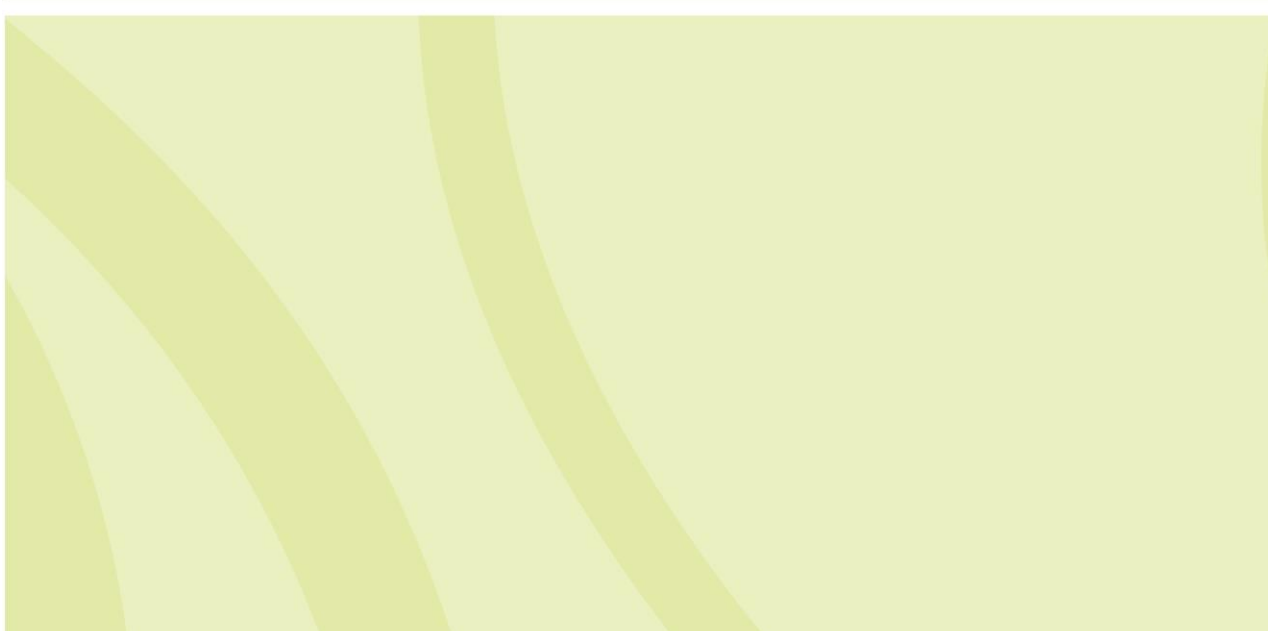




Oifig an Choimisiúin um Cheapacháin Seirbhíse Poiblí  
Office of the Commission for Public Service Appointments



## Table of Contents

Foreword by the Chairperson of the Commission.....	4
Update from Director General.....	6
Introduction .....	8
Statement of Strategy 2025.....	8
Activities in 2023.....	9
The Commission.....	9
Our role.....	10
Recruitment licences.....	11
Recruitment licences issued .....	12
Recruitment activity.....	12
Complaints .....	12
Complaints received .....	13
Complaints examined .....	15
Breaches of the codes.....	16
Case studies .....	17
Early Engagement Outcomes.....	17
Breaches, recommendations and safeguards.....	18
Complaint 1.....	18
<b>Complaints about a competition for Internal Assistant Principal position .....</b>	<b>18</b>
Complaint 2.....	22
<b>Complaint about a competition for a Senior Specialist Manager position.....</b>	<b>22</b>
The Commission Audit Function .....	27
Recruitment Licence Verification Programme.....	27
Approved agencies.....	31
Excluded positions .....	32
Protected Disclosures .....	34
Appendix 1 Licence holder recruitment and selection activity .....	36

Appendix 2 Number of complaints vs overall number of appointments .....	40
Appendix 3 Recruitment licence holders.....	44
Appendix 4 Approved Recruitment Agencies.....	46

## Foreword by the Chairperson of the Commission



I am delighted to present the Annual Report of the Commission for Public Service Appointments for 2023. It has been another busy year dealing with our core statutory functions, in particular our ongoing role in investigating complaints from candidates about recruitment competitions. We also continue to assess applications for recruitment licences from bodies wishing to undertake public service recruitment and agencies seeking approval to serve as partners to those recruiters. As well as that we assess requests for excluding orders for recruiters to make appointments outside of competitive selection processes in particular circumstances, most typically student work experience placements and other internships in public service organisations.

Detailed statistics on each of these activities are set out in the body of this report, but one statistic I would like to highlight is the number of candidate complaints we received, which at 48 is a significant reduction on the 69 we received in 2022. Over the past two years in particular our Secretariat has proactively engaged with recruiters to establish communication channels to encourage recruiters to bring any issues they encounter, either in their general recruitment activity or on specific campaigns, to our early attention. This is so that we can assist them in maximising best practice at the time recruitment action is undertaken rather than after the event in dealing with complaints about such action. We have found that this approach has resulted in recruiters consulting with us for best practice advice both before and during selection campaigns. We are confident this early engagement has increased the quality of campaigns and resulted in a corresponding reduction in complaint numbers.

A new development in 2023 was the project the Secretariat undertook to verify compliance by recruiters with the terms and conditions of the recruitment licences

awarded to them by the Commission. This major piece of work involved engaging with all 51 licensed bodies to assess the extent to which they had appropriate recruitment processes in place and appropriately skilled people to implement them. The project includes analysis of competitions the recruiters had run that had not resulted in complaints to the Commission so that we could get a flavour of recruitment activity outside of our complaint-handling role. Significant progress on the project was made during 2023 and I look forward to updating you on its outcome in our report for 2024.

On behalf of my fellow Commissioners, I would like to thank our Secretariat for all their work during 2023. This work is much appreciated and contributes significantly to ensuring ongoing proper regulation of public service recruitment in Ireland.

Seán Ó Feargháil  
Commission Chair

## Update from Director General



At the outset I would like to echo the Chairperson’s compliments to our staff for their hard work during the year in supporting the work of the Commission.

In 2022 we launched our Strategy 2025 which sets out our Office’s key objectives to 2025. I am pleased to say that we further progressed a number of our strategic objectives during 2023. In terms of expanding and enhancing stakeholder engagement with recruiters we continued to strengthen our relationship with public bodies and their understanding of the Code of Practice and to advise and support best practice and adherence to the Code in all recruitment campaigns. The benefits of this engagement is reflected in public bodies increasing willingness to improve recruitment processes and review and complaints procedures and accordingly in the significant reduction in complaints on appeal which we received during 2023. In keeping with our regulatory role, we also successfully completed our Recruitment Verification programme and we implemented a programme to assess all approved recruitment agencies and ensure they are compliant with the conditions and standards set out by the Commission. Earlier this year we launched our new website which will help achieve our objective of providing safe and accessible mechanisms for members of the public to access our services.

Supporting the Commission Secretariat, we have a “corporate spine” which provides all of the back office supports to the Secretariat so that they are fully available to focus on CPSA work. The corporate spine consists of HR, ICT, Finance, Procurement, Facilities, Legal, Communications, as well as support in handling Data Protection and FOI requests. The ICT team achieved significant progress in 2023 by outsourcing many of our support functions to the Office of the Government Chief Information Officer (OGCIO) and by aligning our ICT Strategy with that of the OGCIO. This will have the effect of improving our data security and creating long term resilience in our systems. Our Legal team

continued to provide support to each of the offices on casework and investigations and has managed our legal costs and procurement with a focus on quality assurance and value for money. We have also taken part in the first wave of the new Civil Service Financial Management System, which was a major project for our Finance team and I am proud of the work they did on it.

I am pleased with the progress we are making on our Strategic Objectives. As we near the halfway point in our Strategy 2025 we look forward to reviewing our progress during 2024. We will continue to expand and strengthen our outreach to public bodies, in order to ensure the highest standards of recruitment in public bodies. As part of our general regulatory remit, we plan a review of public sector bodies, who are not currently licenced by us, to ensure that they are either using PAS for recruitment, or they have independent statutory remit to recruit. I am confident that this will contribute to maintaining the high standards of recruitment in the public sector.

# Introduction

The year 2023 marked the Commission's 19<sup>th</sup> year as regulator of recruitment and selection in the public service. The CPSA plays a key role in promoting values of fairness and transparency. We have supported Offices and Departments in recruiting high quality employees and helped to promote confidence in services provided to the public. The standard of fairness in public service recruitment remains very high, based on the low number of complaints, the even lower number of breaches, and the engagement and collaboration of recruiters with the CPSA in advance to ensure high standards prevail from the outset.

## Statement of Strategy 2025

CPSA operates under the corporate umbrella of the Office of the Ombudsman (the Office), along with the Standards in Public Office Commission, the Office of the Information Commissioner, the Office of the Commissioner for Environmental Information, and the Office of the Protected Disclosures Commissioner. During 2022 the Office launched its [Statement of Strategy for 2022 – 2025](#).

The six different statutory functions of the Office are all supported by its “Corporate Spine”. In developing a strategy which supports and respects the functional independence of each statutory body, the Office took the approach of starting with an identification of what unites its different functions as an overall organisation. We consulted with our external stakeholders and with staff from each of the individual Offices and Business Units. This process informed a re-assessment of our vision, our organisational culture and our values; the consideration of our key strategic influences; and the development of our shared strategic themes.

This Statement of Strategy sets out our key objectives to 2025. The Statement has six overriding strategic themes. Each of these strategic themes is underpinned by separate but linked strategic objectives for each individual office and are supported by our shared services strategic objectives.

During 2023, we continued to strengthen our relationship with public bodies and their understanding of the Code of Practice. A Recruiters Network was set up in 2022 for public bodies who come under the remit of the CPSA. This Recruiters Network has given public bodies an opportunity to discuss the Code of Practice and the wider scope of



public recruitment. The meetings were facilitated by the Public Appointments Service and, while we are not members of the network, we attend the meetings to address any issues raised regarding the Code. They have been carried out remotely and in person. CPSA members attended the first in person meeting and provided an onsite recruitment advice drop in clinic on the day, which gave public bodies the opportunity to raise any concerns or queries regarding recruitment processes. The meetings currently take place quarterly.

## Activities in 2023

The Commission continued its work in the investigation of complaints under the Code of Practice in 2023. The Commission also continued its work to strengthen engagement with public bodies and to ensure a thorough understanding of their obligations, as set out in the Code of Practice. A strong emphasis was placed on the review and appeals procedures to ensure complaints were dealt with appropriately by public bodies.

The Commission continued to advise and support best practice and adherence to the Code in all recruitment campaigns.

The Commission successfully completed our Recruitment Verification programme.

All of the monitoring and approving of Recruitment Licences and approved agency applications, as well as excluding orders were completed in a timely manner.

## The Commission

The Commission was set up under the Public Service Management (Recruitment and Appointments) Act in 2004. Our members are:

- Seán Ó Feargháil TD, Ceann Comhairle
- Ger Deering, Ombudsman
- John Callinan, Secretary General to the Government
- Justice Garrett Sheehan, Chairperson of the Standards in Public Office Commission
- David Moloney, Secretary General, Department of Public Expenditure and Reform (DPER)

## Our role

Our role is to make sure appointments to the civil and public service are fair, transparent and merit-based. We aim to support the effective delivery of public services by continuously promoting best practice in recruitment and selection.

In our Code of Practice, we set out the key recruitment principles and standards for appointments. We have an oversight role in ensuring public bodies within our remit adhere to these standards when carrying out a selection process.

We also outline how a candidate can review and appeal an appointment, if they believe it was unfair or wrong.

Our key responsibilities include:

- ❖ Setting out and promoting good recruitment practice
- ❖ Publishing a Code of Practice
- ❖ Reviewing recruitment licence applications in order to grant or deny
- ❖ Reviewing excluding order applications in order to grant or deny
- ❖ Reviewing approved agency applications in order to grant or deny
- ❖ Outlining how to review and appeal an appointment
- ❖ Examining complaints about alleged breaches of the Code
- ❖ Ensuring public bodies comply with the Code
- ❖ Auditing recruitment and selection at public bodies
- ❖ Helping and guiding public bodies

## Code of Practice

One of our primary functions is to set out the principles and standards that should be followed by a public body when carrying out a recruitment process. These are set out in our Code of Practice. Our key recruitment and selection principles are:

1. Probity
2. Merit
3. Best practice
4. Consistency
5. Transparency
6. Appointment promoting equality, diversity and inclusion

The Code gives guidance on the meaning and application of these principles in everyday practice. It also sets out the standards which should be followed at each stage of the selection process.

- [Code of Practice for Appointment to Positions in the Civil Service and Public Service](#)

## Recruitment licences

For an appointment to be made under the Public Service Management (Recruitment and Appointment) Act, 2004, the selection process must be carried out by an approved licence holder. In many cases, the Public Appointments Service will carry out a recruitment process on behalf of a public body. In these cases, a recruitment licence is not needed. However, if a body wants to carry out its own recruitment, it must apply to us for a recruitment licence. A recruitment licence is a permit allowing a public body to carry out its own recruitment.

Licences can be granted either generally, in relation to all positions within an organisation, or specifically, in relation to one or more positions. They are issued with a number of terms and conditions attached that must be strictly adhered to at all times. While we have the power to terminate a licence in certain circumstances, this power has not been invoked to date.

## Recruitment licences issued

The CPSA granted three new general licences and one specific licence in 2023.

These were to the:

- Office of Public Works (Specific)
- The Electoral Commission (General)
- Tailte Éireann (General)
- Maritime Area Regulatory Authority (General)

To date, 49 general licences and 4 specific licences have been issued to public bodies within our remit. A full list of licences holders is attached at Appendix 3.

## Recruitment activity

A total number of 23,684 appointments were reported by licence holders including appointments made in the HSE during 2023. Of these, 5,650 were new appointments, made following a selection process carried out by the Public Appointments Service and 13,470 following open selection processes carried out by individual offices/Departments.

In addition, 2,710 appointments were made by way of internal promotion and 1,854 people were appointed to acting-up positions within licence holder organisations. A detailed breakdown of the recruitment and selection activity reported by licence holder is attached at Appendix 1.

## Complaints

Our Code of Practice sets out the review and complaint mechanisms open to a candidate if they are unhappy with a selection process. They can either ask for a review of a decision made during the selection process, under Section 7 of the Code, or make a complaint about the process itself, under Section 8.

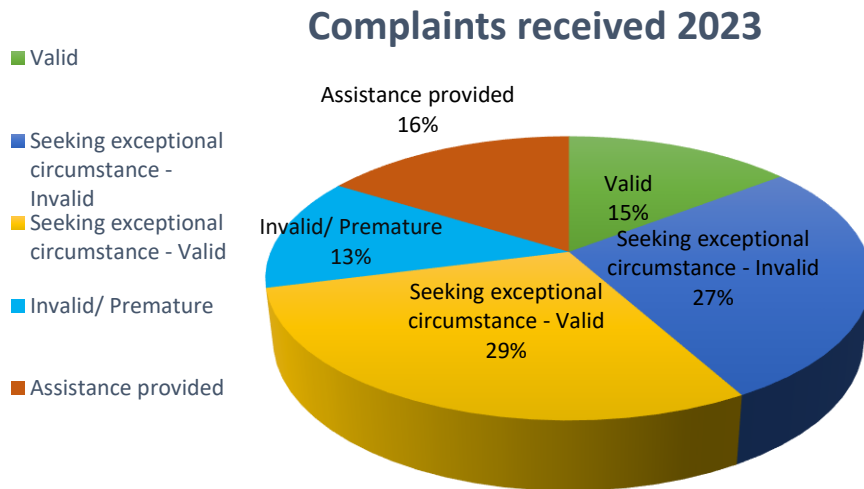
If a candidate wants to request a review of the decision, they can do this, by contacting the public body directly. If a candidate believes that the selection process was not

carried out fairly, they can make a complaint to the public body in the first instance and to the Commission on appeal. An in-depth examination is carried out into the process by the public body, in order to identify whether any breaches in the Code of practice have occurred. Where breaches are identified, these are highlighted and recommendations are made to the public body to amend its processes and make sure the issues giving rise to the complaint do not reoccur.

In total, 290 requests for a review under Section 7 were made to licence holders including the HSE during 2023. In addition to this, 33 complaints were made to licence holders under Section 8.

## Complaints received

During 2023, the Commission received 48 complaints on appeal. This is a decrease from the 69 received in 2022. A breakdown is shown below. Of these, 13 were considered valid and accepted by the Commission. A number of cases were brought to the Commission where the candidates had raised valid concerns but had not yet raised the matter formally with the public body. Of the remaining invalid complaints, most related to where the Secretariat of the Commission had decided that insufficient evidence had been provided to review the Section 7 appeals under exceptional circumstances.



Below is the breakdown of complaints received to the Commission per public body in 2023.

Licence Holder	Valid	Invalid/ Premature	Seeking under exceptional circumstance- Valid	Seeking under exceptional circumstance- Invalid	Not a case but assistance provided	Total
Department of Health	1	0	0	0	0	1
An Garda Siochana	3	1	4	4	3	15
Property Registration Authority (now known as Tailte Eireann)	1	0	0	0	0	1
Health Service Executive	2	2	0	6	3	13
Irish Prison Service	1	0	0	0	0	1
Public Appointments Service	0	3	0	5	1	9
Department of Agriculture, Food and Marine	0	0	0	1	1	2
Department of Social Protection	0	0	0	1	0	1
Policing Authority	0	1	0	0	0	1
Cork City Council	0	1	0	0	0	1

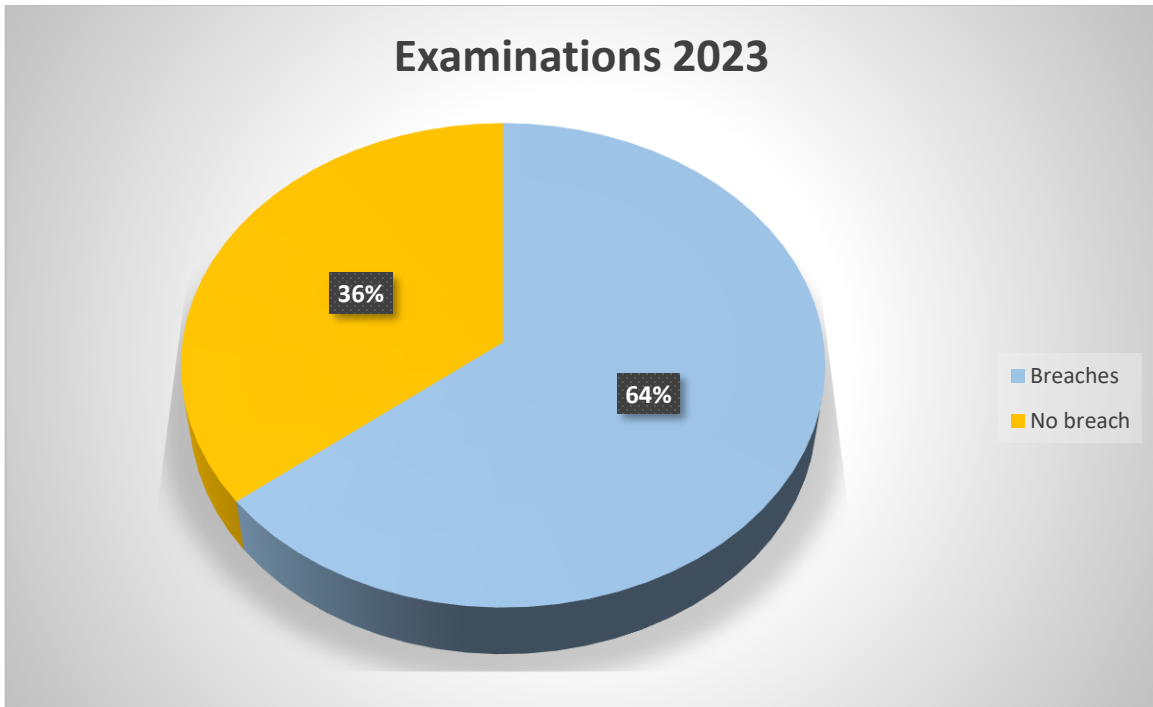
Courts Service	0	0	0	0	1	1
Health Information and Quality Authority	0	0	0	0	1	1
National Council for Special Education	1	0	0	0	0	1
<b>Total</b>	<b>9</b>	<b>8</b>	<b>4</b>	<b>17</b>	<b>10</b>	<b>48</b>

## Complaints examined

We completed examination of 13 complaints during 2023, these also included a rollover of complaints from 2022. Of the complaints examined, breaches were found in 8 cases.

In certain cases, the Commission found that although the actions taken did not amount to a breach, some aspects of the process fell below the standards we would like to see. In these cases, recommendations were made to the public body to amend its processes.

During 2023, we noted a continued increase in the engagement with public bodies and their willingness to improve recruitment processes and the review and complaints procedures. The Commission welcomes this continued engagement and hopes to promote future similar discourse.



## Breaches of the codes

Of the complaints examined breaches of the Code of Practice were found to have occurred in 8 cases.

These included:

- 1) Failure to appoint a trained reviewer to carry out an adequate review
- 2) Failures to maintain communication and provide updates to the complainant over the course of a delayed review process
- 3) Failure to complete a review within a reasonable time period
- 4) Failure to follow recruitment procedures as outlined in candidate booklets

In a number of the other cases, the Commission found that while the actions taken by a public body did not constitute a breach of the Code, some aspects of the selection process fell below the standard we would like to see. In these cases, recommendations were made to the public body to amend its processes.

