

Broadcasting Authority of Ireland (BAI)

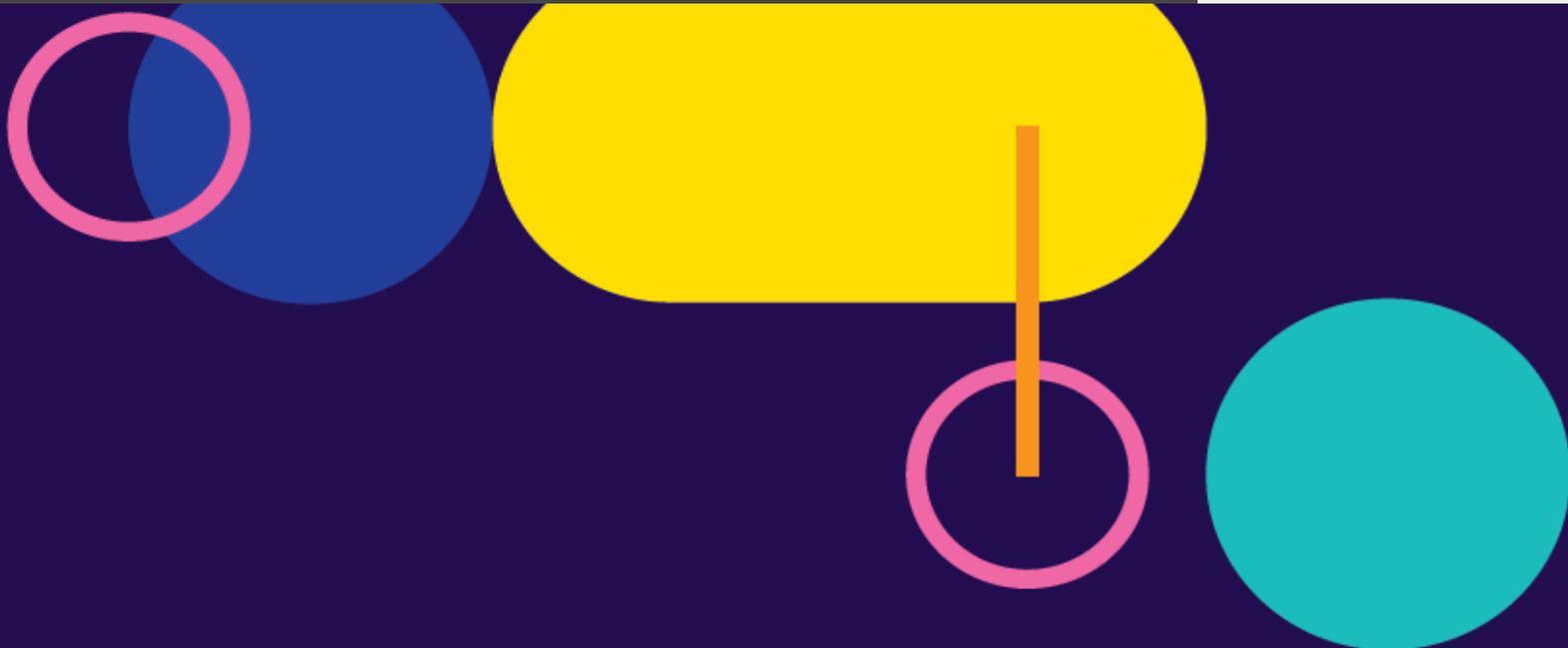


ÚDARÁS
CRAOLACHÁIN
NA hÉIREANN

BROADCASTING
AUTHORITY
OF IRELAND

Candidate Information Booklet

January 2021



Contact

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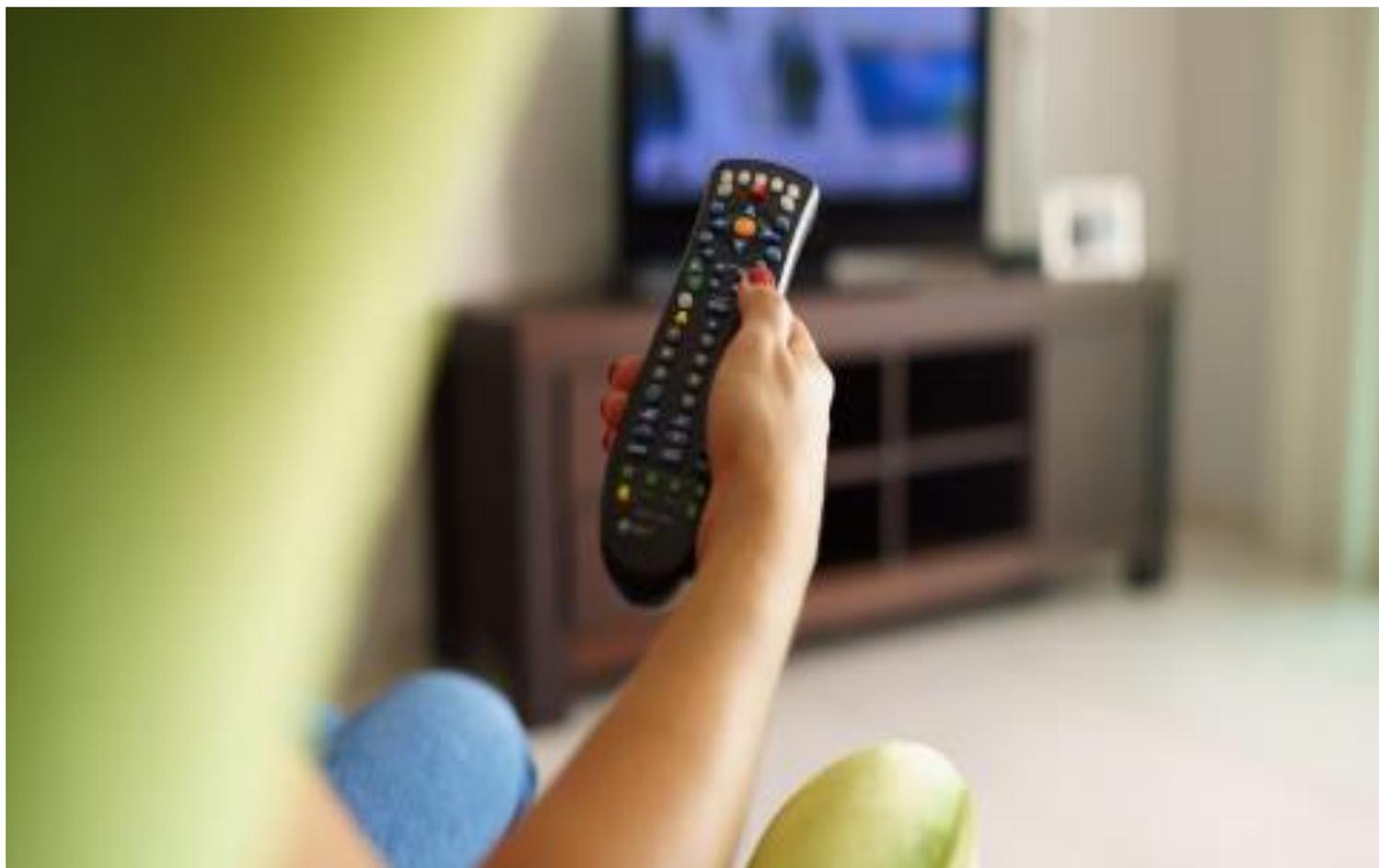
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1. Broadcasting Authority of Ireland (BAI)

The Broadcasting Authority of Ireland (“BAI”) was established under the Broadcasting Act 2009 (“the Act”) on 1st October 2009, as an independent regulator for radio and television broadcasters in Ireland. The Act sets out a range of general and specific objectives for the BAI and specifies that the BAI “shall endeavour to ensure:

- that the number and categories of broadcasting services made available in the State best serve the needs of the people of the island of Ireland, bearing in mind their languages and traditions and their religious, ethical and cultural diversity;
- that the democratic values enshrined in the Constitution, especially those relating to rightful liberty of expression, are upheld; and
- the provision of open and pluralistic broadcasting services.”

