

Office of the Ombudsman: Investigator (Assistant Principal Officer) - Office of the Commissioner for Environmental Information (<https://www.activelink.ie/node/111600>)



The Office of the Ombudsman is running a competition to select the best qualified candidate with the required knowledge, skills and attributes to meet the requirements of the role of Investigator (Assistant Principal Officer) in the Office of the Commissioner for Environmental Information (OCEI). Detailed information about the scope of this role and the essential entry requirements are outlined in the competition booklet, which is available under 'Vacancies' on the OCEI website (<https://www.ocei.ie/en/organisation-information/9b07d-about-the-office-of-the-commissioner-for-environmental-information-ocei/?>). Only completed applications submitted to hrrecruitment@ombudsman.ie (<mailto:hrrecruitment@ombudsman.ie>) and on the official application form, also available from the OCEI website (<https://www.ocei.ie/en/organisation-information/9b07d-about-the-office-of-the-commissioner-for-environmental-information-ocei/?>), will be accepted in this competition. The deadline for receipt of applications is 12 noon on Monday, 4th November 2024. Applications received after the deadline will not be accepted.

Overview:

The Office comprises the Office of the Ombudsman; the Standards in Public Office Commission (SIPOC); the Office of the Information Commissioner (OIC); the Office of the Commissioner for Environmental Information (OCEI); the Commission for Public Service Appointments (CPSA); and the Office of the Protected Disclosures Commissioner (OPDC). The six offices carry out separate and distinct statutory functions. Nonetheless, they function as a single amalgamated agency under one Vote and one Accounting Officer and a Management Advisory Committee which manages the Office, while simultaneously protecting and preserving the statutory independence and functions of each of the constituent parts. Each Office has its own staff complement but the staff and systems of finance, human resources, legal, communications and information technology are shared.

The Office of the Commissioner for Environmental Information (OCEI) is supported in its functions by the Office of the Ombudsman. The OCEI is an independent statutory office. Its role is to review decisions made by public authorities on access to information on the environment (AIE) requests under the European Communities (Access to Information on the Environment) Regulations 2007 to 2018 (the AIE regulations). Decisions of the OCEI [can be found on our website \(<https://ocei.ie/en/decisions/?referrer=https://www.ocei.ie/en/collection/5129f-decisions/>\)](https://ocei.ie/en/decisions/?referrer=https://www.ocei.ie/en/collection/5129f-decisions/). European law guarantees the right of public access to environmental information held by or for public authorities. It does this by means of European Directive 2003/4/EC on public access to environmental information (the AIE Directive (<https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2003:041:0026:0032:EN:PDF>)). The role of the OCEI is to review, on application, decisions made in relation to AIE requests and make new decisions. These decisions are published and are legally binding, although they may be appealed to the High Court on points of law. Prior knowledge of the AIE regulations or a specialized knowledge of environmental law is not a requirement, as on-the-job training will be provided. However, it is essential that candidates have experience in legal research and analysing case law and legislation.

Arising from the selection process, a panel of successful candidates may be established for a period of 18 months following the completion of the selection process. The successful candidate will be required to serve a 12-month probationary period at the Assistant Principal Officer grade to confirm their suitability for the role. They will also be required to work in a full-time capacity for a minimum of 12 months following appointment.

The appointment will be to the OCEI. Successful candidates may, in time, be required to work in any of the other statutory Offices or internal shared services units within the organisation.

The Role:

The primary role of an Investigator in the OCEI is to ensure that a thorough investigation is carried out on appeal files, for review by the Commissioner. AIE reviews require consideration of detailed technical legal argument and competing public interest arguments. The subject matter of reviews often extends beyond the provisions of the AIE Directive and Regulations incorporating other areas of the law, such as confidentiality, legal privilege and principles of European Law. Accordingly,

Investigators are required to conduct thorough analysis and evaluate a wide range of complex information and logically integrate alternative positions. Following an investigation, the Investigator will make a written recommendation to the Commissioner and/or Senior Investigator regarding the decision to be made on the appeal.

It is essential that an Investigator understands the implications of taking a particular position and the importance of approaching interdependent issues in a logical and consistent way. They must be thorough in maintaining accurate records and following appropriate procedures, given that all AIE decisions are subject to challenge in the High Court and, ultimately, the Supreme Court. It is also necessary to adopt a detail conscious approach to information handling, ensure all relevant information is accessed on an issue and all such information is checked for consistency and completeness. An Investigator must also have the ability to organise and schedule work in a timely and resource efficient manner, taking into account future objectives and cost implication. They will need to be able to delegate tasks efficiently, actively, anticipate obstacles to task completion and handle problems.

Duties and Responsibilities:

Successful candidates will be required to perform all duties appropriate to the role and these duties include, but are not limited to, the following:

- Analyse legal issues relevant to AIE appeals and make recommendations to the Senior Investigator and Commissioner for on decisions;
- Prepare draft decisions for review by the Senior Investigator and Commissioner;
- Engage with the parties involved, which may include public authorities, members of the public, environmental groups and legal representatives to ensure all relevant matters are considered;
- Where appropriate, seek informal resolution to appeals;
- Contribute to weekly investigator meetings;
- Carry out legal research on emerging issues relevant to the Office;
- Prepare and maintain internal guidance notes and resources;
- Research related environmental matters, relevant case law and legislation;
- Represent the OCEI at external meetings and training events.

ELIGIBILITY REQUIREMENTS:

Candidates must be able to demonstrate that they meet the following criteria on or before 4th November 2024:

Essential requirements:

- Level 8 (minimum) under the National Framework of Qualifications Degree in Law OR two years' relevant experience.
- Experience in legal research and analysing case law and legislation.
- Proven track record of analysing legal issues and articulating analysis in written reports/decisions/ submissions.
- Demonstrable written and verbal communication skills.
- Demonstrable interpersonal and communication skills with the ability to work effectively in a team environment and on one's own initiative.

Desirable requirements:

- Experience of AIE or FOI legislation.
- Experience of public administrative law.
- Experience of quasi-judicial decision-making.
- Experience in case management with a proven track record of working towards fixed deadlines.
- Knowledge of Irish and European access to information law.
- Qualification as a solicitor or barrister.

Region

Dublin

Date Entered/Updated

18th Oct, 2024

Expiry Date

4th Nov, 2024

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