These included ensuring that:

- 1) Mechanisms are put in place to ensure that all future complaints are processed in a timely manner



- 2) Scoring system should be implemented to distinguish between candidates at shortlisting stage
- 3) Essential requirements and essential experience should be assessed appropriately by the recruiter
- 4) Campaign information is provided to all candidates at the same time to ensure fairness and transparency
- 5) Improved communication between recruiters and candidates at all stages of a campaign

## Case studies

In 2023, the complaints received by the Commission continued to be diverse and covered all areas of recruitment. Below we have outlined some outcomes that arose through our early engagement process and also some examples of issues identified in recruitment competitions. These illustrations are intended as a learning and training tool and to highlight how issues can be resolved and safeguards implemented.

### Early Engagement Outcomes

1. Received request for review as candidate was signposted to the Commission in the first instance. On communicating with the complainant, it became apparent that the complainant had not exhausted his avenue of appeal with the public body. He was outside the timelines to submit due to this error, we contacted the public body and requested they accept his request. This was accommodated and the complainant was satisfied to pursue his complaint with the public body.
2. Complainant requested a formal Section 7 review from a public body, however in the response provided to the complainant it appeared to be an informal review report. This was determined by the involvement of the HR in answering the issues raised in the review request. The Commission contacted the public body and advised that a formal review must be carried out by an independent reviewer that has had no involvement in the recruitment process. The public body agreed to carry out a new review and assigned an independent reviewer at our request.
3. Complainant approached the Commission seeking to complain under Section 8 exceptional circumstances. The complainant raised concerns that his informal and formal Section 7 were carried out by the same reviewer which is not in line

with the Code. The Commission contacted the public body to query this and were advised that whilst both reviews were signed by the same reviewer, the formal review was carried out independently. The Commission were unsatisfied with this response and requested that the public body carry out a new Section 7 review. The recruiter confirmed that this was subsequently completed by an alternative independent reviewer.

## Breaches, recommendations and safeguards

### Complaint 1

#### **Complaints about a competition for Internal Assistant Principal position**

##### **The complaint: The complainant alleged that:**

The complainant applied for the internal position for promotion to Assistant Principal (AP) within a public body with an original closing date for applications. He received an email advising that an initial review had shown that some candidates had exceeded the word limit in the competencies section. It advised that application forms should be reviewed for word count and updated applications. Following communication with the recruiter, the candidate was initially told that updated applications would only be accepted from candidates who had originally exceeded the word count but it was later confirmed that all candidates could resubmit their forms if they wished. The candidate complained that this meant candidates who originally exceeded the word count had more time to resubmit their applications than other candidates. He was then informed by HR that the revised closing date was not due to a word count matter but for other reasons.

He felt that the wording in the candidate booklet made it seem that the criteria was not set out before the process began. He also felt the information provided in the booklet regarding shortlisting was not accurate as online testing was conducted and shortlisting was not used.

He felt there was inconsistent communication regarding the presentation stage of the competition, with candidates being told a visual presentation would not be required but yet the board wanted to see the candidate presentations advance. The lack of clarity and the fact candidates were communicated with at different times gave some candidates an advantage over others. Candidates were told they would be questioned on their presentation at the start of the interview but at his interview the Chair told him

that questioning would take place during the interview proper as part of competency questioning.

He raised concerns regarding communication telling him that candidates were required to reach a qualifying minimum standard of the 20th percentile in each of three tests seemed very low to the candidate and caused him to query whether this criterion had been set before or after testing.

**Recruiters actions:**

The complainant received a response stating that they understood an informal Section 8 had already been completed by phone on 21 September 2022, and that they would be in touch regarding the next steps. The candidate was not made aware that this was deemed his informal review.

The complainant submitted his Section 8 Formal complaint. The complainant received an email from the recruiter advising that a reviewer had been identified to carry out his Section 8 Informal Review. He queried this, as he had been informed that his informal review had already occurred, and had requested a formal review. He received an email clarifying that it was indeed a Formal Review.

The complainant requested to make additions to his formal complaint and he submitted his updated complaint form. He received a phone call from the reviewer. During this phone call, the reviewer apologised for the delay in processing the review. On a number of dates after the complainant received emails from the reviewer apologising for the delays. In March 2023, the complainant received a notification that his complaint was not upheld. The reviewer found that regarding the time extension given to candidates who had exceeded the word count, there was no evidence of unjust or prejudicial treatment as the recruiter responded in a timely and positive manner to the complainant's queries.

The candidate complained that on a phone call with a staff member in the recruiter, he was advised that the additional time given was not to do with the word count but for a separate reason that had been discussed with CPSA which could not be disclosed to the complainant. The reviewer found that as the competition was still ongoing at that stage, the nondisclosure to candidates and the contents of conversations between competition holder and the CPSA is justifiable and reasonable.

Regarding the complainant's suggestion that the criteria was not set prior to the running of the campaign, the reviewer concluded that the information provided contained information on the different possible stages of the appointment process. The complainant notes that the Directive provided for shortlisting if more candidates apply than would be practicable. He stated that he was advised that no shortlisting took place although he feels that there was a large amount of applicants based on the fact that

online testing was conducted at Stage 2. The reviewer found that the candidate had expressed his opinion and the complaint was therefore hypothetical and as such there was no decision for him to make.

The complainant alleged that the requirement to have a copy of his presentation was only communicated after candidates had been advised that one was not required. The reviewer found that the fact that some candidates knew before others was 'beyond any remit or responsibility of the HR Section' and that there was no evidence of a breach of the Code of Practice. Regarding the presentation questioning, the reviewer found that the instructions were not consistent with the written criteria, (the criteria indicated there would be seven minutes questioning on the presentation at the beginning of interview) and may have caused confusion for candidates, however, he found that as it was not intentional it is not evidence of a breach of the Code of Practice.

The complainant stated that the qualifying minimum standard of 20th percentile seems extraordinarily low. The reviewer found that the complainant '*seeks information and gives observations on specific criteria rather than actually having any grounds on which a complaint is specifically based in contravention of the Code of Practice*'. As such, he concluded there was no decision to make regarding this issue.

### **View of the Commission**

The Secretariat examined the documentation relating to the competition and put queries to the recruiter regarding the issues raised in the complaint.

Regarding the extended deadline, the Secretariat found that there were failings on the part of the recruiter in communicating with candidates. The candidate had to raise a formal objection with the recruiter for it to take action to allow all candidates update their application and, further still, the candidate had to request that recruiter inform all candidates of this information. The recruiter advised the Secretariat that it spoke with the complainant and explained that the above was an administration error and that the misinformation provided was corrected within the hour.

The recruiter advised that it contacted CPSA to get information regarding the issues that they had with the extended deadline. They stated that they were advised that there was no reason why they couldn't proceed as normal as it had done everything possible to rectify the problem. The Secretariat found no issue with the recruiter contacting CPSA for advice. The complainant did not need to be informed of the content of this conversation as the competition was ongoing and the recruiter had already rectified the problem.

The Directive provided a list of selection processes that may be used during the competition. The Secretariat did not believe this is evidence that the recruiter had not

already selected what process it was going to use and as such found there was no breach of section '2.7.3 Planning the selection process' of the Code of Practice.

The decision to shortlist is up to the recruiter. The fact that it was not used despite the process being set out in the candidate booklet does not demonstrate that *'this may have led to candidates'* applications being formulated in a way designed to appease an assessment which never took place'. The Secretariat found no issue with this aspect of the complaint.

Regarding the presentation, the complainant was advised that he would be unable to display the presentation on screen during the interview. However, five days later he received an email advising *'the interview board has requested a copy of your presentation in advance of your interview'*. The complainant claimed that some candidates were aware of this requirement before others. However, the communication, which issued to all candidates, contained the same information so the complainant was not disadvantaged. In relation to other people being informed of this requirement before he was, the allegation that this information was likely leaked from candidate to candidate, is beyond any remit or responsibility of Human Resources or of the CPSA.

In the same email, the complainant was also advised that *'There will be a requirement to present for approximately seven minutes (to include questioning) which will be at the beginning of the interview.'* At Interview, the complainant stated that he did not get questioned after his presentation but was advised that questions would be asked at the end of the interview. When questioned by the CPSA, the recruiter advised that a senior Psychologist sat in on a number of interviews. The senior psychologist advised from her recollection and without reviewing paperwork that the *"candidate did the presentation at the start of the interview rather than at the end of the interview and they were questioned on the presentation directly afterwards. Then the interview board members and candidates moved on to the competencies."*

The qualifying standard for competitions is not within the remit of the CPSA. It was also noted by the Secretariat that the review process did not run smoothly for the complainant.

### **Decision**

The Commission found there was no breach of the Code in this case.

### **Outcome**

The Secretariat found that communication with candidates should be improved by the recruiter. The Code of Practice states that *'Open and active communication on the process and the basis for assessment is essential'*. While the Secretariat acknowledged that the recruiter responded quickly and positively to the complainant's correspondence

on all issues, it should not be a candidate's responsibility to contact the recruiter to get clarification on an issue that ought to have been noted by the body. Recruiters should also provide campaign information at the same time to all candidates. The recruiter confirmed that the recommendations would be advised to all staff involved in running competitions within the organisation and would be implemented in all competitions going forward.

## Complaint 2

### **Complaint about a competition for a Senior Specialist Manager position**

#### **The Complaint: The complainant alleged that:**

- He should have been allowed to apply for vacancies in all 3 advertised locations rather than just one;
- The candidate briefing on the oral presentation phase of the competition was confusing;
- Candidate cv qualifications should have been included in candidate assessment;
- The recruiter should have communicated to candidate personal as well as work emails;
- There was inconsistency between the candidate's manager's assessment and that of the board;
- The external reviewer appointed by the recruiter was a potential employer of the candidate and therefore not appropriate;
- One of the competencies should have included a component on ethics;
- That a former line manager and a member of the interview board canvassed against him;
- His interview notes were inaccurate and incomplete;
- HR leaked personal information about him;
- There was a delay in completing his internal review.
- CPSA should consider his as a section 7 complaint (which allows for a change in outcome);

**Recruiters actions:** The reviewer's findings were that there was no evidence to suggest that the CV element of the Application form was excluded from the papers issued to the Board and therefore the information contained therein is available to the Board

members in determining a candidate's suitability for the role. There were no specific formal qualifications required for candidates to fulfil the duties and responsibilities of the post. In this instance, the criteria by which candidates were to be judged suitable, related to the personal attributes and skills required to fulfil the duties and responsibilities of the post. Having examined the paperwork and having had conversations with the Board Member and the trainer who delivered the '*Getting Competition Ready*' course, the Reviewer was satisfied that the recruiter specifically required candidates to restrict themselves to competency examples from within their current roles. It was advised to candidates in the aforementioned training course that their examples should relate to relevant and recent achievements if possible and this would, in many instances, relate to their career with the recruiter.

However, the reviewer stated that it appeared to be entirely up to the candidate to select any example which, in their opinion, best demonstrates their expertise under any particular competency. Regarding the communications and timings of the competition, the Reviewer noted that all candidates were subject to the same timing of communication of all aspects of the competitive process. She stated that the job and person specifications are clearly defined, the vacancy was advertised widely and felt that appropriate assessment mechanisms were utilised. Training was offered to all candidates and also provided to the Board Members. Appropriate records of the appointment process were maintained as is required by the provisions of the Code of Practice.

The Reviewer noted that the process of sending emails to a person's work email address is understandable for an internal competition, but noted that it is advisable for HR to specify this in their competition documentation so as not to leave the matter open to incorrect interpretation by candidates.

The Reviewer also noted that the timetable for the interviews were arranged in conjunction with the Board members and the time slots available were allocated to candidates by means of a draw. The Board members were tasked with assessing the presentations and it is a matter for them to form an objective opinion on the content and delivery of same. The Reviewer acknowledged that there was an error in the Candidate Information Booklet, however the error was corrected by email and gave sufficient time to allow candidates the opportunity to submit a presentation.

The Reviewer noted that the training was provided at a late stage in the competition preparation. However, the provision of relevant training was done in good faith. She advised that going forward, the organisation could endeavour to arrange training for candidates as far as possible in advance of the requirement to submit a presentation.

The reviewer stated that many of the statements made by the complainant regarding the breaches to the confidentiality of his candidature are hearsay. She feels that if there

was truth to these statements, it would have not influenced the outcome of the competition. However, it is strongly advised that the recruiter remind those involved in any competitive process that it is not permitted to discuss or disclose any information in relation to candidates with any other party.

**View of the Commission:** The complainant stated that he felt the magnitude and seriousness of his complaint warrants this Office to examine his complaint under Section 7 & 8 of the Code of Practice. The complainant made his complaint to the recruiter under Section 8 of the code and as such this office would not consider his complaint under Section 7.

The position for Regional Mapping Director was advertised in 3 different areas, Waterford, Dublin and Roscommon. In his complaint to this Office, the complainant stated that he applied for the Dublin office but had also expressed an interest in the Waterford Office. The complainant felt that it was discriminatory to be excluded from the two other panels. As is stated in the H.R Office notice 07 of 2022, Candidates should only indicate on the application form one location they would be prepared to work. All candidates were made aware of this entering the competition, no discrimination was displayed by the recruiter by asking candidates to pick one location for the position in which they were applying for.

The complainant claimed that *'the confusing wording of the brief for the presentation gave rise to concern that unless a summary of the latter (CV) information was included in the presentation, that same would not be before the interview board, which influenced the outcome of the presentation, at least in my case'*. The Office notice clearly stated that the title of the presentation will be *'The role of the RMD in delivering an excellent customer centric service'*. There was an error made in the Office note as it directs applicants to Paragraph 4 & 5 when it should have read Paragraph 3, however, the recruiter corrected this error by email prior to interview and apologised for the confusion. The Commission found no breach occurred, the information regarding the presentation was clear and concise and all candidates were notified of the error made.

The complainant felt that *the 'Omission of the CV from the competition selection methods any stage of the competition was unfair and in breach of requirements for probity, merit, transparency etc. under the code, whether at shortlisting or at any other stage of the competition'*. The recruiter's application form requested all the information contained in a CV such as Academic and professional Qualifications and Career History. The CV was part of the competition, no shortlisting occurred based on the CV/application form and the CV was provided to the interview board. The Commission does not direct public bodies as to how to use CV's or applications in the recruitment process, however it does ensure that a public body carry out a fair, transparent, merit-based and universally designed recruitment and selection process. The Office Notice



sent to all candidates clearly sets out the application process, the Commission found no breach of the code regarding this point.

The complainant stated that the recruiter failed to send an email regarding the presentation to his personal email, it was only sent to his work email. As a result, he says he lost 4 out of 7 days to prepare for his presentation. He was the first interviewee and feels that others were at an advantage as some presented/interviewed 3 days later. Similarly, the complainant stated that the recruiter requested an extension for the Formal Review decision and advised that it would have a response by the 31 December 2022. The complainant was on sick leave and by the 2 January 2023, had still not received a response. He emailed HR and was advised that a response had been sent to his work email only, on the 29 December 2022. The recruiter had advised that communication for this internal competition was through work email addresses. However, if a message was sent to a candidate and an Out of Office was noted, then an email was sent to their home email address. The Commission recommended that as the recruiter had requested on the application form both applicants work and home email addresses that all correspondence should be sent to both email addresses or the recruiter clarifies with applicants what email address will be used.

The complainant stated that at interview, the board demanded that certain answers be based on his experience of working within the recruiter. He felt that this precluded his formal qualifications and external work experience. It is not within the Commissions remit to direct public bodies on how and what questions should be asked for any competition once all candidates are treated in the same manner. The Commission were advised that the interview board were fully trained. The Commission examined the complainant's interview notes as well as two sample interview notes for successful and unsuccessful candidates and found no difference between the line of questioning taken with the complainant and that taken with other candidates.

The complainant stated that there is inconsistency between his Manager's assessment and that of the board. While the board had access to the Manager's assessment, an interview is based on a candidate's overall performance on the day. The board had been fully trained and as such the Commission found no issue that the board had a differing opinion than the candidates' manager.

The recruiter appointed an external Reviewer to conduct the formal review. The complainant was unhappy with this appointment as the Reviewer was from an Office that he had been successful in reaching a panel on for a separate competition. The complainant found this to be '*intimidatory victimizing behaviour*'. The recruiter had confirmed that the Reviewer was trained appropriately in conducting reviews and has extensive experience in recruitment processes. As such, the Commission found that the appointment of an external Reviewer was appropriate and found no evidence to dispute the Reviewers findings.

Regarding *'The candidate Information published in respect of a relatively concurrent role to that in HR Notice 07/2022 in HR Notice 09/2022 confirms that that competition was being run using "50% seniority and suitability and 50% on merit" base criteria,'* This was information given in HR Notice 09/2022 *'Competition for progression to the Higher Scale in relation to grades represented by Forsa'*, this was a separate competition and has no relevance to the post of Regional Mapping Director.

The complainant was unhappy that his formal qualifications were not considered by the recruiter. He questioned *'how on earth can a Management post within the Civil / Public service be made in the first instance without the requirement to have any formal qualifications in the 21st century?'* This was not a question that the Commission could answer. It is up to the public body to determine what qualification, if any, are required for the post.

The complainant suggested that the competency *'Drive and commitment to public Sector Values'* should include ethics. This was not a matter for this Office to examine or comment on.

The complainant had complained of a pattern of intimidating, victimising behaviours during the competition process. He alleged that his *'former line manager and a member of the interview board appeared to be engaging in canvassing against my appointment to the role'*. No specific information was provided.

The complainant felt that there were inaccuracies in the note taking during his interview. He said that the interview board had access to only incomplete accounts of what he had said during both presentation and interview. Note taking at interviews will generally summarise applicants responses however as with the above issue, the board were fully trained. The Commission did not see any evidence that the board did not carry out its function correctly.

The complainant made a number of references to his personal information being shared with other staff and the *'leakage of information and documentation from the competition process including to those other than the interview board/authorised persons'* It is not within the Commissions remit to examine or determine if that occurred. The Data Protection Commissioner would be better placed to examine that allegation.

Having reviewed the informal decision, the Commission found that the Reviewer examined all of the issues raised in the complaint and explained the reason for her findings clearly to the complainant. While the Reviewer contacted the complainant a number of times by phone to discuss his case, the decision was made over a month later, outside of the timeline as set out in the Code of Practice and as such, constitutes a breach of the Code.

**Decision:** The Commission found there was a breach of the Code regarding the timelines of the internal review. The Commission noted that while both work and personal email addresses were requested, only work addresses were used. This was unclear to the complainant.

**Outcome:** The Commission recommended that the recruiter put a mechanism in place to ensure it adheres to the timelines in the Code on completing reviews of complaints received from candidates. The Commission recommended that if both personal and work email addresses are requested, both should be used. The recruiter confirmed that it will adhere to both recommendations in all internal promotion competitions going forward. All documentation pertaining to the planning and delivery of internal promotion competitions, including guides for candidates relating to appeals and investigations will be updated to reflect the recommendations made.

## The Commission Audit Function

As part of the Commission's oversight role, audits may be undertaken of licence holder recruitment and selection activity. This serves as an essential learning tool, setting benchmarks for good practice and highlighting areas for improvement.

No audits were undertaken by the Commission for Public Service appointments in 2023.

## Recruitment Licence Verification Programme

### Background

At its meeting of 13 December 2022 the Commission approved a proposal by the Secretariat to undertake a project to verify compliance by bodies granted recruitment licences by the Commission with the terms of those licences. In line with our regulatory remit, the purpose of the project was to provide reasonable assurance to the Commission that public bodies are generally complying with the Code of Practice in their recruitment. It is noted that the number of complaints has been decreasing and this was to ensure that breaches are not occurring in competitions for which we do not receive complaints.

Such verification is provided for in Section 43(5) of the Public Service Management Act, 2004 (PSMA), which states that *'The Commission shall, from time to time as it considers appropriate, examine and evaluate, or cause to be examined and evaluated, every*

*licence holder for the purpose of finding out whether or not each of them has complied with the conditions of this section’.*

## Methodology

We approached the project in two stages. The first stage involved completion of a questionnaire by each licenced recruiter on the structure and staffing of their recruitment function. This questionnaire mirrors the revised questionnaire which new licence applicants are required to complete. It is noted that all new licence holders are now being advised that they will need to completed this exercise every two years, whereas older licence holders had never completed it

The second stage involved us analysing the records of specific recruitment campaigns we randomly selected for each recruiter.

## First stage process and outcome

For this stage, we created a self-declaration questionnaire based on the recruitment licence application form that we use to assess all new recruitment licence application.

In April, we sent the self-declaration questionnaire to all 47 licence holders in which we asked a number of question, including the following:

- Staffing and the experience/qualification of staff,
- Experience of the organisation in running competition processes such as shortlisting, interviews, psychometric tests
- The number of competitions ran by the organisation in the last 24 months and
- How the CPSA is signposted within the candidate information booklet

We reviewed all returns using the checklist we use to assess applications for new licences to ensure the structure and staffing of the licence holders’ recruitment function are consistent with the standards set out in the Commission’s Code of Practice.

Having examined all 47 completed questionnaires, we are satisfied that the responses from all 47 licence holders satisfied this test and we had reasonable expectation that their recruitment is carried out in line with the Code of Practice.

## Second stage

In order to increase our assurance level, we proceeded to the second stage of the verification process.

In this stage we assessed how the licence holders managed their recruitment functions by selecting a number of competitions each organisation had run in the previous two years and determining if each one had been run in accordance with the Code of Practice. We based the number of competitions we selected on the overall level of recruitment activity carried out by each licence holder over those previous two years.

Among the questions asked were:

- What selection tests were used for the campaign
- A copy of the Candidate handbook/advertisement
- We selected a candidate at random and asked for any correspondence between HR and the candidate

All second stage returns were once again examined using the checklist. We reviewed all stages of the selected competitions including the planning stages, staff and units involved, the selection tests used and any audits or quality assurance that were carried out by the recruiter. We also examined the candidate booklet to ensure it met the standards as set out in the Code. We ensured that the review process was explained to candidates and that the CPSA review option was signposted in the competition booklet. On examining these elements, we were satisfied that the competitions met the necessary criteria and were in fact run in line with the Code of Practice.

