



Appointment of a Chairperson and Ordinary Members to the Railway Safety Advisory Council

Closing Date: 15:00 on Tuesday 13th August 2019

**State Boards Division
Public Appointments Service
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stateboards.ie operates under the auspices of the Public Appointments Service and is committed to a policy of equal opportunity.

The Public Appointments Service (PAS), established under statute in 2004, provides an independent shared service in recruitment, assessment and selection to organisations across the Civil and Public Services. On 30 September 2014, the Government decided that the PAS should also be given responsibility for putting in place an open, accessible, rigorous and transparent system to support Ministers in making appointments to State Boards. Our dedicated website, www.stateboards.ie, is the channel through which the PAS advertises vacancies on State Boards. It is also the means through which accomplished, experienced and qualified people, including people who might not previously have been identified as available for appointment, can then apply to be considered for particular vacancies.

Membership of State Boards

High standards of corporate governance in all State Agencies, whether in the commercial or non-commercial sphere, are critical to ensuring a positive contribution to the State's overall social and economic development.

Members of State Boards are appointed to act on behalf of the citizen to oversee the running of the affairs of state bodies. State bodies must serve the interests of the taxpayer, pursue value for money in their endeavours (including managing risk appropriately), and act transparently as public entities. Members of State Boards, and the relevant management team, are accountable for the proper management of the organisation.

Board members should act on a fully informed basis, in good faith, with due diligence and care, and in the best interest of the State body, subject to the objectives set by Government. In that regard and in accordance with 13.2 of the Guidelines on Appointments to State Boards, "it is advisable that no member of a State Board should serve more than two full terms of appointment or should hold appointments to more than two State Boards."

The [Code of Practice for the Governance of State Bodies 2016](#) (the Code) provides a framework for the application of best practice in corporate governance by both commercial and non-commercial State bodies.

In order to be an effective contributor on a State Board it is recommended that members should:

- bring independent and objective scrutiny to the oversight of the organisation;
- be prepared to be challenging when necessary while being supportive to the delivery of organisational strategy and objectives;
- be equipped to offer considered advice on the basis of sound judgement and experience;
- be prepared to make a time commitment to their work commensurate with their role.

Appointment of Chairperson and Ordinary Members to the Railway Safety Advisory Council

Location:	Offices of the Commission for Railway Regulation, Blackrock, Co. Dublin
Number of Vacancies:	1 Chairperson 3 Ordinary Members
Remuneration:	Nil. Travel and subsistence are paid at the appropriate civil service rate.
Time Requirements:	There are approximately 2-3 half day meetings per annum. Time needed to read papers in advance of meetings can vary. Subcommittee involvement is occasional (e.g. at present there is a subcommittee on anti-social behaviour).

1. Background

The Railway Safety Advisory Council (RSAC) is an independent body established and operated under the provisions of Sections 82 and 83 of the Railway Safety Act 2005. Its primary function is to consider issues relevant to railway safety and to make recommendations, as appropriate, to the Minister or the Commission for Railway Regulation (CRR).

The current Council was reappointed in September for an interim period to the end of September 2019.

The Advisory Council comprises a chairperson and 13 ordinary members. Section 82(3) provides for specific interests to be represented on the Advisory Council.

Section 82(12) provides that the Advisory Council meets at least once a year. In practice, meetings have been held several times a year. Meetings are held at the offices of the Commission for Railway Regulation, Blackrock, Co. Dublin.

2. Functions of the Council

Section 82 of the Railway Safety Act 2005 provides for the appointment of the Railway Safety Advisory Council (RSAC). The Council's general function is to consider issues relevant to railway safety and to make recommendations as appropriate, to the Minister or to the Commission for Railway Regulation ('Commission').

