



An tÚdarás Rialála
Seirbhísi Dlí
Legal Services
Regulatory Authority

Candidate Information Booklet

Please Read Carefully

Legal Executives (the State Solicitor Grade) in the Legal Services Regulatory Authority

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, some of which are summarised below. Applicants should refer to the 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 established and continues to maintain the Roll of Practising Barristers which is a searchable public-facing register of all barristers entitled to provide legal services in the State. It began receiving and investigating complaints relating to 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 45 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 the 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
- **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
- **Shane Galligan** - Institute of Legal Costs Accountants
- **Geraldine Clarke** - The Law Society
- **Simon Murphy** - The Law Society
- **Deirdre Malone** - The Irish Human Rights and Equality Commission

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 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) 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.

Job Details:

Legal Executives in the LSRA conduct legal research and provide legal advice and support across a number of departments. Under the LSRA's workforce plan the majority of legal executives are deployed in the LSRA's Legal Services, Levy and Registration Department and the Legal Practitioners Disciplinary Tribunal Support Unit.

Whilst as an LSRA Legal Executive you may be required to work in other areas during your employment with the LSRA, two vacancies currently exists for a Legal Executive in the Legal Practitioners Disciplinary Tribunal Support Unit.

Legal Practitioners Disciplinary Tribunal (LPDT):

The Legal Practitioners Disciplinary Tribunal was established in November 2020 under Section 74 of the 2015 Act. The LPDT will consider applications from the LSRA Complaints Committee and the Law Society and performs other functions assigned to it under the Act.

Receipt of Complaints

The three grounds for complaints relating to legal practitioners under the Act are:

- that the legal services provided by the legal practitioner were of an inadequate standard;
- that the amount of costs sought by the legal practitioner was excessive; or
- that the legal practitioner performed an act or omission which amounts to misconduct under the Act.

Misconduct is broadly defined in the Act and includes an act or omission which involves fraud or dishonesty or which is likely to bring the profession into disrepute.

The LSRA refers complaints of misconduct to the Complaints Committee. The Complaints Committee of the LSRA investigates complaints referred to it by the Authority. Where the Complaints Committee considers that the act or omission that is the subject of the complaint is of a kind that is more appropriate for consideration by the LPDT, it may make an application to the Tribunal.

The Law Society can also make applications to the LPDT where it identifies potential misconduct in certain circumstances.

More information on this complaints function of the LSRA can be found at www.lsr.ie or in Part 6 of the 2015 Act.

Tribunal Process

The LPDT has all the powers, rights and privileges vested in the High Court for the purposes of conducting an inquiry under the Act.

The LPDT can require the attendance of witnesses, can require their examination on oath or affirmation, can compel the production of documents and can compel the discovery under oath or affirmation of documents.

Hearings of the LPDT are by way of oral hearing and are held in public unless the LPDT is satisfied that it is necessary in the interests of justice to conduct the hearing of the inquiry or a part thereof in private.

Having conducted the inquiry the LPDT shall determine whether or not on the basis of the evidence whether the act or omission to which the inquiry relates constitutes misconduct. If the LPDT finds that the act or omission constitutes misconduct, the LPDT will make a determination under the Act as to sanction.

Determinations of the LPDT can be appealed to the High Court.

The LPDT is appointed by the President of the High Court on the nomination of the Minister and consists of 33 persons. The majority of the members of the LPDT are lay members with the remainder made up of nominees of the Law Society and the Bar of Ireland. The LPDT sits in Divisions of no less than three members.

Further information on the Complaints Function of the LSRA and the work of the LPDT can be found on the LSRA website at www.lsr.ie and in the Legal Services Regulation Act 2015.

Job Function:

The Legal Executives in the LPDT Support Unit deals directly with the processing of complaints of misconduct against legal practitioners. In this role she/he provides administrative and logistical support to the members of the LPDT and to the LPDT Registrar.

The Legal Executives also liaises with the parties to an application, including the applicant, the respondent solicitor or barrister, their legal representatives and where required the Law Society of Ireland.

