation Measures.....11

Commerce, Consumer and Competition Division

The Division has submitted a request for 8 additional posts including 1 legal advisor, 3 middle managers, 1 EO and 3 CO's. The posts will enable the Division to manage and deliver on the legislative agenda that they are responsible for. In addition to the additional asks it is worth noting that the Division requires the filling of strategic vacancies in the area of specific accountancy expertise which will enable the ODCE in particular to deliver on its enforcement remit.

11

1

Re: Fw: Forensic Accountant (Professional Accountant Grade I)
John Hughes to: Breda Power 18/01/2016 15:32
Cc Claire Gordon, Ian Drennan, Maureen O'Sullivan, Eamonn Balmer, Mary Cullen

History: This message has been forwarded.

Breda,

my last contact with PAS was about a week ago where I confirmed the qualifications of our nominees as PAS were looking to ensure that they had a spread of expertise on the Interview Board they were assembling. I have assumed that they are now arranging with Ian and Maureen the interview dates etc. but I may be a little ahead of myself.

John,
18/1.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Breda Power John Is there any update from PAS on this compe... 18/01/2016 13:57:05

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Maureen O'Sullivan/entemp@entemp, Ian Drennan/entemp@ENTEMP
Date: 18/01/2016 13:57
Subject: Fw: Forensic Accountant (Professional Accountant Grade I)
Sent by: breda power

John

Is there any update from PAS on this competition?

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
----- Forwarded by breda power/entemp on 18/01/2016 13:55 -----

From: John Hughes/entemp
To: "Phelan, Marese" <Marese.Phelan@publicjobs.ie>,
Cc: "Keaveney, Mary" <Mary.Keaveney@publicjobs.ie>, Eamonn Balmer/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP, Breda Power/entemp@ENTEMP
Date: 21/12/2015 16:24
Subject: Re: Forensic Accountant (Professional Accountant Grade I)

Fw: Forensic Accountant (Professional Accountant Grade I)

Breda Power to John Hughes 18/01/2016 13:57
Sent by: breda power
Cc: Claire Gordon, Maureen O'Sullivan, Ian Drennan

John

Is there any update from PAS on this competition?

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
----- Forwarded by breda power/entemp on 18/01/2016 13:55 -----

From: John Hughes/entemp
To: "Phelan, Marese" <Marese.Phelan@publicjobs.ie>,
Cc: "Keaveney, Mary" <Mary.Keaveney@publicjobs.ie>, Eamonn Balmer/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP, Breda Power/entemp@ENTEMP
Date: 21/12/2015 16:24
Subject: Re: Forensic Accountant (Professional Accountant Grade I)

Marese,

the 2 DJEI Interview Board Members are to be:

- Ian Drennan, Director, Officer of the Director of Corporate Enforcement, and
- Maureen O'Sullivan, Registrar of Companies.

Both are copied in in this email so you can contact them directly regarding arrangements.

John,
21/12.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

"Phelan, Marese" Hi John Just contacting you to let you know that t... 18/12/2015 12:18:12

From: "Phelan, Marese" <Marese.Phelan@publicjobs.ie>
To: "john.hughes@djei.ie" <john.hughes@djei.ie>,
Cc: "Keaveney, Mary" <Mary.Keaveney@publicjobs.ie>
Date: 18/12/2015 12:18
Subject: Forensic Accountant (Professional Accountant Grade I)

Hi John

Fw: Forensic Accountant (Professional Accountant Grade I)

From Breda Power
To Claire Gordon
Cc
Date 18/01/2016 16:13

Claire - FYI

Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

----- Forwarded by breda power/entemp on 18/01/2016 16:13 -----

From: Ian Drennan/entemp
To: Breda Power/entemp@ENTEMP, John Hughes/entemp@ENTEMP,
Date: 18/01/2016 15:42
Subject: Fw: Forensic Accountant (Professional Accountant Grade I)

FYI

----- Forwarded by Ian Drennan/entemp on 18/01/2016 15:42 -----

From: "Phelan, Marese" <Marese.Phelan@publicjobs.ie>
To: "Ian_Drennan@odce.ie" <Ian_Drennan@odce.ie>,
Date: 13/01/2016 16:35
Subject: RE: Forensic Accountant (Professional Accountant Grade I)

Hi Ian

We are experiencing difficulties contacting our extern but we are actively following up on this and will revert as soon as we have a response from him.

Regards
Marese

Marese Phelan
Professional and Technical Recruitment
Public Appointments Service
Chapter House
26-30 Abbey St Upper
Dublin 1

From: Ian_Drennan@odce.ie [mailto:Ian_Drennan@odce.ie]
Sent: 13 January 2016 16:17
To: Phelan, Marese
Subject: Fw: Forensic Accountant (Professional Accountant Grade I)

Hi Marese,

Further to John's email below, are you in a position at this stage to advise as to likely timings etc?

Many thanks,

Ian

Ian Drennan
Director
Office of the Director of Corporate Enforcement
16 Parnell Square, Dublin 1
D01 W5C2
Ireland

Tel: +353 1 858 5800 - Lo Call: 1890 315 015 - Fax: +353 1 858 5801 - Web: www.odce.ie - T: @odce

----- Forwarded by Ian Drennan/entemp on 13/01/2016 16:16 -----

From: John Hughes/entemp
To: "Phelan, Marese" <Marese.Phelan@publicjobs.ie>,
Cc: "Keaveney, Mary" <Mary.Keaveney@publicjobs.ie>, Eamonn Balmer/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP, Breda Power/entemp@ENTEMP
Date: 21/12/2015 16:24
Subject: Re: Forensic Accountant (Professional Accountant Grade I)

Marese,

the 2 DJEI Interview Board Members are to be:
Ian Drennan, Director, Officer of the Director of Corporate Enforcement, and
Maureen O'Sullivan, Registrar of Companies.

Both are copied in in this email so you can contact them directly regarding arrangements.

John,
21/12.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,

Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

From: "Phelan, Marese" <Marese.Phelan@publicjobs.ie>
To: "john.hughes@djei.ie" <john.hughes@djei.ie>,
Cc: "Keaveney, Mary" <Mary.Keaveney@publicjobs.ie>
Date: 18/12/2015 12:18
Subject: Forensic Accountant (Professional Accountant Grade I)

Hi John

Just contacting you to let you know that there are 46 applicants for the above post.

Could you please forward the names of your nominees because I am keen to finalize the panel of interviewers.

Thanking you
Marese

Marese Phelan
Professional and Technical Recruitment
Public Appointments Service
Chapter House
26-30 Abbey St Upper
Dublin 1
Ph: 00353 1 8587437

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sonraí a chur ar aghaidh). Mar sin, ná cuir sonraí pearsanta no íogair trí ríomhphost chuig an oifig seo.

Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

****
****

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Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

****
****

ATTACHMENTS:

Fw: Forensic Accountant (Professional Accountant Grade I)
Breda Power to: Claire Gordon 18/01/2016 16:13
Sent by. breda power

Claire - FYI

Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
----- Forwarded by breda power/entemp on 18/01/2016 16:13 -----

From: Ian Drennan/entemp
To: Breda Power/entemp@ENTEMP, John Hughes/entemp@ENTEMP,
Date: 18/01/2016 15:42
Subject: Fw: Forensic Accountant (Professional Accountant Grade I)

FYI

----- Forwarded by Ian Drennan/entemp on 18/01/2016 15:42 -----

From: "Phelan, Marese" <Marese.Phelan@publicjobs.ie>
To: "Ian_Drennan@odce.ie" <Ian_Drennan@odce.ie>,
Date: 13/01/2016 16:35
Subject: RE: Forensic Accountant (Professional Accountant Grade I)

Hi Ian

We are experiencing difficulties contacting our extern but we are actively following up on this and will revert as soon as we have a response from him.

Regards
Marese

Marese Phelan
Professional and Technical Recruitment
Public Appointments Service
Chapter House
26-30 Abbey St Upper
Dublin 1
Ph: 00353 1 8587437

publicjobs.ie
Delivering People Solutions to the Public Service
Platinum Award for Excellence Through People – 2008 | Top 10 Graduate Recruiter – Grad Ireland 2008

From: Ian_Drennan@odce.ie [mailto:Ian_Drennan@odce.ie]

2

Re: Fw: Forensic Accountant (Professional Accountant Grade I)
John Hughes to: Breda Power 21/01/2016 12:19
Cc: Claire Gordon, Eamonn Balmer, Ian Drennan, Mary Cullen

History: This message has been forwarded.

Breda,

PAS tell me that they are having difficulty securing the services of an expert on fraud to complete the membership of the Interview Board. They are pursuing this matter and will revert as soon as they have resolved that challenge. PAS tell me they will be in contact with Ian (and, indeed, other Board members) directly as soon as they are ready to commence the interview process. I will look for a further update at my overview meeting with PAS next week.

John,
21/1.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Breda Power John As sanction for these positions was obtaine... 21/01/2016 09:42:47

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP, Mary Cullen/entemp@ENTEMP
Date: 21/01/2016 09:42
Subject: Re: Fw: Forensic Accountant (Professional Accountant Grade I)
Sent by: breda power

John

As sanction for these positions was obtained in October 2014 and given the imperative to have the posts filled so that ODCE can fulfil its statutory mandate I think that a phone call to PAS at this stage in advance of your meeting next week is warranted. If HR Unit is not in a position to do this please let me know.

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

John Hughes Breda, I am meeting PAS next week to discuss pr... 21/01/2016 09:18:16

From: John Hughes/entemp
To: Breda Power/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP, Mary Cullen/entemp@ENTEMP, Maureen

Breda,

my last contact with PAS was about a week ago where I confirmed the qualifications of our nominees as PAS were looking to ensure that they had a spread of expertise on the Interview Board they were assembling. I have assumed that they are now arranging with Ian and Maureen the interview dates etc. but I may be a little ahead of myself.

John,
18/1.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Breda Power John Is there any update from PAS on this compe... 18/01/2016 13:57:05

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Maureen O'Sullivan/entemp@entemp, Ian Drennan/entemp@ENTEMP
Date: 18/01/2016 13:57
Subject: Fw: Forensic Accountant (Professional Accountant Grade I)
Sent by: breda power

John

Is there any update from PAS on this competition?

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
----- Forwarded by breda power/entemp on 18/01/2016 13:55 -----

From: John Hughes/entemp
To: "Phelan, Marese" <Marese.Phelan@publicjobs.ie>,
Cc: "Keaveney, Mary" <Mary.Keaveney@publicjobs.ie>, Eamonn Balmer/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP, Breda Power/entemp@ENTEMP
Date: 21/12/2015 16:24
Subject: Re: Forensic Accountant (Professional Accountant Grade I)

Marese,

the 2 DJEI Interview Board Members are to be:

- Ian Drennan, Director, Officer of the Director of Corporate Enforcement, and
- Maureen O'Sullivan, Registrar of Companies.

Both are copied in in this email so you can contact them directly regarding arrangements.

This footnote also confirms that this email message has been swept for the presence of computer viruses.

Tá an ríomhphost seo agus aon chomhad a chuirtear ar aghaidh leis, rúnda, agus tá sé beartaithe gur d'úsáid an duine aonair nó an aonáin amháin ar cuireadh chucu é, a tá sé. Munar tú an duine a ba chóir an ríomhphost seo, nó aon chuid de, a fháil, níor chóir duit aon chuid de a nochtadh, a chóipeáil nó a dháileadh. Déan teagmháil leis an té a chuir chugat é agus inis dó/di go bhfuair tú é trí thimpiste. Ba chóir d'éinne a tá ag déanamh idirghníomhaíochta trí ríomhphost caighdeánach a thuiscint go bhfuil priacail i gceist agus tú ag seachadadh faisnéise pearsanta nó íogair leis an teicneolaíocht seo (mar nach modh iomlán slán a tá ann chun sonraí a chur ar aghaidh). Mar sin, ná cuir sonraí pearsanta no íogair trí ríomhphost chuig an oifig seo.
Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

****
****

Fw: Forensic Accountant (Professional Accountant Grade I)
Breda Power to: Claire Gordon 21/01/2016 14:27
Sent by: breda power

Claire - FYI

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
----- Forwarded by breda power/entemp on 21/01/2016 14:27 -----

From: Breda Power/entemp
To: Ian Drennan/entemp@ENTEMP,
Date: 21/01/2016 14:11
Subject: Re: Forensic Accountant (Professional Accountant Grade I)
Sent by: breda power

Ian

I expect that PAS will meet expenses. Give me a call when you are free to talk.

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

Ian Drennan From: Ian Drennan/entemp To: Breda Power/ente... 21/01/2016 14:05:33

From: Ian Drennan/entemp
To: Breda Power/entemp@entemp,
Date: 21/01/2016 14:05
Subject: Re: Forensic Accountant (Professional Accountant Grade I)

I don't think a fraud expert is necessary. I have a couple of thoughts. Will talk later. I assume PAS will meet expenses etc.

On 21 Jan 2016, at 13:30, Breda Power <Breda.Power@djei.ie> wrote:

> Ian
>
> If you have a few suggestions please send them to me with contact details if you have them. Is a fraud expert necessary?

PAS tell me that they are having difficulty securing the services of an expert on fraud to complete the membership of the Interview Board. They are pursuing this matter and will revert as soon as they have resolved that challenge. PAS tell me they will be in contact with Ian (and, indeed, other Board members) directly as soon as they are ready to commence the interview process. I will look for a further update at my overview meeting with PAS next week.

John,
21/1.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246
Breda Power---21/01/2016 09:42:47---John As sanction for these positions was obtained in October 2014 and given the imperative to have t

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Eamonn Balmer/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP, Mary Cullen/entemp@ENTEMP
Date: 21/01/2016 09:42
Subject: Re: Fw: Forensic Accountant (Professional Accountant Grade I)
Sent by: breda power

John

As sanction for these positions was obtained in October 2014 and given the imperative to have the posts filled so that ODCE can fulfil its statutory mandate I think that a phone call to PAS at this stage in advance of your meeting next week is warranted. If HR Unit is not in a position to do

Dublin 2.
D02 TD30
Phone - 01-6312246

Breda Power---21/01/2016 09:15:09---John Further to the correspondence below and Ian's subsequent email, I think that it would be helpfu

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP, Maureen O'Sullivan/entemp@entemp, Eamonn Balmer/entemp@ENTEMP, Mary Cullen/entemp@ENTEMP
Date: 21/01/2016 09:15
Subject: Re: Fw: Forensic Accountant (Professional Accountant Grade I)
Sent by: breda power

John

Further to the correspondence below and Ian's subsequent email, I think that it would be helpful if you followed up with PAS about dates for the interviews. The longer the gap is since the closing date for applications and the actual interviews the higher the chance that a number of candidates will have secured alternative positions.

Thanks

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie

John Hughes---18/01/2016 15:32:25---Breda, my last

O'Sullivan/entemp@entemp, Ian Drennan/entemp@ENTEMP
Date: 18/01/2016 13:57
Subject: Fw: Forensic Accountant (Professional Accountant Grade I)
Sent by: breda power

John

Is there any update from PAS on this competition?

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
----- Forwarded by breda power/entemp on 18/01/2016 13:55 -----

From: John Hughes/entemp
To: "Phelan, Marese" <Marese.Phelan@publicjobs.ie>,
Cc: "Keaveney, Mary" <Mary.Keaveney@publicjobs.ie>, Eamonn Balmer/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP, Breda Power/entemp@ENTEMP
Date: 21/12/2015 16:24
Subject: Re: Forensic Accountant (Professional Accountant Grade I)

Marese,

the 2 DJEI Interview Board Members are to be:

- Ian Drennan, Director, Officer of the Director of Corporate Enforcement, and
- Maureen O'Sullivan, Registrar of Companies.

Both are copied in in this email so you can contact them directly regarding arrangements.

Tá an ríomhphost seo agus aon chomhad a chuirtear ar aghaidh leis, rúnda, agus tá sé beartaithe gur d'úsáid an duine aonair nó an aonáin amháin ar cuireadh chucu é, a tá sé. Munar tú an duine a ba chóir an ríomhphost seo, nó aon chuid de, a fháil, níor chóir duit aon chuid de a nochtadh, a chóipeáil nó a dháileadh. Déan teagmháil leis an té a chuir chugat é agus inis dó/di go bhfuair tú é trí thimpiste. Ba chóir d'éinne a tá ag déanamh idirghníomhaíochta trí ríomhphost caighdeánach a thuiscint go bhfuil priacail i gceist agus tú ag seachadadh faisnéise pearsanta nó íogair leis an teicneolaíocht seo (mar nach modh iomlán slán a tá ann chun sonraí a chur ar aghaidh). Mar sin, ná cuir sonraí pearsanta no íogair trí ríomhphost chuig an oifig seo.
Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

****
****

3

Fwd: Issues on PAS Agenda
Breda Power
to:
Claire Gordon
22/01/2016 20:44
Hide Details
From: Breda Power/entemp
To: Claire Gordon/entemp@entemp,
Claire - FYI

Breda

Begin forwarded message:

From: "John Hughes" <John.Hughes@djei.ie>
Date: 22 January 2016 18:41:47 GMT
To: "Breda Power" <Breda.Power@djei.ie>
Cc: "Eamonn Balmer" <Eamonn.Balmer@djei.ie>
Subject: Re: Issues on PAS Agenda

Thanks, Breda. I had taken the liberty of articulating a similar view in conversation with PAS yesterday - i.e. take a broader view of the fraud expertise they were looking for.

John,
22/1.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246
Breda Power---22/01/2016 18:37:00---John Thanks for the update.

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Eamonn Balmer/entemp@ENTEMP
Date: 22/01/2016 18:37
Subject: Re: Issues on PAS Agenda
Sent by: breda power

John

Thanks for the update.

On the ODCE Accountants, you will have seen my earlier email to PAS on the membership of the Board. I don't believe a fraud expert is necessary.

4

Fw: Forensic Accountant (Professional Accountant Grade I)
Breda Power to: marese.phelan 22/01/2016 13:38
Sent by: breda power
Cc: John Hughes, Ian Drennan, Eamonn Balmer, Claire Gordon

Dear Marese

I refer to John's email below and subsequent correspondence/discussions you have had with the Department/ODCE. I understand that there is some difficulty in securing the services of an expert on fraud for the interview process. Perhaps the Interview Board might benefit more from the inclusion of somebody with practical experience of conducting heavy duty forensic accounting engagements which would complement the expertise of the other members of the Interview Board. I am happy to discuss possible names with you should you wish when you return to the office on Monday.

Kind regards.

Breda

Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2
Designated Public Official under the Regulation of Lobbying Act 2015. See www.lobbying.ie.

Tel: 01 6312609
Mobile: 087 2865270
Fax: 016312552
email breda.power@djei.ie
----- Forwarded by breda power/entemp on 22/01/2016 12:23 -----

From: John Hughes/entemp
To: "Phelan, Marese" <Marese.Phelan@publicjobs.ie>,
Cc: "Keaveney, Mary" <Mary.Keaveney@publicjobs.ie>, Eamonn Balmer/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP, Breda Power/entemp@ENTEMP
Date: 21/12/2015 16:24
Subject: Re: Forensic Accountant (Professional Accountant Grade I)

Marese,

the 2 DJEI Interview Board Members are to be:

- Ian Drennan, Director, Officer of the Director of Corporate Enforcement, and
- Maureen O'Sullivan, Registrar of Companies.

Both are copied in in this email so you can contact them directly regarding arrangements.

John,
21/12.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

ríomhphost chuig an oifig seo.
Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

****
****

5

Fw: Re [redacted]

From Breda Power
To Claire Gordon
Cc
Date 22/01/2016 17:38

FYI

Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
----- Forwarded by breda power/entemp on 22/01/2016 17:37 -----

From: Breda Power/entemp
To: Ian Drennan/entemp@entemp,
Cc: Kevin O'Connell/entemp@entemp
Date: 22/01/2016 14:21
Subject: [redacted]

Ian

Thanks for your email. You will have seen my email to PAS a short while ago. It might be useful to have a few other names to suggest to PAS.

Also do you mind if I ask them to talk directly to you?

Breda

> On 22 Jan 2016, at 08:38, Ian Drennan <Ian_Drennan@odce.ie> wrote:
>
> Breda,
>
> Having had an opportunity to reflect further on the matter, I am of the view that the interview Board would benefit most from the inclusion of somebody with practical experience of conducting heavy duty forensic accounting engagements. I believe that this expertise, which would add to and complement my own, would be preferable to a lawyer or Garda/former Garda.
>
> In that context, we undertook a significant procurement exercise some time ago with a view to securing an expert for the trial of Mr FitzPatrick. During the course of that process, we interviewed a [redacted] I found [redacted] to be very impressive and [redacted] only narrowly lost out in the final analysis.
>
> In the context of the foregoing, I would propose that [redacted] be approached with s view to establishing whether [redacted] would would be interested in, and available to, participate. Obviously there would be a cost implication but I assume that the PAS ordinarily meets Board members' expenses.
>
> For information, please see attached a copy of [redacted] CV.

>
> Regards,
>
> Ian
>
>
> Begin forwarded message:
>
> From: "Kevin O'Connell" <kevin_oconnell@odce.ie>
> Date: 22 January 2016 at 08:12:42 GMT
> To: "Ian Drennan" <Ian_Drennan@odce.ie>
> Subject: Re[redacted]
>
> Ian,
>
> Here are the extracts from the [redacted] Tender Document of 15 August 2014 with details of [redacted] academic and professional qualifications & experience.
>
> KEVIN O'CONNELL
> SOLICITOR
> HEAD OF SPECIAL PROJECTS
> OFFICE OF THE DIRECTOR OF CORPORATE ENFORCEMENT
> 16 PARNELL SQUARE
> DUBLIN 1
>
> Direct Dial: 01-8585838
> kevin_oconnell@odce.ie
>
>
> (See attached file: Extracts re [redacted], August 2014.pdf) - Extracts re [redacted] August 2014.pdf
> <Extracts re [redacted] August 2014.pdf>

ATTACHMENTS:

6

Fw: [redacted]

Breda Power to: Claire Gordon 25/01/2016 12:46
Sent by: breda power

Claire - FYI

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
----- Forwarded by breda power/entemp on 25/01/2016 12:46 -----

From: Ian Drennan/entemp
To: Marese.Phelan@publicjobs.ie,
Cc: Breda Power/entemp@ENTEMP, Kevin O'Connell/entemp@ENTEMP
Date: 25/01/2016 12:39
Subject: Fw: [redacted]

Dear Marese,

Further to our telephone conversation, please find attached some material detailing Ms. [redacted] credentials. As mentioned on the phone, we undertook a significant procurement exercise last year with a view to engaging an expert for a major criminal trial. During the course of that process, we interviewed Ms [redacted] We found her to be very impressive and [redacted] only narrowly lost out in the final analysis (we are unable to propose the successful tenderer due to conflict of interest considerations, i.e., in that they are currently engaged by us). As can be seen from the attached material, [redacted] experience is at a high level and is in keeping with the expertise appropriate to an interview Board such as that required in this instance.

On that basis, I have previously indicated to Ms Breda Power of the D/JEI that I think that Ms [redacted] would, if available, be an excellent addition to the process. For the avoidance of doubt, neither I nor anyone else in the ODCE has any connection with Ms [redacted] and this proposal is based purely on having interviewed her in the aforementioned context.

Should you need any further assistance, please do not hesitate to contact me.

Regards,

Ian

Ian Drennan
Director
Office of the Director of Corporate Enforcement
16 Parnell Square, Dublin 1
D01 W5C2
Ireland

Tel: +353 1 858 5800 - Lo Call: 1890 315 015 - Fax: +353 1 858 5801 - Web: www.odce.ie - T: @odce

Fw: Re [redacted]

From Breda Power
To Claire Gordon
Cc
Date 26/01/2016 13:24

7

FYI

Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
----- Forwarded by breda power/entemp on 26/01/2016 13:24 -----

From: Ian Drennan/entemp
To: marese.phelan@publicjobs.ie,
Cc: Kevin O'Connell/entemp@entemp, Breda Power/entemp@entemp
Date: 26/01/2016 12:25
Subject: Fwd: Re

Marese,

Thanks for your email. Please see below.

Regards,

Ian

Begin forwarded message:

From: "Kevin O'Connell" <kevin_oconnell@odce.ie>
Date: 26 January 2016 at 12:07:26 GMT
To: "Ian Drennan" <Ian_Drennan@odce.ie>
Subject: RE: Re [redacted]

[redacted]

----- Forwarded by Kevin O'Connell/entemp on 26/01/2016 12:06 -----

From: "Phelan, Marese" <Marese.Phelan@publicjobs.ie>
To: "Ian_Drennan@odce.ie" <Ian_Drennan@odce.ie>,
Cc: "Breda.Power@djei.ie" <Breda.Power@djei.ie>, "kevin_oconnell@odce.ie" <kevin_oconnell@odce.ie>
Date: 26/01/2016 11:12
Subject: RE: Re [redacted]

Dear Ian

We are going to approach [redacted] to act on the board. Would you have a contact number or email address for [redacted] please?

Marese

publicjobs.ie

From: Ian_Drennan@odce.ie [mailto:Ian_Drennan@odce.ie]
Sent: 25 January 2016 12:39
To: Phelan, Marese
Cc: Breda.Power@djei.ie; kevin_oconnell@odce.ie
Subject: Fw: Re [redacted]
London

Dear Marese,

Further to our telephone conversation, please find attached some material detailing [redacted] credentials. As mentioned on the phone, we undertook a significant procurement exercise last year with a view to engaging an expert for a major criminal trial. During the course of that process, we interviewed [redacted]. We found [redacted] to

be very impressive and [redacted] only narrowly lost out in the final analysis (we are unable to propose the successful tenderer due to conflict of interest considerations, i.e. in that they are currently engaged by us). As can be seen from the attached material, [redacted] experience is at a high level and is in keeping with the expertise appropriate to an interview Board such as that required in this instance.

On that basis, I have previously indicated to Ms Breda Power of the D/JEI that I think that [redacted] would, if available, be an excellent addition to the process. For the avoidance of doubt, neither I nor anyone else in the ODCE has any connection with [redacted] and this proposal is based purely on having interviewed [redacted] in the aforementioned context.

Should you need any further assistance, please do not hesitate to contact me.

Regards,

Ian

Ian Drennan
Director
Office of the Director of Corporate Enforcement
16 Parnell Square, Dublin 1
D01 W5C2
Ireland

Tel: +353 1 858 5800 - Lo Call: 1890 315 015 - Fax: +353 1 858 5801 - Web: www.odce.ie - T: @odce

(See attached file: Extracts re [redacted] *August 2014.pdf)*

Email Disclaimer:
https://www.djei.ie/en/Disclaimer/Email-Disclaimer.html

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****

This email and any files transmitted with it are confidential and intended solely for the use of the addressed individual or entity. If you are not the intended recipient of this email, or any parts of it, you should not disclose, copy or distribute any of its contents. Please contact the sender and notify them that you have received it in error. Anyone interacting by standard email should be aware that there are risks involved in transmitting personal or sensitive information using this technology (as email generally is not a fully secure method of sending data). Therefore, please do not send any personal or sensitive data by email to this office. This footnote also confirms that this email message has been

swept for the presence of computer viruses.

Tá an ríomhphost seo agus aon chomhad a chuirtear ar aghaidh leis, rúnda, agus tá sé beartaithe gur d'úsáid an duine aonair nó an aonáin amháin ar cuireadh chucu é, a tá sé. Munar tú an duine a ba chóir an ríomhphost seo, nó aon chuid de, a fháil, níor chóir duit aon chuid de a nochtadh, a chóipeáil nó a dháileadh. Déan teagmháil leis an té a chuir chugat é agus inis dó/di go bhfuair tú é trí thimpiste. Ba chóir d'éinne a tá ag déanamh idirghníomhaíochta trí ríomhphost caighdeánach a thuiscint go bhfuil priacail i gceist agus tú ag seachadadh faisnéise pearsanta nó íogair leis an teicneolaíocht seo (mar nach modh iomlán slán a tá ann chun sonraí a chur ar aghaidh). Mar sin, ná cuir sonraí pearsanta no íogair trí ríomhphost chuig an oifig seo.

Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

****
****

ATTACHMENTS:

8

Re: Follow up on Workforce Planning - ODCE

From Conor O'Mahony
To Colette Reilly
Cc Breda Power, Ian Drennan, Phil Flood, Claire Gordon
Date 27/01/2016 19:04

Colette

The following is the position from our perspective:

Principal Solicitor: The current Principal Solicitor has applied for a transfer/redeployment. It is not known when this might happen but we will be seeking to have the resultant vacancy filled. **[This information should be regarded as confidential.]**

Senior Legal Advisor: One of our Senior Legal Advisors has tendered his notice of retirement with effect from 29 February, 2016. This post will need to be filled. **[This information should be regarded as confidential.]**

Solicitor: [redacted] was redeployed to Revenue in November. This vacancy is due to be filled.

Accountants: We historically had sanction for 2 accountants. More recently we obtained sanction for an additional 5. [redacted] retired but has not yet been replaced while [redacted] was transferred to the CRO. It is our view that all posts are to be filled (and a recruitment process is currently underway from which we hope to recruit staff for some or all of these vacancies).

AP: [redacted] retired in Summer 2014. He has not yet been replaced. As we have been prioritising the additional accountant posts and other posts, we have not been pressing for this post to be filled. However, we still regard it as a vacancy.

HEO: We currently have 8 HEOs working in the Office. Of these two are worksharing so the WTE is 7. [redacted] transferred/was redeployed to Revenue late last year and has not yet been replaced. In addition, we have sanction for employment of a HEO (IT). Accordingly, the WFP should reflect a requirement for 9 HEOs (wte).

EO: The number of serving EOs (wte) is 5.8. We had been counting a 0.8 person as a full timer! However, Rose Carroll transferred out during the year and has not been replaced. As we have been prioritising the additional accountant posts and other posts, we have not been pressing for this post to be filled. However, we still regard it as a vacancy. Accordingly, it is our view that the correct figure is 6.8.

CO: It would appear that we had not been reflecting an increase in attendance by [redacted] from 0.5 to 0.7. In addition, the Department had been counting [redacted] as 0.8 when the correct pattern is 0.6. Accordingly both of us were wrong and the correct figure is 6.7 (wte).

Apart from the foregoing, we do not currently envisage any other requirements for additional staff. However, this is a matter which is always under review having regard to emerging workloads. In particular, this Office can be hit with the need to investigate particularly large cases as almost any time which could result in requirements for additional resources.

I would also mention that the Office continues to have a number of Gardaí assigned to it. However, there have been a few departures in the past year without replacement. The staffing requirements outlined above are to some extent predicated on the continued availability of the current level of Garda resources. If there were a significant change in the number of Gardaí assigned to the Office (and we have nothing to suggest that this might happen), this could have a knock-on effect on our other staffing requirements.

Regards

Conor

Conor O'Mahony
Principal Officer
Office of the Director of Corporate Enforcement
16 Parnell Square
Dublin 1
ph. +353 - 1 - 858 5827

From: Colette Reilly/entemp
To: Conor O'Mahony/entemp@entemp, Phil Flood/entemp@entemp,
Cc: Ian Drennan/entemp@ENTEMP, Breda Power/entemp@ENTEMP
Date: 27/01/2016 11:33
Subject: Follow up on Workforce Planning - ODCE

Colleagues,

I attended a meeting with Eamon Balmer and Damien Byrne in our HR Unit on the Workforce Planning process on Monday afternoon.

HR Unit have decided to use the **end of December 2015** as the base line date and are anxious to ensure there is agreement on the staffing numbers in situ at that time as well as understanding additional staff requirements, if any, for 2016 and 2017.

From ODCE's perspective, there are a couple of matters I'd like your views on.

To assist, I'm attaching the list of staff HR Unit gave to me at the meeting which sets out the names of people it believes were in situ at the end of 2015. I understand they mainly used the Proposed Structure Chart in the Workforce Planning Excel Spreadsheet (No. 4.1) as the basis for their statistics for ODCE. (Attached for ease of reference.)

For the **HEO** grade, HR Unit stats for end 2015 were that there were 7 Whole Time Equivalents (WTEs) at this grade. The return for ODCE at end 2015 was 8.

Does the 8 refer to WTEs or the number of actual staff (ie 6 on a full-time work pattern and 2 on a half time pattern)? Is [redacted]s post being treated as a vacancy on which there is agreement that it is to be filled? Breda thinks that this is a vacancy.
Does the 8 include the HEO ICT post (irrespective of whether it has been filled or not) for which sanction was received in late 2015?

HR's views was that the posts should be counted as WTEs, that the HEO ICT post should be included and they would like your views on [redacted]s post.

For the **EO** grade, HR stats for end 2015 were that there were 5.8 WTEs and ODCE's return was 6.

For the **CO** grade, HR stats for end 2015 were that there was 6.9 WTEs and ODCE's return was 6.5.

For the **Solicitor** grade, HR stats for end of 2015 were that there was 1 WTE and ODCE's return was 2. Is [redacted]s post considered to be a vacancy on which there is agreement it is to be filled? Eamon was going to check but would like your views. Breda thinks that this is a vacancy.

For the **Accountant Grade 1,** HR stats for the end of 2015 were that there was 0 and ODCE's return was 7. It appears that the 5 Accountants for which sanction was received in 2015 was included in ODCE's return which HR thought was probably the right way to do it. However, they did query on whether [redacted] 's post was being treated as a vacancy on which there is agreement that it needs to be filled. Breda thinks that [redacted] 's and [redacted] 's posts are vacancies to be filled.

Finally, are there any additional staff requirements foreseen for the years 2016 and 2017 and if so in what numbers and at what grade?

HR would like review this in the coming days so I'd be grateful for your assistance for a fast turn around.

Feel free to give me a call if any of the above needs further clarification.

Thanks and regards,

Colette Reilly
Competition and Consumer Policy Section
Department of Jobs, Enterprise and Innovation
Earlsfort Centre
Lower Hatch Street
Dublin 2
D02 PW01
Phone: 00353 1 6312675
E-mail: colette.reilly@djei.ie

ATTACHMENTS:

DIVISION	SECTION	NAME	GRADE	Person Count
Commerce, Consumer & Competition	ODCE	Peter Durnin	AP	1
Commerce, Consumer & Competition	ODCE	Denis Hosford	AP	1
Commerce, Consumer & Competition	ODCE	Phil Flood	AP	1
Commerce, Consumer & Competition	ODCE	Patricia Weldon	CO	0.9
Commerce, Consumer & Competition	ODCE	James Bourke	CO	1
Commerce, Consumer & Competition	ODCE	Amie Reddin	CO	1
Commerce, Consumer & Competition	ODCE	Anna O'Byrne	CO	0.8
Commerce, Consumer & Competition	ODCE	Patricia McManus	CO	0.5
Commerce, Consumer & Competition	ODCE	John Neenan	CO	1
Commerce, Consumer & Competition	ODCE	Des O'Neill	CO	1
Commerce, Consumer & Competition	ODCE	Maria Leavy	CO	0.7
Commerce, Consumer & Competition	ODCE	**Kevin Prendergast**	**Corporate Compliance Manager**	1
Commerce, Consumer & Competition	ODCE	**Ian Drennan**	**Director**	1
Commerce, Consumer & Competition	ODCE	Marie Breen	EO	1
Commerce, Consumer & Competition	ODCE	Noreen Howley	EO	1
Commerce, Consumer & Competition	ODCE	Mary McIntyre Lawlor	EO	0.8
Commerce, Consumer & Competition	ODCE	Marie Devaney	EO	1
Commerce, Consumer & Competition	ODCE	Maeve Dolan	EO	1
Commerce, Consumer & Competition	ODCE	Angela Nolan	EO	1
Commerce, Consumer & Competition	ODCE	Marian Lynch	HEO	1
Commerce, Consumer & Competition	ODCE	Patricia Moran	HEO	1
Commerce, Consumer & Competition	ODCE	Phyllis Kelly	HEO	1
Commerce, Consumer & Competition	ODCE	John Nolan	HEO	1
Commerce, Consumer & Competition	ODCE	Kathleen Glackin	HEO	1
Commerce, Consumer & Competition	ODCE	Deirdre O'Halloran	HEO	0.5
Commerce, Consumer & Competition	ODCE	Adrienne Byrne	HEO	0.5
Commerce, Consumer & Competition	ODCE	Eileen McManus	HEO	1
Commerce, Consumer & Competition	ODCE	Kevin O'Connell	Legal Advisor	1
Commerce, Consumer & Competition	ODCE	Adrian Brennan	Legal Advisor	1
Commerce, Consumer & Competition	ODCE	Michael Moran	Legal Advisor	1
Commerce, Consumer & Competition	ODCE	**Conor O' Mahoney**	PO	1
Commerce, Consumer & Competition	ODCE	Ann Keating	Principal Solicitor	1
Commerce, Consumer & Competition	ODCE	Dermot Morahan	Solicitor	1

30 70

Proposed Structure

Grade	Stream	Salary Plan	Current Staff	End 2015	End 2016	End 2017
Sec Gen	Admin	Sec Gen				
Ass. Sec	Admin	Ass. Sec				
PO	Admin	PO	1	1	1	1
AP	Admin	AP	3	9	9	9
HEO	Admin	HEO	7	8	8	8
AO	Admin	AO				
EO	Admin	EO	6	6	6	6
SO	Admin	SO				
CO	Admin	CO	6.5	6.5	6.5	6.5
Services	Admin	Services				
TCO	Admin	CO				
			3	3	3	3
			1	1	1	1
			1	1	1	1
			2	2	2	2
			1	1	1	1
		Total	31.5	38.5	38.5	38.5

Description

This template considers the impact of upward and downward pressures on the current staff profile

Notes

9

Fwd: Recruitment - successful candidates
Breda Power
to:
Claire Gordon
03/03/2016 19:19
Hide Details
From: Breda Power/entemp
To: Claire Gordon/entemp@entemp,
Claire - FYI

Breda

Begin forwarded message:

From: "Ian Drennan" <Ian_Drennan@odce.ie>
Date: 3 March 2016 13:03:52 GMT
To: "John Hughes" <John.Hughes@djei.ie>
Cc: "Breda Power" <Breda.Power@djei.ie>
Subject: Recruitment - successful candidates

John,

I am pleased to advise that the interview process, which concluded this morning, has proved fruitful, with the Board having qualified a total of eight candidates as being suitable for appointment.

As I understand it from the PAS representative, they have been advised by D/JEI that there are six vacancies. However, as you know, when one takes account of the vacancies arising from [redacted] retirement and [redacted] transfer together with the five additional posts in respect of which sanction was obtained, there are actually seven vacancies. Therefore, in order that the PAS can proceed to advise candidates ranked 1 to 7 that they are now under consideration for appointment and request the submission of evidence of qualifications etc., I have been advised that they need confirmation from D/JEI to that effect. Accordingly, I would be grateful if the requisite confirmation could be provided to PAS. The contact details that I have been provided with to that end are Mary.Cassidy@publicjobs.ie and Marese.Phelan@publicjobs.ie

Ian

Ian Drennan
Director
Office of the Director of Corporate Enforcement
16 Parnell Square, Dublin 1
D01 W5C2
Ireland

Tel: +353 1 858 5800 - Lo Call: 1890 315 015 - Fax: +353 1 858 5801 - Web: www.odce.ie - T: @odce

10

Fwd: Investigators/Forensic Accountants
Breda Power
to:
Claire Gordon
03/03/2016 19:20
Hide Details
From: Breda Power/entemp
To: Claire Gordon/entemp@entemp,
FYI

Begin forwarded message:

From: "John Hughes" <John.Hughes@djei.ie>
Date: 3 March 2016 18:55:28 GMT
To: Mary.Cassidy@publicjobs.ie, Marese.Phelan@publicjobs.ie
Cc: "Ian Drennan" <Ian_Drennan@odce.ie>, Breda_Power@deti.ie, "Eamonn Balmer" <Eamonn.Balmer@djei.ie>, "Mary Cullen" <Mary.Cullen@djei.ie>
Subject: Fw: Investigators/Forensic Accountants

Mary/Marese,

I understand from Ian Drennan that the Interview Board qualified 8 applicants from this campaign. We had originally sought to recruit 6 candidates but that has since been clarified as 7 and I would appreciate if you would take that increase from 6 to 7 into account.

Regards,

John,
3/3.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

11

Fw: ODCE Investigators/Accountants
Breda Power to: Claire Gordon
Sent by: breda power

21/03/2016 12:49

Claire - FYI

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
Designated Public Official under the Regulation of Lobbying Act 2015. See www.lobbying.ie
----- Forwarded by breda power/entemp on 21/03/2016 12:49 -----

From: John Hughes/entemp
To: Ian Drennan/entemp@ENTEMP, Breda_Power@deti.ie,
Cc: Conor O'Mahony/entemp@entemp, Kevin Prendergast/entemp@entemp, Kevin O'Connell/entemp@ENTEMP, Mary Cullen/entemp@ENTEMP
Date: 21/03/2016 11:58
Subject: Fw: ODCE Investigators/Accountants

Ian,

to see emails below from PAS. We have first call on the recent panel and it will only be accessed, if at all, for other vacancies, once we have filled our 7 posts.

John,
21/3.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246
---- Forwarded by John Hughes/entemp on 21/03/2016 11:56 -----

From: John Hughes/entemp
To: "Phelan, Marese" <Marese.Phelan@publicjobs.ie>,
Cc: "Murphy, Brian" <brian.murphy@publicjobs.ie>, "McCabe, Margaret" <Margaret.McCabe@publicjobs.ie>, "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>, "Keaveney, Mary" <Mary.Keaveney@publicjobs.ie>
Date: 21/03/2016 11:55
Subject: RE: ODCE Investigators/Accountants

The first priority for the ODCE campaigns is the filling of your vacancies. We would only offer to fill other vacancies in the event that there were people left on the panel.
This looks highly unlikely given you have 7 posts and only 8 on the panel.

Best regards

Margaret

From: john.hughes@djei.ie [mailto:john.hughes@djei.ie]
Sent: 21 March 2016 10:04
To: McCabe, Margaret; Phelan, Marese
Cc: Mary.Cullen@djei.ie
Subject: ODCE Investigators/Accountants

Margaret / Marese,

you will recall the recent campaign PAS undertook for us to recruit Investigators/Accountants for the ODCE. 8 candidates were empanelled and we have 7 vacancies. The ODCE tell me that they were contacted in regard to similar posts being filled by the Insolvency Service of Ireland / D-Justice & Equality and the possible use of the same panel. Given that we need to recruit to fill 7 posts and only 8 were empanelled this Department would be concerned if any of the 7 posts could not now be filled as 1 or more of the 8 empanelled candidates were offered an ISI opportunity ahead of the ODCE ones for which he/she originally applied. You might let me know the latest position please as I understand that PAS needs to try to maximise the outcome for the Public Service from its campaigns but in this case, given that we wish to recruit 7 from 8, I am concerned that we do not have the capacity to extend that panel to another body.

Regards,

John,
21/3.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

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Fw: ODCE Investigators/Accountants

12

From Breda Power
To Claire Gordon
Cc
Date 07/04/2016 16:30

Claire - FYI

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
Designated Public Official under the Regulation of Lobbying Act 2015. See www.lobbying.ie
----- Forwarded by breda power/entemp on 07/04/2016 16:30 -----

From: "Phelan, Marese" <Marese.Phelan@publicjobs.ie>
To: "Ian_Drennan@odce.ie" <Ian_Drennan@odce.ie>,
Cc: "John.Hughes@djei.ie" <John.Hughes@djei.ie>, "Breda_Power@deti.ie" <Breda_Power@deti.ie>, "Kevin_Prendergast@odce.ie" <Kevin_Prendergast@odce.ie>, "conor_omahony@odce.ie" <conor_omahony@odce.ie>, "kevin_oconnell@odce.ie" <kevin_oconnell@odce.ie>
Date: 07/04/2016 16:14
Subject: RE: ODCE Investigators/Accountants

Thanks Ian for this .

I will wait directions from John before taking any further actions.

Regards
Marese

Marese Phelan
Professional and Technical Recruitment
Public Appointments Service
Chapter House
26-30 Abbey St Upper
Dublin 1
Ph: 00353 1 8587437

publicjobs.ie
Delivering People Solutions to the Public Service

Platinum Award for Excellence Through People – 2008 | Top 10 Graduate Recruiter – Grad Ireland 2008

From: Ian_Drennan@odce.ie [mailto:Ian_Drennan@odce.ie]
Sent: 07 April 2016 15:56

To: Phelan, Marese
Cc: John.Hughes@djei.ie; Breda_Power@deti.ie; Kevin_Prendergast@odce.ie; conor_omahony@odce.ie; kevin_oconnell@odce.ie
Subject: Re: ODCE Investigators/Accountants

Thanks Marese. That's a pity [redacted] was an impressive candidate.

Subject to any contrary views that John (copied) might have, I would see logic in proceeding with contract issues etc on the basis that matters can progress concurrent with the Garda clearance process. I would, however, be opposed to contracts being signed until the clearance has come through.

Ian

On 7 Apr 2016, at 10:59, Phelan, Marese <Marese.Phelan@publicjobs.ie> wrote:

Hi Ian

[redacted] is the person who withdrew. I have a question for you . Two of the candidates are in CAB. We have got Garda Vetting back for one of the candidates. In the interests of expediency would you be willing to accept the second candidate with a Self Health and Character Declaration pending receipt of full Garda Clearance.?

Marese

Marese Phelan
Professional and Technical Recruitment
Public Appointments Service
Chapter House
26-30 Abbey St Upper
Dublin 1
Ph: (0253 1 8587137)

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From: Ian_Drennan@odce.ie [mailto:Ian_Drennan@odce.ie]
Sent: 06 April 2016 15:13
To: Phelan, Marese
Subject: Re: ODCE Investigators/Accountants

Hi Marese,

Can you tell me who has dropped out please?

Many thanks,

Ian

On 6 Apr 2016, at 14:27, Phelan, Marese <Marese.Phelan@publicjobs.ie> wrote:

Hi John

Thank you for this. We will give Ian's details to the candidate so she can ask him the questions she needs answered.

We will issue the assignment papers directly to your Department.

Marese

Marese Phelan
Professional and Technical Recruitment
Public Appointments Service
Chapter House
26-30 Abbey St Upper
Dublin 1
Ph: 00353 1 8587437

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From: john.hughes@djei.ie [mailto:john.hughes@djei.ie]
Sent: 06 April 2016 13:17
To: Phelan, Marese
Cc: Breda_Power@deti.ie; Ian_Drennan@odce.ie; conor_omahony@odce.ie; Harry.Lester@djei.ie; Mary.Cullen@djei.ie
Subject: RE: ODCE Investigators/Accountants

Many thanks, Marese.

In contacting the ODCE I would suggest Ian Drennan, the Director. His email is Ian_Drennan@odce.ie and the phone number for the Office is 01-8585800.

As you know, contracts etc. will be arranged here in the DJEI HR Unit as we manage all DJEI staffing issues, including for the ODCE.