## Summary

We can therefore offer a high level of assurance to the Commissioners that the Licenced Recruiters are complying with the Code of Practice.

## An additional outcome emerged: Duplication with PAS recruitment.

One issue that emerged from the second stage was that 22 of our Licence Holders had run competitions for general service grades such as Clerical Officer, Executive Officer, Higher Executive Officer, Assistant Principal and Principal Officer. Competitions for all of these grades are normally run by the Public Appointments Service. As outlined in the terms and conditions issued to licence holders, if a public body wishes to run campaigns

for the above mentioned grades, they must have a business case prepared as to why it is required and the reason for not utilising the Public Appointments Service to fill these vacancies. This is to avoid duplication of recruitment activity between the Public Appointments Service and the licence holders. This creates confusion in the employment market, it increases costs for the State and it creates unnecessary competition between State bodies.

We contacted these 22 bodies and informed them of their obligation to contact us prior to running PAS equivalent grade competitions. All 22 bodies provided a response and assured the Commission that going forward they would engage with both PAS and ourselves prior to running the above or equivalent competitions. We are satisfied that this assurance ought to address the risk of duplication that occurred in the relevant campaigns run by the 22 recruiters in question.

## Conclusion and future steps

We have now contacted the 47 Licence Holders to inform them that our licence verification programme is complete and that the Commission is satisfied with the correspondence received and are reassured that recruitment by their organisations is functioning in compliance with the terms of their Recruitment Licence.

We advised the Licence Holders that we would be repeating the licence verification programme in two years' time so as to reassure the Commission that the Licence Holders are in compliance with the Code of Practice.

We received some really positive feedback from many of the bodies. A number advised they were happy to have their processes checked to ensure they are meeting their licence obligations and to get re-assurances from the CPSA.

## Approved agencies

In most cases, a licence holder will carry out all aspects of the selection process. However, it is open to a licence holder, where relevant, to seek the assistance of a private sector recruitment agency with some of the tasks associated with the recruitment process.

We publish a list annually of ‘approved recruitment agencies’. These are agencies that have applied to the Commission and, on examination, we were satisfied that they have appropriate processes in place to support public bodies in carrying out fair merit-based selection.

All approved agencies are listed on the register of licenced employment agencies maintained by the Department of Enterprise, Trade and Employment and have given statements of compliance confirming that they will adhere to the standards and principles outlined in the Code of Practice.

During 2023, the Commission approved the following agencies:

- Staffline Recruitment ROI Ltd
- Africare
- Hollilander Recruitment Ltd
- Brightwater Selection (Ireland) Ltd
- Careerwise Recruitment Ltd
- Steeringpoint Advisory Ltd
- Medforce

This approval means 39 agencies are now included on our list of approved agencies, a full list of which is attached at Appendix 4.

We have implemented a programme to assess all approved agencies and ensure they are compliant with the conditions and standards set out by the Commission. We are

now reviewing the current listed recruitment agencies and intend to do so every two years to ensure they remain compliant with the standards set out by the Commission and in accordance with the Codes of Practice. Any agency that no longer meets the standard, will be removed from the list.

## Excluded positions

Civil service bodies should be in a position to plan their staffing needs, including the filling of temporary posts, through workforce planning activities. However, in some cases, it can be necessary to appoint someone to a position on a temporary basis, outside of the requirements of the Public Service Management (Recruitment and Appointments) Act, 2004.

In these cases, a body can apply to us for an excluding order. If we grant the order, the appointment is temporarily excluded from the Act. This means that they can make an appointment without a full selection process under the Code of Practice.

We only grant excluding orders for temporary positions within the Civil Service. They are usually only granted when appointing someone to a specific short-term initiative or as ministerial office staff. Apart from this, we will only grant an order in exceptional circumstances.

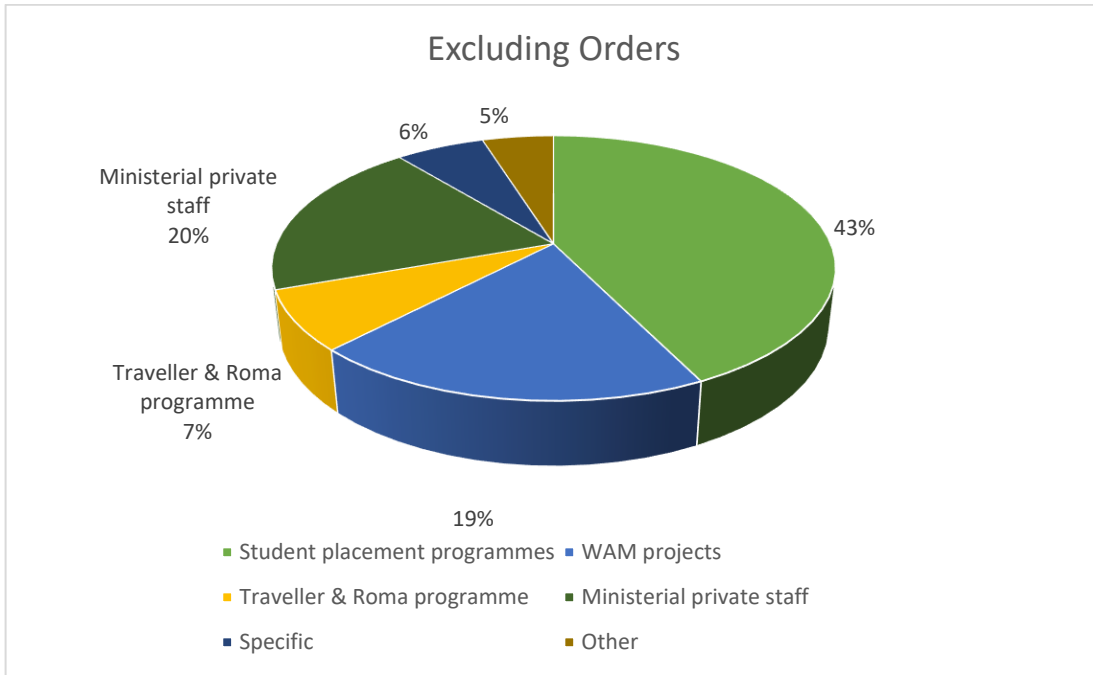
The table below details the Excluding Orders which were made or extended in 2023.

Category	Orders
Student placement programmes	35
WAM projects (Willing Able Mentoring)	16
Traveller & Roma programmes	6
Ministerial private staff	16
Specific skills	5
Other	4
<b>Total</b>	<b>82</b>

82 orders were granted to support specific short-term initiatives i.e. student placement programmes, WAM (Willing Able Mentoring) projects, Traveller and Roma pilot



programme and exchange schemes. 16 orders were made for ministerial private staff and 5 order were made for specific skills.



# Protected Disclosures

A protected disclosure is a disclosure by a worker of information about a relevant wrongdoing which they became aware of in a work related context. The Protected Disclosures Act provides certain protections to those who make protected disclosures.

Sometimes workers make these reports to their own employer, but in other cases they may choose to make them to a Prescribed Person.

The Director of the CPSA is a Prescribed Person under the Protected Disclosures (Amendment) Bill 2022, with responsibility for assessing disclosures in certain areas of Public Sector recruitment. Prescribed Persons are generally regulators in the areas that are the subject of allegations. To make a protected disclosure to a Prescribed Person, the worker must reasonably believe that the Prescribed Person is responsible for the report and the information disclosed and any allegation made are substantially true.

In 2023, the CPSA received six reports of wrongdoing in public sector recruitment. Four of the reports were anonymous and two were from a named reporter.

As of 31/12/2023, assessments were carried out on two of the disclosures. At the stage of initial assessment, the CPSA considers whether there is “*prima facie evidence that a relevant wrongdoing may have occurred*”, based on information provided by the reporting person. This is a first step as part of a triaging of reports set out under the legislation. It is not a conclusion that wrongdoing has or has not actually occurred, as this is something that could only be determined after a more detailed investigation.

Following the assessment stage, one was referred back to the Office of the Protected Disclosures Commissioner as it was not within the remit of the CPSA while the other was closed as the CPSA was satisfied there was no prima facie evidence that a wrongdoing had occurred. Consideration of the other four cases is ongoing.

## Looking ahead to 2024

In 2024, the Commission intends to continue to expand and strengthen its outreach to public bodies. This will further support compliance and best practice in the sector. We also intend to commence a programme of candidate engagement to inform candidates

and prospective candidates of their rights and inform them of the standards expected in a selection process conducted under the Commission's Code of Practice.

The Commission are currently pursuing a project to identify whether there are public sector bodies who are recruiting without either a licence or a legislative exemption. There are currently 51 recruiters who operate under licences awarded by CPSA. We currently do not have complete information regarding other public bodies. By conducting this project, we hope to identify these agencies and determine which of them fall under the CPSA's remit and are subject to its Code of Practice. The next step would be to engage with the relevant Departments to ensure that all bodies that should be subject to the Code of Practice are in fact within its scope and conducting recruitment in line with best practice.

As stated in the Introduction above, in 2022 the concept of a unified Statement of Strategy for all of the regulatory bodies under the corporate umbrella of the Office of the Ombudsman was adopted. This approach will allow these offices to continue to support and strengthen the wider Public Service in reaching our shared goals.

## Appendix 1 Licence holder recruitment and selection activity

Licence Holder	Internal	Open	Open (PAS)	Acting up	Total	Internal %	External %
Adoption Authority of Ireland	4	19	0	3	26	27	73
An Garda Síochána	140	21	427	25	613	27	73
Central Statistics Office	38	177	63	16	294	18	82
Chief State Solicitor's Office	10	38	20	1	69	16	84
Child and Family Agency (TUSLA)	81	966	1	384	1432	32	68
Courts Service	59	103	0	52	214	52	48
Corporate Enforcement Authority	6	15	11	1	33	21	79
Data Protection Commission							
Department of Agriculture, Food and the Marine	148	59	286	14	507	32	68
Department of Children and Youth Affairs	47	0	198	6	251	21	79
Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media	16	16	66	11	109	25	75
Department of Education and Skills (Incl Dept of Higher/further ed)	152	115	279	34	580	32	68
Department of Enterprise, Trade and Employment	74	1	78	3	156	49	51
Department of Finance	13	18	63	2	96	16	84
Department of Foreign Affairs	181	7	216	44	448	50	50
Department of Health	11	0	86	7	104	17	83
Department of Housing, Planning and Local Government	60	45	137	2	244	25	75
Department of Justice and Equality	49	64	523	60	696	16	84
Department of Public Expenditure and Reform	26	1	100	4	131	23	77

Department of Rural and Community Development	13	0	25	1	39	36	64
Department of Social Protection	251	294	1410	288	2243	24	76
<b>Licence Holder</b>	<b>Internal</b>	<b>Open</b>	<b>Open (PAS)</b>	<b>Acting up</b>	<b>Total</b>	<b>Internal %</b>	<b>External %</b>
Department of the Taoiseach	10	0	38	0	48	21	79
Department of Transport	9	2	121	4	136	10	90
Financial Services and Pensions Ombudsman	4	26	0	0	30	13	87
Garda Síochána Ombudsman Commission							
Health Information and Quality Authority (HIQA)	38	64	0	7	109	41	59
Houses of the Oireachtas	45	45	47	3	140	34	66
Irish Human Rights and Equality Commission	4	2	19	1	26	19	81
Irish Prison Service	114	38	194	23	369	37	63
Law Reform Commission	0	9	0	1	10	10	90
Legal Aid Board	13	96	1	8	118	18	82
Maritime Area Regulatory Authority							
National Council for Special Education	8	62	9	4	83	14	86
National Shared Services office							
Nursing and Midwifery Board of Ireland	0	15	0	0	15	0	100
Office of the Comptroller and Auditor General	6	11	1	1	19	37	63
Office of the Director for Public Prosecutions	19	42	1	2	64	33	67
Office of the Ombudsman	1	2	11	0	14	7	93
Office of the Ombudsman for Children							
Office of the Planning Regulator	0	19	1	1	21	5	95
Office of Public Works	51	0	151	8	210	28	72
Office of the Revenue Commissioners	381	174	576	13	1144	34	66

Policing Authority	0	6	5	0	11	0	100
Public Appointments Service	6	0	95	23	124	23	77
State Examination Commission	4	102	34	18	158	14	86
<b>Licence Holder</b>	<b>Internal</b>	<b>Open</b>	<b>Open (PAS)</b>	<b>Acting up</b>	<b>Total</b>	<b>Internal %</b>	<b>External %</b>
State Laboratory	9	28	11	0	48	19	81
Tax Appeal Commission	2	0	4	3	9	55	45
Tailte Éireann (PRA and Valuation office and Ordnance survey)	13	9	62	5	89	20	80
The Electoral Commission	0	0	4	0	4	0	100
<b>Totals</b>	<b>2116</b>	<b>2711</b>	<b>5374</b>	<b>1083</b>	<b>11284</b>	<b>28</b>	<b>72</b>

<b>Health Service Executive</b>	<b>Internal</b>	<b>Open</b>	<b>Open (PAS)</b>	<b>Acting up</b>	<b>Emergency</b>	<b>Total</b>	<b>Internal %</b>	<b>External %</b>
Health Business Services (HBS)								
CHO area 1								
CHO area 2	0	956	7	79	0	1042	8	92
CHO area 3	170	415	0	87	0	672	38	62
CHO area 4								
CHO area 5	47	534	0	102	0	683	22	78
CHO area 6	175	311	8	122	0	616	48	52
CHO area 7	0	199	0	31	0	230	13	87
CHO area 8	46	264	0	199	0	509	48	52
CHO area 9	135	550	7	0	0	692	20	80
RCSI Hospital Group								
Ireland East Hospital Group	19	559	1	46	0	625		

							10	90
<b>Health Service Executive</b>	<b>Internal</b>	<b>Open</b>	<b>Open (PAS)</b>	<b>Acting up</b>	<b>Emergency</b>	<b>Total</b>	<b>Internal %</b>	<b>External %</b>
Dublin Midlands Hospital Group								
UL Hospital Group	0	489	0	34	0	523	7	93
South/South West Hospital Group	2	1143	0	71	0	1216	6	94
Saolta Hospital Group								
HR Shared Services National Office	0	5339	253	0	0	5592	0	100
HR Community Operations								
DML Area Recruitment Manager								
<b>Total</b>	<b>594</b>	<b>10759</b>	<b>276</b>	<b>771</b>	<b>0</b>	<b>12400</b>	<b>11</b>	<b>89</b>

## Appendix 2 Number of complaints vs overall number of appointments

Licence Holder	Complaints made under Section 7	Complaints made under Section 8	Appointments Made	Total % of complaints over appointments
Office of the Revenue Commissioners	51	0	1144	4.4
Department of Foreign Affairs	16	0	448	3.6
National Council for Special Education	3	0	83	3.6
Department of Agriculture, Food and the Marine	9	4	507	2.6
Courts Service	4	0	214	2
State Examination Commission	3	0	158	1.9
An Garda Síochána	8	2	613	1.6
Office of the Director of Public Prosecutions	1	0	64	1.6
Department of Social Protection	33	0	2243	1.5
Irish Prison Service	4	0	369	1.1
Central Statistics Office	2	1	294	1
Department of Health	0	1	104	1
Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media	1	0	109	0.9
Health Information and Quality Authority	1	0	109	0.9
Department of Children and Youth Affairs	2	0	251	0.8
Department of Justice and Equality	0	5	696	0.7
Child and Family Agency (TUSLA)	3	0	1432	0.2



Adoption Authority of Ireland	0	0	26	0
Chief State Solicitor's Office	0	0	69	0
<b>Licence Holder</b>	<b>Complaints made under Section 7</b>	<b>Complaints made under Section 8</b>	<b>Appointments Made</b>	<b>Total % of complaints over appointments</b>
Corporate Enforcement Authority	0	0	33	0
Department of Education and Skills (Incl Dept of Higher/further ed)	0	0	580	0
Department of Enterprise, Trade and Employment	0	0	156	0
Department of Finance	0	0	96	0
Department of Housing, Planning and Local Government	0	0	244	0
Department of Public Expenditure and Reform	0	0	131	0
Department of Rural and Community Development	0	0	39	0
Department of the Taoiseach	0	0	48	0
Department of Transport	0	0	136	0
Financial Services and Pensions Ombudsman	0	0	30	0
Houses of the Oireachtas	0	0	140	0
Irish Human Rights and Equality Commission	0	0	26	0
Law Reform Commission	0	0	10	0
Legal Aid Board	0	0	118	0
Nursing and Midwifery Board of Ireland	0	0	15	0
Office of the Comptroller and Auditor General	0	0	19	0
Office of the Ombudsman	0	0	14	0
Office of the Planning Regulator	0	0	21	0
Office of Public Works	0	0	210	0

Policing Authority	0	0	11	0
Public Appointments Service	0	0	124	0
<b>Licence Holder</b>	<b>Complaints made under Section 7</b>	<b>Complaints made under Section 8</b>	<b>Appointments Made</b>	<b>Total % of complaints over appointments</b>
State Laboratory	0	0	48	0
Tax Appeal Commission	0	0	9	0
Tailte Éireann (PRA, Valuation Office and Ordnance survey)	0	0	89	0
The Electoral Commission	0	0	4	0
Data Protection Commission				
Garda Síochána Ombudsman Commission				
Maritime Area Regulatory Authority				
National Shared Services Office				
Office of the Ombudsman for Children				
<b>Total</b>	<b>141</b>	<b>13</b>	<b>11284</b>	<b>1.4</b>

<b>Health Service Executive</b>	<b>Complaints made under Section 7</b>	<b>Complaints made under Section 8</b>	<b>Appointments Made</b>	<b>Total % of complaints over appointments</b>
CHO area 7	9	0	230	4
CHO area 8	8	5	509	2.5
CHO area 6	13	0	616	2.1
HR Shared Services National Office	82	14	5592	1.7
CHO area 3	11	0	672	1.6

CHO area 9	6	1	692	1
UL Hospital Group	5	0	523	1
<b>Health Service Executive</b>	<b>Complaints made under Section 7</b>	<b>Complaints made under Section 8</b>	<b>Appointments Made</b>	<b>Total % of complaints over appointments</b>
CHO area 5	5	0	683	0.7
CHO area 2	5	0	1042	0.5
South/South West Hospital Group	5	0	1216	0.4
Ireland East Hospital Group	0	0	625	0
Health Business Services (HBS)				
CHO area 1				
CHO area 4				
RCSI Hospital Group				
Dublin Midlands Hospital Group				
Saolta Hospital Group				
Childrens Hospital Group				
HR Community Operations				
DML Area Recruitment Manager				
<b>Total</b>	<b>149</b>	<b>20</b>	<b>12400</b>	<b>1.4</b>

Notes: In the returns submitted by the HSE, there were 0 emergency appointments made.

