

The Office of the Financial Services and Pensions Ombudsman
is seeking applicants for the post of
Adjudication Officer

ADJUDICATION OFFICER
EXECUTIVE OFFICER LEVEL
OFFICE OF THE FINANCIAL SERVICES AND PENSIONS OMBUDSMAN

CANDIDATE INFORMATION BOOKLET

The Office of the Financial Services and Pensions Ombudsman is committed to a policy
of equal opportunity.

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Background

The Government decided in the context of the public sector reform process to amalgamate the Offices of the Financial Services Ombudsman and the Pensions Ombudsman. Regulated financial service providers and pension providers fall within the Ombudsman's remit.

The merger will be put on a statutory footing by the Financial Services and Pensions Act 2017, which when commenced in Autumn 2017, will establish the Financial Services and Pensions Ombudsman (FSPO) as an independent officer to resolve complaints about the conduct of regulated financial service and pension providers through mediation and where necessary by investigation and adjudication. The Act will also establish the Office of the Financial Services and Pensions Ombudsman (the Office) to support the Ombudsman. The Ombudsman and the Office aim to:

- Ensure that the complaint resolution process is accessible, that complaints are dealt with efficiently and effectively and where possible in an informal manner
- Ensure that complaints are adjudicated fairly, and
- Improve public understanding of issues related to complaints and associated consumer protection matters.

The Financial Services and Pensions Ombudsman has statutory powers to resolve disputes between the parties and where necessary to direct rectification. In addition, where the complaint relates to a financial service he can direct the payment of compensation of up to €250,000. Findings of the Financial Services and Pensions Ombudsman are legally binding subject only to an appeal to the High Court.

The Office proposes to appoint a suitable person to the post of Adjudication Officer at Executive Officer Level. The successful candidate may be appointed to the Office of the Financial Services Ombudsman pending the establishment of the Office of the Financial Services and Pensions Ombudsman.

It is also intended to form a panel based on this competition to form any future vacancies at Executive Officer level.

The Financial Services and Pensions Ombudsman Council

The Financial Services and Pensions Ombudsman Council (Council) will be established under Section 37 of the Financial Services and Pensions Ombudsman Act 2017.

The functions of the Council will include determining levies and charges payable by financial service providers for the performance of the Financial Services and Pensions Ombudsman as it relates to financial services (the Ombudsman's role in relation to dealing with pension complaints will be funded from the Exchequer). The Council is also responsible for keeping under review the efficiency and effectiveness of the Office. The Council has no role with respect to how the Financial Services and Pensions Ombudsman deals with a particular complaint submitted to him.

The Office of the Financial Services and Pensions Ombudsman

The Office will have a staff complement in excess of 40. It will be a statutory body funded by levies from financial service providers and an Exchequer grant.

The staff of the Office will support the Financial Services and Pensions Ombudsman in the provision of an impartial, independent alternative dispute resolution service to individuals, small companies, charities, clubs and partnerships experiencing unresolved disputes with financial service providers and pension providers.

The staff also support the Ombudsman in improving public understanding of issues related to complaints against regulated financial service providers and pension providers and related consumer matters.

While the Financial Services and Pensions Ombudsman will be an independent officer when undertaking his functions, the organisation will operate under the auspices of the Department of Finance.

A Time of Change

In preparation for the merger a joint Strategic and Operational Review of the Offices of both the Financial Services Ombudsman and the Pensions Ombudsman was completed in 2015.

This resulted in the development and implementation of a major change programme which is now at an advanced stage of delivery. In addition establishing the new Office will involve a period of considerable organisational change.

Informal techniques are used to deliver a dispute resolution service that is informal, speedy and effective. However, while the Dispute Resolution Service will successfully resolve a high percentage of complaints, delivery of a fair, impartial and efficient adjudication of unresolved complaints will remain a key element of the service provided by the FSPO.

The post of Adjudication Officer provides an exciting and challenging opportunity for a highly motivated, talented and experienced person to join a dynamic team that is committed to quality customer service and the highest standards of public service.

Further information is available from the website www.financialombudsman.ie

Role of the Adjudication Service

The Adjudication Service is responsible for dealing with all matters relating to the Adjudication of complaints which have not been resolved by the Dispute Resolution Service.

The Adjudication Service provides independent and fair adjudication of disputes between consumers and financial service providers by collating and considering the necessary evidence and drafting preliminary and legally binding findings.

Adjudication Officers - Principal Duties

Adjudication Officers are responsible for managing their assigned caseload. Adjudication Officers draft preliminary findings and legally binding findings. In doing so s/he evaluates evidence and applies relevant legislation, regulations, codes and fair procedures to the issues arising.

S/he must act with due regard to the principles of natural and constitutional justice. S/he is required to communicate clearly and concisely on the relevant financial services, pensions, contract and regulatory issues.

Adjudication Officers must communicate effectively both orally and in writing using plain English and avoiding unnecessary complexity. S/he must be able to translate complex information into understandable terms for parties.

