



An tOmbudsman Seirbhísí
Airgeadais agus Pinsean
Financial Services and
Pensions Ombudsman

Candidate Information Booklet

The Financial Services and Pensions Ombudsman intends to hold a competition for the purpose of recommending suitable persons for appointment to the position of:

Adjudication Officer

Grade: Executive Officer

Closing date: 3:00pm on 12 March 2018

The Financial Services and Pensions Ombudsman runs this campaign in compliance with the Codes of Practice for Appointment to Positions in the Civil Service and Public Service prepared by the Commission for Public Service Appointments (CPSA) which are available on www.cpsa.ie.

The Financial Services and Pensions Ombudsman is committed to a policy of equal opportunity.

Financial Services and Pensions Ombudsman,
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Title of Position:	Adjudication Officer
Grade:	Executive Officer
Contract Type:	Permanent Contract
Employing Authority:	Financial Services and Pensions Ombudsman
Location:	Dublin 2

BACKGROUND:

The Office of the Financial Services and Pensions Ombudsman (FSPO) was established on 01 January 2018, and is governed by the provisions of the ***Financial Services and Pensions Ombudsman Act 2017***. The FSPO incorporates the statutory functions of the former offices of both the Financial Services Ombudsman and the Pensions Ombudsman. The FSPO has a staff complement in excess of 50, and is funded by levies from financial service providers and an Exchequer grant.

The FSPO sets out to resolve complaints about the conduct of regulated financial service and pension providers through mediation and where necessary by investigation and adjudication. While the Financial Services and Pensions Ombudsman is an independent officer when undertaking his functions, the organisation will operate under the aegis of the Department of Finance.

The FSPO aims to:

- Ensure that the complaint resolution process is accessible, that complaints are dealt with efficiently and effectively and where possible in an informal manner;
- Ensure that complaints are adjudicated fairly; and
- Improve public understanding of issues related to complaints and associated consumer protection matters.

In the first instance, informal techniques are used to deliver a dispute resolution service that is informal, speedy and effective. However, while the Dispute Resolution Service will successfully resolve a high percentage of complaints, delivery of a fair, impartial and efficient adjudication of unresolved complaints remains a key element of the service provided by the FSPO.

The FSPO has statutory powers to resolve disputes between the parties and where necessary to direct rectification and compensation of up to €250,000. Decisions of the Financial Services and Pensions Ombudsman are legally binding subject only to an appeal to the High Court.

The FSPO operates under a four-team structure comprising: Adjudication and Legal Services; Dispute Resolution Services; Investigations; and Corporate and Information Services.

The FSPO now seeks suitably qualified candidates to join its team in the role of Adjudication Officer on a probationary one year contract which, if successful, will lead to an established permanent position. A panel may be formed from which future vacancies may be filled from this campaign.

The post of Adjudication Officer provides an exciting and challenging opportunity for a highly motivated, talented and suitably experienced person to join a dynamic team that is committed to quality customer service and the highest standards of public service.

ROLE SUMMARY:

The Adjudication Service is responsible for dealing with all matters relating to the Adjudication of complaints which have not been resolved by the Dispute Resolution Service or in the course of investigation.

The Adjudication Service provides impartial, independent, and fair adjudication of complaints about the conduct of financial service providers or pension providers by collating and considering the necessary evidence and drafting decisions.

Principal Duties:

Adjudication Officers work as part of the FSPO's Adjudication team and are directly responsible for the management of a significant caseload. In drafting decisions, Adjudication Officers evaluate evidence and apply relevant legislation, regulations, codes and fair procedures to the issues arising.

S/he must act with due regard to the principles of natural and constitutional justice. S/he is required to communicate clearly and concisely on the relevant financial services, pension products, contract and regulatory issues.

Adjudication Officers must communicate effectively both orally and in writing using plain English and avoiding unnecessary complexity. S/he must be able to translate complex information into understandable terms for parties. Adjudication Officers' correspondence, reports and draft decisions must be of a high standard and accurate in all aspects.

Adjudication Officers must be comfortable using information and communications technology (ICT) and have the ability, following training, to use the ICT systems in operation in the FSPO.

Adjudication Officers must be balanced and fair in their analysis, reviewing all relevant information and getting to the core of the complaint in an impartial and independent manner.

Key Responsibilities of this role will include:

- Managing all aspects of a portfolio of adjudication files as part of the Adjudication Team to which they are assigned and ensuring that they deal with complaints fairly, efficiently and within all relevant guidelines, legislation and timeframes;
- Considering all the issues and evidence contained in the adjudication file and drafting quality, accurate, consistent and reasoned decisions for consideration by the Director of Adjudication and Legal Services, the Deputy Ombudsman or the Ombudsman;
- Complying with any templates and guidance provided;
- Communicating clearly, competently and in simple terms;
- Managing caseloads, conflicting demands and priorities in order to meet target timelines;
- Participating in knowledge sharing and other initiatives with other Adjudication Officers, Management and Staff and contributing to the development of practice, procedure, policy and services of the organisation;

- Keeping complaint records and internal systems and files up to date and reporting workflow outcomes as required;
- Undertaking day-to-day management of routine administration and reporting functions relating to complaint files assigned for adjudication;
- Ensuring compliance with all legal and administrative requirements relating to their work;
- Assisting with the provision of information to complainants, providers and the public generally;
- Preparing and submitting internal requests for legal and other advice.

The responsibilities outlined in this job description should not be regarded as comprehensive in scope and may be added to or altered as required, in line with the requirements of the FSPO.