Regards,

John,
6/4.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

From: "Phelan, Marese" <Marese.Phelan@publicjobs.ie>
To: "john.hughes@djei.ie" <john.hughes@djei.ie>,

Date: 06/04/2016 12:53
Subject: RE: ODCE Investigators/Accountants

Hi John

There are 2 candidates in CAB with references outstanding and these are being followed up. One of the candidates has Garda Vetting from Thurles but the second candidate does not have it. As the second candidate is also working in CAB, would the ODCE be willing to take this candidate with a Self Health and Character Declaration ?

The next 4 candidates all have Garda Vetting outstanding and employer references.

One candidate withdrew last week and [redacted] replacement has just gone into clearance.

One candidate is looking for a contact to speak with in ODCE. Could you supply contact details that I can forward to the candidate?

Thanking you Marese

Marese Phelan
Professional and Technical Recruitment
Public Appointments Service
Chapter House
26-30 Abbey St Upper,
Dublin 1
Ph: 00353 1 8557657

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From: john.hughes@djei.ie [mailto:john.hughes@djei.ie]
Sent: 06 April 2016 12:32
To: Phelan, Marese
Cc: Breda.Murphy@djei.ie; Ian_Drennan@odce.ie; Harry.Lester@djei.ie; Mary.Cullen@djei.ie
Subject: ODCE Investigators/Accountants

Marese,

you may be aware that the need for Forensic Accountants in the ODCE has gained some public currency again in recent days and, in that regard, I was looking for a update please on where we are with calling candidates who were placed on the Panel established by PAS after the recent campaign?

Regards,

John,
6/4.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.

D02 TD30
Phone - 01-6312246

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Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

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Tá an ríomhphost seo agus aon chomhad a chuirtear ar aghaidh leis, rúnda, agus tá sé beartaithe gur d'úsáid an duine aonair nó an aonáin amháin ar cuireadh chucu é, a tá sé. Munar tú an duine a ba chóir an ríomhphost seo, nó aon chuid de, a fháil, níor chóir duit aon chuid de a nochtadh, a chóipeáil nó a dháileadh. Déan teagmháil leis an té a chuir chugat é agus inis dó/di go bhfuair tú é trí thimpiste. Ba chóir d'éinne a tá ag déanamh idirghníomhaíochta trí ríomhphost caighdeánach a thuiscint go bhfuil priacail i gceist agus tú ag seachadadh faisnéise pearsanta nó íogair leis an teicneolaíocht seo (mar nach modh iomlán slán a tá ann chun sonraí a chur ar aghaidh). Mar sin, ná cuir sonraí pearsanta no íogair trí ríomhphost chuig an oifig seo.

Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

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Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

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ATTACHMENTS:

13

Re: Forensic Accountants - DRAFT Contract

Ian Drennan to: John Hughes 21/04/2016 10:58

Cc: Harry Lester, Mary Cullen, Breda_Power, Claire Gordon, Conor O'Mahony, Kevin Prendergast, Kevin O'Connell

Thanks John.

Ian

John Hughes Ian, as a follow-up, just to let you know that we have... 21/04/2016 10:21:08

From: John Hughes/entemp
To: Ian Drennan/entemp@ENTEMP,
Cc: Harry Lester/entemp@ENTEMP, Mary Cullen/entemp@ENTEMP, Breda_Power@deti.ie, Claire Gordon/entemp@ENTEMP
Date: 21/04/2016 10:21
Subject: Re: Forensic Accountants - DRAFT Contract

Ian,

as a follow-up, just to let you know that we have received papers from PAS (including 3 this morning) in respect of 5 candidates. Hopefully, the remaining 2 will follow shortly.

John,
21/4.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Mary Cullen Ian Attached for your information draft contract whic... 21/04/2016 10:11:33

From: Mary Cullen/entemp
To: Ian Drennan/entemp@ENTEMP,
Cc: John Hughes/entemp@ENTEMP, Harry Lester/entemp@ENTEMP
Date: 21/04/2016 10:11
Subject: Forensic Accountants - DRAFT Contract

Ian

Attached for your information draft contract which we will be issuing to the new recruit Investigator/Forensic Accountants (Professional Accountant Grade 1) in line with the competition booklet and DPER contract template. You will note the introductory paragraph on page 1, and item 7 and item 8 on page 3, all of which reflect the future-proofing of staffing assignments to meet ongoing business needs.

If you could revert with any comments as a priority we will then proceed to issue contracts as the names of individual recruits are supplied by PAS.

[attachment "Investigator-Forensic Accountant Grade 1 - DRAFT Contract.docx" deleted by Ian Drennan/entemp]

Regards

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466

14

Re: Fw: HEO ICT for ODCE
Philip Kelly to: John Hughes
Cc: Pat McCourt

27/04/2016 10:51

the idea that somebody with such exceptional/scarce ICT skills in the private sector would take a HEO post in the Civil Service is not realistic.

I think Kevin will have to grow his own and hope the person stays, whoever he gets.

However, the assignee from our panel or otherwise would have to commit to serious special training and likewise ODCE would have to commit to supporting same

P

PLEASENOTE: Philip Kelly is a Designated Public Official under the Regulation of Lobbying Act 2015. You may need to assess whether any particular communication with him requires to be registered in accordance with the Act. If you are unsure of the requirements, more information is available at www.lobbying.ie

John Hughes Pat, in anticipation of PAS holding a competition for... 27/04/2016 10:01:19

From: John Hughes/entemp
To: Pat McCourt/entemp@ENTEMP,
Cc: Philip Kelly/entemp@ENTEMP
Date: 27/04/2016 10:01
Subject: Fw: HEO ICT for ODCE

Pat,

in anticipation of PAS holding a competition for us for the ODCE HEO-ICT post, the ODCE prepared the attached booklet setting out their requirements for the post. In confidence, can you advise on whether the recent internal competition identified a candidate or candidates that might fulfil the criteria set out?

John,
27/4.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246
----- Forwarded by John Hughes/entemp on 27/04/2016 09:58 -----

From: Kevin Prendergast/entemp
To: John Hughes/entemp@ENTEMP,
Date: 27/04/2016 09:14
Subject: HEO ICT for ODCE

Hi John

Ian asked me to contact you to clarify what we are looking for in respect of the skillset for the above position. I am attaching the draft information booklet created in anticipation of a competition for the role about a year ago. As you will note the key requirement is for experience in forensic ICT investigation. In particular what I hoped for was to recruit someone with direct experience of working in accordance with best practice in ICT ediscovery as outlined in the attached document (weblink). As you can see it has been prepared jointly by some of the key players in the area and has a seal of approval from the Honourable Mr Justice Frank Clarke of the Supreme Court.

The successful applicant would be working closely with our Garda colleagues in our computer forensics lab, which we have plans to upgrade as part of the new recruitment and integration project. The applicant would be expected to play a role in advising on optimum hardware and applications to be acquired as part of that upgrade process, and as such our hope is that they would bring that knowledge with them from their previous role or roles.

I trust you find this useful.

Kind regartds

Kevin

Kevin Prendergast
Head of Enforcement
Office of the Director of Corporate Enforcement

Phone (Direct): 01 8585844

[attachment "ICT professional - Information Booklet 170615 (ODCE suggested amendments 180615).docx" deleted by Philip Kelly/entemp]

https://www.espiongroup.com/images/uploads/downloads/Good_practice_guide_to_eDiscovery_in_Ireland.pdf

Re: Fw: HEO ICT for ODCE
Philip Kelly to Pat McCourt 27/04/2016 12:15
Cc: John Hughes

Pat / John,

seen thanks

P

PLEASENOTE: Philip Kelly is a Designated Public Official under the Regulation of Lobbying Act 2015. You may need to assess whether any particular communication with him requires to be registered in accordance with the Act. If you are unsure of the requirements, more information is available at www.lobbying.ie

Pat McCourt John, I have looked at the materials attached to your... 27/04/2016 12:05:51

From: Pat McCourt/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Philip Kelly/entemp@ENTEMP
Date: 27/04/2016 12:05
Subject: Re: Fw: HEO ICT for ODCE

John,

I have looked at the materials attached to your email. I also made some discreet, generalised enquiries with [redacted] who has advised ODCE on their ICT and e-discovery requirements before, to better understand their needs. Much of the requirement is around the ability to work methodically and rigorously, and to build skills to use specific software tools which can be learned by anybody with a reasonable ICT aptitude. On the basis of my enquiries, I believe that the candidate we discussed would be able to perform in that role. He would need supports to help him develop the procedures, processes and tools required by ODCE, but those supports can be procured from a number of market providers, and should be done in such a way that there is a knowledge transfer to the incumbent. Even if one were to find a candidate with some prior experience in this area, in order to develop strong, robust processes which can withstand challenge in the Courts, I would recommend that that ODCE bring in outside expertise to help them develop their standards. A major role for the job holder then becomes one of working with the external providers to develop the standards, to embed them in the organisation, and to reduce reliance on external support providers over time. Another competence which may be very desirable in the job holder would be the ability to testify in Court and to respond calmly in the face of cross examination. This is not a competence which we explored in the interview process, but his performance at interview was very calm and assured. Of the top three candidates at interview, [redacted] is probably the one I would believe most capable of giving evidence in Court, given the calm and measured way he responded at interview.

Pat

Pat McCourt
Principal
ICT Unit
Department of Jobs, Enterprise & Innovation

e-mail: pat.mccourt@djei.ie
ph. 01 6312565

Web: www.djei.ie

John Hughes	Pat, in anticipation of PAS holding a competition for...	27/04/2016 10:01:19

16

Re: HEO ICT for ODCE
Philip Kelly
to:
John Hughes
25/05/2016 18:03
Hide Details
From: Philip Kelly/entemp
To: John Hughes/entemp@entemp,
John. Great work. Thanks. Philip

On 25 May 2016, at 17:42, John Hughes <John.Hughes@djei.ie> wrote:

Philip,

to see ODCE response below. I propose assigning on the HEO-ICT panel, to this post and to this end will facilitate a conversation between and the ODCE after I brief In tandem we can offer on the panel the second ICT Unit vacancy. If and the ODCE came to the view after 12 months or so that the assignment was not working out we would deal with that then.

John,
25/5.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246
----- Forwarded by John Hughes/entemp on 25/05/2016 17:37 -----

From: Kevin Prendergast/entemp
To: John Hughes/entemp@ENTEMP,
Cc. Harry Lester/entemp@ENTEMP
Date: 25/05/2016 14:03
Subject: Re: HEO ICT for ODCE

Hi John

While our preferred option would be to seek specific expertise from persons who already operate in this space, in the interests of moving to fill the role expeditiously and in the context of a panel being in place of appropriate candidates the Office is prepared to work within those parameters.

I think it only fair, however, that any prospective candidate be fully briefed of what the role will entail. While I have no doubt that the panel consists of staff with appropriate technical skills, or the capacity to develop them, they will also have to face the certainty that they will be asked to appear in the witness box in the context of our criminal and civil casework, and be potentially subject to rigorous cross-examination on how they carry out their work. Accordingly, I would ask that I be given the opportunity to speak to the appropriate panel member in advance so that they can make a fully informed decision as to whether they wish to take this particular ICT role, or would rather opt for any of the less exposed roles that undoubtedly exist in other areas of the Department. It would be in neither of our interests for a candidate to seek a transfer out in relatively short order on facing the reality of the role on offer.

If you are happy to go ahead on that basis then hopefully we can proceed with offering the position to the next person on the list and setting up a meeting.

Kind regards

Kevin

Kevin Prendergast
Head of Enforcement
Office of the Director of Corporate Enforcement

Phone (Direct): 01 8585844

John Hughes---29/04/2016 18:30:29---Thanks, Kevin. I have discussed your requirements with Pat McCourt, our Head of ICT, in light of my

From: John Hughes/entemp
To: Kevin Prendergast/entemp@entemp,
Cc: Harry Lester/entemp@ENTEMP
Date: 29/04/2016 18:30
Subject: Re: HEO ICT for ODCE

Thanks, Kevin.

I have discussed your requirements with Pat McCourt, our Head of ICT, in light of my clear understanding of the labour market challenges the Civil Service is having attracting highly qualified ICT specialists across all grades at this time.

My considered view is that a good outcome could be achieved if we fashioned a scenario where:

- A key competence would be the requirement to work methodically and rigorously and to develop skills to use specific software tools, the officer having a good ICT background
- ODCE supports the candidate develop the procedures, processes and tools required, with these supports procured by the ODCE from a number of market providers - and procured in such a way that there is a knowledge transfer to the incumbent
- Working with the external providers on developing standards, he/she would lead the embedding of them in the organisation, and thereby reduce reliance on external support providers over time
- Another key competence would be his/her ability to testify in Court and to respond calmly in the face of cross examination.

I feel we should proceed to appoint a candidate from the recent internal HEO ICT panel as all 4 are well qualified from the Interview Board's perspective to work in ICT and once the bespoke supports and training are put in place the ODCE should have a good resource on board the team.

John,
29/4.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Kevin Prendergast---27/04/2016 09:14:10---Hi John Ian asked me to contact you to clarify what we are looking for in respect of the skillset fo

From: Kevin Prendergast/entemp
To: John Hughes/entemp@ENTEMP,
Date: 27/04/2016 09:14

Subject: HEO ICT for ODCE

Hi John

Ian asked me to contact you to clarify what we are looking for in respect of the skillset for the above position. I am attaching the draft information booklet created in anticipation of a competition for the role about a year ago. As you will note the key requirement is for experience in forensic ICT investigation. In particular what I hoped for was to recruit someone with direct experience of working in accordance with best practice in ICT ediscovery as outlined in the attached document (weblink). As you can see it has been prepared jointly by some of the key players in the area and has a seal of approval from the Honourable Mr Justice Frank Clarke of the Supreme Court.

The successful applicant would be working closely with our Garda colleagues in our computer forensics lab, which we have plans to upgrade as part of the new recruitment and integration project. The applicant would be expected to play a role in advising on optimum hardware and applications to be acquired as part of that upgrade process, and as such our hope is that they would bring that knowledge with them from their previous role or roles.

I trust you find this useful.

Kind regartds

Kevin

Kevin Prendergast
Head of Enforcement
Office of the Director of Corporate Enforcement

Phone (Direct): 01 8585844

[attachment "ICT professional - Information Booklet 170615 (ODCE suggested amendments 180615).docx" deleted by John Hughes/entemp]

https://www.espiongroup.com/images/uploads/downloads/Good_practice_guide_to_eDiscovery_in_Ireland.pdf

VOTE 32 – JOBS, ENTERPRISE & INNOVATION

Brief for Minister's presentation of the 2015 Estimate to the Select Committee on Jobs, Enterprise and Innovation

Subhead: C7 Office of Director of Corporate Enforcement

Budget Officer and Extension No: Conor O'Mahony Ext. 5827

Budget Officer Alternative and Extension No: Phil Flood Ext. 5816

2015 Estimate €,000	2015 Provisional Outturn €,000	2016 Estimate €,000	Increase (+) / Decrease (-) on 2015 Provisional Outturn €,000	Percentage Increase (+) / Decrease (-) on 2015 Provisional Outturn %
5,091	3,072	5,015	+ 1,943	+ 63%

Purpose of Subhead

The purpose of this Subhead is to provide for the ODCE's administration costs. The ODCE currently employs 38.5[1] staff including a number of legal and accounting professionals, three of 5 new accounting posts having been filled at the end of May. In addition, there are 6 members of An Garda Síochána seconded to the Office. The costs associated with the members of An Garda Síochána are met from Vote 20 – Garda Síochána. All other staffing, legal, administration and information technology support services are funded through Subhead C7 of Vote 32.

Explanation for Increase/Decrease on 2015 Provisional Outturn

In 2015, savings on Pay resulting from vacancies that arose during the course of the year (principally retirements and transfers out) and the delay in receipt of approvals necessary to proceed with recruitment.

On the non-Pay side, the vast bulk of the savings in 2015 related to anticipated legal costs that were less than might have been anticipated. Legal costs of this nature, as well as the timing such costs, are difficult to forecast as we have little or no control

[1] Whole-time equivalent figure

over the timing of when the cases will be determined; we cannot be sure of the outcome of the cases in terms of costs orders and we cannot anticipate the scale of costs that other parties may seek. Accordingly, the Office continues to require a significant provision for legal costs in 2016.

Main Outputs delivered in 2015

ODCE was successful in an appeal to the Court of Appeal of a High Court decision not to disqualify the directors of a company struck off the Register whilst insolvent. The last remaining NIB legacy issue was finalised, by way of the Supreme Court. With the consent of the parties, in lieu of the original High Court Order (which had imposed a disqualification for a period of nine years) an Order disqualifying the Respondent for a period of four years and six months together with an Order directing the Respondent to pay a contribution towards the ODCE's costs

The caseload and throughput of cases is set out in the tables below.

Category	On hands Jan 2015	Received 2015	Dealt with 2015	On hands Jan 2016	Received to end-May 2016	Dealt with to end-May 2016	On hands end-May 2016
Insolvencies[2]	576	875	1005	446	269	297	418
Unliquidated Insolvencies	3	0	0	3	0	3	0
Enforcement[3]	76	515	522	67	216	179	104
Total No. of Cases	**655**	**1,390**	**1,527**	**516**	**485**	**478**	**522**

Legal Proceedings Concluded	2015	6	2016 to end-May	4
Legal Proceedings	2015	6	2016 to end-May	2

[2] Following the scrutinising of reports submitted to the Office by liquidators of insolvent companies, 171 company directors were restricted and a further 14 disqualified by the High Court. With the commencement of the Companies Act 2014, Restriction Undertakings regime was implemented and Undertakings were obtained from directors of insolvent companies

[3] Directors' loan infringements, in 89 cases and to an approximate aggregate value of €21m, rectified on foot of Office actions

As a proportionate and cost effective alternative to formal enforcement actions, cautions issued to a total of 73 companies

18 statutory demands for relevant information issued to persons suspected of acting as company directors whilst being undischarged bankrupts

132 directions issued to relevant parties requiring them to comply with their statutory obligations under company law

4 demands issued for the production of companies' accounting records and other relevant documents

7 referrals made to professional bodies

Ongoing				
Advocacy (Events / Publications)	2015	201	2016 to end-May	20

Main Output Targets 2016

The recruitment of the remaining accountants (2 new posts and 2 existing vacancies) is to be finalised before year-end.

The Office is moving its focus to the more serious end of the spectrum, however criminal enforcement activity in the Office does not operate on a prosecution targets basis. Rather, each potentially prosecutable case is assessed on its merits and the appropriate interventions then determined.

As the economy continues to improve, it is expected that the Office will receive fewer initial liquidator reports in 2016 than in previous years, with approximately 680 new cases anticipated. The Office will be aiming to make determination of at least that number of reports during the year.

The Office will continue to promote compliance with the Companies Act through presentations to relevant stakeholders, attendance at exhibitions and conferences, information publications and other advocacy activities.

Context and Impact Indicators

In common with the other areas of the Public Sector the ODCE, in striving to achieve more with less resources, will have to be selective in identifying and pursuing its priorities. It is a considerable challenge for the Office to properly discharge its statutory functions with the limited resources available to it. In this context, it is worth noting that, while the investigative phase of the Anglo case is largely complete, there remains a significant amount of work in supporting the DPP in preparation for forthcoming prosecutions, etc. In addition, the Office has a number of substantial cases where extremely resource-intensive criminal investigations are underway or are being contemplated. Meanwhile, the very high number of insolvent liquidations, while down slightly in the past year, still demands the application of a considerable amount of scarce resources. In this context, it should be noted that the caseload

associated with insolvent liquidations is non-discretionary as the Company Law Enforcement Act of 2001 imposes a statutory framework in relation to this work.

Issues which might arise at Select Committee

A separate note is attached in relation to the Anglo Irish Bank investigation.

If any questions arise relating to individual cases which the ODCE may be investigating, it is respectfully suggested that the Minister refer to the legally independent role of the Director in relation to company law compliance and enforcement matters.

Fw: HEO ICT for ODCE
Kevin Prendergast to: John Hughes
Cc: Harry Lester

15/06/2016 11:14

Hi John

Any update on the HEO ICT?

Kind regards

Kevin

Kevin Prendergast
Head of Enforcement
Office of the Director of Corporate Enforcement

Phone (Direct): 01 8585844

----- Forwarded by Kevin Prendergast/entemp on 15/06/2016 11:12 -----

From:	Kevin Prendergast/entemp
To:	John Hughes/entemp@ENTEMP,
Cc:	Harry Lester/entemp@ENTEMP
Date:	25/05/2016 14:03
Subject:	Re: HEO ICT for ODCE

Hi John

While our preferred option would be to seek specific expertise from persons who already operate in this space, in the interests of moving to fill the role expeditiously and in the context of a panel being in place of appropriate candidates the Office is prepared to work within those parameters.

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Kind regards

Kevin

Kevin Prendergast
Head of Enforcement
Office of the Director of Corporate Enforcement

Phone (Direct): 01 8585844

John Hughes Thanks, Kevin. I have discussed your requirements... 29/04/2016 18:30:29

From: John Hughes/entemp
To: Kevin Prendergast/entemp@entemp,
Cc: Harry Lester/entemp@ENTEMP
Date: 29/04/2016 18:30
Subject: Re: HEO ICT for ODCE

Thanks, Kevin.

I have discussed your requirements with Pat McCourt, our Head of ICT, in light of my clear understanding of the labour market challenges the Civil Service is having attracting highly qualified ICT specialists across all grades at this time.

My considered view is that a good outcome could be achieved if we fashioned a scenario where:

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John,
29/4.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Kevin Prendergast Hi John Ian asked me to contact you to clarify what... 27/04/2016 09:14:10

From: Kevin Prendergast/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Harry Lester/entemp@ENTEMP, Breda Power/entemp@ENTEMP
Date: 27/06/2016 16:11
Subject: HEO ICT for ODCE

John

I refer to my earlier emails on the above subject.

I note that at the recent Select Committee hearing on Departmental Estimates, a Deputy raised the issue of sufficiency of resources, both accounting and "technical" for the ODCE. In answering reference was made to the recent (and ongoing) recruitment of forensic accountancy personnel, and the funding for other skills. Reference was made in particular to the difficulties in recruiting externally. I am attaching excerpts from that hearing.

You will be aware from my email of May 25th that, in order to facilitate the most effective and efficient means of filling the above vacancy, this Office was willing to utilise the HEO ICT panel, as you had suggested. I had also suggested, bearing in mind the particular and unique challenges that the person filling this role would face working within ODCE as distinct from other more traditional ICT roles within the Department, that it would be beneficial that the relevant candidate meet so as to have the role outlined to them.

Accordingly you might let me know when this can be facilitated, as the absence of such a resource places an ongoing strain on our capacity to investigate.

Kind regards

Kevin

[attachment "2016 Select Committee excerpts.docx" deleted by breda power/entemp]

Kevin Prendergast
Head of Enforcement
Office of the Director of Corporate Enforcement

Phone (Direct): 01 8585844

Fw: HEO ICT for ODCE

20

From **Breda Power**
To John Hughes
Cc Harry Lester, Colm Forde, Claire Gordon
Date 07/07/2016 13:58

John

What is the position on this post? Sanction to fill the post was received over two years ago.

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
Designated Public Official under the Regulation of Lobbying Act 2015. See www.lobbying.ie
----- Forwarded by breda power/entemp on 07/07/2016 13:55 -----

From: Kevin Prendergast/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Harry Lester/entemp@ENTEMP, Breda Power/entemp@ENTEMP
Date: 27/06/2016 16:11
Subject: HEO ICT for ODCE

John

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I note that at the recent Select Committee hearing on Departmental Estimates, a Deputy raised the issue of sufficiency of resources, both accounting and "technical" for the ODCE. In answering reference was made to the recent (and ongoing) recruitment of forensic accountancy personnel, and the funding for other skills. Reference was made in particular to the difficulties in recruiting externally. I am attaching excerpts from that hearing.

You will be aware from my email of May 25th that, in order to facilitate the most effective and efficient means of filling the above vacancy, this Office was willing to utilise the HEO ICT panel, as you had suggested. I had also suggested, bearing in mind the particular and unique challenges that the person filling this role would face working within ODCE as distinct from other more traditional ICT roles within the Department, that it would be beneficial that the relevant candidate meet so as to have the role outlined to them.

Accordingly you might let me know when this can be facilitated, as the absence of such a resource places an ongoing strain on our capacity to investigate.

Kind regards

Kevin

Kevin Prendergast
Head of Enforcement
Office of the Director of Corporate Enforcement

Phone (Direct): 01 8585844

ATTACHMENTS: 12016 Select Committee excerpts.docx,

Deputy Stephen S. Donnelly: I thank the Minister of State, Deputy Breen, and wish him the best of luck.

My question refers to subhead C7, the Office of the Director of Corporate of Enforcement, ODCE. I am still reading into the brief in respect of this committee, but my understanding anecdotally is that in the past few years the office has not had the kind of-----

Deputy Pat Breen: That is the Minister's area and Deputy Mitchell O'Connor can answer that afterwards. The Deputy can ask the question.

Deputy Stephen S. Donnelly: My understanding is that the office has been significantly under resourced, so for example, it did not have any forensic accountants.

It plays a critical role and I have always been very impressed by the professionalism of the office whenever I have dealt with it. We have a culture whereby white collar crime tends to go unnoticed and undetected. The ODCE is a critical part of the State infrastructure, yet funding for it is actually falling, albeit by a small amount. However, it must be asked if the amount of funding that is provided for under the subhead is sufficient for the ODCE to scale up to meet the funding requirements of the forensic accountants and all the other technical skill sets that I am told that it did not have two years ago. Perhaps it has them now. It must also be asked if the ODCE has sufficient funding to fully resource the office to do the job that needs to be done in the coming years.

.....

Chairman: The Minister might address the question on subhead C7.

Deputy Mary Mitchell O'Connor: Deputy Stephen S. Donnelly asked if anything was not working. The answer is no.

I was asked about the funding for the Office of the Director of Corporate Enforcement, ODCE. Its funding has not seen a reduction. There was a return to 26 fortnightly pay periods in 2016, compared to 27 in 2015. Therefore, there was no cut. There was a small reduction in the level of unused ODCE legal costs, which shows up in the figure mentioned by the Deputy. Therefore, the office is sufficiently funded.

The ODCE employs 38.5 staff who include a number of legal and accounting professionals. Three of the five new accounting posts had been filled at the end of May and, in addition, six members of An Garda Síochána have been seconded to the office. The costs associated with the members of An Garda Síochána are met from Vote 20, the Vote for An Garda Síochána. All other staffing, legal administration and information technology support services are funded from Vote 32, subhead C7.

We have sanctioned a major recruitment campaign for the IASSA and the ODCE. We are looking for forensic accountants, but the difficulty is that the pay they receive in the public

service is much lower than what they would earn in the private sector. We have a difficulty in that regard.

The Deputy asked me about CCPC funding. It shows sufficiency, but it also allows for the recruitment of more staff. There is significant investment in ICT to allow online transactions for company registrations and work permits to be processed.

The Deputy also asked about the one stop shop and LEOs

Deputy Stephen S. Donnelly: I am sorry to cut across the Minister, but she stated she was satisfied with the staffing proposals of the ODCE. Obviously, it takes time to hire staff, but when they have been hired, is the Minister satisfied that the staff complement will be enough to do the job? I ask the same question about the CCPC.

Deputy Mary Mitchell O'Connor: Yes, we are, but, as I said, we are looking to employ more staff. However, we have the difficulty I have outlined.

21

Fw: HEO ICT for ODCE
Breda Power to: John Hughes 08/07/2016 15:43
Sent by: breda power
Cc: Colm Forde, Claire Gordon, Harry Lester

History: This message has been replied to and forwarded.

John

I am attaching the letter that Minister Bruton sent to Minister Howlin dated 6 June 2014 requesting that the sanction request for staff for the ODCE and IAASA be expedited. As you know the sanction was received in October 2014. You will see from the letter that Minister Bruton stated very clearly that he considered "the filling of these posts/vacancies to be of priority importance...". It is very concerning to see that a post that the Minister considered a priority two years ago was not prioritised by the Department.

Breda

MinToMinPERIAASAODCEStaffing040614Final.pdf

Breda Power
Department of Jobs, Enterprise & Innovation,
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Lower Hatch Street,
Dublin 2

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Fax: 016312552
email breda.power@djei.ie
Designated Public Official under the Regulation of Lobbying Act 2015. See www.lobbying.ie
----- Forwarded by breda power/entemp on 08/07/2016 15:42 -----

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Colm Forde/entemp@ENTEMP, Harry Lester/entemp@ENTEMP
Date: 08/07/2016 12:19
Subject: Re: Fw: HEO ICT for ODCE
Sent by: breda power

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John Hughes Breda, I have a meeting with PAS next Monday af... 07/07/2016 14:14:58

From: John Hughes/entemp
To: Breda Power/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Colm Forde/entemp@ENTEMP, Harry Lester/entemp@ENTEMP
Date: 07/07/2016 14:14
Subject: Re: Fw: HEO ICT for ODCE

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I have a meeting with PAS next Monday afternoon to discuss a number of issues and this post is one of the items I have flagged with them in advance. ICT resources continue to be a particular challenge.

John,
7/7.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Breda Power John What is the position on this post? Sanction... 07/07/2016 13:58:08

Fw: HEO ICT for ODCE

Claire Gordon to: Breda Power 08/07/2016 14:19

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Further to my email below I do not understand why the ODCE vacancy would not have been prioritised when HEOs with relevant expertise became available as the letter of 6 June 2014 from former Minister Bruton to then Minister for Public Expenditure and Reform in relation to posts including ODCE's HEO vacancy stated that "I consider the filling of these posts/vacancies to be of priority importance" (p1 in the attached).

Surely a post that was considered of priority importance by the Minister two years ago should have been at the front of the queue for any available and suitable staff.

Claire

MinToMinPERIAASAODCEStaffing040614Final.pdf

----- Forwarded by Claire Gordon/entemp on 08/07/2016 14:19 -----

From: Claire Gordon/entemp
To: Breda Power/entemp@ENTEMP,
Date: 08/07/2016 13:08
Subject: Re: Fw: HEO ICT for ODCE

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Claire

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From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Colm Forde/entemp@ENTEMP, Harry Lester/entemp@ENTEMP
Date: 08/07/2016 12:19
Subject: Re: Fw: HEO ICT for ODCE
Sent by: breda power

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Breda
Breda Power
Department of Jobs, Enterprise & Innovation,

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John Hughes | Breda, I have a meeting with PAS next Monday af... | 07/07/2016 14:14:58

From: John Hughes/entemp
To: Breda Power/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Colm Forde/entemp@ENTEMP, Harry Lester/entemp@ENTEMP
Date: 07/07/2016 14:14
Subject: Re: Fw: HEO ICT for ODCE

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John,
7/7.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Breda Power | John What is the position on this post? Sanction... | 07/07/2016 13:58:08

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Harry Lester/entemp@ENTEMP, Colm Forde/entemp@ENTEMP, Claire Gordon/entemp@ENTEMP
Date: 07/07/2016 13:58
Subject: Fw: HEO ICT for ODCE
Sent by: breda power

John

What is the position on this post? Sanction to fill the post was received over two years ago.

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
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----- Forwarded by breda power/entemp on 07/07/2016 13:55 -----

Re: Fw: HEO ICT for ODCE
Claire Gordon to: Breda Power
Cc: Colm Forde
13/07/2016 16:33

Breda

I still don't understand why HR Unit felt that it has the authority to decide that a vacancy arising in May 2016 is more important than a position that was deemed a priority by the Minister two years ago.

Claire

John Hughes Breda, as noted in previous responses the Depart... 13/07/2016 16:07:28

From: John Hughes/entemp
To: Breda Power/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Colm Forde/entemp@ENTEMP, Harry Lester/entemp@ENTEMP, Philip Kelly/entemp@ENTEMP, John Murphy/entemp@ENTEMP
Date: 13/07/2016 16:07
Subject: Re: Fw: HEO ICT for ODCE

Breda,

as noted in previous responses the Department has had - as many other Departments have - difficulties securing the ICT expertise that it requires for some time. Indeed, as far as I am aware, since I took up the post of Personnel Officer in September 2013 securing the appropriate level of ICT expertise for the Department has been a particularly acute challenge. The HEO-ICT post in the ODCE and the longstanding AP post in the Department's ICT Unit are two of the most obvious manifestations of this difficulty. Such has been the challenge that our Departmental ICT Unit continues to carry vacancies and we have been unable to fill the AP post. Eventually, we decided to run an in-house HEO-ICT competition, earlier this year, and 4 candidate were placed on the panel. At that time it was our intention, in the continuing absence of a PAS assignee, to fill up to 4 posts - 2 in ICT Unit, 1 in the ODCE and 1 in SPD or ICT Unit dealing with the annual Employment Survey.

In that regard, I contacted the ODCE to discuss making an assignment to that Office from the internal HEO-ICT panel in late April. On 27th April Kevin Prendergast emailed me the booklet that had been prepared for the PAS competition we had originally sought and highlighted experience in forensic ICT investigation as a skill set they required in the HEO. As you might image, that is not a specific competence that we have within the Department so I consulted with Pat McCourt as Head of ICT Unit and Pat and I agreed that any one of the 4 candidates on the Internal HEO-ICT Panel could fulfil the role once they were supported by the ODCE in the development of the procedures, processes and tools required sourced from a number of market providers. These views were conveyed back to the ODCE on 29th April with a recommendation from me that we appoint one of the 4 candidates on the Internal Panel. On 25th May, the ODCE reverted regarding my earlier proposal indicating that they felt we should proceed with it once they could meet the candidate and establish that the candidate proposed for the assignment would be comfortable with the job requirements and possible Court appearances etc. In the meantime, a critical vacancy had arisen in the Estimates Section of Finance Unit and in the absence, at that time, of a considered response from the ODCE, and in the context of the various plans for Payroll, T&S and, ultimately, Financial Management to move to Shared Services it was decided to assign a HEO with ICT skills to Finance Unit to giving it the in-house capacity to understand and prepare for the ICT dimensions of these moves, in addition to handling the Estimates portfolio, given that, at that stage, we had not gotten the ODCE assignment over the line. Hence the need to continue to pursue the filling of the HEO-ICT post for the ODCE with PAS. In that regard, earlier last week, I once again raised the need for the Department to secure a HEO or AO with ICT skills with PAS (for assignment to the ODCE). Furthermore, I met PAS on Monday afternoon this week to discuss a range of requests this Department has with PAS for key staff and, of course, the ODCE HEO-ICT featured. Our PAS colleague has undertaken to revert ASAP on that as one of the priority posts at this time.

During a period of the Moratorium, the Employment Control Framework and pay-budget limits the

competing pressures for limited staffing resources has lead to a constant reassessment of priorities on an ongoing basis. Nonetheless, I have never lost sight of the need for the HEO-ICT post in the ODCE but for the reasons set out above the Department has been unable to secure the expertise to date but we continue to pursue the matter diligently with the PAS consistent with the commitment in respect of, "a post that the Minister considered a priority two years ago".

John,
13/7.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Breda Power John Is there any update from your meeting with... 12/07/2016 18:16:54

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Colm Forde/entemp@ENTEMP, Claire Gordon/entemp@ENTEMP, Harry Lester/entemp@ENTEMP
Date: 12/07/2016 18:16
Subject: Fw: HEO ICT for ODCE
Sent by: breda power

John

Is there any update from your meeting with PAS yesterday on the HEO ICT post for the ODCE?

Breda

Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
Designated Public Official under the Regulation of Lobbying Act 2015. See www.lobbying.ie
----- Forwarded by breda power/entemp on 12/07/2016 18:14 -----

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Colm Forde/entemp@ENTEMP, Claire Gordon/entemp@ENTEMP, Harry Lester/entemp@ENTEMP
Date: 08/07/2016 15:43
Subject: Fw: HEO ICT for ODCE
Sent by: breda power

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I am attaching the letter that Minister Bruton sent to Minister Howlin dated 6 June 2014 requesting that the sanction request for staff for the ODCE and IAASA be expedited. As you know the sanction was received in October 2014. You will see from the letter that Minister Bruton stated very clearly that he considered "the filling of these posts/vacancies to be of priority importance...". It is very concerning to see that a post that the Minister considered a priority two years ago was not prioritised by the Department.

Breda

[attachment "MinToMinPERIAASAODCEStaffing040614Final.pdf" deleted by breda power/entemp]
Breda Power
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----- Forwarded by breda power/entemp on 08/07/2016 15:42 -----

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Colm Forde/entemp@ENTEMP, Harry Lester/entemp@ENTEMP
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Subject: Re: Fw: HEO ICT for ODCE
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John Hughes Breda, I have a meeting with PAS next Monday af... 07/07/2016 14:14:58

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Cc: Claire Gordon/entemp@ENTEMP, Colm Forde/entemp@ENTEMP, Harry Lester/entemp@ENTEMP
Date: 07/07/2016 14:14
Subject: Re: Fw: HEO ICT for ODCE

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John,
7/7.

John Hughes,

Kevin

[attachment "2016 Select Committee excerpts.docx" deleted by breda power/entemp]

Kevin Prendergast
Head of Enforcement
Office of the Director of Corporate Enforcement

Phone (Direct): 01 8585844

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Sent by. breda power
Cc: Colm Forde, Claire Gordon, Harry Lester

History: This message has been replied to and forwarded.

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From: Claire Gordon/entemp
To: Breda Power/entemp@ENTEMP,
Date: 08/07/2016 13:08
Subject: Re: Fw: HEO ICT for ODCE

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Department of Jobs, Enterprise & Innovation,

From: Kevin Prendergast/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Harry Lester/entemp@ENTEMP, Breda Power/entemp@ENTEMP
Date: 27/06/2016 16:11
Subject: HEO ICT for ODCE

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I refer to my earlier emails on the above subject.

I note that at the recent Select Committee hearing on Departmental Estimates, a Deputy raised the issue of sufficiency of resources, both accounting and "technical" for the ODCE. In answering reference was made to the recent (and ongoing) recruitment of forensic accountancy personnel, and the funding for other skills. Reference was made in particular to the difficulties in recruiting externally. I am attaching excerpts from that hearing.

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Accordingly you might let me know when this can be facilitated, as the absence of such a resource places an ongoing strain on our capacity to investigate.

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[attachment "2016 Select Committee excerpts.docx" deleted by breda power/entemp]

Kevin Prendergast
Head of Enforcement
Office of the Director of Corporate Enforcement

Phone (Direct): 01 8585844

Fw: HEO ICT for ODCE

Breda Power to: John Hughes 07/07/2016 13:58
Sent by: breda power
Cc: Harry Lester, Colm Forde, Claire Gordon

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Breda
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Department of Jobs, Enterprise & Innovation,
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2016 Select Committee excerpts.docx

Kevin Prendergast

Deputy Stephen S. Donnelly: I thank the Minister of State, Deputy Breen, and wish him the best of luck.

My question refers to subhead C7, the Office of the Director of Corporate of Enforcement, ODCE. I am still reading into the brief in respect of this committee, but my understanding anecdotally is that in the past few years the office has not had the kind of-----

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.....

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Deputy Mary Mitchell O'Connor: Deputy Stephen S. Donnelly asked if anything was not working. The answer is no.

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Fw: HEO ICT for ODCE

23

From Breda Power
To Colm Forde, Claire Gordon
Cc
Date 20/07/2016 17:16

FYI

Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
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----- Forwarded by breda power/entemp on 20/07/2016 17:15 -----

From: John Hughes/entemp
To: Kevin Prendergast/entemp@entemp,
Cc: Breda Power/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP, Harry Lester/entemp@ENTEMP, Mary Cullen/entemp@ENTEMP
Date: 20/07/2016 16:56
Subject: Re: HEO ICT for ODCE

All very carefully, noted, Kevin, and this is one of the priority vacancies I raised with PAS at a bilateral meeting over a week ago and I will continue to pursue it on that basis.

John,
20/7.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

From: Kevin Prendergast/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP
Date: 20/07/2016 16:50
Subject: HEO ICT for ODCE

John

I refer to the above issue, and am given to understand that there is no longer any availability from the HEO ICT panel,

and accordingly we are reverting to the previous strategy of working with PAS to secure the appropriate appointment.

The Office is currently engaged in a number of criminal investigations, one of which, into certain alleged activities in [redacted], is the subject of recent, ongoing and significant political, media and public interest. As you may be aware the Office has through the High Court and under its own powers sought and obtained a significant amount of hard copy and electronic data in relation to this case. Our ability to progress this and other investigations is regrettably hampered by the lack of in-house expertise to analyse the electronic data seized. At the moment we are dealing with this matter through the retention of professional services externally, but due to the time pressures inherent in such cases, in particular where orders of the Court are involved and other external parties including liquidators have to be accommodated, our capacity to go through full procurement procedures is inevitably compromised. Effectively we are caught between the rock of our legislative remit in relation to the proper pursuit of criminal investigations and the hard place of proper compliance, as staff of the Department, with public procurement best practice. While the filling of the vacant position will not immediately solve all of these problems, it will allow the Office to progress a number of projects which will ultimately result in a far more effective and efficient electronic evidence seizure and analysis process.

I am aware that you continue to liaise with PAS on this as a matter of urgency. I would ask that you continue to impress upon them the absolute priority of filling this vacancy so that the Office can properly and effectively fulfil its remit.

Kind regards

Kevin

Kevin Prendergast
Head of Enforcement
Office of the Director of Corporate Enforcement

Phone (Direct): 01 8585844

ATTACHMENTS:

24

Re: Forensic Accountant in the Office of the Director of Corporate Enforcement

John Hughes to: Jean Kelly

25/07/2016 11:53

Thanks.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Jean Kelly The 3 candidates withdrew their applications. Kind r... 25/07/2016 11:25:37

From: Jean Kelly/entemp
To: John Hughes/entemp@ENTEMP,
Date: 25/07/2016 11:25
Subject: Re: Forensic Accountant in the Office of the Director of Corporate Enforcement

The 3 candidates withdrew their applications.

Kind regards

Jean

Jean Kelly | Recruitment, Assignments & Pay Section | HR Unit | Department of Jobs, Enterprise and Innovation | Kildare Street | Dublin 2
Phone 01-631 2216 | E-mail jean.kelly@djei.ie

John Hughes And how do we account for the other 3? John Hughe... 25/07/2016 10:45:54

From: John Hughes/entemp
To: Jean Kelly/entemp@ENTEMP,
Date: 25/07/2016 10:45
Subject: Re: Forensic Accountant in the Office of the Director of Corporate Enforcement

And how do we account for the other 3?

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Jean Kelly The panel is now exhausted. There are two candida... 25/07/2016 09:38:01

From: Jean Kelly/entemp

Regards
Marese

Marese Phelan
Professional and Technical Unit 1
T +353 1 858 7437

Public Appointments Service
An tSeirbhís um Cheapacháin Phoiblí
Chapter House, 26/30 Abbey Street Upper, Dublin 1, D01 C7W6

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(See attached file: image001.png)(See attached file: image002.png)(See attached file: image003.png)
****
****

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Tá an ríomhphost seo agus aon chomhad a chuirtear ar aghaidh leis, rúnda, agus tá sé beartaithe gur d'úsáid an duine aonair nó an aonáin amháin ar cuireadh chucu é, a tá sé. Munar tú an duine a ba chóir an ríomhphost seo, nó aon chuid de, a fháil, níor chóir duit aon chuid de a nochtadh, a chóipeáil nó a dháileadh. Déan teagmháil leis an té a chuir chugat é agus inis dó/di go bhfuair tú é trí thimpiste. Ba chóir d'éinne a tá ag déanamh idirghníomhaíochta trí ríomhphost caighdeánach a thuiscint go bhfuil priacail i gceist agus tú ag seachadadh faisnéise pearsanta nó íogair leis an teicneolaíocht seo (mar nach modh iomlán slán a tá ann chun sonraí a chur ar aghaidh). Mar sin, ná cuir sonraí pearsanta no íogair trí ríomhphost chuig an oifig seo.
Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

****
****

25

Re: Investigators/Forensic Accountants
Ian Drennan
to:
John Hughes
25/07/2016 12:48
Cc:
Breda_Power, Harry Lester, Jean Kelly, John Murphy, Mary Cullen, Philip Kelly
Hide Details
From: Ian Drennan/entemp Sort List...
To: John Hughes/entemp@entemp,
Cc: Breda_Power@deti.ie, Harry Lester/entemp@entemp, Jean Kelly/entemp@entemp, John Murphy/entemp@entemp, Mary Cullen/entemp@entemp, Philip Kelly/entemp@entemp
Thanks John, appreciated.

Ian

On 25 Jul 2016, at 12:33, John Hughes <John.Hughes@djei.ie> wrote:

> Thanks, Ian, we were notified that the last candidate had withdrawn just this morning. We will follow up with PAS as per your wishes below.
>
> John,
> 25/7.
>
> John Hughes,
> Principal,
> HR, Learning & Development and Business Services Units,
> Department of Jobs, Enterprise, and Innovation,
> Kildare Street,
> Dublin 2.
> D02 TD30
> Phone - 01-6312246
> Ian Drennan---25/07/2016 12:26:03---From: Ian Drennan/entemp To: John Hughes/entemp@entemp,
>
> From: Ian Drennan/entemp
> To: John Hughes/entemp@entemp,
> Cc: John Murphy/entemp@entemp, Breda_Power@deti.ie, Philip Kelly/entemp@entemp, Mary Cullen/entemp@entemp, Jean Kelly/entemp@entemp, Harry Lester/entemp@entemp
> Date: 25/07/2016 12:26
> Subject: Re: Investigators/Forensic Accountants
>
> ---

John,

Thanks for your email.

I wasn't aware until now that a third candidate had withdrawn. That now leaves me with two unfolded posts.

Neither of the options below is attractive to me. Anyone not previously placed on the panel

was not deemed by the Interview Board to have met the requisite standard. As discussed previously, I am not in favour of taking anyone from a generic panel. These are specialised roles.

Under the circumstances, my preferred course of action is re-advertisement.

Ian

On 25 Jul 2016, at 12:05, John Hughes <John.Hughes@djei.ie> wrote:

Ian,

I understand that the Panel established specifically for the assignment of Forensic Accountants/ Investigators to the ODCE is now expired. As you will recall 8 candidates were empanelled with the following outcome:

- Three started in the ODCE on the 30th May
- Two candidates are due to start in the ODCE on 29th August
- Three candidates have withdrawn/declined offers.

Have you any thoughts on possible next steps? For example, should PAS be approached to established contact with other candidates who originally applied for the competition but were not among the 8 placed on the panel? Should we ask PAS if they have an active Professional Accountants Grade I panel that we might access? I do not know, in particular, if the first option is feasible but wanted your views before approaching PAS.

