



An Rialálaí
Carthanas

Charities
Regulator

Charities Regulator

HEAD OF CONCERNS & ENFORCEMENT
(PROFESSIONAL ACCOUNTANT)

TITLE OF POSITION: HEAD OF CONCERNS & ENFORCEMENT
(PROFESSIONAL ACCOUNTANT)
CHARITIES REGULATOR
LOCATION: DUBLIN

BACKGROUND

The Charities Regulatory Authority (the 'Charities Regulator') is an independent statutory body. It was established by the Minister for Justice and Equality on a statutory basis on 16 October 2014 pursuant to the Charities Act 2009. The Charities Regulator is located in Dublin.

The key functions of the Charities Regulator are to establish and maintain a public register of charitable organisations operating in Ireland and ensure compliance with the Charities Acts. The Charities Regulator is also responsible for authorising the appointment of charity trustees and the disposition of charity property in appropriate cases, and has the power to appoint investigators to investigate the affairs of any charitable organisation.

Issues raised with the Charities Regulator internally or by third parties in relation to registered charities and other organisations are referred to as 'concerns'. Hundreds of concerns are raised with the Charities Regulator each year. As a member of the Charities Regulator's senior management team, the role of Head of Concerns & Enforcement involves the day to day management of concerns received, overseeing the process of dealing with those concerns, resolving issues raised, recommending courses of action to senior management and acting as inspector in statutory investigations as well as providing advice and support in relation to compliance matters generally. The Head of Concerns & Enforcement will report to the Director of Compliance & Enforcement and work in conjunction with the Head of Compliance Monitoring and other units within the Charities Regulator as appropriate. This is a responsible and rewarding role in a busy environment dealing with a wide variety of issues in relation to charities.

Location: Dublin – Candidates should note that on an appointment, travel may be required to regional locations on occasion and when this occurs, appropriate travel and subsistence arrangements will apply. Like most organisations, the Charities Regulator is currently assessing the role of blended-working for the organisation post-Covid. This work is ongoing. While the post-holder may be able to apply to work remotely in future as part of any blended-working arrangement implemented by the organisation, it should be noted that the role is primarily office-based.

Further information about the Charities Regulator is available on: www.charitiesregulator.ie

FUNCTIONS OF THE CHARITIES REGULATOR

In accordance with section 14 of the Charities Act 2009, the general functions of the Charities Regulator are to –

- Increase public trust and confidence in the management and administration of charitable trusts and charitable organisations;
- Promote compliance by charity trustees with their duties in the control and management of charitable trusts and charitable organisations;
- Promote the effective use of the property of charitable trusts or charitable organisations;
- Ensure the accountability of charitable organisations to donors and beneficiaries of charitable gifts, and the public;
- Promote understanding of the requirement that charitable purposes confer a public benefit;
- Establish and maintain a register of charitable organisations;
- Ensure and monitor compliance by charitable organisations with the charities act;
- Carry out investigations in accordance with the charities act;
- Encourage and facilitate the better administration and management of charitable organisations by the provision of information or advice, including in particular by way of issuing (or, as it considers appropriate, approving) guidelines, codes of conduct, and model constitutional documents;
- Carry on such activities or publish such information (including statistical information) concerning charitable organisations and charitable trusts as it considers appropriate;
- Provide information (including statistical information) or advice, or make proposals, to the minister on matters relating to the functions of the charities regulator.

The Charities Regulator also carries out functions under the Charities Acts 1961 and 1973. In addition, the functions of the Attorney General relating to charitable organisations and charitable trusts were transferred to the Charities Regulator on its establishment under section 38 of the Charities Act 2009.

THE PRINCIPAL DUTIES OF THE HEAD OF CONCERNS & ENFORCEMENT WITH THE CHARITIES REGULATOR

OVERVIEW OF THE ROLE

The Head of Concerns & Enforcement will report to the Director of Compliance & Enforcement.

The role of Head of Concerns & Enforcement involves overseeing the management of concerns received by the Charities Regulator, resolving issues raised, recommending courses of action to senior management and acting as inspector in statutory investigations as well as providing advice and support in relation to compliance matters generally in conjunction with other members of the Compliance & Enforcement Unit.

