



An tÚdarás Rialála
Seirbhísi Dlí
Legal Services
Regulatory Authority

Candidate Information Booklet

Please Read Carefully

Complaints & Resolution Officer in the Complaints and Resolutions Department of the LSRA

The Legal Services Regulatory Authority (“LSRA”) is seeking to identify and appoint a suitably qualified Complaints and Resolutions Officer who will play a key role in the delivery of the complaints function of the LSRA.

Legal Services Regulatory Authority

The Legal Services Regulatory Authority, the LSRA, was established under the Legal Services Regulation Act 2015 (“the Act”) as the new and independent statutory body responsible for the regulation of the provision of legal services by legal practitioners (both solicitors and barristers) and for ensuring the maintenance and improvement of standards in the provision of such services in the State. The LSRA has a number of other functions, which are summarised below, and applicants should refer to the 2015 Act for full details.

Roll-Out of LSRA Functions

Since its establishment, the LSRA has worked towards an orderly phased roll out of its range of statutory functions. It has published and continues to maintain the Roll of Practising Barristers which is a searchable public register of all barristers entitled to provide legal services in the State. It began receiving and investigating complaints regarding solicitors and barristers in October 2019.

As part of its ongoing work to ensure increased competition in the legal sector, the LSRA introduced a framework that allows partnerships of solicitors to seek authorisation to operate as Limited Liability Partnerships. The introduction of this new business model has the potential

to increase competition in the legal services market, reduce professional indemnity insurance costs for Limited Liability Partnerships and, consequently, lower legal costs for consumers.

The LSRA has an ongoing statutory responsibility to promote public awareness and disseminate information to the public in respect of legal services, including the cost of such services. The LSRA also undertakes research projects in respect of the provision of legal services.

Structure

The LSRA executive function is provided by its Chief Executive Officer and a small team. A growing organisation, it currently has over 35 staff working across six departments. These are the Office of the Chief Executive; the Legal Services, Levy and Registration Department; the Complaints, Investigations and Resolutions Department; the Communications, Research and Innovation Department; the Legal Practitioners Disciplinary Tribunal Support Unit and Corporate Services Department.

The LSRA is funded through a statutory levy on legal practitioners as well as fees relating to the authorisation of Limited Liability Partnerships.

The Authority

The Authority is comprised of 11 Members nominated in accordance with section 9 of the Act. The Authority has a lay majority and chair. Authority members are appointed by the Government following nomination by 10 organisations. This nomination process was designed to ensure the independence of the Authority while also achieving a gender balance and a balance of interests between legal practitioners and those consumers who avail of their services.

The following is the current Authority membership:

- **Don Thornhill (Chair)** - Higher Education Authority
- **Angela Black** - Citizens Information Board
- **Deirdre McHugh** - Competition and Consumer Protection Commission
- **Stephen Fitzpatrick** - Institute of Legal Costs Accountants
- **Dermott Jewell** - Consumers Association of Ireland
- **Sara Moorhead** - The Bar Council
- **Joan Crawford** - Legal Aid Board
- **Eileen Barrington** - The Honorable Society of King's Inns
- **Geraldine Clarke** - The Law Society
- **Simon Murphy** - The Law Society

There is currently a vacancy on the Authority and a nominee from the Irish Human Rights and Equality Commission is expected to be appointed in the near future.

The LSRA Vision, Functions and Objectives

Our Vision:

“To establish the LSRA as an efficient, effective and accountable regulatory body with the capacity to protect and promote the public interest and the interests of consumers of legal services whilst encouraging an independent, strong, competitive legal profession with high standards of professionalism and integrity.”

LSRA Statement of Strategy 2019-2022

Our Mission:

“The Legal Services Regulatory Authority will regulate the provision of legal services by legal practitioners and will ensure the maintenance and improvement of standards in the provision of legal services in the State.”

Adapted from section 13(1) of the Legal Services Regulation Act 2015

Our Six Statutory Objectives:

The Legal Services Regulatory Authority will

- (1) Protect and promote the public interest.
- (2) Support the proper and effective administration of justice.
- (3) Protect and promote the interests of consumers relating to the provision of legal services.
- (4) Promote competition in the provision of legal services in the State.
- (5) Encourage an independent, strong and effective legal profession.
- (6) Promote and maintain adherence to the professional principles of legal practitioners specified in the 2015 Act.