John,
25/7.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Subhead : C7 ODCE

	2016 REV	2017 Baseline = 2016 REV (for the purposes of this exercise)	2017 Requirement	Difference
Pay*	2.80m	2.80m	Finance Unit will work this out – though ODCE should flag if additional staffing resources (over the current complement) are being provided or sought for 2017	
Non-Pay	2.207m	2.207m		
Pensions	-	-		
Capital	-	-		

*Pay : For the purposes of this exercise the consequences arising from the Lansdowne Road agreement impacting in 2017 should not be factored in at this stage. It is anticipated that will be managed separately with DPER as part of the 2017 REV process in October/November.

Explanation for increase(s)/decrease(s) over 2016 provision

ODCE expect that the Non-Pay provision of 2.207million will be sufficient for 2017.

On the Pay side, there are a number of vacancies in the Office, and we expect these to be filled by the start of 2017. A table of current staffing and vacancies is below (excluding members of GBFI whose salaries are paid from the Department of Justice Vote. Two of the Accountant vacancies are to be filled on Monday next (29th August).

GRADE	SERVING
Director	1
Compliance Officer (PO Equivalent)	1
Principal Officer	1
Legal Adviser (PO Equivalent)	2
Principal Solicitor (PO Equivalent)	1
Accountant (AP Equivalent)	3
Solicitor (AP Equivalent)	1
Assistant Principal	3
Higher Executive Officer	7
Executive Officer	5.8
Clerical Officer	5.7
TOTAL SERVING	**31.5**
GRADE	**VACANCIES**
Legal Adviser (PO Equivalent)	1
Accountant (AP Equivalent) *	4
Solicitor (AP Equivalent)	1
Higher Executive Officer *	2
Clerical Officer	1
TOTAL VACANCIES	**9**

* Apart from vacancies arising from the departure of staff, these figures include:

2 Accountant posts sanctioned last year, staff to take up their posts next week

1 HEO/Systems Analyst post sanctioned last year, recruitment is awaited

27

Re: Fw: Divisional Key Priorities Update

From Claire Gordon
To CCC Coordination
Cc Joan Howley, Colm Forde
Date 05/09/2016 12:11

Bridget

I suggest the following for addition to No. 25

In particular, urgent sanction has been sought for IAASA to recruit staff for an audit standards unit and the ODCE remains without a HEO with ICT expertise despite that it informed the Department in July that its ability to progress investigations is hampered by the lack of in-house ICT expertise to analyse electronic data seized as part of its investigations.

Claire

From: CCC Coordination/entemp
To: Anne Barrett/entemp@Entemp, Ciaran McLoughlin/entemp@ENTEMP, Claire Gordon/entemp@ENTEMP, Colette Reilly/entemp@ENTEMP, Colm Forde/entemp@ENTEMP, Deirdre O'Higgins/entemp@ENTEMP, Derval Monahan/entemp@ENTEMP, Helen Curley/entemp@ENTEMP, Helen McCarthy/entemp@ENTEMP, Joan Howley/entemp@entemp, John Moynihan/entemp@ENTEMP, Kieran Grace/entemp@ENTEMP, Kimberley Langton/entemp@ENTEMP, Orla O'Brien/entemp@ENTEMP, Sabha Greene/entemp@ENTEMP, Sean Smith/entemp@ENTEMP, Sinead Gilligan/entemp@ENTEMP, Siona Ryan/entemp@Entemp, Tara Coogan/entemp@Entemp,
Cc: Breda Power/entemp@ENTEMP
Date: 05/09/2016 10:38
Subject: Fw: Divisional Key Priorities Update
Sent by: Bridget Cosgrave

Colleagues,

Can you refer to the request below for updates on the Divisional Key Priorities, please.

I would appreciate if you could email your obs (incl nil obs) to the CCC Coordination mailbox by lunchtime Thursday 8 September 2016.

Many thanks
Bridget

Bridget Cosgrave
Dept of Jobs, Enterprise & Innovation
Competition & Consumer Policy Section
Tel: 6312611
Fax: 6312552
---- Forwarded by Bridget Cosgrave/entemp on 05/09/2016 10:34 ----

From Planning/entemp
To: John Murphy/entemp@ENTEMP, Philip Kelly/entemp@ENTEMP, Clare Dunne/entemp@ENTEMP, Breda Power/entemp@ENTEMP, Declan Hughes/entemp@ENTEMP, Martin Shanagher/entemp@ENTEMP, Dermot Mulligan/entemp@ENTEMP,
Cc: CCC Coordination/entemp@Entemp, Bridget Cosgrave/entemp@Entemp, SPD Coordination/entemp@Entemp, Betty Tyrrell/entemp@ENTEMP, June Corbett/entemp@ENTEMP, Innovation and Investment/entemp@Entemp,

Brona Deegan/entemp@ENTEMP, ETDCoordination/Entemp@Entemp, Patrick D'Arcy/entemp@ENTEMP, Sean Healy/entemp@ENTEMP, Lelia Abe/entemp@ENTEMP, Labour Affairs/entemp@Entemp, Gabrielle Russell/entemp@ENTEMP, Niamh Rochford/entemp@ENTEMP, Gerard Curran/entemp@ENTEMP, Dermot Kavanagh/entemp@entemp, Emer Munroe/entemp@ENTEMP, Jonathan McCabe/entemp@ENTEMP, Colin Delaney/entemp@ENTEMP, Niamh Moloney/entemp@ENTEMP, Michael O'Leary/entemp@ENTEMP, Planning/entemp@ENTEMP

Date: 05/09/2016 10:14
Subject: Divisional Key Priorities Update
Sent by: Marie Oman

Colleagues

In advance of the Ministerial Management Board on Wednesday 14 September 2016, Divisions are requested to review the attached Divisional Key Priorities document and update as appropriate.

[attachment "DJEI Deliverables 14.09.16 Draft.docx" deleted by Claire Gordon/entemp]

Any updates should be clearly highlighted in **Blue Font**. It should also be noted, that where the status of a priority is changing, for example from amber to green, that a more detailed narrative will be required to explain the reason for the change.

The deadline for receipt of Divisional updates is 15:00 on Friday 09 September 2016, via the Planning mailbox.

Kind regards

Marie

Marie Oman
Management Support Unit
Dept. of Jobs, Enterprise & Innovation
Kildare Street
Dublin 2

Tel: 353 1 6312280
Email: planning@djei.ie

ATTACHMENTS:

28

Fw: HEO ICT for ODCE
Breda Power to: Colm Forde, Claire Gordon 13/09/2016 14:40
Sent by: breda power

History: This message has been forwarded.

Colm, Claire - FYI

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
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----- Forwarded by breda power/entemp on 13/09/2016 14:39 -----

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Kevin Prendergast/entemp@entemp, Ian Drennan/entemp@ENTEMP, Harry Lester/entemp@ENTEMP, John Murphy/entemp@ENTEMP, Philip Kelly/entemp@ENTEMP
Date: 13/09/2016 14:29
Subject: Re: HEO ICT for ODCE
Sent by: breda power

John

At the Management Board meeting this morning at which the ODCE made a presentation, the Secretary General acknowledged that it would be difficult to recruit a person with the right mix of ICT skills at HEO level for the ODCE. There was broad support from other Management Board members for recruiting at a more senior level. As you know the ICT post in the ODCE requires significant ICT forensic skills and experience. In order to secure someone with the appropriate skills, and having discussed the matter with Ian, I consider that it would be best to have the post at PO level. I would appreciate it if you would let Ian, Kevin and I know how we might best advance this matter.

Thanks

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
Designated Public Official under the Regulation of Lobbying Act 2015. See www.lobbying.ie

John Hughes All very carefully, noted, Kevin, and this is one of... 20/07/2016 16:56:36

From: John Hughes/entemp
To: Kevin Prendergast/entemp@entemp,
Cc: Breda Power/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP, Harry Lester/entemp@ENTEMP, Mary Cullen/entemp@ENTEMP
Date: 20/07/2016 16:56
Subject: Re: HEO ICT for ODCE

All very carefully, noted, Kevin, and this is one of the priority vacancies I raised with PAS at a bilateral meeting over a week ago and I will continue to pursue it on that basis.

John,
20/7.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street
Dublin 2.
D02 TD30
Phone - 01-6312246

Kevin Prendergast John I refer to the above issue, and am given to... 20/07/2016 16:50:17

From Kevin Prendergast/entemp
To John Hughes/entemp@ENTEMP,
Cc. Breda Power/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP
Date: 20/07/2016 16:50
Subject: HEO ICT for ODCE

John

I refer to the above issue, and am given to understand that there is no longer any availability from the HEO ICT panel, and accordingly we are reverting to the previous strategy of working with PAS to secure the appropriate appointment.

The Office is currently engaged in a number of criminal investigations, one of which, into certain alleged activities in [redacted] is the subject of recent, ongoing and significant political, media and public interest. As you may be aware the Office has through the High Court and under its own powers sought and obtained a significant amount of hard copy and electronic data in relation to this case. Our ability to progress this and other investigations is regrettably hampered by the lack of in-house expertise to analyse the electronic data seized. At the moment we are dealing with this matter through the retention of professional services externally, but due to the time pressures inherent in such cases, in particular where orders of the Court are involved and other external parties including liquidators have to be accommodated, our capacity to go through full procurement procedures is inevitably compromised. Effectively we are caught between the rock of our legislative remit in relation to the proper pursuit of criminal investigations and the hard place of proper compliance, as staff of the Department, with public procurement best practice. While the filling of the vacant position will not immediately solve all of these problems, it will allow the Office to progress a number of projects which will ultimately result in a far more effective and efficient electronic evidence seizure and analysis process.

I am aware that you continue to liaise with PAS on this as a matter of urgency. I would ask that you continue to impress upon them the absolute priority of filling this vacancy so that the Office can properly and effectively fulfil its remit.

Kind regards

Kevin

Kevin Prendergast
Head of Enforcement
Office of the Director of Corporate Enforcement

Phone (Direct): 01 8585844

29

Re: ICT EO / HEO
Michelle Noone
to:
Harry.Lester@djei.ie
17/09/2016 11:08
Cc:
"john.hughes@djei.ie"
Hide Details
From: Michelle Noone <michelle.noone@publicjobs.ie>
To: "Harry.Lester@djei.ie" <Harry.Lester@djei.ie>,
Cc: "john.hughes@djei.ie" <john.hughes@djei.ie>

Harry,

Many thanks for all the updates

Kind regards,

Michelle

On 16 Sep 2016, at 17:41, "Harry.Lester@djei.ie" <Harry.Lester@djei.ie> wrote:

Hi Michelle,

The location for the IT role is Dublin (ODCE - Parnell Square). I am not sure what stream it would fit into, but would suggest operations. It is certainly not - rather it would require forensic analysis of IT data.

In relation to our discussion earlier, please see the form that you requested.

I will talk to John next week and also send on the letter conveyig delegated sanction and will forward on the sanction for the Deputy Chair of the Labour Court once this is received.

In relation to the Head of Internal Audit I will confirm whether there has been any developments since our last discussion re whether to recruit from open or inter-Departmental panels - after I talk to John. I understand that you are waiting for us to come back on this point before advertising.

Talk to you more next week.

Regards,

Harry Lester
Department of Jobs, Enterprise and Innovation
HR Unit
Kildare St
Dublin 2
Direct Dial : 01 631 2244
E-mail: harry.lester@djei.ie

From: Michelle Noone <michelle.noone@publicjobs.ie>
To: "harry.lester@djei.ie" <harry.lester@djei.ie>,
Cc: "john.hughes@djei.ie" <john.hughes@djei.ie>
Date: 16/09/2016 14:02
Subject: ICT EO / HEO

Harry,

We are looking at the EO ICT panel to see if there is anyone suitable for that ICT role.

Can you confirm with what stream your EO ICT request is for? There is a development stream and operations stream and also the location?.

Thanks,

Michelle

Michelle Noone
Head of Search / Marketing & Communications
T +353 1 858 7426
M +353 87 929 4208

Public Appointments Service
An tSeirbhís um Cheapacháin Phoiblí
Chapter House, 26/30 Abbey Street Upper, Dublin 1, D01 C7W6

30

Fw: URGENT: Additional briefing note for the Minister for Jt Ctte appearance

From Breda Power
To Fergal Cullen, Cathal O'Gorman
Cc Claire Gordon, Colm Forde
Date 21/09/2016 13:20

Fergal

Material on ODCE staffing as requested.

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
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----- Forwarded by breda power/entemp on 21/09/2016 13:19 -----

From: Conor O'Mahony/entemp
To: Breda Power/entemp@ENTEMP,
Cc: Claire Gordon/entemp@ENTEMP, Colm Forde/entemp@ENTEMP, Phil Flood/entemp@entemp, Ian Drennan/entemp@ENTEMP
Date: 21/09/2016 12:46
Subject: Re: Fw: URGENT: Additional briefing note for the Minister for Jt Ctte appearance

Breda

Material on staffing as requested. Let me know if you want anything further.

ODCE Staffing

The ODCE is staffed by a multi-disciplinary team included, lawyers, accountants, civil servants and members of An Garda Síochána. In total, the Office currently has 39.5 staff (full time equivalents). This includes 6 members of An Garda Síochána.

Following submissions from the ODCE, sanction was secured in late 2014 for the recruitment of an additional 5 accountants and an IT/Forensics expert to assist with the work of the Office. Unfortunately, there was a delay in recruiting the additional resources. However, following a competition commenced late in 2015, the Office has recently recruited 5 forensic accountants. The Office still has vacancies for 2 forensic accountants and it is intended to hold a further competition to fill these posts in the near future.

While the staffing resources of the Office have been boosted by the recruitment of the additional accountants, the Office has also suffered from a number of retirements, resignations and reassignments in the past year. The Office is currently working with the Department on plans to fill the resultant vacancies.

Regards

Conor

Conor O'Mahony
Principal Officer
Office of the Director of Corporate Enforcement
16 Parnell Square
Dublin 1
ph. +353 - 1 - 858 5827

From	Breda Power/entemp
To:	Conor O'Mahony/entemp@entemp, Phil Flood/entemp@entemp,
Cc:	Colm Forde/entemp@ENTEMP, Claire Gordon/entemp@ENTEMP
Date	21/09/2016 10:03
Subject	Fw: URGENT: Additional briefing note for the Minister for Jt Ctte appearance
Sent by	breda power

Conor, Phil

Can you prepare a paragraph or so on the staffing position in the ODCE as per Fergal's email below. As you know this request is urgent as the Minister is due to appear before the Committee tomorrow and there is a further briefing with the Minister this afternoon. It would be good to have the note before the briefing session.

Many thanks

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
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----- Forwarded by breda power/entemp on 21/09/2016 09:58 -----

From:	Fergal Cullen/entemp
To:	Kieran Grace/entemp@ENTEMP,
Cc:	Anne Barrett/entemp@entemp, Breda Power/entemp@entemp, Cathal O'Gorman/entemp@entemp, Paul Brennan/entemp@entemp, Colette Reilly/entemp@ENTEMP, Maureen O'Sullivan/entemp@entemp
Date:	21/09/2016 09:53
Subject:	Re: URGENT: Additional briefing note for the Minister for Jt Ctte appearance

Thanks Kieran - noted.

Separately Minister did ask for a short update on the staffing situation in the CCPC (and ODCE Breda).

I met Colette earlier and she's on the case on the CCPC paragraphs.

Breda - grateful if you could arrange for someone to provide a couple of paragraphs by way of ODCE staffing update pls - Q/ have the Accountants arrived since June 21st / any other staffing developments etc.

I will also send Maureen an email & 2 questions re CRO Metrics (Filing Savings etc) that the Committee Secretariat has flagged.

All the best
Fergal

Fergal Cullen
Finance Unit [Estimates | Payroll | Travel Units]
Department of Jobs, Enterprise & Innovation
Davitt House | 65A Adelaide Road | Dublin 2 | Republic of Ireland.

ph: + 353 1 6313057 email: fergal.cullen@djei.ie | website : www.djei.ie

From: Kieran Grace/entemp
To: Cathal O'Gorman/entemp@ENTEMP, Fergal Cullen/entemp@ENTEMP,
Cc: Paul Brennan/entemp@Entemp, Anne Barrett/entemp@Entemp, Breda Power/entemp@ENTEMP
Date: 21/09/2016 09:43
Subject: URGENT: Additional briefing note for the Minister for Jt Ctte appearance

Cathal/Fergal,

Additional note attached in case this issue arises. If you need anything more, please do not hesitate to contact me.

[attachment "Note for the Minister 21 Sept 2016.docx" deleted by Fergal Cullen/entemp] [attachment "Draft Bill and press release 20 Sept 2016.pdf" deleted by Fergal Cullen/entemp]

Kind regards,

Kieran

Kieran Grace
Principal
Competition & Consumer Policy Section
Department of Jobs, Enterprise & Innovation
Telephone: + 353.(0)1.6312676
LoCall number: 1890.220222
e-mail: kieran.grace@djei.ie

ATTACHMENTS:

An tSeirbhís um Cheapacháin Pholblí
Public Appointments Service

INFORMATION BOOKLET

The Public Appointments Service intends to hold a competition for the purpose of recommending a person for appointment as:

Head of Digital Forensics in the Office of the Director of Corporate Enforcement

The Public Appointments Service is committed to a policy of equal opportunity. The Public Appointments Service will run this campaign in compliance with the codes of practice prepared by the new Commissioners for Public Service Appointments (CPSA). Codes of practice are published by the CPSA and are available on www.cpsa-online.ie

CHAPTER HOUSE
26 – 30 ABBEY STREET UPPER
DUBLIN 1

Telephone Number: 353 1 858 7400

www.publicjobs.ie

Title of Position:	Head of Digital Forensics in the Office of the Director of Corporate Enforcement
Employing Authority:	Department of Jobs, Enterprise and Innovation
Location:	Office of the Director of Corporate Enforcement, 16 Parnell Square, Dublin 1

The Office of the Director of Corporate Enforcement ("the ODCE")
Mandate and high level goals
The mission of the ODCE is to improve the compliance environment for corporate activity in the Irish economy by encouraging adherence to, and dissuading non-compliance with, company law.

Established in 2001, the ODCE is an independent Office of the Department of Jobs, Enterprise and Innovation. Under the Companies Act 2014 ("the Act"), the principal functions of the Director of Corporate Enforcement include the:

- encouragement of compliance with the Act;
- investigation of suspected offences under the Act, or other suspected non-compliance with the Act, or with the duties and obligations to which companies and their officers are subject;
- enforcement of the Act, including the prosecution of offences by way of summary proceedings;
- referral of cases to the Director of Public Prosecutions for consideration as to whether they should be prosecuted on indictment;
- exercise, insofar as considered necessary or appropriate, of a supervisory role over the activity of liquidators and receivers in the discharge of their functions under the Act.

Those statutory functions have been further distilled into the ODCE's high level goals, which are to:

- promote a greater understanding of affected parties' rights and duties under company law;
- confront unlawful and irresponsible behaviour insofar as it relates to company law; and
- provide a quality customer service to internal and external stakeholders.

Structure and current resources

Currently, the ODCE has a staff complement of approximately 40 comprising of both civilian staff and members of An Garda Síochána.

Having regard to its principal statutory functions, and the associated workstreams, the ODCE is organised into a number of Units, each of which comes under the responsibility of a Head of Function. Further information regarding the ODCE's principal activities can be accessed at www.odce.ie

The role

The ODCE wishes to appoint a Head of Digital Forensics to supplement its current skill mix and capabilities. This will be a key role within the organisation and the individual will be expected to make a significant contribution to complex and serious company law investigations, both civil and criminal, that the Office undertakes. The successful candidate must be capable of demonstrating an appreciation for the pivotal nature of their role and function within the organisation.

The nature of this demanding role will be wide and varied. In that context, the following is a non-exhaustive overview of the some of the types of work that the successful candidate is likely to be engaged in:

- developing strategies, plans and arrangements for forensic data collection;
- the implementation of those plans, strategies and arrangements;
- the collection and preservation of electronic data in an evidentially sound manner, consistent with established judicial principles in this area;
- analysing/assisting investigators in the analysis of such data;
- managing the ICT element of individual cases/a portfolio of cases;
- testifying, as required, in Court proceedings initiated by the ODCE or by the Director of Public Prosecutions;
- identifying appropriate hardware/software applications that will best assist the Office in undertaking its investigations, and managing the procurement of such applications;
- co-operating and liaising, as necessary, with both the Department of Jobs, Enterprise & Innovation with regard to ICT matters and with relevant third parties, including other law enforcement Agencies.

As an Office of the Department of Jobs, Enterprise and Innovation the ODCE benefits from the Department's ICT infrastructure, and the suite of ICT hardware & software which the Department makes available to its staff, and those of its Offices. Having regard to the specialised nature of the ODCE's work, it is envisaged that the successful candidate will primarily be involved in managing and leading a program of supplementing the existing suite of hardware and software with other ICT solutions which are developed, tailored or procured

for those of the ODCE's particular needs which cannot currently be met by reliance on the Department's ICT offering. However the successful candidate will also be expected to maintain an ongoing liaison with the Department's ICT team for the purpose of the optimal management of the ODCE's ICT requirements.

Commensurate with the seniority of the role, the Head of Digital Forensics will be expected to—

- ensure that the ODCE's approach to the procurement and use of ICT is consistent with, and contributes to the achievement of the goals set out in, the Public Service ICT Strategy *Delivering better outcomes and efficiency through innovation and excellence in ICT*;[1]

- contribute to the ODCE's ongoing compliance with its other obligations as a public sector organisation;

- contribute to/lead on other projects associated with any other aspect of the ODCE's mandate and functions as and when required.

The above is not, and does not purport to be, a comprehensive list of all duties involved and consequently, the post holder may be required to perform other duties as appropriate to the post which may be assigned to him/her from time to time and to contribute to the development of the post while in office.

ENTRY REQUIREMENTS

Essential Qualifications & Requirements

A relevant qualification at primary Degree level.

Desirable (but not essential)

Additional qualification(s) in the area of digital forensics.

[1] Approved by Government and launched by the Minister for Public Expenditure and Reform in January 2015. Please see www.ictstrategy.per.gov.ie/

Essential Skills/Attributes

The successful candidate will:

- have significant experience of working in a relevant ICT role, i.e., at least five years' relevant experience;
- be flexible, results-focussed and have the ability to work under pressure in a complex, legal, technical and regulatory environment;
- be capable of operating effectively on their own initiative;
- have an appreciation of the requirements for working effectively and collaboratively in a multi-disciplinary environment, including the flexibility and mobility to work effectively with all other relevant colleagues and stakeholders across sectoral, organisational and professional boundaries
- possess strong project management skills;
- possess the capacity to operate effectively and credibly to a high level, both within the organisation and externally;
- possess excellent communications and interpersonal skills;
- be capable of demonstrating an appreciation of the Department and the ODCE's objectives, a keen awareness of the environment within which it operates and of the particular obligations which stem from the ODCE's status as a public body funded entirely by the Exchequer.

The following Key Competencies have been identified for effective performance at Principal Officer Level.

Please see Appendix 1 for for further details on Principal Officer competencies.

Other Eligibility Criteria

Citizenship Requirement:
Candidates should note that eligibility to compete is open to citizens of the European Economic Area (EEA). The EEA consists of the Member States of the European Union along with Iceland, Liechtenstein and Norway.

Incentivised Scheme for Early Retirement (ISER):
It is a condition of the Incentivised Scheme for Early Retirement (ISER) as set out in Department of Finance Circular 12/09 that retirees, under that Scheme, are debarred from applying for another position in the same employment or the same sector. Therefore, such retirees may not apply for this position.

Department of Health and Children Circular (7/2010):
The Department of Health Circular 7/2010 dated 1 November 2010 introduced a Targeted Voluntary Early Retirement (VER) Scheme and Voluntary Redundancy Schemes (VRS). It is a condition of the VER scheme that persons availing of the scheme will not be eligible for re-employment in the public health sector or in the wider public service or in a body wholly or mainly funded from public moneys. The same prohibition on re-employment applies under the VRS, except that the prohibition is for a period of 7 years, after which time any re-employment will require the approval of the Minister for Public Expenditure and Reform. People who availed of either of these schemes are not eligible to compete in this competition.

Collective Agreement: Redundancy Payments to Public Servants:
The Department of Public Expenditure and Reform letter dated 28th June 2012 to Personnel Officers introduced, with effect from 1st June 2012, a Collective Agreement which had been reached between the Department of Public Expenditure and Reform and the Public Services Committee of the ICTU in relation to ex-gratia Redundancy Payments to Public Servants. It is a condition of the Collective Agreement that persons availing of the agreement will not be eligible for re-employment in the public service by any public service body (as defined by the Financial Emergency Measures in the Public Interest Acts 2009 – 2011) for a period of 2 years from termination of the employment. Thereafter the consent of the Minister for Public Expenditure and Reform will be required prior to re-employment. People who availed of this scheme and who may be successful in this competition will have to prove their eligibility (expiry of period of non-eligibility) and the Minister's consent will have to be secured prior to employment by any public service body.

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

THE SELECTION PROCESS

How to Apply

Applications must be made by submitting an on-line application and attaching a single document with the following elements included:

- **A comprehensive CV, including an organisation chart** *(See **Senior Executive CV Guidance** note here)*
- **The 'Key Achievements Form'** *(Available here:)*
- **A short cover letter/ personal statement** *(i.e. no more than 2 pages)* outlining why you wish to be considered for the post and where you believe your skills, experience and values meet the requirements of the position.

Closing Date: Midnight *[date to be specified]*

Selection Process:

The Selection Process may include:

- shortlisting of candidates, on the basis of the information contained in their application;
- a competitive preliminary interview;
- completion of an online questionnaire(s);
- work sample/role play/media exercise, and any other tests or exercises that may be deemed appropriate;
- a competitive interview which may include a presentation.

Please Note

We acknowledge receipt of all applications. If you do not receive an acknowledgement within 3 days of applying, please email orla.coughlan@publicjobs.ie. You can expect to receive emails from us at the relevant stages notifying you to check your secure publicjobs.ie message board for campaign updates.

We endeavour to give as much notice as possible for interview dates etc., candidates should make themselves available on the date(s) specified by the Public Appointments Service.

Shortlisting

In the event of a shortlisting exercise being employed an expert board will examine the information provided in your application form and assess it against criteria based on the requirements of the position.

References

We would appreciate it if you would start considering names of people who you feel would be suitable referees that we might consult (2 - 3 names and contact details). The referees do not have to include your current employer, but should be in a position to provide a reference for you. Please be assured that we will only contact referees should you come under consideration after preliminary interview stage. Please note, should you be successful at final interview, we will require a reference from your current employer, prior to recommendation for appointment. We may require a candidate to complete a number of

clearance processes, such as, Health & Character Declaration, Garda Vetting etc or any other relevant checks required for the particular role.

General Information

Security Clearance

You will be required to complete and return a Garda Vetting form should you come under consideration for appointment. This form will be forwarded to An Garda Síochána for security checks on all Irish and Northern Irish addresses at which you resided. However should your application for the competition be unsuccessful this form will be destroyed by PAS. If you subsequently come under consideration for another position, you may therefore be required to complete a further Garda Vetting Form.

Enquiries

Prior to recommending any candidate for appointment to positions the Public Appointments Service or employing organisation will make all such enquiries that are deemed necessary e.g. employer references, to determine the suitability of that candidate. 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.

Specific candidate criteria

In addition to fulfilling the eligibility criteria set out, candidates must:

- Have the knowledge and ability to discharge the duties of the post concerned;
- Be suitable on the grounds of health & character;
- Be suitable in all other relevant respects for appointment to the post concerned;
- If successful, they will not be appointed to the post unless they:
  - Agree to undertake the duties attached to the post and accept the conditions under which the duties are, or may be required to be performed; and
  - Are fully competent and available to undertake, and fully capable of undertaking, the duties attached to the position.

Non-Refund of Expenses

Any expenses incurred by candidates whilst undertaking or attending any elements of the selection process will not be refunded.

Appointments from panels

It is envisaged that a panel(s) of qualified individuals will be established from which vacancies may be filled. Qualification and placement on a panel is **not** a guarantee of appointment to a position. Please note that once an offer of appointment has been accepted a candidate will no longer remain on the panel.

Declining an offer of appointment

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

Candidates' Rights – Review Procedures in relation to the Selection Process

General information
The PAS will consider requests for review in accordance with the provisions of the codes of practice published by the CPSA. A candidate can seek a review by a person in the recruiting body (initial reviewer). Where a candidate remains dissatisfied following this initial review, he/she may seek to have the conduct of the initial review examined by a "decision arbitrator".

As an alternative to the above, it is open to a candidate to seek to have the matter resolved on an informal basis, as set out below. If a candidate remains dissatisfied following any such discussion it is open to him/her to seek a formal review.

The Codes of Practice are available on the website of the Commission for Public Service Appointments, www.cpsa.ie.

Principal Conditions of Service

1. General
The appointment is to an established post in the Civil Service and is subject to the Civil Service Regulation Acts 1956 to 2005, the Public Service Management (Recruitment and Appointments) Act 2004 and any other Act for the time being in force relating to the Civil Service.

2. Pay
The salary scale for this position is as follows:

Principal Officer PPC [Personal Pension Contribution] Scale:

€79,401 - €82,587 - €85,750 - €88,936 - €91,624 - €94,110[2] - €97,194[3]

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

or

Principal Officer Non-PPC Scale:

€75,647 - €78,670 - €81,676 - €84,706 - €87,258 - €89,906[4] - €92,550[5]

This rate will apply where the appointee is a civil or public servant recruited before 6th April 1995 and who is NOT required to make a Personal Pension Contribution.

Long service increments may be payable after three (LSI-1) and six (LSI-2) years' satisfactory service at the maximum of the scale.

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[2] *After 3 years satisfactory service at the maximum*
[3] *After 6 years satisfactory service at the maximum*
[4] *After 3 years satisfactory service at the maximum*
[5] *After 6 years satisfactory service at the maximum*

Entry will be at the minimum of the scale and the rate of remuneration will not be subject to negotiation. The rate of pay may be adjusted from time to time in line with Government pay policy. Different terms and conditions may apply depending on whether a successful candidate is a currently serving civil or public servant.

Payment will be fortnightly in arrears by Electronic Fund Transfer (EFT) into a bank account of your choice. Payment cannot be made until you supply a bank account number and bank sort code to the Personnel Section.

Statutory deductions from salary will be made as appropriate by the Department of Jobs, Enterprise and Innovation.

You will agree that any overpayment of salary or of travel and subsistence may be deducted from future salary payments due to you in accordance with the Payment of Wages Act 1991. In the event of such an occurrence, the Department will advise you in writing of the amount and details of any such overpayment and give you 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.

3. Tenure

The appointment is to an established position on a probationary contract in the Civil Service. The probationary contract will be for a period of one year from the date specified above.

Notwithstanding this paragraph and paragraph 4 below, this will not preclude an extension of the probationary contract in appropriate circumstances.

Notwithstanding this paragraph and paragraph 4 below, the probationary contract 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.

4. Probationary Review

During the period of your probationary contract, your performance will be subject to review by your Manager(s) to determine whether you:

(i) have performed in a satisfactory manner,
(ii) have been satisfactory in general conduct, and
(iii) are suitable from the point of view of health with particular regard to sick leave.

Prior to completion of the probationary contract, a decision will be made as to whether or not you will be retained pursuant to *Section 5A(2)* of the *Civil Service Regulation Acts 1956-2005*. This decision will be based on your performance assessed against the criteria set out in (i) to (iii) above.

The details of the probationary process will be explained to you by your employing Department and you will be given a copy of guidelines on probation issued by the Department of Public Expenditure and Reform.

In the event that you are not considered as suitable to the position of Professional Accountant Grade 1 having been assessed against stated criteria, you will be notified in writing of the action to be taken prior to the expiry of this contract and any extensions thereof.

5. Unfair Dismissals Acts
The Unfair Dismissals Acts 1977-2007 will not apply to the termination of your employment by reason only of the expiry of this probationary contract without it being renewed.

6. Suspension of Probation
The Department may suspend the probationary period and, as a result, extend the term of the probationary contract in the following circumstances:

- the probationary period will be suspended if the officer is on Maternity or Adoptive leave,
- the probationary period may, at the discretion of the Department, be suspended where the employee is absent on any other form of statutory or non- statutory leave.

Where the Department's ability to assess the officer and/or the officer's ability to demonstrate their suitability for permanent appointment is compromised by the officer's absence on leave, the contract period will be extended by the period of leave taken.

7. Duties
You will be required to perform any duties appropriate to your grade which may be assigned to you during the probationary period. You may not engage in private practice or be connected with any outside business which would interfere with the performance of official duties.

8. Headquarters
On appointment to the Department your headquarters will be at the Office of the Director of Corporate Enforcement (ODCE), or be such as may be designated from time to time by the Head of the Department. When absent from home and headquarters on official duty you will be paid appropriate travelling expenses and subsistence allowances, in accordance with Civil Service regulations.

9. The Organisation of Working Time Act 1997
The terms of the Organisation of Working Time Act 1997 will apply to your employment and the hours of attendance and leave entitlements that will apply is at Section 10 below.

10. Hours of Attendance
Hours of attendance will be as fixed from time to time but will amount to on average not less than 43 hours and 15 minutes gross or 37 hours net per week.

(i)Where extra attendance is necessary, payment or time off in lieu may be allowed in accordance with the Civil Service regulations.

11. Annual Leave
The annual leave allowance will be **30** working days a year. This allowance which is subject to the usual conditions regarding the granting of annual leave is on the basis of a five day week and is exclusive of the usual public holidays.

12. Sick Leave

Pay during properly-certified sick absence, provided there is no evidence of permanent disability for service, will apply on a pro rata basis in accordance with the provisions of the sick leave Circulars.

Officers who are paying Class A rate of PRSI will be required to sign a mandate authorising the Department of Social Protection to pay any benefits due to you under the Social Welfare Acts direct to the Department of Jobs, Enterprise and Innovation. Payment of salary during illness will be subject to you making the necessary claims for social insurance benefit to the Department of Social Protection within the required time limits.

13. Superannuation and Retirement

The successful candidate will be offered the appropriate superannuation terms and conditions as prevailing in the Civil Service, at the time of being offered an appointment. In general, and except for candidates who have worked in a pensionable (non-single scheme terms) public service job in the 26 weeks prior to appointment (see paragraph d below), this means being offered appointment based on membership of the Single Public Service Pension Scheme ("Single Scheme"). Key provisions attaching to membership of the Single Scheme are as follows:

a. Pensionable Age

The minimum age at which pension is payable is 66 (rising to 67 and 68) in line with State Pension age changes.

b. Retirement Age:

Scheme members must retire at the age of 70.

c. Pension Abatement

- If the appointee was previously employed in the Civil Service and is in receipt of a pension from the Civil Service normal abatement rules will apply. However, if the appointee was previously employed in the Civil Service and awarded a pension under voluntary early retirement arrangements (other than the Incentivised Scheme of Early Retirement (ISER) or the Department of Health Circular 7/2010 VER/VRS which, as indicated above, renders a person ineligible for the competition) the entitlement to that pension will cease with effect from the date of reappointment. Special arrangements will however, be made for the reckoning of previous service given by the appointee for the purpose of any future superannuation award for which the appointee may be eligible.

- If the appointee was previously employed in the Civil Service or in the Public Service please note that the Public Service Pensions (Single Scheme and Other Provisions) Act 2012 includes a provision which extends abatement of pension for all Civil and Public Servants who are re-employed where a Public Service pension is in payment. This provision to apply abatement across the wider public service came into effect on 1 November 2012. **This may have pension implications for any person appointed to this position who is currently in receipt of a Civil or Public Service pension or has a preserved Civil or Public Service pension which will come into payment during his/her employment in this position.**

- **Department of Education and Skills Early Retirement Scheme for Teachers Circular 102/2007** The Department of Education and Skills introduced an Early Retirement Scheme for Teachers. It is a condition of the Early Retirement Scheme that with the exception of the situations set out in paragraphs 10.2 and 10.3 of the relevant circular documentation, and with those exceptions only, if a teacher accepts early retirement under **Strands 1, 2 or 3** of this scheme and is subsequently employed **in any capacity in any area of the public sector**, payment of pension to that person under the scheme **will immediately cease**. Pension payments will, however, be resumed on the ceasing of such employment or on the person's 60th birthday, whichever is the later, but on resumption, the pension will be based on the person's actual reckonable service as a teacher (i.e. the added years previously granted **will not be taken into account** in the calculation of the pension payment).

- **Ill-Health-Retirement** Please note that where an individual has retired from a Civil/Public Service body on the grounds of ill-health his/her pension from that employment may be subject to review in accordance with the rules of ill-health retirement within the pension scheme of that employment.

d. Prior Public Servants
While the default pension terms, as set out in the preceding paragraphs, consist of Single Scheme membership, this may not apply to certain appointees. Full details of the conditions governing whether or not a public servant is a Single Scheme member are given in the Public Service Pensions (Single Scheme and other Provisions) Act 2012. However the key exception case (in the context of this competition and generally) is that **a successful candidate who has worked in a pensionable (non-single scheme terms) capacity in the public service within 26 weeks of taking up appointment, would in general not become a member of the Single Scheme.** In this case such a candidate would instead be offered membership of the pension scheme for non-established civil servants ("Non-Established State Employee Scheme"). This would mean that the abatement provisions at (c) above would apply, and in addition there are implications in respect of pension accrual as outlined below:

e. Pension Accrual
A 40-year limit on total service that can be counted towards pension where a person has been a member of more than one existing public service pension scheme would apply. This 40-year limit, which is provided for in the Public Service Pensions (Single Scheme and other Provisions) Act 2012 came into effect on 28 July 2012. **This may have implications for any appointee who has acquired pension rights in a previous public service employment.**

f. Pension-Related Deduction
This appointment is subject to the pension-related deduction in accordance with the Financial Emergency Measure in the Public Interest Act 2009.

For further information in relation to the Single Public Service Pension Scheme for Public Servants please see the following website: http://www.per.gov.ie/pensions.

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(s).

14. Health and Safety
Attention is drawn to the health and safety policy. It is a condition of employment that all aspects of the policy, of the Safety, Health and Welfare at Work Act and relevant regulations must be complied with at all times.

15. Secrecy, Confidentiality and Standards of Behaviour
Official Secrecy and Integrity
You will during the term of your probationary contract be subject to the provisions of the Official Secrets Act 1993 as amended by the Freedom of Information Acts 1997 and 2003. You will agree not to disclose to third parties any confidential information either during or subsequent to the period of employment.

Civil Service Code of Standards and Behaviour
You will be subject to the Civil Service Code of Standards and Behaviour.

Ethics in Public Office Act 1995
The Ethics in Public Office Act 1995 will apply, where appropriate, to your employment.

Publication of any Material
You will agree not to publish material related to your official duties without prior approval by the Minister.

Political Activity
During the term of your employment you will be subject to the rules governing Civil Servants and politics.

16. Personnel Code
All Circulars are available on the website http://circulars.gov.ie or from the Personnel Section.

Appendix 1

Research has been carried out and the competencies required for performance in the PO and PO Higher roles, in the wider Civil Service, have been identified as set out below. However please note that these are 'generic' competencies and may be modified for the purpose of this selection process.

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

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Re: Post meeting actions
Michelle Noone to Harry.Lester@djei.ie
Cc: "Mary.Cullen@djei.ie", "John.Hughes@djei.ie"

06/10/2016 15:10

Harry,
Many thanks for this.

to review everything so will revert then.
Thanks,
Michelle

On 6 Oct 2016, at 11:15, "Harry.Lester@djei.ie" <Harry.Lester@djei.ie> wrote:

Hi Michelle,

It was good to meet on Monday and update ourselves on where we are on recruitment priorities. See below the actions I took from the meeting, some of which are completed with forms attached. I will follow up in early course on the ones that are still to be progressed.

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- HEO ICT required for assignment to ODCE. DJEI to confirm whether the role (grade) has changed for this. In the interim, continue as discussed. PENDING WITH DJEI
- DJEI to revert on Compliance manager (PO) requirement for assignment to ODCE. PENDING WITH PAS
- Forensic Accountants - PAS to provide an update on this PENDING WITH PAS
-

-

-

Next meeting - 7 November - 3.30pm

Regards,

Harry Lester
Department of Jobs, Enterprise and Innovation
HR Unit
Kildare St
Dublin 2
Direct Dial : 01 631 2244
E-mail: harry.lester@djei.ie
<Request form sent 2CO (Carlow), 4EO, 1HEO, 1PA.docx>

Email Disclaimer / Séanadh Ríomhphoist:

https://www.djei.ie/en/Disclaimer/Email-Disclaimer.html

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Tá an ríomhphost seo agus aon chomhad a chuirtear ar aghaidh leis, rúnda, agus tá sé beartaithe gur d'úsáid an duine aonair nó an aonáin amháin ar cuireadh chucu é, a tá sé. Munar tú an duine a ba chóir an ríomhphost seo, nó aon chuid de, a fháil, níor chóir duit aon chuid de a nochtadh, a chóipeáil nó a dháileadh. Déan teagmháil leis an té a chuir chugat é agus inis dó/di go bhfuair tú é trí thimpiste. Ba chóir d'éinne a tá ag déanamh idirghníomhaíochta trí ríomhphost caighdeánach a thuiscint go bhfuil priacail i gceist agus tú ag seachadadh faisnéise pearsanta nó íogair leis an teicneolaíocht seo (mar nach modh iomlán slán a tá ann chun sonraí a chur ar aghaidh). Mar sin, ná cuir sonraí pearsanta no íogair trí ríomhphost chuig an oifig seo. Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

****
****

32

Re: HEO ICT for ODCE

John Hughes to: Ian Drennan 19/10/2016 16:52

Cc: Breda Power, Harry Lester, Kevin Prendergast, Philip Kelly, Conor O'Mahony, Kevin O'Connell

Thanks, Ian. In fairness, the PO scenario was communicated to me by Breda but I did not appreciate that the MB had actually approved a post at that higher level. I will revisit now.

John,
19/10.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Ian Drennan John, As the recent meeting between the Departmen... 19/10/2016 15:59:33

From: Ian Drennan/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP, Harry Lester/entemp@ENTEMP, Kevin Prendergast/entemp@entemp, Philip Kelly/entemp@ENTEMP, Conor O'Mahony/entemp@entemp, Kevin O'Connell/entemp@ENTEMP
Date: 19/10/2016 15:59
Subject: Re: HEO ICT for ODCE

John,

As the recent meeting between the Departmental Management Board and ODCE representatives, it was agreed that it is most unlikely that we will be successful in recruiting someone possessing the requisite qualifications and experience at HEO level. On that basis, it was agreed with the Management Board that the position should, more appropriately, be positioned at PO level.

Ian

John Hughes Breda, PAS are working away on this for us by scruti... 19/10/2016 15:32:35

From: John Hughes/entemp
To: Breda Power/entemp@ENTEMP,
Cc: Harry Lester/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP, Kevin Prendergast/entemp@ENTEMP, Philip Kelly/entemp@ENTEMP
Date: 19/10/2016 15:32
Subject: Re: HEO ICT for ODCE

Breda,

PAS are working away on this for us by scrutinising their HEO and EO panels to establish if they have a

suitably qualified candidate with the specialist skills we have sought. We now have regular formal bilateral meetings with PAS on a 6-weekly basis so, hopefully, they will have an update for us on or before our next meeting in early November.

John,
19/10.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Breda Power John Further to previous correspondence I would be... 14/10/2016 10:26:11

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Harry Lester/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP, Kevin Prendergast/entemp@entemp, Philip Kelly/entemp@ENTEMP, Orlaigh Quinn/entemp@ENTEMP
Date: 14/10/2016 10:26
Subject: Re: HEO ICT for ODCE
Sent by: breda power

John

Further to previous correspondence I would be grateful for an update on the current position.

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
Designated Public Official under the Regulation of Lobbying Act 2015. See www.lobbying.ie

John Hughes Breda, I was out on S/L for the last few days. I raise... 20/09/2016 18:15:05

From: John Hughes/entemp
To: Breda Power/entemp@ENTEMP,
Cc: Harry Lester/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP, John Murphy/entemp@ENTEMP, Kevin Prendergast/entemp@ENTEMP, Philip Kelly/entemp@ENTEMP
Date: 20/09/2016 18:15
Subject: Re: HEO ICT for ODCE

Breda,

I was out on S/L for the last few days. I raised this vacancy with PAS at our recent bilateral and they were to revert with an update. Hopefully, I will have that update info when I finish going through my outstanding emails.

John,
250/9.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Breda Power John At the Management Board meeting this mornin... 13/09/2016 14:30:00

From: Breda Power/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Kevin Prendergast/entemp@entemp, Ian Drennan/entemp@ENTEMP, Harry Lester/entemp@ENTEMP, John Murphy/entemp@ENTEMP, Philip Kelly/entemp@ENTEMP
Date: 13/09/2016 14:30
Subject: Re: HEO ICT for ODCE
Sent by: breda power

John

At the Management Board meeting this morning at which the ODCE made a presentation, the Secretary General acknowledged that it would be difficult to recruit a person with the right mix of ICT skills at HEO level for the ODCE. There was broad support from other Management Board members for recruiting at a more senior level. As you know the ICT post in the ODCE requires significant ICT forensic skills and experience. In order to secure someone with the appropriate skills, and having discussed the matter with Ian, I consider that it would be best to have the post at PO level. I would appreciate it if you would let Ian, Kevin and I know how we might best advance this matter.

Thanks

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
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John Hughes All very carefully, noted, Kevin, and this is one of the... 20/07/2016 16:56:36

From: John Hughes/entemp
To: Kevin Prendergast/entemp@entemp,
Cc: Breda Power/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP, Harry Lester/entemp@ENTEMP, Mary Cullen/entemp@ENTEMP
Date: 20/07/2016 16:56
Subject: Re: HEO ICT for ODCE

All very carefully, noted, Kevin, and this is one of the priority vacancies I raised with PAS at a bilateral

meeting over a week ago and I will continue to pursue it on that basis.

John,
20/7.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Kevin Prendergast John I refer to the above issue, and am given to und... 20/07/2016 16:50:17

From: Kevin Prendergast/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP, Ian Drennan/entemp@ENTEMP
Date: 20/07/2016 16:50
Subject: HEO ICT for ODCE

John

I refer to the above issue, and am given to understand that there is no longer any availability from the HEO ICT panel, and accordingly we are reverting to the previous strategy of working with PAS to secure the appropriate appointment.

The Office is currently engaged in a number of criminal investigations, one of which, into certain alleged activities in is the subject of recent, ongoing and significant political, media and public interest. As you may be aware the Office has through the High Court and under its own powers sought and obtained a significant amount of hard copy and electronic data in relation to this case. Our ability to progress this and other investigations is regrettably hampered by the lack of in-house expertise to analyse the electronic data seized. At the moment we are dealing with this matter through the retention of professional services externally, but due to the time pressures inherent in such cases, in particular where orders of the Court are involved and other external parties including liquidators have to be accommodated, our capacity to go through full procurement procedures is inevitably compromised. Effectively we are caught between the rock of our legislative remit in relation to the proper pursuit of criminal investigations and the hard place of proper compliance, as staff of the Department, with public procurement best practice. While the filling of the vacant position will not immediately solve all of these problems, it will allow the Office to progress a number of projects which will ultimately result in a far more effective and efficient electronic evidence seizure and analysis process.