The duties and responsibilities of the successful candidate will include the following:

- Overseeing the management of the concerns function;
- Making recommendations in relation to the exercise of powers and functions under the Charities Acts;
- Acting as an inspector under section 64 of the Charities Act 2009 to investigate the affairs of charitable organisations and to prepare reports thereon as required;
- Liaising with the Charities Regulator's legal advisors and external service providers as required;
- Assisting, as required, with the preparation of briefing materials for Regulatory Committee and Board approval, and attending Board and Committee meetings as appropriate;
- Managing, leading and developing staff of the Compliance & Enforcement Unit;
- Keeping up-to-date on areas of accountancy relevant to the work of the Charities Regulator in particular the areas of Charity SORP, audit, forensic accounting and best practice in accounting.
- Providing regular reports on all concerns and compliance work to the Director of Compliance & Enforcement, the CEO and the senior management team, as appropriate;
- Providing staff of the Charities Regulator, management, the CEO, the Board and its Committees, as appropriate, with timely, high quality analyses and advice on matters pertaining to the Compliance & Enforcement Unit;
- Preparing and contributing input to facilitate the drafting of formal documentation including guidance documents, information notes, reports and website content, as appropriate;

- Working collaboratively with members of the Compliance & Enforcement Unit and other senior managers to identify solutions to issues and contributing to the development of compliance and regulatory strategies;
- Developing the risk rating capabilities of the Compliance & Enforcement Unit in relation to concerns and updating procedures to address the risks identified;
- Working with the Director of Compliance & Enforcement, the Head of Compliance Monitoring and other members of the senior management team to identify common issues and risks and devise strategies to address or mitigate those risks as required;
- Preparing business cases and tender documents, and assisting in the evaluation of tenders;
- Liaising with external stakeholders, including other regulatory agencies and Government Departments, on issues of relevance to the Charities Regulator as required;
- Supporting the Director of Compliance & Enforcement and other Unit Heads to ensure that the strategic priorities and operational goals of the organisation are met;
- Providing training to, and running knowhow sessions for, staff of the Charities Regulator to increase awareness of compliance issues and any associated risk factors;
- Undertaking speaking engagements and representing the Charities Regulator at events, as appropriate;
- Carrying out such other duties as may be assigned from time-to-time.

The above is intended as a guide to the general range of duties and responsibilities associated with the post and is intended to be neither definitive nor restrictive. It will be subject to periodic review with the post holder.

The Charities Regulator retains the right to amend the role profile, alter reporting lines and allocate resources within the Charities Regulator in the most appropriate manner and in accordance with business needs.

REQUIREMENTS

ESSENTIAL REQUIREMENTS:

CANDIDATES MUST ON OR BEFORE 20TH JANUARY 2022

- Have -
 - a) full membership of a recognised accountancy body supervised by the Irish Auditing and Supervising Authority (IAASA); and
 - b) not less than three years post qualification experience at a suitably senior level in audit, forensics, insolvency and/or in another area of relevance to the role;
- Knowledge or experience of corporate governance;
- Be flexible, results-focussed and have the ability to work under pressure in a complex, legal, technical and regulatory environment;
- Have a record of achieving challenging goals and managing and prioritising multiple work streams;
- Be capable of operating effectively on their own initiative;
- Have a proven ability to exercise sound judgement, analytical thinking, and problem solving/decision making skills;
- Be capable of demonstrating the capacity to analyse and assimilate large volumes of complex material and to quickly identify the key issues;
- Have previous experience working as part of a team in delivering on organisational goals and projects;
- Possess strong project management skills;
- Have an ability to communicate and influence internal and external stakeholders;
- Have excellent interpersonal and communications skills;
- Have high levels of integrity and professionalism;
- Demonstrate a commitment to continuous self-learning and development;
- Have excellent IT skills.