Our Four Core Values:

The work of the LSRA as a public service body will be guided by our four core values:

1. Independence
2. Consumer Protection
3. Innovation
4. Transparency and Accountability

Our Eleven Key Functions:

The Authority will undertake the following specific functions as part of its role:

- (1) Keep under review and make recommendations to the Minister in respect of:
 - a. admission requirements of the Law Society, Bar Council, and Honorable Society of King’s Inns;
 - b. availability and quality of education and training including ongoing training for the solicitors’ and barristers’ professions;

- c. policies in relation to admission and, or, entitlement to practise of the Law Society, Bar Council and the Honorable Society of the King's Inns;
 - d. professional codes;
 - e. the organisation of the provision of legal services in the State.
- (2) Disseminate information in respect of the education and accreditation requirements and any other matters referred to above as the LSRA thinks fit.
 - (3) Specify the nature and minimum levels of professional indemnity insurance required.
 - (4) Establish and administer a system of inspection of legal practitioners for the purposes of the Act.
 - (5) Receive and investigate complaints against legal practitioners.
 - (6) Establish and maintain the roll of practising barristers.
 - (7) Promote public awareness and disseminate information to the public in respect of legal services, including the cost of such services.
 - (8) Keep the Minister for Justice informed of developments in respect of the provision of legal services including their cost.
 - (9) Keep the Minister informed of developments in respect of the provision of legal services and make recommendations to assist the Minister in coordinating and developing policy.
 - (10) Undertake, commission or assist in research projects and other activities in respect of the provision of legal services, which may increase public awareness and promote an improvement in standards for their provision, and make recommendations to the Minister for Justice.
 - (11) Perform any other functions conferred by the Act or by regulations made under it.

The Complaints and Resolutions Unit

The Complaints and Resolutions Unit performs a key role in assisting the LSRA in achieving its primary functions including the regulation of the provision of legal services, protecting the public interest and supporting the proper and effective administration of justice.

Part 6 of the 2015 Act created a new and independent process for the investigation and resolution of complaints made against legal practitioners. This is one of the key reforms introduced by the Act and is a cornerstone of the LSRA's activity.

The Complaints and Resolutions Unit receives complaints against legal practitioners, assesses them for admissibility based on the criteria of the Act, informally resolves suitable complaints, investigates those that require formal inquiry and makes determinations in certain types of complaint.

The Complaints and Resolutions Officers require an expert understanding of the investigative process and the competencies required to process complaints in a timely and efficient manner and in full compliance with the relevant legislation.

The Complaints and Resolutions Unit is a busy unit with a challenging workload. The Complaints and Resolutions Officers are required to manage a busy caseload, prioritise cases and make decisions in a timely manner and in compliance with the Act and with fair procedures.

The roles are based in Dublin but with the capacity for remote working in line with the current restrictions.

The Complaints and Resolutions Unit has a team of approximately 20 people. Complaints and Resolutions Officers report directly to the Head of Complaints and Resolutions Unit.

The Role of the Complaints and Resolutions Officer:

The Complaints and Resolutions Officer is required to deliver impartial, independent and fair analysis and decision making in the consideration of complaints relating to legal practitioners.

The Complaints and Resolutions Officer is also required to advise senior management in respect of their areas of responsibility and may be called upon to represent the organisation to external stakeholders.

This position presents a unique opportunity for a highly motivated and experienced candidate with:

- Excellent analysis and decision making skills;
- Excellent oral and written communication skills;
- Experience working in a complaints environment;
- Experience in mediation, problem solving and/or negotiation;
- Experience of statutory interpretation and implementation.

Main Duties And Responsibilities:

Amongst the duties assigned to the role, the Complaints and Resolutions Officer will be responsible for:

- Reviewing complaints against legal practitioners received by the LSRA;
- Determining whether complaints are admissible under the 2015 Act;

- Determining the nature of the complaint under the Act and managing all aspects of the processing of the complaint;
- Ensuring compliance with all statutory requirements in relation to the processing of complaints;
- Managing and facilitating the informal resolution or mediation of complaints;
- Determining complaints as required by the 2015 Act;
- Accurately recording any determination reached and the rationale behind the determination;
- Assisting in the management of appeals of determinations to the Review Committees established under the 2015 Act;
- Assisting in the management of referrals of complaints to the Complaints Committee and/or the Legal Practitioner's Disciplinary Tribunal;
- Ensuring that the complainant and the legal practitioner are kept informed of the complaints process throughout.

The responsibilities outlined in this job description should not be regarded as comprehensive in scope and may be added to or altered as required.

Essential Criteria:

Applicants must be able to demonstrate how they meet each of the following essential criteria:

- 1) Be a qualified legal practitioner or/and have experience of dealing with complaints against members of a professional body;
- 2) A track record of excellent judgement and decision making in a pressured environment and to pressing deadlines;
- 3) Ability to manage a personal caseload while also managing and supporting a team if required;
- 4) Ability to deliver to tight deadlines and to take a strategic approach in the delivery of key objectives;
- 5) Excellent problem solving skills; and
- 6) Ability to investigate complex matters using an analytical and thorough approach.