I am aware that you continue to liaise with PAS on this as a matter of urgency. I would ask that you continue to impress upon them the absolute priority of filling this vacancy so that the Office can properly and effectively fulfil its remit.

Kind regards

Kevin

Kevin Prendergast
Head of Enforcement
Office of the Director of Corporate Enforcement

Phone (Direct): 01 8585844

Briefing Note for the Secretary General for meeting of 20 October 2016 with the Director of Corporate Enforcement

1. Office of the Director of Corporate Enforcement (ODCE)

The ODCE was established on 28 November 2001 under the provisions of the *Company Law Enforcement Act 2001* and continued in existence by the *Companies Act 2014*. Mr Ian Drennan was formally appointed Director of Corporate Enforcement in August 2012.

2. Functions of the Director

The functions assigned to the Director under the Companies Act 2014 include:

- enforcing and encouraging compliance with company law;
- investigating suspected offences under the Companies Acts;
- prosecuting detected breaches of the Companies Acts;
- referring cases to the Director of Public Prosecutions for prosecution on indictment; and
- exercising a supervisory role over the activities of liquidators and receivers.

The Director of Corporate Enforcement is required under the 2014 Act to be independent in discharging his compliance and enforcement role and to keep confidential any information obtained in the performance of his functions.

3. Resources

The cost of running the Office during 2015 was €3.1m. At end 2015, the Office's actual staff complement stood at 37.5 (WTE) which includes 6 Gardai on secondment from the Garda Bureau of Fraud Investigation (GBFI).

In 2014 the ODCE identified an insufficiency of in-house accountancy and ICT expertise. Sanction was secured from the Department of Public Expenditure & Reform to recruit six additional accountants and a HEO with ICT experience. Five accountant posts have been filled to date. The ODCE met with the Management Board of the Department on 13

September 2016 and at that meeting the Management Board agreed that the level of expertise required for the ICT position merited the post being upgraded to PO level.

4. Annual Report 2015

The ODCE undertook a substantial volume of work in 2015 in preparation for the commencement of the Companies Act 2014, on 1 June 2015. The ODCE publications were revised and a considerable amount of preparatory work completed in respect of the legislative provisions governing the new restriction and disqualification procedures introduced in the Companies Act 2014.

The new restriction/disqualification undertakings regime provides a statutory mechanism whereby, in appropriate circumstances, the ODCE can offer company directors the option of providing – on an entirely voluntary basis - a restriction or disqualification undertaking rather than face the prospect of having to engage in legal proceedings before the High Court.

The enactment of this new statutory mechanism affords the individuals concerned the opportunity to avoid the financial and other costs associated with litigation. Where undertakings are provided by directors of insolvent companies, liquidators are, similarly, spared the expense, in terms of both time and legal fees, associated with taking proceedings before the High Court, thus reducing liquidation costs resulting in benefits for creditors. However, whilst the new procedures will result in a reduction in the caseload of the Courts it will significantly increase the workload of the ODCE

5. ODCE's ongoing work in relation to events of the former Anglo Irish Bank

The Office continues to deploy significant resources to assist the DPP in its prosecutions in relation to events at the former bank.

[1] Section 197 deals with false statements to auditors

34

Update Dept Jobs, Enterprise and Innovation
Tara Creaner to: john.hughes@djei.ie
Cc: Michelle Noone

10/11/2016 12:43

History: This message has been forwarded.

4 attachments

OVR November.docx image001.png image002.png image003.png

Hi John,

I understand that Michelle had to reschedule yesterday's meeting.
Please see attached Outstanding Vacancies and Request Form for an update.

If I am missing anything or if you have any queries just let me know.

Kind Regards,

Tara Creaner
Client Relations
T +353 1 858 7663
E tara.creaner@publicjobs.ie

Public Appointments Service
An tSeirbhís um Cheapacháin Phoibli
Chapter House, 26/30 Abbey Street Upper, Dublin 1, D01 C7W6

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Dept Jobs, Enterprise & Innovation

Outstanding Vacancies and Requests

General Grades	Number Outstanding	Comment/Progress
[redacted]		
HEO ICT	1	To be advertised this Friday but not needed if someone suitable on EO ICT panel. This is a technical role and need someone who is able to give evidence in court

Future/Possible Requirements (request forms will need to be completed by Department)

Grade	Date Notified	Number	Comment
[redacted]			
Investigator / Forensic Accountant (Professional Accountant Grade 1)	9 Sept	Panel exhausted – need new panel	Need 2 more for ODCE. Need to target investigatory & forensic accountants. **Request form required**

For information

Grade	Date Notified	Stage	Comment

CONFIDENTIAL Note for Secretary General & MB Assistant Secretaries

Harry Lester to: Orlaigh Quinn 10/11/2016 15:54
Cc: Philip Kelly, John Hughes

Secretary General,

Please see attached slightly revised version of the document sent to you yesterday evening.

Regards,

Harry Lester
Department of Jobs, Enterprise and Innovation
HR Unit
Kildare St
Dublin 2
Direct Dial : 01 631 2244
E-mail: harry.lester@djei.ie

CONFIDENTIAL Note for Secretary General & MB Assistant Secretaries.docx

CONFIDENTIAL

Note for Secretary General & MB Assistant Secretaries

PO Vacancies

	Business Unit	Division	Options	ETA
1				
2				
3				
4				
5				
6				
7	ODCE – ICT forensic expert	ODCE/CCC	• CS mobility • PAS competition if mobility yields a nil return	• Name available within 3 weeks minimum • PAS will advertise by end of the month

AP Vacancies (

Priority	Business Unit	Division	Options	ETA

Notes:

- On Professional Accountants:

  - We have asked PAS to run a second competition for Investigators/Forensic Accountants for the ODCE as the competition this year yielded 5 for 7 positions

John Hughes,
Personnel Officer,
9th November 2016.

35

Fw: Update Dept Jobs, Enterprise and Innovation
Harry Lester to: Mary Cullen 15/11/2016 13:25
Cc: John Hughes

Mary,

I've updated the PAS document (see email below) with tracked changes. Can you have a quick look and add any other updates that I haven't included.

Regards,

Harry Lester
Department of Jobs, Enterprise and Innovation
HR Unit
Kildare St
Dublin 2
Direct Dial : 01 631 2244
E-mail: harry.lester@djei.ie

OVR November-REV.docx
----- Forwarded by Harry Lester/entemp on 15/11/2016 13:13 -----

From: John Hughes/entemp
To: Harry Lester/entemp@ENTEMP,
Date: 15/11/2016 11:48
Subject: Fw: Update Dept Jobs, Enterprise and Innovation

Harry,

to see pl. You might have the list cross-checked pl.

John,
15/11.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246
----- Forwarded by John Hughes/entemp on 15/11/2016 11:48 -----

From: Tara Creaner <tara.creaner@publicjobs.ie>
To: "john.hughes@djei.ie" <john.hughes@djei.ie>,
Cc: Michelle Noone <michelle.noone@publicjobs.ie>
Date: 10/11/2016 12:43
Subject: Update Dept Jobs, Enterprise and Innovation

Hi John,

I understand that Michelle had to reschedule yesterday's meeting.
Please see attached Outstanding Vacancies and Request Form for an update.

If I am missing anything or if you have any queries just let me know.

Kind Regards,

Tara Creaner
Client Relations
T +353 1 858 7663
E tara.creaner@publicjobs.ie

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Chapter House, 26/30 Abbey Street Upper, Dublin 1, D01 C7W6

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Fairness & Impartiality Independence Value Customer Service Innovation Collaboration

image001.png image002.png image003.png OVR November.docx

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****

Dept Jobs, Enterprise & Innovation

Outstanding Vacancies and Requests

General Grades	Number Outstanding	Comment/Progress
[redacted]		
HEO ICT ?? Has this changed to a PO ICT role?	1	To be advertised this Friday but not needed if someone suitable on EO ICT panel. This is a technical role and need someone who is able to give evidence in court

Updated 08.11.2016

Future/Possible Requirements (request forms will need to be completed by Department)

Grade	Date Notified	Number	Comment
[redacted]			
[redacted]			
Investigator / Forensic Accountant (Professional Accountant	9 Sept	Panel exhausted – need new panel	Need 2 more for ODCE. Need to target investigatory & forensic accountants. **Request form required – sent 16**

Updated 08.11.2016

For information:

Grade	Date Notified	Stage	Comment

36

Fw: Request for Obs. please - Draft PO Head of Digital Forensics ODCE
Breda Power
to:
Colm Forde, Joan Howley
21/12/2016 10:10
Sent by:
breda power
Hide Details
From: Breda Power/entemp
To: Colm Forde/entemp@ENTEMP, Joan Howley/entemp@entemp,
Sent by: breda power/entemp

1 Attachment

ATTQ9A3E.docx

FYI

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
Designated Public Official under the Regulation of Lobbying Act 2015. See www.lobbying.ie
----- Forwarded by breda power/entemp on 21/12/2016 10:09 -----

From: Ian Drennan/entemp
To: Mary Cullen/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP
Date: 21/12/2016 09:30
Subject: Re: Fw: Request for Obs. please - Draft PO Head of Digital Forensics ODCE

Mary,

Thanks for this. I have no difficulty with Pat's suggested amendments. His input is appreciated.

Thanks,

Ian

Ian Drennan
Director
Office of the Director of Corporate Enforcement
16 Parnell Square, Dublin 1
D01 W5C2
Ireland

Tel: +353 1 858 5800 - Lo Call: 1890 315 015 - Fax: +353 1 858 5801 - Web: www.odce.ie - T: @odce

Mary Cullen---20/12/2016 17:42:53---Ian Please see attached for consideration/obs:

From: Mary Cullen/entemp
To: Ian Drennan/entemp@ENTEMP,
Date: 20/12/2016 17:42
Subject: Fw: Request for Obs. please - Draft PO Head of Digital Forensics ODCE

Ian

Please see attached for consideration/obs:

(See attached file: Head of Digital Forensics - ODCE draft Information Booklet - PMcC comments.docx)

Regards

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466
----- Forwarded by Mary Cullen/entemp on 20/12/2016 17:35 -----

From: Pat McCourt/entemp
To: Mary Cullen/entemp@ENTEMP,
Cc: Harry Lester/entemp@ENTEMP, John Hughes/entemp@ENTEMP
Date: 20/12/2016 15:10
Subject: Re: Request for Obs. please - Draft PO Head of Digital Forensics ODCE

Mary,

Apologies for the delay in reverting. I have in-lined some comments and suggested text in the attached.

Pat

Pat McCourt
Principal
ICT Unit
Department of Jobs, Enterprise & Innovation
e-mail: pat.mccourt@djei.ie
ph. 01 6312565

Web: www.djei.ie

* Mary Cullen---14/12/2016 12:02:22---Pat Please find attached draft competition booklet - could you please review it vis a vis ICT and in

From: Mary Cullen/entemp
To: Pat McCourt/entemp@ENTEMP,
Cc: John Hughes/entemp@ENTEMP, Harry Lester/entemp@ENTEMP
Date: 14/12/2016 12:02
Subject: Request for Obs. please - Draft PO Head of Digital Forensics ODCE

Pat

Please find attached draft competition booklet - could you please review it vis a vis ICT and interaction with ODCE ICT (NB the current track changes are just from my initial read through of the ODCE version, so it is very much a draft document).

[attachment "Head of Digital Forensics - ODCE draft Information Booklet HR Notes 071216.docx" deleted by Pat McCourt/entemp]

Many thanks.

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466

An tSeirbhís um Cheapacháin Phoiblí
Public Appointments Service

INFORMATION BOOKLET

The Public Appointments Service intends to hold a competition for the purpose of recommending a person for appointment as:

Head of Digital Forensics
(Principal Officer Grade)
in the Office of the Director of Corporate Enforcement

Department of Jobs, Enterprise and Innovation

Closing Date: TBC

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The Public Appointments Service is committed to a policy of equal opportunity.
The Public Appointments Service will run this campaign in compliance with the codes of practice prepared by the new Commissioners for Public Service Appointments (CPSA).
Codes of practice are published by the CPSA and are available on www.cpsa-online.ie

CHAPTER HOUSE
26 – 30 ABBEY STREET UPPER
DUBLIN 1

Telephone Number: 353 1 858 7400

www.publicjobs.ie

Title of Position:	Head of Digital Forensics (Principal Officer) in the Office of the Director of Corporate Enforcement
Employing Authority:	Department of Jobs, Enterprise and Innovation
Location:	Office of the Director of Corporate Enforcement, 16 Parnell Square, Dublin 1

The mission of the Department of Jobs, Enterprise and Innovation (the Department) is to encourage the creation of high quality and sustainable full employment by championing enterprise across government, supporting a competitive enterprise base, promoting a low tax environment to incentivise work and enterprise and promoting fair and competitive markets.

The Office of the Director of Corporate Enforcement ("the ODCE")

Mandate and high level goals
The mission of the ODCE is to improve the compliance environment for corporate activity in the Irish economy by encouraging adherence to, and dissuading non-compliance with, company law.

Established in 2001, the ODCE is an independent Office of the Department of Jobs, Enterprise and Innovation. Under the Companies Act 2014 ("the Act"), the principal functions of the Director of Corporate Enforcement include the:

- encouragement of compliance with the Act;
- investigation of suspected offences under the Act, or other suspected non-compliance with the Act, or with the duties and obligations to which companies and their officers are subject;
- enforcement of the Act, including the prosecution of offences by way of summary proceedings;
- referral of cases to the Director of Public Prosecutions for consideration as to whether they should be prosecuted on indictment;
- exercise, insofar as considered necessary or appropriate, of a supervisory role over the activity of liquidators and receivers in the discharge of their functions under the Act.

Those statutory functions have been further distilled into the ODCE's high level goals, which are to:

- promote a greater understanding of affected parties' rights and duties under company law;
- confront unlawful and irresponsible behaviour insofar as it relates to company law; and
- provide a quality customer service to internal and external stakeholders.

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Structure and current resources

Currently, the ODCE has a staff complement of approximately 40 comprising of both civilian staff and members of An Garda Síochána.

Having regard to its principal statutory functions, and the associated workstreams, the ODCE is organised into a number of Units, each of which comes under the responsibility of a Head of Function. Further information regarding the ODCE's principal activities can be accessed at www.odce.ie

The Role

The ODCE wishes to appoint a Head of Digital Forensics (Principal Officer grade) to supplement its current skill mix and capabilities. This will be a key role within the organisation and the individual will be expected to make a significant contribution to complex and serious company law investigations, both civil and criminal, that the Office undertakes. The successful candidate must be capable of demonstrating an appreciation for the pivotal nature of their role and function within the organisation.

The nature of this demanding role will be wide and varied. In that context, the following is a non-exhaustive overview of the some of the types of work that the successful candidate is likely to be engaged in:

- developing strategies, plans and arrangements for forensic data collection;
- the implementation of those plans, strategies and arrangements;
- the collection and preservation of electronic data in an evidentially sound manner, consistent with established judicial principles in this area;
- analysing/assisting investigators in the analysis of such data;
- managing the ICT element of individual cases/a portfolio of cases;
- testifying, as required, in Court proceedings initiated by the ODCE or by the Director of Public Prosecutions;
- identifying appropriate hardware/software applications that will best assist the Office in undertaking its investigations, and managing the procurement of such applications;
- co-operating and liaising, as necessary, with both the Department of Jobs, Enterprise & Innovation with regard to ICT matters and with relevant third parties, including other law enforcement Agencies.

As an Office of the Department of Jobs, Enterprise and Innovation the ODCE benefits from the Department's ICT infrastructure, and the suite of ICT hardware & software which the Department makes available to its staff, and those of its Offices. Having regard to the specialised nature of the ODCE's work, it is envisaged that the successful candidate will primarily be involved in managing and leading a program of supplementing the existing suite of hardware and software with other ICT solutions which are developed, tailored or procured

for those of the ODCE's particular needs which cannot currently be met by reliance on the Department's ICT offering. However the successful candidate will also be expected to maintain an ongoing liaison with the Department's ICT team for the purpose of the optimal management of the ODCE's ICT requirements. This will include ensuring that any technology solutions which are put in place comply with overall ICT standards and policies in the Department, and that the Department's ICT governance arrangements are complied with.

Comment [PMcC1]: While ODCE has a separate ICT budget for line-of-business applications, the overall ICT infrastructure is provided and maintained by the Department's ICT Unit. In that regard, ODCE must comply with the Department's overall ICT technical and corporate governance standards. I have inserted some text to reflect this.

Commensurate with the seniority of the role, the Head of Digital Forensics will be expected to—

- ensure that the ODCE's approach to the procurement and use of ICT is consistent with, and contributes to the achievement of the goals set out in, the Public Service ICT Strategy *Delivering better outcomes and efficiency through innovation and excellence in ICT*;[1]

- contribute to the ODCE's ongoing compliance with its other obligations as a public sector organisation;

- contribute to/lead on other projects associated with any other aspect of the ODCE's mandate and functions as and when required.

The above is not, and does not purport to be, a comprehensive list of all duties involved and consequently, the post holder may be required to perform other duties as appropriate to the post which may be assigned to him/her from time to time and to contribute to the development of the post while in office.

ENTRY REQUIREMENTS

Essential Qualifications & Requirements

A relevant qualification at primary Degree level.

Desirable (but not essential)

Additional qualification(s) in the area of digital forensics.

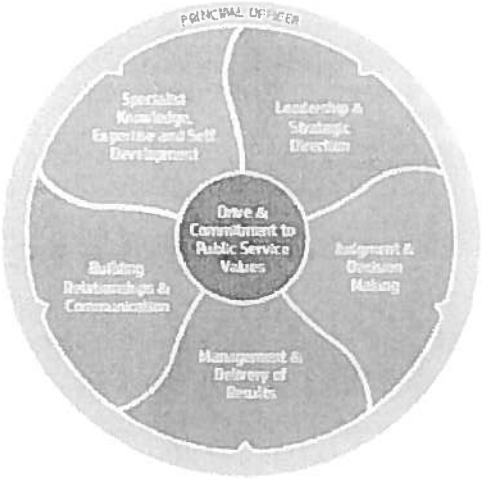
[1] Approved by Government and launched by the Minister for Public Expenditure and Reform in January 2015. Please see www.ictstrategy.per.gov.ie/

Essential Skills/Attributes

The successful candidate will:

- have significant experience of working in a relevant ICT role, i.e., at least five years' relevant experience;
- be flexible, results-focussed and have the ability to work under pressure in a complex, legal, technical and regulatory environment;
- be capable of operating effectively on their own initiative;
- have an appreciation of the requirements for working effectively and collaboratively in a multi-disciplinary environment, including the flexibility and mobility to work effectively with all other relevant colleagues and stakeholders across sectoral, organisational and professional boundaries
- possess strong project management skills;
- possess the capacity to operate effectively and credibly to a high level, both within the organisation and externally;
- possess excellent communications and interpersonal skills;
- be capable of demonstrating an appreciation of the Department and the ODCE's objectives, a keen awareness of the environment within which it operates and of the particular obligations which stem from the ODCE's status as a public body funded entirely by the Exchequer.

The following Key Competencies have been identified for effective performance at Principal Officer Level.



Please see Appendix 1 for for further details on Principal Officer competencies.

Other Eligibility Criteria

Citizenship Requirement:
Candidates should note that eligibility to compete is open to citizens of the European Economic Area (EEA). The EEA consists of the Member States of the European Union along with Iceland, Liechtenstein and Norway.

Incentivised Scheme for Early Retirement (ISER):
It is a condition of the Incentivised Scheme for Early Retirement (ISER) as set out in Department of Finance Circular 12/09 that retirees, under that Scheme, are debarred from applying for another position in the same employment or the same sector. Therefore, such retirees may not apply for this position.

Department of Health and Children Circular (7/2010):
The Department of Health Circular 7/2010 dated 1 November 2010 introduced a Targeted Voluntary Early Retirement (VER) Scheme and Voluntary Redundancy Schemes (VRS). It is a condition of the VER scheme that persons availing of the scheme will not be eligible for re-employment in the public health sector or in the wider public service or in a body wholly or mainly funded from public moneys. The same prohibition on re-employment applies under the VRS, except that the prohibition is for a period of 7 years, after which time any re-employment will require the approval of the Minister for Public Expenditure and Reform. People who availed of either of these schemes are not eligible to compete in this competition.

Collective Agreement: Redundancy Payments to Public Servants:
The Department of Public Expenditure and Reform letter dated 28th June 2012 to Personnel Officers introduced, with effect from 1st June 2012, a Collective Agreement which had been reached between the Department of Public Expenditure and Reform and the Public Services Committee of the ICTU in relation to ex-gratia Redundancy Payments to Public Servants. It is a condition of the Collective Agreement that persons availing of the agreement will not be eligible for re-employment in the public service by any public service body (as defined by the Financial Emergency Measures in the Public Interest Acts 2009 – 2011) for a period of 2 years from termination of the employment. Thereafter the consent of the Minister for Public Expenditure and Reform will be required prior to re-employment. People who availed of this scheme and who may be successful in this competition will have to prove their eligibility (expiry of period of non-eligibility) and the Minister's consent will have to be secured prior to employment by any public service body.

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

THE SELECTION PROCESS

How to Apply

Applications must be made by submitting an on-line application and attaching a single document with the following elements included:

- **A comprehensive CV, including an organisation chart** *(See **Senior Executive CV Guidance** note here)*
- **The 'Key Achievements Form'** *(Available here:)*
- **A short cover letter/ personal statement** *(i.e. no more than 2 pages)* outlining why you wish to be considered for the post and where you believe your skills, experience and values meet the requirements of the position.

Closing Date: Midnight *[date to be specified]*

Selection Process:

The Selection Process may include:

- shortlisting of candidates, on the basis of the information contained in their application;
- a competitive preliminary interview;
- completion of an online questionnaire(s);
- work sample/role play/media exercise, and any other tests or exercises that may be deemed appropriate;
- a competitive interview which may include a presentation.

Please Note

We acknowledge receipt of all applications. If you do not receive an acknowledgement within 3 days of applying, please email orla.coughlan@publicjobs.ie.TBC You can expect to receive emails from us at the relevant stages notifying you to check your secure publicjobs.ie message board for campaign updates.

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We endeavour to give as much notice as possible for interview dates etc., candidates should make themselves available on the date(s) specified by the Public Appointments Service.

Shortlisting

In the event of a shortlisting exercise being employed an expert board will examine the information provided in your application form and assess it against criteria based on the requirements of the position.

References

We would appreciate it if you would start considering names of people who you feel would be suitable referees that we might consult (2 - 3 names and contact details). The referees do not have to include your current employer, but should be in a position to provide a reference for you. Please be assured that we will only contact referees should you come under consideration after preliminary interview stage. Please note, should you be successful at final interview, we will require a reference from your current employer, prior to recommendation for appointment. We may require a candidate to complete a number of

clearance processes, such as, Health & Character Declaration, Garda Vetting etc or any other relevant checks required for the particular role.

General Information

Security Clearance
You will be required to complete and return a Garda Vetting form should you come under consideration for appointment. This form will be forwarded to An Garda Síochána for security checks on all Irish and Northern Irish addresses at which you resided. However should your application for the competition be unsuccessful this form will be destroyed by PAS. If you subsequently come under consideration for another position, you may therefore be required to complete a further Garda Vetting Form.

Enquiries
Prior to recommending any candidate for appointment to positions the Public Appointments Service or employing organisation will make all such enquiries that are deemed necessary e.g. employer references, to determine the suitability of that candidate. 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.

Specific candidate criteria
In addition to fulfilling the eligibility criteria set out, candidates must:

- Have the knowledge and ability to discharge the duties of the post concerned;
- Be suitable on the grounds of health & character;
- Be suitable in all other relevant respects for appointment to the post concerned;
- If successful, they will not be appointed to the post unless they:
  - Agree to undertake the duties attached to the post and accept the conditions under which the duties are, or may be required to be performed; and
  - Are fully competent and available to undertake, and fully capable of undertaking, the duties attached to the position.

Non-Refund of Expenses
Any expenses incurred by candidates whilst undertaking or attending any elements of the selection process will not be refunded.

Appointments from panels
It is envisaged that a panel(s) of qualified individuals will be established from which vacancies may be filled. Qualification and placement on a panel is **not** a guarantee of appointment to a position. Please note that once an offer of appointment has been accepted a candidate will no longer remain on the panel.

Declining an offer of appointment
Should the person recommended for appointment decline, or having accepted it, relinquish it, the Department may at its discretion, select and recommend another person for appointment on the results of this selection process.

Candidates' Rights – Review Procedures in relation to the Selection Process

General information
The PAS will consider requests for review in accordance with the provisions of the codes of practice published by the CPSA. A candidate can seek a review by a person in the recruiting body (initial reviewer). Where a candidate remains dissatisfied following this initial review, he/she may seek to have the conduct of the initial review examined by a "decision arbitrator".

As an alternative to the above, it is open to a candidate to seek to have the matter resolved on an informal basis, as set out below. If a candidate remains dissatisfied following any such discussion it is open to him/her to seek a formal review.

The Codes of Practice are available on the website of the Commission for Public Service Appointments, www.cpsa.ie.

Principal Conditions of Service

1. General
The appointment is to an established post in the Civil Service and is subject to the Civil Service Regulation Acts 1956 to 2005, the Public Service Management (Recruitment and Appointments) Act 2004 and any other Act for the time being in force relating to the Civil Service.

2. Pay
The salary scale for this position is as follows:

Principal Officer PPC [Personal Pension Contribution] Scale:

€79,401 - €82,587 - €85,750 - €88,936 - €91,624 - €94,110[2] - €97,194[3]

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

or

Principal Officer Non-PPC Scale:

€75,647 - €78,670 - €81,676 - €84,706 - €87,258 - €89,906[4] - €92,550[5]

This rate will apply where the appointee is a civil or public servant recruited before 6th April 1995 and who is NOT required to make a Personal Pension Contribution.

Long service increments may be payable after three (LSI-1) and six (LSI-2) years' satisfactory service at the maximum of the scale.

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[2] *After 3 years satisfactory service at the maximum*
[3] *After 6 years satisfactory service at the maximum*
[4] *After 3 years satisfactory service at the maximum*
[5] *After 6 years satisfactory service at the maximum*

Entry will be at the minimum of the scale and the rate of remuneration will not be subject to negotiation. The rate of pay may be adjusted from time to time in line with Government pay policy. Different terms and conditions may apply depending on whether a successful candidate is a currently serving civil or public servant.

Payment will be fortnightly in arrears by Electronic Fund Transfer (EFT) into a bank account of your choice. Payment cannot be made until you supply a bank account number and bank sort code to the Personnel Section.

Statutory deductions from salary will be made as appropriate by the Department of Jobs, Enterprise and Innovation.

You will agree that any overpayment of salary or of travel and subsistence may be deducted from future salary payments due to you in accordance with the Payment of Wages Act 1991. In the event of such an occurrence, the Department will advise you in writing of the amount and details of any such overpayment and give you 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.

3. Tenure

The appointment is to an established position on a probationary contract in the Civil Service. The probationary contract will be for a period of one year from the date specified above.

Notwithstanding this paragraph and paragraph 4 below, this will not preclude an extension of the probationary contract in appropriate circumstances.

Notwithstanding this paragraph and paragraph 4 below, the probationary contract 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.

4. Probationary Review

During the period of your probationary contract, your performance will be subject to review by your Manager(s) to determine whether you:

(i) have performed in a satisfactory manner,
(ii) have been satisfactory in general conduct, and
(iii) are suitable from the point of view of health with particular regard to sick leave.

Prior to completion of the probationary contract, a decision will be made as to whether or not you will be retained pursuant to *Section 5A(2)* of the *Civil Service Regulation Acts 1956-2005*. This decision will be based on your performance assessed against the criteria set out in (i) to (iii) above.

The details of the probationary process will be explained to you by your employing Department and you will be given a copy of guidelines on probation issued by the Department of Public Expenditure and Reform.

In the event that you are not considered as suitable to the position of ~~Professional Accountant Grade 1~~ Head of Digital Forensics (Principal Officer) having been assessed against stated

criteria, you will be notified in writing of the action to be taken prior to the expiry of this contract and any extensions thereof.

5. Unfair Dismissals Acts
The Unfair Dismissals Acts 1977-2007 will not apply to the termination of your employment by reason only of the expiry of this probationary contract without it being renewed.

6. Suspension of Probation
The Department may suspend the probationary period and, as a result, extend the term of the probationary contract in the following circumstances:

- the probationary period will be suspended if the officer is on Maternity or Adoptive leave,
- the probationary period may, at the discretion of the Department, be suspended where the employee is absent on any other form of statutory or non- statutory leave.

Where the Department's ability to assess the officer and/or the officer's ability to demonstrate their suitability for permanent appointment is compromised by the officer's absence on leave, the contract period will be extended by the period of leave taken.

7. Duties
You will be required to perform any duties appropriate to your grade which may be assigned to you during the probationary period. You may not engage in private practice or be connected with any outside business which would interfere with the performance of official duties.

8. Headquarters
On appointment to the Department your headquarters will be at the Office of the Director of Corporate Enforcement (ODCE), or be such as may be designated from time to time by the Head of the Department. When absent from home and headquarters on official duty you will be paid appropriate travelling expenses and subsistence allowances, in accordance with Civil Service regulations.

9. The Organisation of Working Time Act 1997
The terms of the Organisation of Working Time Act 1997 will apply to your employment and the hours of attendance and leave entitlements that will apply is at Section 10 below.

10. Hours of Attendance
Hours of attendance will be as fixed from time to time but will amount to on average not less than 43 hours and 15 minutes gross or 37 hours net per week.

~~(i)Where extra attendance is necessary, payment or time off in lieu may be allowed in accordance with the Civil Service regulations.~~

11. Annual Leave
The annual leave allowance will be **30** working days a year. This allowance which is subject to the usual conditions regarding the granting of annual leave is on the basis of a five day week and is exclusive of the usual public holidays.

12. Sick Leave
Pay during properly-certified sick absence, provided there is no evidence of permanent disability for service, will apply on a pro rata basis in accordance with the provisions of the sick leave Circulars.

Officers who are paying Class A rate of PRSI will be required to sign a mandate authorising the Department of Social Protection to pay any benefits due to you under the Social Welfare Acts direct to the Department of Jobs, Enterprise and Innovation. Payment of salary during illness will be subject to you making the necessary claims for social insurance benefit to the Department of Social Protection within the required time limits.

13. Superannuation and Retirement
The successful candidate will be offered the appropriate superannuation terms and conditions as prevailing in the Civil Service, at the time of being offered an appointment. In general, and except for candidates who have worked in a pensionable (non-single scheme terms) public service job in the 26 weeks prior to appointment (see paragraph d below), this means being offered appointment based on membership of the Single Public Service Pension Scheme ("Single Scheme"). Key provisions attaching to membership of the Single Scheme are as follows:

a. Pensionable Age
The minimum age at which pension is payable is 66 (rising to 67 and 68) in line with State Pension age changes.

b. Retirement Age:
Scheme members must retire at the age of 70.

c. Pension Abatement

- If the appointee was previously employed in the Civil Service and is in receipt of a pension from the Civil Service normal abatement rules will apply. However, if the appointee was previously employed in the Civil Service and awarded a pension under voluntary early retirement arrangements (other than the Incentivised Scheme of Early Retirement (ISER) or the Department of Health Circular 7/2010 VER/VRS which, as indicated above, renders a person ineligible for the competition) the entitlement to that pension will cease with effect from the date of reappointment. Special arrangements will however, be made for the reckoning of previous service given by the appointee for the purpose of any future superannuation award for which the appointee may be eligible.

- If the appointee was previously employed in the Civil Service or in the Public Service please note that the Public Service Pensions (Single Scheme and Other Provisions) Act 2012 includes a provision which extends abatement of pension for all Civil and Public Servants who are re-employed where a Public Service pension is in payment. This provision to apply abatement across the wider public service came into effect on 1 November 2012. **This may have pension implications for any person appointed to this position who is currently in receipt of a Civil or Public Service pension or has a preserved Civil or Public Service pension which will come into payment during his/her employment in this position.**

- **Department of Education and Skills Early Retirement Scheme for Teachers Circular 102/2007** The Department of Education and Skills introduced an Early Retirement Scheme for Teachers. It is a condition of the Early Retirement Scheme that with the exception of the situations set out in paragraphs 10.2 and 10.3 of the relevant circular documentation, and with those exceptions only, if a teacher accepts early retirement under **Strands 1, 2 or 3** of this scheme and is subsequently employed **in any capacity in any area of the public sector**, payment of pension to that person under the scheme **will immediately cease**. Pension payments will, however, be resumed on the ceasing of such employment or on the person's 60th birthday, whichever is the later, but on resumption, the pension will be based on the person's actual reckonable service as a teacher (i.e. the added years previously granted **will not be taken into account** in the calculation of the pension payment).

- **Ill-Health-Retirement** Please note that where an individual has retired from a Civil/Public Service body on the grounds of ill-health his/her pension from that employment may be subject to review in accordance with the rules of ill-health retirement within the pension scheme of that employment.

d. Prior Public Servants
While the default pension terms, as set out in the preceding paragraphs, consist of Single Scheme membership, this may not apply to certain appointees. Full details of the conditions governing whether or not a public servant is a Single Scheme member are given in the Public Service Pensions (Single Scheme and other Provisions) Act 2012. However the key exception case (in the context of this competition and generally) is that **a successful candidate who has worked in a pensionable (non-single scheme terms) capacity in the public service within 26 weeks of taking up appointment, would in general not become a member of the Single Scheme.** In this case such a candidate would instead be offered membership of the pension scheme for non-established civil servants ("Non-Established State Employee Scheme"). This would mean that the abatement provisions at (c) above would apply, and in addition there are implications in respect of pension accrual as outlined below:

e. Pension Accrual
A 40-year limit on total service that can be counted towards pension where a person has been a member of more than one existing public service pension scheme would apply. This 40-year limit, which is provided for in the Public Service Pensions (Single Scheme and other Provisions) Act 2012 came into effect on 28 July 2012. **This may have implications for any appointee who has acquired pension rights in a previous public service employment.**

f. Pension-Related Deduction
This appointment is subject to the pension-related deduction in accordance with the Financial Emergency Measure in the Public Interest Act 2009.

For further information in relation to the Single Public Service Pension Scheme for Public Servants please see the following website: http://www.per.gov.ie/pensions.

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(s).

14. Health and Safety
Attention is drawn to the health and safety policy. It is a condition of employment that all aspects of the policy, of the Safety, Health and Welfare at Work Act and relevant regulations must be complied with at all times.

15. Secrecy, Confidentiality and Standards of Behaviour
Official Secrecy and Integrity
You will during the term of your probationary contract be subject to the provisions of the Official Secrets Act 1993 as amended by the Freedom of Information Acts 1997 and 2003. You will agree not to disclose to third parties any confidential information either during or subsequent to the period of employment.

Civil Service Code of Standards and Behaviour
You will be subject to the Civil Service Code of Standards and Behaviour.

Ethics in Public Office Act 1995
The Ethics in Public Office Act 1995 will apply, where appropriate, to your employment.

Publication of any Material
You will agree not to publish material related to your official duties without prior approval by the Minister.

Political Activity
During the term of your employment you will be subject to the rules governing Civil Servants and politics.

16. Personnel Code
All Circulars are available on the website http://circulars.gov.ie or from the Personnel Section.

Appendix 1

Research has been carried out and the competencies required for performance in the Principal Officer and Principal Officer Higher roles, in the wider Civil Service, have been identified as set out below. However please note that these are 'generic' competencies and may be modified for the purpose of this selection process.

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

2

Fw: PAS - Draft advertisement for ODCE Digital Forensics Specialist - obs by lunchtime today please
Breda Power
to:
Colm Forde, Joan Howley
23/01/2017 11:49
Sent by:
breda power
Hide Details
From: Breda Power/entemp
To: Colm Forde/entemp@ENTEMP, Joan Howley/entemp@entemp,
Sent by: breda power/entemp

2 Attachments

Digital Forensics - advert ID 230117.docx Digital Forensics Booklet - ID 230117.docx

Colm, Joan

For information and file.

Breda
Breda Power
Department of Jobs, Enterprise & Innovation,
Earlsfort Centre,
Lower Hatch Street,
Dublin 2

Tel: 01 6312609
Fax: 016312552
email breda.power@djei.ie
Designated Public Official under the Regulation of Lobbying Act 2015. See www.lobbying.ie
----- Forwarded by breda power/entemp on 23/01/2017 11:49 -----

From: Ian Drennan/entemp
To: Mary Cullen/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP, Harry Lester/entemp@ENTEMP, John Hughes/entemp@ENTEMP
Date: 23/01/2017 11:44
Subject: Re: Fw: PAS - Draft advertisement for ODCE Digital Forensics Specialist - obs by lunchtime today please

---

Mary,

Thanks for your email. The draft advert contains one typo so please find attached a marked up corrected version. Please also find attached a marked up Booklet (I've accepted the changes that were already on it). The changes that I've made are mostly corrections of punctuation etc. The one substantive change is under required experience and in is response to the comment bubble that had been placed beside that section.

I trust that this is of assistance.

Regards,

Ian

(See attached file: Digital Forensics - advert ID 230117.docx) (See attached file: Digital Forensics Booklet - ID 230117.docx)

Ian Drennan
Director
Office of the Director of Corporate Enforcement
16 Parnell Square, Dublin 1
D01 W5C2
Ireland

Tel: +353 1 858 5800 - Lo Call: 1890 315 015 - Fax: +353 1 858 5801 - Web: www.odce.ie - T: @odce

Mary Cullen---23/01/2017 10:46:49---Ian Please see PAS revised draft information booklet for obs/approval

From: Mary Cullen/entemp
To: Ian Drennan/entemp@ENTEMP,
Cc: John Hughes/entemp@ENTEMP, Breda Power/entemp@ENTEMP, Harry Lester/entemp@ENTEMP
Date: 23/01/2017 10:46
Subject: Fw: PAS - Draft advertisement for ODCE Digital Forensics Specialist - obs by lunchtime today please

---

Ian

Please see PAS revised draft information booklet for obs/approval

- also to note PAS advertisement wording

[attachment "Draft Information Booklet Digital Forensics v1 (2).docx" deleted by Ian Drennan/entemp] [attachment "DRAFT ADVERT Head of Digital Forensics.docx" deleted by Ian Drennan/entemp]

[attachment "DRAFT ADVERT Head of Digital Forensics - DJEI Obs 200117.docx" deleted by Ian Drennan/entemp]

Thanks

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466

----- Forwarded by Mary Cullen/entemp on 23/01/2017 10:40 -----

From: Niamh McGuinness <Niamh.McGuinness@publicjobs.ie>
To: "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>,
Cc: Louise McEntee <louise.mcentee@publicjobs.ie>, Ashley Gilmore <Ashley.Gilmore@publicjobs.ie>
Date: 23/01/2017 10:27
Subject: RE: PAS - Draft advertisement for ODCE Digital Forensics Specialist

---

Hi Mary

Please see attached draft information booklet and let us have your obs by lunch time tomorrow.

With regard to the advert, it is far too long and we feel the bullet points added in are not adding to the advert. Can you let me know by noon today if there is anything vital that you would like added please.

Kind regards
Niamh

From: Mary.Cullen@djei.ie [mailto:Mary.Cullen@djei.ie]
Sent: 20 January 2017 14:44
To: Niamh McGuinness
Cc: John.Hughes@djei.ie; Harry.Lester@djei.ie
Subject: Fw: PAS - Draft advertisement for ODCE Digital Forensics Specialist

Niamh

We have looked at it in-house - email exchanges below refer - and, depending on space constraints, please see attached:

Regards

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466

----- Forwarded by Mary Cullen/entemp on 20/01/2017 14:40 -----

From: Ian Drennan/entemp
To: Mary Cullen/entemp@ENTEMP,
Date: 20/01/2017 14:01
Subject: Re: Fw: PAS - Draft advertisement for ODCE Digital Forensics Specialist

---

Thanks Mary. That's fine with me (other a typo where possess is misspelled).

Regards,

Ian

Ian Drennan
Director
Office of the Director of Corporate Enforcement
16 Parnell Square, Dublin 1
D01 W5C2
Ireland

Tel: +353 1 858 5800 - Lo Call: 1890 315 015 - Fax: +353 1 858 5801 - Web: www.odce.ie - T: @odce

From Mary Cullen/entemp
To Ian Drennan/entemp@ENTEMP,
Date 20/01/2017 13:20
Subject Fw: PAS - Draft advertisement for ODCE Digital Forensics Specialist

---

Ian

Emails below refer - any obs re the proposed PAS advert please?

Regards

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466

----- Forwarded by Mary Cullen/entemp on 20/01/2017 13 19 -----

From John Hughes/entemp
To Mary Cullen/entemp@ENTEMP,
Cc Harry Lester/entemp@ENTEMP
Date 20/01/2017 13 01
Subject Re: PAS - Draft advertisement for ODCE Digital Forensics Specialist

---

Thanks, Mary. There may be space considerations which may mean we need to shorten the list of bullet points but pl seek Ian Drennan's views on your version, noting my health-warning re space for him, and then revert to PAS.

John,
20/1.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

From Mary Cullen/entemp
To John Hughes/entemp@ENTEMP,
Cc Harry Lester/entemp@ENTEMP
Date 20/01/2017 12 36
Subject PAS - Draft advertisement for ODCE Digital Forensics Specialist

---

John

Draft ad for Digital Forensics attached for our obs - please see below tracked changes for consideration (copied from the draft booklet we sent to PAS)

[attachment "DRAFT ADVERT Head of Digital Forensics - DJEI Obs 200117.docx" deleted by Ian Drennan/entemp]

Regards

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466

----- Forwarded by Mary Cullen/entemp on 20/01/2017 12:07 -----

From Niamh McGuinness <Niamh.McGuinness@publicjobs.ie>
To "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>,
Cc Ashley Gilmore <Ashley.Gilmore@publicjobs.ie>, Louise McEntee <louise.mcentee@publicjobs.ie>
Date 20/01/2017 11:46
Subject

Dear Mary

Please find attached draft advert for the Head of Digital Forensics post. I would be grateful if you could let me have your obs by close of business today.

Kind regards
Niamh

Niamh McGuinness
Recruitment Manager
Senior Executive Recruitment
T +353 1 858 7646

Public Appointments Service
An tSeirbhís um Cheapacháin Phoiblí
Chapter House, 26/30 Abbey Street Upper, Dublin 1, D01 C7W6

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Winner GradIreland Recruitment Awards - Best Graduate Recruitment Website 2015
Fairness & Impartiality Independence Value Customer Service Innovation Collaboration

Designated Public Official under Regulation of Lobbying Act 2015, see www.lobbying.ie

[attachment "image001.png" deleted by Ian Drennan/entemp] [attachment "image002.png" deleted by Ian Drennan/entemp] [attachment "image003.png" deleted by Ian Drennan/entemp] [attachment "DRAFT ADVERT Head of Digital Forensics.docx" deleted by Ian Drennan/entemp]
****

DRAFT ADVERT

LOGO

DIGITAL FORENSICS SPECIALIST, OFFICE OF THE DIRECTOR OF CORPORATE ENFORCEMENT

The Office of the Director of Corporate Enforcement (ODCE) is an independent Office of the Department of Jobs, Enterprise and Innovation. Its mission is to improve the compliance environment for corporate activity in the Irish economy by encouraging adherence to, and dissuading non-compliance with, company law.

The ODCE is seeking to employ a Digital Forensics Specialist who will play a key role in the organisation and make a significant contribution to complex and serious company law investigations, both civil and criminal.

The successful candidate will:

- have a relevant qualification at primary degree level;
- have significant experience of working in an ICT role, i.e., at least five years' relevant experience and possess strong project management skills;
- be flexible, results-focussed and have the ability to work under pressure in a complex, legal, technical and regulatory environment;
- have an appreciation of the requirements for working effectively and collaboratively in a multi-disciplinary environment, including the flexibility to work effectively with all other relevant colleagues and stakeholders across sectoral, organisational and professional boundaries

For a confidential discussion, contact xxxxxxxxxxx on +353 1 8587xxx or at xxxxxxxxxx@publicjobs.ie

An tSeirbhís um Cheapacháin Phoibli
Public Appointments Service

INFORMATION BOOKLET

The Public Appointments Service intends to hold a competition for the purpose of recommending a person for appointment as:

Digital Forensics Specialist
(Principal Officer)
in the Office of the Director of Corporate Enforcement

Department of Jobs, Enterprise and Innovation

Closing Date: TBC

The Public Appointments Service is committed to a policy of equal opportunity. The Public Appointments Service will run this campaign in compliance with the codes of practice prepared by the new Commissioners for Public Service Appointments (CPSA). Codes of practice are published by the CPSA and are available on www.cpsa-online.ie

CHAPTER HOUSE
26 – 30 ABBEY STREET UPPER
DUBLIN 1

Telephone Number: 353 1 858 7400

www.publicjobs.ie

Title of Position:	Digital Forensics Specialist (Principal Officer) in the Office of the Director of Corporate Enforcement
Employing Authority:	Department of Jobs, Enterprise and Innovation
Location:	Office of the Director of Corporate Enforcement, 16 Parnell Square, Dublin 1

The mission of the Department of Jobs, Enterprise and Innovation (the Department) is to encourage the creation of high quality and sustainable full employment by championing enterprise across government, supporting a competitive enterprise base, promoting a low tax environment to incentivise work and enterprise and promoting fair and competitive markets.

The Office of the Director of Corporate Enforcement ("the ODCE")

Mandate and high level goals
The mission of the ODCE is to improve the compliance environment for corporate activity in the Irish economy by encouraging adherence to, and dissuading non-compliance with, company law.

Established in 2001, the ODCE is an independent Office of the Department of Jobs, Enterprise and Innovation. Under the Companies Act 2014 ("the Act"), the principal functions of the Director of Corporate Enforcement include the:

- encouragement of compliance with the Act;
- investigation of suspected offences under the Act, or other suspected non-compliance with the Act, or with the duties and obligations to which companies and their officers are subject;
- enforcement of the Act, including the prosecution of offences by way of summary proceedings;
- referral of cases to the Director of Public Prosecutions for consideration as to whether they should be prosecuted on indictment;
- exercise, insofar as considered necessary or appropriate, of a supervisory role over the activity of liquidators and receivers in the discharge of their functions under the Act.

Those statutory functions have been further distilled into the ODCE's high level goals, which are to:

- promote a greater understanding of affected parties' rights and duties under company law;
- confront unlawful and irresponsible behaviour insofar as it relates to company law; and
- provide a quality customer service to internal and external stakeholders.