DESIRABLE EXPERIENCE KNOWLEDGE AND SKILLS:

- Have previous experience of working in a regulatory body or in advising regulators or regulated entities in relation to compliance matters;
- Have experience of carrying out investigations or inquiries;
- An understanding of charity law and the current context within which the Charities Regulator operates;

REQUIRED COMPETENCIES

Candidates should have all the abilities required of a Head of Concerns & Enforcement (Professional Accountant) with the Charities Regulator. In particular, **candidates must demonstrate in their applications and during the selection process** that they have the following competencies, which are required for the role of Head of Concerns & Enforcement (Professional Accountant), by reference to specific achievements in their career to date:

- Leadership
- Judgement, Analysis and Decision Making
- Management and Delivery of Results
- Interpersonal and Communication Skills
- Specialist Knowledge, Expertise and Self-Development
- Drive and Commitment to Public Service Values

Further information regarding each of the above competencies is available in Appendix A, which sets out the Public Appointment Service's Assistant Principal Level competency framework.

INFORMATION NOTE FOR THE POST OF HEAD OF CONCERNS & ENFORCEMENT WITH THE CHARITIES REGULATOR

The essential and desirable criteria will be used to shortlist candidates, and scoring will be based on the information contained in the application forms for the role of Head of Concerns & Enforcement.

The Charities Regulator will convene an expert board to carry out the competitive stages of the selection process to the highest standard of best practice.

ELIGIBILITY TO COMPETE AND CERTAIN RESTRICTIONS ON ELIGIBILITY

Applicants should note that only citizens of the European Economic Area (EEA) and UK may be appointed to the advertised position, should they come under consideration. Applicants must therefore meet this eligibility requirement at the time they are being considered for appointment.

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. 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).

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 not eligible to apply 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. People who availed of the VER are not eligible to compete in this competition. People who availed of VRS scheme and who may be successful in this competition will have to prove their eligibility (expiry of period of non-eligibility).

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. 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. 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:

Application Forms and Candidate Information Booklets are available from the careers section on the Charities Regulator website www.charitiesregulator.ie. Application forms must be completed and sent to charitiesregulator@CPL.com. Please note that Cover Letters and CVs are not required and will not be considered.

No enquiries or canvassing may be made to the Charities Regulator.

Closing Date: 5pm on Thursday 20th January 2022.

Any candidate requiring any particular accommodation for interview or other elements of the selection process should notify us at charitiesregulator@CPL.com so that appropriate arrangements can be made.

SELECTION PROCESS

The selection process may include:

- shortlisting of candidates, on the basis of the information contained in their applications;
- a competitive first round interview, which may include a presentation;
- practical exercises and other selection methodologies;

- a competitive second round interview, which may include a presentation.

Notification to attend interview will normally issue at least one week in advance. Candidates will be required to attend interviews at their own expense. While attempts can be made to accommodate a candidate's availability, where it is not possible to alter the allocated interview date or time, and where the candidate does not attend, the candidature will be deemed to be withdrawn.

Candidates must produce satisfactory documentary evidence of all qualifications claimed by them, on request. Failure to produce such documentary evidence when requested may lead to disqualification from the competition and/or termination of contract. Therefore, it is advised that you have this documentation available to you when making your application.

Any candidate who supplies false or misleading information in their application will be disqualified.

Prior to recommending any candidate for appointment to the position, all such enquiries that are deemed necessary will be made 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 leave the position within a period of up to twelve months, or should a similar vacancy (or vacancies) arise within a period of up to twelve months, the Charities Regulator, may at its discretion, appoint another person (or persons) based on this selection process.

Please Note:

Applications will not be accepted after the closing date and late applications will be ineligible for consideration. Therefore, it is the responsibility of candidates to ensure that sufficient time is allowed for receipt of your application. Applicants must ensure they retain a copy of the email submitted, including the date and time, in case of any queries.

An acknowledgement email will be issued in respect of all applications received. It should be noted that the acknowledgment email simply acknowledges receipt and does not confirm eligibility or otherwise. If an applicant does not receive an acknowledgement email within 2 working days of date of submission, the applicant should contact charitiesregulator@CPL.com to ensure the application has been received.

We will endeavour to keep candidates informed of the progress of their application at the earliest possible date.

SHORTLISTING:

The shortlisting criteria may include both the essential and desirable criteria specified for the position. An expert board will examine the application forms against pre-determined criteria based on the requirements of the position.