The Authority issues a Strategy Statement every three years which sets out the BAI’s vision, mission, values, strategic themes and related objectives. As stated in the current BAI Strategy Statement 2021-2023 (available online at <https://www.bai.ie/en/news-and-information/publications/>), the Authority’s vision is to have *an Irish media landscape that shapes and reflects who we are*. The mission statement of the Authority is:

- I. To regulate, foster and support a financially sustainable broadcasting industry and to respond to developments in the wider media environment in the public interest.*
- II. To promote a plurality of voices, viewpoints, outlets and sources in Irish media.*
- III. To foster diverse and culturally relevant quality content for Irish audiences.*

In all its activities, the BAI is guided by the following core values:

- **Expert** – by informing ourselves through engagement, research and a commitment to professional learning
- **Accountable** – in our decisions, our governance, and our resources
- **Flexible and Adaptive** – in our regulatory practices and processes
- **Fair** – in our processes, procedures, and decisions
- **Independent** – operating as an impartial regulator.

The BAI’s work is captured under five overarching strategic themes; i) Promoting Diversity and Plurality; ii) Achieving Excellence and Accountability; iii) Leadership in Change; iv) Empowering Audiences; and v) Enhancing Innovation and Sectoral Sustainability. Each theme has a number of related strategic objectives and intended outcomes.

During the period of this Strategy Statement, there will be key changes to the media regulatory landscape, including the transposition of the Audiovisual Media Services Directive (AVMSD) into Irish law, the proposed dissolution of the BAI and the transfer of its functions to a new Media Commission, encompassing harmful online content regulation, which is set to be established. The new Media Commission will be responsible for the regulation of online services following the transposition of the AVMSD.

The BAI is now recruiting for the position of Chief Executive Officer. The appointment will be on the basis of a fixed term contract of employment for a period of **18 months, with the option to extend for a further 6 months at the discretion of the Authority**. This term will enable the successful applicant, appointed as CEO of the BAI, to oversee the implementation of the Strategy Statement during 2021-2023 and lead the organisation through a period of change. It is envisaged that legislative provision will be made for the CEO to become Interim Broadcasting Commissioner in the Media Commission for a period of up to one year, or until the substantive appointment of a Broadcasting Commissioner, whichever happens sooner.