Adjudication Officers' correspondence, reports and draft preliminary findings/findings must be of a high standard and accurate in all aspects.

Adjudication Officers must be comfortable using information and communications technology (ICT) and have the ability, following training, to use the ICT systems in operation in the FSPO.

Adjudication Officers must be balanced and fair in their analysis, reviewing all relevant information and getting to the core of the complaint in an impartial and independent manner.

The role of the Adjudication Officer includes:

- Managing all aspects of a portfolio of adjudication files as part of the Adjudication Team to which they are assigned and ensuring that they deal with complaints fairly, efficiently and within all relevant guidelines, legislation and timeframes
- Considering all the issues and evidence contained in the adjudication file and drafting quality, accurate, consistent and reasoned preliminary findings and legally binding findings for consideration by the Director of Adjudication and Legal Services, the Deputy Ombudsman or the Ombudsman
- Complying with any templates and guidance provided
- Communicating clearly, competently and in simple terms
- Managing caseloads, conflicting demands and priorities in order to meet target timelines
- Participating in knowledge sharing and other initiatives with other Adjudication Officers, Management and Staff and contributing to the development of practice, procedure, policy and services of the organisation
- Keeping complaint records and internal systems and files up to date and reporting workflow outcomes as required

- Undertaking day-to-day management of routine administration and reporting functions relating to complaint files assigned for adjudication
- Ensuring compliance with all legal and administrative requirements relating to their work
- Assisting with the provision of information to complainants and the public generally
- Preparing and submitting internal requests for legal and other advice.

Requirements for the Post

The ideal candidate will demonstrate significant relevant experience, skills and competencies in the following areas:

- Excellent verbal and written communication skills
- Good attention to detail and the ability to analyse complex and competing evidence and identify a reasoned and fair outcome
- The ability to present written reports and draft findings in a clear, accurate and accessible manner
- A good understanding of the law and the principles of natural and constitutional justice
- Sound judgment and objective decision making skills
- In depth knowledge and understanding of legal, judicial and fair procedures
- A relevant degree or professional qualification
- IT literacy
- Good interpersonal skills, including the ability to establish and maintain good working relationships
- A proven high level of efficiency and ability to work on own initiative and as part of a team
- An ability to be innovative in response to fast changing priorities and situations
- The capacity to contribute to all aspects of the organisation

Desirable Skills and Competencies

- Knowledge/experience of consumer protection, complaints handling in consumer services, financial services and/or pensions
- Knowledge or the ability to quickly develop and maintain a good knowledge of the financial service and/or pension landscape including

products and the relevant legislation, regulation and codes that apply to the sector

- Knowledge/experience of the regulatory framework for financial services including pensions in Ireland and / or the EU

In addition to the specific requirements set out above, candidates should have all the abilities required of an Executive Officer. In particular, candidates must demonstrate, by reference to specific achievements in their career to date, that they possess or have the capacity to acquire the following qualities, skills and knowledge required for the role of Executive Officer as identified by the Public Appointments Service Executive Officer level competency framework and set out in the table below.

Executive Officer Level Competencies

Effective Performance Indicators

People Management	Consults and encourages the full engagement of the team, encouraging open and constructive discussions around work issues
	Gets the best out of individuals and the team, encouraging good performance and addressing any performance issues that may arise
	Values and supports the development of others and the team
	Encourages and supports new and more effective ways of working
	Deals with tensions within the team in a constructive fashion
	Encourages, listens to and acts on feedback from the team to make improvements
	Actively shares information, knowledge and expertise to help the team to meet its objectives
Analysis & Decision Making	Effectively deals with a wide range of information sources, investigating all relevant issues
	Understands the practical implication of information in relation to the broader context in which s/he works – procedures, divisional objectives etc
	Identifies and understands key issues and trends
	Correctly extracts & interprets numerical information, conducting accurate numerical calculations
	Draws accurate conclusions & makes balanced and fair recommendations backed up with evidence
Delivery of Results	Takes ownership of tasks and is determined to see them through to a satisfactory conclusion
	Is logical and pragmatic in approach, setting objectives and delivering the best possible results with the resources available through effective prioritisation
	Constructively challenges existing approaches to improve efficient customer service delivery
	Accurately estimates time parameters for project, making contingencies to overcome obstacles
	Minimises errors, reviewing learning and ensuring remedies are in place
	Maximises the input of own team in ensuring effective delivery of results
	Ensures proper service delivery procedures/protocols/reviews are in place and implemented
Interpersonal & Communication Skills	Modifies communication approach to suit the needs of a situation/ audience
	Actively listens to the views of others
	Liaises with other groups to gain co-operation.
	Negotiates, where necessary, in order to reach a satisfactory outcome
	Maintains a focus on dealing with customers in an effective, efficient and respectful manner
	Is assertive and professional when dealing with challenging issues
	Expresses self in a clear and articulate manner when speaking and in writing
Specialist Knowledge, Expertise and Self Development	Displays high levels of skills/ expertise in own area and provides guidance to colleagues
	Has a clear understanding of the role, objectives and targets and how they support the service delivered by the unit and Department/ Organisation and can communicate this to the team
	Leads by example, demonstrating the importance of development by setting time aside for development initiatives for self and the team

Drive & Commitment to Public Service Values

Is committed to the role, consistently striving to perform at a high level

Demonstrates flexibility and openness to change

Is resilient and perseveres to obtain objectives despite obstacles or setbacks

Ensures that customer service is at the heart of own/team work

Is personally honest and trustworthy

Acts with integrity and encourages this in others

Principal Conditions of Service

General

The appointment will be to a full-time permanent position in the public service.