**\*Any areas that have been left blank reflects the Public Bodies and HSE areas that failed to return their recruitment statistics.**

## Appendix 3 Recruitment licence holders

Adoption Authority of Ireland  
An Garda Síochána  
Central Statistics Office  
Chief State Solicitor's Office  
Child and Family Agency - TULSA  
Courts Service  
Data Protection Commission  
Department of Agriculture, Fisheries and Food  
Department of Children and Youth Affairs  
Department of Culture, Heritage and the Gaeltacht  
Department of Education and Skills  
Department of Enterprise, Trade and Employment  
Department of Finance  
Department of Foreign Affairs  
Department of Health  
Department of Housing, Planning and Local Government  
Department of Justice and Equality  
Department of Public Expenditure and Reform  
Department of Rural and Community Development  
Department of Social Protection  
Department of the Taoiseach  
Department of Transport  
Financial Services and Pensions Ombudsman  
Garda Síochána Ombudsman Commission (GSOC)  
Health Information and Quality Authority  
Health Service Executive  
Irish Human Rights Commission  
Irish Prison Service  
Law Reform Commission  
Legal Aid Board  
Maritime Area Regulatory Authority  
National Council for Special Education  
National Shared Services Office  
Nursing and Midwifery Board of Ireland  
Office of the Comptroller and Auditor General

Corporate Enforcement Authority  
Office of the Director of Public Prosecutions  
Office of the Houses of the Oireachtas  
Office of the Ombudsman  
Office of the Ombudsman for Children  
Office of the Planning Regulator  
Office of Public Works  
Office of the Revenue Commissioners  
Policing Authority  
Public Appointments Service  
State Examinations Commission  
State Laboratory  
Tax Appeals Commission  
Tailte Éireann (PRA, Valuation office and Ordnance survey)  
The Electoral Commission

## Appendix 4 Approved Recruitment Agencies

FRS Recruitment Society Limited  
Lex Consultancy Limited  
Sigmar Recruitment Consultants Limited  
Recruitment Plus  
Osborne Recruitment  
Cpl Ltd  
Servisource Recruitment Limited  
Hays Specialist Recruitment Limited  
Orange Recruitment Limited  
Mazars  
InterSearch Ireland  
PE Global  
Gatenby Sanderson  
Conscia  
Amrop  
Yala  
Lansdowne Executive  
PWC Executive  
Signium Ireland  
Matrix Recruitment  
Excel Recruitment  
Lincoln Recruitment Specialists  
Odgers Berndtson  
Perret Laver Ltd  
Eden Recruitment  
Vertical Markets Group  
2into3  
Morgan McKinley Group  
RSM Ireland  
Hero Recruitment  
Nuvo Recruitment  
Shikilla Healthcare  
Staffline Recruitment (ROI) Ltd  
Africare  
Hollilander Recruitment Ltd

Brightwater Selection (Ireland) Ltd  
Careerwise Recruitment Ltd  
Steering Point Advisory Ltd  
Medforce



Oifig an Choimisiúin um Cheapacháin Seirbhíse Poiblí  
Office of the Commission for Public Service Appointments

# Tuarascáil Bhliantúil 2023



## Clár Ábhar

Brollach ó Chathaoirleach an Choimisiúin .....	51
Nuashonrú ón Ard-Stiúrthóir .....	53
Réamhrá .....	55
Ráiteas Straitéise 2025.....	55
Gníomhaíochtaí in 2023.....	56
An Coimisiún .....	56
Ár ról.....	57
Ceadúnais earcaíochta .....	59
Ceadúnais earcaíochta eisithe .....	60
Gníomhaíocht earcaíochta.....	60
Gearáin.....	60
Gearáin a fuarthas.....	61
Gearáin a scrúdaíodh .....	63
Sárúithe ar na cóid .....	64
Cás-staidéir.....	65
Torthaí Luathrannpháirtíochta .....	65
Sárúithe, moltaí agus cosaintí.....	66
Gearán 1.....	66
<b>Gearán faoi chomórtas do phost mar Príomhoifigeach Cúnta Inmheánach .....</b>	<b>66</b>
Gearán 2.....	70
<b>Gearán faoi chomórtas do phost mar Bhainisteoir Sinsearach Speisialaithe .....</b>	<b>70</b>
Feidhm Iniúcháireachta an Choimisiúin .....	75
Clár Fíorúcháin maidir le Ceadúnais Earcaíochta.....	76
Gníomhaireachtaí ceadaithe.....	79
Poist eisiata .....	80
Nochtuithe Cosanta .....	83
Aguisín 1 Gníomhaíocht earcaíochta agus.....	85

roghnúcháin sealbhóirí ceadúnais .....	85
Aguisín 3 Sealbhóirí ceadúnais earcaíochta.....	94
Aguisín 4 Gníomhaireachtaí Earcaíochta .....	96
Ceadaithe .....	96

## Brollach ó Chathaoirleach an Choimisiúin



Is cúis áthais dom é Tuarascáil Bhliantúil an Choimisiúin um Cheapacháin Seirbhíse Poiblí 2023 a chur i láthair. Ba bhliain ghnóthach eile í agus muid ag déileáil lenár bhfeidhmeanna reachtúla bunúsacha, go háirithe, ár ról leanúnach imscrúdú a dhéanamh ar ghearáin ó iarratasóirí maidir le comórtais earcaíochta. Leanaimid orainn freisin iarratais ó chomhlachtaí, ar mian leo dul i mbun earcaíochta sa tseirbhís phoiblí, a mheas, mar aon le gníomhaireachtaí ar mian leo comhoibriú leis na hearcaitheoirí sin. Ina theannta sin, déanaimid iarratais ar orduithe eisiata d’earcaitheoirí a mheas chun ceapacháin lasmuigh de na próisis roghnúcháin iomaíochta a dhéanamh i gcúisí áirithe. Is gnách gur socrúcháin oibre do mhic léinn atá i gceist leis seo chomh maith le hintéirneachtaí eile in eagraíochtaí seirbhíse poiblí eile.

Leagtar amach sa tuarascáil seo staitisticí mionsonraithe faoi gach ceann de na gníomhaíochtaí seo. Ba mhaith liom, áfach, aird a tharraingt ar líon na ngearán a fuairamar ó iarratasóirí – 48 - laghdú suntasach ó na 69 gearán a fuairamar in 2022. Le dhá bhliain anuas, bhí ár Rúnaíocht i dteagmháil go réamhghníomhach le hearcaitheoirí chun cainéil chumarsáide a bhunú agus chun iad a spreagadh aon chúis inní atá acu, pé acu sa ghníomhaíocht earcaíochta go ginearálta nó i bhfeachtais faoi leith, a chur in iúl dúinn go luath ionas gur féidir linn cuidiú leo maidir le dea-chleachtas nuair atá siad i mbun earcaíochta seachas bheith ag déileáil le gearáin níos déanaí ina dhiaidh sin. Tá sé tugtha faoi deara againn go spreagann an cur chuige seo earcaitheoirí chun comhairle a lorg uainn roimh dóibh feachtas roghnúcháin a sheoladh agus lena linn. Táimid muiníneach go gcuireann an teagmháil luath seo le cáilíocht na bhfeachtas agus go bhfuil laghdú le feiceáil i líon na ngearán dá bharr.

D'oibrigh an Rúnaíocht ar thionscadal in 2023 chun a fhíorú go bhfuil earcaitheoirí ag comhlíonadh téarmaí agus coinníollacha na gceadúnas earcaíochta a bhronn an Coimisiún orthu. Leis an bpíosa oibre móire seo chuamar i mbun caidrimh leis na 51 comhlacht ceadaithe go léir chun na nósanna imeachta earcaíochta atá i bhfeidhm acu a mheas, agus a chinntiú go bhfuil fostaithe a bhfuil na scileanna cuí acu chun na nósanna imeachta seo a chur i bhfeidhm. Áirítear sa tionscadal anailís ar chomórtais a d'eagraigh earcaitheoirí nach raibh aon ghearáin ann mar thoradh orthu ionas go bhféadfaimis blas a fháil den ghnáthghníomhaíocht earcaíochta lasmuigh den ról atá againn déileáil le gearáin. Rinneadh an-dul chun cinn ar an tionscadal le linn 2023 agus táim ag súil le nuashonrú a chur ar fáil daoibh faoi inár dtuarascáil do 2024.

Thar ceann mo chomh-Choimisinéirí, ba mhaith liom buíochas a ghabháil lenár Rúnaíocht as an méid a rinneadar le linn 2023. Táimid buíoch as an obair seo agus cabhraíonn sí chun cinnte a dhéanamh de go ndéantar rialáil cheart ar an earcaíocht sa tseirbhís phoiblí in Éirinn.

Seán Ó Feargháil  
Cathaoirleach an Choimisiúin

## Nuashonrú ón Ard-Stiúrthóir



Ar dtús ba mhaith liom a rá go n-aontaím go hiomlan leis an méid atá ráite ag an gCathaoirleach maidir leis an bhfoireann agus an obair atá déanta acu i rith na bliana chun tacú le hobair an Choimisiúin.

In 2022 sheolamar ár Straitéis 2025 ina leagtar amach príomhspríocanna ár nOifige go dtí 2025. Is cúis áthais dom a rá go bhfuil dul chun cinn déanta againn in 2023 i dtaca le roinnt denár spriocanna straitéiseacha. Maidir le rannpháirtíocht lenár bpáirtithe leasmhara a fheabhsú agus a leathnú amach, leanamar orainn lenár gcaidreamh a neartú le comhlachtaí poiblí agus leis an tuiscint atá acu ar an gCód Cleachtas. Thugamar comhairle agus thacaíomar leo dea-chleachtas a sheachadadh agus cloí leis an gCód ina bhfeachtas earcaíochta. Is léir ón rannpháirtíocht seo go bhfuil comhlachtaí poiblí níos sásta ná mar a bhídís feabhas a chur ar phróisis earcaíochta agus ar nósanna imeachta athbheithnithe agus gearáin. Chonacthas dá réir laghdú suntasach i líon na ngearán a fuarthas ar achomharc le linn 2023. Ag teacht lenár ról rialála, chuireamar i gcrích an clár Fíorúchán maidir le Ceadúnais Earcaíochta agus chuireamar clár i bhfeidhm chun gach gníomhaireacht earcaíochta ceadaithe a mheas agus cinnte a dhéanamh de go bhfuil siad ag comhlíonadh na gcoinníollacha agus na gcaighdeán atá leagtha amach ag an gCoimisiún. Níos luaithe i mbliana, sheolamar ár suíomh gréasáin nua a chabhróidh linn an sprioc a bhaint amach meicníochtaí sábháilte a sholáthar chun go mbeidh rochtain ag an bpobal ar ár seirbhísí.

Mar thacaíocht do Rúnaíocht an Choimisiúin tá ‘dromlach corparáideach’ againn a sholáthraíonn an tacaíocht cúloifige go léir don Rúnaíocht ionas gur féidir leo díriú go hiomlán ar obair CCSP. I gceist leis an dromlach corparáideach seo tá AD, TFC, Airgeadas,

Soláthar, Dí, Cumarsáid chomh maith le tacaíocht chun déileáil le hiarratais Cosanta Sonraí agus Saorála Faisnéise. Rinne an fhoireann TFC an-dul chun cinn in 2023 trí mhórán dár bhfeidhmeanna tacaíochta a sheachfhoinsiú go dtí Oifig Phríomh-Oifigeach Faisnéise an Rialtais (OPOFR) agus trínár Straitéis TFC a ailíniú le straitéis OPOFR. Mar thoradh air seo cuirfear feabhas ar shlándáil sonraí san Oifig agus cruthófar teacht aniar inár gcórais go fadtéarmach. Lean ár bhfoireann Dí le tacaíocht a sholáthar do gach ceann de na hoifigí maidir le cásobair agus imscrúduithe, agus déanann sí bainistíocht ar ár gcostais dlí agus soláthair trí bhéim a chur ar dhearbhu cáilíochta agus luach ar airgead.

Táim sásta leis an méid dul chun cinn atá ar siúl againn maidir lenár Spriocanna Straitéiseacha. Táimid ag bogadh i dtreo an lárphointe inár Straitéis 2025 agus táimid ag súil le hathbhreithniú a dhéanamh ar an méid a bhainfaimid amach le linn 2024. Leanfaimid orainn ag cur leis an bhfor-rochtain atá againn le comhlachtaí poiblí agus í sin a neartú chun cinnte a dhéanamh de go bhfuil na caighdeáin is airde i bhfeidhm maidir le hearcaíocht i gcomhlachtaí poiblí. Mar chuid denár sainchúram rialála ginearálta, tá sé beartaithe againn athbhreithniú a dhéanamh ar chomhlachtaí san earnáil phoiblí, nach bhfuil ceadúnas faighte acu uainn, chun a chinntiú go bhfuil an tSeirbhís um Cheapacháin Phoiblí á úsáid acu don earcaíocht nó go bhfuil cead reachtúil acu earcaíocht a dhéanamh. Táim muiníneach go gcabhróidh sé seo chun go leanfar leis an ard-chaighdeán atá ann i dtaca leis an earcaíocht san earnáil phoiblí.

## Réamhrá

Ba é 2023 an 19ú bliain ag an gCoimisiún mar rialtóir earcaíochta agus roghnúcháin sa tseirbhís phoiblí. Tá ról lárnach ag an gCoimisiún um Cheapacháin Seirbhíse Poiblí (CCSP) maidir le luachanna na cothroime agus na trédhearcachta a chur chun cinn. Thugamar tacaíocht d'Oifigí agus do Ranna fostaithe ar ardchaighdeán a earcú agus chuidíomar le muinín a chur chun cinn sna seirbhísí a chuirtear ar fáil don phobal. Tá caighdeán na cothroime in earcaíocht seirbhíse poiblí fós an-ard, bunaithe ar líon íseal na ngearán a dhéantar, ar an líon níos ísle fós sáruite a dhéantar, agus ar rannpháirtíocht agus comhoibriú earcaitheoirí leis an CCSP roimh dhaoine a earcú chun a chinntiú go mbíonn caighdeán arda i bhfeidhm ón tús.

## Ráiteas Straitéise 2025

Feidhmíonn CCSP faoi scáth corparáideach Oifig an Ombudsman (an Oifig), in éineacht leis an gCoimisiún um Chaighdeán in Oifigí Poiblí, Oifig an Choimisinéara Faisnéise, Oifig an Choimisinéara um Fhaisnéis Comhshaoil, agus Oifig an Choimisinéara um Nochtadh Cosanta. Sheol an Oifig a [Ráiteas Straitéise do 2022 – 2025](#) in 2022.

Tacaíonn “Dromlach Corparáideach” leis na sé fheidhm reachtúla éagsúla de chuid na hOifige. Agus straitéis á forbairt a thacaíonn le neamhspleáchas feidhmiúil gach comhlachta reachtúil agus a léiríonn meas air sin, ghlac an Oifig le cur chuige ar dtús chun sainathint a dhéanamh ar na rudaí a cheanglaíonn a cuid feidhmeanna éagsúla mar eagraíocht fhoriomlán. Chuamar i gcomhairle lenár bpáirtithe leasmhara seachtracha agus le baill foirne ó gach ceann de na hOifigí agus na hAonaid Ghnó ar leith. Chuir an próiseas seo bonn eolais faoi athmheasúnú ar ár bhfís, ar ár gcultúr eagraíochtúil agus ar ár gcuid luachanna; faoi bhreithniú ar ár bpríomhthionchair straitéiseacha; agus chun ár dtéamaí straitéiseacha comhroinnte a fhorbairt.

Leagtar amach sa Ráiteas Straitéise seo ár bpríomhchuspóirí suas go dtí 2025. Tá sé phríomhthéama straitéiseacha leagtha amach sa Ráiteas. Mar bhonn ag gach ceann de

na téamaí straitéiseacha seo, tá cuspóirí straitéiseacha ar leith a bhfuil nasc fós eatarthu ag gach oifig ar leith agus tacaíonn ár gcuspóirí straitéiseacha maidir le seirbhísí comhroinnte leo.

I rith 2023, leanamar ar aghaidh ag neartú ár gcaidreamh le comhlachtaí poiblí agus lena dtuiscint ar an gCód Cleachtas. Bunaíodh Lónra Earcaitheoirí in 2022 do chomhlachtaí poiblí a thagann faoi théarmaí tagartha CCSP. Tugann an Lónra Earcaithe seo deis do chomhlachtaí poiblí an Cód Cleachtas agus raon feidhme níos leithne na hearcaíochta poiblí a phlé. Rinne an tSeirbhís um Cheapacháin Phoiblí na cruinnithe a éascú agus cé nach ball muid den lónra, freastalaímid orthu chun dul i ngleic le haon cheisteanna a ardaítear. Eagraíodh go cianda iad agus ar an láthair. Bhí baill de CCSP i láthair ag an gcéad chruinniú agus chuir siad clinic ar siúl chun comhairle earcaíochta a sholáthar ar an lá, rud a thug an deis do chomhlachtaí poiblí aon chúis imní a ardú nó ceisteanna a chur maidir le próisis earcaíochta. Eagraítear na cruinnithe go ráithiúil faoi láthair.

## Gníomhaíochtaí in 2023

Lean an Coimisiún lena chuid oibre maidir le himscrúdú a dhéanamh ar ghearáin faoin gCód Cleachtas in 2022. Lean Oifig an Choimisiúin lena cuid oibre chun rannpháirtíocht le comhlachtaí poiblí a neartú freisin agus chun tuiscint iomlán a chinntiú ar a gcuid oibleagáidí, mar atá leagtha amach sa Chód Cleachtas. Leagadh béim láidir ar nósanna imeachta athbhreithnithe agus achomhairc chun a chinntiú gur dhéileáil comhlachtaí poiblí go hiomchuí le gearáin.

Lean an Coimisiún ar aghaidh ag tabhairt comhairle agus ag tacú leis an gcleachtas is fearr agus le comhlíonadh an Chóid i ngach feachtas earcaíochta.

Chuir an Coimisiún críoch go rathúil lenár gclár Fíoraithe Earcaíochta.

Cuireadh deireadh go tráthúil leis an monatóireacht go léir agus leis na Ceadúnais Earcaíochta agus na hiarratais ó ghníomhaireachtaí faofa a fhaomhadh, chomh maith leis na horduithe eisiata.

## An Coimisiún

Bunaíodh an Coimisiún faoin Acht um Bainistíocht na Seirbhíse Poiblí (Earcaíocht agus



Ceapacháin) in 2004. Is iad seo a leanas ár gcomhaltaí:

- Seán Ó Fearghaíl TD, Ceann Comhairle
- Ger Deering, Ombudsman
- John Callinan, Ard-Rúnaí an Rialtais
- An Breitheamh Garrett Sheehan, Cathaoirleach an Choimisiúin um Chaighdeán in Oifigí Poiblí
- David Moloney, Ard-Rúnaí, An Roinn Caiteachais Phoiblí agus Athchóirithe

## Ár ról

Is é an ról atá againn ná a chinntiú go mbíonn ceapacháin a dhéantar chuig an státseirbhís agus chuig an tseirbhís poiblí cothrom, trédhearcach agus bunaithe ar thuillteanas. Tá sé mar aidhm againn tacú le seachadadh éifeachtach seirbhísí poiblí trí dhea-chleachtas a chur chun cinn go leanúnach ó thaobh earcaíochta agus roghnúcháin de.

Inár gCód Cleachtais, leagaimid amach na príomhphrionsabail earcaíochta agus na príomhchaighdeáin le haghaidh ceapachán. Tá ról maoirseachta againn maidir lena chinntiú go gcloíonn comhlachtaí poiblí a thagann faoinár sainchúram lenár dtéarmaí tagartha leis na caighdeáin seo agus iad i mbun próiseas roghnúcháin.

Léirimid freisin conas is féidir le hiarrthóir coinne a athbhreithniú agus achomharc a dhéanamh, má tá siad den tuairim go ndearnadh ceapachán éagórach nó mícheart.

I measc ár bpríomhchúraimí, tá:

- ❖ Dea-chleachtas earcaíochta a leagan amach agus a chur chun cinn
- ❖ Cód Cleachtais a Fhoilsiú
- ❖ Iarratais ar cheadúnais earcaíochta a phróiseáil
- ❖ Próiseáil gan iarratais ar ordú
- ❖ Iarratais ghníomhaireachtaí ceadaithe a phróiseáil
- ❖ Cur síos a dhéanamh ar conas ceapachán a athbhreithniú agus achomharc a dhéanamh
- ❖ Scrúdú a dhéanamh ar ghearáin faoi sháruithe líomhainte ar an gCód
- ❖ A chinntiú go gcomhlíonann comhlachtaí poiblí an Cód

- ❖ Iniúchadh a dhéanamh ar earcaíocht agus roghnú i gcomhlachtaí poiblí
- ❖ Cabhair agus treoir a thabhairt do chomhlachtaí poiblí

## Cód Cleachtais

Ceann dár bpríomhfheidhmeanna is ea na prionsabail agus na caighdeáin a leagan amach, ar chóir do chomhlacht poiblí a leanúint agus próiseas earcaíochta á dhéanamh aige. Tá siad seo leagtha amach inár gCód Cleachtais. Is iad seo a leanas ár bpríomhphrionsabail earcaíochta agus roghnúcháin:

1. Ionracas
2. Tuillteanas
3. Cleachtas is fearr
4. Comhsheasmhacht
5. Trédhearcacht
6. Ceapacháin a chuireann comhionannas, éagsúlacht agus cuimsiú chun cinn

Tugtar treoir sa Chód maidir le brí agus cur i bhfeidhm na bprionsabal seo i gcleachtas laethúil. Leagtar amach ann freisin na caighdeáin ba chóir a leanúint ag gach céim den phróiseas roghnúcháin.

- [An Cód Cleachtais i gcomhair Ceapacháin chun Post sa Státseirbhís agus sa tSeirbhís Phoiblí](#)

## Ceadúnais earcaíochta

Ionas go ndéanfar ceapachán faoin Acht um Bainistíocht Seirbhíse Poiblí (Earcaíocht agus Ceapachán), 2004, ní mór do shealbhóir ceadúnais ceadaithe an próiseas roghnúcháin a dhéanamh. I go leor cásanna, déanfaidh an tSeirbhís um Cheapacháin Phoiblí próiseas earcaíochta thar ceann comhlachta phoiblí. Sna cásanna seo, ní theastaíonn ceadúnas earcaíochta. Ach, más mian le comhlacht a earcaíocht féin a dhéanamh, ní mór dó iarratas a sheoladh chugainn chun ceadúnas earcaíochta a fháil. Is éard is ceadúnas earcaíochta ann ná a ligeann do chomhlacht poiblí a earcaíocht féin a dhéanamh.

Bronntar ceadúnais go ginearálta, maidir le gach post laistigh d’eagraíocht, nó go sonrach, maidir le post amháin nó níos mó. Eisítear iad le roinnt téarmaí agus coinníollacha ag gabháil leo nach mór cloí go docht leo i gcónaí. Cé go bhfuil sé de chumhacht againn ceadúnas a fhoirceannadh in imthosca áirithe, níor agraíodh an chumhacht seo go dtí seo.

## Ceadúnais earcaíochta eisiithe

Bronnadh dhá cheadúnas earcaíochta ginearálta nua in 2021.

Bronnadh orthu seo a leanas iad:

- Oifig na nOibreacha Poiblí (Sonrach)
- An Coimisiún Toghcháin (Ginearálta)
- Tailte Éireann (Ginearálta)
- Údarás Rialála Limistéir Mhuirí (Ginearálta)

Go dtí seo, eisíodh 49 ceadúnas ginearálta agus 4 cheadúnas shonracha do chomhlachtaí poiblí a thagann faoinár sainchúram. Tá liosta iomlán de shealbhóirí ceadúnais le fáil in Aguisín 3

## Gníomhaíocht earcaíochta

Thuiriscigh sealbhóirí ceadúnais 23,684 ceapachán ar an iomlán, lena n-áirítear ceapacháin a rinneadh le FSS, le linn 2023. Ba cheapacháin nua iad 5,650 díobh seo, agus rinneadh iad tar éis próiseas roghnúcháin arna dhéanamh ag an tSeirbhís um Cheapacháin Phoiblí agus rinneadh 13,470 díobh tar éis próisis roghnúcháin oscailte arna ndéanamh ag oifigí/Ranna aonair.