While a candidate may meet the eligibility requirements and other criteria of the competition, if the numbers applying for the position are such that it would not be practical to interview everyone, the Charities Regulator may decide that a number only will be called to interview. In this respect, a shortlisting process will be conducted to select candidates for interview based on an examination of the application forms. It is therefore in your own interest to provide a detailed and accurate account of your qualifications/ experience relevant to the position applied for, in the application form.

REFERENCES:

It would be useful if you would begin to consider names of people who would be suitable employment referees and that we might consult (2-3 names and contact details). Please be assured that we will only contact referees should you come under consideration after the interview stage. Please note, should you be successful at final interview, we will require at least two references, one to be from your current employer. 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.

PRINCIPAL CONDITIONS OF SERVICE

GENERAL

The appointment is made under the Charities Act 2009 and any other Act for the time being in force relating to the public service. **The employer will be the Charities Regulator and the position is a public servant position.**

REMUNERATION:

Salary Scale: The salary scale for this public service post will be equivalent to that of the Civil Service Professional Accountant Grade 1 (PPC) (rates effective from 1 October 2021) which is as follows:

Professional Accountant Grade 1 (Personal Pension Contribution) -
€73,392 – €75,696 – €78,007 – €80,312 – €82,615 – €85,354 – LSI¹ 1
€88,473 – LSI² €91,594

¹ After 3 years satisfactory service at the maximum. ² After 6 years satisfactory service at the maximum.

Important Notes relating to Salary:

- Entry will be at the minimum point of the scale and will not be subject to negotiation;
- Different pay and conditions may apply if, immediately prior to appointment the appointee is already a serving Civil Servant or Public Servant;
- The rate of remuneration may be adjusted from time to time in line with Government pay policy.

CONTRACT

Permanent (subject to satisfactory completion of probation).

PROBATION

There is a 12-month probationary period. If at any time during this period the appointee is deemed not be suitable for final appointment, the probation will be terminated.

LOCATION

The headquarters of the Charities Regulatory are currently based in 3 George's Dock, IFSC, Dublin 1, D01 X5X0.

HOURS OF ATTENDANCE

Hours of attendance will be as fixed from time to time but will amount, on average, to not less than 43 hours and 15 minutes gross or 37 hours net of lunch breaks. Flexibility will be

required with regard to extra attendance, which may be required from time to time. The rate of remuneration payable covers any exceptional extra attendance liability that may arise and no additional payment will be made for extra attendance (over and above 43 hours and 15 minutes gross or 37 hours net per week).

The Organisation of Working Time Act

The terms of the organisation of Working Time Act 1997 will apply, where appropriate, to this employment.

ANNUAL LEAVE

The annual leave allowance commences at 30 days per 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 Public Service Sick Leave Scheme.

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, this means being offered appointment based on membership of the Single Public Service Pension Scheme (“Single Scheme”). Full details of the Single Scheme can be found at <http://www.singlepensionscheme.gov.ie/>. The maximum retirement age for most Single Scheme members is age 70.

Different terms and conditions related to superannuation and retirement may apply to candidates who have worked in a pensionable (non-Single Scheme terms) public service job in the 26 weeks prior to appointment, or are currently on a career break, or are on special leave with or without pay. The pension entitlements and maximum retirement age, if applicable, of such appointees will be determined in the context of their public service employment history.

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.

EXPENSES

The Charities Regulator will not be responsible for any expense, including travelling expenses, candidates may incur in connection with this competition.

CONFIDENTIALITY AND FREEDOM OF INFORMATION

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.

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 in the recruitment process 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 impersonate a candidate at any stage of the process.

It is important to remember that this is a competitive process for a role where integrity is paramount. Sharing information on the selection process e.g. through social media or any other means, may result in you being disqualified from the competition.

Please note that all assessment and test materials are subject to copyright and all rights are reserved. No part of the test material (including passages of information, questions or answer options), associated materials or interview(s) may be reproduced or transmitted in any form or by any means including electronic, mechanical, photocopying, photographing, recording, written or otherwise, at any stage. To do so is an offence and may result in you being excluded from the selection process. Any person who contravenes this provision, or

who assists another person(s) in contravening this provision, is liable to prosecution and/or civil suit for loss of copyright and intellectual property.