Desirable Criteria:

Experience in the following areas would also be considered of particular relevance:

- 1) Experience in mediation or informal resolution of complaints; and
- 2) Knowledge of the legal sector in Ireland.

The position shall be remunerated at the equivalent of State Solicitor level in the Irish Civil Service. However, it should be noted that a legal qualification is not essential for the role and those that can demonstrate experience of working in a statutory investigative environment will be considered.

The key competencies relating to effective performance in the role of Complaints and Resolution Officer are as follows:

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

Principal Conditions of Service:

General

Appointments are on a permanent basis as a public servant as per section 25(4) of the 2015 Act, subject to the satisfactory completion of the specified probationary period.

Salary

The salary for the post is based on the starting point on the State Solicitor and Prosecution Solicitor Officer (PPC) scale of €33,370.

The relevant scale is as follows (DPER Circular 12/2020)

€33,370 €35,885 €36,606 €39,755 €43,785 €46,862 €49,927 €53,010 €56,086 €59,145
€69,012 €71,507 €73,988 €76,477 €78,959 €80,392 €82,899 ¹ €85,415 ²

*Long service increments may be payable after three (LSI-1) and six (LSI-2) years of satisfactory service at the maximum of the scale.

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

Salary shall be deemed to accrue from day to day and to be payable in the appointed person's bank account by equal instalments fortnightly in arrears by electronic funds transfer.

This rate of pay may be adjusted from time to time in line with Government pay policy. Statutory deductions from salary will be made as appropriate.

Annual Leave

Annual Leave will be 25 working days, rising to 29 after 5 years' service. This is exclusive of public holidays.

Pension

The LSRA is a Public Service Body and a relevant authority for the Single Public Service Pension Scheme (SPS). Persons employed by the LSRA will become members of the SPS.

Where an employee was already a member of a pre-2013 public service pension scheme, that scheme may apply subject to certain conditions.

More information in respect of the Scheme can be found on the website www.singlepensionscheme.gov.ie

Probation

The appointee must serve a probationary period, which normally will last for twelve months. Should the appointee's services be satisfactory as regards health, attendance, conduct and efficiency generally during the probationary period, the appointee, on completion of the period will be finally appointed. Should the appointee's services be unsatisfactory, the appointment may be terminated at any time during the period. The LSRA may extend the probationary period if necessary.

Duties

The appointee will be expected to perform all acts, duties and obligations as appropriate to this position (which may be revised from time to time.)

Hours of Attendance

Hours of attendance will be as fixed from time to time but will amount to not less than 43 hours and 15 minutes gross per week (37 Hours Net.)

The appointee will be required to work additional hours from time to time.

Sick Leave

Pay during properly certified sick absence, provided there is no evidence of permanent disability for service, will apply on a pro-rata basis, in accordance with the provisions of the sick leave circulars.

Appointees will be required to sign a mandate authorising the Department of Employment Affairs and Social Protection to pay any benefits due under the Social Welfare Acts direct to the LSRA and payment during illness will be subject to the appointee making the necessary claims

IMPORTANT NOTICE

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

The above outlines the principal conditions of service and is not intended to be a comprehensive list of all terms and conditions of employment which will be set out in the employment contract to be agreed with the successful candidate.

Competition Process

Application Process

Applications should be made electronically by e-mail to recruit@lsra.ie Email applications must be marked in the subject heading as “CRO Application – [Your Name Here]”. Failure to do so may result in your application being deemed ineligible. Applications will not be accepted after the closing date and time.

Applicants should clearly demonstrate in the application form, by reference to specific achievements in their career to date that they possess the qualities, skills and knowledge required for the role of Complaints and Resolution Officer as identified in the ‘Essential Criteria’ and ‘Desirable Criteria’ sections above and also that they can demonstrate the required competencies for the role as per the competency framework for Complaints Resolution Officers

Guidelines For Application Form

When completing the application form please read the competencies in Appendix 1 and consider the requirements of the role as set out above. For each section please provide specific examples illustrating how you have displayed the relevant competency during your career to date in order to clearly demonstrate your suitability for this position.

Closing Date

Applications should be made electronically by e-mail to recruit@lsra.ie **Closing date for applications is noon (12 p.m.) on 19 February 2021.**

If you do not receive an acknowledgment of receipt of your application within three working days of the closing date, please contact dbfleming@lsra.ie

It is the LSRA’s strict policy that applications will be not be accepted after the closing date and time. This means that any application received after noon (12 p.m.) on 19 February 2021 will not be considered. You are therefore strongly advised to submit your application form well in advance of the deadline.