Ina theannta sin, rinneadh 2,710 ceapachán trí ardú céime inmheánach agus ceapadh 1,854 duine chuig poist chun gníomhú ar leibhéal níos airde laistigh d'eagraíochtaí sealbhóirí ceadúnais. Is féidir teacht ar mhiondealú mionsonraithe ar ghníomhaíocht earcaíochta agus roghnúcháin ag sealbhóirí ceadúnais in Aguisín 1.

## Gearáin

Leagtar amach inár gCód Cleachtais na sásraí athbhreithnithe agus gearáin atá ar fáil d'iarrthóir mura bhfuil siad sásta leis an bpróiseas roghnúcháin. Féadfaidh siad athbhreithniú a iarraidh ar chinneadh a rinneadh le linn an phróisis roghnúcháin, faoi Alt 7 den Chód, nó gearán a dhéanamh faoin bpróiseas féin, faoi Alt 8.

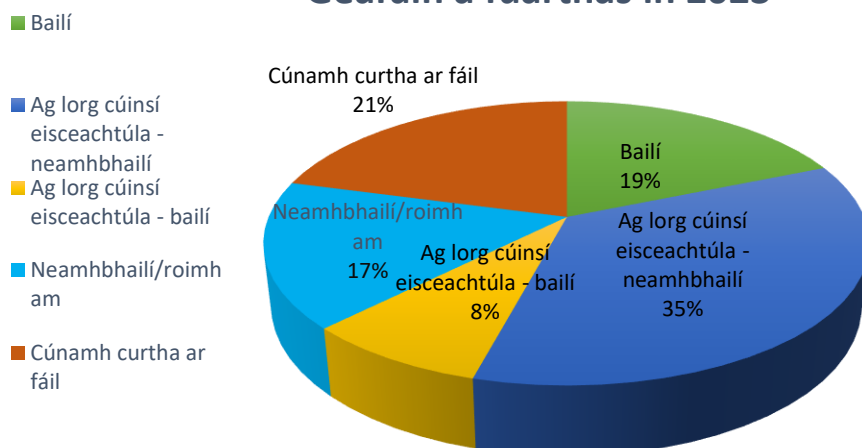
Más mian le hiarrthóir athbhreithniú ar an mbreith a iarraidh, is féidir leis é sin a dhéanamh trí theagmháil dhíreach a dhéanamh leis an gcomhlacht poiblí. Má chreideann iarrthóir nár cuireadh an próiseas roghnúcháin i gcrích go cothrom, féadfaidh sé/sí gearán a dhéanamh leis an gcomhlacht poiblí ar an gcéad dul síos agus leis an gCoimisiún ar achomharc a dhéanamh. Déanann an comhlacht poiblí scrúdú domhain ar an bpróiseas, d'fhonn a fháil amach ar tharla aon sárúithe ar an gCód Cleachtais. Nuair a shainithnítear sárúithe, díritear orthu agus déantar moltaí don chomhlacht poiblí chun a phróisis a leasú agus chun a chinntiú nach dtarlóidh na saincheisteanna i gceist arís.

San iomlán, rinneadh 290 iarratas ar athbhreithniú faoi Alt 7 le sealbhóirí ceadúnais lena n-áirítear FSS le linn 2023. Ina theannta sin, rinneadh 33 gearán le sealbhóirí ceadúnais faoi Alt 8.

## Gearáin a fuarthas

Le linn 2023, fuair an Coimisiún 48 gearán ar achomharc. Is laghdú é seo ón 69 a fuarthas in 2022. Astu sin, measadh go raibh 13 gearán bailí agus ghlac an Coimisiún leo. Tugadh roinnt cásanna chuig an gCoimisiún inar ardaigh na hiarrthóirí ábhair imní bhailí ach nár ardaigh siad an cheist go foirmiúil leis an gcomhlacht poiblí fós. As na gearáin neamhbhailí a bhí fágtha, bhain a bhformhór le cásanna inar chinn Rúnaíocht an Choimisiúin nár cuireadh dóthain fianaise ar fáil chun athbhreithniú a dhéanamh ar achomhairc Alt 7 i gcúinsí eisceachtúla.

## Gearáin a fuarthas in 2023



Tá miondealú in aghaidh an chomhlachta phoiblí ar fáil anseo thíos ar na gearán a cuireadh chuig an gCoimisiún in 2023.

Sealbhóir Ceadúnais	Bailí	Neamhbhailí/Roimh am	Cúinse eisceachtúil á lorg - Bailí	Cúinse eisceachtúil á lorg - Neamhbhailí	Ní cás é ach cuireadh cúnamh ar fáil	Iomlán
An Roinn Sláinte	1	0	0	0	0	1
An Garda Síochána	3	1	4	4	3	15
An tÚdarás Clárúcháin Maoine (ar a dtugtar Tailte Éireann anois)	1	0	0	0	0	1
Feidhmeannacht na Seirbhíse Sláinte	2	2	0	6	3	13
Seirbhís Phríosúin na hÉireann	1	0	0	0	0	1

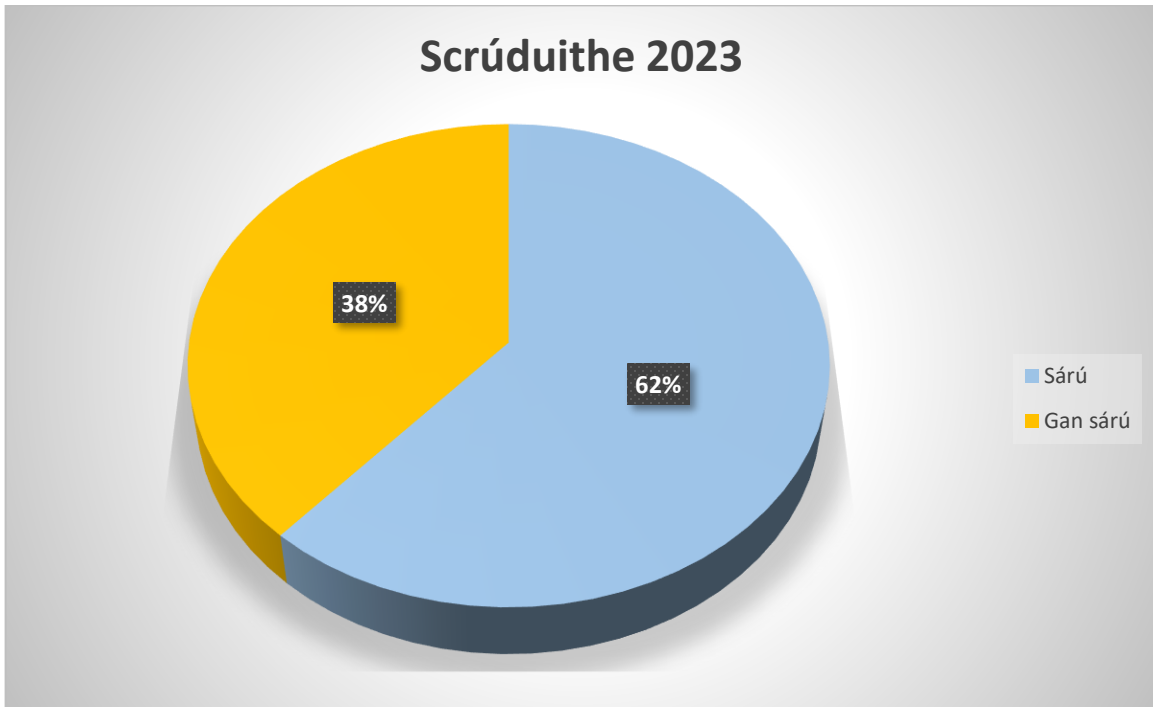
An tSeirbhís um Cheapacháin Phoibí	0	3	0	5	1	9
An Roinn Talmhaíochta, Bia agus Mara	0	0	0	1	1	2
An Roinn Coimirce Sóisialaí	0	0	0	1	0	1
An tÚdarás Póilíneachta	0	1	0	0	0	1
Comhairle Cathrach Chorcaí	0	1	0	0	0	1
An tSeirbhís Cúirteanna	0	0	0	0	1	1
An tÚdarás um Fhaisnéis agus Cáilíocht Sláinte	0	0	0	0	1	1
An Chomhairle Náisiúnta um Oideachas Speisialta	1	0	0	0	0	1
<b>Iomlán</b>	<b>9</b>	<b>8</b>	<b>4</b>	<b>17</b>	<b>10</b>	<b>48</b>

## Gearáin a scrúdaíodh

Rinneamar scrúdú ar 13 gearán le linn 2023, gearáin a tugadh ar aghaidh ó 2022 san áireamh freisin. As na gearáin a scrúdaíodh, fuarthas sárúithe in 8 gcás.

I gcásanna áirithe, chinn an Coimisiún cé nach raibh sárúithe i gceist leis na bearta a glacadh, gur thit gnéithe áirithe den phróiseas faoi bhun na gcaighdeán atá ag teastáil uainn. Sna cásanna seo, rinneadh moltaí don chomhlacht poiblí maidir lena bpróisis a leasú.

Le linn 2023, ba léir dúinn go raibh méadú leanúnach tagtha ar an rannpháirtíocht le comhlachtaí poiblí agus ar a dtoilteanas feabhas a chur ar phróisis earcaíochta agus ar na nósanna imeachta athbhreithnithe agus gearáin. Cuireann an Coimisiún fáilte roimh an rannpháirtíocht leanúnach seo agus táthar ag súil lena leithéid seo de dhioscúrsa a chur chun cinn amach anseo.



### Sáruithe ar na cóid

As na gearáin a scrúdaíodh, fuarthas gur sáraíodh an Cód Cleachtais i gcás 8 gcinn díobh.

Ina measc seo, bhí na gearáin seo a leanas:

- 5) Mainneachtain athbhreithneoir oilte a cheapadh chun athbhreithniú sásúil a dhéanamh
- 6) Mainneachtain maidir le cumarsáid a choinneáil agus nuashonruithe a sholáthar don ghearánach le linn próiseas athbhreithnithe a raibh moill ag baint leis
- 7) Mainneachtain maidir le hathbhreithniú a chur i gcrích laistigh de thréimhse réasúnta ama
- 8) Mainneachtain nósanna imeachta earcaíochta a leanúint mar atá leagtha síos i leabhráin d'iarratasóirí



I roinnt de na cásanna eile, chinn an Coimisiún cé nach raibh sárúithe i gceist leis na bearta a glacadh, gur thit gnéithe áirithe den phróiseas roghnúcháin faoi bhun na gcaighdeán atá ag teastáil uainn. Sna cásanna seo, rinneadh moltaí don chomhlacht poiblí maidir lena bpróisis a leasú

Áiríodh leo sin na rudaí seo a leanas a chinntiú:

- 6) Go bhfuil meicníochtaí i bhfeidhm chun a chinntiú go bpróiseálfar gach gearán go tráthúil amach anseo
- 7) Ba chóir cóas scórála a chur i bhfeidhm chun idirdhealú a dhéanamh idir iarratasóirí ag an gcéim ghearrliostaithe
- 8) Ba chóir don earcaitheoir bunriachtanais agus taithí bhunúsach a mheas go cuí
- 9) Ba chóir faisnéis feachtais a sholáthar do gach iarratasóir ag an am céanna chun cothrom na féine agus trédhearcacht a chinntiú
- 10) Ba chóir an chumarsáid idir earcaitheoirí agus iarratasóirí a fheabhsú ag gach céim d'fheachtas earcaíochta

## Cás-staidéir

In 2023, bhí na gearáin a fuair an Coimisiún éagsúil mar is gnáth agus bhain siad le gach réimse earcaíochta. Tá breac-chuntas le fáil thíos ar roinnt torthaí a d'eascair as ár bpróiseas luathrannpháirtíochta agus tá roinnt samplaí ann freisin de shaincheisteanna a aithníodh i gcomórtais earcaíochta. Leagtar amach na léaráidí seo mar uirlis foghlama agus oiliúna agus chun aird a tharraingt ar conas is féidir saincheisteanna a réiteach agus cosaintí a chur i bhfeidhm.

### Torthaí Luathrannpháirtíochta

4. Fuarthas iarratas ar athbhreithniú mar treoraíodh an t-iarratasóir chuig an gCoimisiún ar an gcéad ásc. Tar éis dul i dteagmháil leis an ngearánaí, ba léir nach raibh triail bainte ag an ngearánaí as gach achomharc leis an gcomhlacht poiblí. Bhí sé lasmuigh den achar ama chun iarratas a dhéanamh de bharr na hearáide seo. Chuamar i dteagmháil leis an gcomhlacht poiblí agus d'iarramar orthu glacadh lena iarratas. Ghlac siad leis seo agus bhí an t-iarratasóir ábalta leanúint leis an ngearán a bhí aige i gcoinne an chomhlachta poiblí.

5. D'iarr an gearánaí ar an gcomhlacht poiblí go ndéanfaí athbhreithniú foirmiúil Alt 7 ach ba léir ón bhfreagra a fuair an gearánaí gur tuarascáil athbhreithnithe neamhfhoirmiúil a rinneadh. Bhí baint ag an rannóg AD freagraí a sholáthar ar cheisteanna a cuireadh san athbhreithniú. Chuaigh an Coimisiún i dteagmháil leis an gcomhacht poiblí chun a chur in iúl dó gur gá gurb é athbhreitheoir neamhspleách, nach bhfuil aon bhaint acu leis an bpróiseas earcaíochta, a dhéanann an t-athbhreithniú foirmiúil. Bhí an comhlacht poiblí sásta athbhreithniú nua a dhéanamh agus sannaíodh athbhreitheoir neamhspleách don chás.
6. Chuaigh an gearánaí i dteagmháil leis an gCoimisiún chun gearán a dhéanamh faoi Alt 8, cúinsí eisceachtúla. Dúirt an gearánaí gurbh é an t-athbhreitheoir céanna a rinne an t-athbhreithniú neamhfhoirmiúil agus foirmiúil faoi Alt 7 agus go sáraíonn sé seo an Cód. Bhí an Coimisiún i dteagmháil leis an gcomhlacht poiblí chun é seo a cheistiú agus dúradh linn gur úsáideadh athbhreitheoir neamhspleách don athbhreithniú foirmiúil cé gur shínigh an t-athbhreitheoir céanna an dá cheann. Ní raibh an Coimisiún sásta leis an bhfreagra seo agus d'iarramar ar an gcomhlacht poiblí athbhreithniú nua a dhéanamh faoi Alt 7. Dheimhnigh an t-earcathoír níos déanaí go ndearnadh é seo agus gur athbhreitheoir neamhspleách a rinne é.

## Sárúithe, moltaí agus cosaintí

### Gearán 1

#### **Gearáin faoi chomórtas do phost mar Príomhoifigeach Cúnta Inmheánach**

##### **An Gearán: Rinne an t-iarratasóir an gearán seo a leanas:**

Chuir an gearánaí iarratas ar ardú céime isteach ar phost inmheánach mar Phríomhoifigeach Cúnta laistigh de chomhlacht poiblí ag a raibh dáta deiridh áirithe luaite. Fuair sé ríomhphost inar dúradh gur thaispeáin athbhreithniú tosaigh gur sháraigh roinnt iarratasóirí an teorainn focal sa rannóg faoi inniúlachtaí. Moladh sa ríomhpost gan an uasteorainn focal a sháru san fhoirm iarratais. Tar éis dó dul i dteagmháil leis an earcathoír, dúradh leis an iarratasóir ar dtús nach nglacfaí le hiarratais uasdátaithe ach amháin ó iarratasóirí a raibh an uasteorainn focal sáraithe acu san iarratas bunaidh, ach níos déanaí dúradh go bhféadfadh gach iarratasóir an fhoirm a chur isteach arís má ba mhian leo. Rinne an t-iarratasóir gearán gur thug sé seo níos mó ama d'iarratasóirí a sháraigh an uasteorainn focal a n-iarratais a chur isteach arís ná mar

a bhí ag iarratasóirí eile. Ansin dúirt an rannóg AD leis nárbh í an uasteorainn focal ba chúis leis an dáta deiridh athraithe agus go raibh cúis eile taobh thiar de.

Mheas sé gur thug an fhoclaíocht sa leabhrán d'iarratasóirí le tuiscint nár leagadh amach critéir sular thosaigh an phróiseas. Cheap sé freisin nach raibh an fhaisnéis sa leabhrán maidir le gearrliostú cruinn mar rinneadh an tástáil ar líne agus ní raibh aon ghearrliosta ann.

Cheap sé go raibh an chumarsáid maidir leis an gcur i láthair a bhí le déanamh don chomórtas neamhréireach mar dúradh le hiarratasóirí nach mbeadh gá le cur i láthair amhairc ach ag an am céanna theastaigh ón mbord cur i láthair na n-iarratasóirí a fheiceáil roimh ré. Bhí easpa soiléireachta ann agus bhíosthas i dteagmháil le hiarratasóirí ag amanta difriúla agus thug sé seo buntáiste do roinnt iarratasóirí. Dúradh le hiarratasóirí go gcuirfí ceisteanna orthu faoina gcur i láthair ag tús an agallaimh ach ina agallamh féin, dúirt an Cathaoirleach leis go gcuirfí ceisteanna air mar gheall air le linn an agallaimh mar chuid de rannóg a bhain le hinniúlachtaí.

Léirigh sé inní maidir leis an gcumarsáid inar dúradh leis go raibh ar iarratasóirí íoschaighdeán an 20ú peircintíl a bhaint amach i ngach ceann de na trí scrúdú. Chuir sé in iúl gur cheap sé go raibh sé seo an-íseal agus chuir sé an cheist ar leagadh an critéar seo síos roimh an triail nó ina dhiaidh.

### **Gníomhartha an earcaitheora:**

Cuireadh freagra chuig an ngearánaí inar dúradh gur thuig siad go ndearnadh athbhreithniú neamhfhoirmiúil Alt 8 ar an bhfón ar 21 Meán Fómhair 2022, agus go mbeadh siad i dteagmháil maidir leis na céad chéimeanna eile. Níor cuireadh in iúl don iarratasóir gur measadh gurb é seo an t-athbhreithniú neamhfhoirmiúil.

Chuir an gearánaí gearán foirmiúil isteach faoi Alt 8. Fuair sé ríomhphost ón earcaitheoir ag rá gur sainaithníodh athbhreithneoir chun an tAthbhreithniú Neamhfhoirmiúil a dhéanamh faoi Alt 8. Cheistigh sé é seo mar tugadh le fios dó gur tharla an t-athbhreithniú neamhfhoirmiúil cheana féin, agus bhí iarratas déanta aige ar athbhreithniú foirmiúil. Fuair sé ríomhphost soiléirithe inar tugadh le fios dó go raibh an ceart aige agus gur don Athbhreithniú Foirmiúil a sainaithníodh an t-athbhreithneoir.

D'iarr an gearánaí an bhféadfadh sé cur leis an ngearán foirmiúil agus chuir sé foirm gearáin uasdátaithe isteach. Fuair sé glaoch gutháin ón earcaitheoir. Le linn an ghlaigh seo, ghabh an t-earcaitheoir leithscéal leis as an moill maidir leis an athbhreithniú a phróiseáil. Fuair an gearánaí roinnt ríomhphost ina dhiaidh seo ón earcaitheoir inar ghabh siad leithscéal as an moill. I Márta 2023, cuireadh in iúl don ghearánaí nár seasadh lena ghearán. Maidir leis an síneadh ama a tugadh d'iarratasóirí a sháraigh an teorainn focal, chinn an t-athbhreithneoir nach raibh aon fhianaise ann gur caitheadh

leis an ngearánaí ar bhealach míchothrom nó claonta mar d'fhreagair an t-earcaitheoir ar cheisteanna an ghearánaí go tráthúil agus go dearfach.

Sa ghearán a rinne sé, dúirt an t-iarratasóir go ndúradh leis nuair a bhí sé ag labhairt le ball foirne sa chomhlacht earcaíochta go raibh cúis eile taobh thiar den am breise agus níorbh í an teorainn focal a ba chúis leis an síneadh ama. Dúirt an t-earcaitheoir gur pléadh é seo le CCSP agus níorbh fhéidir é seo a phlé leis an iarratasóir. Sa chinneadh a rinne sé, dúirt an t-athbhreithneoir, ós rud é go raibh an comórtas fós ar siúl ag an am sin, go raibh cúis mhaith ann agus go raibh sé réasúnta gan ábhar na gcomhráite idir sealbhóir an chomórtais agus CCSP a nochtadh do na hiarratasóirí.

Maidir leis an ngearán a rinne an t-iarratasóir nár leagadh síos na critéir i dtús báire, chinn an t-athbhreithneoir gur chuimsigh an fhaisnéis a cuireadh ar fáil, faisnéis ar na céimeanna difriúla sa phróiseas ceapacháin. Luaigh an gearánaí go bhfuil foráil déanta do ghearrliosta más amhlaidh go gcuireann líon mór daoine isteach ar an bpost. Dúirt sé go ndúradh leis nach mbeadh aon ghearrliosta i gceist cé go mbraitheann sé go raibh líon mór iarrthóirí ann ós rud é go ndearnadh tástáil ar líne ag Céim 2. Chinn an t-athbhreithneoir gur chuir an t-iarratasóir a thuairim in iúl. Mar sin, ní raibh sa ghearán ach cur i gcás agus mar sin ní raibh aon chinneadh le déanamh ag an athbhreithneoir.

Mhaígh an gearánaí go ndúradh leis go raibh gá le cóip dena chur i láthair i ndiaidh é a bheith ráite leis nach mbeadh gá leis. Chinn an t-athbhreithneoir go raibh sé *'taobh amuigh de shainchúram nó de fhreagracht na rannóga AD'* go bhfuair roinnt iarratasóirí amach faoi seo roimh daoine eile agus nach raibh aon fhianaise ann gur sáraíodh an Cód Cleachtas. Maidir leis an gceistiú faoin gcur i láthair, chinn an t-athbhreithneoir nach raibh na teoracha ag teacht leis na critéir scríofa, (de réir na gcritéir bhíothas le seacht nóiméad a chaitheamh ag cur ceisteanna faoin gcur i láthair ag tús an agallaimh) agus seans gur chuir sé seo mearbhall ar iarratasóirí, ach chinn sé nár sáraíodh an Cód Cleachtas mar ní dhearnadh d'aon ghnó é.