FEEDBACK

Feedback in relation to the selection process is available on request.

CANVASSING

Canvassing is prohibited and will result in disqualification from the competition.

APPENDIX A

COMPETENCIES FOR THE ROLE

COMPETENCY:	LEADERSHIP
Typical Behavioural Indicators:	<ul style="list-style-type: none"> ▪ Actively contributes to the development of the strategies and policies of the Department/ Organisation. ▪ Brings a focus and drive to building and sustaining high levels of performance, addressing any performance issues as they arise. ▪ Leads and maximises the contribution of the team as a whole. ▪ Considers the effectiveness of outcomes in terms wider than own immediate area. ▪ Clearly defines objectives/ goals & delegates effectively, encouraging ownership and responsibility for tasks. ▪ Develops capability of others through feedback, coaching & creating opportunities for skills development. ▪ Identifies and takes opportunities to exploit new and innovative service delivery channels.

COMPETENCY:	JUDGEMENT, ANALYSIS & DECISION MAKING
Typical Behavioural Indicators:	<ul style="list-style-type: none"> ▪ Researches issues thoroughly, consulting appropriately to gather all information needed on an issue. ▪ Understands complex issues quickly, accurately absorbing and evaluating data (including numerical data). ▪ Integrates diverse strands of information, identifying inter-relationships and linkages. ▪ Uses judgement to make clear, timely and well-grounded decisions on important issues. ▪ Considers the wider implications, agendas and sensitivities within decisions and the impact on a range of stakeholders. ▪ Takes a firm position on issues s/he considers important.

COMPETENCY:	MANAGEMENT & DELIVERY OF RESULTS
Typical Behavioural Indicators:	<ul style="list-style-type: none"> ▪ Takes responsibility for challenging tasks and delivers on time and to a high standard. ▪ Plans and prioritises work in terms of importance, timescales and other resource constraints, re-prioritising in light of changing circumstances. ▪ Ensures quality and efficient customer service is central to the work of the division. ▪ Looks critically at issues to see how things can be done better. ▪ Is open to new ideas initiatives and creative solutions to problems. ▪ Ensures controls and performance measures are in place to deliver efficient and high value services. ▪ Effectively manages multiple projects.

COMPETENCY:	INTERPERSONAL & COMMUNICATION SKILLS
Typical Behavioural Indicators:	<ul style="list-style-type: none"> ▪ Presents information in a confident, logical and convincing manner, verbally and in writing. ▪ Encourages open and constructive discussions around work issues. ▪ Promotes teamwork within the section, but also works effectively on projects across Departments/ Sectors. ▪ Maintains poise and control when working to influence others. ▪ Instils a strong focus on Customer Service in his/her area. ▪ Develops and maintains a network of contacts to facilitate problem solving or information sharing. ▪ Engages effectively with a range of stakeholders, including members of the public, Public Service Colleagues and the political system.

COMPETENCY:	SPECIALIST KNOWLEDGE, EXPERTISE AND SELF DEVELOPMENT
Typical Behavioural Indicators:	<ul style="list-style-type: none"> ▪ Has a clear understanding of the roles objectives and targets of self and the team and how they fit into the work of the unit and Department/ Organisation. ▪ Has a breadth and depth of knowledge of Department and Governmental issues and is sensitive to wider political and organisational priorities. ▪ Is considered an expert by stakeholders in own field/ area. ▪ Is focused on self-development, seeking feedback and opportunities for growth to help carry out the specific requirements of the role.

COMPETENCY:	DRIVE & COMMITMENT TO PUBLIC SERVICE VALUES
Typical Behavioural Indicators:	<ul style="list-style-type: none"> ▪ Is self-motivated and shows a desire to continuously perform at a high level. ▪ Is personally honest and trustworthy and can be relied upon. ▪ Ensures the citizen is at the heart of all services provided. ▪ Through leading by example, fosters the highest standards of ethics and integrity.