Structure and current resources
Currently, the ODCE has a staff complement of approximately 40 comprising of both professional civil servants and members of An Garda Síochána.

Having regard to its principal statutory functions, and the associated workstreams, the ODCE is organised into a number of Units, each of which comes under the responsibility of a Head of Function. Further information regarding the ODCE's principal activities can be accessed at www.odce.ie

The Role

The ODCE wishes to appoint a Digital Forensics Specialist (Principal Officer) to supplement its current skill mix and capabilities. This is a new, pivotal -role within the organisation, designed –to make a significant contribution to complex and serious company law investigations, both civil and criminal, that the Office undertakes.

As an Office of the Department of Jobs, Enterprise and Innovation, the ODCE benefits from the Department's ICT infrastructure, and the suite of ICT hardware & software which the Department makes available to its staff, and those of its Offices. Having regard to the specialised nature of the ODCE's work, it is envisaged that the successful candidate will primarily be involved in managing and leading a program of supplementing the existing suite of hardware and software with other ICT solutions which are developed, tailored or procured for those of the ODCE's particular needs which cannot currently be met by reliance on the Department's ICT offering. However the successful candidate will also be expected to maintain an ongoing liaison with the Department's ICT team for the purpose of the optimal management of the ODCE's ICT requirements. –This will include ensuring that any technology solutions which are put in place comply with overall ICT standards and policies in the Department, and that the Department's ICT governance arrangements are complied with

The nature of this demanding role will be wide and varied. In that context, the following is a non-exhaustive overview of the some of the types of work that the successful candidate is likely to be engaged in:

- developing strategies, plans and arrangements for forensic data collection;
- the implementation of those plans, strategies and arrangements;
- the collection and preservation of electronic data in an evidentially sound manner, consistent with established judicial principles in this area;
- analysing/assisting investigators in the analysis of such data;
- managing the ICT element of individual cases/a portfolio of cases;
- testifying, as required, in Court proceedings initiated by the ODCE or by the Director of Public Prosecutions;

- identifying appropriate hardware/software applications that will best assist the Office in undertaking its investigations, and managing and overseeing the procurement of such applications-;

- co-operating and liaising, as necessary, with both the Department of Jobs, Enterprise & Innovation and with relevant third parties, including other law enforcement Agencies.

Commensurate with the seniority of the role, the Digital Forensics Specialist will be expected to—

- ensure that the ODCE's approach to the procurement and use of ICT is consistent with, and contributes to the achievement of the goals set out in, the Public Service ICT Strategy *Delivering better outcomes and efficiency through innovation and excellence in ICT*;[1]

- contribute to the ODCE's ongoing compliance with its other obligations as a public sector organisation;

- contribute to/lead on other projects associated with any other aspect of the ODCE's mandate and functions as and when required.

The above is not, and does not purport to be, a comprehensive list of all duties involved and consequently, the post holder may be required to perform other duties as appropriate to the post which may be assigned to him/her from time to time and to contribute to the development of the post while in office.

ENTRY REQUIREMENTS

Essential Qualifications & Requirements

A relevant qualification at primary Degree level.

Desirable (but not essential)

Additional qualification(s) in the area of digital forensics.

Essential Skills/Attributes

In addition to demonstrating the standard competencies expected at PO level, the successful candidate will:

- have significant experience of working in a relevant ICT role, i.e., at least five years' relevant experience at a suitably level in the area of digital forensics;

[1] Approved by Government and launched by the Minister for Public Expenditure and Reform in January 2015. Please see www.ictstrategy.per.gov.ie/

- be flexible, results-focussed and have the ability to work under pressure in a complex, legal, technical and regulatory environment;

- be capable of operating effectively on their own initiative;

- have an appreciation of the requirements for working effectively and collaboratively in a multi-disciplinary environment, including the flexibility and mobility to work effectively with all other relevant colleagues and stakeholders across sectoral, organisational and professional boundaries

- possess strong project management skills and be in a position to demonstrate successful project delivery;

- possess the capacity to operate effectively and credibly to a high level, both within the organisation and externally;

- possess excellent communications and interpersonal skills;

- be capable of demonstrating an appreciation of the Department and the ODCE's objectives, a keen awareness of the environment within which it operates and of the particular obligations which stem from the ODCE's status as a public body funded entirely by the Exchequer.

The following Key Competencies have been identified for effective performance at Principal Officer Level.

Please see Appendix 1 for further details on Principal Officer competencies.

Other Eligibility Criteria

Citizenship Requirement:
Candidates should note that eligibility to compete is open to citizens of the European Economic Area (EEA). The EEA consists of the Member States of the European Union along with Iceland, Liechtenstein and Norway.

Incentivised Scheme for Early Retirement (ISER):
It is a condition of the Incentivised Scheme for Early Retirement (ISER) as set out in Department of Finance Circular 12/09 that retirees, under that Scheme, are debarred from applying for another position in the same employment or the same sector. Therefore, such retirees may not apply for this position.

Department of Health and Children Circular (7/2010):
The Department of Health Circular 7/2010 dated 1 November 2010 introduced a Targeted Voluntary Early Retirement (VER) Scheme and Voluntary Redundancy Schemes (VRS). It is a condition of the VER scheme that persons availing of the scheme will not be eligible for re-employment in the public health sector or in the wider public service or in a body wholly or mainly funded from public moneys. The same prohibition on re-employment applies under the VRS, except that the prohibition is for a period of 7 years, after which time any re-employment will require the approval of the Minister for Public Expenditure and Reform. People who availed of either of these schemes are not eligible to compete in this competition.

Collective Agreement: Redundancy Payments to Public Servants:
The Department of Public Expenditure and Reform letter dated 28th June 2012 to Personnel Officers introduced, with effect from 1st June 2012, a Collective Agreement which had been reached between the Department of Public Expenditure and Reform and the Public Services Committee of the ICTU in relation to ex-gratia Redundancy Payments to Public Servants. It is a condition of the Collective Agreement that persons availing of the agreement will not be eligible for re-employment in the public service by any public service body (as defined by the Financial Emergency Measures in the Public Interest Acts 2009 – 2011) for a period of 2 years from termination of the employment. Thereafter the consent of the Minister for Public Expenditure and Reform will be required prior to re-employment. People who availed of this scheme and who may be successful in this competition will have to prove their eligibility (expiry of period of non-eligibility) and the Minister's consent will have to be secured prior to employment by any public service body.

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

THE SELECTION PROCESS

How to Apply

Applications must be made by submitting an on-line application and attaching a single document with the following elements included:

- **A comprehensive CV, including an organisation chart** *(See **Senior Executive CV Guidance** note here)*
- **The 'Key Achievements Form'** *(Available here:)*
- **A short cover letter/ personal statement** *(i.e. no more than 2 pages)* outlining why you wish to be considered for the post and where you believe your skills, experience and values meet the requirements of the position.

Closing Date: Midnight *[date to be specified]*

Selection Process:

The Selection Process may include:

- shortlisting of candidates, on the basis of the information contained in their application;
- a competitive preliminary interview;
- completion of an online questionnaire(s);
- work sample/role play/media exercise, and any other tests or exercises that may be deemed appropriate;
- a competitive interview which may include a presentation.

Please Note

We acknowledge receipt of all applications. If you do not receive an acknowledgement within 3 days of applying, please email orla.coughlan@publicjobs.ie.TBC You can expect to receive emails from us at the relevant stages notifying you to check your secure publicjobs.ie message board for campaign updates.

We endeavour to give as much notice as possible for interview dates etc., candidates should make themselves available on the date(s) specified by the Public Appointments Service.

Shortlisting

In the event of a shortlisting exercise being employed an expert board will examine the information provided in your application form and assess it against criteria based on the requirements of the position.

References

We would appreciate it if you would start considering names of people who you feel would be suitable referees that we might consult (2 - 3 names and contact details). The referees do not have to include your current employer, but should be in a position to provide a reference for you. Please be assured that we will only contact referees should you come under consideration after preliminary interview stage. Please note, should you be successful at final interview, we will require a reference from your current employer, prior to recommendation for appointment. We may require a candidate to complete a number of

clearance processes, such as, Health & Character Declaration, Garda Vetting etc or any other relevant checks required for the particular role.

General Information

Security Clearance

You will be required to complete and return a Garda Vetting form should you come under consideration for appointment. This form will be forwarded to An Garda Síochána for security checks on all Irish and Northern Irish addresses at which you resided. However should your application for the competition be unsuccessful this form will be destroyed by PAS. If you subsequently come under consideration for another position, you may therefore be required to complete a further Garda Vetting Form.

Enquiries

Prior to recommending any candidate for appointment to positions the Public Appointments Service or employing organisation will make all such enquiries that are deemed necessary e.g. employer references, to determine the suitability of that candidate. 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.

Specific candidate criteria

In addition to fulfilling the eligibility criteria set out, candidates must:

- Have the knowledge and ability to discharge the duties of the post concerned;
- Be suitable on the grounds of health & character;
- Be suitable in all other relevant respects for appointment to the post concerned;
- If successful, they will not be appointed to the post unless they:
  - Agree to undertake the duties attached to the post and accept the conditions under which the duties are, or may be required to be performed; and
  - Are fully competent and available to undertake, and fully capable of undertaking, the duties attached to the position.

Non-Refund of Expenses

Any expenses incurred by candidates whilst undertaking or attending any elements of the selection process will not be refunded.

Appointments from panels

It is envisaged that a panel(s) of qualified individuals will be established from which vacancies may be filled. Qualification and placement on a panel is **not** a guarantee of appointment to a position. Please note that once an offer of appointment has been accepted a candidate will no longer remain on the panel.

Declining an offer of appointment

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

Candidates' Rights – Review Procedures in relation to the Selection Process
General information
The PAS will consider requests for review in accordance with the provisions of the codes of practice published by the CPSA. A candidate can seek a review by a person in the recruiting body (initial reviewer). Where a candidate remains dissatisfied following this initial review, he/she may seek to have the conduct of the initial review examined by a "decision arbitrator".

As an alternative to the above, it is open to a candidate to seek to have the matter resolved on an informal basis, as set out below. If a candidate remains dissatisfied following any such discussion it is open to him/her to seek a formal review.

The Codes of Practice are available on the website of the Commission for Public Service Appointments, www.cpsa.ie.

Principal Conditions of Service

1. General
The appointment is to an established post in the Civil Service and is subject to the Civil Service Regulation Acts 1956 to 2005, the Public Service Management (Recruitment and Appointments) Act 2004 and any other Act for the time being in force relating to the Civil Service.

2. Pay
The salary scale for this position is as follows:

Principal Officer PPC [Personal Pension Contribution] Scale:

€79,401 - €82,587 - €85,750 - €88,936 - €91,624 - €94,110[2] - €97,194[3]

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

or

Principal Officer Non-PPC Scale:

€75,647 - €78,670 - €81,676 - €84,706 - €87,258 - €89,906[4] - €92,550[5]

This rate will apply where the appointee is a civil or public servant recruited before 6th April 1995 and who is NOT required to make a Personal Pension Contribution.

Long service increments may be payable after three (LSI-1) and six (LSI-2) years' satisfactory service at the maximum of the scale.

Entry will be at the minimum of the scale and the rate of remuneration will not be subject to negotiation. The rate of pay may be adjusted from time to time in line with Government pay policy. Different terms and conditions may apply depending on whether a successful candidate is a currently serving civil or public servant.

Payment will be fortnightly in arrears by Electronic Fund Transfer (EFT) into a bank account of your choice. Payment cannot be made until you supply a bank account number and bank sort code to the Personnel Section.

Statutory deductions from salary will be made as appropriate by the Department of Jobs, Enterprise and Innovation.

---

[2] *After 3 years satisfactory service at the maximum*
[3] *After 6 years satisfactory service at the maximum*
[4] *After 3 years satisfactory service at the maximum*
[5] *After 6 years satisfactory service at the maximum*

You will agree that any overpayment of salary or of travel and subsistence may be deducted from future salary payments due to you in accordance with the Payment of Wages Act 1991. In the event of such an occurrence, the Department will advise you in writing of the amount and details of any such overpayment and give you 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.

3. Tenure

The appointment is to an established position on a probationary contract in the Civil Service. The probationary contract will be for a period of one year from the date specified above.

Notwithstanding this paragraph and paragraph 4 below, this will not preclude an extension of the probationary contract in appropriate circumstances.

Notwithstanding this paragraph and paragraph 4 below, the probationary contract 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.

4. Probationary Review

During the period of your probationary contract, your performance will be subject to review by your Manager(s) to determine whether you:

(i) have performed in a satisfactory manner,
(ii) have been satisfactory in general conduct, and
(iii) are suitable from the point of view of health with particular regard to sick leave.

Prior to completion of the probationary contract, a decision will be made as to whether or not you will be retained pursuant to *Section 5A(2)* of the *Civil Service Regulation Acts 1956-2005*. This decision will be based on your performance assessed against the criteria set out in (i) to (iii) above.

The details of the probationary process will be explained to you by your employing Department and you will be given a copy of guidelines on probation issued by the Department of Public Expenditure and Reform.

In the event that you are not considered as suitable to the position of Digital Forensics Specialist (Principal Officer) having been assessed against stated criteria, you will be notified in writing of the action to be taken prior to the expiry of this contract and any extensions thereof.

5. Unfair Dismissals Acts

The Unfair Dismissals Acts 1977-2007 will not apply to the termination of your employment by reason only of the expiry of this probationary contract without it being renewed.

6. Suspension of Probation

The Department may suspend the probationary period and, as a result, extend the term of the probationary contract in the following circumstances:

- the probationary period will be suspended if the officer is on Maternity or Adoptive leave,

- the probationary period may, at the discretion of the Department, be suspended where the employee is absent on any other form of statutory or non- statutory leave.

Where the Department's ability to assess the officer and/or the officer's ability to demonstrate their suitability for permanent appointment is compromised by the officer's absence on leave, the contract period will be extended by the period of leave taken.

7. Duties
You will be required to perform any duties appropriate to your grade which may be assigned to you during the probationary period. You may not engage in private practice or be connected with any outside business which would interfere with the performance of official duties.

8. Headquarters
On appointment to the Department your headquarters will be at the Office of the Director of Corporate Enforcement (ODCE), or be such as may be designated from time to time by the Head of the Department. When absent from home and headquarters on official duty you will be paid appropriate travelling expenses and subsistence allowances, in accordance with Civil Service regulations.

9. The Organisation of Working Time Act 1997
The terms of the Organisation of Working Time Act 1997 will apply to your employment and the hours of attendance and leave entitlements that will apply is at Section 10 below.

10. Hours of Attendance
Hours of attendance will be as fixed from time to time but will amount to on average not less than 43 hours and 15 minutes gross or 37 hours net per week.

11. Annual Leave
The annual leave allowance will be **30** working days a year. This allowance which is subject to the usual conditions regarding the granting of annual leave is on the basis of a five day week and is exclusive of the usual public holidays.

12. Sick Leave
Pay during properly-certified sick absence, provided there is no evidence of permanent disability for service, will apply on a pro rata basis in accordance with the provisions of the sick leave Circulars.

Officers who are paying Class A rate of PRSI will be required to sign a mandate authorising the Department of Social Protection to pay any benefits due to you under the Social Welfare Acts direct to the Department of Jobs, Enterprise and Innovation. Payment of salary during illness will be subject to you making the necessary claims for social insurance benefit to the Department of Social Protection within the required time limits.

13. Superannuation and Retirement
The successful candidate will be offered the appropriate superannuation terms and conditions as prevailing in the Civil Service, at the time of being offered an appointment. In general, and except for candidates who have worked in a pensionable (non-single scheme terms) public

service job in the 26 weeks prior to appointment (see paragraph d below), this means being offered appointment based on membership of the Single Public Service Pension Scheme ("Single Scheme"). Key provisions attaching to membership of the Single Scheme are as follows:

a. Pensionable Age
The minimum age at which pension is payable is 66 (rising to 67 and 68) in line with State Pension age changes.

b. Retirement Age:
Scheme members must retire at the age of 70.

c. Pension Abatement

- If the appointee was previously employed in the Civil Service and is in receipt of a pension from the Civil Service normal abatement rules will apply. However, if the appointee was previously employed in the Civil Service and awarded a pension under voluntary early retirement arrangements (other than the Incentivised Scheme of Early Retirement (ISER) or the Department of Health Circular 7/2010 VER/VRS which, as indicated above, renders a person ineligible for the competition) the entitlement to that pension will cease with effect from the date of reappointment. Special arrangements will however, be made for the reckoning of previous service given by the appointee for the purpose of any future superannuation award for which the appointee may be eligible.

- If the appointee was previously employed in the Civil Service or in the Public Service please note that the Public Service Pensions (Single Scheme and Other Provisions) Act 2012 includes a provision which extends abatement of pension for all Civil and Public Servants who are re-employed where a Public Service pension is in payment. This provision to apply abatement across the wider public service came into effect on 1 November 2012. **This may have pension implications for any person appointed to this position who is currently in receipt of a Civil or Public Service pension or has a preserved Civil or Public Service pension which will come into payment during his/her employment in this position.**

- **Department of Education and Skills Early Retirement Scheme for Teachers Circular 102/2007** The Department of Education and Skills introduced an Early Retirement Scheme for Teachers. It is a condition of the Early Retirement Scheme that with the exception of the situations set out in paragraphs 10.2 and 10.3 of the relevant circular documentation, and with those exceptions only, if a teacher accepts early retirement under **Strands 1, 2 or 3** of this scheme and is subsequently employed **in any capacity in any area of the public sector**, payment of pension to that person under the scheme **will immediately cease**. Pension payments will, however, be resumed on the ceasing of such employment or on the person's 60th birthday, whichever is the later, but on resumption, the pension will be based on the person's actual reckonable service as a teacher (i.e. the added years previously granted **will not be taken into account** in the calculation of the pension payment).

- **Ill-Health-Retirement** Please note that where an individual has retired from a Civil/Public Service body on the grounds of ill-health his/her pension from that

employment may be subject to review in accordance with the rules of ill-health retirement within the pension scheme of that employment.

d. Prior Public Servants
While the default pension terms, as set out in the preceding paragraphs, consist of Single Scheme membership, this may not apply to certain appointees. Full details of the conditions governing whether or not a public servant is a Single Scheme member are given in the Public Service Pensions (Single Scheme and other Provisions) Act 2012. However the key exception case (in the context of this competition and generally) is that **a successful candidate who has worked in a pensionable (non-single scheme terms) capacity in the public service within 26 weeks of taking up appointment, would in general not become a member of the Single Scheme.** In this case such a candidate would instead be offered membership of the pension scheme for non-established civil servants ("Non-Established State Employee Scheme"). This would mean that the abatement provisions at (c) above would apply, and in addition there are implications in respect of pension accrual as outlined below:

e. Pension Accrual
A 40-year limit on total service that can be counted towards pension where a person has been a member of more than one existing public service pension scheme would apply. This 40-year limit, which is provided for in the Public Service Pensions (Single Scheme and other Provisions) Act 2012 came into effect on 28 July 2012. **This may have implications for any appointee who has acquired pension rights in a previous public service employment.**

f. Pension-Related Deduction
This appointment is subject to the pension-related deduction in accordance with the Financial Emergency Measure in the Public Interest Act 2009.

For further information in relation to the Single Public Service Pension Scheme for Public Servants please see the following website: http://www.per.gov.ie/pensions.

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(s).

14. Health and Safety
Attention is drawn to the health and safety policy. It is a condition of employment that all aspects of the policy, of the Safety, Health and Welfare at Work Act and relevant regulations must be complied with at all times.

15. Secrecy, Confidentiality and Standards of Behaviour
Official Secrecy and Integrity
You will during the term of your probationary contract be subject to the provisions of the Official Secrets Act 1993 as amended by the Freedom of Information Acts 1997 and 2003. You will agree not to disclose to third parties any confidential information either during or subsequent to the period of employment.

Civil Service Code of Standards and Behaviour
You will be subject to the Civil Service Code of Standards and Behaviour.

Ethics in Public Office Act 1995
The Ethics in Public Office Act 1995 will apply, where appropriate, to your employment.

Publication of any Material
You will agree not to publish material related to your official duties without prior approval by the Minister.

Political Activity
During the term of your employment you will be subject to the rules governing Civil Servants and politics.

16. Personnel Code
All Circulars are available on the website http://circulars.gov.ie or from the Personnel Section.

Appendix 1

Research has been carried out and the competencies required for performance in the Principal Officer and Principal Officer Higher roles, in the wider Civil Service, have been identified as set out below. However please note that these are 'generic' competencies and may be modified for the purpose of this selection process.

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

2

Re: FW: 20161222 - Job Spec - Digital Forensics ODCE
Mary Cullen To: Martina Rooney 27/01/2017 17:51
Cc: Niamh McGuinness

Hi Martina

Just got your voice message. I have been out of the office at meetings so am just picking up messages now. I'm looking at OGCIO comments and think we will need to touch base with the ODCE, so will get back to you asap early next week.

Regards.

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466

Fw: 20161222 - Job Spec - Digital Forensics ODCE
Mary Cullen to: John Hughes 27/01/2017 18:02
Cc: Harry Lester

John

PAS have been unable to advertise the post this week as OGCIO have reverted with queries regarding the ODCE Digital Forensic Specialist (PO) post.

My obs in red in response to the questions raised, for further consideration please:

- is this a new post? If so, has the establishment of the new post received the necessary approvals?
  Draft response: Yes this is a new post. DJEI has delegated staffing sanction from DPER up to and including PO (Standard) grade.

- will the successful candidate be appointed to the Principal Officer grade or to a position that is at the same level as Principal Officer?;
  Draft response: PO grade?

- will the successful candidate have to manage a team including an administrative stream and/or a specialist stream? If so, there should be explicit mention of the senior management role within the organisation including managing a team, PMDS, strategic planning, setting strategic direction for specific ICT solutions for ODCE and working with the Department's ICT Unit to ensure required solutions are delivered, leading and ensuring compliance with procurement and circulars including Department of Public Expenditure and Reform Circular 02/16 in relation to ICT-related expenditure.
  Draft response: the post is that of Specialist not Manager, HOWEVER REFER TO ODCE FOR COMMENT...

- is the purpose of the role is to acquire specific digital forensic skills? If so, the educational requirements should be more specific, at a minimum STEM and level 8, ideally in computer science; with a desirable post graduate certification in digital forensics or professional digital forensics qualification.
  Draft response: ODCE comments?

- the essential skills / attributes will be determined by the exact nature of the role but should require a minimum 5 years' experience in a senior role in ICT which includes direct experience digital forensics along with a Primary Degree and post grad qualification <u>or</u> possibly a minimum of 7 years' experience along with specific digital forensics experience and relevant professional qualifications.

- Section 7 'Duties' states that '*You will be required to perform any duties appropriate to your grade which may be assigned to you during the probationary period. You may not engage in private practice or be connected with any outside business which would interfere with the performance of official duties.*'
  - o The first sentence of the paragraph applies at all times and not just the probationary period (the final paragraph under the 'Role' section already states that the post holder may be required to perform other duties).
    Draft response: noted. Suggest Section 7 change to: "... *perform other duties as appropriate to the grade which may be assigned to you from time to time and to contribute to the development of the post while in office* ..."
  - o The second sentence appears to be a condition of service/employment and not a duty.
    Draft response: Noted, however, as it refers to matters which may impinge on

a duty it has been inserted at this point?

· Will the successful candidate have to pursue a learning and development programme or have to maintain membership of a relevant body in order to ensure that his/her ability to provide digital forensic services remain current? And
Draft response: REFER TO ODCE FOR COMMENT?

· the application process appears to be geared to a TLAC type competition.
Draft response: Noted – if this is the recommendation and the best way to fill this specialised post?

Regards

Mary Cullen
Recruitment Assignment and Pay Section
Department of Jobs, Enterprise & Innovation
23 Kildare Street
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466
----- Forwarded by Mary Cullen/entemp on 27/01/2017 17:36 ----

From: Martina Rooney <Martina.Rooney@publicjobs.ie>
To: "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>,
Cc: Niamh McGuinness <Niamh.McGuinness@publicjobs.ie>
Date: 26/01/2017 09:04
Subject: FW: 20161222 - Job Spec - Digital Forensics ODCE

Mary, As discussed we were informed that OGCIO needed to review and approve any ICT related posts to ensure consistency in criteria, qualification requirements etc. They have come back to us with the following queries and suggested changes to the booklet. In light of the changes required we have missed the deadline for this week. Can you review the booklet in light of these suggested changes. We should be in a position to advertise it next week if we can get agreed final booklet sorted by the end of the week
Please give me a call if you want to discuss

Regards
Martina

Martina Rooney
Client Relations

T +353 1 858 7630

Public Appointments Service
An tSeirbhís um Cheapacháin Phoiblí
Chapter House, 26/30 Abbey Street Upper, Dublin 1, D01 C7W8

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From: Digital Government Oversight Unit [mailto:DGOU@per.gov.ie]
Sent: 25 January 2017 10:45
To: Martina Rooney
Cc: Mary O'Donohue (OGCIO); Digital Government Oversight Unit
Subject: FW: 20161222 - Job Spec - Digital Forensics ODCE

Martina,

Re: Digital Forensics job in the Office of the Director of Corporate Enforcement (ODCE)

Mary (O'Donohue) passed your email to me as she is out of the office at meetings. Attached as requested are obs relating to the role and apologies if some duplicate your telephone discussion with Mary:

- as discussed with Mary, is this a new post? If so, has the establishment of the new post received the necessary approvals?
- will the successful candidate be appointed to the Principal Officer grade or to a position that is at the same level as Principal Officer?;
- will the successful candidate have to manage a team including an administrative stream and/or a specialist stream? If so, there should be explicit mention of the senior management role within the organisation including managing a team, PMDS, strategic planning, setting strategic direction for specific ICT solutions for ODCE and working with the Department's ICT Unit to ensure required solutions are delivered, leading and ensuring compliance with procurement and circulars including Department of Public Expenditure and Reform Circular 02/16 in relation to ICT-related expenditure.
- is the purpose of the role is to acquire specific digital forensic skills? If so, the educational requirements should be more specific, at a minimum STEM and level 8, ideally in computer science; with a desirable post graduate certification in digital forensics or professional digital forensics qualification.
- the essential skills / attributes will be determined by the exact nature of the role but should require a minimum 5 years' experience in a senior role in ICT which includes direct experience digital forensics along with a Primary Degree and post grad qualification <u>or</u> possibly a minimum of 7 years' experience along with specific digital forensics experience and relevant professional qualifications.
- Section 7 'Duties' states that '*You will be required to perform any duties appropriate to your grade which may be assigned to you during the probationary period. You may not engage in private practice or be connected with any outside business which would interfere with the performance of official duties.*'
    - The first sentence of the paragraph applies at all times and not just the probationary period (the final paragraph under the '*Role*' section already states that the post holder may be required to perform other duties)

- The second sentence appears to be a condition of service/employment and not a duty.

- Will the successful candidate have to pursue a learning and development programme or have to maintain membership of a relevant body in order to ensure that his/her ability to provide digital forensic services remain current? and
- the application process appears to be geared to a TLAC type competition.

I have not looked closely at the conditions of service as I expect that PAS has a standard template for these and modify them in line with the post being advertised (the conditions of service appear slightly different to the conditions of service attached to the D/ES ICT PO post that was also emailed to Mary last week).

Give me a call if any of my comments are unclear.

Regards,
Mick (McCarthy)
Ph. 01-6045102

From: Martina Rooney [mailto:Martina.Rooney@publicjobs.ie]
Sent: Friday 20 January 2017 13:50
To: Mary O'Donohue (OGCIO) <Mary.ODonohue@per.gov.ie>
Subject: 20161222 - Job Spec - Digital Forensics

Mary, As discussed please find attached the draft booklet for the Digital Forensics job in ODCE
Robbie Morrissey will e-mail your this evening re: proposed Interview dates as they are just trying to tie them down at the moment
Regards
Martina

Regards
Martina

Martina Rooney
Client Relations

T +353 1 858 7630

Public Appointments Service
An tSeirbhís um Cheapacháin Phoiblí
Chapter House, 26/30 Abbey Street Upper, Dublin 1, D01 C7W6

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Tá an ríomhphost seo agus aon chomhad a chuirtear ar aghaidh leis, rúnda, agus tá sé beartaithe gur d'úsáid an duine aonair nó an aonáin amháin ar cuireadh chucu é, a tá sé. Munar tú an duine a ba chóir an ríomhphost seo, nó aon chuid de, a fháil, níor chóir duit aon chuid de a nochtadh, a chóipeáil nó a dháileadh. Déan teagmháil leis an té a chuir chugat é agus inis dó/di go bhfuair tú é trí thimpiste. Ba chóir d'éinne a tá ag déanamh idirghníomhaíochta trí ríomhphost caighdeánach a thuiscint go bhfuil priacail i gceist agus tú ag seachadadh faisnéise pearsanta nó íogair leis an teicneolaíocht seo (mar nach modh iomlán slán a tá ann chun sonraí a chur ar aghaidh). Mar sin, ná cuir sonraí pearsanta no íogair trí ríomhphost chuig an oifig seo.
Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

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An tSeirbhís um Cheapacháin Phoiblí
Public Appointments Service

INFORMATION BOOKLET

The Public Appointments Service intends to hold a competition for the purpose of recommending a person for appointment as:

Digital Forensics Specialist
(Principal Officer Grade)
in the Office of the Director of Corporate Enforcement

Department of Jobs, Enterprise and Innovation

Closing Date: TBC

The Public Appointments Service is committed to a policy of equal opportunity.
The Public Appointments Service will run this campaign in compliance with the codes of practice prepared by the new Commissioners for Public Service Appointments (CPSA).
Codes of practice are published by the CPSA and are available on www.cpsa-online.ie

CHAPTER HOUSE
26 – 30 ABBEY STREET UPPER
DUBLIN 1

Telephone Number: 353 1 858 7400

www.publicjobs.ie

Title of Position:	Digital Forensics Specialist (Principal Officer) in the Office of the Director of Corporate Enforcement
Employing Authority:	Department of Jobs, Enterprise and Innovation
Location:	Office of the Director of Corporate Enforcement, 16 Parnell Square, Dublin 1

The mission of the Department of Jobs, Enterprise and Innovation (the Department) is to encourage the creation of high quality and sustainable full employment by championing enterprise across government, supporting a competitive enterprise base, promoting a low tax environment to incentivise work and enterprise and promoting fair and competitive markets.

The Office of the Director of Corporate Enforcement ("the ODCE")

Mandate and high level goals
The mission of the ODCE is to improve the compliance environment for corporate activity in the Irish economy by encouraging adherence to, and dissuading non-compliance with, company law.

Established in 2001, the ODCE is an independent Office of the Department of Jobs, Enterprise and Innovation. Under the Companies Act 2014 ("the Act"), the principal functions of the Director of Corporate Enforcement include the:

- encouragement of compliance with the Act;
- investigation of suspected offences under the Act, or other suspected non-compliance with the Act, or with the duties and obligations to which companies and their officers are subject;
- enforcement of the Act, including the prosecution of offences by way of summary proceedings;
- referral of cases to the Director of Public Prosecutions for consideration as to whether they should be prosecuted on indictment;
- exercise, insofar as considered necessary or appropriate, of a supervisory role over the activity of liquidators and receivers in the discharge of their functions under the Act.

Those statutory functions have been further distilled into the ODCE's high level goals, which are to:

- promote a greater understanding of affected parties' rights and duties under company law;
- confront unlawful and irresponsible behaviour insofar as it relates to company law; and
- provide a quality customer service to internal and external stakeholders.

Structure and current resources
Currently, the ODCE has a staff complement of approximately 40 comprising of both civilian staff and members of An Garda Síochána.

Having regard to its principal statutory functions, and the associated workstreams, the ODCE is organised into a number of Units, each of which comes under the responsibility of a Head of Function. Further information regarding the ODCE's principal activities can be accessed at www.odce.ie

The Role
The ODCE wishes to appoint a Digital Forensics Specialist (Principal Officer grade) to supplement its current skill mix and capabilities. This will be a key role within the organisation and the individual will be expected to make a significant contribution to complex and serious company law investigations, both civil and criminal, that the Office undertakes. The successful candidate must be capable of demonstrating an appreciation for the pivotal nature of their role and function within the organisation.

The nature of this demanding role will be wide and varied. In that context, the following is a non-exhaustive overview of the some of the types of work that the successful candidate is likely to be engaged in:

- developing strategies, plans and arrangements for forensic data collection;
- the implementation of those plans, strategies and arrangements;
- the collection and preservation of electronic data in an evidentially sound manner, consistent with established judicial principles in this area;
- analysing/assisting investigators in the analysis of such data;
- managing the ICT element of individual cases/a portfolio of cases;
- testifying, as required, in Court proceedings initiated by the ODCE or by the Director of Public Prosecutions;
- identifying appropriate hardware/software applications that will best assist the Office in undertaking its investigations, and managing the procurement of such applications;
- co-operating and liaising, as necessary, with both the Department of Jobs, Enterprise & Innovation with regard to ICT matters and with relevant third parties, including other law enforcement Agencies.

As an Office of the Department of Jobs, Enterprise and Innovation the ODCE benefits from the Department's ICT infrastructure, and the suite of ICT hardware & software which the Department makes available to its staff, and those of its Offices. Having regard to the specialised nature of the ODCE's work, it is envisaged that the successful candidate will primarily be involved in managing and leading a program of supplementing the existing suite

of hardware and software with other ICT solutions which are developed, tailored or procured for those of the ODCE's particular needs which cannot currently be met by reliance on the Department's ICT offering. However the successful candidate will also be expected to maintain an ongoing liaison with the Department's ICT team for the purpose of the optimal management of the ODCE's ICT requirements. This will include ensuring that any technology solutions which are put in place comply with overall ICT standards and policies in the Department, and that the Department's ICT governance arrangements are complied with.

Commensurate with the seniority of the role, the Digital Forensics Specialist will be expected to—

- ensure that the ODCE's approach to the procurement and use of ICT is consistent with, and contributes to the achievement of the goals set out in, the Public Service ICT Strategy *Delivering better outcomes and efficiency through innovation and excellence in ICT*; [1]

- contribute to the ODCE's ongoing compliance with its other obligations as a public sector organisation;

- contribute to/lead on other projects associated with any other aspect of the ODCE's mandate and functions as and when required.

The above is not, and does not purport to be, a comprehensive list of all duties involved and consequently, the post holder may be required to perform other duties as appropriate to the post which may be assigned to him/her from time to time and to contribute to the development of the post while in office.

ENTRY REQUIREMENTS

Essential Qualifications & Requirements

A relevant qualification at primary Degree level.

Desirable (but not essential)

Additional qualification(s) in the area of digital forensics.

Essential Skills/Attributes

The successful candidate will:

- have significant experience of working in a relevant ICT role, i.e., at least five years' relevant experience;

[1] Approved by Government and launched by the Minister for Public Expenditure and Reform in January 2015. Please see www.ictstrategy.per.gov.ie/

- be flexible, results-focussed and have the ability to work under pressure in a complex, legal, technical and regulatory environment;

- be capable of operating effectively on their own initiative;

- have an appreciation of the requirements for working effectively and collaboratively in a multi-disciplinary environment, including the flexibility and mobility to work effectively with all other relevant colleagues and stakeholders across sectoral, organisational and professional boundaries

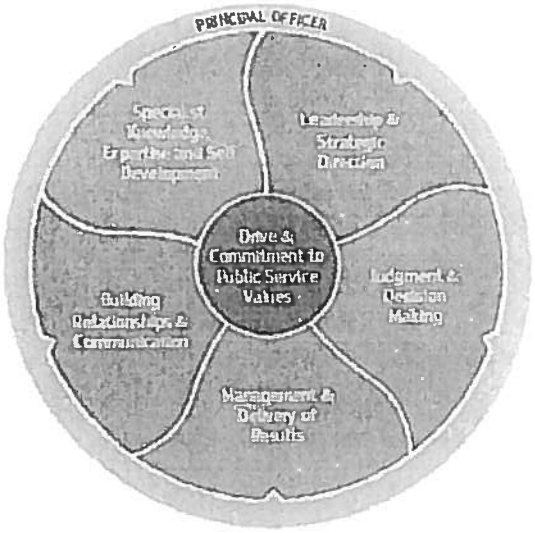
- possess strong project management skills;

- possess the capacity to operate effectively and credibly to a high level, both within the organisation and externally;

- possess excellent communications and interpersonal skills;

- be capable of demonstrating an appreciation of the Department and the ODCE's objectives, a keen awareness of the environment within which it operates and of the particular obligations which stem from the ODCE's status as a public body funded entirely by the Exchequer.

The following Key Competencies have been identified for effective performance at Principal Officer Level.



Please see Appendix 1 for further details on Principal Officer competencies.

Other Eligibility Criteria

Citizenship Requirement:
Candidates should note that eligibility to compete is open to citizens of the European Economic Area (EEA). The EEA consists of the Member States of the European Union along with Iceland, Liechtenstein and Norway.

Incentivised Scheme for Early Retirement (ISER):
It is a condition of the Incentivised Scheme for Early Retirement (ISER) as set out in Department of Finance Circular 12/09 that retirees, under that Scheme, are debarred from applying for another position in the same employment or the same sector. Therefore, such retirees may not apply for this position.

Department of Health and Children Circular (7/2010):
The Department of Health Circular 7/2010 dated 1 November 2010 introduced a Targeted Voluntary Early Retirement (VER) Scheme and Voluntary Redundancy Schemes (VRS). It is a condition of the VER scheme that persons availing of the scheme will not be eligible for re-employment in the public health sector or in the wider public service or in a body wholly or mainly funded from public moneys. The same prohibition on re-employment applies under the VRS, except that the prohibition is for a period of 7 years, after which time any re-employment will require the approval of the Minister for Public Expenditure and Reform. People who availed of either of these schemes are not eligible to compete in this competition.

Collective Agreement: Redundancy Payments to Public Servants:
The Department of Public Expenditure and Reform letter dated 28th June 2012 to Personnel Officers introduced, with effect from 1st June 2012, a Collective Agreement which had been reached between the Department of Public Expenditure and Reform and the Public Services Committee of the ICTU in relation to ex-gratia Redundancy Payments to Public Servants. It is a condition of the Collective Agreement that persons availing of the agreement will not be eligible for re-employment in the public service by any public service body (as defined by the Financial Emergency Measures in the Public Interest Acts 2009 – 2011) for a period of 2 years from termination of the employment. Thereafter the consent of the Minister for Public Expenditure and Reform will be required prior to re-employment. People who availed of this scheme and who may be successful in this competition will have to prove their eligibility (expiry of period of non-eligibility) and the Minister's consent will have to be secured prior to employment by any public service body.

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

THE SELECTION PROCESS

How to Apply

Applications must be made by submitting an on-line application and attaching a single document with the following elements included:

- **A comprehensive CV, including an organisation chart** *(See **Senior Executive CV Guidance** note here)*
- **The 'Key Achievements Form'** *(Available here:)*
- **A short cover letter/ personal statement** *(i.e. no more than 2 pages)* outlining why you wish to be considered for the post and where you believe your skills, experience and values meet the requirements of the position.

Closing Date: Midnight *[date to be specified]*

Selection Process:

The Selection Process may include:

- shortlisting of candidates, on the basis of the information contained in their application;
- a competitive preliminary interview;
- completion of an online questionnaire(s);
- work sample/role play/media exercise, and any other tests or exercises that may be deemed appropriate;
- a competitive interview which may include a presentation.

Please Note

We acknowledge receipt of all applications. If you do not receive an acknowledgement within 3 days of applying, please email orla.coughlan@publicjobs.ie.TBC You can expect to receive emails from us at the relevant stages notifying you to check your secure publicjobs.ie message board for campaign updates.

We endeavour to give as much notice as possible for interview dates etc., candidates should make themselves available on the date(s) specified by the Public Appointments Service.

Shortlisting

In the event of a shortlisting exercise being employed an expert board will examine the information provided in your application form and assess it against criteria based on the requirements of the position.

References

We would appreciate it if you would start considering names of people who you feel would be suitable referees that we might consult (2 - 3 names and contact details). The referees do not have to include your current employer, but should be in a position to provide a reference for you. Please be assured that we will only contact referees should you come under consideration after preliminary interview stage. Please note, should you be successful at final interview, we will require a reference from your current employer, prior to recommendation for appointment. We may require a candidate to complete a number of

clearance processes, such as, Health & Character Declaration, Garda Vetting etc or any other relevant checks required for the particular role.

General Information

Security Clearance
You will be required to complete and return a Garda Vetting form should you come under consideration for appointment. This form will be forwarded to An Garda Síochána for security checks on all Irish and Northern Irish addresses at which you resided. However should your application for the competition be unsuccessful this form will be destroyed by PAS. If you subsequently come under consideration for another position, you may therefore be required to complete a further Garda Vetting Form.

Enquiries
Prior to recommending any candidate for appointment to positions the Public Appointments Service or employing organisation will make all such enquiries that are deemed necessary e.g. employer references, to determine the suitability of that candidate. 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.

Specific candidate criteria
In addition to fulfilling the eligibility criteria set out, candidates must:

- Have the knowledge and ability to discharge the duties of the post concerned;
- Be suitable on the grounds of health & character;
- Be suitable in all other relevant respects for appointment to the post concerned;
- If successful, they will not be appointed to the post unless they:
  - Agree to undertake the duties attached to the post and accept the conditions under which the duties are, or may be required to be performed; and
  - Are fully competent and available to undertake, and fully capable of undertaking, the duties attached to the position.

Non-Refund of Expenses
Any expenses incurred by candidates whilst undertaking or attending any elements of the selection process will not be refunded.

Appointments from panels
It is envisaged that a panel(s) of qualified individuals will be established from which vacancies may be filled. Qualification and placement on a panel is **not** a guarantee of appointment to a position. Please note that once an offer of appointment has been accepted a candidate will no longer remain on the panel.

Declining an offer of appointment
Should the person recommended for appointment decline, or having accepted it, relinquish it, the Department may at its discretion, select and recommend another person for appointment on the results of this selection process.

Candidates' Rights – Review Procedures in relation to the Selection Process
General information
The PAS will consider requests for review in accordance with the provisions of the codes of practice published by the CPSA. A candidate can seek a review by a person in the recruiting body (initial reviewer). Where a candidate remains dissatisfied following this initial review, he/she may seek to have the conduct of the initial review examined by a "decision arbitrator".

As an alternative to the above, it is open to a candidate to seek to have the matter resolved on an informal basis, as set out below. If a candidate remains dissatisfied following any such discussion it is open to him/her to seek a formal review.

The Codes of Practice are available on the website of the Commission for Public Service Appointments, www.cpsa.ie.

Principal Conditions of Service

1. General
The appointment is to an established post in the Civil Service and is subject to the Civil Service Regulation Acts 1956 to 2005, the Public Service Management (Recruitment and Appointments) Act 2004 and any other Act for the time being in force relating to the Civil Service.

2. Pay
The salary scale for this position is as follows:

Principal Officer PPC [Personal Pension Contribution] Scale:

€79,401 - €82,587 - €85,750 - €88,936 - €91,624 - €94,110[2] - €97,194[3]

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

or

Principal Officer Non-PPC Scale:

€75,647 - €78,670 - €81,676 - €84,706 - €87,258 - €89,906[4] - €92,550[5]

This rate will apply where the appointee is a civil or public servant recruited before 6th April 1995 and who is NOT required to make a Personal Pension Contribution.

Long service increments may be payable after three (LSI-1) and six (LSI-2) years' satisfactory service at the maximum of the scale.

Entry will be at the minimum of the scale and the rate of remuneration will not be subject to negotiation. The rate of pay may be adjusted from time to time in line with Government pay policy. Different terms and conditions may apply depending on whether a successful candidate is a currently serving civil or public servant.

Payment will be fortnightly in arrears by Electronic Fund Transfer (EFT) into a bank account of your choice. Payment cannot be made until you supply a bank account number and bank sort code to the Personnel Section.

Statutory deductions from salary will be made as appropriate by the Department of Jobs, Enterprise and Innovation.

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[2] *After 3 years satisfactory service at the maximum*
[3] *After 6 years satisfactory service at the maximum*
[4] *After 3 years satisfactory service at the maximum*
[5] *After 6 years satisfactory service at the maximum*

You will agree that any overpayment of salary or of travel and subsistence may be deducted from future salary payments due to you in accordance with the Payment of Wages Act 1991. In the event of such an occurrence, the Department will advise you in writing of the amount and details of any such overpayment and give you 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.

3. Tenure
The appointment is to an established position on a probationary contract in the Civil Service. The probationary contract will be for a period of one year from the date specified above.

Notwithstanding this paragraph and paragraph 4 below, this will not preclude an extension of the probationary contract in appropriate circumstances.

Notwithstanding this paragraph and paragraph 4 below, the probationary contract 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.

4. Probationary Review
During the period of your probationary contract, your performance will be subject to review by your Manager(s) to determine whether you:

(i) have performed in a satisfactory manner,
(ii) have been satisfactory in general conduct, and
(iii) are suitable from the point of view of health with particular regard to sick leave.

Prior to completion of the probationary contract, a decision will be made as to whether or not you will be retained pursuant to *Section 5A(2)* of the *Civil Service Regulation Acts 1956-2005*. This decision will be based on your performance assessed against the criteria set out in (i) to (iii) above.

The details of the probationary process will be explained to you by your employing Department and you will be given a copy of guidelines on probation issued by the Department of Public Expenditure and Reform.

In the event that you are not considered as suitable to the position of Digital Forensics Specialist (Principal Officer) having been assessed against stated criteria, you will be notified in writing of the action to be taken prior to the expiry of this contract and any extensions thereof.

5. Unfair Dismissals Acts
The Unfair Dismissals Acts 1977-2007 will not apply to the termination of your employment by reason only of the expiry of this probationary contract without it being renewed.

6. Suspension of Probation
The Department may suspend the probationary period and, as a result, extend the term of the probationary contract in the following circumstances:

- the probationary period will be suspended if the officer is on Maternity or Adoptive leave,

- the probationary period may, at the discretion of the Department, be suspended where the employee is absent on any other form of statutory or non- statutory leave.

Where the Department's ability to assess the officer and/or the officer's ability to demonstrate their suitability for permanent appointment is compromised by the officer's absence on leave, the contract period will be extended by the period of leave taken.

7. Duties
You will be required to perform any duties appropriate to your grade which may be assigned to you during the probationary period. You may not engage in private practice or be connected with any outside business which would interfere with the performance of official duties.

8. Headquarters
On appointment to the Department your headquarters will be at the Office of the Director of Corporate Enforcement (ODCE), or be such as may be designated from time to time by the Head of the Department. When absent from home and headquarters on official duty you will be paid appropriate travelling expenses and subsistence allowances, in accordance with Civil Service regulations.

