



Candidate Information

In-house Counsel / Abhcóide Inti

Regulation Department

Closing Date:

Friday, 3 May 2019 at 5.30 pm

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Introduction

About PSI – The Pharmacy Regulator

The Pharmaceutical Society of Ireland (PSI) is a public body established in law to protect the health, safety and wellbeing of patients and the public by regulating pharmacists and pharmacies in Ireland.

Our principal function is to ensure patient safety and public protection. We are committed to carrying out our work independently, ethically, and transparently. The Pharmacy Act 2007, as amended, established the statutory role and the responsibilities of PSI as the pharmacy regulator, which include:

- Registration of pharmacists, pharmaceutical assistants and pharmacies, in line with statutory requirements;
- Setting standards for pharmacy education and training at undergraduate and postgraduate level;
- Ensuring all registered pharmacists are undertaking appropriate continuing professional development (CPD);
- Promoting good professional practice by pharmacists, by raising standards and sharing information for the benefit of patients and the wider health system;
- Assessing compliance and taking actions to address poor performance, practices and behaviours through our inspection and enforcement functions, by considering formal complaints made against a pharmacist or a pharmacy and through the imposition of sanctions;
- Providing advice, support and guidance to the public, pharmacy profession and Government on pharmacy care, treatment and services in Ireland.

These functions form the basis of the work we do to promote and assure public confidence and trust in pharmacy practice and pharmacy-delivered care and services in Ireland.

Governance

The PSI is a public body, which is independent in the exercise of its statutory functions. For public accountability purposes, the PSI operates under the aegis of the Department of Health.

The PSI is governed by a 21-member Council and each member is appointed by the Minister for Health in accordance with the provisions of the Pharmacy Act 2007. The Registrar/CEO is responsible for the day-to-day operation of the PSI.

Our Vision, Mission and Values

Our Vision

That the public has access to trusted pharmacy services and that the PSI makes a clear and demonstrable contribution to the availability and quality of those services.

Our Mission

We protect and promote the health, safety and wellbeing of patients and the public by taking timely and effective action to ensure that pharmacists in Ireland are competent and that pharmacies are operating to high standards of safety and reliability.

Our Values

Our values underpin how we deliver on our mission. They guide our behaviour, the expectations we set ourselves, and the experience of others who engage with us. They provide evidence as to our commitment to equality and human rights in how we fulfil our role.

Our values ensure that we achieve the objectives set in the PSI [Corporate Strategy 2018-2020](#) 2018-2020 in ways that are properly accountable, and which meet with the high standards expected of public bodies and of the public servants who work within them.

Serve the public
The safety of the public is at the heart of everything we do, and we act to ensure that safety.

Lead by example
We behave with integrity and objectivity. Our actions are evidence-based and timely.

Everyone Counts
We value, appreciate and respect everyone we engage with.

Embrace Change
We are innovative and we adapt to achieve results and continuously improve.

Work Together
We work in partnership with our colleagues and all our stakeholders.

More information about our role and the work that we do is available on our website www.psi.ie.

Position Specification

Job Title:	In-house Counsel / Abhcóide Inti
Reporting Relationship:	Reports to the Manager of Legal Affairs and Fitness to Practise
Grade:	State Solicitor
Contract Type:	Full-time Permanent
Contract Duration:	Permanent
Location:	Post will normally be located at PSI House, 15-19 Fenian Street, Dublin 2. Post-holder may be required to travel, from time to time, in performance of their duties.

Job Purpose

Reporting to the Manager of Legal Affairs and Fitness to Practise, the In-house Counsel has a key role to play in the efficient and effective management of inquiries before the statutory Disciplinary Committees, together with the provision of timely and accurate legal advice to other units within the organisation.