Dúirt an gearánaí gur dóigh leis go bhfuil an t-íoschaighdeán cáilíochta (bheith laistigh den 20ú peircintíl) thar a bheith íseal. Chinn an t-athbhreithneoir go raibh an gearánaí *'ag lorg eolais agus ag cur a thuairim in iúl maidir le critéir faoi leith seachas ag déanamh gearáin gur sáraíodh an Cód Cleachtas'*. Mar sin, chinn sé nach raibh aon chinneadh le déanamh ina leith.

### **Tuairim an Choimisiúin**

Scrúdaigh an Rúnaíocht na doiciméid a bhain leis an gcomórtas agus chuireamar ceisteanna ar an earcaitheoir maidir leis na saincheisteanna a d'ardaigh an gearánaí.

Maidir leis an síneadh ama, chinn an Rúnaíocht gur theip ar an earcaitheoir cumarsáid cheart a dhéanamh leis na hiarratasóirí. Bhí ar an iarratasóir agóid foirmiúil a ardú leis an earcaitheoir ionas go gníomhódh sé agus go ligeadh sé do gach iarratasóir a n-iarratas

a uasdátú agus, ina theannta sin, b'éigean don iarratasóir iarraidh ar an earcaitheoir é sin a chur in iúl go gach iarratasóir. Dúirt an t-earcaitheoir leis an Rúnaíocht gur labhair sé leis an iarratasóir agus mhínigh sé gur tharla earráid riaracháin agus gur ceartaíodh an botún laistigh d'uair an chloig.

Dúirt an t-earcaitheoir go ndeachaigh sé i dteagmháil le CCSP ag lorg eolais maidir leis na saincheisteanna a bhí ann leis an síneadh spriocama. Dúradh leo nach raibh cúis ar bith ann gan leanúint ar aghaidh mar is gnáth mar bhí gach rud déanta acu chun an fhadhb a cheartú. Chinn an Rúnaíocht nach raibh aon rud as an ngnáth go ndeachaigh an t-earcaitheoir i dteagmháil le CCSP ag lorg eolais. Ní raibh sé riachtanach an gearánaí a chur ar an eolas faoin gcomhrá seo mar bhí an fhadhb ceartaithe cheana féin ag an earcaitheoir.

Sa Treoir bhí liosta de na próisis roghnúcháin ar féidir a úsáid le linn an chomórtais. Ní raibh an Rúnaíocht den tuairim gur chruthaigh sé seo go raibh an próiseas as a mbainfeadh sé úsáid, roghnaithe cheana féin ag an earcaitheoir, agus chinn sí nár sáraíodh alt '2.7.3 An próiseas roghnúcháin a roghnú' den Chód Cleachtais.

Is faoin earcaitheoir atá sé gearrliosta a chur le chéile. Níor baineadh úsáid as gearrliosta d'ainneoin go bhfuil an próiseas leagtha amach sa leabhrán iarrthóra. Ach ní chruthaíonn sé seo *'go bhféadfadh sé gur cuireadh le chéile iarratais ar bhealach a bhí deartha chun measúnú nár tharla ar chor ar bith a shásamh'*. Ní bhfuair an Rúnaíocht aon údar leis an ngné seo den ghearán.

Maidir leis an gcur i láthair, cuireadh in iú don ghearánaí nach mbeadh sé ábalta an cur i láthair a thaispeáint ar an scáileáin le linn an agallaimh. Cúig lá ina dhiaidh sin, áfach, fuair sé ríomhphost ina dúradh *'ba mhaith leis an mbord agallaimh cóip de do chur i láthair a fháil roimh an agallamh'*. Dúirt an gearánaí gur cuireadh roinnt iarratasóirí ar an eolas faoi seo sula bhfuair iarratasóirí eile amach faoi. Cuireadh amach an fhaisnéis chéanna do gach iarratasóir, áfach. Mar sin, ní raibh an t-iarratasóir faoi mhíbhuntáiste. Más amhlaidh go bhfuair iarratasóirí an t-eolas seo amach ó iarratasóirí eile, níl aon smacht ag an rannóg Acmhainní Daonna ná an an CCSP air sin.

Sa ríomhphost céanna, cuireadh in iúl don ghearánaí go mbeidh sé riachtanach *'cur i láthair a dhéanamh ar feadh thart ar seacht nóiméad (ceisteanna san áireamh) agus tarlóidh sé sin ag tús an agallaimh.'* San agallamh, dúirt an gearánaí nár cuireadh ceisteanna air faoin gcur i láthair a rinne sé ach dúradh leis go gcuirfí ceisteanna air ag deireadh an agallaimh. Nuair a chuir an CCSP ceist ar an earcaitheoir maidir leis seo, dúirt an t-earcaitheoir go raibh síceolaí sinsearach i láthair i roinnt de na hagallaimh. Dúirt an síeolaí sinsearach gurbh í an chuimhne a bhí aici, agus gan féachaint siar ar pháipéarachas, go ndearna an t-iarratasóir *"cur i láthair ag tús an agallaimh seachas ag an deireadh agus cuireadh ceisteanna orthu díreach ina dhiaidh sin. Ansin bhog baill an bhoird agallaimh agus na hiarratasóirí ar aghaidh go dtí na hinniúlachtaí."*

Ní thagann an caighdeán cáilíochta le haghaidh comórtas faoi shainchúram an CCSP. Thug an Rúnaíocht faoi deara freisin go raibh fadhbanna ag an iarratasóir leis an bpróiseas athbhreithnithe.

### **Cinneadh**

Chinn an Coimisiún nár sáraíodh an Cód sa chás seo.

### **Toradh**

Chinn an Rúnaíocht gur chóir feabhas a chur ar an gcumarsáid le hiarratasóirí. De réir an Chóid Chleachtais *'Tá sé bunriachtanach go mbeidh cumarsáid oscailte agus ghníomhach ann faoin bpróiseas agus faoin mbonn measúnachta'*. Ghlac an Rúnaíocht leis gur fhreagair an t-earcaitheoir go tapa agus go dearfach ar chomhfhreagras an iarratasóra i gcónaí. Ní cóir go mbeidh an fhreagracht ar iarratasóir teagmháil a dhéanamh leis an earcaitheoir chun soiléiriú a fháil maidir le saincheist ar chóir go mbeidh sé tugtha faoi deara ag an gcomhlacht. Ba chóir freisin go gcuirfidh earcaitheoirí faisnéis faoin bhfeachtas ar fáil do iarratasóirí ag an am céanna. Dheimhnigh an t-earcaitheoir go gcuirí na moltaí in iúl don fhoireann go léir a raibh baint acu leis an gcomórtas agus go gcuirí i bhfeidhm iad i ngach comórtas amach anseo.

## **Gearán 2**

### **Gearán faoi chomórtas do phost mar Bhainisteoir Sinsearach Speisialaithe**

#### **An Gearán: Dúirt an gearánaí:**

- Ba chóir go ligfí dó cur isteach ar fholúntais sna 3 suíomh a bhí fógartha seachas ceann amháin;
- Chuir an faisnéisiú faoin gcur i láthair ó bhéil sa chomórtas mearbhall air;
- Ba chóir go n-áireofaí cáilíochtaí CV an iarratasóra sa mheasúnú a rinneadh ar an iarratasóir;
- Ba chóir don earcaitheoir ríomhphoist phearsanta a chur chuig an iarratasóir chomh maith le ríomhphoist oibre;
- Bhí neamhréireacht ann idir measúnú bhainisteoir an iarratasóra agus an measúnú a rinne an bord;
- Ní raibh an t-athbhreithneoir seachtrach a cheap an t-earcaitheoir oiriúnach mar athbhreithneoir mar bhí seans ann go mbeadh sé/sí ina f(h)ostóir ag an iarratasóir;

- Ba chóir go n-áireofaí eitic mar cheann de na hinniúlachtaí;
- Go ndearna iarbhainisteoir líne agus ball den bhord agallaimh stocaireacht ina choinne;
- Bhí a chuid nótaí agallaimh neamhchruinn agus neamhiomlán;
- Sceith an rannóg AD eolas pearsanta faoi;
- Bhí moill ann a athbhreithniú inmheánach a chríochnú;
- Ba chóir go ndéileáladh CCSP lena ghearán mar ghearán faoi alt 7 (déantar foráil ann go bhféadfadh athrú a bheith ar an toradh).

### **Gníomhartha an earcaitheora:**

Chinn an t-athbhreithneoir nach raibh aon fhianaise ann, ó na páipéir a cuireadh ar aghaidh chuig an mBord, nár áiríodh roinnt den CV ar an bhfoirm iarratais. Mar sin, bhí an fhaisnéis sinn ar fáil do bhaill an Bhoird nuair a bhíodar ag deimhniú an mbeadh sé oiriúnach don ról. Níor éilíodh aon cháilíochtaí foirmiúla faoi leith chun dualgais agus freagrachtaí an ról a chomhlíonadh. Sa chás seo, bhain na critéir faoina raibh cinneadh le déanamh maidir le hoiriúnacht iarratasóirí, le tréithe agus scileanna pearsanta a bheadh riachtanach chun dualgais agus freagrachtaí an phoist a chomhlíonadh. Tar éis na doiciméid a scrúdú, agus tar éis labhairt le Ball den Bhord agus leis an oiliúnaí a sholáthair an cúrsa *'Bí réidh don Chomórtas'*, bhí an tAthbhreithneoir sásta gur iarr an t-earcaitheoir ar iarratasóirí samplaí a lua maidir le hinniúlachtaí mar a bhaineann siad leis an ról atá acu faoi láthair. Moladh d'iarratasóirí sa chúrsa thuasluaite gur chóir go mbaineadh na samplaí le héachtaí ábhartha agus a tharla le déanaí más féidir, agus i mórán cásanna, bhainfeadh sé seo leis an ngairm bheatha atá luaite leo leis an earcaitheoir.

Dúirt an t-athbhreithneoir, áfach, gur faoin iarratasóir féin a bhí sé sampla a roghnú, a léireodh, dar leo, an saineolas atá acu maidir le haon inniúlacht faoi leith. Maidir le cumarsáid agus tráthúlacht, dúirt an tAthbhreithneoir gur bhain na cúinsí céanna le gach iarratasóir i ngach gné den chomórtas. Dúirt sí go bhfuil na sonraíochtaí poist agus sonraíochtaí pearsanta leagtha amach go soiléir, fógraíodh an folúntas go forleathan agus bhí sí den tuairim go raibh meicníochtaí measúnachta cuí á n-úsáid. Tairgeadh oiliúint do gach iarratasóir agus do Bhaill an Bhoird. Coimeádadh taifid chuí faoin bpróiseas ceapacháin mar a éilítear faoi fhorálacha an Chóid Chleachtais.

Thug an tAthbhreithneoir faoi deara go raibh sé sothuigte go gcuirfí ríomhphoist chuig seoladh ríomhphoist oibre an iarratasóra i gcás comórtais inmheánaigh, ach dúirt sí gur chóir don rannóg AD é seo a lua sa cháipéisíocht ionas nach bhféadfadh iarratasóirí ciall mícheart a bhaint as.

Thug an tAthbheithneoir faoi deara freisin gur eagraíodh an amchlár do na hagallaimh in éineacht le baill an Bhoird, agus ba trí tharraingt a sannaíodh na sliotáin ama d'iarratasóirí. Iarradh ar bhaill an Bhoird measúnú a dhéanamh ar na cuir i láthair agus is futhu atá sé teacht ar thuairim oibeachtúil maidir le hábhar na gcur i láthair agus conas a chuirtear i láthair iad. Ghlac an tAthbheithneoir leis go rabh earráid ann sa Leabhrán Eolais d'iarratasóirí ach earráid bheag a bhí ann, ceartaíodh i ríomhphost é, agus tugadh go leor ama d'iarratasóirí cur i láthair a chur isteach.

Thug an tAthbheithneoir faoi deara gur tharla an oiliúint go déanach san ullmhúchán don chomórtas. Cuireadh an oiliúint ábhartha ar fáil, áfach, le dea-intinn. Mhol sí go bhféadfadh an eagraíocht oiliúint a eagrú d'iarratasóirí níos luaithe sa phróiseas agus chomh fada agus is féidir roimh an spriocdháta don chur i láthair a bheith curtha isteach.

Dúirt an t-athbheithneoir nach bhfuil i mórán de na ráitis a rinne an gearánaí maidir le rúndacht ach clostrácht. Measann sí dá mba rud é go raibh na ráitis seo fíor, ní bheadh aon éifeacht acu ar thoradh an chomórtais. Moltar go láidir, áfach, go gcuirfidh an t-athbheithneoir in iúl doibh siúd atá sa phróiseas comórtais nach bhfuil sé ceadaithe faisnéis faoi na hiarratasóirí a phlé ná a nochtadh le haon pháirtí eile.

**Tuairim an Choimisiúin:** Bhí an gearánaí den tuairim go mba chóir a ghearán a scrúdú faoi Alt 7 & 8 den Chód Cleachtais de bharr méid agus tromchúise an ghearáin. Rinne sé a ghearán don earcaitheoir faoi Alt 8 den chód agus mar sin, b'éigean don Oifig seo déileáil lena ghearán faoi Alt 8 agus ní faoi Alt 7.

Fógraíodh an post Stiúrthóir Léarscáilithe Réigiúnach i 3 cheantar éagsúla, Port Láirge, Baile Átha Cliath agus Ros Comáin. Sa ghearán a rinne sé don Oifig seo, dúirt an gearánaí gur chuir sé isteach ar an bpost i mBaile Átha Cliath ach go raibh suim aige san oifig i bPort Láirge freisin. Mheas an gearánaí go raibh sé leithchealach nár ligeadh dó bheith páirteach sa dhá phainéil eile. Dúradh an bhfógra ón oifig AD dar dáta 07/2022, ba chóir d'iarratasóirí láithreán amháin a lua ina mbeidh siad sásta bheith ag obair. Cuireadh gach iarratasóir ar an eolas faoi seo nuair a chuir siad isteach ar an gcomórtas. Ní raibh aon leithcheal i gceist nuair a d'iarr an t-earcaitheoir ar iarratasóirí láithreán amháin a roghnú don phost ina raibh siad ag cur isteach air.

Dúirt an gearánaí go raibh an fhoclaíocht san fhaisnéisiú don chur i láthair doiléir agus gur thug sé le fios, dar leis, *'mura n-áireofaí achoimre den CV sa chur i láthair, ní chuirfí an fhaisnéis sin os comhair an Bhoird agallaimh, rud a d'imir tionchar ar thoradh an chur i láthair, i mo chás-sa ar a laghad'*. San fhógra ón Oifig bhí teideal an chur i láthair le léamh go soiléir *'Ról SLR maidir le seirbhís ardchaighdeán dírithe ar chustaiméirí a sheachadadh'*. Rinne an Oifig earráid sa nóta nuair a tharraing siad aird na n-iarratasóirí ar Alt 4 & 5 in ionad ar Alt 3. Cheartaigh an t-earcaitheoir an earráid seo i ríomhphost, áfach, roimh an agallamh agus ghabh siad leithscéal as an mearbhall a chruthaigh sé.



Fuair an Coimisiún nár sáraíodh an Cód, bhí an fhaisnéis faoin gcur i láthair soiléir agus cruinn agus cuireadh na hiarratasóirí ar fad ar an eolas maidir leis an earráid a rinneadh.

Mheas an gearánaí go raibh sé míchothrom an CV a fhágáil ar lár ó na modhanna roghnúcháin don chomórtas agus gur *'sáraíodh riachtanais maidir le hionracas, tuillteanaas, trédhearcacht etc faoin gcód, pé acu ag an gcéim gearrliostaithe nó ag aon chéim eile den chomórtas'*. San fhoirm iarratais d'iarr an t-earcaitheoir ar na hiarratasóirí an fhaisnéis go léir a bheadh i CV, ar nós cáilíochtaí acadúla agus gairmiúla, agus Stair Ghairme, a chur chuige. Bhí an CV ina chuid den chomórtas. Níor tharla aon ghearrliostú bunaithe ar an bhfoirm iarratais/CV agus cuireadh an CV ar aghaidh chuig an mBord Agallaimh. Ní thugann an Coimisiún treoracha do chomhlachtaí poiblí conas Cvanna nó iarratais a úsáid sa phróiseas earcaíochta. Cinntíonn sé, áfach, go mbeidh an próiseas earcaíochta agus roghnúcháin a dhéanann comhlacht poiblí cothrom, trédhearcach, bunaithe ar thuillteanas agus deartha go huilíoch. San Fhógra ón Oifig a cuireadh chuig gach iarratasóir, leagtar amach go soiléir an próiseas iarratais. Ní bhfuair an Coimisiún gur sáraíodh an cód maidir leis an bpointe seo.

Dúirt an gearánaí nár sheol an t-earcaitheoir ríomhphost faoin gcur i láthair chuig a ríomhphost pearsanta. Seoladh chuig a ríomhphost oibre amháin é. Dá bharr sin, chaill sé 4 lá as 7 chun ullmhúchán a dhéanamh ar an gcur i láthair. Eisean an chéad duine a cuireadh faoi agallamh agus creideann sé go raibh buntáiste ag iarratasóirí eile mar bhí an t-agallamh/cur i láthair acu 3 lá ina dhiaidh sin. Dúirt an gearánaí freisin gur iarr an t-earcaitheoir síneadh ama do chinneadh an Athbhreithnithe Fhoirmiúil agus dúirt siad go mbeadh freagra acu faoi 31 Nollaig 2022. Bhí an gearánaí ar saoire bhreitheachta agus ní raibh freagra faighte aige fós faoi 2 Eanáir 2023. Chuir sé ríomhphost chuig AD agus dúradh leis gur seoladh ríomhphost chuig a seholadh oibre amháin, ar 29 Nollaig 2022. Bhí sé curtha in iúl ag an earcaitheoir go n-úsáidfe seoltaí ríomhphost oibre chun cumarsáid a dhéanamh don chomórtas inmheánach seo. Ach má fuarthas teachtairteacht *As Oifig* ar ais mar fhreagairt ar ríomhphost, chuirtear ríomhphost chuig an seoladh pearsanta. Mhol an Coimisiún go gcuirfe gach comhfhreagras chuig an dá sheoladh ós rud é gur iarr an t-earcaitheoir ar iarratasóirí an dá cheann a sholáthar, nó go n-iarrfadh an t-earcaitheoir ar na hiarratasóirí cén seoladh a bhí le húsáid.

Dúirt an gearánaí gur ndúirt an Bord leis go mbunófaí freagraí áirithe le linn an agallaimh ar an taithí a bhí aige ar bheith ag obair leis an earcaitheoir. Mheas sé nár thug sé seo an deis dó labhairt faoina cháilíochtaí foirmiúla agus a chuid taithí oibre taobh amuigh den chomhlacht. Ní thagann sé faoi shainchúram an Choimisiúin, treoracha a thabhairt do chomhlachtaí poiblí faoi na ceisteanna a chuirtear nó faoin mbealach a chuirtear iad, i gcomórtas ar bith fad is go gcaitear le gach iarratasóir ar an mbealach céanna. Dúradh leis an gCoimisiún go raibh an oiliúint iomlán faighte ag an mBord agallaimh. Scrúdaigh an Coimisiún nótaí agallaimh an gearánaí chomh maith le dhá nóta agallaimh samplach

le haghaidh iarratasóirí rathúla agus neamhrathúla agus chinn an Coimisiún nach raibh aon difear idir na ceisteanna a cuireadh ar an ngearánaí agus ar na hiarratasóirí eile.

Dúirt an gearánaí go raibh neamhréir idir an measúnú a rinne a Bainisteoir agus an measúnú a rinne an bord. Cé go raibh rochtain ag an mbord ar mheasúnú an Bhainisteora, bunaítear an agallamh ar fheidhmíocht foriomlán iarratasóra ar an lá. Bhí an bord oilte go hiomlán agus mar sin, ní raibh aon deacracht ag an mbord nach raibh tuairim an bhoird ag teacht le tuairim an bhainisteora.

Cheap an t-earcaitheoir Athbhreithneoir seachtrach chun athbhreithniú foirmiúil a dhéanamh. Bhí an gearánaí míshásta leis an gceapachán seo mar d'éirigh leis, i gcomórtas eile, áit a fháil ar phainéal in Oifig ina raibh an tAthbhreithneoir ag obair. Cheap an gearánaí gur *'iompar a chuirfeadh imeagla air agus a d'imródh leatrom air'* a bhí i gceist leis seo. Bhí sé deimhnithe ag an Athbhreithneoir go raibh an oiliúint chuí faighte ag an Athbhreithneoir chun athbhreithniú a dhéanamh agus go bhfuil an-chuid taithí aici i bpróisis earcaíochta. Mar sin, chinn an Coimisiún go raibh ceapachán an Athbhreithneora cuí agus nach raibh aon fhianaise ann chun torthaí an Athbhreithneora a cheistiú.

Dúirt an gearánaí *'Is féidir a dheimhniú ón bhfaisnéis iarrthóra a foilsíodh maidir le ról a bhí á fhógairt ag an am céanna i bhFógra AD 07/2022 agus AD 09/2022 go raibh an comórtas sin á rith ag baint úsáide as "50% sinsearachta agus oiriúnacht, agus 50% bunaithe ar thuilleamas"*. Bhí an fhaisnéis sin le fáil i bhFógra AD 09/2022 *'Comórtas chun dul ar aghaidh go dtí Scála Níos Airde maidir le gráid ar an ndéanann Forsa ionadaíocht'*. Is comórtas eile a bhí i gceist leis seo agus níl aon bhaint aige leis an bpost Stiúrthóir Léarscáilithe Réigiúnach.