9. The Organisation of Working Time Act 1997
The terms of the Organisation of Working Time Act 1997 will apply to your employment and the hours of attendance and leave entitlements that will apply is at Section 10 below.

10. Hours of Attendance
Hours of attendance will be as fixed from time to time but will amount to on average not less than 43 hours and 15 minutes gross or 37 hours net per week.

11. Annual Leave
The annual leave allowance will be 30 working days a year. This allowance which is subject to the usual conditions regarding the granting of annual leave is on the basis of a five day week and is exclusive of the usual public holidays.

12. Sick Leave
Pay during properly-certified sick absence, provided there is no evidence of permanent disability for service, will apply on a pro rata basis in accordance with the provisions of the sick leave Circulars.

Officers who are paying Class A rate of PRSI will be required to sign a mandate authorising the Department of Social Protection to pay any benefits due to you under the Social Welfare Acts direct to the Department of Jobs, Enterprise and Innovation. Payment of salary during illness will be subject to you making the necessary claims for social insurance benefit to the Department of Social Protection within the required time limits.

13. Superannuation and Retirement
The successful candidate will be offered the appropriate superannuation terms and conditions as prevailing in the Civil Service, at the time of being offered an appointment. In general, and except for candidates who have worked in a pensionable (non-single scheme terms) public

service job in the 26 weeks prior to appointment (see paragraph d below), this means being offered appointment based on membership of the Single Public Service Pension Scheme ("Single Scheme"). Key provisions attaching to membership of the Single Scheme are as follows:

a. Pensionable Age
The minimum age at which pension is payable is 66 (rising to 67 and 68) in line with State Pension age changes.

b. Retirement Age:
Scheme members must retire at the age of 70.

c. Pension Abatement

- If the appointee was previously employed in the Civil Service and is in receipt of a pension from the Civil Service normal abatement rules will apply. However, if the appointee was previously employed in the Civil Service and awarded a pension under voluntary early retirement arrangements (other than the Incentivised Scheme of Early Retirement (ISER) or the Department of Health Circular 7/2010 VER/VRS which, as indicated above, renders a person ineligible for the competition) the entitlement to that pension will cease with effect from the date of reappointment. Special arrangements will however, be made for the reckoning of previous service given by the appointee for the purpose of any future superannuation award for which the appointee may be eligible.

- If the appointee was previously employed in the Civil Service or in the Public Service please note that the Public Service Pensions (Single Scheme and Other Provisions) Act 2012 includes a provision which extends abatement of pension for all Civil and Public Servants who are re-employed where a Public Service pension is in payment. This provision to apply abatement across the wider public service came into effect on 1 November 2012. **This may have pension implications for any person appointed to this position who is currently in receipt of a Civil or Public Service pension or has a preserved Civil or Public Service pension which will come into payment during his/her employment in this position.**

- **Department of Education and Skills Early Retirement Scheme for Teachers Circular 102/2007** The Department of Education and Skills introduced an Early Retirement Scheme for Teachers. It is a condition of the Early Retirement Scheme that with the exception of the situations set out in paragraphs 10.2 and 10.3 of the relevant circular documentation, and with those exceptions only, if a teacher accepts early retirement under **Strands 1, 2 or 3** of this scheme and is subsequently employed **in any capacity in any area of the public sector**, payment of pension to that person under the scheme **will immediately cease.** Pension payments will, however, be resumed on the ceasing of such employment or on the person's 60th birthday, whichever is the later, but on resumption, the pension will be based on the person's actual reckonable service as a teacher (i.e. the added years previously granted **will not be taken into account** in the calculation of the pension payment).

- **Ill-Health-Retirement** Please note that where an individual has retired from a Civil/Public Service body on the grounds of ill-health his/her pension from that

employment may be subject to review in accordance with the rules of ill-health retirement within the pension scheme of that employment.

d. Prior Public Servants
While the default pension terms, as set out in the preceding paragraphs, consist of Single Scheme membership, this may not apply to certain appointees. Full details of the conditions governing whether or not a public servant is a Single Scheme member are given in the Public Service Pensions (Single Scheme and other Provisions) Act 2012. However the key exception case (in the context of this competition and generally) is that **a successful candidate who has worked in a pensionable (non-single scheme terms) capacity in the public service within 26 weeks of taking up appointment, would in general not become a member of the Single Scheme.** In this case such a candidate would instead be offered membership of the pension scheme for non-established civil servants ("Non-Established State Employee Scheme"). This would mean that the abatement provisions at (c) above would apply, and in addition there are implications in respect of pension accrual as outlined below:

e. Pension Accrual
A 40-year limit on total service that can be counted towards pension where a person has been a member of more than one existing public service pension scheme would apply. This 40-year limit, which is provided for in the Public Service Pensions (Single Scheme and other Provisions) Act 2012 came into effect on 28 July 2012. **This may have implications for any appointee who has acquired pension rights in a previous public service employment.**

f. Pension-Related Deduction
This appointment is subject to the pension-related deduction in accordance with the Financial Emergency Measure in the Public Interest Act 2009.

For further information in relation to the Single Public Service Pension Scheme for Public Servants please see the following website: http://www.per.gov.ie/pensions.

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(s).

14. Health and Safety
Attention is drawn to the health and safety policy. It is a condition of employment that all aspects of the policy, of the Safety, Health and Welfare at Work Act and relevant regulations must be complied with at all times.

15. Secrecy, Confidentiality and Standards of Behaviour
Official Secrecy and Integrity
You will during the term of your probationary contract be subject to the provisions of the ~~Official Secrets Act 1993 as amended by the Freedom of Information Acts 1997 and 2003.~~
You will agree not to disclose to third parties any confidential information either during or subsequent to the period of employment.

Civil Service Code of Standards and Behaviour
You will be subject to the Civil Service Code of Standards and Behaviour.

Ethics in Public Office Act 1995
The Ethics in Public Office Act 1995 will apply, where appropriate, to your employment.

Publication of any Material
You will agree not to publish material related to your official duties without prior approval by the Minister.

Political Activity
During the term of your employment you will be subject to the rules governing Civil Servants and politics.

16. Personnel Code
All Circulars are available on the website http://circulars.gov.ie or from the Personnel Section.

Appendix 1

Research has been carried out and the competencies required for performance in the Principal Officer and Principal Officer Higher roles, in the wider Civil Service, have been identified as set out below. However please note that these are 'generic' competencies and may be modified for the purpose of this selection process.

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

Re: Fw: 20161222 - Job Spec - Digital Forensics ODCE
John Hughes to Mary Cullen 30/01/2017 14:54
Cc Harry Lester

Thanks, Mary. I agree with your responses save insofar as the following are concerned:

- Grade will be PO equivalent.
- Is likely to have a management function/responsibilities but Ian Drennan can confirm.
- No need to respond re TLAC piece as will be open recruitment to PO equivalent level

John,
30/1.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Mary Cullen John PAS have been unable to advertise the post... 27/01/2017 18:02:03

From: Mary Cullen/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Harry Lester/entemp@ENTEMP
Date: 27/01/2017 18:02
Subject: Fw: 20161222 - Job Spec - Digital Forensics ODCE

John

PAS have been unable to advertise the post this week as OGCIO have reverted with queries regarding the ODCE Digital Forensic Specialist (PO) post.

My obs in red in response to the questions raised, for further consideration please:

· is this a new post? If so, has the establishment of the new post received the necessary approvals?
Draft response: Yes this is a new post. DJEI has delegated staffing sanction from DPER up to and including PO (Standard) grade.

· will the successful candidate be appointed to the Principal Officer grade or to a position that is at the same level as Principal Officer?;
Draft response: PO grade?

· will the successful candidate have to manage a team including an administrative stream and/or a specialist stream? If so, there should be explicit mention of the senior management role within the organisation including managing a team, PMDS, strategic planning, setting strategic direction for specific ICT solutions for ODCE and working with the Department's ICT unit to ensure required solutions are delivered, leading and ensuring compliance with procurement and circulars including Department of Public Expenditure and Reform Circular 02/16 in relation to ICT-related expenditure.
Draft response: the post is that of Specialist not Manager, HOWEVER REFER TO ODCE FOR COMMENT...

· is the purpose of the role is to acquire specific digital forensic skills? If so, the educational requirements should be more specific, at a minimum STEM and level 8, ideally in

computer science; with a desirable post graduate certification in digital forensics or professional digital forensics qualification.

Draft response: ODCE comments?

- the essential skills / attributes will be determined by the exact nature of the role but should require a minimum 5 years' experience in a senior role in ICT which includes direct experience digital forensics along with a Primary Degree and post grad qualification <u>or</u> possibly a minimum of 7 years' experience along with specific digital forensics experience and relevant professional qualifications.

- Section 7 'Duties' states that '*You will be required to perform any duties appropriate to your grade which may be assigned to you during the probationary period. You may not engage in private practice or be connected with any outside business which would interfere with the performance of official duties.*'
  - o The first sentence of the paragraph applies at all times and not just the probationary period (the final paragraph under the '*Role*' section already states that the post holder may be required to perform other duties).

    Draft response: noted. Suggest Section 7 change to: "*... perform other duties as appropriate to the grade which may be assigned to you from time to time and to contribute to the development of the post while in office ...*"
  - o The second sentence appears to be a condition of service/employment and not a duty.

    Draft response: Noted, however, as it refers to matters which may impinge on a duty it has been inserted at this point?

- Will the successful candidate have to pursue a learning and development programme or have to maintain membership of a relevant body in order to ensure that his/her ability to provide digital forensic services remain current? And

  Draft response: REFER TO ODCE FOR COMMENT?

- the application process appears to be geared to a TLAC type competition.

  Draft response: Noted – if this is the recommendation and the best way to fill this specialised post?

Regards

Mary Cullen
Recruitment Assignment and Pay Section
Department of Jobs, Enterprise & Innovation
23 Kildare Street
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466

----- Forwarded by Mary Cullen/entemp on 27/01/2017 17:36 ---

From:	Martina Rooney <Martina.Rooney@publicjobs.ie>
To:	"Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>,
Cc:	Niamh McGuinness <Niamh.McGuinness@publicjobs.ie>
Date:	26/01/2017 09:04
Subject:	FW: 20161222 - Job Spec - Digital Forensics ODCE

Mary, As discussed we were informed that OGCIO needed to review and approve any ICT related posts to ensure consistency in criteria, qualification requirements etc. They have come back to us with the following queries and suggested changes to the booklet. In light of the changes required we

have missed the deadline for this week. Can you review the booklet in light of these suggested changes. We should be in a position to advertise it next week if we can get agreed final booklet sorted by the end of the week
Please give me a call if you want to discuss

Regards
Martina

Martina Rooney
Client Relations

T +353 1 858 7630

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From: Digital Government Oversight Unit [mailto:DGOU@per.gov.ie]
Sent: 25 January 2017 10:45
To: Martina Rooney
Cc: Mary O'Donohue (OGCIO); Digital Government Oversight Unit
Subject: FW: 20161222 - Job Spec - Digital Forensics ODCE

Martina,

Re: Digital Forensics job in the Office of the Director of Corporate Enforcement (ODCE)

Mary (O'Donohue) passed your email to me as she is out of the office at meetings. Attached as requested are obs relating to the role and apologies if some duplicate your telephone discussion with Mary:

- as discussed with Mary, is this a new post? If so, has the establishment of the new post received the necessary approvals?
- will the successful candidate be appointed to the Principal Officer grade or to a position that is at the same level as Principal Officer?;
- will the successful candidate have to manage a team including an administrative stream and/or a specialist stream? If so, there should be explicit mention of the senior management role within the organisation including managing a team, PMDS, strategic planning, setting strategic direction for specific ICT solutions for ODCE and working with the Department's ICT Unit to ensure required solutions are delivered, leading and ensuring compliance with procurement and circulars including Department of Public Expenditure and Reform Circular 02/16 in relation to ICT-related

expenditure.

- is the purpose of the role is to acquire specific digital forensic skills? If so, the educational requirements should be more specific, at a minimum STEM and level 8, ideally in computer science; with a desirable post graduate certification in digital forensics or professional digital forensics qualification.
- the essential skills / attributes will be determined by the exact nature of the role but should require a minimum 5 years' experience in a senior role in ICT which includes direct experience digital forensics along with a Primary Degree and post grad qualification <u>or</u> possibly a minimum of 7 years' experience along with specific digital forensics experience and relevant professional qualifications.
- Section 7 'Duties' states that '*You will be required to perform any duties appropriate to your grade which may be assigned to you during the probationary period. You may not engage in private practice or be connected with any outside business which would interfere with the performance of official duties.*'
    - The first sentence of the paragraph applies at all times and not just the probationary period (the final paragraph under the '*Role*' section already states that the post holder may be required to perform other duties)
    - The second sentence appears to be a condition of service/employment and not a duty.
- Will the successful candidate have to pursue a learning and development programme or have to maintain membership of a relevant body in order to ensure that his/her ability to provide digital forensic services remain current? and
- the application process appears to be geared to a TLAC type competition.

I have not looked closely at the conditions of service as I expect that PAS has a standard template for these and modify them in line with the post being advertised (the conditions of service appear slightly different to the conditions of service attached to the D/ES ICT PO post that was also emailed to Mary last week).

Give me a call if any of my comments are unclear.

Regards,
Mick (McCarthy)
Ph. 01-6045102

From: Martina Rooney [mailto:Martina.Rooney@publicjobs.ie]
Sent: Friday 20 January 2017 13:50
To: Mary O'Donohue (OGCIO) <Mary.ODonohue@per.gov.ie>
Subject: 20161222 - Job Spec - Digital Forensics

Mary, As discussed please find attached the draft booklet for the Digital Forensics job in ODCE
Robbie Morrissey will e-mail your this evening re: proposed Interview dates as they are just trying to tie them down at the moment
Regards

Martina

Regards
Martina

Martina Rooney
Client Relations

T +353 1 858 7630

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Tá an ríomhphost seo agus aon chomhad a chuirtear ar aghaidh leis, rúnda, agus tá sé beartaithe gur d'úsáid an duine aonair nó an aonáin amháin ar cuireadh chucu é, a tá sé. Munar tú an duine a ba chóir an ríomhphost seo, nó aon chuid de, a fháil, níor chóir duit aon chuid de a nochtadh, a chóipeáil nó a dháileadh. Déan teagmháil leis an té a chuir chugat é agus inis dó/di go bhfuair tú é trí thimpiste. Ba chóir d'éinne a tá ag déanamh idirghníomhaíochta trí ríomhphost caighdeánach a thuiscint go bhfuil priacail i gceist agus tú ag seachadadh faisnéise pearsanta nó íogair leis an teicneolaíocht seo (mar nach modh iomlán slán a tá ann chun sonraí a chur ar aghaidh). Mar sin, ná cuir sonraí pearsanta no íogair trí ríomhphost chuig an oifig seo.
Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

4

Fw: 20161222 - Job Spec - Digital Forensics ODCE
Mary Cullen to: Ian Drennan 30/01/2017 15:30
Cc: Harry Lester, Breda Power

Ian

It was not possible for PAS to advertise the above last week due to queries from the OGCIO - which are set out below, along with (in red) some proposed responses. Would you review further please re the questions raised and responses which we should issue to PAS.

Regards.

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466
---- Forwarded by Mary Cullen/entemp on 30/01/2017 15:08 ----

Mary Cullen John PAS have been unable to advertise the... 27/01/2017 18:02:03

From: Mary Cullen/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Harry Lester/entemp@ENTEMP
Date: 27/01/2017 18:02
Subject: Fw: 20161222 - Job Spec - Digital Forensics ODCE

John

PAS have been unable to advertise the post this week as OGCIO have reverted with queries regarding the ODCE Digital Forensic Specialist (PO) post.

My obs in red in response to the questions raised, for further consideration please:

- is this a new post? If so, has the establishment of the new post received the necessary approvals?
  Draft response: Yes this is a new post. DJEI has delegated staffing sanction from DPER up to and including PO (Standard) grade.

- will the successful candidate be appointed to the Principal Officer grade or to a ~~position that is at the same level as Principal Officer?;~~
  Draft response: PO equivalent?

- will the successful candidate have to manage a team including an administrative stream and/or a specialist stream? If so, there should be explicit mention of the senior management role within the organisation including managing a team, PMDS, strategic planning, setting strategic direction for specific ICT solutions for ODCE and working with the Department's ICT Unit to ensure required solutions are delivered, leading and ensuring

compliance with procurement and circulars including Department of Public Expenditure and Reform Circular 02/16 in relation to ICT-related expenditure.

Draft response: the post is Specialist but is likely to have some managerial function. REFER TO ODCE FOR COMMENT...

- is the purpose of the role is to acquire specific digital forensic skills? If so, the educational requirements should be more specific, at a minimum STEM and level 8, ideally in computer science; with a desirable post graduate certification in digital forensics or professional digital forensics qualification.

  Draft response: ODCE comments?

- the essential skills / attributes will be determined by the exact nature of the role but should require a minimum 5 years' experience in a senior role in ICT which includes direct experience digital forensics along with a Primary Degree and post grad qualification <u>or</u> possibly a minimum of 7 years' experience along with specific digital forensics experience and relevant professional qualifications.

  Draft response: ODCE comments?

- Section 7 'Duties' states that '*You will be required to perform any duties appropriate to your grade which may be assigned to you during the probationary period. You may not engage in private practice or be connected with any outside business which would interfere with the performance of official duties.*'
  - The first sentence of the paragraph applies at all times and not just the probationary period (the final paragraph under the '*Role*' section already states that the post holder may be required to perform other duties).

    Draft response: noted. Suggest Section 7 change to: "... *perform other duties as appropriate to the grade which may be assigned to you from time to time and to contribute to the development of the post while in office* ..."
  - The second sentence appears to be a condition of service/employment and not a duty.

    Draft response: Noted, however, as it refers to matters which may impinge on a duty it has been inserted at this point?

- Will the successful candidate have to pursue a learning and development programme or have to maintain membership of a relevant body in order to ensure that his/her ability to provide digital forensic services remain current? And

  Draft response: REFER TO ODCE FOR COMMENT?

- the application process appears to be geared to a TLAC type competition.

  Draft response: PAS open competition at PO level?

Regards

Mary Cullen
Recruitment Assignment and Pay Section
Department of Jobs, Enterprise & Innovation
23 Kildare Street
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466

----- Forwarded by Mary Cullen/entemp on 27/01/2017 17:36 -----

From: Martina Rooney <Martina.Rooney@publicjobs.ie>
To: "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>,
Cc: Niamh McGuinness <Niamh.McGuinness@publicjobs.ie>

Date: 26/01/2017 09:04
Subject: FW: 20161222 - Job Spec - Digital Forensics ODCE

Mary, As discussed we were informed that OGCIO needed to review and approve any ICT related posts to ensure consistency in criteria, qualification requirements etc. They have come back to us with the following queries and suggested changes to the booklet. In light of the changes required we have missed the deadline for this week. Can you review the booklet in light of these suggested changes. We should be in a position to advertise it next week if we can get agreed final booklet sorted by the end of the week
Please give me a call if you want to discuss

Regards
Martina

Martina Rooney
Client Relations

T +353 1 858 7630

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From: Digital Government Oversight Unit [mailto:DGOU@per.gov.ie]
Sent: 25 January 2017 10:45
To: Martina Rooney
Cc: Mary O'Donohue (OGCIO); Digital Government Oversight Unit
Subject: FW: 20161222 - Job Spec - Digital Forensics ODCE

Martina,

Re: Digital Forensics job in the Office of the Director of Corporate Enforcement (ODCE)

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- will the successful candidate be appointed to the Principal Officer grade or to a position that is at the same level as Principal Officer?;
- will the successful candidate have to manage a team including an administrative stream and/or a specialist stream? If so, there should be

explicit mention of the senior management role within the organisation including managing a team, PMDS, strategic planning, setting strategic direction for specific ICT solutions for ODCE and working with the Department's ICT Unit to ensure required solutions are delivered, leading and ensuring compliance with procurement and circulars including Department of Public Expenditure and Reform Circular 02/16 in relation to ICT-related expenditure.

- is the purpose of the role is to acquire specific digital forensic skills? If so, the educational requirements should be more specific, at a minimum STEM and level 8, ideally in computer science; with a desirable post graduate certification in digital forensics or professional digital forensics qualification.
- the essential skills / attributes will be determined by the exact nature of the role but should require a minimum 5 years' experience in a senior role in ICT which includes direct experience digital forensics along with a Primary Degree and post grad qualification <u>or</u> possibly a minimum of 7 years' experience along with specific digital forensics experience and relevant professional qualifications.
- Section 7 'Duties' states that '*You will be required to perform any duties appropriate to your grade which may be assigned to you during the probationary period. You may not engage in private practice or be connected with any outside business which would interfere with the performance of official duties.*'
  - The first sentence of the paragraph applies at all times and not just the probationary period (the final paragraph under the '*Role*' section already states that the post holder may be required to perform other duties)
  - The second sentence appears to be a condition of service/employment and not a duty.
- Will the successful candidate have to pursue a learning and development programme or have to maintain membership of a relevant body in order to ensure that his/her ability to provide digital forensic services remain current? and
- the application process appears to be geared to a TLAC type competition.

I have not looked closely at the conditions of service as I expect that PAS has a standard template for these and modify them in line with the post being advertised (the conditions of service appear slightly different to the conditions of service attached to the D/ES ICT PO post that was also emailed to Mary last week).

Give me a call if any of my comments are unclear.

Regards,
Mick (McCarthy)
Ph. 01-6045102

From: Martina Rooney [mailto:Martina.Rooney@publicjobs.ie]
Sent: Friday 20 January 2017 13:50
To: Mary O'Donohue (OGCIO) <Mary.ODonohue@per.gov.ie>

Subject: 20161222 - Job Spec - Digital Forensics

Mary, As discussed please find attached the draft booklet for the Digital Forensics job in ODCE
Robbie Morrissey will e-mail your this evening re: proposed Interview dates as they are just trying to tie them down at the moment
Regards
Martina

Regards
Martina

Martina Rooney
Client Relations

T +353 1 858 7630

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image001.png image002.png image003.png

20161222 - Job Spec - Digital Forensics.docx ATT00001.txt ATT00002.htm

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Tá an ríomhphost seo agus aon chomhad a chuirtear ar aghaidh leis, rúnda, agus tá sé beartaithe gur d'úsáid an duine aonair nó an aonáin amháin ar cuireadh chucu é, a tá sé. Munar tú an duine a ba chóir an ríomhphost seo, nó aon chuid de, a fháil, níor chóir duit aon chuid de a nochtadh, a chóipeáil nó a dháileadh. Déan teagmháil leis an té a chuir chugat é agus inis dó/di go bhfuair tú é trí thimpiste. Ba chóir d'éinne a tá ag déanamh idirghníomhaíochta trí ríomhphost caighdeánach a thuiscint go bhfuil priacail i gceist agus tú

ag seachadadh faisnéise pearsanta nó íogair leis an teicneolaíocht seo (mar nach modh iomlán slán a tá ann chun sonraí a chur ar aghaidh). Mar sin, ná cuir sonraí pearsanta no íogair trí ríomhphost chuig an oifig seo.
Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

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5

Fw: 20161222 - Job Spec - Digital Forensics ODCE
Mary Cullen to Harry Lester 31/01/2017 12:18
Cc: Damien Byrne

Harry

This will need to be discussed with John and update sent to PAS please.

Thanks.

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466
----- Forwarded by Mary Cullen/entemp on 31/01/2017 12:18 ---

From: Ian Drennan/entemp
To: Mary Cullen/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP, Harry Lester/entemp@ENTEMP
Date: 31/01/2017 10:54
Subject: Re: Fw: 20161222 - Job Spec - Digital Forensics ODCE

Mary,

Where applicable, please find set out below my comments (in blue typeface).

Regards,

Ian

Mary Cullen Ian It was not possible for PAS to advertise th... 30/01/2017 15:30:51

From: Mary Cullen/entemp
To: Ian Drennan/entemp@ENTEMP,
~~Cc: Harry Lester/entemp@ENTEMP, Breda Power/entemp@ENTEMP~~
Date: 30/01/2017 15:30
Subject: Fw: 20161222 - Job Spec - Digital Forensics ODCE

Ian

It was not possible for PAS to advertise the above last week due to queries from the OGCIO - which are set out below, along with (in red) some proposed responses. Would you review

further please re the questions raised and responses which we should issue to PAS.

Regards.

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466
----- Forwarded by Mary Cullen/entemp on 30/01/2017 15:08 -----

Mary Cullen John PAS have been unable to advertise the... 27/01/2017 18:02:03

From: Mary Cullen/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Harry Lester/entemp@ENTEMP
Date: 27/01/2017 18:02
Subject: Fw: 20161222 - Job Spec - Digital Forensics ODCE

John

PAS have been unable to advertise the post this week as OGCIO have reverted with queries regarding the ODCE Digital Forensic Specialist (PO) post.

My obs in red in response to the questions raised, for further consideration please:

· is this a new post? If so, has the establishment of the new post received the necessary approvals?
Draft response: Yes this is a new post. DJEI has delegated staffing sanction from DPER up to and including PO (Standard) grade. Nil obs.

· will the successful candidate be appointed to the Principal Officer grade or to a position that is at the same level as Principal Officer?;
Draft response: PO equivalent? PO equivalent I assume (that is the case with other ODCE professional staff at that level, e.g., Legal Advisor etc.)

· will the successful candidate have to manage a team including an administrative stream and/or a specialist stream? If so, there should be explicit mention of the senior management role within the organisation including managing a team, PMDS, strategic planning, setting strategic direction for specific ICT solutions for ODCE and working with the Department's ICT Unit to ensure required solutions are delivered, leading and ensuring compliance with procurement and circulars including Department of Public Expenditure and Reform Circular 02/16 in relation to ICT-related expenditure.
Draft response: the post is Specialist but is likely to have some managerial function, REFER TO ODCE FOR COMMENT...

It is difficult to understand certain of these comments in that:

- page 4 of the Information Booklet expressly refers to the seniority of the role;

- page 3 of the Booklet expressly refers to the development of strategy and plans and the implementation thereof;
- page 3 of the Booklet expressly refers to the fact that the post holder will be required to liaise with the Department's IT function;
- page 4 of the Booklet expressly refers to the fact that the post holder will be expected to ensure that the ODCE's approach towards procurement is consistent with, *inter alia*, the Public Service IT Strategy

In light of the foregoing, one wonders whether, in formulating these comments, the OGCIO actually reviewed the Information Booklet. With reference to the issue of whether the post holder will be managing a team, as the ODCE is currently constituted, the answer is no (in that we don't currently have any IT staff. That said, clearly there is the possibility into the future that the post holder might be required to assume responsibility for staff management. As such, it would seem more appropriate to leave open that possibility (as is done on page 4 of the Booklet) than expressly refer to management responsibility in circumstances where there are not currently any direct reports. However, I am happy to leave that to HR to finalise.

· is the purpose of the role is to acquire specific digital forensic skills? If so, the educational requirements should be more specific, at a minimum STEM and level 8, ideally in computer science; with a desirable post graduate certification in digital forensics or professional digital forensics qualification.

Draft response: ODCE comments?

The purpose of the role is clearly described in the Information Booklet. The approach adopted to essential educational requirements was that, to be too prescriptive in specifying educational requirements, might result in dissuading applications from persons capable of fulfilling the role. An Interview Board including a person (or persons) with the appropriate knowledge of such matters should be well placed to distinguish between what is relevant and what is not. Under the heading of desirable qualifications, it is made clear that additional relevant qualifications will be an advantage. Again, the approach was on the basis that, if we are too prescriptive (e.g., around qualifications in forensics) we may limit the field of applicants to few or even none. My concern here is that, if we prescribe that applicants must have a Masters or equivalent, we may get no applications. As drafted, the Booklet provides the Interview Board with the scope to award extra marks to applicants possessing higher/extra qualifications.

· the essential skills / attributes will be determined by the exact nature of the role but should require a minimum 5 years' experience in a senior role in ICT which includes direct experience digital forensics along with a Primary Degree and post grad qualification <u>or</u> possibly a minimum of 7 years' experience along with specific digital forensics experience and relevant professional qualifications.

Draft response: ODCE comments?

My comment above refers. Also, the Booklet sets the experiential requirement at a minimum of 5 years relevant experience at a suitably senior level.

· Section 7 'Duties' states that '*You will be required to perform any duties appropriate to your grade which may be assigned to you during the probationary period. You may not engage in private practice or be connected with any outside business which would interfere with the performance of official duties.*'

o ~~The first sentence of the paragraph applies at all times and not just the~~ probationary period (the final paragraph under the '*Role*' section already states that the post holder may be required to perform other duties).

Draft response: noted. Suggest Section 7 change to: "... *perform other duties as appropriate to the grade which may be assigned to you from time to time and to contribute to the development of the post while in office* ..."

Personnel matter

o The second sentence appears to be a condition of service/employment and not

a duty.

Draft response: Noted, however, as it refers to matters which may impinge on a duty it has been inserted at this point?

Personnel matter

- Will the successful candidate have to pursue a learning and development programme or have to maintain membership of a relevant body in order to ensure that his/her ability to provide digital forensic services remain current? And

Draft response: REFER TO ODCE FOR COMMENT?

Impossible to answer. That is entirely contingent upon the successful candidate's existing qualifications.

- the application process appears to be geared to a TLAC type competition.

Draft response: PAS open competition at PO level?

Personnel matter.

Regards

Mary Cullen
Recruitment Assignment and Pay Section
Department of Jobs, Enterprise & Innovation
23 Kildare Street
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466

----- Forwarded by Mary Cullen/entemp on 27/01/2017 17:36 -----

From: Martina Rooney <Martina.Rooney@publicjobs.ie>
To: "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>,
Cc: Niamh McGuinness <Niamh.McGuinness@publicjobs.ie>
Date: 26/01/2017 09:04
Subject: FW: 20161222 - Job Spec - Digital Forensics ODCE

Mary, As discussed we were informed that OGCIO needed to review and approve any ICT related posts to ensure consistency in criteria, qualification requirements etc. They have come back to us with the following queries and suggested changes to the booklet. In light of the changes required we have missed the deadline for this week. Can you review the booklet in light of these suggested changes. We should be in a position to advertise it next week if we can get agreed final booklet sorted by the end of the week

Please give me a call if you want to discuss

Regards
Martina

Martina Rooney
Client Relations

T +353 1 858 7630

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From: Digital Government Oversight Unit [mailto:DGOU@per.gov.ie]
Sent: 25 January 2017 10:45
To: Martina Rooney
Cc: Mary O'Donohue (OGCIO); Digital Government Oversight Unit
Subject: FW: 20161222 - Job Spec - Digital Forensics ODCE

Martina,

Re: Digital Forensics job in the Office of the Director of Corporate Enforcement (ODCE)

Mary (O'Donohue) passed your email to me as she is out of the office at meetings. Attached as requested are obs relating to the role and apologies if some duplicate your telephone discussion with Mary:

- as discussed with Mary, is this a new post? If so, has the establishment of the new post received the necessary approvals?
- will the successful candidate be appointed to the Principal Officer grade or to a position that is at the same level as Principal Officer?;
- will the successful candidate have to manage a team including an administrative stream and/or a specialist stream? If so, there should be explicit mention of the senior management role within the organisation including managing a team, PMDS, strategic planning, setting strategic direction for specific ICT solutions for ODCE and working with the Department's ICT Unit to ensure required solutions are delivered, leading and ensuring compliance with procurement and circulars including Department of Public Expenditure and Reform Circular 02/16 in relation to ICT-related expenditure.
- is the purpose of the role is to acquire specific digital forensic skills? If so, the educational requirements should be more specific, at a minimum STEM and level 8, ideally in computer science; with a desirable post graduate certification in digital forensics or professional digital forensics qualification.
- the essential skills / attributes will be determined by the exact nature of the role but should require a minimum 5 years' experience in a senior role in ICT which includes direct experience digital forensics along with a Primary Degree and post grad qualification <u>or</u> possibly a minimum of 7 years' experience along with specific digital forensics experience and relevant professional qualifications.
- Section 7 'Duties' states that '*You will be required to perform any duties appropriate to your grade which may be assigned to you during the probationary period. You may not engage in private practice or be connected with any outside business which would interfere with the performance of official duties.*'

- The first sentence of the paragraph applies at all times and not just the probationary period (the final paragraph under the '*Role*' section already states that the post holder may be required to perform other duties)
- The second sentence appears to be a condition of service/employment and not a duty.

- Will the successful candidate have to pursue a learning and development programme or have to maintain membership of a relevant body in order to ensure that his/her ability to provide digital forensic services remain current? and
- the application process appears to be geared to a TLAC type competition.

I have not looked closely at the conditions of service as I expect that PAS has a standard template for these and modify them in line with the post being advertised (the conditions of service appear slightly different to the conditions of service attached to the D/ES ICT PO post that was also emailed to Mary last week).

Give me a call if any of my comments are unclear.

Regards,
Mick (McCarthy)
Ph. 01-6045102

From: Martina Rooney [mailto:Martina.Rooney@publicjobs.ie]
Sent: Friday 20 January 2017 13:50
To: Mary O'Donohue (OGCIO) <Mary.ODonohue@per.gov.ie>
Subject: 20161222 - Job Spec - Digital Forensics

Mary, As discussed please find attached the draft booklet for the Digital Forensics job in ODCE
Robbie Morrissey will e-mail your this evening re: proposed Interview dates as they are just trying to tie them down at the moment
Regards
Martina

Regards
Martina

Martina Rooney
Client Relations

T +353 1 858 7630

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[attachment "image001.png" deleted by Ian Drennan/entemp] [attachment "image002.png" deleted by Ian Drennan/entemp] [attachment "image003.png" deleted by Ian Drennan/entemp] [attachment "20161222 - Job Spec - Digital Forensics.docx" deleted by Ian Drennan/entemp] [attachment "ATT00001.txt" deleted by Ian Drennan/entemp] [attachment "ATT00002.htm" deleted by Ian Drennan/entemp]
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Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

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6

Re: Fw: 20161222 - Job Spec - Digital Forensics ODCE

John Hughes to: Harry Lester 03/02/2017 14:53
Cc: Damien Byrne, Mary Cullen

All reads good to me for issue.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Harry Lester Hi John, I've reviewed the responses to the question... 03/02/2017 14:32:12

From: Harry Lester/entemp
To: John Hughes/entemp@ENTEMP,
Cc: Mary Cullen/entemp@ENTEMP, Damien Byrne/entemp@ENTEMP
Date: 03/02/2017 14:32
Subject: Fw: 20161222 - Job Spec - Digital Forensics ODCE

Hi John,

I've reviewed the responses to the questions that Mary and Ian drafted, and created an amalgamated response for your consideration:

- is this a new post? If so, has the establishment of the new post received the necessary approvals?

Draft response: Yes this is a new post. DJEI has delegated staffing sanction from DPER up to and including PO (Standard) grade.

- will the successful candidate be appointed to the Principal Officer grade or to a position that is at the same level as Principal Officer?;

Draft response: Yes, the appointment will be made at PO or PO equivalent.

- will the successful candidate have to manage a team including an administrative stream and/or a specialist stream? If so, there should be explicit mention of the senior management role within the organisation including managing a team, PMDS, strategic planning, setting strategic direction for specific ICT solutions for ODCE and working with the Department's ICT Unit to ensure required solutions are delivered, leading and ensuring compliance with procurement and circulars including Department of Public Expenditure and Reform Circular 02/16 in relation to ICT-related expenditure.

Draft response: With reference to the query regarding whether the post holder will be managing a team: As the ODCE is currently constituted, the answer is no (there are no other IT staff at present). There is however the possibility into the future that the post holder might be required to assume responsibility for staff management. As such, it would seem appropriate to leave open

that possibility (as is done on page 4 of the Booklet) than expressly refer to management responsibility in circumstances where there are not currently any direct reports.

In relation to the other queries regarding seniority, strategic planning / direction, DJEI ICT liaison, and procurement:

- **page 4 of the Information Booklet expressly refers to the seniority of the role;**
- **page 3 of the Booklet expressly refers to the development of strategy and plans, and the implementation thereof;**
- **page 3 of the Booklet expressly refers to the fact that the post holder will be required to liaise with the Department's IT function;**
- **page 4 of the Booklet expressly refers to the fact that the post holder will be expected to ensure that the ODCE's approach towards procurement is consistent with, *inter alia*, the Public Service IT Strategy**

· is the purpose of the role is to acquire specific digital forensic skills? If so, the educational requirements should be more specific, at a minimum STEM and level 8, ideally in computer science; with a desirable post graduate certification in digital forensics or professional digital forensics qualification.

Draft response: The purpose of the role is set out in the Information Booklet, and requires expertise in digital forensic skills. The approach adopted to essential educational requirements was that, to be too prescriptive in specifying educational requirements, might result in dissuading applications from persons capable of fulfilling the role. An Interview Board including a person (or persons) with the appropriate knowledge of such matters should be well placed to distinguish between what is relevant and what is not. Under the heading of desirable qualifications, it is made clear that additional relevant qualifications will be an advantage. Again, the approach was on the basis that, if we are too prescriptive (e.g., around qualifications in forensics) we may limit the field of applicants to few or even none. For example, if we prescribe that applicants must have a Masters or equivalent, we may get no applications. As drafted, the Booklet provides the Interview Board with the scope to award extra marks to applicants possessing higher/extra qualifications.

· the essential skills / attributes will be determined by the exact nature of the role but should require a minimum 5 years' experience in a senior role in ICT which includes direct experience digital forensics along with a Primary Degree and post grad qualification <u>or</u> possibly a minimum of 7 years' experience along with specific digital forensics experience and relevant professional qualifications.

Draft response: See response directly above. The Booklet sets the experiential requirement at a minimum of 5 years relevant experience at a suitably senior level.

· Section 7 'Duties' states that '*You will be required to perform any duties appropriate to your grade which may be assigned to you during the probationary period. You may not engage in private practice or be connected with any outside business which would interfere with the performance of official duties.*'

o The first sentence of the paragraph applies at all times and not just the probationary period (the final paragraph under the '*Role*' section already states that the post holder may be required to perform other duties).

Draft response: noted. Suggest Section 7 change to: "... *perform other duties as appropriate to the grade which may be assigned to you from time to time and to contribute to the development of the post while in office* ..."

o The second sentence appears to be a condition of service/employment and not a duty.

Draft response: Noted. As it refers to matters which may impinge on a duty it was inserted at this point, however we are amenable to it being moved to a more suitable section of the booklet.

· Will the successful candidate have to pursue a learning and development programme or have to maintain membership of a relevant body in order to ensure that his/her ability to provide digital forensic services remain current? And

Draft response: This is contingent upon the successful candidate's existing qualifications, which will not be known until applications are received.

· the application process appears to be geared to a TLAC type competition.

Draft response: The intention is that the job would be advertised through a PAS open competition at PO level.

Regards,

Harry Lester
Department of Jobs, Enterprise and Innovation
HR Unit
Kildare St
Dublin 2
Direct Dial : 01 631 2244
E-mail: harry.lester@djei.ie
----- Forwarded by Harry Lester/entemp on 03/02/2017 14:10 -----

From: Mary Cullen/entemp
To: Harry Lester/entemp@ENTEMP,
Cc: Damien Byrne/entemp@ENTEMP
Date: 31/01/2017 12:18
Subject: Fw: 20161222 - Job Spec - Digital Forensics ODCE

Harry

This will need to be discussed with John and update sent to PAS please.

Thanks.

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466

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To: Mary Cullen/entemp@ENTEMP,
Cc: Breda Power/entemp@ENTEMP, Harry Lester/entemp@ENTEMP
Date: 31/01/2017 10:54
Subject: Re: Fw: 20161222 - Job Spec - Digital Forensics ODCE

Mary,

Where applicable, please find set out below my comments (in blue typeface).

Regards,

Ian

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To: Ian Drennan/entemp@ENTEMP,
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Ian

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Regards.

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466
----- Forwarded by Mary Cullen/entemp on 30/01/2017 15:08 -----

Mary Cullen | John PAS have been unable to advertise the post thi... | 27/01/2017 18:02:03

From: Mary Cullen/entemp

To: John Hughes/entemp@ENTEMP,
Cc: Harry Lester/entemp@ENTEMP
Date: 27/01/2017 18:02
Subject: Fw: 20161222 - Job Spec - Digital Forensics ODCE

John

PAS have been unable to advertise the post this week as OGCIO have reverted with queries regarding the ODCE Digital Forensic Specialist (PO) post.

My obs in red in response to the questions raised, for further consideration please:

· is this a new post? If so, has the establishment of the new post received the necessary approvals?
Draft response: Yes this is a new post. DJEI has delegated staffing sanction from DPER up to and including PO (Standard) grade. Nil obs.

· will the successful candidate be appointed to the Principal Officer grade or to a position that is at the same level as Principal Officer?;
Draft response: PO equivalent? PO equivalent I assume (that is the case with other ODCE professional staff at that level, e.g., Legal Advisor etc.)

· will the successful candidate have to manage a team including an administrative stream and/or a specialist stream? If so, there should be explicit mention of the senior management role within the organisation including managing a team, PMDS, strategic planning, setting strategic direction for specific ICT solutions for ODCE and working with the Department's ICT Unit to ensure required solutions are delivered, leading and ensuring compliance with procurement and circulars including Department of Public Expenditure and Reform Circular 02/16 in relation to ICT-related expenditure.
Draft response: the post is Specialist but is likely to have some managerial function, REFER TO ODCE FOR COMMENT...

It is difficult to understand certain of these comments in that:

- page 4 of the Information Booklet expressly refers to the seniority of the role;
- page 3 of the Booklet expressly refers to the development of strategy and plans and the implementation thereof;
- page 3 of the Booklet expressly refers to the fact that the post holder will be required to liaise with the Department's IT function;
- page 4 of the Booklet expressly refers to the fact that the post holder will be expected to ensure that the ODCE's approach towards procurement is consistent with, *inter alia*, the Public Service IT Strategy

In light of the foregoing, one wonders whether, in formulating these comments, the OGCIO actually reviewed the Information Booklet. With reference to the issue of whether the post holder will be managing a team, as the ODCE is currently constituted, the answer is no (in that we don't currently have any IT staff. That said, clearly there is the possibility into the future that the post holder might be required to assume responsibility for staff management. As such, it would seem more appropriate to leave open that possibility (as is done on page 4 of the Booklet) than expressly refer to management responsibility in circumstances where there are not currently any direct reports. However, I am happy to leave that to HR to finalise.

· is the purpose of the role is to acquire specific digital forensic skills? If so, the educational

requirements should be more specific, at a minimum STEM and level 8, ideally in computer science; with a desirable post graduate certification in digital forensics or professional digital forensics qualification.

Draft response: ODCE comments?

The purpose of the role is clearly described in the Information Booklet. The approach adopted to essential educational requirements was that, to be too prescriptive in specifying educational requirements, might result in dissuading applications from persons capable of fulfilling the role. An Interview Board including a person (or persons) with the appropriate knowledge of such matters should be well placed to distinguish between what is relevant and what is not. Under the heading of desirable qualifications, it is made clear that additional relevant qualifications will be an advantage. Again, the approach was on the basis that, if we are too prescriptive (e.g., around qualifications in forensics) we may limit the field of applicants to few or even none. My concern here is that, if we prescribe that applicants must have a Masters or equivalent, we may get no applications. As drafted, the Booklet provides the Interview Board with the scope to award extra marks to applicants possessing higher/extra qualifications.

- the essential skills / attributes will be determined by the exact nature of the role but should require a minimum 5 years' experience in a senior role in ICT which includes direct experience digital forensics along with a Primary Degree and post grad qualification <u>or</u> possibly a minimum of 7 years' experience along with specific digital forensics experience and relevant professional qualifications.

Draft response: ODCE comments?

My comment above refers. Also, the Booklet sets the experiential requirement at a minimum of 5 years relevant experience at a suitably senior level.

- Section 7 'Duties' states that '*You will be required to perform any duties appropriate to your grade which may be assigned to you during the probationary period. You may not engage in private practice or be connected with any outside business which would interfere with the performance of official duties.*'
  - o The first sentence of the paragraph applies at all times and not just the probationary period (the final paragraph under the '*Role*' section already states that the post holder may be required to perform other duties).

    Draft response: noted. Suggest Section 7 change to: "... *perform other duties as appropriate to the grade which may be assigned to you from time to time and to contribute to the development of the post while in office* ..."

    Personnel matter
  - o The second sentence appears to be a condition of service/employment and not a duty.

    Draft response: Noted, however, as it refers to matters which may impinge on a duty it has been inserted at this point?

    Personnel matter

- Will the successful candidate have to pursue a learning and development programme or have to maintain membership of a relevant body in order to ensure that his/her ability to provide digital forensic services remain current? And

Draft response: REFER TO ODCE FOR COMMENT?

Impossible to answer. That is entirely contingent upon the successful candidate's existing qualifications.

- the application process appears to be geared to a TLAC type competition.

Draft response: PAS open competition at PO level?

Personnel matter.

Regards

Mary Cullen
Recruitment Assignment and Pay Section
Department of Jobs, Enterprise & Innovation
23 Kildare Street
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466
----- Forwarded by Mary Cullen/entemp on 27/01/2017 17:36 -----

From:	Martina Rooney <Martina.Rooney@publicjobs.ie>
To:	"Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>,
Cc:	Niamh McGuinness <Niamh.McGuinness@publicjobs.ie>
Date:	26/01/2017 09:04
Subject:	FW: 20161222 - Job Spec - Digital Forensics ODCE

Mary, As discussed we were informed that OGCIO needed to review and approve any ICT related posts to ensure consistency in criteria, qualification requirements etc. They have come back to us with the following queries and suggested changes to the booklet. In light of the changes required we have missed the deadline for this week. Can you review the booklet in light of these suggested changes. We should be in a position to advertise it next week if we can get agreed final booklet sorted by the end of the week
Please give me a call if you want to discuss

Regards
Martina

Martina Rooney
Client Relations

T +353 1 858 7630

Public Appointments Service
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Chapter House, 26/30 Abbey Street Upper, Dublin 1, D01 C7W6

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From: Digital Government Oversight Unit [mailto:DGOU@per.gov.ie]

Sent: 25 January 2017 10:45
To: Martina Rooney
Cc: Mary O'Donohue (OGCIO); Digital Government Oversight Unit
Subject: FW: 20161222 - Job Spec - Digital Forensics ODCE

Martina,

Re: Digital Forensics job in the Office of the Director of Corporate Enforcement (ODCE)

Mary (O'Donohue) passed your email to me as she is out of the office at meetings. Attached as requested are obs relating to the role and apologies if some duplicate your telephone discussion with Mary:

- as discussed with Mary, is this a new post? If so, has the establishment of the new post received the necessary approvals?
- will the successful candidate be appointed to the Principal Officer grade or to a position that is at the same level as Principal Officer?;
- will the successful candidate have to manage a team including an administrative stream and/or a specialist stream? If so, there should be explicit mention of the senior management role within the organisation including managing a team, PMDS, strategic planning, setting strategic direction for specific ICT solutions for ODCE and working with the Department's ICT Unit to ensure required solutions are delivered, leading and ensuring compliance with procurement and circulars including Department of Public Expenditure and Reform Circular 02/16 in relation to ICT-related expenditure.
- is the purpose of the role is to acquire specific digital forensic skills? If so, the educational requirements should be more specific, at a minimum STEM and level 8, ideally in computer science; with a desirable post graduate certification in digital forensics or professional digital forensics qualification.
- the essential skills / attributes will be determined by the exact nature of the role but should require a minimum 5 years' experience in a senior role in ICT which includes direct experience digital forensics along with a Primary Degree and post grad qualification <u>or</u> possibly a minimum of 7 years' experience along with specific digital forensics experience and relevant professional qualifications.
- Section 7 'Duties' states that '*You will be required to perform any duties appropriate to your grade which may be assigned to you during the probationary period. You may not engage in private practice or be connected with any outside business which would interfere with the performance of official duties.*'
    - The first sentence of the paragraph applies at all times and not just the probationary period (the final paragraph under the '*Role*' section already states that the post holder may be required to perform other duties)
    - The second sentence appears to be a condition of service/employment and not a duty.
- Will the successful candidate have to pursue a learning and development programme or have to maintain membership of a relevant body in order to

ensure that his/her ability to provide digital forensic services remain current? and

- the application process appears to be geared to a TLAC type competition.