Section 83 of the Railway Safety Act 2005 provides specifically that the Advisory Council may make recommendations-

- (a) to the Commission in relation to-
 - i. regulations, standards, guidelines and codes of practice that are in force in relation to railway safety,
 - ii. proposals for regulations, standards, guidelines or codes of practice in relation to railway safety submitted by the Commission to the Council for consideration,
 - iii. other matters relating to railway safety other than matters relating to industrial relations, and

- iv. any other matters related to the functions of the Commission or which the Commission submits to the Council for consideration,

(b) to the Minister in relation to-

- i. railway safety policy,
- ii. the adequacy of railway safety legislation which is in force,
- iii. proposals for legislation or regulations in relation to railway safety submitted by the Minister to the Council for consideration,
- iv. the assignment of specific functions relating to railway safety to the Commission,
- v. the nature and mix of expertise, skills and experience that is desirable in a candidate for appointment as a commissioner, and
- vi. any other matter which, in the opinion of the Council, is relevant to the effective performance by the Council or by the Commission of its functions or which the Minister submits to the Council for consideration.

Other relevant points

The Railway Safety Act 2005 also provides that the Commission may consult the Council on any matter relating to railway safety or to the effective performance by the Commission of its functions. Additionally, it provides that the Minister may consult with the Council on any matter arising in relation to his or her functions with respect to railway safety.

The current membership of the Council:-

Name	First Appointed	Reappointed	Expiry Date	Position type	Basis of appointment
Clifton Flewitt	01/10/2013	30/09/2018	30/03/2019	Ordinary Member	
Dermot O'Dwyer	15/06/2010	30/09/2018	30/03/2019	Board	Industry
Dervla Brophy	01/10/2013	30/09/2018	30/03/2019	Ordinary Member	
John Power	15/11/2010	30/09/2018	30/03/2019	Chairperson	
Kay Doyle	11/05/2007	30/09/2018	30/03/2019	Ordinary Member	
Paul Cullen	01/10/2013	30/09/2018	30/03/2019	Ordinary Member	
Pauline Walsh	15/06/2010	30/09/2018	30/09/2018	Ordinary Member	
Peter Rigney	11/05/2007	30/09/2019	30/03/2019	Ordinary Member	

Name	First Appointed	Reappointed	Expiry Date	Position type	Basis of appointment
Peter Tuohy	11/12/2017	30/09/2018	30/03/2019	Ordinary Member	
Redmond Morley	01/10/2013	30/09/2018	30/03/2019	Ordinary Member	
Sean Geoghegan	11/12/2017	30/09/2018	30/03/2019	Ordinary Member	

3. Person Specification

The Minister for Transport, Tourism and Sport invites applications from candidates who consider they possess the skills and experience necessary to fill four positions on the Railway Safety Advisory Council.

Chairperson

Candidate's attention is drawn to the general details of the role of Chairperson as set out on page 19 of the Code which can be found [here](#). The Principle states:-

- The Chairperson is responsible for leadership of the Council and ensuring its effectiveness on all aspects of its role.
- The Chairperson should display high standards of integrity and probity and set expectations regarding culture, values, and behaviours for the State body and for the tone of discussions at Council level.

Candidates for this role must demonstrate in their application evidence of at least one or more of the following at an appropriately senior level.

- Experience of facilitating agreement between diverse stakeholders
- Experience of public sector regulation
- Experience of the transport sector and/or rail sector
- Expertise with safety legislation and safety issues
- A career history which would demonstrate knowledge and understanding of how public services impact on the community and business interests

Desirable

- Knowledge of or expertise in the technological trends influencing the railway sector.
- Knowledge of the railway industry and/or the wider public transport sector.
- ensuring effective and informed decision making, full participation, evaluation, open discussion with diverse stakeholders;
- leading communications with senior stakeholders and ensuring there is appropriate and timely communication based on mutual understanding of objectives;
- empowering all members to challenge issues openly while preventing unnecessary or acrimonious conflict; and
- encouraging and managing vigorous debate while achieving closure on issues.