Main Duties and Responsibilities:

The Legal Executives will be responsible for:

- Preparing documents and letters;
- Preparing notifications of forthcoming inquiries and having same served on the parties;
- Preparing inquiry and preliminary application agendas;
- Attending meetings and inquiries of the Tribunal when required to do so, including sitting in as Tribunal Registrar on dates of Tribunal meetings;
- Liaising with the Tribunal Registrar on the management of cases before the Tribunal;
- Preparing Tribunal orders and reports to the President of the High Court;
- Acting as the Data Protection Officer and Freedom of Information Officer for the Tribunal, and liaising with internal and external stakeholders and advisors on data protection and freedom of information matters as required;
- Assisting with the management of members' expenses; liaising with members of the Tribunal, maintaining records of attendance and of expenses claimed, completing and maintaining expenses databases , reviewing on database and submitting same to the Tribunal Registrar;
- Assisting with the management of legal expenses; liaising and corresponding with all parties in respect of the approval and discharge of legal invoices;
- Monitoring and responding to correspondence, email and faxes from members of the Tribunal, applicants and respondent solicitors;
- Any other duties as may arise from time to time as directed by the Tribunal Registrar.

Candidates should note that they will also be required to assist in the management of inquiries currently being conducted by the Solicitor's Disciplinary Tribunal. The successful candidates may be seconded to the Law Society for periods for the purpose of completing this work.

Essential Criteria:

Candidates must on or before 01 September 2021 have:

1.
 - a. Been called to the Bar of Ireland and/or be enrolled as a barrister in the State, *or*
Been admitted and be enrolled as a solicitor in the State,

and have
 - b. A minimum of two years' experience as practicing barrister or practicing solicitor in the State.
2. Excellent oral and written communication skills, with a high level of attention to detail and the proven ability to write and present complex information in a concise, accessible and plain English style.
3. Strong interpersonal and team leadership skills with some experience in liaising with senior personnel and a range of stakeholders including the ability to represent the organisational externally.
4. A proven ability to organise his/her own time effectively, prioritise workload and set realistic timelines for delivery of required outputs.
5. Experience in Freedom of Information Requests and Data Protection Requests including data access requests and data breach notifications.
6. Drive & Commitment to Public Sector Values.

Desirable skills, experience and qualifications:

Although not essential, the following are considered desirable for the role, and may be taken into account if necessary:

- Experience in working a regulatory environment or for a regulatory body
- A legislative drafting qualification and/or legislative drafting experience;
- A qualification in Data Privacy Law;
- Experience in re-drafting and editing decisions, judgements or legal opinions in a regulatory or legal environment.
- Experience of the reviewing and implementing new business processes;
- Proficiency in relevant IT software, including Microsoft Office at an intermediate level.

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 1st point on the State Solicitor and Prosecution Solicitor (PPC) Scale. The relevant scale as follows (DPER Circular 09/2021)

State Solicitor and Prosecution Solicitor (PPC)

€33,370 €35,885 €36,606 €39,755 €43,785 €46,862 €49,927 €53,010 €56,086 €59,145
€69,659 €72,269 €74,871 €77,483 €80,090 €81,593 €84,225 €86,865

*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. 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 “Legal Executive 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. You should note that the LSRA applies a strict policy in this regard and applications received after the closing date and time will not be considered.

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 Legal Executive as identified in the ‘Essential Criteria’ and ‘Desirable Criteria’ sections above.

Guidelines For Application Form

When completing the application form 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.) 01 October 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 01 October 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 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 11th October 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 Legal Executive in order of merit.

Should future vacancies arise for the role of Legal Executive in the LPDT or elsewhere in the LSRA 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 personal data you seek in the greatest possible detail to enable us to identify the relevant record(s).

Eligibility

Eligible Candidates must be:

- (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 the United Kingdom (UK); or
- (c) A citizen of Switzerland pursuant to the agreement between the EU and Switzerland on the free movement of persons; or
- (d) A non-EEA citizen who is a spouse or child of an EEA or Swiss citizen and has a stamp 4 visa; or
- (e) 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
- (f) 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 Sept 2021