I have not looked closely at the conditions of service as I expect that PAS has a standard template for these and modify them in line with the post being advertised (the conditions of service appear slightly different to the conditions of service attached to the D/ES ICT PO post that was also emailed to Mary last week).

Give me a call if any of my comments are unclear.

Regards,
Mick (McCarthy)
Ph. 01-6045102

From: Martina Rooney [mailto:Martina.Rooney@publicjobs.ie]
Sent: Friday 20 January 2017 13:50
To: Mary O'Donohue (OGCIO) <Mary.ODonohue@per.gov.ie>
Subject: 20161222 - Job Spec - Digital Forensics

Mary, As discussed please find attached the draft booklet for the Digital Forensics job in ODCE
Robbie Morrissey will e-mail your this evening re: proposed Interview dates as they are just trying to tie them down at the moment
Regards
Martina

Regards
Martina

Martina Rooney
Client Relations

T +353 1 858 7630

Public Appointments Service
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Chapter House, 26/30 Abbey Street Upper, Dublin 1, D01 C7W6

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~~[attachment "image001.png" deleted by Ian Drennan/entemp] [attachment "image002.png" deleted by~~ Ian Drennan/entemp] [attachment "image003.png" deleted by Ian Drennan/entemp] [attachment "20161222 - Job Spec - Digital Forensics.docx" deleted by Ian Drennan/entemp] [attachment

"ATT00001.txt" deleted by Ian Drennan/entemp] [attachment "ATT00002.htm" deleted by Ian Drennan/entemp]
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Tá an ríomhphost seo agus aon chomhad a chuirtear ar aghaidh leis, rúnda, agus tá sé beartaithe gur d'úsáid an duine aonair nó an aonáin amháin ar cuireadh chucu é, a tá sé. Munar tú an duine a ba chóir an ríomhphost seo, nó aon chuid de, a fháil, níor chóir duit aon chuid de a nochtadh, a chóipeáil nó a dháileadh. Déan teagmháil leis an té a chuir chugat é agus inis dó/di go bhfuair tú é trí thimpiste. Ba chóir d'éinne a tá ag déanamh idirghníomhaíochta trí ríomhphost caighdeánach a thuiscint go bhfuil priacail i gceist agus tú ag seachadadh faisnéise pearsanta nó íogair leis an teicneolaíocht seo (mar nach modh iomlán slán a tá ann chun sonraí a chur ar aghaidh). Mar sin, ná cuir sonraí pearsanta no íogair trí ríomhphost chuig an oifig seo. Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

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RE: Re. 20161222 - Job Spec - Digital Forensics
Harry Lester to: Martina Rooney 06/02/2017 11:58
Cc: Niamh McGuinness, John Hughes, Mary Cullen

Martina,

That's great - many thanks.

Regards,

Harry Lester
Department of Jobs, Enterprise and Innovation
HR Unit
Kildare St
Dublin 2
Direct Dial : 01 631 2244
E-mail: harry.lester@djei.ie

Martina Rooney Harry, Just to update you, I spoke to Mick McCarthy... 0 /02/2017 11:56:14

From: Martina Rooney <Martina.Rooney@publicjobs.ie>
To: "Harry.Lester@djei.ie" <Harry.Lester@djei.ie>,
Cc: Niamh McGuinness <Niamh.McGuinness@publicjobs.ie>
Date: 06/02/2017 11:56
Subject: RE: Re. 20161222 - Job Spec - Digital Forensics

Harry, Just to update you, I spoke to Mick McCarthy in OGCIO who provided the comments below and he confirmed that their role is to provide input on ITC relation job specs to help improve consistency but this decision is ultimately up to the Department so if the Department and PAS satisfied that the criteria and job spec are appropriate we can go ahead and advertise.
I think from our perspective the criteria outlines are specific enough to facilitate short listing so we will try to get this advertised this week.
Regards
Martina

From: Harry.Lester@djei.ie [mailto:Harry.Lester@djei.ie]
Sent: 03 February 2017 15:57
To: Martina Rooney
Cc: Niamh McGuinness; Mary.Cullen@djei.ie; John.Hughes@djei.ie
Subject: Re. 20161222 - Job Spec - Digital Forensics

Martina,

Further to your email that you sent to my colleague Mary Cullen, please see responses to the questions posed in relation to the above mentioned Job Spec:

- Is this a new post? If so, has the establishment of the new post received the necessary approvals?

Draft response: Yes this is a new post. DJEI has delegated staffing sanction from DPER up to and

including PO (Standard) grade.

· will the successful candidate be appointed to the Principal Officer grade or to a position that is at the same level as Principal Officer?;

Draft response: Yes, the appointment will be made at PO or PO equivalent.

· will the successful candidate have to manage a team including an administrative stream and/or a specialist stream? If so, there should be explicit mention of the senior management role within the organisation including managing a team, PMDS, strategic planning, setting strategic direction for specific ICT solutions for ODCE and working with the Department's ICT Unit to ensure required solutions are delivered, leading and ensuring compliance with procurement and circulars including Department of Public Expenditure and Reform Circular 02/16 in relation to ICT-related expenditure.

Draft response: With reference to the query regarding whether the post holder will be managing a team: As the ODCE is currently constituted, the answer is no (there are no other IT staff at present). There is however the possibility into the future that the post holder might be required to assume responsibility for staff management. As such, it would seem appropriate to leave open that possibility (as is done on page 4 of the Booklet) than expressly refer to management responsibility in circumstances where there are not currently any direct reports.

In relation to the other queries regarding seniority, strategic planning / direction, DJEI ICT liaison, and procurement:

- **page 4 of the Information Booklet expressly refers to the seniority of the role;**
- **page 3 of the Booklet expressly refers to the development of strategy and plans, and the implementation thereof;**
- **page 3 of the Booklet expressly refers to the fact that the post holder will be required to liaise with the Department's IT function;**
- **page 4 of the Booklet expressly refers to the fact that the post holder will be expected to ensure that the ODCE's approach towards procurement is consistent with, *inter alia,* the Public Service IT Strategy**

· is the purpose of the role is to acquire specific digital forensic skills? If so, the educational requirements should be more specific, at a minimum STEM and level 8, ideally in computer science; with a desirable post graduate certification in digital forensics or professional digital forensics qualification.

Draft response: The purpose of the role is set out in the Information Booklet, and requires expertise in digital forensic skills. The approach adopted to essential educational requirements was that, to be too prescriptive in specifying educational requirements, might result in dissuading applications from persons capable of fulfilling the role. An Interview Board including a person (or persons) with the appropriate knowledge of such matters should be well placed to distinguish between what is relevant and what is not. Under the heading of desirable qualifications, it is made clear that additional relevant qualifications will be an advantage. Again, the approach was on the basis that, if we are too prescriptive (e.g., around qualifications in forensics) we may limit the field of applicants to few or even none. For example, if we prescribe that applicants must have a Masters or equivalent, we may get no applications. As drafted, the Booklet provides the Interview Board with the scope to award extra marks to applicants possessing higher/extra qualifications.

· the essential skills / attributes will be determined by the exact nature of the role but should require a minimum 5 years' experience in a senior role in ICT which includes direct experience digital forensics along with a Primary Degree and post grad qualification <u>or</u> possibly a minimum of 7 years' experience

along with specific digital forensics experience and relevant professional qualifications.

Draft response: See response directly above. The Booklet sets the experiential requirement at a minimum of 5 years relevant experience at a suitably senior level.

· Section 7 'Duties' states that '*You will be required to perform any duties appropriate to your grade which may be assigned to you during the probationary period. You may not engage in private practice or be connected with any outside business which would interfere with the performance of official duties.*'
o The first sentence of the paragraph applies at all times and not just the probationary period (the final paragraph under the '*Role*' section already states that the post holder may be required to perform other duties).

Draft response: noted. Suggest Section 7 change to: "... *perform other duties as appropriate to the grade which may be assigned to you from time to time and to contribute to the development of the post while in office* ..."

o The second sentence appears to be a condition of service/employment and not a duty.

Draft response: Noted. As it refers to matters which may impinge on a duty it was inserted at this point, however we are amenable to it being moved to a more suitable section of the booklet.

· Will the successful candidate have to pursue a learning and development programme or have to maintain membership of a relevant body in order to ensure that his/her ability to provide digital forensic services remain current? And

Draft response: This is contingent upon the successful candidate's existing qualifications, which will not be known until applications are received.

· the application process appears to be geared to a TLAC type competition.

Draft response: The intention is that the job would be advertised through a PAS open competition at PO level.

Let me know if you require any further information.

Regards,

Harry Lester
Department of Jobs, Enterprise and Innovation
HR Unit
Kildare St
Dublin 2
Direct Dial : 01 631 2244
E-mail: harry.lester@djei.ie

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Re: Digital Forensics Specialist (Principal Officer) in the Office of the Director of Corporate Enforcement

Mary Cullen to: Louise McEntee 08/02/2017 17:54

Cc: Ashley Gilmore, "Harry.Lester@djei.ie", Martina Rooney, Niamh McGuinness

Hi Louise

I am out of the office most of this week but I have scanned though the document this afternoon - I notice one typo on page 8, item 7 Duties, line two: "...from time to timer..." for correction please.

If there are any further queries this week Harry Lester should be available for obs, etc.

Regards.

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466

Louise McEntee Good Afternoon, Attached please find draft... 08/02/2017 12:03:07

From: Louise McEntee <louise.mcentee@publicjobs.ie>
To: "Harry.Lester@djei.ie" <Harry.Lester@djei.ie>, "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>,
Cc: Martina Rooney <Martina.Rooney@publicjobs.ie>, Niamh McGuinness <Niamh.McGuinness@publicjobs.ie>, Ashley Gilmore <Ashley.Gilmore@publicjobs.ie>
Date: 08/02/2017 12:03
Subject: Digital Forensics Specialist (Principal Officer) in the Office of the Director of Corporate Enforcement

Good Afternoon,

Attached please find draft booklet for the above mentioned campaign, if you would be so good as to take a look and send me any observations you have at your earliest convenience please for advertisement this week.

Should you have any queries please do not hesitate to contact me.

Kind regards

Louise McEntee
Senior Executive Recruitment
T +353 1 858 7747

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Chapter House, 26/30 Abbey Street Upper, Dublin 1, D01 C7W6

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Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

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An tSeirbhís um Cheapacháin Phoiblí
Public Appointments Service

INFORMATION BOOKLET

The Public Appointments Service intends to hold a competition for the purpose of recommending a person for appointment as:

Digital Forensics Specialist
(Principal Officer)
in the Office of the Director of Corporate Enforcement

Department of Jobs, Enterprise and Innovation

Closing Date: 2nd March, 2017

The Public Appointments Service is committed to a policy of equal opportunity.

The Public Appointments Service will run this campaign in compliance with the codes of practice prepared by the Commission for Public Service Appointments (CPSA) and are available on www.cpsa.ie

CONTACT: XXXX
PUBLIC APPOINTMENTS SERVICE, CHAPTER HOUSE
26 – 30 ABBEY STREET UPPER, DUBLIN 1
Email: XXXXn@publicjobs.ie
Telephone number: *(353)* 1 858 XXX

Title of Position:	Digital Forensics Specialist (Principal Officer) in the Office of the Director of Corporate Enforcement
Employing Authority:	Department of Jobs, Enterprise and Innovation
Location:	Office of the Director of Corporate Enforcement, 16 Parnell Square, Dublin 1

The mission of the Department of Jobs, Enterprise and Innovation (the Department) is to encourage the creation of high quality and sustainable full employment by championing enterprise across government, supporting a competitive enterprise base, promoting a low tax environment to incentivise work and enterprise and promoting fair and competitive markets.

The Office of the Director of Corporate Enforcement ("the ODCE")

Mandate and high level goals

The mission of the ODCE is to improve the compliance environment for corporate activity in the Irish economy by encouraging adherence to, and dissuading non-compliance with, company law.

Established in 2001, the ODCE is an independent Office of the Department of Jobs, Enterprise and Innovation. Under the Companies Act 2014 ("the Act"), the principal functions of the Director of Corporate Enforcement include the:

- encouragement of compliance with the Act;
- investigation of suspected offences under the Act, or other suspected non-compliance with the Act, or with the duties and obligations to which companies and their officers are subject;
- enforcement of the Act, including the prosecution of offences by way of summary proceedings;
- referral of cases to the Director of Public Prosecutions for consideration as to whether they should be prosecuted on indictment;
- exercise, insofar as considered necessary or appropriate, of a supervisory role over the activity of liquidators and receivers in the discharge of their functions under the Act.

Those statutory functions have been further distilled into the ODCE's high level goals, which are to:

- promote a greater understanding of affected parties' rights and duties under company law;
- confront unlawful and irresponsible behaviour insofar as it relates to company law; and
- provide a quality customer service to internal and external stakeholders.

Structure and current resources

Currently, the ODCE has a staff complement of approximately 40 comprising of both professional civil servants and members of An Garda Síochána.

Having regard to its principal statutory functions, and the associated workstreams, the ODCE is organised into a number of Units, each of which comes under the responsibility of a Head of Function. Further information regarding the ODCE's principal activities can be accessed at www.odce.ie

The Role

The ODCE wishes to appoint a Digital Forensics Specialist (Principal Officer) to supplement its current skill mix and capabilities. This is a new, pivotal role within the organisation, designed to make a significant contribution to complex and serious company law investigations, both civil and criminal, that the Office undertakes.

As an Office of the Department of Jobs, Enterprise and Innovation the ODCE benefits from the Department's ICT infrastructure, and the suite of ICT hardware & software which the Department makes available to its staff, and those of its Offices. Having regard to the specialised nature of the ODCE's work, it is envisaged that the successful candidate will primarily be involved in managing and leading a program of supplementing the existing suite of hardware and software with other ICT solutions which are developed, tailored or procured for those of the ODCE's particular needs which cannot currently be met by reliance on the Department's ICT offering. However the successful candidate will also be expected to maintain an ongoing liaison with the Department's ICT team for the purpose of the optimal management of the ODCE's ICT requirements. This will include ensuring that any technology solutions which are put in place comply with overall ICT standards and policies in the Department, and that the Department's ICT governance arrangements are complied with

The nature of this demanding role will be wide and varied. In that context, the following is a non-exhaustive overview of the some of the types of work that the successful candidate is likely to be engaged in:

- developing strategies, plans and arrangements for forensic data collection;
- the implementation of those plans, strategies and arrangements;
- the collection and preservation of electronic data in an evidentially sound manner, consistent with established judicial principles in this area;
- analysing/assisting investigators in the analysis of such data;
- managing the ICT element of individual cases/a portfolio of cases;
- testifying, as required, in Court proceedings initiated by the ODCE or by the Director of Public Prosecutions;
- ~~identifying appropriate hardware/software applications that will best assist the Office~~ in undertaking its investigations, and managing and overseeing the procurement of such applications ;
- co-operating and liaising, as necessary, with both the Department of Jobs, Enterprise & Innovation and with relevant third parties, including other law enforcement Agencies.

Commensurate with the seniority of the role, the Digital Forensics Specialist will be expected to—

- ensure that the ODCE's approach to the procurement and use of ICT is consistent with, and contributes to the achievement of the goals set out in, the Public Service ICT Strategy *Delivering better outcomes and efficiency through innovation and excellence in ICT*; [1]

- contribute to the ODCE's ongoing compliance with its other obligations as a public sector organisation;

- contribute to/lead on other projects associated with any other aspect of the ODCE's mandate and functions as and when required.

The above is not, and does not purport to be, a comprehensive list of all duties involved and consequently, the post holder may be required to perform other duties as appropriate to the post which may be assigned to him/her from time to time and to contribute to the development of the post while in office.

ENTRY REQUIREMENTS

Essential Qualifications & Requirements:

- A relevant qualification at primary Degree level.

Desirable (but not essential):

- Additional qualification(s) in the area of digital forensics.

Essential Skills/Attributes:

In addition to demonstrating the standard competencies expected at PO level, the successful candidate will:

- have significant experience (i.e. at least 5 years) of working in a relevant ICT role

- be flexible, results-focussed and have the ability to work under pressure in a complex, legal, technical and regulatory environment;

- be capable of operating effectively on their own initiative;

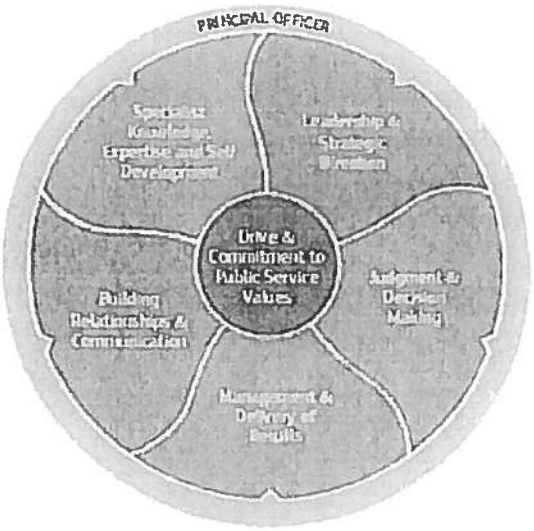
- have an appreciation of the requirements for working effectively and collaboratively in a multi-disciplinary environment, including the flexibility and mobility to work effectively with all other relevant colleagues and stakeholders across sectoral, organisational and professional boundaries

- possess strong project management skills and be in a position to demonstrate successful project delivery;

[1] Approved by Government and launched by the Minister for Public Expenditure and Reform in January 2015. Please see www.ictstrategy.per.gov.ie/

- possess the capacity to operate effectively and credibly to a high level, both within the organisation and externally;
- possess excellent communications and interpersonal skills;
- be capable of demonstrating an appreciation of the Department and the ODCE's objectives, a keen awareness of the environment within which it operates and of the particular obligations which stem from the ODCE's status as a public body funded entirely by the Exchequer.

The following Key Competencies have been identified for effective performance at Principal Officer Level.



Please see Appendix 1 for further details on Principal Officer competencies.

Eligibility to compete and certain restrictions on eligibility
Candidates should note that eligibility to compete is open to citizens of the European Economic Area (EEA).The EEA consists of the Member States of the European Union along with Iceland, Liechtenstein and Norway. Swiss citizens under EU agreements may also apply.

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

Department of Health and Children Circular (7/2010)
The Department of Health Circular 7/2010 dated 1 November 2010 introduced a Targeted Voluntary Early Retirement (VER) Scheme and Voluntary Redundancy Schemes (VRS). It is a condition of the VER scheme that persons availing of the scheme will not be eligible for re-employment in the public health sector or in the wider public service or in a body wholly or mainly funded from public moneys. The same prohibition on re-employment applies under the VRS, except that the prohibition is for a period of 7 years, after which time any re-employment will require the approval of the Minister for Public Expenditure and Reform. People who availed of either of these schemes are not eligible to compete in this competition.

Collective Agreement: Redundancy Payments to Public Servants
The Department of Public Expenditure and Reform letter dated 28th June 2012 to Personnel Officers introduced, with effect from 1st June 2012, a Collective Agreement which had been reached between the Department of Public Expenditure and Reform and the Public Services Committee of the ICTU in relation to ex-gratia Redundancy Payments to Public Servants. It is a condition of the Collective Agreement that persons availing of the agreement will not be eligible for re-employment in the public service by any public service body (as defined by the Financial Emergency Measures in the Public Interest Acts 2009 – 2011) for a period of 2 years from termination of the employment. Thereafter the consent of the Minister for Public Expenditure and Reform will be required prior to re-employment. People who availed of this scheme and who may be successful in this competition will have to prove their eligibility (expiry of period of non-eligibility) and the Minister's consent will have to be secured prior to employment by any public service body.

Department of Environment, Community & Local Government (Circular Letter LG(P) 06/2013)
The Department of Environment, Community & Local Government Circular Letter LG(P) 06/2013 introduced a Voluntary Redundancy Scheme for Local Authorities. In accordance with the terms of the *Collective Agreement: Redundancy Payments to Public Servants* dated 28 June 2012 as detailed above, it is a specific condition of that VER Scheme that persons will not be eligible for re-employment in any Public Service body [as defined by the Financial Emergency Measures in the Public Interest Acts 2009 – 2011 and the Public Service Pensions (Single Scheme and Other Provisions) Act 2012] for a period of 2 years from their date of departure under this Scheme. Thereafter, the consent of the Minister for Public Expenditure and Reform will be required prior to re-employment. These conditions also apply in the case of engagement/employment on a contract for service basis (either as a contractor or as an employee of a contractor).

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

Principal Conditions of Service

1. General
The appointment is to an established post in the Civil Service and is subject to the Civil Service Regulation Acts 1956 to 2005, the Public Service Management (Recruitment and Appointments) Act 2004 and any other Act for the time being in force relating to the Civil Service.

2. Pay
The salary scale for this position is as follows:

Principal Officer PPC [Personal Pension Contribution] Scale:

€79,401 - €82,587 - €85,750 - €88,936 - €91,624 - €94,110[2] - €97,194[3]

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

or

Principal Officer Non-PPC Scale:

€75,647 - €78,670 - €81,676 - €84,706 - €87,258 - €89,906[4] - €92,550[5]

This rate will apply where the appointee is a civil or public servant recruited before 6th April 1995 and who is NOT required to make a Personal Pension Contribution.

Long service increments may be payable after three (LSI-1) and six (LSI-2) years' satisfactory service at the maximum of the scale.

Entry will be at the minimum of the scale and the rate of remuneration will not be subject to negotiation. The rate of pay may be adjusted from time to time in line with Government pay policy. Different terms and conditions may apply depending on whether a successful candidate is a currently serving civil or public servant.

Payment will be fortnightly in arrears by Electronic Fund Transfer (EFT) into a bank account of your choice. Payment cannot be made until you supply a bank account number and bank sort code to the Personnel Section.

Statutory deductions from salary will be made as appropriate by the Department of Jobs, Enterprise and Innovation.

You will agree that any overpayment of salary or of travel and subsistence may be deducted from future salary payments due to you in accordance with the Payment of Wages Act 1991. In the event of such an occurrence, the Department will advise you in writing of the amount and details of any such overpayment and give you 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.

3. Tenure

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[2] *After 3 years satisfactory service at the maximum*
[3] *After 6 years satisfactory service at the maximum*
[4] *After 3 years satisfactory service at the maximum*
[5] *After 6 years satisfactory service at the maximum*

The appointment is to an established position on a probationary contract in the Civil Service. The probationary contract will be for a period of one year from the date specified above.

Notwithstanding this paragraph and paragraph 4 below, this will not preclude an extension of the probationary contract in appropriate circumstances.

Notwithstanding this paragraph and paragraph 4 below, the probationary contract 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.

4. Probationary Review
During the period of your probationary contract, your performance will be subject to review by your Manager(s) to determine whether you:

(i) have performed in a satisfactory manner,
(ii) have been satisfactory in general conduct, and
(iii) are suitable from the point of view of health with particular regard to sick leave.

Prior to completion of the probationary contract, a decision will be made as to whether or not you will be retained pursuant to *Section 5A(2)* of the *Civil Service Regulation Acts 1956-2005*. This decision will be based on your performance assessed against the criteria set out in (i) to (iii) above.

The details of the probationary process will be explained to you by your employing Department and you will be given a copy of guidelines on probation issued by the Department of Public Expenditure and Reform.

In the event that you are not considered as suitable to the position of Digital Forensics Specialist (Principal Officer) having been assessed against stated criteria, you will be notified in writing of the action to be taken prior to the expiry of this contract and any extensions thereof.

5. Unfair Dismissals Acts
The Unfair Dismissals Acts 1977-2007 will not apply to the termination of your employment by reason only of the expiry of this probationary contract without it being renewed.

6. Suspension of Probation
The Department may suspend the probationary period and, as a result, extend the term of the probationary contract in the following circumstances:

- the probationary period will be suspended if the officer is on Maternity or Adoptive leave,
- the probationary period may, at the discretion of the Department, be suspended where the employee is absent on any other form of statutory or non- statutory leave.

Where the Department's ability to assess the officer and/or the officer's ability to demonstrate their suitability for permanent appointment is compromised by the officer's absence on leave, the contract period will be extended by the period of leave taken.

7. Duties
You will be required to perform any duties appropriate to your grade which may be assigned to you from time to timer and to contribute to the development of the post while in office.

You may not engage in private practice or be connected with any outside business which would interfere with the performance of official duties.

8. Headquarters
On appointment to the Department your headquarters will be at the Office of the Director of Corporate Enforcement (ODCE), or be such as may be designated from time to time by the Head of the Department. When absent from home and headquarters on official duty you will be paid appropriate travelling expenses and subsistence allowances, in accordance with Civil Service regulations.

9. The Organisation of Working Time Act 1997
The terms of the Organisation of Working Time Act 1997 will apply to your employment and the hours of attendance and leave entitlements that will apply is at Section 10 below.

10. Hours of Attendance
Hours of attendance will be as fixed from time to time but will amount to on average not less than 43 hours and 15 minutes gross or 37 hours net per week.

11. Annual Leave
The annual leave allowance will be **30** working days a year. This allowance which is subject to the usual conditions regarding the granting of annual leave is on the basis of a five day week and is exclusive of the usual public holidays.

12. Sick Leave
Pay during properly-certified sick absence, provided there is no evidence of permanent disability for service, will apply on a pro rata basis in accordance with the provisions of the sick leave Circulars.

Officers who are paying Class A rate of PRSI will be required to sign a mandate authorising the Department of Social Protection to pay any benefits due to you under the Social Welfare Acts direct to the Department of Jobs, Enterprise and Innovation. Payment of salary during illness will be subject to you making the necessary claims for social insurance benefit to the Department of Social Protection within the required time limits.

13. Superannuation and Retirement
The successful candidate will be offered the appropriate superannuation terms and conditions (including retirement age) as prevailing in the civil service at the time of being offered an appointment. In general, an appointee who has never worked in the Public Service will be offered appointment based on membership of the Single Public Service Pension Scheme ("Single Scheme"). Full details of the Scheme are at http://www.per.gov.ie/pensions.

- Career average earnings are used to calculate benefits (a pension and lump sum amount accrue each year and are up-rated annually by reference to CPI)
- Pensionable Age: The minimum age at which pension is payable is 66 (rising to 67 in 2021 and 68 in 2028) in line with changes in State Pension age.
- Retirement Age: Scheme members must retire at the age of 70.
- Post retirement pension increases are linked to CPI.

Prior Public Servants
While the default pension terms, as set out in the preceding paragraphs, consist of Single Scheme membership, this may not apply to certain appointees. Full details of the conditions governing whether or not a public servant is a Single Scheme member are given in the 2012 Act. However the key exception case (in the context of this competition and generally) is that a successful candidate who has worked in a pensionable (non-single scheme terms) capacity in

the public service within 26 weeks of taking up appointment or who is currently on a career break or special leave with/without pay from such a position, would, in general, not become a member of the Single Scheme. The pay and pension entitlement of such an appointee will be established in the context of their public service employment history.

Pension Abatement

- If the appointee has previously been employed in the Civil or Public Service and is in receipt of a pension from the Civil or Public Service or where a Civil/Public Service pension comes into payment during his/her re-employment that pension **will be subject to abatement** in accordance with the Public Service Pensions (Single Scheme and Other Provisions) Act 2012, (the 2012 Act).

- However, if the appointee was previously employed in the Civil or Public Service and awarded a pension under voluntary early retirement arrangements (other than the Incentivised Scheme of Early Retirement (ISER), the Department of Health Circular 7/2010 VER/VRS or the Department of Environment, Community & Local Government Circular letter LG(P) 06/2013 which, renders a person ineligible for the competition) the entitlement to that pension will cease with effect from the date of reappointment. Special arrangements may, however be made for the reckoning of previous service given by the appointee for the purpose of any future superannuation award for which the appointee may be eligible.

- **Department of Education and Skills Early Retirement Scheme for Teachers Circular 102/2007**
  The Department of Education and Skills introduced an Early Retirement Scheme for Teachers. It is a condition of the Early Retirement Scheme that with the exception of the situations set out in paragraphs 10.2 and 10.3 of the relevant circular documentation, and with those exceptions only, if a teacher accepts early retirement under **Strands 1, 2 or 3** of this scheme and is subsequently employed **in any capacity** in **any area of the public sector**, payment of pension to that person under the scheme **will immediately cease**. Pension payments will, however, be resumed on the ceasing of such employment or on the person's 60th birthday, whichever is the later, but on resumption, the pension will be based on the person's actual reckonable service as a teacher (i.e. the added years previously granted **will not be taken into account** in the calculation of the pension payment).

- **Ill-Health Retirement**
  Please note that where an individual has retired from a Civil/Public Service body on the grounds of ill-health his/her pension from that employment may be subject to review in accordance with the rules of ill-health retirement within the pension scheme of that employment.

Pension Accrual

A 40-year limit on total service that can be counted towards pension where a person has been a member of more than one pre-existing public service pension scheme (i.e. non-Single Scheme) as per the 2012 Act shall apply. This 40-year limit is provided for in the Public Service Pensions (Single Scheme and other Provisions) Act 2012. This may have implications for any appointee who has acquired pension rights in a previous public service employment.

Public Service Pension-Related Deduction
This appointment is subject to the public service pension-related deduction in accordance with the Financial Emergency Measures in the Public Interest Act 2009 (as amended).

For further information in relation to the Single Public Service Pension Scheme for Public Servants please see the following website: http://www.per.gov.ie/pensions.

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(s).

14. Health and Safety
Attention is drawn to the health and safety policy. It is a condition of employment that all aspects of the policy, of the Safety, Health and Welfare at Work Act and relevant regulations must be complied with at all times.

15. Secrecy, Confidentiality and Standards of Behaviour
Official Secrecy and Integrity
You will during the term of your probationary contract be subject to the provisions of the Official Secrets Act 1993 as amended by the Freedom of Information Acts 1997 and 2003. You will agree not to disclose to third parties any confidential information either during or subsequent to the period of employment.

Civil Service Code of Standards and Behaviour
You will be subject to the Civil Service Code of Standards and Behaviour.

Ethics in Public Office Act 1995
The Ethics in Public Office Act 1995 will apply, where appropriate, to your employment.

Publication of any Material
You will agree not to publish material related to your official duties without prior approval by the Minister.

Political Activity
During the term of your employment you will be subject to the rules governing Civil Servants and politics.

16. Personnel Code
All Circulars are available on the website http://circulars.gov.ie or from the Personnel Section.

THE SELECTION PROCESS

How to Apply

Applications must be made by submitting an on-line application and attaching a single document with the following elements included:

- **A comprehensive CV, including an organisation chart** *(See **Senior Executive CV Guidance** note here)*
- **The 'Key Achievements Form'** *(Available* **here**)
- **A short cover letter/ personal statement** *(i.e. no more than 2 pages)* outlining why you wish to be considered for the post and where you believe your skills, experience and values meet the requirements of the position.

Closing Date: 3pm Thursday 2nd March 2017

Selection Process:

The Selection Process may include:

- shortlisting of candidates, on the basis of the information contained in their application;
- a competitive preliminary interview;
- completion of an online questionnaire(s);
- case study/work sample/role play/media exercise, and any other tests or exercises that may be deemed appropriate;
- a competitive interview which may include a presentation

Please Note

We acknowledge receipt of all applications. If you do not receive an acknowledgement within 3 days of applying, please email sarah.curran@publicjobs.ie. You can expect to receive emails from us at the relevant stages notifying you to check your secure publicjobs.ie message board for campaign updates. We endeavour to give as much notice as possible for interview dates etc., candidates should make themselves available on the date(s) specified by the Public Appointments Service.

Shortlisting

In the event of a shortlisting exercise being employed an expert board will examine the information provided in your application form and assess it against criteria based on the requirements of the position.

References

It would be useful if you would begin to consider names of people who would be suitable referees and that we might consult (3 names and contact details). The referees do not have to include your current employer but should be in a position to provide a reference for you. The referees should be able to provide relatively recent information on your performance and behaviour in a work context. You may wish to select referees that can provide such information from different perspectives or in different work contexts. Please be assured that we will only contact referees should you come under consideration after the preliminary interview stage. Please note, should you be successful at final interview, we will require a reference from your current employer prior to recommendation for appointment. Successful candidates may be required to complete a number of clearance processes such as Health and Character Declaration, Garda Vetting, and any other relevant checks required for the particular role.

If you feel you would benefit from a confidential discussion about any aspect of this significant opportunity, please contact XXXX on 01 8587419 or email XXXX@publicjobs.ie.

Other Important Information

The Public Appointments Service will not be responsible for refunding any expenses incurred by candidates.

The admission of a person to a competition, or invitation to attend interview, or a successful result letter, is not to be taken as implying that the Public Appointments Service is satisfied that such a person fulfils the requirements or is not disqualified by law from holding the position.

Prior to recommending any candidate for appointment to this position, the Public Appointments Service will make all such enquiries that are deemed necessary to determine the suitability of that candidate. 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, PAS may at its discretion, select and recommend another person for appointment on the results of this selection process. A panel may be formed from which future vacancies may be filled from this campaign. Other vacancies at this level across the Civil or Public sector may be filled from this campaign.

The importance of Confidentiality

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

All enquiries, applications and all aspects of the proceedings are treated as strictly confidential and are not disclosed to anyone, outside those directly involved in that aspect of the process.

Certain items of information, not specific to any individual, are extracted from computer records for general statistical purposes.

Deeming of candidature to be withdrawn

Candidates who do not attend for interview or other test when and where required by the Public Appointments Service, or who do not, when requested, furnish such evidence as the PAS require in regard to any matter relevant to their candidature, will have no further claim to consideration.

Quality Customer Service

We aim to provide an excellent quality service to all our customers. If, for whatever reason, you are unhappy with any aspect of the service you receive from us, we urge you to bring this to the attention of the unit or staff member concerned. This is important as it ensures that we are aware of the problem and can take the appropriate steps to resolve it.

Feedback

Feedback will be provided on written request.

Request for Review under the CPSA Codes of Practice

The PAS will consider requests for review in accordance with the provisions of the codes of practice published by the CPSA. A candidate can seek a review by a person in the recruiting body (initial reviewer). Where a candidate remains dissatisfied following this initial review, he/she may seek to have the conduct of the initial review examined by a "decision arbitrator".

As an alternative to the above, it is open to a candidate to seek to have the matter resolved on an informal basis, as set out below. If a candidate remains dissatisfied following any such discussion it is open to him/her to seek a formal review.

The Codes of Practice are available on the website of the Commission for Public Service Appointments, www.cpsa.ie.

Informal process

The candidate can avail of the Informal Review within 5 working days of notification of the initial decision, and should normally take place between the candidate and the person who communicated the decision (or relevant person).

- Where the decision being conveyed relates to an interim stage of a selection process, the request for informal review must be received within 2 working days of the date of receipt of the decision.
- Where a candidate remains dissatisfied following any such informal discussion, he/she may adopt the formal procedures set out below.
- If the candidate wishes the matter to be dealt with by way of a formal review, he/she must do so within 2 working days of the notification of the outcome of the informal review.

Formal process

Initial review

- The candidate must address his/her concerns in relation to the process in writing to the Chief Executive, setting out those aspects of the action or decision in relation to his/her candidature that he/she wishes to have reviewed.
- A request for review must be made within 10 working days of the notification of the initial decision. Where the decision relates to an interim stage of a selection process, the request for review must be received within 4 working days.
- Any extension of these time limits will only be granted in the most exceptional of circumstances and will be at the sole discretion of the Chief Executive.
- The outcome must generally be notified to the candidate within 20 working days of receipt of the complaint or request for review. The candidate will receive the outcome of the review by means of a written report.
- Should a candidate be dissatisfied with the outcome of the initial review, he/she may request a review by a decision arbitrator of the conduct of the initial review.

Review by the decision arbitrator

The decision arbitrator is appointed by the Chief Executive. The decision arbitrator is unconnected with the selection process and he/she will adjudicate on requests for review In cases where a candidate Is not satisfied with the outcome of the initial review. The decision of the decision arbitrator in relation to such matters is final.

- A request made to the decision arbitrator must be received within 7 working days of the notification of the outcome of the initial review.
- The outcome of the investigation must be notified to the candidate in the form of a written report within 10 working days.

Candidates' Obligations

Candidates must:

- have the knowledge and ability to discharge the duties of the post concerned,
- be suitable on the grounds of character,
- be suitable in all other relevant respects for appointment, to the post concerned, and if successful, they will not be appointed to the post unless they:
- agree to undertake the duties attached to the post and accept the conditions under which the duties are, or may be required to be, performed,
- are fully competent and available to undertake, and fully capable of undertaking, the duties attached to the position.

Candidates must not:

- knowingly or recklessly provide false information,
- canvass any person with or without inducements,
- interfere with or compromise the process in any way.

A third party must not personate a candidate at any stage of the process.
Any person who contravenes the above provisions or who assists another person in contravening the above provisions is guilty of an offence. A person who is found guilty of an offence is liable to a fine/imprisonment.
In addition, where a person found guilty of an offence was or is a candidate at a recruitment process, then:

- where he/she has not been appointed to a post, he/she will be disqualified as a candidate, and
- where he/she has been appointed subsequently to the recruitment process in question, he/she shall forfeit that appointment.

Data Protection Acts, 1988 and 2003

When your application form is received, we create a record in your name, which contains much of the personal information you have supplied. This personal record is used solely in processing your candidature and should you be successful certain information you provide will be forwarded to the employing organisation. Where the services of a third party are used In processing your application, it may be required to provide them with information, however all necessary precautions will be taken to ensure the security of your data. Such information held is subject to the rights and obligations set out In the Data Protection Acts, 1988 & 2003. To make a request under the Data Protection Acts 1988 & 2003, please submit your request in writing to: The Data Protection Co-Ordinator, Public Appointments Service, "Chapter House", 26-30 Abbey Street Upper, Dublin 1, ensuring that you describe the records you seek in the greatest possible detail to enable us to identify the relevant record. A fee of €6.35 should accompany your request. Payment should be made by way of bank draft, money order, or personal cheque, made payable to the 'Public Appointments Service'. Certain items of information, not specific to any individual, are extracted from records for general statistical purposes.

Candidates should note that canvassing will disqualify.

Appendix 1

Research has been carried out and the competencies required for performance in the Principal Officer and Principal Officer Higher roles, in the wider Civil Service, have been identified as set out below. However please note that these are 'generic' competencies and may be modified for the purpose of this selection process.

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

9

PAS Competition for ODCE Forensic Accountants
Mary Cullen to: tara.creaner 16/02/2017 14:18
Cc: John Hughes, Harry Lesler

Hi Tara

You have asked for another copy of our delegated staffing sanction and DPER approval for the contracts. Please see attached and email chain below.

ATT65IBC.pdf Fw Investigators Forensic Accountants.rtf

Professional Accountant Grade 1 (Forensic) DJEI (ODCE).rtf

Regards.

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466
----- Forwarded by Mary Cullen/entemp on 16/02/2017 14:12 -----

From:	John Hughes/entemp
To:	mary.keaveney@publicjob.ie,
Cc:	Eamonn Balmer/entemp@ENTEMP, Mary Cullen/entemp@ENTEMP
Date:	24/11/2015 16:07
Subject:	Fw: URGENT - Accountants

Mary,

please see email below from our colleagues in DPER who have confirmed that the "normal terms and conditions for the Professional Accountants Grade i will apply to the ODCE posts referred to" in my previous email. DPER have also confirmed that it is current Government policy that successful candidates be placed at the minimum of the scale and this should be outlined clearly in the advertisement booklet. The DPER website that contains the relevant salary scale is https://civilservicepayscales.per.gov.ie/

~~I hope this enables the placing of the advertisement this week and would be grateful for~~ confirmation of same.

Regards,

John,
24/11.

p.s. the website data is as follows:

Grade Code	Salary Plan	Hrms	Grade Name	Date Effective	Headcount	W/A	Nature of Adjustment
62060(2)	AP	P02	PROFESSIONAL ACCOUNTANT GR 1 - PPC	01 Nov 2013	23	Annual	Clause 2:31 of HRA

€61,698.00	€65,000.00	€65,000.00	€66,742.00	€68,707.00	€70,668.00	€72,626.00	
€74,956.00	€77,556.00	€80,140.00					
NMAX	LSI1	LSI2					

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246
----- Forwarded by John Hughes/entemp on 24/11/2015 16:04 -----

From: Fearghal O hAodha <Fearghal.OhAodha@per.gov.ie>
To: "john.hughes@djei.ie" <john.hughes@djei.ie>, Sue Blood <Sue.Blood@per.gov.ie>,
Date: 24/11/2015 16:02
Subject: RE: URGENT - Accountants

John,
RIRP Division have informed us that the normal terms and conditions for the Professional Accountants Grade I will apply to the ODCE posts referred to in your previous email.
It is current Government policy that successful candidates will be placed at the minimum of the scale and this should be outlined clearly in the advertisement booklet.
Kind regards,
Fearghal

From: john.hughes@djei.ie [mailto:john.hughes@djei.ie]
Sent: 24 November 2015 10:25
To: Sue Blood; Fearghal O hAodha

Cc: Marie Ralph
Subject: URGENT - Accountants

Sue/Marie

before the "delegated sanction" the October 2014 sanction letter from your Department approved, among other things, the recruitment of 6 Forensic Accountants (graded as Professional Accountants Grade I). PAS are to advertise for us this week and I have been asked to secure an email confirmation from your Department of the terms and conditions to apply. Grateful if you could arrange same pl. The posts are no.7 in the attached letter.

If I had this information today, we could ensure the advertisement is placed this week.

Many thanks,

John,
24/11.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

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----------image001.jpg

An Roinn Caiteachais Phoiblí agus Athchóirithe
Department of Public Expenditure and Reform

10 June 2015

Department of Jobs, Enterprise and Innovation
11 JUN 2015
Received
Office of the Secretary General

Mr. John Murphy,
Secretary General,
Department of Jobs, Enterprise and Innovation,
Kildare Street,
Dublin 2

Re: Staffing Resource Management Framework/Delegated Sanction

Dear Mr. Murphy,

I am directed by the Minister for Public Expenditure and Reform to refer to your Department's letter of 13 March 2015 and subsequent e-mail of 20 May 2015 concerning the above and to convey delegated sanction for Staffing Resource Management for your Department.

Delegated sanction is subject to your Department meeting the requirements outlined in Section 1 to 3 below.

Please also note that the tables at **Appendix 1** shows the Staffing, Grade and Salary Profile of the Department of the Department of Jobs, Enterprise and Innovation and in each of the Agencies at end Quarter 4 2014 and **Appendix 2** sets out the Conditions in relation to Regular and Non-Regular Appointments.

1. Introduction

Delegated sanction, as required by Section 2(2) of the Ministers and Secretaries Act, 1924 and in accordance with Section 17(2) of the Civil Service Regulation Act, 1956, is re-instated.

The overarching strategic objective of the delegation and pay bill ceilings is to consolidate and achieve further efficiencies in the cost base of the Public Service, while allowing sectoral managers the flexibility to better manage and enhance public services within their financial resource allocations. The focus moves away from cuts and on to cost management, containment, reform and efficiency.

The multi-annual pay ceilings are binding and it will fall to the Departments to deliver services within these agreed allocations for the period 2015-17. This includes responding to emerging expenditure pressures over that period without recourse to additional

Tithe an Rialtais,
Sráid Mhuirfeán Uacht,
Baile Átha Cliath 2,
Éire

Government Buildings,
Upper Merrion Street,
Dublin 2,
Ireland.

T +353 1 676 7571
F +353 1 678 9936
www.per.gov.ie

Exchequer allocations. To do so will involve commitment to ongoing reform and efficiency measures and reprioritisation of expenditure as appropriate.

1.1 Scope of Sanction

This sanction permits the Department to fill vacancies through recruitment and/or promotion in specified, designated grades up to and including PO standard or equivalent, subject to the overall pay bill ceiling outlined in Section 2. The consent of the Minister for Public Expenditure and Reform will be required for grades at or above PO higher level or equivalent.

The sanction applies for three years from 1 January 2015. The sanction is being issued pursuant to the multi-annual Exchequer allocations agreed by Government. The allocations are provided subject to the Government's inherent right to reduce or alter any allocation in light of ongoing or future budgetary exigencies or in compliance with any Government Decision on overall budgetary targets for any of the years in question.

1.2 Departmental Agencies

The sanction permits Departments to have similar cascade arrangements in place with their respective agencies, subject to the overall pay ceiling at Section 2. The cascade arrangements are subject to the agreement of the Department of Public Expenditure and Reform, as well as the same general conditions set out in Section 3 and whatever specific conditions relate to the particular agency.

1.3 Overall Condition of Sanction

The specific arrangements to manage pay and staff allocation is a matter for individual Departments. The Accounting Officer must be satisfied that they are robust and ensure that (i) the staffing levels are sustainable in the medium term; and (ii) the specific terms and conditions attaching to this sanction set out hereunder are complied with in full.