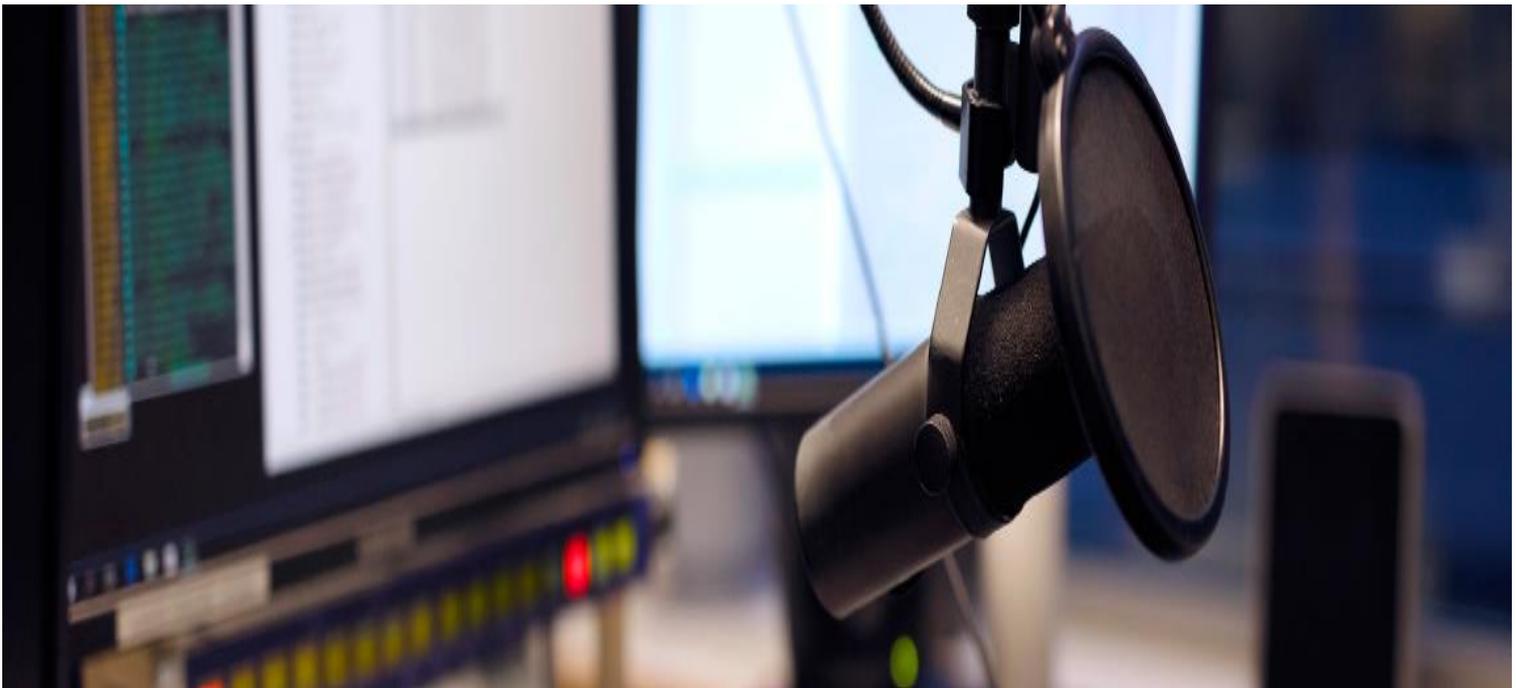
The BAI's key functions are:

- licensing radio and television services additional to those provided by RTÉ, TG4 and Oireachtas TV
- making broadcasting codes and rules
- reviewing the performance of RTÉ and TG4 (public service broadcasters) against their stated annual performance commitments and on the adequacy or otherwise of the public funding available to these public service broadcasters to meet their commitments
- providing, and awarding, funding for programming and archiving relating to Irish culture, heritage and experience under the Broadcasting Funding Scheme
- monitoring and enforcing compliance by broadcasters with the broadcasting codes and rules and broadcasting contracts
- providing for, and deciding on, complaints from viewers and listeners regarding broadcast content on all Irish broadcasting services
- supporting the development of the broadcasting sector including through research and training, and
- fostering and supporting the understanding of media including co-operation with broadcasters and educationalists.

The BAI consists of the Board ("The Authority"), two statutory committees – the Contract Awards Committee and the Compliance Committee – and a sub-committee of the Authority, the Finance Audit and Risk Committee. The BAI Executive supports the work of the organisation.

The BAI's work is led by the Office of the Chief Executive, which consists of the Chief Executive Officer (CEO) and Deputy CEO and is supported by a team of senior managers who, in conjunction with the Office of the Chief Executive, also oversee the implementation of strategy and work planning for the organisation as a whole. The BAI operates a matrix structure whereby staff work flexibly across all areas of activity according to business needs.

For further information, please visit the BAI website: <http://www.bai.ie>



2. Position Profile

Working closely with the Chairperson and Authority, the CEO is responsible for delivering on the BAI's strategic objectives outlined above in the Strategy Statement 2021-2023 and implementing the BAI's accompanying 3-year workplan. The ideal candidate will bring a blend of communication, people and leadership skills together with in-depth knowledge and experience of regulation, policy and legislation related to media, strong strategic advocacy, diplomacy, a commitment to public service, organisational change management experience and the requisite strategic management skills to deal with a complex range of issues both internal and external to the BAI. This is a key leadership appointment in a period of transition during which the adoption and imminent transposition into Irish law of the revised EU Audio-Visual Media Services Directive, which aims to respond to the digital age and create a more level playing field between traditional television and newer on-demand and video-sharing services, is a catalyst for change.