Selection Process

The selection process may include:

- Shortlisting of candidates, on the basis of the information contained in their application;
- A competitive interview(s);
- A technical test;
- Work simulation/role play/presentation, and any other tests or exercises that may be deemed appropriate.

Shortlisting

Whilst a candidate may meet the eligibility requirements for the competition, if the numbers applying for the position are such that it would not be practical to interview everyone, the LSRA may decide that a smaller number will be called to the next stage of the selection process. The LSRA will employ a shortlisting process to select a group who, based on the examination of the application form appear to be the most suitable for the position. This is not to suggest that other candidates are necessarily unsuitable or incapable of undertaking

the job, rather than that there are some candidates who, based on their application, appear to be better qualified and/or have more relevant experience.

An expert board will examine the application forms against agreed shortlisting criteria based on the requirements of the position. It is therefore in your own interest to ensure that you provide a detailed and accurate account of your qualifications and experience in your application.

Interviews

The interviews for this post are likely to be held in week commencing 08 March or 15 March 2021. Due to Covid 19 restrictions, video conferencing software may be used in the interview process.

Interviews will be semi-structured in format, with candidates asked to provide examples and evidence of the competencies required for the role. We will endeavour to give as much notice as possible of interview dates.

Candidates who do not attend for interview as scheduled, or who do not furnish such evidence as required in regard to any matter relevant to their application, will have no further claim to consideration in this process.

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

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

Panel

The LSRA aims to establish a panel of the successful candidates for the role of Complaints and Resolutions Officer in order of merit.

Should future vacancies arise for the role of Complaints and Resolutions Officer these may be offered to those on the panel in order of merit.

Any panel created will expire after a designated period from its establishment (usually twelve months), or when it has been exhausted, whichever is sooner.

The LSRA may decide that only a certain number will be placed on any such panel.

Qualification and placement on a panel is **not** a guarantee of appointment to a position. Candidates not appointed at the expiry of the panel will have no claim to a position thereafter because of having been on the panel.

More detailed information regarding establishment of a panel (if any), duration of any such panel and placement on the panel will be provided to successful candidates.

If you are placed on a panel, and are subsequently offered an assignment, you must be available to take up the post as offered. Vacancies may need to be filled with immediate effect and therefore if you are not contactable, the LSRA will immediately move on to the next available candidate.

Health and Character References

Candidates must be in good health, capable and competent of carrying out the work assigned to them, and they must also be of good character. Those under consideration for a position will be required to complete a health and character declaration.

Please be assured that we will only contact referees should you come under consideration after the preliminary interview stage. Please note, that should you be successful at interview, we **will** require a reference from your current employer or most recent employer.

Referees should be able to provide relatively recent information on your performance, character and behaviour in a work context.

Canvassing

Candidates should be aware that any attempts to enlist support for their application through any person except as a referee named on the application forms will result in their application being disqualified.

Equal Opportunities Employer

The Legal Services Regulatory Authority is committed to equality of opportunity in employment and welcomes applicants irrespective of disability, gender, race, age, religious belief / political opinion or sexual orientation. All applications for employment are considered on the basis of merit.

Security Clearance

Some posts within the LSRA may require security clearance and will require completion of a form for Garda vetting purposes. In the event of conflicts of interest, candidates may not be considered for certain posts.

General Data Protection Regulation (GDPR)

The General Data Protection Regulation came into force on the 25th May 2018, replacing the existing data protection framework under the EU Data Protection Directive. When your application form is received, we create a computer record in your name, which contains much of the personal information you have supplied. This personal record is used solely in processing your application. Certain items of information, not specific to any individual, are extracted from records for general statistical purpose. To make a request to access your personal data please submit your request to dpo@lsra.ie ensuring that you describe the records you seek in the greatest possible detail to enable us to identify the relevant records(s).

Eligibility

Eligible Candidates must:

- (a) A citizen of the European Economic Area. The EEA consists of the Member States of the European Union, Iceland, Liechtenstein and Norway; or

- (b) A citizen of Switzerland pursuant to the agreement between the EU and Switzerland on the free movement of persons; or
- (c) A non-EEA citizen who is a spouse or child of an EEA or Swiss citizen and has a stamp 4 visa; or
- (d) A person awarded international protection under the International Protection Act 2015 or any family member entitled to remain in the State as a result of family reunification and has a stamp 4 visa or
- (e) A non-EEA citizen who is a parent of a dependent child who is a citizen of, and resident in, an EEA member state or Switzerland and has a stamp 4 visa

To qualify candidates must meet one of the citizenship criteria above by the date of any job offer.

Note: This document is for information only, and is not intended as a legal interpretation of any other documents, guidelines or legislation

LSRA January 2020