Pay

The salary and terms and conditions for Adjudication Officers are those, as set out below, that apply to Executive Officers in the public service.

€28,739 €30,712 €31,821 €33,687 €35,360 €36,977 €38,588 €40,166 €41,760
€43,311 €44,909 €45,967 €47,473¹ €48,975²

¹ After 3 years satisfactory service at the maximum.

² After 6 years satisfactory service at the maximum.

Candidates should note that entry will be at the minimum of the salary scale and will not be subject to negotiation and the rate of remuneration may be adjusted from time to time in line with Government pay policy. Increments may be awarded subject to satisfactory performance, in line with the Haddington Road Agreement. Details of the Haddington Road Agreement are available on the Department of Public Expenditure and Reform website at <http://www.per.gov.ie/en/>

Important Note

Different terms and conditions may apply, if, immediately prior to appointment the appointee is already a serving Civil Servant or Public Servant.

Tenure

The appointment will be to a permanent post in the public service. The appointee will be required to serve a 12 month probationary period.

Assignment / Location

The successful candidate will be based in Dublin. When required to travel on official duty the appointee will be paid appropriate travelling expenses and subsistence allowances, subject to normal public service regulations.

Hours of attendance

Hours of attendance will be fixed from time to time but will amount to not less than 43 hours and 15 minutes gross per week. The successful candidate will be required to work such additional hours from time to time as may be reasonable and necessary for the proper performance of his/her duties subject to the limits set down in the working time regulations. Flexi-time will apply.

Annual Leave

The annual leave allowance for the position of Executive Officer 23, rising to 24 after 5 years' service and to 25 after 10 years' service. This allowance is subject to the usual conditions regarding the granting of annual leave in the Public Service, is based on a five day week and is exclusive of the usual public holidays.

Health

A candidate for and any person holding the office must be fully competent and capable of undertaking the duties attached to the office and be in a state of health such as would indicate a reasonable prospect of ability to render regular and efficient service.

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.

Appointees, who will be paying the Class A rate of PRSI, will be required to sign a mandate authorising the Department of Social Protection to pay any benefits due under the Social Welfare Acts direct to the employing Department/Organisation. Payment of salary during illness will be subject to the appointee making the necessary claims for social insurance benefit to the Department of Social Protection within the required time limits.

Superannuation and Retirement

The successful candidate will be offered the appropriate superannuation terms and conditions as prevailing in the public service, at the time of being offered an appointment. 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/Public Service and is in receipt of a pension from the Civil/Public Service normal abatement rules will apply. However, if the appointee was previously employed in the Civil/Public 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 Circular102/2007

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).

III-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.

Application and Selection Process

How to Apply

Candidates must submit applications by email incorporating the following elements:

- **A Comprehensive CV**
- **A short personal statement** (*no more than 2 pages*) outlining why you wish to be considered and where you believe your skills, experience and values meet the requirements of the particular position.
- **Completed Competency Form** The form at Appendix 1 should be completed with specific achievements, contributions or expertise you have developed from your career to date which demonstrate your suitability to meet the challenges of the post of Adjudication Officer.

Applications should be attached to an email marked “Application for Adjudication Officer to the Financial Services and Pensions

Ombudsman at: jobs@financialombudsman.ie

The closing date has been extended to 5pm on Thursday 31 August 2017. Late applications cannot be accepted.

Selection Process

The Selection Process may include shortlisting of candidates, on the basis of the information contained in their application and/or a preliminary interview and may include some or all of the following:

- shortlisting of candidates on the basis of the information contained in their application
- a competitive preliminary interview
- presentation or other exercises
- a final interview
- work sample or 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 Office may decide that a number only will be called to interview.

Shortlisting will be undertaken on the basis of the information you provide as part of your application. It is therefore in your own interest to provide a detailed and accurate account of your qualifications/ experience on the application form.

Confidentiality

Applications will be treated in strict confidence. All 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.

Appendix 1 Key Achievements

Name: _____ Title of Post: **Adjudication Officer**

Please highlight, in not more than 250 words for each competency, specific achievements, contributions or expertise you have developed from your career to date which demonstrate your suitability to meet the challenges of the post of Adjudication Officer. You should clearly state in each case what your particular role was.

Analysis, Judgement and Decision Making

Delivery of Results

Interpersonal & Communication Skills

Specialist Knowledge, Expertise and Self Development