Key Responsibilities

Key responsibilities for the role include but are not limited to:

- **Leadership, Strategic and Organisational Change Management**
 - Provide the leadership and direction to implement the objectives of the Strategy Statement 2021-2023 and accompanying 3-year workplan
 - Lead the senior management team to implement the Strategy Statement and its key strategic objectives
 - Work closely with the Chairperson and Authority and BAI Committees to ensure the organisation fulfils its governance and statutory functions and obligations
 - Lead the process of regulatory change in a manner and a direction which protects and enhances the public good
 - Lead staff effectively through the organisational change management process to ensure seamless integration into the new Media Commission.
- **Organisational, Financial and People Management**
 - Manage all assets and resources effectively; ensuring all statutory reporting, legislative and governance requirements are met, and the BAI's financial affairs are properly managed
 - Set clear performance management expectations for the senior team that cascade through the organisation
 - Develop, motivate and lead BAI staff in the delivery of best practice and outstanding performance across all activities and strategic plans.
- **Stakeholder Management and Development**
 - Interact with government agencies and departments on policy, legislation and regulation, as it impacts the media and media regulation in Ireland
 - Proactively build excellent relationships with a diverse range of internal and external stakeholder groups at all levels across the public and private sectors
 - Identify, develop and maintain a broad range of stakeholder relationships in Ireland and abroad.
- **Representation and Communication**
 - Be the first point of contact and the public face for media regulation in Ireland
 - Develop an effective communications strategy, seeking to increase the profile of the activities of the BAI with appropriate audiences using relevant fora, media and platforms in Ireland and Europe
 - Advocate the importance of media regulation and role-model the values of the organisation.

3. Ideal Person Profile

Experience, Skills and Knowledge

- Strong track record at senior management level of driving the implementation of strategic plans by leading management and motivating teams, building partnerships and alliances and promoting a culture of diversity and inclusion
- Proven ability to lead and drive significant organisational change and transformation in a multi-stakeholder environment
- Strong experience working with a diverse range of stakeholder groups and government bodies to shape debate and inform policy
- Proven track record of oversight of public sector statutory reporting and accountability for legislative and governance requirements
- Deep knowledge and understanding of the Irish broadcasting and media landscape
- Excellent knowledge and understanding of the regulatory, legislative and policy framework related to media
- Excellent understanding of the European architecture governing audiovisual regulation
- Comprehensive knowledge of the evolving digital communications environment and its impact on audio and audiovisual regulation.

Personal Qualities

- Ambitious leader who takes responsibility for own actions and effectively leads the senior leadership team and their agenda
- Results-focused - understands what is important to senior management, employees and the public good
- A highly motivated individual who is comfortable embracing and delivering change
- Excellent interpersonal skills - handles complex and difficult situations with thought, resilience and confidence
- Displays integrity - is sincere in their own behaviour and in dealings with others
- Sound judgment, in terms of dealing with people, demonstrating good decision making across a broad range of operational areas
- Presence and gravitas to lead the BAI and represent its interests at national and international levels
- A natural communicator and collaborator - comfortable interacting with all BAI stakeholders across the public and private sectors e.g. government departments, state agencies, European and international regulators and media providers.

4. How to Apply

PwC is managing all aspects of the recruitment process on behalf of the BAI. To discuss this opportunity, please call Adrienne Harten at 087 247 2896 or adrienne.harten@pwc.com. No enquiries or canvassing must be made to the BAI.

To be considered, applicants should send a comprehensive CV and letter outlining their fit for the role. The deadline for applications is **26 February 2021**

Application should be submitted to: ie_recruitment_bai@pwc.com

If an applicant does not receive an acknowledgement email within two working days of submission, the applicant should contact Adrienne Harten at 087 247 2896 or email adrienne.harten@pwc.com

The BAI is an equal opportunities employer.

5. Conditions of Service

General

The appointment will be made under section 14(6) of the Broadcasting Act 2009.