Key Duties and Responsibilities

Key duties of the role will include but are not limited to:

- Overseeing the preparation of inquiries before Disciplinary Committees to ensure compliance with internal key performance indicators relating to timely and cost-efficient conclusion of inquiries.
- Providing instructions to external solicitors regarding the running of cases before Disciplinary Committees.
- Attending interviews with relevant witnesses and drafting statements in conjunction with external legal advisors.
- Carrying out detailed and comprehensive assessments of evidence to be put before Disciplinary Committees.
- Attending pre-hearing meetings with Counsel and witnesses as appropriate.
- Preparing for and attending prosecutions before the District Court further to inspections carried out by authorised officers of the PSI, to include advocacy in relation to same.
- Providing advice and guidance regarding any queries concerning the PSI's policies and procedures which are underpinned by Part 6 – Complaints, Inquiries and Discipline – of the Pharmacy Act 2007.

- Participating in the preparation of responses to judicial review proceedings and appeals, including liaising with senior managers, solicitors and Counsel and attending hearings.
- Training Disciplinary Committees and the Council in relation to their respective statutory functions.
- Providing legal advice to other Units of the PSI in relation to their statutory functions, including the provision of advice in respect of prosecutions and inspections, legal issues arising in relation to the registration of pharmacists and pharmacies to include matters of EU and company law.
- Drafting and reviewing contracts on behalf of other units within the organisation and providing advice with regard to procurement issues as they arise.
- Providing advice on matters relevant to the Data Protection Officer of the PSI to ensure compliance under the Data Protection Acts and GDPR, and the Freedom of Information Officer with respect to Freedom of Information legislation.
- Analysing draft legislation and providing comments on behalf of PSI to relevant stakeholders, and assisting in the drafting of Statutory Instruments on behalf of different units within the organisation.
- Presenting matters before the Council of the PSI and making applications in the High Court, Circuit and District Court where necessary.
- Advising and supervising other team members to facilitate the expeditious scheduling of Committee and Council meetings and providing support in the preparation and review of the documentation necessary for those meetings.
- Assisting the Manager of Legal Affairs and Fitness to Practise to ensure that information and knowledge is properly managed and reviewed within the Legal Affairs Unit e.g. SOPs, quality management systems, data management etc.
- Deputising for the Manager of Legal Affairs and Fitness to Practise in her absence.
- Identifying risk and assisting the organisation in our purpose of mitigating regulatory risk in the interests of assuring the public of safe pharmacy care and services.
- Liaising with external stakeholders as appropriate; attending departmental and stakeholder meetings, corporate briefings and events or any other meetings as required on behalf of the PSI.
- Participating in the management of performance within the Legal Affairs and Fitness to Practise Unit; assisting in the identification of appropriate performance targets and reporting regularly on progress against specified goals/targets and objectives.
- Assisting in the monitoring and controlling the cost arising from external legal advisors.
- Participating in cross-functional initiatives that contribute to the delivery of the strategic objectives of the PSI.
- Promoting a culture of continuous improvement and excellence across the PSI, including contributing to our work as an organisation to achieve and retain external recognition under the EFQM Excellent Model.

- Supporting the Manager of Legal Affairs and Fitness to Practise in the management and ongoing strategic work in line with the PSI's Corporate Strategy 2018-2020 and beyond.
- Performing any other duties assigned by the Manager of Legal Affairs and Fitness to Practise, Head of Regulation or Registrar.

Important note: PSI is undergoing a process of digital transformation and organisation renewal. Therefore, job content and lines of reporting for individual roles will be subject to change and evolution over the coming three years.

Key Requirements

Candidates must have, on the closing date for receipt of applications:

- Qualified as a solicitor and have been admitted to the Roll of Solicitors and be able to demonstrate over 3 years' post-qualification experience, preferably with regulation experience and evidence of providing advice with regard to contract and data protection law.
- The ability to demonstrate a thorough knowledge of administrative and constitutional law.
- An understanding of the law relating to professional regulation in this and other jurisdictions together with other legislation relevant to public bodies.
- Keen advocacy skills at either District, Circuit or High Court level.
- Experience of instructing counsel and external lawyers.
- The ability to provide clear and concise advice to governance entities, such as the PSI Council and its Committees, in relation to their functions, duties and powers.
- Experience as a supervisor of case work and/or similar staff activities and the ability to supervise and manage own and other's workloads.
- Excellent analytical and problem-solving skills.
- The ability to work under pressure and to achieve tight deadlines.
- An unwavering attention to detail, particularly when under pressure.
- Excellent report-writing skills with forensic attention to detail.
- The ability to demonstrate excellent communication, interpersonal and presentation skills.
- The ability to work on own initiative.
- Proven team player experience.
- A successful track record in working with internal and external stakeholders.