Statutory Requirements/excluded groups

In accordance with Section 82(3) of the Railway Safety Act 2005 the Minister shall appoint a person who has appropriate experience and expertise and is sufficiently independent from railway organisations and from persons representing the staff of railway undertakings and the Commission for Railway Regulation to be the chairperson of the Advisory Council.

Ordinary Member

(i) Public Interest

Candidates must demonstrate evidence at an appropriately senior level in the area of advocacy in relation to consumer protection and public interest issues and possesses a broad knowledge of public transport and rail, including the needs of public transport users.

(ii) Mobility-impaired persons' organisation

Candidate must currently be involved, or have experience of involvement, in an organisation representing the interests of mobility-impaired persons. Candidates must demonstrate evidence at an appropriately senior level of advocacy, particularly in relation to the interests of mobility-impaired persons and public interest issues.

(iii) Special interest or expertise

Candidates must demonstrate in their application evidence at an appropriately senior level of their knowledge or expertise in the emerging trends and technological innovations influencing the railway safety sector particularly in **at least one** the areas listed below:

- Railway technology and operations.
- Railway regulation, including safety regulation

Desirable for all roles

- Knowledge of or expertise in the technological trends influencing the railway sector.
- Knowledge of the railway industry and/or the wider public transport sector.

Conflict of Interest

In order to qualify for appointment a person must not have any legal impediment or conflict of interest likely to interfere with his/her ability to assume the role of a member of the Council. Please give careful consideration to the possibility of any potential conflict of interest that may exist and address this in your cover letter. The Assessment Panel may decide, based on the perceived level of conflict, not to forward your name for consideration.

4. Term of Appointment

Appointments to the Council will be for an initial period not exceeding 3 years with an option to extend the term of engagement for a second term, subject to:

- The membership of any member of the Council may be terminated by the Minister at any time, on the basis of reasons to be stated by the Minister.

- A member of the Council may resign his or her membership of the Council by notice in writing sent or given to the Minister, and the resignation shall take effect on the day on which the Minister receives the notice.
- Members of the Council shall, subject to the provisions of this Schedule, hold office upon such terms and conditions as the Minister may, with the consent of the Minister for Public Expenditure and Reform, from time to time determine.
- The roles and responsibilities of Board Members are described in the Revised Code of Practice for the Governance of State Bodies 2016 which is available on the website of the Department of Finance [Code of Practice for the Governance of State Bodies](#).
- A Council member shall cease to be a member of the Council if he or she is nominated as a member of Seanad Éireann, is elected as a member of either House of the Oireachtas or as a representative in the European Parliament, elected to the European Parliament, or becomes a member of a local authority.

5. Submitting your Application

Before submitting your expression of interest, please review the self-assessment questionnaire which can be found [here](#). This questionnaire is designed to help you in considering whether to submit an expression of interest - you are not required to submit the questionnaire as part of the application process.

Having considered the general suitability criteria for membership of the Council, you should consider carefully how your background and experience fits with the specific appointment criteria set out in the Person Specification section in this booklet.

Your submission should be made via the following link www.stateboards.ie together with your **Curriculum Vitae** and a **cover letter** (see Appendix 1 of this booklet for help with the online process).

IMPORTANT NOTE

Please take care when submitting your expression of interest. As the Assessment Panel will generally make its recommendation(s) based on consideration of the documentation which you submit, it is most important that you do the following:

1. *Ensure your Cover Letter (and supporting CV) clearly specifies how your particular background and experience meets the requirements of the Authority position(s) specified in this booklet, and*
2. *That you fully answer any supplementary questions which are presented to you as part of our online application process.*

This will help ensure that the Assessment Panel is as informed as possible as to the basis for your candidature and why you believe you are a person who could potentially be appointed to this Council. **Please only include information that is directly relevant to the particular role for which you are applying.**

If you have any questions regarding the application process please email info@stateboards.ie.