Salary

The rate of total remuneration for the post shall be €142,421 per annum; this rate is a gross before deduction, inter alia, of employee's contribution, if any, to the pension scheme to be operated by the Authority as hereinafter referred to.

- The remuneration shall be deemed to accrue from day to day and to be payable by equal fortnightly instalments in arrears by bank credit transfer
- The rate of total remuneration may: (a) be adjusted from time to time by virtue of the application of public sector pay policy for non-commercial State bodies. Any such variation may arise as a result of a specific review of the remuneration of chief executive officers and equivalent officers in non-commercial State bodies, or as a result of the application of a general review of remuneration in the public sector or in any other manner connected with a general revised policy on public service pay; (b) be revised from time to time by the Authority, with the concurrence of the Minister and the Minister for Public Expenditure and Reform.

The rate of PRSI applying to the post shall be in accordance with the relevant legislation or regulations of the Department of Employment Affairs and Social Protection.

Personal pension contribution (PPC) rate:

1.5% of full pay (basic pay plus any pensionable allowances) and 3.5% of net pay (as above less 2 x Contributory State Pension ("CSP")) plus additional 1.5% of full pay for Survivors' and Children's Pensions.

This rate will apply where the appointee is newly recruited to the civil or public service or is an existing civil or public servant appointed on or after 6th April 1995 and is required to make a personal pension contribution. A different rate may apply where the appointee is a civil or public servant recruited before 6th April 1995 and who is not required to make a personal pension contribution.

Important Notes relating to Salary:

Candidates should note that the salary will not be subject to negotiation.

Tenure

The appointment will be on the basis of a fixed term contract of employment for a period of 18 months, with the option to extend for a further 6 months at the discretion of the Authority. It is envisaged that legislative provision will be made for the CEO to become Interim Broadcasting Commissioner in the Media Commission for a period of up to one year, or until the substantive appointment of a Broadcasting Commissioner, whichever happens sooner.

Location

The headquarters of the BAI are currently based in 2-5 Warrington Place, Dublin 2.

Hours of attendance

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

Annual Leave

In addition to the usual public holidays, the annual leave entitlement for this position is 30 working days.

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 Public Service Sick Leave Scheme.

Superannuation and Retirement

The successful candidate will be offered the appropriate superannuation terms and conditions as prevailing in the public service, at the time of being offered an appointment.

In general, this means being offered an appointment based on membership of the Single Public Service Pension Scheme ("Single Scheme"). Full details of the Single Scheme can be found at <http://www.singlepensionscheme.gov.ie/>. The maximum retirement age for most Single Scheme members is age 70.

Different terms and conditions related to superannuation and retirement may apply to candidates who have worked in a pensionable (non-Single Scheme terms) public service job in the 26 weeks prior to appointment, or is currently on a career break, or is on special leave with or without pay. The pension entitlements and maximum retirement age, if applicable, of such appointees will be determined in the context of their public service employment history.

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.

6. Eligibility

Citizenship

Candidates should note that eligibility to compete for posts is confined to citizens of the European Economic Area (EEA) or to non-EEA nationals with a valid work permit. The EEA consists of the Member States of the European Union along with Iceland, Liechtenstein and Norway. Swiss citizens under EU agreements may also apply.

Certain Restrictions on Eligibility

Eligibility to compete may be affected where applicants were formerly employed by a Public Sector body and previously availed of a Public Service Redundancy or Incentivised Retirement Scheme including:

- Incentivised Scheme for Early Retirement (ISER)
- Department of Health and Children Circular (7/2010)
- Department of Environment, Community & Local Government Circular (Letter LG (P) 06/2013)
- Collective Agreement: Redundancy Payments to the Public Service.

Incentivised Scheme for Early Retirement (ISER):

It is a condition of the Incentivised Scheme for Early Retirement (ISER) as set out in Department of Finance [Circular 12/2009](#) that retirees, under that [Scheme](#), are debarred from applying for another position in the same employment or the same sector. Therefore, such retirees may not apply for this position.