In addition, the following are considered desirable:

- The ability to demonstrate a clear and detailed understanding of the Pharmacy Act 2007 and all relevant medicines legislation (both national and EU).
- Experience of working in a multidisciplinary environment.

Key Competencies

In-house Counsel, Regulation Department	
Competencies	Description
Specialist Knowledge / Expertise & Self Development	<ul style="list-style-type: none"> • Demonstrates experience in a position(s) with similar range of responsibilities including the provision of accurate and concise legal advice within tight timeframes, management of diverse caseload, budget management and advocacy. • Has a clear understanding of the roles, objectives and targets of self and team and how they fit into the work of the PSI and effectively communicates this to others • Has high levels of expertise and broad Public Sector knowledge relevant to his/her area of work • Focuses on self-development, striving to improve performance
Management and Delivery of Results	<ul style="list-style-type: none"> • Takes responsibility and is accountable for the delivery of agreed objectives • Successfully manages a range of different projects and work activities at the same time • Structures and organises their own and others work effectively • Is logical and pragmatic in approach, delivering the best possible results with the resources available • Delegates work effectively, providing clear information and evidence as to what is required • Proactively identifies areas for improvement and develops practical suggestions for their implementation • Demonstrates enthusiasm for new developments/changing work practices and strives to implement these changes effectively. • Applies appropriate systems/processes to enable quality checking of all activities and outputs • Practices and promotes a strong focus on delivering high quality customer service, for internal and external customers
Analysis & Decision Making	<ul style="list-style-type: none"> • Gathers and analyses information from relevant sources, whether financial, numerical or otherwise, weighing up a range of critical factors • Takes account of any broader issues and related implications when making decisions

	<ul style="list-style-type: none"> • Uses previous knowledge and experience in order to guide decisions • Makes sound decisions with a well-reasoned rationale and stands by these • Puts forward solutions to address problems
<p>Team Leadership</p>	<ul style="list-style-type: none"> • Works with the team to facilitate high performance, developing clear and realistic objectives and addressing any performance issues if they arise • Provides clear information and advice as to what is required of the team • Strives to develop and implement new ways of working effectively to meet objectives • Leads the team by example, coaching and supporting individuals as required • Places high importance on staff development, training and maximising skills and capacity of team. • Is flexible and willing to adapt, positively contributing to the implementation of change
<p>Interpersonal & Communication Skills</p>	<ul style="list-style-type: none"> • Builds and maintains contact with colleagues and other stakeholders to assist in performing role • Acts as an effective link between staff and senior management • Encourages open and constructive discussions around work issues • Projects conviction, gaining buy-in by outlining relevant information and selling the benefits • Treats others with diplomacy, tact, courtesy and respect, even in challenging circumstances • Presents information clearly, concisely and confidently when speaking and in writing
<p>Commitment to PSI Values</p>	<ul style="list-style-type: none"> • Public safety is at the heart of everything, acts to ensure that safety • Values, appreciates and respects everyone engaged with • Works in partnership with colleagues and all stakeholders • Behaves with integrity and objectivity, actions are evidence-based and timely • Strives to perform at a high level, investing significant energy to achieve agreed objectives • Demonstrates resilience in the face of challenging circumstances and high demands • Is personally trustworthy and can be relied upon

	<ul style="list-style-type: none">• Ensures that customers are at the heart of all services provided• Upholds high standards of honesty, ethics and integrity
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Probation

A probationary period of eleven months applies to this position.

Pay

The State Solicitor salary scale will apply to this position.

The PPC (Personal Pension Contribution) salary for this position, with effect from 1 January 2019 is as follows:

€32,153 – €34,576 – €35,271 – €38,305 – €42,188 – €45,153 – €48,106 – €51,077 – €54,040
– €56,988 – €66,495 – €68,899 – €71,289 – €73,687 – €76,080 – €77,460 – LSI 1 €79,876 –
LSI 2 €82,300

This rate will also apply where the appointee is an existing civil or public servant appointed on or after 6 April 1995 and is required to make a personal pension contribution.