Bhí an gearánaí míshásta nár áirigh an t-earcaitheoir na cáilíochtaí foirmiúla a bhí aige. Cheistigh sé *'Conas is féidir sa 21ú haois post Bainistíochta laistigh den tseirbhís Shibhialta/Phoiblí a dhéanamh ar an gcéad ásc gan an riachtanas cáilíochtaí foirmiúla a bheith ag an té a cheaptar?'* Ba cheist í seo nárbh fhéidir leis an gCoimisiún í a fhreagairt. Is ar an gcomhlacht poiblí atá an fhreagracht na cáilíochtaí atá riachtanach don phost a leagan síos, más ann dóibh.

Rinne an gearánaí an moladh go mba chóir go n-áireofaí eitic faoin inniúlacht *'Tiomantas do Luachanna san earnáil phoiblí'*. Ní rud é seo a thagann faoi shainchúram na hOifige seo.

Rinne an gearánaí gearán gur tharla iompar imeaglaíthe le linn an phróisis chomhórtais. Líomhain sé go raibh an chuma ar chúrsaí *'go raibh iarbhainisteoir líne agus ball den bhord agallaimh ag stocaireacht i gcoinne mo cheapacháin sa ról'*. Níor soláthraíodh aon fhaisnéis mhionsonraithe ina leith.

Mheas an gearánaí go raibh na nótaí a tógadh le linn an agallaimh míchruinn. Dúirt sé nach raibh rochtain ag an mbord agallaimh ach ar chuntais neamhiomláin den mhéid a bhí ráite aige le linn an chuir i láthair agus an agallaimh araon. Is gnách go núsáidtear nótaí chun achoimre a dhéanamh ar fhreagraí na n-iarratasóirí. Bhí oiliúint iomlán faighte ag an mbord, áfach, mar a bhí don cheist thuasluaite freisin. Ní fhaca an Coimisiún aon fhianaise gur theip ar an mbord an fheidhm a bhaint amach i gceart a bhí leagtha síos dó.

Dúirt and gearánaí níos mó ná uair amháin gur roinneadh a fhaisnéis phearsanta le baill foirne eile agus gur *'sceitheadh eolas agus cáipéisí ón bpróiseas comórtais le daoine nach raibh ar an mbord agallaimh/nach raibh údaráithe'*. Ní thagann sé faoi shainchúram an Choimisiúin an líomhain sin a scrúdú agus ní féidir leis a dheimhniú ar tharla a leithéid. B'fhearr é sin a chur faoi bhráid an Choimisinéara um Chosaint Sonraí chun go ndéanfaidh sé an líomhain sin a scrúdú.

Tar éis athbhreithniú a dhéanamh ar an gcinneadh neamhfhoirmiúil, chinn an Coimisinéir go ndearna an tAthbhreithneoir scrúdú ar an saincheisteanna a ardaíodh sa ghearán. Mhínigh sí go soiléir don ghearánaí na cinntí go léir a rinne sí. Cé go raibh an tAthbhreithneoir i dteagmháil leis an ngearánaí cúpla uair ar an bhfón chun a chás a phlé leis, rinneadh an cinneadh níos mó ná mí ina dhiaidh sin, lasmuigh den amlíne atá leagtha amach sa Chód Cleachtais agus mar sin is sárú ar an gCód é sin.

**Cinneadh:** Chinn an Coimisiún gur sáraíodh an Cód maidir le hamlínte don athbhreithniú inmheánach. Thug an Coimisiún faoi deara nár úsáideadh ach ríomhphoist oibre cé gur iarradh ar iarratasóirí seoltaí oibre agus pearsanta a sholáthar. Chruthaigh sé seo mearbhall don ghearánaí.

**Toradh:** Mhol an Coimisiún don earcaitheoir meicníocht a chur i bhfeidhm chun a chinntiú go gcloíeann sé leis na hamlínte sa Chód maidir le hathbhreithnithe ar ghearáin a fhaightear ó iarratasóirí a chur i gcrích. Mhol an Coimisiún úsáid a bhaint as seoltaí pearsanta agus oibre má iarrtar ar iarratasóirí an dá cheann a sholáthar. Dheimhnikh an t-earcaitheoir go gcomhlíonfaidh sé an dá mholadh amach anseo i ngach comórtas inmheánach ar ardú céime. An cháipéisíocht go léir a bhaineann le comórtas inmheánacha ar ardú céime, lena n-áirítear treoir d'iarratasóirí a bhaineann le hachomhairc agus imscrúduithe, déanfar í a uasdátú mar thoradh ar na moltaí seo.

## Feidhm Iniúcháireachta an Choimisiúin

Mar chuid de ról maoirseachta an Choimisiúin, is féidir iniúchtaí a dhéanamh ar ghníomhaíocht earcaíochta agus roghnúcháin sealbhóirí ceadúnais. Is uirlis riachtanach

foghlama é seo, ag socrú tagarmharcanna le haghaidh dea-chleachtais agus ag cur béime ar réimsí atá le feabhsú.

Ní dhearna an Coimisiún um Cheapacháin Seirbhíse Poiblí aon iniúchadh in 2023.

## Clár Fíorúcháin maidir le Ceadúnais Earcaíochta

### **Cúlra**

Ag a chruinniú ar 13 Nollaig 2022, d’fhaomh an Coimisiún moladh a rinne an Rúnaíocht, tionscadal a reáchtáil chun cinnte a dhéanamh de go bhfuil comhlachtaí ar bhronn an Coimisiún ceadúnais orthu, ag comhlíonadh téarmaí na gceadúnas sin. Ar aon dul lenár sainchúram rialála, ba é cuspóir an tionscadail dearbhú réasúnta a sholáthar don Choimisiún go bhfuil comhlachtaí poiblí ag comhlíonadh an Chóid Chleachtais agus iad ag earcaíocht. Tugadh faoi deara go bhfuil laghdú tagtha ar líon na ngearán, agus theastaigh uainn a chinntiú nach raibh an Cód á shárú i gcomórtais nuair nach bhfaighimid gearáin futhu.

Déantar foráil don fhíorú sin faoi Alt 43(5) den Acht um Bainistíocht na Seirbhíse Poiblí (ABSP) ina ndeirtear *‘Ó am go ham, de réir mar a mheasann sé a bheith cuí, déanfaidh an Coimisiún scrúdú agus measúnú, nó cuirfidh sé faoi deara go ndéanfar scrúdú agus measúnú, ar gach sealbhóir ceadúnais chun a fháil amach an bhfuil said ag comhlíonadh coinníollacha an ailt seo’*.

### **Modheolaíocht**

Roinneamar an tionscadal in dhá chéim. Sa chéad chéim iarradh ar gach earcaitheoir ceadaithe ceistneoir a chomhlánú maidir le struchtúr agus soláthar foirne na feidhme earcaíochta. Is é seo an ceistneoir céanna atá le comhlánú ag iarrthóirí ar cheadúnais nua. Tugtar faoi deara go moltar anois do shealbhóirí ceadúnais nua go mbeidh orthu an ceistneoir seo a chomhlánú gach dara bhliain. Ní raibh sé comhlánaithe riamh ag seansealbhóirí ceadúnais.

Sa dara céim, rinneamar anailís ar thaifid ó fheachtais earcaíochta faoi leith a roghaíodh go randamach do gach earcaitheoir.

## **An chéad cheim agus an toradh**

Don chéim seo, chruthaíomar ceistneoir féindearbhair bunaithe ar an bhfoirm iarratais le haghaidh ceadúnas earcaíochta a úsáidimid chun gach iarratas nua ar cheadúnais earcaíochta a mheas.

In Aibreán, sheolamar an ceistneoir féindearbhair go dtí gach 47 sealbhóir ceadúnais agus chuireamar roinnt ceisteanna, na cinn seo ina measc:

- Soláthar foirne agus taithí/cáilíocht foirne,
- Taithí na heagraíochta próisis chomórtais a eagrú, ar nós gearrliostú, agallaimh, tástálacha síciméadracha
- Líon na gcomórtais a d’eagraigh an eagraíocht le dhá bhliain anuas agus
- Conas a bhfógraítear an CCSP sa leabhrán eolais d’iarratasóirí

Rinneamar athbhreithniú ar gach tuairisceán ag baint úsáide as an seicliosta atá againn chun iarratais nua ar cheadúnais a mheas, chun cinnte a dhéanamh de go dtagann struchtúr agus leibhéal foirne na feidhme earcaíochta leis na caighdeáin atá leagtha amach i gCód Cleachtais an Choimisiúin.

Tar éis na 47 ceistneoir a scrúdú, táimid sásta gur shásaigh na freagraí ó na 47 sealbhóir ceadúnais an tástáil seo, agus is féidir linn a bheith ag súil leis, go réasúnta, go ndéanann siad earcaíocht de réir an Chóid Chleachtais.

## **An dara céim**

Chun ár leibhéal dearbhaíochta a mhéadú, leanamar go dtí an dara céim den phróiseas fíorúcháin.

Sa chéim seo, rinneamar measúnu ar conas a dhéanann sealbhóirí ceadúnais, bainistíocht ar a bhfeidhmeanna earcaíochta. Roghnaíomar roinnt comórtais chun a dheimhniú ar eagraíodh gach ceann díobh de réir an Chóid Chleachtais. Reáchtáil na heagraíochtaí na comórtais seo sna dá bhliain roimhe sin. Bhí líon na gcomórtais a roghnaíomar bunaithe ar an leibhéal earcaíochta foriomlán a rinne gach sealbhóir ceadúnais le linn an dá bhliain sin.

Chuireamar an ceistean a leanas i measc cinn eile:

- Cad iad na tástáslacha roghnúcháin a úsáideadh don fheachtas
- Cóip den leabhrán/fógra d’iarratasóirí
- Roghnaíomhar iarratasóir go randamach agus d’iarramar go gcuirfí ar fáil dúinn an chomhfhreagras a bhí ann idir an rannóg AD agus an iarratasóir

Rinneadh na tuairisceáin go léir ón dara céim a scrúdú ag baint úsáide as an seicliosta. Rinneamar athbhreithniú ar gach céim de na comórtais roghnúcháin, lena n-áirítear na céimeanna pleanála, an fhoireanna agus na haonaid, na tástálacha roghnúcháin agus aon iniúchadh nó dearbhú cáilíochta a rinne an t-earcathóir. Rinneamar scrúdú freisin ar an leabhrán d'iarratasóirí chun a chinntiú gur chomhlíon sé na caighdeáin atá leagtha amach sa Chód. Rinneamar cinnte de gur míníodh an próiseas athbhreithnithe do na hiarratasóirí agus go raibh sé fógartha sa leabhrán comórtais go bhfuil an rogha ann iarratas ar athbhreithniú a chur chuig an CCSP. Tar éis na heilimintí seo a scrúdú, bhíomar sásta gur chomhlíon na comórtais na critéir riachtanacha agus go bhfuil siad á reáchtáil de réir an Chóid Chleachtais.

### **Achoimre**

Mar sin, is féidir linn dearbhú ardleibhéal a dhéanamh do na Coimisinéirí go bhfuil na hEarcathóirí Ceadaithe ag comhlíonadh an Chóid Chleachtais.

### **Tháinig toradh breise chun cinn: Dúbláil le hearcaíocht sa tSeirbhís um Cheapacháin Phoiblí (SCP).**

Tháinig saincheist amháin chun cinn ón dara céim agus b'í sin go raibh comórtais reáchtáilte ag 22 denár Sealbhóirí Ceadúnais le haghaidh grád seirbhíse ginearálta ar nós Oifigeach Cléireachais, Oifigeach Feidhmiúcháin, Ardoifigeach Feidhmiúcháin, Príomhoifigeach Cúnta Agus Príomhoifigeach. Is gnách gurb í an tSeirbhís um Cheapacháin Phoiblí a reáchtálann comórtais do na gráid seo. Mar atá leagtha amach sna téarmaí agus coinníollacha a eisítear do shealbhóirí ceadúnais, más mian le comhlacht poiblí feachtais a rith do na gráid thuasluaite, ní mór cás gnó a bheith ullmhaithe acu maidir leis an fáth go bhfuil gá leis agus cén fáth nach bhfuil an tSeirbhís um Cheapacháin Phoiblí á húsáid chun na folúntais seo a líonadh. Éilítear é seo chun dúbláil i ngíomhaíocht earcaíochta a sheachaint idir an tSeirbhís um Cheapacháin Phoiblí agus na sealbhóirí ceadúnais. Cuireann sé seo mearbhall ar an margadh fostaíochta, méadaíonn sé na costais atá ann don Stát agus cruthaíonn sé comórtas neamhriachtanach idir comhlachtaí Stáit.

Bíomar i dteagmháil leis na 22 comhlacht seo agus chuireamar in iúl dóibh go gcaithfidh siad muid a chur ar an eolas roimh comórtais gráid a reáchtáil atá comhionann le comórtais SCP. D'fhreagair gach ceann díobh agus d'hearbhaigh siad don Choimisiún go mbeadh siad i dteagmháil le SCP agus linn féin roimh na comórtais thausluaite a reáchtáil. Táimid sásta go rachaidh an dearbhú seo i ngleic leis an riosca dúblála a tharla sna feachtais ábhartha a reáchtáil na 22 earcathóir faoi chaibidil.

## Conclúid agus céimeanna don todchaí

Bhíomar i dteagmháil leis na 47 sealbhóir ceadúnais chun a chur in iúl dóibh go bhfuil ár gclár fíorúcháin maidir le ceadúnais earcaíochta curtha i gcrích agus go bhfuil an Coimisiún sásta leis an gcomhfhreagras a fuarthas agus táimid sásta go bhfuil an earcaíocht atá á déanamh ag na heagraíochtaí sin ag comhlíonadh téarmaí a gceadúnais Earcaíochta.

Chuireamar in iúl do na Sealbhóirí Ceadúnais go mbeadh an clár fíorúcháin maidir le ceadúnais earcaíochta ar siúl arís i gceann dhá bhliain chun go mbeidh a fhios ag an gCoimisiún go bhfuil na Sealbhóirí Ceadúnais ag cloí leis an gCód Cleachtais.

Fuaireamar roinnt aiseolas a bhí an-dearfach ar fad ó mhóran de na comhlachtaí. Dúirt roinnt díobh dúinn go raibh áthas orthu go raibh a bpróisis á seiceáil chun cinnte a dhéanamh de go bhfuil said ag comhlíonadh a ndualgas ceadaúnais agus chun dearbhú a fháil arís ón CCSP.

## Gníomhaireachtaí ceadaithe

I bhformhór na gcásanna, tabharfaidh sealbhóir ceadúnais faoi gach gné den phróiseas roghnúcháin. Mar sin féin, is féidir le sealbhóir ceadúnais, más ábhartha, cúnaimh a lorg ó ghníomhaireacht earcaíochta san earnáil phríobháideach le cuid de na cúraimí a bhaineann leis an bpróiseas earcaíochta.

Foilsimid liosta gach bliain de na ‘gníomhaireachtaí earcaíochta ceadaithe’. Is gníomhaireachtaí iad seo a rinne iarratas chuig an gCoimisiún agus, tar éis dúinn a scrúdú, bhíomar sásta go bhfuil próisis chúí i bhfeidhm acu chun tacú le comhlachtaí poiblí roghnú cothrom bunaithe ar fhiúntas a dhéanamh.

Tá gach gníomhaireacht cheadaithe liostaithe ar chlár na ngníomhaireachtaí fostaíochta ceadúnaithe arna chothabháil ag an Roinn Fiontar, Trádála agus Fostaíochta agus tá ráitis ghéilliúlachta tugtha acu ag dearbhú go gcoífidh siad leis na caighdeáin agus na prionsabail atá leagtha amach sa Chód Cleachtais

Le linn 2023, cheadaigh an Coimisiún na gníomhaireachtaí seo a leanas:

- Staffline Recruitment ROI Ltd
- Africare
- Hollilander Recruitment Ltd
- Brightwater Selection (Ireland) Ltd
- Careerwise Recruitment Ltd
- Steeringpoint Advisory Ltd
- Medforce

Ciallaíonn an cead seo go bhfuil 39 gníomhaireacht ainmnithe anois ar ár liosta de ghníomhaireachtaí ceadaithe, agus tá liosta iomlán díobh le fáil in Aguisín 4 den tuarascáil seo.

Tá clár curtha i bhfeidhm againn chun measúnú a dhéanamh ar na gníomhaireachtaí formheasta go léir agus a chinntiú go gcomhlíonann siad na coinníollacha agus na caighdeáin atá leagtha amach ag an gCoimisiún. Tá athbhreithniú á dhéanamh againn anois ar na gníomhaireachtaí earcaíochta atá liostaithe faoi láthair agus tá sé beartaithe againn é sin a dhéanamh gach dhá bhliain chun a chinntiú go bhfuil na caighdeán arna leagan amach ag an gCoimisiún agus na Cód Cleachtais á gcomhlíonadh acu. Aon ghníomhaireacht nach mbaineann amach an caighdeán a thuilleadh, bainfear den liosta í.

## Poist eisiata

Ba cheart go mbeadh comhlachtaí státseirbhíse in ann a riachtanais foirne a phleanáil, lena n-áirítear poist shealadacha a líonadh, trí ghníomhaíochtaí pleanála fórsa saothair.



I gcásanna áirithe, áfach, bíonn sé riachtanach duine a cheapadh chuig post ar bhonn sealadach, lasmuigh de cheanglais an Achta um Bainistíocht na Seirbhíse Poiblí (Earcaíocht agus Ceapacháin), 2004.

Sna cásanna seo, is féidir le comhlacht iarratas a dhéanamh chugainn ar ordú eisiata. Má dheonaímid an t-ordú, déantar an ceapachán a eisiadh go sealadach ón Acht. Ciallaíonn sé seo gur féidir ceapachán a dhéanamh gan próiseas iomlán roghnúcháin a dhéanamh faoin gCód Cleachtais.

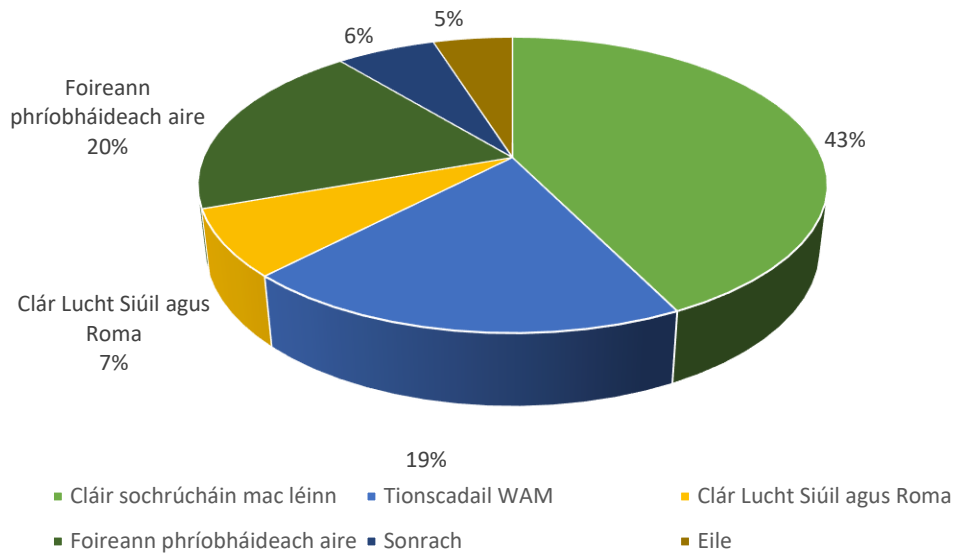
Ní dheonaímid ach orduithe eisiata do phoist shealadacha laistigh den Státseirbhís. De ghnáth, ní dheonaítear iad ach amháin nuair a cheaptar duine ar thionscnamh sonrath gearrthéarmach nó mar fhoireann oifige aireachta. Seachas sin, ní dheonaímid ordú ach i gcúinsí eisceachtúla.

Sonraítear sa tábla thíos na hOrduithe Eisiata a rinneadh nó a síneadh in 2023.

Catagóir	Orduithe
Cláir socrúcháin mac léinn	35
Tionscadail WAM	16
Cláir Lucht Siúil & Roma	6
Foireann phríobháideach an Aire	16
Sainscileanna	5
Eile	4
<b>Iomlán</b>	<b>82</b>

Deonaíodh 82 ordú chun tacú le tionscnaimh ghearrthéarmacha ar leith, i.e. socrúcháin do mhic léinn, tionscadail WAM (Meantóireachta Toilteanach Cumasach), clár píolótach lucht siúil agus Roma, agus scéimeanna malairte. Rinneadh 16 ordú d'fhoireann phríobháideach aireachta agus rinneadh 5 ordú do scileanna ar leith.

### Orduithe Eisiata



## Nochtuithe Cosanta

Is éard is nochtadh cosanta ann ná nochtadh a dhéanann oibrí faoi éagóir ábhartha a cuireadh ar a súile dóibh i gcomhthéacs oibre. Foráiltear san Acht um Nochtadh Cosanta go dtugtar cosaintí áirithe dóibh siúd a dhéanann nochtadh cosanta.

Uaireanta is féidir le hoibrithe tuarascálacha a thabhairt dá bhfostóir féin ach i gcásanna eile d'fhéadfaidís roghnú é a chur faoi bhráid Duine Forordaithe.