Department of Health and Children Circular (7/2010):

The Department of Health Circular 7/2010 dated 1 November 2010 introduced a Targeted Voluntary Early Retirement (VER) Scheme and Voluntary Redundancy Schemes (VRS). It is a condition of the VER scheme that persons availing of the scheme will not be eligible for re-employment in the public health sector or in the wider public service or in a body wholly or mainly funded from public moneys. The same prohibition on re-employment applies under the VRS, except that the prohibition is for a period of 7 years, after which time any re-employment will require the approval of the Minister for Public Expenditure and Reform. People who availed of either of these schemes are not eligible to compete in this competition.

Department of Environment, Community & Local Government (Circular Letter LG (P) 06/2013)

The department of Environment, Community & Local Government Circular Letter LG (P) 06/2013 introduced a Voluntary Redundancy Scheme for Local Authorities. In accordance with the terms of the Collective Agreement: Redundancy Payments to Public Servants dated 28 June 2012 as detailed above, it is a specific condition of that VER scheme that persons will not be eligible for re-employment in any Public Sector body] as defined by the Financial Emergency Measures in the Public Interest Acts 2009 – 2011 and the Public Service Pensions (Single Scheme and Other Provisions) Act 2012] for a period of 2 years from their date of departure under this Scheme. Thereafter, the consent of the Minister for Public Expenditure and Reform will be required prior to re-employment. These conditions also apply in the case of engagement / employment on a contract for service basis (either as a contractor or as an employee of a contractor).

Collective Agreement: Redundancy Payments to Public Servants

The Department of Public Expenditure and Reform letter dated 28th June 2012 to Personnel Officers introduced, with effect from 1st June 2012, a Collective Agreement which had been reached between the Department of Public Expenditure and Reform and the Public Services Committee of the ICTU in relation to ex-gratia Redundancy Payments to Public Servants. It is a condition of the Collective Agreement that persons availing of the agreement will not be eligible for re-employment in the public service by any public service body (as defined by the Financial Emergency Measures in the Public Interest Acts 2009 – 2011) for a period of 2 years from termination of the employment. Thereafter the consent of the Minister for Public Expenditure and

Reform will be required prior to re-employment. People who availed of this scheme and who may be successful in this competition will have to prove their eligibility (expiry of period of non-eligibility) and the Minister's consent will have to be secured prior to employment by any public service body.

Declaration

Applicants will be required to declare whether they have previously availed of a Public Service scheme of incentivised early retirement. Applicants will also be required to declare any entitlements to a Public Service pension benefit (in payment or preserved) from any other Public Service employment and/or where they have received a payment-in-lieu in respect of service in any Public Service employment.

7. Additional Conditions of Service

Additional Superannuation Contribution

This appointment is subject to the Additional Superannuation Contribution (ASC) in accordance with the Public Service Pay and Pensions Act 2017

Pension Accrual

The Public Service Pensions (Single Scheme and other Provisions) Act 2012 introduced a **40-year limit on total service** that can be counted towards pension where a person has been a member of more than one pre-existing public service pension scheme. This may have implications for any appointee who has acquired pension rights in a previous public service employment.

Pension Vesting Period

Where the appointee is newly recruited to the civil or public service, a vesting period of twenty-four (24) months shall apply. Where the vesting period is not completed and pensionable service with the BAI is not transferred to another organisation in accordance with the Public Sector Transfer Network, a refund of pension contributions may be requested.

Pension Abatement

If the appointee has previously been employed in the Civil or Public Service and is in receipt of a pension from the Civil or Public Service or where a Civil/Public Service pension comes into payment during his/her re-employment that pension will be subject to **abatement** in accordance with the Public Service Pensions (Single Scheme and Other Provisions) Act 2012.

Please note: In applying for this position you are acknowledging that you understand that the abatement provisions, where relevant, will apply. It is not envisaged that the employing body will support an application for an abatement waiver in respect of appointments to this position.