Long service increments may be payable after 3 (LSI-1) and 6 (LSI-2) years' satisfactory service at the maximum of the scale.

Important note: The rate of remuneration, including the award of increments which are subject to satisfactory performance, will be in accordance with Government pay policy.

Candidates should note that different pay and conditions may apply if, immediately prior to appointment, the appointee is a serving civil or public servant.

Superannuation

The successful candidate will, upon appointment, become a member of the appropriate pension scheme. Pension scheme membership will be notified within the contract of employment.

Hours of Attendance/Working Week

The normal working week is not less than 37 hours, exclusive of lunch breaks. The successful candidate will be required to work such additional hours from time to time as may be reasonable and necessary for the proper performance of his/her duties, subject to the limits set down in the working time regulations. The rate of remuneration payable covers any extra attendance liability that may arise from time to time.

Hours of attendance may be subject to change from time to time in line with government/local policy and practices.

Annual Leave

Annual leave is 27 days per annum pro-rata. This allowance is subject to the usual conditions regarding the granting of annual leave and is based on a five-day week and is exclusive of the usual public holidays and Good Friday.

Outside employment

The role of In-house Counsel is full-time and the appointee may not engage in private practice or be connected with any outside business which conflicts in any way with his/her duties, impairs performance or compromises his/her integrity.

The appointee must avoid involvement in outside employment/business interests in conflict or potential conflict with the business of the PSI. Clarification must be sought from management where doubt arises.

How to apply

To apply for this post, each candidate should submit a comprehensive covering letter outlining why they believe their skills, experience and values meet the requirements of the post highlighting the relevant key competencies along with an up-to-date CV.

This documentation should be emailed to Kevin Griffiths, HR Development Project Manager, at recruitment@psi.ie on or before the closing date of 5.30 pm on the 3rd of May 2019.

Late applications will not be accepted.

The PSI is committed to a policy of equal opportunity.

Selection process

The selection process may include:

- A shortlisting of candidates based on the information submitted in their application;
- A competitive interview before a main interview board which may include an assessment and/or presentation;
- An offer of employment will be dependent upon the candidate furnishing suitable references and upon their successful completion of a pre-employment medical.

References

We would appreciate it if candidates could start considering names of people who would be a suitable referee that we might consult (2-3 names and contact details). Please be assured

that PSI will only contact referees should you come under consideration for appointment after interview stage.

Interview

It is anticipated that first-round interviews will be held towards mid-late May.

The onus is on all applicants who are shortlisted for interview to ensure they are available for interview on the identified date. Please note that the PSI is not in a position to reimburse expenses incurred by applicants for interview.

Candidates who do not attend for interview or other assessment when required, or who do not, when requested, furnish such evidence as the PSI requires in regard to any matter relevant to their candidature, will have no further claim to consideration. Candidates are expected to provide all requested documentation. Failure to do so will result in the candidate being deemed to have withdrawn from the competition and their candidature will receive no further consideration.

Candidate obligations

Candidates must not:

- Knowingly or recklessly provide false information
- Canvass any person with or without inducements
- Personate a candidate at any stage of the process
- Interfere with or compromise the process in any way

GDPR Privacy Notice – recruitment process

Purpose

The PSI conducts a competency-based recruitment process. Candidates are asked to submit a CV and a comprehensive covering letter, in the case of other posts an application form. The recruitment process may also involve psychometric testing and a pre-employment medical assessment.

As part of the recruitment process, PSI will process personal data relating to potential candidates. Personal data means any information relating to an identified or identifiable living individual. The categories of personal data defined by the General Data Protection Regulation (“**GDPR**”) include identification data e.g. name, address and emails. It also includes special categories of personal data for more sensitive information such as data concerning health. In meeting its data protection obligations, the PSI is committed to being accountable and transparent about how it collects and uses personal data provided in your application and as part of the recruitment process.

