

**PROCESS AND PROCEDURES FOR
APPOINTMENT OF MEMBERS TO BOARDS OF STATE BODIES
UNDER THE AEGIS OF THE DEPARTMENT OF SOCIAL PROTECTION**

Background - Government Decision

The Government has decided that new arrangements will be put in place for the making of appointments to State boards and bodies. In future, Departments will invite expressions of interest on their websites for vacancies on the boards of bodies under their aegis. Ministers will not necessarily be confined to those who make expressions of interest, but will ensure all appointees have the relevant qualifications.

The Government has also decided that those who are being proposed for appointment as chairpersons of State boards will be required to make themselves available to the appropriate Oireachtas committee to discuss the approach they will take as chairperson and their views about the future contribution of the body or board in question. Following that discussion, decisions will be taken by the Minister or the Government, as appropriate, to confirm the nominee as chairperson.

The Government at its meeting of 3rd May 2011 agreed that Ministers, in placing on their Departments' websites invitations to express an interest in an appointment to a State body, would indicate the qualifications, skills and competences being sought through the appointments, as well as the need for gender balance, and would also indicate how those being nominated for appointment met these requirements.

It was also agreed that the statement of desired competencies and qualities to be included in the invitation for expressions of interest in membership of State Boards should not be so specific as to be off-putting for applicants or to restrict unduly the capacity to make appointments without giving rise to challenges to the decisions of the Minister or Government.

Appointments to State Boards under the Aegis of the Department

The statutory agencies under the aegis of the Department are the Citizens Information Board, Pensions Board, and Social Welfare Tribunal. Details on the legislative provisions regarding appointments to these boards are given below. It is intended that all future appointments will be in accordance with the Government decisions on appointments to State Boards.

These procedures will ensure that where vacancies arise all those who have a wish can express their interest; that these expressions of interest are gathered and managed in a manner that is consistent with recruitment practices across the public service; that there is an adherence to legislative requirements; that the Minister is provided with recommendations for filling of vacancies on the Boards; and that appointments are made in an open and fair way in line with the Government decision.

Process

Where a vacancy arises in an agency under the aegis of the Department the following process will apply:

- Information will be provided on www.welfare.ie and all those interested will be invited to submit expressions of interest.
- An online form will be provided for completion by candidates where they will provide contact details.
- Candidates can also provide a brief outline of their skills, competencies, and qualifications on the online form.
- In addition, the candidate must also set out clearly any actual or potential conflicts of interest that may arise were they to be appointed to a Board.
- The Department will acknowledge each submission.
- Application details will be securely stored and an initial review and assessment carried out.
- An appropriate selection committee will be convened which will review the short listed applications for suitability based on agreed selection criteria.
- Candidates may then be contacted for further details and where applicable an interview may be conducted.
- A list of recommended candidate(s) will be provided to the Minister.
- Where the proposed appointment is as chairperson, the appropriate Oireachtas committee will be informed.
- When an appointment is made by Minister this will be communicated on the Departments website at www.welfare.ie
- Details in relation to suitable candidates will remain on file for a period of one year should any further vacancies arise in that time period.
- The Minister reserves the right to seek further Expressions of Interest in that time period if it is determined that persons on file do not have the qualifications, skills and competences being sought on the Board or due to legislative changes to the function of the Board which might arise from time to time.

Citizens Information Board

The Citizens Information Board (CIB) is responsible for supporting the provision of information, advice and advocacy relating to social services and entitlements.

All appointments are made by the Minister and the legislative provisions governing board membership of the CIB are contained in the Comhairle Act 2000 and the Citizens Information Act 2007. The legislation provides that:

- The Board shall consist of 15 members;
- 1 member of the Board shall be designated as chairperson;
- The period of membership shall not exceed 5 years;
- The members of the Board shall include 1 officer of the Minister, 3 members representative of people with disabilities and 1 member of the staff of the Board;

- Not less than 6 members of the Board shall be female and not less than 6 shall be male.

The legislation also provides that a member of the board whose period of membership expires by the effluxion of time (passing of 5 year term) shall be eligible for re-appointment as a member of the board. The last appointment to the Board was made in December 2010.

The Pensions Board

The Pensions Board was established under the provisions of the Pensions Act, 1990 (as amended).

Section 9 of the Pensions Act 1990 as amended and the First Schedule to the Act, provides that the Board shall consist of a Chairman and 16 ordinary members, who shall be appointed to the Board by the Minister. Section 10 of the Pensions Act 1990 as amended and the First Schedule to the Act, provides that the term of office of the Chairman and the Board Members shall be for a period not exceeding 5 years.

The Pensions Board is a representative body and while all of its members are appointed by the Minister, the Pensions Act provides that of the 16 ordinary members, the Board must comprise representatives of;

- Trade Union Members,
- Employers,
- Occupational Pension Schemes,
- The Actuarial Profession,
- The Accounting Profession,
- The Legal Profession,
- Consumer Interests,
- Pensioner Interests,
- The Minister for Finance, and
- The Minister for Social Protection.

A new Board was appointed on 21st December 2010 for a period of five years. There is currently one vacancy on the Pensions Board.

Social Welfare Tribunal

The Social Welfare Tribunal is a statutory body set up in 1982 to deal with cases where entitlement to unemployment benefit or assistance is refused due to an involvement in a trade dispute.

The legislation governing the operation of the Social Welfare Tribunal is provided for in Sections 331 to 333 of the Social Welfare (Consolidation) Act, 2005.

The Tribunal consists of a Chairman and four ordinary members, two on the nomination of ICTU and two nominated by IBEC. All members are appointed by the Minister. The chairman and 4 ordinary members were appointed on 5th October 2009. All appointments are due for renewal on 4th October 2012.

ENDS