5. Assessment Process

An Assessment Panel (the “Panel”) will be convened by PAS to consider and assess the applications received by PAS. The Panel will:

- review and discuss the expressions of interest received against the specific appointment criteria for the role, as advertised in this Information Booklet;
- assess potential candidates further once they meet the specified appointment criteria by undertaking any or all of the following steps:
 - Consideration of the written applications; and/or
 - Meeting¹/conference call; and/or
 - Referee checks; and/or
 - Any other selection or verification method deemed appropriate (this may include PAS requiring statutory declarations from shortlisted applicants as to the bona fides of the qualifications and experience contained in their applications).
- arrive at a shortlist of the most suitably qualified candidates (based on the information provided by the candidate) to be sent forward for consideration by the Minister.

Please note that the Public Appointments Service will not be responsible for any expenses incurred by candidates as part of our selection process.

6. Confidentiality

Subject to the provisions of the Freedom of Information Acts, 2014, applications will be treated in strict confidence. All enquires, 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.

7. Data Protection

The Data Protection Act 2018 provides that the processing of personal data shall be lawful where such processing is necessary for the performance of a statutory function of a controller. PAS is mandated by statute under the Public Service Management (Recruitment and Appointments) Act, 2004 to act as the centralised assessment and selection body for the civil service and to carry out all the procedures necessary to undertake the recruitment, assessment and selection of suitable candidates for appointment. By submitting your personal data (including your name, address, contact details and details of your education and work history contained in your curriculum vitae and cover letter) via publicjobs.ie, you acknowledge that such data may be used by the Public Appointments Service and disclosed to and used by client departments, in connection with its statutory roles to assist and advise relevant Ministers in relation to appointments to the boards of State bodies. The information contained in your publicjobs profile is yours to manage, amend, update or delete as appropriate. For more detailed information on our Data Protection Policy, please see our [Code of Practice for the Protection of Personal Data in the Public Appointments Service](#).

¹ The Public Appointments Service will not be responsible for refunding any expenses incurred by candidates.

If your application is assessed and you are considered to be suitable for appointment your c.v. and cover letter (and any additional supplementary information requested as part of the application process), will be forwarded to the State Board Liaison Officer in the relevant Department. Once it obtains your personal data, the Department will act as data controller of such data and will retain it for up to one year following the appointment/s. Unless you request the withdrawal of your application such data may be used in considering your suitability for other similar vacancies/roles that arise for a period of up to one year for this Council.

APPENDIX 1

Submitting your application:

In order to submit your application, you should take the following steps:

1. Go to www.stateboards.ie.
2. On the bar at the top of the page click on "Available Appointments".
3. This brings you to a page with all our advertised vacancies. Select whichever position you would like to apply for (you are welcome to apply for more than one position if you wish).
4. On the relevant page please click on the "apply for position" button at the bottom of the page
5. This will bring you to a page on www.publicjobs.ie and, if you already have a publicjobs.ie account, will prompt you for your username and password. If you do not have an account, you will be asked to create one.
6. Once you input your details you will be brought to a page where there is a prompt in the middle of the page which says "apply here". Click on the link to the online application form beside it.
7. A form will appear on your screen, some of the text boxes will be populated with information from your publicjobs.ie profile (Name, address etc.). You will need to complete the rest of the fields and enter your name and the date at the bottom of the form.
8. If there is a supplementary question, ensure that your response complies with the word limit and that it does not contain any special characters (i.e. %, & etc.) or you may receive an error message and will be unable to submit your application.
9. Click on "continue".
10. You will then be brought to a screen where you should upload your CV and Cover Letter. These are required documents and your application cannot be processed without them. Once you have selected these and uploaded them, please click on the "submit" button at the bottom of the page.
11. You will receive an e-mail confirmation (to the address listed in your publicjobs.ie profile) to confirm that your application has been submitted.

You must confirm that you do not have any conflicts of interest or legal impediment which would be likely to interfere with your ability to play a full part on the Council. You must also confirm that you can make yourself available to attend meetings and to carry out the duties of Council member.