Is Duine Forordaithe é Stiúrthóir Oifig an CCSP faoin mBille um Nochtadh Cosanta (Leasú) 2022. Tá freagracht aige nochtuithe a mheas i réimsí áirithe den earcaíocht san Earnáil Phoiblí. Is gnách gur rialálaí iad Daoine Forordaithe sna réimsí atá mar ábhar na líomhaintí. Chun nochtadh cosanta a dhéanamh do Dhuine Forordaithe, ní mór go gcreidfidh an t-oibrí le réasún go bhfuil an Duine Forordaithe freagrach as an tuarascáil agus go bhfuil an fhaisnéis a nochtfar fíor mar aon le haon líomhain a dhéanfar.

Sa bhliain 2023, fuair CCSP sé thuarascáil maidir le héagóir a rinneadh le linn earcaíochta don earnáil phoiblí. Bhí ceithre cinn díobh gan ainm agus fuarthas dhá cheann ó thuarisceoirí ainmnithe.

Faoi 31/12/2023, rinneadh measúnú ar dhá cheann de na nochtuithe. Ag an gcéim thosaigh, cinneann an CCSP an bhfuil fianaise *prima facie ann go bhféadfadh sé gur tharla éagóir ábhartha*, bunaithe ar fhaisnéis ón duine atá ag tuairisciú. Is í seo an chéad chéim mar chuid d'obair triáiseála a dhéantar ar thuarascálacha faoin reachtaíocht. Ní cinneadh é gur tharla éagóir nó nár tharla mar ní mór imscrúdú níos doimhne a dhéanamh chun é seo a dheimhniú.

Tar éis na céime tosaigh seo cuireadh ceann amháin ar ais go dtí Oifig an Choimisinéara um Nochtadh Cosanta mar níor tháinig sé faoi shainchúram an CCSP. Dúnadh an ceann eile mar bhí an CCSP sásta nach raibh aon fhianaise *prima facie* ann gur tharla éagóir. Tá measúnacht ar na ceithre chás eile fós ag dul ar aghaidh.

## Ag féachaint ar aghaidh go dtí 2024

Tá sé beartaithe ag an gCoimisiún leanúint leis an bhfor-rochtain ar chomhlachtaí poiblí a leathnú agus a neartú in 2024. Tacóidh sé seo tuilleadh le comhlíonadh agus deachleachtas san earnáil. Tá sé beartaithe againn freisin tús a chur le clár fostaíochta d'iarrthóirí chun iarrthóirí agus iarrthóirí ionchasacha a chur ar an eolas maidir lena

gcearta agus iad a chur ar an eolas faoi na caighdeáin a bhfuiltear ag súil leo i bpróiseas roghnúcháin arna sheoladh faoi Chód Cleachtais an Choimisiúin.

Tá an Coimisiún ag obair faoi láthair ar thionscadal chun a shaináithint an bhfuil comhlachtaí ann san earnáil phoiblí atá ag earcú pé acu gan ceadúnas nó faoi dhíolúint reachtúil. Tá 51 earcaitheoir ann faoi láthair a fheidhmíonn faoi cheadúnais a bhronn CCSP orthu. Níl faisnéis iomlán againn faoi láthair maidir le comhlachtaí poiblí eile. Nuair a chríochnófar an tionscadal seo, táimid ag súil na gníomhaireachtaí seo a shaináithint chun go ndeimhneoidimid cé acu a thagann faoi shainchúram CCSP agus a Chód Cleachtais. Is í an chéad chéim eile ná déileáil leis na Ranna ábhartha chun a chinntiú go bhfuil na comhlachtaí go léir atá in ainm a bheith faoi réir an Chóid Chleachtais ag feidhmiú dá réir agus ag earcú de réir an dea-chleachtais.

Mar a dúradh sa Réamhrá thuas, glacadh in 2022 leis an gcoincheap de Ráiteas Straitéise aontaithe do na comhlachtaí rialála ar fad a thagann faoi scáth corparáideach Oifig an Ombudsman. Ligfidh an cur chuige seo do na hoifigí seo leanúint ar aghaidh ag tacú agus ag neartú na Seirbhíse Poiblí go ginearálta chun ár spriocanna comhroinnte a bhaint amach.

## Aguisín 1 Gníomhaíocht earcaíochta agus roghnúcháin sealbhóirí ceadúnais

Sealbhóir Ceadúnais	Inmheánach	Oscailte	Oscailte (SCP)	Ag gníomhú ar leibhéal níos airde	Iomlán	Inmheánach %	Seacht %
Údarás Uchtála na hÉireann	4	19	0	3	26	27	
An Garda Síochána	140	21	427	25	613	27	
An Phríomh-Oifig Staidrimh	38	177	63	16	294	18	
Oifig an Phríomh-Aturnae Stáit	10	38	20	1	69	16	
An Gníomhaireacht um Leanaí agus an Teaghlach (TUSLA)	81	966	1	384	1432	32	
An tSeirbhís Chúirteanna	59	103	0	52	214	52	
An tÚdarás um Fhorfheidhmiú Corparáideach	6	15	11	1	33	21	
An Choimisiún um Chosaint Sonraí							
An Roinn Talmhaíochta, Bia agus Mara	148	59	286	14	507	32	
An Roinn Leanaí agus Gnóthaí Óige	47	0	198	6	251	21	
An Roinn Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán	16	16	66	11	109	25	
An Roinn Oideachais agus Scileanna (Ardoiceachas agus Breisoideachas san áireamh)	152	115	279	34	580	32	
An Roinn Fiontar, Trádála agus Fostaíochta	74	1	78	3	156	49	
An Roinn Airgeadais	13	18	63	2	96	16	
An Roinn Gnóthaí Eachtracha	181	7	216	44	448	50	
An Roinn Sláinte	11	0	86	7	104	17	
An Roinn Tithíochta, Pleanála agus Rialtais Áitiúil	60	45	137	2	244	25	

An Roinn Dlí agus Cirt agus Comhionannais	49	64	523	60	696	16	
An Roinn Caiteachais Phoiblí agus Athchóirithe	26	1	100	4	131	23	
An Roinn Forbartha Tuaithe agus Pobail	13	0	25	1	39	36	
An Roinn Coimirce Sóisialaí	251	294	1410	288	2243	24	
<b>Sealbhóir Ceadúnais</b>	<b>Inmheánach</b>	<b>Oscailte</b>	<b>Oscailte (SCP)</b>	<b>Ag gníomhú ar leibhéal níos airde</b>	<b>Iomlán</b>	<b>Inmheánach %</b>	<b>Seacht %</b>
Roinn an Taoisigh	10	0	38	0	48	21	
An Roinn Iompair	9	2	121	4	136	10	
An tOmbudsman um Sheirbhísí Airgeadais agus Pinsean	4	26	0	0	30	13	
Coimisiún Ombudsman an Gharda Síochána							
An tÚdarás um Fhaisnéis agus Cáilíocht Sláinte (HIQA)	38	64	0	7	109	41	
Oifig Thithe an Oireachtais	45	45	47	3	140	34	
Coimisiún na hÉireann um Chearta an Duine agus Comhionannas	4	2	19	1	26	19	
Seirbhís Phríosúin na hÉireann	114	38	194	23	369	37	
An Coimisiún um Athchóiriú an Dlí	0	9	0	1	10	10	
An Bord um Chúnaimh Dlíthiúil	13	96	1	8	118	18	
Údarás Rialála Limistéir Mhuirí							
An Chomhairle Náisiúnta um Oideachas Speisialta	8	62	9	4	83	14	
Oifig Náisiúnta um Sheirbhísí Comhroinnte							
Bord Altranais agus Cnáimhseachais na hÉireann	0	15	0	0	15	0	
Oifig an Ard-Reachtair Cuntas agus Ciste	6	11	1	1	19	37	
Oifig an Stiúrthóra Ionchúiseamh Poiblí	19	42	1	2	64	33	
Oifig an Ombudsman	1	2	11	0	14	7	

Oifig an Ombudsman do Leanaí							
Oifig an Rialálaí Pleanála	0	19	1	1	21	5	
Oifig na nOibreacha Poiblí	51	0	151	8	210	28	
Oifig na gCoimisinéirí Ioncaim	381	174	576	13	1144	34	
An tÚdarás Póilíneachta	0	6	5	0	11	0	
An tSeirbhís um Cheapacháin Phoiblí	6	0	95	23	124		23
Coimisiún na Scrúduithe Stáit	4	102	34	18	158		14
<b>Sealbhóir Ceadúnais</b>	<b>Inmheánach</b>	<b>Oscailte</b>	<b>Oscailte (SCP)</b>	<b>Ag gníomhú ar leibhéal níos airde</b>	<b>Iomlán</b>	<b>Inmheánach %</b>	<b>Seacht %</b>
An tSaotharlann Stáit	9	28	11	0	48		19
An Coimisiún um Achomhairc Chánach	2	0	4	3	9		55
Tailte Éireann (PRA agus Oifig Luachála agus Suirbhéireacht Ordanáis)	13	9	62	5	89		20
An Coimisiún Toghcháin	0	0	4	0	4		0
<b>Iomlán</b>	<b>2116</b>	<b>2711</b>	<b>5374</b>	<b>1083</b>	<b>11284</b>		<b>28</b>

Feidhmeannacht na Seirbhíse Sláinte	Inmheánach	Oscailte	Oscailte (PAS)	Ag gníomhú ar leibhéal níos airde	Ceapacháin Eigeandála	Iomlán	Inmheánach %	Seacht %
Seirbhísí Gnó Sláinte								
Limistéar CHO 1								
Limistéar CHO 2	0	956	7	79	0	1042	8	92
Limistéar CHO 3	170	415	0	87	0	672	38	62
Limistéar CHO 4								
Limistéar CHO 5	47	534	0	102	0	683	22	78
Limistéar CHO 6	175	311	8	122	0	616	48	52

Limistéar CHO 7	0	199	0	31	0	230	13	87
Limistéar CHO 8	46	264	0	199	0	509	48	52
Limistéar CHO 9	135	550	7	0	0	692	20	80
Grúpa Ospidéal Choláiste Ríoga na Máinlia in Éirinn								
Grúpa Ospidéal Oirthear na hÉireann	19	559	1	46	0	625	10	90
<b>Feidhmeannacht na Seirbhíse Sláinte</b>	<b>Inmheánach</b>	<b>Oscailte</b>	<b>Oscailte (SCP)</b>	<b>Ag gníomhú ar leibhéal níos airde</b>	<b>Ceapacháin Eigeandála</b>	<b>Iomlán</b>	<b>Inmheánach %</b>	<b>Seachtrach %</b>
Grúpa Ospidéal Bhaile Átha Cliath agus Lár na Tíre								
Grúpa Ospidéal Ollscoil Luimnigh	0	489	0	34	0	523	7	93
Grúpa Ospidéal an Deiscirt/an Iardheiscirt	2	1143	0	71	0	1216	6	94
Grúpa Ospidéal Saolta								
Oifig Náisiúnta AD Oifigí Comhroinnte	0	5339	253	0	0	5592	0	100
Oibríochtaí Pobail AD								
Bainisteoir Earcaíochta don Cheantar Baile Átha Cliath/Lár na Tíre								
<b>Iomlán</b>	<b>594</b>	<b>10759</b>	<b>276</b>	<b>771</b>	<b>0</b>	<b>12400</b>	<b>11</b>	<b>89</b>



Aguisín 2 Líon na ngearán vs líon foriomlán na gceapachán

Sealbhóir Ceadúnais	Gearáin arna ndéanamh faoi Alt 7	Gearáin arna ndéanamh faoi Alt 8	Ceapacháin déanta	% iomlán na ngearán faoi ceapacháin
Oifig na gCoimisinéirí Ioncaim	51	0	1144	4.4
An Roinn Gnóthaí Eachtracha	16	0	448	3.6
An Chomhairle Náisiúnta um Oideachas Speisialta	3	0	83	3.6
An Roinn Talmhaíochta, Bia agus Mara	9	4	507	2.6
An tSeirbhís Chúirteanna	4	0	214	2
Coimisiún na Scrúduithe Stáit	3	0	158	1.9
An Garda Síochána	8	2	613	1.6
Oifig an Stiúrthóra Ionchúiseamh Poiblí	1	0	64	1.6
An Roinn Coimirce Sóisialaí	33	0	2243	1.5
Seirbhís Phríosúin na hÉireann	4	0	369	1.1
an Phríomh-Oifig Staidrimh	2	1	294	1
An Roinn Sláinte	0	1	104	1
An Roinn Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán	1	0	109	0.9
n tÚdarás um Fhaisnéis agus Cáilíocht Sláinte (HIQA)	1	0	109	0.9
an Roinn Leanaí agus Gnóthaí Óige	2	0	251	0.8
an Roinn Dlí agus Cirt agus Comhionannais	0	5	696	0.7
an Ghníomhaireacht um Leanaí agus an Teaghlach (TUSLA)	3	0	1432	0.2
Údarás Uchtála na hÉireann	0	0	26	0

Oifig an Phríomh-Aturnae Stáit	0	0	69	0
<b>Sealbhóir Ceadúnais</b>	<b>Gearáin arna ndéanamh faoi Alt 7</b>	<b>Gearáin arna ndéanamh faoi Alt 8</b>	<b>Ceapacháin déanta</b>	<b>% iomlán na gnearán faoi ceapacháin</b>
An tÚdarás um Fhorfheidhmiú Corparáideach	0	0	33	0
An Roinn Oideachais agus Scileanna (Ardoiceachas agus Breisoideachas san áireamh)	0	0	580	0
An Roinn Fiontar, Trádála agus Fostaíochta	0	0	156	0
An Roinn Airgeadais	0	0	96	0
An Roinn Tithíochta, Pleanála agus Rialtais Áitiúil	0	0	244	0
An Roinn Caiteachais Phoiblí agus Athchóirithe	0	0	131	0
An Roinn Forbartha Tuaithe agus Pobail	0	0	39	0
Roinn an Taoisigh	0	0	48	0
An Roinn Iompair	0	0	136	0
An tOmbudsman um Sheirbhísí Airgeadais agus Pinsean	0	0	30	0
Oifig Thithe an Oireachtais	0	0	140	0
Coimisiún na hÉireann um Chearta an Duine agus Comhionannas	0	0	26	0
An Coimisiún um Athchóiriú an Dlí	0	0	10	0
An Bord um Chúnammh Dlíthiúil	0	0	118	0
Bord Altranais agus Cnámhseachais na hÉireann	0	0	15	0
Oifig an Ard-Reachtair Cuntas agus Ciste	0	0	19	0

Oifig an Ombudsman	0	0	14	0
Oifig an Rialálaí Pleanála	0	0	21	0
Oifig na nOibreacha Poiblí	0	0	210	0
An tÚdarás Póilíneachta	0	0	11	0
An tSeirbhís um Cheapacháin Seirbhíse Poiblí	0	0	124	0
<b>Sealbhóir Ceadúnais</b>	<b>Gearáin arna ndéanamh faoi Alt 7</b>	<b>Gearáin arna ndéanamh faoi Alt 8</b>	<b>Ceapacháin a rinneadh</b>	<b>% iomlán na ngearán faoi ceapacháin</b>
An tSaotharlann Stáit	0	0	48	0
An Coimisiún um Achomharc Cánach	0	0	9	0
Tailte Éireann (PRA, Oifig Luachála agus suirbhéireacht ordnáis)	0	0	89	0
An Coimisiún Toghcháin	0	0	4	0
An Coimisiún um Chosaint Sonraí				
An Coimisiún Ombudsman don Gharda Síochána				
An tÚdarás Rialála um Limistéar Mhuirí				
Oifig Náisiúnta um Seirbhísí Comhroinnte				
Oifig an Ombudsman do Leanáí				
<b>Iomlán</b>	<b>141</b>	<b>13</b>	<b>11284</b>	<b>1.4</b>

<b>Feidhmeannacht na Seirbhíse Sláinte</b>	<b>Gearáin arna ndéanamh faoi Alt 7</b>	<b>Gearáin arna ndéanamh faoi Alt 8</b>	<b>Ceapacháin a rinneadh</b>	<b>% iomlán na ngearán faoi ceapacháin</b>
Limistéar CHO 7	9	0	230	4

Limistéar CHO 8	8	5	509	2.5
Limistéar CHO 6	13	0	616	2.1
Oifig Náisiúnta Seirbhísí Comhroinnte AD	82	14	5592	1.7
Limistéar CHO 3	11	0	672	1.6
Limistéar CHO 9	6	1	692	1
Grúpa Ospidéal Ollscoil Luimnigh	5	0	523	1
<b>Feidhmeannacht na Seirbhíse Sláinte</b>	<b>Gearáin arna ndéanamh faoi Alt 7</b>	<b>Gearáin arna ndéanamh faoi Alt 8</b>	<b>Ceapacháin a rinneadh</b>	<b>% iomlán na ngearán faoi ceapacháin</b>
Limistéar CHO 5	5	0	683	0.7
Limistéar CHO 2	5	0	1042	0.5
Grúpa Ospidéal an Deiscirt/an Iardheiscirt	5	0	1216	0.4
Grúpa Ospidéal an Oirthear na hÉireann	0	0	625	0
Seirbhísí Gnó Sláinte				
Limistéar CHO 1				
Limistéar CHO 4				
Grúpa Ospidéal Choláiste Ríoga na Máinlia in Éirinn				
Grúpa Ospidéal Bhaile Átha Cliath/Lár na Tíre				
Grúpa Ospidéal Saolta				
Grúpa Ospidéal Leanáí				
Oibríochtaí Pobail AD				
Bainisteoir Earcaíochta don Cheantar Baile Átha Cliath/Lár na Tíre				
<b>Iomlán</b>	<b>149</b>	<b>20</b>	<b>12400</b>	<b>1.4</b>

Nótaí: Sna tuairisceáin a chuir FSS isteach, rinneadh 0 ceapachán éigeandála.

**\*Léiríonn réimse ar bith atá fágtha bán na Comhlachtaí Poiblí agus réimsí FSS nár éirigh leo a gcuid staitisticí earcaíochta a chur ar ais.**

## Aguisín 3 Sealbhóirí ceadúnais earcaíochta

Údarás Uchtála na hÉireann  
An Garda Síochána  
An Phríomh-Oifig Staidrimh  
Oifig an Phríomh-Aturnae Stáit  
An Ghníomhaireacht um Leanaí agus an Teaghlach - TULSA  
An tSeirbhís Chúirteanna  
An Coimisiún um Chosaint Sonraí  
An Roinn Talmhaíochta, Iascaigh agus Bia  
An Roinn Leanaí agus Gnóthaí Óige  
An Roinn Cultúir, Oidhreachta agus na Gaeltachta  
An Roinn Oideachais agus Scileanna  
An Roinn Fiontar, Trádála agus Fostaíochta  
An Roinn Airgeadais  
An Roinn Gnóthaí Eachtracha  
An Roinn Sláinte  
An Roinn Tithíochta, Pleanála agus Rialtais Áitiúil  
An Roinn Dlí agus Cirt agus Comhionannais  
An Roinn Caiteachais Phoiblí agus Athchóirithe  
An Roinn Forbartha Tuaithe agus Pobail  
An Roinn Coimirce Sóisialaí  
Roinn an Taoisigh  
An Roinn Iompair  
An tOmbudsman um Sheirbhísí Airgeadais agus Pinsean  
Coimisiún Ombudsman an Gharda Síochána  
An tÚdarás um Fhaisnéis agus Cáilíocht Sláinte  
Feidhmeannacht na Seirbhíse Sláinte  
Coimisiún na hÉireann um Chearta an Duine  
Seirbhís Phríosúin na hÉireann  
An Coimisiún um Athchóiriú an Dlí  
An Bord um Chúnaimh Dlíthiúil  
Údarás Rialála Limistéar Mhuirí  
An Chomhairle Náisiúnta um Oideachas Speisialta  
Oifig Náisiúnta um Sheirbhísí Comhroinnte  
Bord Altranais agus Cnáimhseachais na hÉireann  
Oifig an Ard-Reachtair Cuntas agus Ciste

An tÚdarás um Fhorfheidhmiú Corparáideach  
Oifig an Stiúrthóra Ionchúiseamh Poiblí  
Oifig Thithe an Oireachtais  
Oifig an Ombudsman  
Oifig an Ombudsman do Leanáí  
Oifig an Rialálaí Pleanála Office of Public Works  
Oifig na gCoimisinéirí Ioncaim  
An tÚdarás Póilíneachta  
An tSeirbhís um Cheapacháin Phoiblí  
Coimisiún na Scrúduithe Stáit  
An tSaotharlann Stáit  
An Coimisiún um Achomhairc Chánach  
Tailte Éireann (PRA, Oifig Luachála agus Suirbhéireacht Ordnáis)  
An Coimisiún Toghcháin

# Aguisín 4 Gníomhaireachtaí Earcaíochta Ceadaithe

FRS Recruitment Society Limited  
Lex Consultancy Limited  
Sigmar Recruitment Consultants Limited  
Recruitment Plus  
Osborne Recruitment  
Cpl Ltd  
Servisource Recruitment Limited  
Hays Specialist Recruitment Limited  
Orange Recruitment Limited  
Mazars  
InterSearch Ireland  
PE Global  
Gatenby Sanderson  
Conscia  
Amrop  
Yala  
Lansdowne Executive  
PWC Executive  
Signium Ireland  
Matrix Recruitment  
Excel Recruitment  
Lincoln Recruitment Specialists  
Odgers Berndtson  
Perret Laver Ltd  
Eden Recruitment  
Vertical Markets Group  
2into3  
Morgan McKinley Group  
RSM Ireland  
Hero Recruitment  
Nuvo Recruitment  
Shikilla Healthcare  
Staffline Recruitment (ROI) Ltd



Africare  
Hollilander Recruitment Ltd  
Brightwater Selection (Ireland) Ltd  
Careerwise Recruitment Ltd  
Steering Point Advisory Ltd  
Medforce