2. Pay Bill Expenditure Ceiling

The ceiling for pay bill expenditure in respect of 2015-17 is as follows:

	2015	2016	2017
	Pay bill €m	Pay bill €m	Pay bill €m
Department / Vote Group	154.594	154.594*	154.594*

*(Pay Ceilings for 2016 and 2017 are the 2015 pay allocations less the €4.156m included for additional pay dates in 2015)

2.1 Variations in allocation

a) Reductions

Reductions in the allocation may occur where the Government decides to reduce allocations for budgetary reasons.

b) Increases

No increases in the allocations set out in Section 2 may occur except in very limited circumstances as approved by the Minister for Public Expenditure and Reform and agreed by Government in an Estimates / Budgetary context.

c) Overrun

Where the end-year pay bill is greater than the REV provision by virtue of actions taken under the delegated authority provided for by this sanction, delegated authority shall be withdrawn and the Moratorium / Employment Control Framework shall be re-instated. Also see Section 3.3 regarding reporting and compliance issues.

d) Reform Savings

Savings resulting from central reform measures such as shared services, will accrue in the first instance to the Exchequer <u>or</u> in certain limited cases the Department may be allowed, subject to Department of Public Expenditure and Reform approval, to use the net savings to fund new or expanded services, or to fund other exceptional measures.

e) Virement

The pay allocation may be vired between different pay sub-heads (i.e between admin pay and other programme pay) subject to the overall ceilings outlined in Section 2 and the prior approval of the Department of Public Expenditure and Reform.

General Conditions

2.1 Pay

The amount provided for the Department / Vote Group pay bill (i.e. salaries, wages and allowances in the relevant sub-heads where pay is allocated) is as set out in Section 2. The determination of rates of salary, wages and allowances will continue to be the responsibility of the Minister for Public Expenditure and Reform and sanction is subject to adherence to these rates, including the obligations on public service bodies with regard to remuneration under the FEMPI Acts, and all other relevant directives issued by the Department of Public Expenditure and Reform concerning pay and allowances.

Departments do not have sanction to deviate from any aspect of the relevant Department of Public Expenditure and Reform directives/circulars and must get the necessary sanction from the Department, including in cases where there may be uncertainty or ambiguity. The relevant circulars are set out at http://circulars.gov.ie/

3.2 Staffing

a) Conditions in relation to Appointments

In addition to compliance with the overall pay bill ceiling, sanction in relation to appointments, both regular and non-regular, is subject to adherence to all general directives concerning appointments or conditions of employment issued by the Department of Public Expenditure and Reform. Further detail is included in Appendix 2. The relevant circulars are set out at http://circulars.gov.ie/

b) Secondments

Secondment arrangements for a period not to exceed 5 years may be entered into on the basis of a supporting business case without reference to the Department of Public Expenditure and Reform, subject to adherence to the usual conditions concerning secondments. Arrangements for longer periods must receive the sanction of the Department of Public Expenditure and Reform.

c) Ministerial Appointments

The appointment of Ministerial Private and Constituency Office staff must be in accordance with the Guidelines on Staffing of Ministerial Offices issued by the Department of Public Expenditure and Reform.

d) Non-exchequer funded employees

Departments must pay particular attention in the employment of employees who are not funded by the Exchequer, for example those in regulatory agencies, but who have a public service pension liability.

e) Work Placement / JobBridge

Placements for the provision of work experience through JobBridge or other unpaid internships of less than one year duration do not require prior sanction of the Minister for Public Expenditure and Reform.

f) Exit Mechanisms including Voluntary Redundancy

Exit mechanisms, including Voluntary Redundancy, will be funded by Departments and are subject to a case-by-case sanction by the Department of Public Expenditure and Reform, with reference to business plans submitted and detailing alignment with workforce planning commitments, retirement rate, organisational restructuring, etc.

g) *Procedure for Filling of Posts under Delegated Sanction*

Where a post is to be filled, it is expected that Departments will:

- seek to fill at the lowest possible grade;
- ensure all appointments are at the minimum of the scale, unless explicit sanction is obtained from Department of Public Expenditure and Reform;
- consult with PAS to see if the post can be filled through redeployment; and
- where it is not possible to fill by redeployment the post may be filled using mobility arrangements, recruitment or promotion.
- Departments should be aware of the agreed actions in the Civil Service Renewal Plan, in particular those actions which relate to staffing and mobility.
- When filling vacant posts by way of promotion / recruitment, a Department must draw on panels established by the Public Appointment Service (PAS) in the first instance. In the event that a PAS panel is not in place the explicit consent of the Minister for Public Expenditure and Reform to recruit/promote must be sought. Even in the absence of open and interdepartmental panels for a particular grade, an excess of departmental appointments will create debts to the open and interdepartmental panels which may be taken into account in filling future vacancies.

3.3 Compliance / Reporting

Where the end-year Pay bill is greater than the REV provision, delegated authority shall be withdrawn and the Moratorium / Employment Control Framework shall be re-instated.

Departments will continue to submit to the Department of Public Expenditure and Reform the quarterly electronic returns of Staff Numbers, required by the 10th working day of the following quarter. In addition Departments will submit to Vote Sections, on a quarterly basis, an update of all the Tables at Appendix 1. The hard copy should be signed off by the Accounting Officers as being affordable within the annual pay bill ceiling.

The quarterly staffing levels and monthly expenditure returns will be closely monitored against the 1 January 2015 profile. Where there is evidence of significant upward movement in aggregate numbers, salaries, evidence of grade drift, or any other action

which will put pressure on the Department's ability to meet its pay bill in the medium term, the Department of Public Expenditure and Reform will put in place the necessary controls to minimise the risk to the Exchequer. The necessary controls may include re-instatement of the Moratorium and Employment Control Frameworks.

Departments will be required to comply with Workforce Planning requirements. Failure to comply will mean delegated authority shall be withdrawn and the moratorium will apply. The projected staffing structure in such plans should fall within the parameters of the pay bill.

4 Specific Conditions relating to the Department of Jobs, Enterprise and Innovation

Sanction also is subject to the implementation by your Department of control mechanisms designed to ensure that the State Bodies under the aegis of your Department comply with the pay and staffing numbers strategy. These mechanisms were set out in an e-mail dated 20 May 2015 to the DJEI Vote Section in this Department.

Yours sincerely

Judith Brady

Judith Brady
Principal Officer

10

RE: PAS Competition for ODCE Forensic Accountants
Tara Creaner
to:
Mary.Cullen@djei.ie
16/02/2017 14:37
Hide Details
From: Tara Creaner <tara.creaner@publicjobs.ie>
To: "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>,
History: This message has been replied to.

Thanks Mary.

Kind Regards,

Tara Creaner
Client Relations
T +353 1 858 7663
E tara.creaner@publicjobs.ie

Public Appointments Service
An ISeirbhís um Cheapacháin Phoibli
Chapter House, 26/30 Abbey Street Upper, Dublin 1, D01 C7W6

publicjobs.ie gradpublicjobs.ie stateboards.ie
Certified by NSAI for Excellence Through People 2015
Winner GradIreland Recruitment Awards - Best Graduate Recruitment Website 2015
Fairness & Impartiality Independence Value Customer Service Innovation Collaboration

From: Mary.Cullen@djei.ie [mailto:Mary.Cullen@djei.ie]
Sent: 16 February 2017 14:19
To: Tara Creaner
Cc: John.Hughes@djei.ie; Harry.Lester@djei.ie
Subject: PAS Competition for ODCE Forensic Accountants

Hi Tara

You have asked for another copy of our delegated staffing sanction and DPER approval for the contracts. Please see attached and email chain below

Regards

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466

---- Forwarded by Mary Cullen/enterp on 15/02/2017 14:1

From John Hughes/enterp
To mary.keaveney@publicjob.ie,
Cc Eamonn Balmer/enterp@ENTERP, Mary Cullen/enterp@ENTERP
Date 24/11/2015 16:07
Subject Fw: URGENT - Accountants

Mary,

please see email below from our colleagues in DPER who have confirmed that the "normal terms and conditions for the Professional Accountants Grade I will apply to the ODCE posts referred to" in my previous email. DPER have also confirmed that it is current Government policy that successful candidates be placed at the minimum of the scale and this should be outlined clearly in the advertisement booklet. The DPER website that contains the relevant salary scale is https://civilservicepayscales.per.gov.ie/

I hope this enables the placing of the advertisement this week and would be grateful for confirmation of same

Regards,

John,
24/11

p.s. the website data is as follows:

	Grade Code	Salary Plan	Hrms	Grade Name	Date Effective	Headcount	W/A	Nature of Adjustment
	82060(2)	AP	P02	PROFESSIONAL ACCOUNTANT GR I - PPC	01 Nov 2013	23	Annual	Clause 2.31 of HRA

		€61,698.00	€65,000.00	€65,000.00	€66,742.00	€68,707.00	€70,688.00	€72,826.00
		€74,956.00	€77,556.00	€80,140.00			
		NMAX	LS11	LS12			

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

----- Forwarded by John Hughes/entemp on 24/11/2015 16.04 -----

From: Fearghal O hAodha <Fearghal.OhAodha@per.gov.ie>
To: "john.hughes@djei.ie" <john.hughes@djei.ie>, Sue Blood <Sue.Blood@per.gov.ie>,
Date: 24/11/2015 16.02
Subject: RE: URGENT - Accountants

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Sent: 24 November 2015 10:25
To: Sue Blood; Fearghal O hAodha
Cc: Marie Ralph
Subject: URGENT - Accountants

Sue/Marie

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If I had this information today, we could ensure the advertisement is placed this week.

Many thanks,

John,
24/11.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

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Tá an ríomhphost seo agus aon chomhad a chuirtear ar aghaidh leis, rúnda, agus tá sé beartaithe gur d'úsáid an duine aonair nó an aonáin amháin ar cuireadh chucu é, a tá sé. Munar tú an duine a ba chóir an ríomhphost seo, nó aon chuid de, a fháil, níor chóir duit aon chuid de a nochtadh, a chóipeáil nó a dháileadh. Déan teagmháil leis an té a chuir chugat é agus inis dó/di go bhfuair tú é trí thimpiste. Ba chóir d'éinne a tá ag déanamh idirghníomhaíochta trí ríomhphost caighdeánach a thuiscint go bhfuil príobháideachas i gceist agus tú ag seachadadh faisnéise pearsanta nó logáin leis an teicneolaíocht seo (mar nach modh iomlán slán a tá ann chun sonraí a chur ar aghaidh). Mar sin, ná cuir sonraí pearsanta no logáin trí ríomhphost chuig an oifig seo.
Deimhníonn an fónóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

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12

DJEI Professional Accountant with tax experience
Mary Cullen to: Niamh Santry 22/02/2017 16:38
Cc: Harry Lester, John Hughes, michelle.noone

Hi Niamh

Just for your records re our original request requirements (as discussed at the meeting this week).

Regards

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466
----- Forwarded by Mary Cullen/entemp on 22/02/2017 16:35 -----

From: Michelle Noone <michelle.noone@publicjobs.ie>
To: "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>,
Date: 07/10/2016 17:06
Subject: Re: Post meeting actions

Thanks Mary.

On 7 Oct 2016, at 12:35, "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie> wrote:

Michelle

Regarding the Professional Accountant Grade 1 (tax) listed below, the following would be useful:

- Business and enterprise experience
- An understanding of business and enterprise policy
- Accountant with finance and tax expertise and experience of working on enterprise tax structure and policy matters.

Regards.

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2

D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466

From: Michelle Noone <michelle.noone@publicjobs.ie>
To: "Harry.Lester@djei.ie" <Harry.Lester@djei.ie>,
Cc: "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>, "John.Hughes@djei.ie" <John.Hughes@djei.ie>
Date: 06/10/2016 15:10
Subject: Re: Post meeting actions

Harry,

Many thanks for this.

I have been off site the last few days but am meeting Tara in the morning to review everything so will revert then.

Thanks,

Michelle

On 6 Oct 2016, at 11:15, "Harry.Lester@djei.ie" <Harry.Lester@djei.ie> wrote:

Hi Michelle,

It was good to meet on Monday and update ourselves on where we are on recruitment priorities. See below the actions I took from the meeting, some of which are completed with forms attached. I will follow up in early course on the ones that are still to be progressed.

- Skills requirements for HEO's requested: Mary Cullen has followed up with Tara separately on this.
- The CO listed for Kilkenny - is not required at present
- Additional 2 CO's required for Carlow SEE FORM BELOW
- Additional 4 EO's for Dublin SEE FORM BELOW
- Additional 1 HEO for Dublin SEE FORM BELOW
- Professional Accountant Grade 1 (tax) for Dublin SEE FORM BELOW. Further details of requirements to follow

~~***NB: please see attached a Form requesting two additional CO's for Carlow (which***~~
brings the total outstanding to five), 4 Additional EO's fr Dublin, 1 additional HEO for Dublin and 1 Professional Accountant Grade 1 (with tax skills) for Dublin

- HEO ICT required for assignment to ODCE. DJEI to confirm whether the role (grade) has changed for this. In the interim, continue as discussed. PENDING WITH DJEI
- DJEI to revert on Compliance manager (PO) requirement for assignment to

ODCE. PENDING WITH PAS

- Forensic Accountants - PAS to provide an update on this PENDING WITH PAS
- Copy of delegated sanction letter (in respect of Deputy Chair of Labour Court) - Delegated Sanction does not cover this post. Sanction was instead requested from PER and we are awaiting a response. When we receive it we will forward it on so that competition can be progressed. PAS to confirm whether the copy of the delegated sanction letter is still required (perhaps for something else)? PENDING WITH DJEI AND PAS
- Sanction for NSAI CEO and PAS Booklet - Both are being progressed and will be sent to PAS soon PENDING WITH DJEI
- Form required for StateBoards re HSA vacancy. I have sent this onto the liaison unit to complete and will return to you as soon as it is returned. PENDING WITH DJEI
- Head of IAU PO - DJEI to revert on where to recruit from - PENDING WITH DJEI

Next meeting - 7 November - 3.30pm

Regards,

Harry Lester
Department of Jobs, Enterprise and Innovation
HR Unit
Kildare St
Dublin 2
Direct Dial : 01 631 2244
E-mail: harry.lester@djei.ie
<Request form sent 2CO (Carlow), 4EO, 1HEO, 1PA.docx>

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chóir duit aon chuid de a nochtadh, a chóipeáil nó a dháileadh. Déan teagmháil leis an té a chuir chugat é agus inis dó/di go bhfuair tú é trí thimpiste. Ba chóir d'éinne a tá ag déanamh idirghníomhaíochta trí ríomhphost caighdeánach a thuiscint go bhfuil priacail i gceist agus tú ag seachadadh faisnéise pearsanta nó íogair leis an teicneolaíocht seo (mar nach modh iomlán slán a tá ann chun sonraí a chur ar aghaidh). Mar sin, ná cuir sonraí pearsanta no íogair trí ríomhphost chuig an oifig seo. Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

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Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

****
****

12

RE: DJEI Professional Accountant with tax experience
Niamh Santry
to:
Mary.Cullen@djei.ie
22/02/2017 16:44
Hide Details
From: Niamh Santry <niamh.santry@publicjobs.ie>
To: "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>,
History: This message has been replied to.

1 Attachment

20170119 - Forensic Accountant Job Spec.docx

Hi Mary,

I was looking into this and not sure is it just a bit of confusion over the title – Tara seems to think this is the Forensic Accountant role that was on the OVR, booklet attached. Is it this role?

Thanks a mill,

Niamh

From: Mary.Cullen@djei.ie [mailto:Mary.Cullen@djei.ie]
Sent: 22 February 2017 16:38
To: Niamh Santry
Cc: Harry.Lester@djei.ie; John.Hughes@djei.ie; Michelle Noone
Subject: DJEI Professional Accountant with tax experience

Hi Niamh

Just for your records re our original request requirements (as discussed at the meeting this week).

Regards

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466

--- Forwarded by Mary Cullen/entomp on 22/02/2017 16:35 ---

From: Michelle Noone <michelle.noone@publicjobs.ie>
To: "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>,
Date: 07/10/2016 17:08
Subject: Re: Post meeting actions

Thanks Mary.

On 7 Oct 2016, at 12:35, "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie> wrote:

Michelle

Regarding the Professional Accountant Grade 1 (tax) listed below, the following would be useful:

- Business and enterprise experience
- ~~An understanding of business and enterprise policy~~
- Accountant with finance and tax expertise and experience of working on enterprise tax structure and policy matters.

Regards.

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
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Kildare Street, Dublin 2
D02 TD30

email: mary.cullen@djei.ie
Tel: 01-6312466

From: Michelle Noone <michelle.noone@publicjobs.ie>
To: "Harry.Lester@djei.ie" <Harry.Lester@djei.ie>,
Cc: "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>, "John.Hughes@djei.ie" <John.Hughes@djei.ie>
Date: 06/10/2016 15:10
Subject: Re: Post meeting actions

Harry,

Many thanks for this.

I have been off site the last few days but am meeting Tara in the morning to review everything so will revert then.

Thanks,

Michelle

On 6 Oct 2016, at 11:15, "Harry.Lester@djei.ie" <Harry.Lester@djei.ie> wrote:

Hi Michelle,

It was good to meet on Monday and update ourselves on where we are on recruitment priorities. See below the actions I took from the meeting, some of which are completed with forms attached. I will follow up in early course on the ones that are still to be progressed.

- Skills requirements for HEO's requested: Mary Cullen has followed up with Tara separately on this.
- [redacted]
- A[redacted]
- Additional 4 EO's for Dublin SEE FORM BELOW
- Additional 1 HEO for Dublin SEE FORM BELOW
- Professional Accountant Grade 1 (tax) for Dublin SEE FORM BELOW. Further details of requirements to follow

NB. please see attached a Form requesting [redacted] ***Additional EO's fr Dublin, 1 additional HEO for Dublin and 1 Professional Accountant Grade 1 (with tax skills) for Dublin***

- HEO ICT required for assignment to ODCE. DJEI to confirm whether the role (grade) has changed for this. In the interim, continue as discussed. PENDING WITH DJEI
- DJEI to revert on Compliance manager (PO) requirement for assignment to ODCE. PENDING WITH PAS
- Forensic Accountants - PAS to provide an update on this PENDING WITH PAS
- [redacted]
- [redacted] PENDING WITH DJEI
- [redacted] PENDING WITH DJEI
- [redacted] - PENDING WITH DJEI

Next meeting - 7 November - 3.30pm

Regards,

Harry Lester
Department of Jobs, Enterprise and Innovation
HR Unit
Kildare St
Dublin 2
Direct Dial : 01 631 2244
E-mail: harry.lester@djei.ie
<Request form sent [redacted] 4EO, 1HEO, 1PA.docx>

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****

FORM A

Request form for PAS to run a competition to fill a vacancy

Client / Department	Department of Jobs, Enterprise and Innovation – Office of the Director of Corporate Enforcement (ODCE)
Position	Forensic Accountant
Grade equivalent	Professional Accountant Grade 1
Location of post	Dublin
Civil or Public Service	Civil Service
Permanent or fixed term	Permanent
Number of vacancies	2
Open/Confined/Inter Departmental	Open
Preferred timeframe for filling the vacancy	Immediate Priority
Is this a new or previously advertised role	Previously advertised December 2015
Is PAS assisting in developing/finalising the job spec required	See previous competition booklet attached
Key criteria /specialist skills needed	**Essential:** Candidates must: 1. have full membership of a prescribed accountancy body supervised by the Irish Auditing and Supervising Auditing Authority (IAASA) **and** 2. have significant post qualification experience at a suitably senior level in audit, forensics, insolvency and/or in another area of relevance to the role; 3. be flexible, results-focussed and have the ability to work under pressure in a complex, legal, technical and regulatory environment; 4. be capable of operating effectively on their own initiative; 5. be capable of demonstrating the capacity to analyse and assimilate large volumes of complex material and to identify quickly the key issues; 6. have an appreciation of the requirements for working effectively in a multi-disciplinary environment, including the flexibility and mobility to work effectively with all other relevant colleagues and stakeholders across sectoral, organisational and professional boundaries 7. possess strong project management skills; 8. have demonstrated a strong track record in the exercise of sound professional judgement; 9. possess the capacity to operate effectively and credibly at senior levels, both within the organisation and externally; 10. possess excellent communications and

	interpersonal skills; 11. be technically proficient to a high level in one or more areas of relevance to the role; 12. be capable of demonstrating an appreciation of the ODCE and its position and role within the wider functions of the Department and the environment in which it operates and have a strong commitment to serving the public interest. **Desirable** additional qualifications of relevance (for example, in the area of forensics).
Are there requirements for executive search or additional advertising in specialist media – outside of the normal Irish Times	
Is sanction required? (If so, please attach a copy with this form)	DJEI has delegated staffing sanction from DPER – copy of letter previously supplied
Are the terms and conditions and salary scale for this role agreed and approved	See previous competition booklet
Any other comments	Previous competition failed to generate sufficient qualified candidates to fill available posts. 5 posts were filled, 2 left unfilled. DJEI and PAS have been liaising since then to fill the 2 vacancies.
Date of request	18/1/2017
Name and contact of requester	Mary Cullen DJEI HR Unit.

Please note that completion of this form does not guarantee that PAS can run this competition, or that we can run it within your desired timeframes.

Please complete as much of this form as possible and submit it to the CRM mailbox where a member of the team will be in contact with you regarding the planning of the campaign.

You should note that PAS will not be in the position to schedule a campaign until a high quality job description, confirmation of sanction and agreed terms & conditions are received. PAS can assist in the development of job descriptions and specifications where required but this work will need to be considered in the timeframe with final documentation being agreed at least 2 weeks in advance of advertising.

13

RE: DJEI Professional Accountant with tax experience
Mary Cullen to: Niamh Santry 22/02/2017 16:51
Cc: John Hughes, Harry Lester

Hi Niamh

The forensic accountant was initiated to fill specific posts in the ODCE (see key criteria - item 12). The tax specialisation relates to a separate area of the Department. That's not to say we wouldn't consider an appropriate candidate from the forensic applications for the tax area, but from my memory the forensic panel didn't generate enough successful candidates to fill the forensic posts let alone any others.

We are happy to discuss further if need be.

Regards

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466

Niamh Santry Hi Mary, I was looking into this and not sure is... 22/02/2017 16:44:35

From: Niamh Santry <niamh.santry@publicjobs.ie>
To: "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>,
Date: 22/02/2017 16:44
Subject: RE: DJEI Professional Accountant with tax experience

Hi Mary,

I was looking into this and not sure is it just a bit of confusion over the title – Tara seems to think this is the Forensic Accountant role that was on the OVR, booklet attached. Is it this role?

Thanks a mill,

Niamh

From: Mary.Cullen@djei.ie [mailto:Mary.Cullen@djei.ie]
Sent: 22 February 2017 16:38
To: Niamh Santry
Cc: Harry.Lester@djei.ie; John.Hughes@djei.ie; Michelle Noone
Subject: DJEI Professional Accountant with tax experience

HI Niamh

Just for your records re our original request requirements (as discussed at the meeting this week).

Regards

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466

----- Forwarded by Mary Cullen/entemp on 22/02/2017 16:35 -----

From: Michelle Noone <michelle.noone@publicjobs.ie>
To: "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>,
Date: 07/10/2016 17:06
Subject: Re: Posl meeting actions

Thanks Mary.

On 7 Oct 2016, at 12:35, "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie> wrote:

Michelle

Regarding the Professional Accountant Grade 1 (tax) listed below, the following would be useful:

- Business and enterprise experience
- An understanding of business and enterprise policy
- Accountant with finance and tax expertise and experience of working on enterprise tax structure and policy matters.

Regards.

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466

From: Michelle Noone <michelle.noone@publicjobs.ie>
To: "Harry.Lester@djei.ie" <Harry.Lester@djei.ie>,
Cc: "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>, "John.Hughes@djei.ie" <John.Hughes@djei.ie>
Date: 06/10/2016 15:10
Subject: Re: Post meeting actions

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Michelle

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- Forensic Accountants - PAS to provide an update on this PENDING WITH PAS
- [redacted] PENDING WITH DJEI AND PAS
- [redacted] Both are being progressed and will be sent to PAS

soon PENDING WITH DJEI

- [redacted] PENDING WITH DJEI
- [redacted] - PENDING WITH DJEI

Next meeting - 7 November - 3.30pm

Regards,

Harry Lester
Department of Jobs, Enterprise and Innovation
HR Unit
Kildare St
Dublin 2
Direct Dial : 01 631 2244
E-mail: harry.lester@djei.ie
<Request form sent 2CO (Carlow), 4EO, 1HEO, 1PA.docx>

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20170119 - Forensic Accountant Job Spec.docx

14

RE: DJEI Professional Accountant with tax experience
Niamh Santry
to:
Mary.Cullen@djei.ie
22/02/2017 17:00
Hide Details
From: Niamh Santry <niamh.santry@publicjobs.ie>
To: "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>,
History: This message has been forwarded.

No problem at all Mary, that was Tara's interpretation so I just wanted to double-check with you; I figured yourself and John and Harry would have realised if it was that role. I will pass this on to CRM and have the relevant role reinstated.

Talk to you soon,

Niamh

From: Mary.Cullen@djei.ie [mailto:Mary.Cullen@djei.ie]
Sent: 22 February 2017 16:52
To: Niamh Santry
Cc: John.Hughes@djei.ie; Harry.Lester@djei.ie
Subject: RE: DJEI Professional Accountant with tax experience

Hi Niamh

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- Additional 1 HEO for Dublin SEE FORM BELOW
- Professional Accountant Grade 1 (tax) for Dublin SEE FORM BELOW. Further details of requirements to follow

NB. please see attached a Form requesting two additional CO's for Carlow (which brings the total outstanding to five), 4 Additional EO's fr Dublin, 1 additional HEO for Dublin and 1 Professional Accountant Grade 1 (with tax skills) for Dublin

- HEO ICT required for assignment to ODCE. DJEI to confirm whether the role (grade) has changed for this. In the interim, continue as discussed. PENDING WITH DJEI
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- [redacted] PENDING WITH DJEI
- [redacted] PENDING WITH DJEI
- Head of IAU PO - DJEI to revert on where to recruit from - PENDING WITH DJEI

Next meeting - 7 November - 3.30pm

Regards,

Harry Lester
Department of Jobs, Enterprise and Innovation
HR Unit
Kildare St
Dublin 2
Direct Dial : 01 631 2244
E-mail: harry.lester@djei.ie
<Request form sent 2CO (Carlow), 4EO, 1HEO, 1PA.docx>

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Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

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15

Fw: DJEI Professional Accountant with tax experience
Mary Cullen to: John Hughes, Harry Lester 22/02/2017 17:06

John / Harry

FYI.

Regards.

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466
----- Forwarded by Mary Cullen/entemp on 22/02/2017 17:05 -----

From: Niamh Santry <niamh.santry@publicjobs.ie>
To: "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>,
Date: 22/02/2017 17:00
Subject: RE: DJEI Professional Accountant with tax experience

No problem at all Mary, that was Tara's interpretation so I just wanted to double-check with you; I figured yourself and John and Harry would have realised if it was that role. I will pass this on to CRM and have the relevant role reinstated.

Talk to you soon,

Niamh

From: Mary.Cullen@djei.ie [mailto:Mary.Cullen@djei.ie]
Sent: 22 February 2017 16:52
To: Niamh Santry
Cc: John.Hughes@djei.ie; Harry.Lester@djei.ie
Subject: RE: DJEI Professional Accountant with tax experience

Hi Niamh

The forensic accountant was initiated to fill specific posts in the ODCE (see key criteria - item 12). The tax specialisation relates to a separate area of the Department. That's not to say we wouldn't consider an appropriate candidate from the forensic applications for the tax area, but from my memory the forensic panel didn't generate enough successful candidates to fill the forensic posts let alone any others.

We are happy to discuss further if need be.

Regards

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466

From: Niamh Santry <niamh.santry@publicjobs.ie>
To: "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>,
Date: 22/02/2017 16:44
Subject: RE: DJEI Professional Accountant with tax experience

Hi Mary,

I was looking into this and not sure is it just a bit of confusion over the title – Tara seems to think this is the Forensic Accountant role that was on the OVR, booklet attached. Is it this role?

Thanks a mill,

Niamh

From: Mary.Cullen@djei.ie [mailto:Mary.Cullen@djei.ie]
Sent: 22 February 2017 16:38
To: Niamh Santry
Cc: Harry.Lester@djei.ie; John.Hughes@djei.ie; Michelle Noone
Subject: DJEI Professional Accountant with tax experience

HI Niamh

Just for your records re our original request requirements (as discussed at the meeting this week).

Regards

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203

Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466

----- Forwarded by Mary Cullen/entemp on 22/02/2017 16:35 -----

From: Michelle Noone <michelle.noone@publicjobs.ie>
To: "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>,
Date: 07/10/2016 17:06
Subject: Re: Post meeting actions

Thanks Mary.

On 7 Oct 2016, at 12:35, "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie> wrote:

Michelle

Regarding the Professional Accountant Grade 1 (tax) listed below, the following would be useful:

- Business and enterprise experience
- An understanding of business and enterprise policy
- Accountant with finance and tax expertise and experience of working on enterprise tax structure and policy matters.

Regards.

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466

From: Michelle Noone <michelle.noone@publicjobs.ie>
To: "Harry.Lester@djei.ie" <Harry.Lester@djei.ie>,
Cc: "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>, "John.Hughes@djei.ie" <John.Hughes@djei.ie>
Date: 06/10/2016 15:10
Subject: Re: Post meeting actions

Harry,

Many thanks for this.

I have been off site the last few days but am meeting Tara in the morning to review everything so will revert then.

Thanks,

Michelle

On 6 Oct 2016, at 11:15, "Harry.Lester@djei.ie" <Harry.Lester@djei.ie> wrote:

Hi Michelle,

It was good to meet on Monday and update ourselves on where we are on recruitment priorities. See below the actions I took from the meeting, some of which are completed with forms attached. I will follow up in early course on the ones that are still to be progressed.

- Skills requirements for HEO's requested: Mary Cullen has followed up with Tara separately on this.
- The [redacted] is not required at present
- Additional [redacted] SEE FORM BELOW
- Additional 4 EO's for Dublin SEE FORM BELOW
- Additional 1 HEO for Dublin SEE FORM BELOW
- Professional Accountant Grade 1 (tax) for Dublin SEE FORM BELOW. Further details of requirements to follow

NB. please see attached a Form requesting two additional CO's for Carlow (which brings the total outstanding to five), 4 Additional EO's fr Dublin, 1 additional HEO for Dublin and 1 Professional Accountant Grade 1 (with tax skills) for Dublin

- HEO ICT required for assignment to ODCE. DJEI to confirm whether the role (grade) has changed for this. In the interim, continue as discussed. PENDING WITH DJEI
- DJEI to revert on Compliance manager (PO) requirement for assignment to ODCE. PENDING WITH PAS
- Forensic Accountants - PAS to provide an update on this PENDING WITH PAS
- [redacted] PENDING WITH DJEI AND PAS
- [redacted] PENDING WITH DJEI
- [redacted] PENDING WITH DJEI
- [redacted] PENDING WITH DJEI

Next meeting - 7 November - 3.30pm

Regards,

Harry Lester
Department of Jobs, Enterprise and Innovation

HR Unit
Kildare St
Dublin 2
Direct Dial : 01 631 2244
E-mail: harry.lester@djei.ie
<Request form sent[redacted], 4EO, 1HEO, 1PA.docx>

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16

Forensic Accountant (Professional Accountant Grade 1) ODCE
Niamh Santry to: Mary.Cullen@djei.ie 06/03/2017 12:17
Cc: "Harry.Lester@djei.ie"

3 attachments

image001.png image002.png image003.png

Hi Mary,

Just wondering if you have decided if you want the above advertised in the Sunday Independent as per last time or just in the Irish Times as per the form received?

Thanks,

Niamh

Niamh Santry
Executive Search
T +353 1 858 7436

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Chapter House, 26/30 Abbey Street Upper, Dublin 1, D01 C7W5

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ag seachadadh faisnéise pearsanta nó íogair leis an teicneolaíocht seo (mar nach modh iomlán slán a tá ann chun sonraí a chur ar aghaidh). Mar sin, ná cuir sonraí pearsanta no íogair trí ríomhphost chuig an oifig seo.
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27

Fw: Forensic Accountant (Professional Accountant Grade 1) ODCE
Harry Lester to: Mary Cullen 07/03/2017 14:53

Mary,

What is the usual practice in this regard (see below)?

Regards,

Harry Lester
Department of Jobs, Enterprise and Innovation
HR Unit
Kildare St
Dublin 2
Direct Dial : 01 631 2244
E-mail: harry.lester@djei.ie
----- Forwarded by Harry Lester/entemp on 07/03/2017 14:53 -----

From: Victoria Farrington <victoria.farrington@publicjobs.ie>
To: "Harry.Lester@djei.ie" <Harry.Lester@djei.ie>,
Date: 07/03/2017 10:49
Subject: FW: Forensic Accountant (Professional Accountant Grade 1) ODCE

Hi Harry

Do you require the Forensic Accountant (Professional Accountant Grade 1) for the ODCE to be advertised in the Sunday Independent?

Many thanks in advance,
Victoria

Kind Regards
Victoria Farrington

Client Relations Team
T +353 1 858 7451
E victoria.farrington@publicjobs.ie

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Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

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18

ODCE Accountant Advertisement
Mary Cullen to: John Hughes 07/03/2017 15:03

John

Proposed advertisement for the above. Okay to issue for 2 accountants?

Regards

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466
---- Forwarded by Mary Cullen/enlemp on 07/03/2017 15:01 ----

From: Marese Phelan <Marese.Phelan@publicjobs.ie>
To: "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>,
Date: 07/03/2017 14:51
Subject:

Hi Mary

I am attaching the proof of the advert for your approval.

Can you confirm that you have 2 vacancies. If you have I will change the wording in the 2nd paragraph from a"a vacancy" to "vacancies".

Our Marketing Unit needs clearance by 4.00p.so I would appreciate if you could come back to me by that time.

Kind regards

Marese

Marese Phelan
Professional and Technical Unit 1
T +353 1 858 7437

Public Appointments Service
An tSeirbhis um Cheapacháin Phoibli
Chapter House, 26/30 Abbey Street Upper, Dublin 1, D01 C7W6

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image001.png image002.png image003.png MARCH 10 PROOF.pdf

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Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

****
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An tSeirbhís um Cheapachán Phoiblí
Public Appointments Service

Department of Communications, Climate Action & Environment

Head of Communications

The Department of Communications, Climate Action and Environment plays a key strategic role in Ireland's long-term economic and social development by creating and implementing policies to protect and manage Ireland's energy supply, natural resources, communications, broadcasting and postal services. It has responsibility for charting the future development of key elements of Ireland's strategic economic infrastructure as well as oversight of essential utilities and ensuring the appropriate harnessing of the country's natural resources.

Reporting to the Secretary General, the Head of Communications is a senior management position with responsibility for leading on the development and implementation of policy in the digital sector. S/he will also be responsible for the strategic oversight of major public procurement processes and the implementation of relevant legislative requirements.

The successful candidate will have:

- a proven track record in programme management, regulatory, stakeholder engagement, procurement and financial management roles to lead the Department's Communications functions;
- a proven high level of public policy analysis and development skills and a demonstrated ability to lead the transition from policy to active delivery of change;
- political awareness and sound judgment in dealing with both policy and operational issues and the ability to operate effectively within the EU and international arena;
- excellent interpersonal and communications skills with an ability to build effective relationships internally and externally at a senior level with key state agencies, commercial organisations and other stakeholders;

This is a Top Level Appointments committee (TLAC) position.

For a confidential discussion, contact Sandra Cairns on +353 1 8587455 or email sandra.cairns@publicjobs.ie

Oifig um Sholathar Rialtais
Office of Government Procurement

The Office of Government Procurement (OGP) is a dynamic, newly-formed civil service organisation established by the Government in 2014 as part of the Department of Public Expenditure and Reform. It is charged with leading the procurement reform programme and centralising procurement across the public service.

The construction procurement policy unit of the OGP has responsibility for all policy aspects associated with the procurement of works contractors and construction related service providers. The unit chairs and provides a secretariat to the Government Contracts Committee for Construction, the forum for policy formation in relation to public works contracts and tendering procedures.

The OGP intends to fill the following vacancies based in the construction procurement policy unit in Dublin:

Quantity Surveyor (1 post)

Technical Advisor - Construction Procurement (1 post)

Technical Advisor - Construction Contracts (1 post)

As well as holding the relevant required essential qualifications for each post, successful candidates will have significant project experience post final degree qualification, to include substantial experience in project procurement and a good working knowledge of the Capital Works Management Framework.

comhairle chontae na mí
meath county council

Chief Fire Officer

The Chief Fire Officer is responsible for the management and administration of Meath County Council's Fire and Emergency Service. The Chief Fire Officer's duties include strategic planning and the implementation of any associated change requirements throughout the Fire and Emergency Services. S/he may also be assigned responsibility for the management of Civil Defence, Building Control or any other relevant functions at the discretion of the Chief Executive.

The successful candidate will hold a Level 8 qualification on the National Framework of Qualifications in a relevant discipline or an equivalent professional qualification and will have at least eight years' relevant experience, including experience in fire service operations and major emergency management.

Oifig an Ard-Aigíne
THE OFFICE OF THE ATTORNEY GENERAL
GOVERNMENT OF IRELAND

Advisory Counsel Grade 1

The Attorney General is the advisor to the Government in matters of law and legal opinion and provides the State with drafting and legislation services.

The role of the Advisory Counsel is to assist and advise the Attorney General in carrying out her role as the advisor to the Government. The range of subjects covered is broad, but the activities themselves fall broadly into the provision of advice, the direction of litigation and legal advice in the provision of a drafting service to Government Departments.

Applicants must have been called to the Bar, or have been admitted and been enrolled as a solicitor in the State, and have practised as a barrister or solicitor in the State for at least eight years. Excellent analytical abilities, sound judgement, commitment and attention to detail are essential. The successful candidate must also have excellent leadership, communication and interpersonal skills, including the ability to network effectively and to influence others.

This is a Top Level Appointments Committee (TLAC) position.

For a confidential discussion, contact Catherine Dobbins on 8587516 or email Catherine.dobbins@publicjobs.ie.

Oifig an Stiúrthóra um Fhorfheidhmiú Corparáideach
Office of the Director of Corporate Enforcement

Forensic Accountants (Professional Accountant Grade I)

The mission of the Office of the Director of Corporate Enforcement is to improve compliance in company law in the Irish environment and to bring to account those who disregard the law.

The Office of the Director of Corporate Enforcement has a vacancy for Forensic Accountants (Professional Accountant Grade I). They will be responsible for managing a portfolio of cases, critically and forensically analysing financial information/evidence and preparing case files in contemplation of civil and/or legal proceedings.

The successful candidate will have full membership of a prescribed accountancy body supervised by the Irish Auditing and Accounting Supervisory Authority and will have significant post qualification experience at a senior level in audit, forensics, insolvency or another area relevant to the role. In addition s/he will be flexible, results focussed and have the ability to work under pressure in a complex legal, technical and regulatory environment.

The closing date for receipt of applications is 5.00pm on Thursday 30th March 2017

For more information and how to apply, visit www.publicjobs.ie

We are committed to a policy of equal opportunity and encourage applications under all nine grounds of the Employment Equality Act.

Cuirfear fáilte roimh iarratais i nGaeilge

19

Re: ODCE Accountant Advertisement
John Hughes to: Mary Cullen 07/03/2017 15:40

Run past Ian Drennan pl.

John Hughes,
Principal,
HR, Learning & Development and Business Services Units,
Department of Jobs, Enterprise, and Innovation,
Kildare Street,
Dublin 2.
D02 TD30
Phone - 01-6312246

Mary Cullen John Proposed advertisement for the above.... 07/03/2017 15:03:33

From: Mary Cullen/entemp
To: John Hughes/entemp@ENTEMP,
Date: 07/03/2017 15:03
Subject: ODCE Accountant Advertisement

John

Proposed advertisement for the above. Okay to issue for 2 accountants?

Regards

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466
----- Forwarded by Mary Cullen/entemp on 07/03/2017 15:01 -----

From: Marese Phelan <Marese.Phelan@publicjobs.ie>
To: "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>,
Date: 07/03/2017 14:51
Subject:

Hi Mary

I am attaching the proof of the advert for your approval.

Can you confirm that you have 2 vacancies. If you have I will change the wording in the 2nd paragraph from a"a vacancy" to "vacancies".

Our Marketing Unit needs clearance by 4.00p.so I would appreciate if you could come back to me by that time.

Kind regards

Marese

Marese Phelan
Professional and Technical Unit 1
T +353 1 858 7437

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[attachment "image001.png" deleted by John Hughes/entemp] [attachment "image002.png" deleted by John Hughes/entemp] [attachment "image003.png" deleted by John Hughes/entemp] [attachment "MARCH 10 PROOF.pdf" deleted by John Hughes/entemp]
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Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

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20.

Fw: ODCE Accountant Advertisement
Mary Cullen to: Ian Drennan 07/03/2017 15:43

Ian

Please see final check from PAS that the advertisement is okay to run?

Regards.

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466
---- Forwarded by Mary Cullen/entemp on 07/03/2017 15:42 ----

From: Mary Cullen/entemp
To: John Hughes/entemp@ENTEMP,
Date: 07/03/2017 15:03
Subject: ODCE Accountant Advertisement

John

Proposed advertisement for the above. Okay to issue for 2 accountants?

Regards

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466
---- Forwarded by Mary Cullen/entemp on 07/03/2017 15:01 ----

From: Marese Phelan <Marese.Phelan@publicjobs.ie>
To: "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>,
Date: 07/03/2017 14:51
Subject:

Hi Mary

I am attaching the proof of the advert for your approval.

Can you confirm that you have 2 vacancies. If you have I will change the wording in the 2nd paragraph from a"a vacancy" to "vacancies".

Our Marketing Unit needs clearance by 4.00p.so I would appreciate if you could come back to me by that time.

Kind regards

Marese

Marese Phelan
Professional and Technical Unit 1
T +353 1 858 7437

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Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

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21

Fw: Sunday Independent
Mary Cullen to: Harry Lester

09/03/2017 10:31

Harry

Further question from PAS re the advertising...

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466
----- Forwarded by Mary Cullen/entemp on 09/03/2017 10:30 -----

From: Marese Phelan <Marese.Phelan@publicjobs.ie>
To: "Mary.Cullen@djei.ie" <Mary.Cullen@djei.ie>,
Date: 09/03/2017 10:23
Subject: FW: Sunday Independent

Hi Mary

Are ODEC willing to pay this cost?

Marese

Marese Phelan
Professional and Technical Unit 1
T +353 1 856 7437

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From: +Marketing Mailbox
Sent: 09 March 2017 09:56
To: Marese Phelan
Subject: Sunday Independent

Hi Marese,

The costing for the Forensic Accountant (ODCE) in the Sunday Independent is below. Is the client happy to proceed?

Sunday Independent 2,703.15

regards,
Olivia

Olivia McMahon
Marketing and Communications
T +353 1 858 7423

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Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

****
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22

Forensic Accountant OCDE
Anne Park
to:
mary.cullen@djei.ie
09/03/2017 10:04
Cc:
"john.hughes@djei.ie", Marese Phelan
Hide Details
From: Anne Park <Anne.Park@publicjobs.ie>
To: "mary.cullen@djei.ie" <mary.cullen@djei.ie>,
Cc: "john.hughes@djei.ie" <john.hughes@djei.ie>, Marese Phelan <Marese.Phelan@publicjobs.ie>

5 Attachments

Information Booklet.doc 1741501 Detailed.pdf

Hi Mary

Information Booklet and application form for Forensic Accountant attached for approval. Under structure and current resources on page 3 of the information booklet it states that the budget for 2015 is €5m Is there up to date information on this?

I would appreciate if you could come back to me by 1pm today in order for the documents to be finalised for publication on our website.

Kind regards
Anne Park
Professional and Technical Recruitment
T +353 1 858 7651

Public Appointments Service
An tSeirbhís um Cheapachán Phoiblí
Chapter House, 26/30 Abbey Street Upper, Dublin 1, D01 C7W5

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****

23

Fwd: Forensic Accountant OCDE
John Hughes to: Mary Cullen
Cc: Harry Lester

09/03/2017 10:09

History: This message has been forwarded.

2 attachments

Information Booklet.doc 1741501 Detailed.pdf

Mary,

Pl consult Ian and the Liaison Unit simultaneously. I'll endeavour to find a few minutes to review responses when brought together.

John,
9/3.

Begin forwarded message:

From: "Anne Park" <Anne.Park@publicjobs.ie>
To: "mary.cullen@djei.ie" <mary.cullen@djei.ie>
Cc: "john.hughes@djei.ie" <john.hughes@djei.ie>, "Marese Phelan " <Marese.Phelan@publicjobs.ie>
Subject: Forensic Accountant OCDE

Hi Mary

Information Booklet and application form for Forensic Accountant attached for approval. Under structure and current resources on page 3 of the information booklet, it states that the budget for 2015 is €5m. Is there up to date information on this?

I would appreciate if you could come back to me by 1pm today in order for the documents to be finalised for publication on our website.

Kind regards
Anne Park
Professional and Technical Recruitment
T +353 1 858 7651

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Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

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FW: Sunday Independent
Marese Phelan to: Mary.Cullen@djei.ie 09/03/2017 10:23

History: This message has been forwarded.

3 attachments

image001.png image002.png image003.png

Hi Mary

Are ODEC willing to pay this cost?

Marese

Marese Phelan
Professional and Technical Unit 1
T +353 1 858 7437

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From: +Marketing Mailbox
Sent: 09 March 2017 09:56
To: Marese Phelan
Subject: Sunday Independent

Hi Marese,

The costing for the Forensic Accountant (ODCE) in the Sunday Independent is below. Is the client happy to proceed?

Sunday Independent 2,703.15

regards,
Olivia

Olivia McMahon
Marketing and Communications
T +353 1 858 7423

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Deimhníonn an fonóta seo chomh maith gur scuabadh an ríomhphost seo chun víris ríomhaireachta a lorg.

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Fw: Forensic Accountant OCDE - PAS DRAFT
Mary Cullen To: Ian Drennan 09/03/2017 10:27
Cc: Joan Howley, Colm Forde, Harry Lester
Please respond by 09/03/2017

Ian

Please see attached query received this morning from PAS re the competition booklet / text update query.

Many thanks.

Mary Cullen
Recruitment Assignments and Pay Section
HR Unit
Room 203
Department of Jobs, Enterprise, and Innovation
Kildare Street, Dublin 2
D02 TD30
email: mary.cullen@djei.ie
Tel: 01-6312466

From: "Anne Park" <Anne.Park@publicjobs.ie>
To: "mary.cullen@djei.ie" <mary.cullen@djei.ie>
Cc: "john.hughes@djei.ie" <john.hughes@djei.ie>, "Marese Phelan " <Marese.Phelan@publicjobs.ie>
Subject: Forensic Accountant OCDE

Hi Mary

Information Booklet and application form for Forensic Accountant attached for approval. Under structure and current resources on page 3 of the information booklet, it states that the budget for 2015 is €5m. Is there up to date information on this?

I would appreciate if you could come back to me by 1pm today in order for the documents to be finalised for publication on our website.

Kind regards
Anne Park
Professional and Technical Recruitment
T +353 1 858 7651

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Information Booklet.doc

1741501 Detailed.pdf