However, if the appointee was previously employed in the Civil or Public Service and awarded a pension under voluntary early retirement arrangements (other than the Incentivised Scheme of Early Retirement (ISER), the Department of Health Circular 7/2010 VER/VRS or the Department of Environment, Community & Local Government Circular letter LG(P) 06/2013, any of which renders a person ineligible for the competition) the entitlement to that pension will cease with effect from the date of reappointment. Special arrangements may, however be made for the reckoning of previous service given by the appointee for the purpose of any future superannuation award for which the appointee may be eligible.

Department of Education and Skills Early Retirement Scheme for Teachers Circular 102/2007

The Department of Education and Skills introduced an Early Retirement Scheme for Teachers. It is a condition of the Early Retirement Scheme that with the exception of the situations set out in paragraphs 10.2 and 10.3 of the relevant circular documentation, and with those exceptions only, if a teacher accepts early retirement under Strands 1, 2 or 3 of this scheme and is subsequently employed in any capacity in any area of the public sector, payment of pension to that person under the scheme will immediately cease. Pension payments will, however, be resumed on the ceasing of such employment or on the person's 60th birthday, whichever is the later, but on resumption, the pension will be based on the person's actual reckonable service as a teacher (i.e. the added years previously granted will not be taken into account in the calculation of the pension payment).

Ill-Health-Retirement: Please note that where an individual has retired from a Civil/Public Service body on the grounds of ill-health his/her pension from that employment may be subject to review in accordance with the rules of ill-health retirement within the pension scheme of that employment.

8. General Information

Confidentiality

Applicant confidentiality will be respected at all stages of the recruitment process. Applicants should however note that all application material will be made available to the BAI.

Legal Compliance

PwC and the BAI are committed to complying with all relevant legislation over the course of this recruitment campaign.

Applicant Obligations

Applicants must not:

- Knowingly or recklessly provide false information
- Interfere with or compromise the process in any way.

9. Advertisement



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AUTHORITY
OF IRELAND

Chief Executive Officer



The Broadcasting Authority of Ireland (BAI), established under the Broadcasting Act 2009, is the independent regulator for radio and television broadcasters in Ireland. The BAI's mission is to: regulate, foster and support a financially sustainable broadcasting industry and respond to developments in the wider media environment in the public interest; promote a plurality of voices, viewpoints, outlets and sources in Irish media; and foster diverse and culturally relevant quality content for Irish audiences.

The BAI is recruiting a new Chief Executive Officer (CEO) who will oversee the implementation of the Strategy Statement during 2021-2023 and lead the organisation through a period of significant change as the Audiovisual Media Service Directive (AVMSD) is brought into Irish law and the BAI is ultimately subsumed into the new Media Commission. The appointment will be for a period of 18 months, with the option to extend for a further 6 months. It is envisaged that legislative provision will be made for the CEO to become Interim Broadcasting Commissioner in the Media Commission for a period of up to one year, or until the substantive appointment of a Broadcasting Commissioner, whichever happens sooner.

Working closely with the Chairperson and the Authority, the CEO will:

- deliver on the BAI's strategic objectives outlined in the Strategy Statement 2021-2023 and implement the BAI's accompanying 3-year workplan
- lead the BAI team through the organisational change process and eventual integration into the new Media Commission
- interact with government agencies and departments on media policy, legislation and regulation
- represent and advocate for media regulation at national and international levels against the backdrop of an evolving digital communications environment

The ideal candidate will bring a blend of communication, people and leadership skills together with in-depth knowledge and experience of regulation, policy and legislation related to media; strong strategic advocacy, diplomacy, a commitment to public service, organisational change management experience and the requisite strategic management skills to deal with a complex range of issues both internal and external to the BAI.

This is a unique and exciting opportunity to help shape the future of media regulation in Ireland and lead the BAI through a period of transition as it responds to the increased interaction with digital media and international developments impacting on media and public life in Ireland.

To discuss this opportunity, please call Adrienne Harten, Senior Manager, PwC Executive Search on 087 247 2896 or email adrienne.harten@pwc.com.

To be considered, applicants should send a comprehensive CV and personal statement outlining their fit for the role by Friday, 26th February 2021 to ie_recruitment_bai@pwc.com.

The BAI is an Equal Opportunities Employer.