In the case of a successful candidate, some of the information provided during the recruitment process will form the basis of the contract of employment (e.g. name, address).

Legal basis for processing personal data

The PSI processes the personal data contained in your CV, covering letter of application and/or application form obtained during the recruitment process on the basis of consent, Article 6(1)(a) of the GDPR. Consent is demonstrated by the submission of the signed consent form to accompany your CV and covering letter of application. The consent form is available for download from the PSI website: <https://www.thepsi.ie/tns/about-psi/recruitment.aspx>. Consent is required from the applicant in order to process any personal data in your application for the specific purpose of progressing your application during the recruitment process.

In the case of a successful candidate(s), some of the information provided during the recruitment process will form the basis of the contract of employment (e.g. name, address). The personal data of potential employees, and employees, is processed on the basis that it is necessary for the PSI’s compliance with legal obligations (Article 6(1)(c) GDPR), which includes employment legislation. PSI personnel are provided with an internal privacy statement in relation to the use of employee information.

How your information may be shared

The following parties may receive your information for reasons outlined below:

Recipient	Purpose
HR (PSI internal)	Storing application, acknowledging responses and corresponding with candidates.
HR (external service provider)	In the recruitment of certain posts, the PSI may outsource some or all parts of the recruitment process to an external service partner. An external service partner will receive candidate submissions, in full or part, to assist with administration or assessment for the post, or to manage the entire recruitment process.
Designated Hiring Manager	The designated hiring manager(s) and/or a Head of Department will receive applications to conduct shortlisting of candidates.
Interview Panel	Member(s) of Interview Panel(s), including the designated Hiring Manager and/or Head of Department and /or independent member(s) external to the PSI will receive applications to conduct the assessment of candidates.
HR (external service provider – psychometric or other testing)	In the recruitment process for certain post, the PSI may require psychometric or other testing to be carried out by an external service provider. The external service provider will receive candidate information, in full or part, to be used as directed by the PSI to conduct the assessment and provide information to the PSI. They will hold information relating to a candidate only for a period necessary to fulfil the service required.
Referees	Candidates are asked to provide references who can be contacted to validate work history and/or comment on suitability of the candidate for the position. Where a candidate gives consent for the PSI to contact a named referee(s), referee(s) will be provided with the candidate's name for the purpose of providing the reference.
Occupational Health	If considered for appointment to the role, a candidate will be asked to undergo a pre-employment medical assessment. The PSI will notify the occupational health provider of the name of the candidate and contact telephone number.

Data transfers outside the EU/EEA

There is no transfer of information outside of the EU/EEA in the course of this process.

Automated decision making

This does not apply to this process.

How long we store your data

The PSI has a document management policy and retention schedule in relation to the information it holds. This may be updated from time to time.

For unsuccessful candidates, applications and all relevant correspondence will be retained and held securely by the PSI’s HR Office for a period of 12 months. At the end of that period, or once you withdraw your consent, your data is securely deleted or destroyed.

For successful candidates, their application (to include interview records, assessments such as psychometric tests and evaluations of interviews conducted) will be placed on their employee file and retained during the course of their employment and for an appropriate period thereafter.

Your data protection rights

You have rights in relation to the data held and processed about you by the PSI. The PSI has a Data Protection Officer, who can be contacted if you wish to exercise your data protection rights.

Email: dataprotection@psi.ie

Address: Data Protection Officer, Pharmaceutical Society of Ireland, PSI House, Fenian Street, Dublin 2, D02 TD72.

There is a [subject access request form](#) available on the PSI website.

Right	Explanation
Access	You can request and receive access to the information held about you for the purpose of this process at any time.
Portability	You can request and receive a copy of this information, in electronic/transferrable format, at any time.
Erasure	You can request the data held be erased. The anticipated retention period is outlined above.
Rectification	You can request to have any incorrect information about you updated or corrected.
Objection	You can withdraw your consent or object to this information being processed.

Complaint	You can make a complaint to the PSI's Data Protection Officer (above) and/or make a complaint to the relevant supervisory authority in Ireland, the Data Protection Commission (www.dataprotection.ie)
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