EXPERIENCE, QUALIFICATIONS & PERSONAL QUALITIES REQUIRED

Personal Qualities Required:

In order to be effective in the role of Adjudication Officer, candidates need to be:-

- committed to the concept of public service;
- capable of planning and organising people and resources to meet goals, targets and objectives;
- understanding and sensitive in dealing with others, and persuasive when communicating in general;
- interested in making sure all tasks are completed to a very high standard;
- willing to share ideas and information with people, with the purpose of achieving a particular result;
- interested in working as part of a team;
- capable of presenting written material, including draft findings, in a clear, concise, comprehensive and convincing manner;
- fully committed to achieving quality results;
- capable of using initiative as and when appropriate;
- ICT literate;
- able to conduct an in-depth review of intricate, non-routine subject areas and make appropriate recommendations;
- able to analyse complex and competing evidence, while demonstrating excellent attention to detail, to identify a reasoned and fair outcome.

Essential Qualifications:

On or before the closing date of this competition, the successful candidate must possess the following:

- A qualification at level 8 on the National Framework of Qualifications in a relevant discipline
OR
- A relevant professional qualification.

Desirable Requirements:

In addition to the above essential requirements, the following criteria are also highly desirable for the role of Adjudication Officer:

- Knowledge or experience of consumer protection or complaints handling in consumer services, financial services and/or pensions;

- Knowledge or the ability to quickly develop and maintain a good knowledge of the financial service and/or pension landscape including products and the relevant legislation, regulation and codes that apply to the sector;
- Knowledge or experience of the regulatory framework for financial services including pensions in Ireland and/or the EU;
- A good understanding of the law and the principles of natural and constitutional justice;
- In depth knowledge and understanding of legal, judicial and fair procedures;
- Familiarity with the key elements of the *Financial Services and Pensions Ombudsman Act 2017*.

In addition to the specific requirements set out above, candidates should have all the abilities required of an Executive Officer. In particular, candidates must demonstrate, by reference to specific achievements in their career to date, that they possess or have the capacity to acquire the following qualities, skills and knowledge required for the role of Executive Officer as identified by the Public Appointments Service Executive Officer level competency framework and set out in the table below.

Key competencies for effective performance at Executive Officer level:

People Management	Consults and encourages the full engagement of the team, encouraging open and constructive discussions around work issues
	Gets the best out of individuals and the team, encouraging good performance and addressing any performance issues that may arise
	Values and supports the development of others and the team
	Encourages and supports new and more effective ways of working
	Deals with tensions within the team in a constructive fashion
	Encourages, listens to and acts on feedback from the team to make improvements
	Actively shares information, knowledge and expertise to help the team to meet its objectives
Analysis & Decision Making	Effectively deals with a wide range of information sources, investigating all relevant issues
	Understands the practical implication of information in relation to the broader context in which s/he works – procedures, divisional objectives etc
	Identifies and understands key issues and trends
	Correctly extracts & interprets numerical information, conducting accurate numerical calculations
	Draws accurate conclusions & makes balanced and fair recommendations backed up with evidence

Delivery of Results	Takes ownership of tasks and is determined to see them through to a satisfactory conclusion
	Is logical and pragmatic in approach, setting objectives and delivering the best possible results with the resources available through effective prioritisation
	Constructively challenges existing approaches to improve efficient customer service delivery
	Accurately estimates time parameters for project, making contingencies to overcome obstacles
	Minimises errors, reviewing learning and ensuring remedies are in place
	Maximises the input of own team in ensuring effective delivery of results
	Ensures proper service delivery procedures/protocols/reviews are in place and implemented
Interpersonal & Communication Skills	Modifies communication approach to suit the needs of a situation/ audience
	Actively listens to the views of others
	Liaises with other groups to gain co-operation.
	Negotiates, where necessary, in order to reach a satisfactory outcome
	Maintains a focus on dealing with customers in an effective, efficient and respectful manner
	Is assertive and professional when dealing with challenging issues
	Expresses self in a clear and articulate manner when speaking and in writing
Specialist Knowledge, Expertise and Self Development	Displays high levels of skills/ expertise in own area and provides guidance to colleagues
	Has a clear understanding of the role, objectives and targets and how they support the service delivered by the unit and Department/ Organisation and can communicate this to the team
	Leads by example, demonstrating the importance of development by setting time aside for development initiatives for self and the team
Drive & Commitment to Public Service Values	Is committed to the role, consistently striving to perform at a high level
	Demonstrates flexibility and openness to change
	Is resilient and perseveres to obtain objectives despite obstacles or setbacks
	Ensures that customer service is at the heart of own/team work
	Is personally honest and trustworthy
	Acts with integrity and encourages this in others



OTHER ELIGIBILITY CRITERIA

Eligibility to compete and certain restrictions on eligibility

Candidates should note that eligibility to compete is open to citizens of the European Economic Area (EEA). 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.

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.

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 12/09 that retirees, under that Scheme, are not eligible to apply 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. 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 Service 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).

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.

Maximum Recruitment Age:

Candidates should be aware that a maximum recruitment age will apply to this competition. Candidates must not yet be 67 years of age on the closing date and time for the competition.

PRINCIPAL CONDITIONS OF SERVICE

General

The appointment will be to a full-time permanent position in the public service.

Pay

The salary and terms and conditions for Adjudication Officers are those, as set out below, that apply to Executive Officers (Standard Scale PPC) in the public service.

€29,026 | €31,019 | €32,139 | €34,024 | €35,714 | €37,347 | €38,974 | €40,568 | €42,178 | €43,744
| €45,358 | €46,427 | €47,948 (LS-1) | €49,465 (LS-2)

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

Candidates should note that entry will be at the minimum of the salary scale and will not be subject to negotiation and the rate of remuneration may be adjusted from time to time in line with Government pay policy. Increments may be awarded subject to satisfactory performance, in line with Government pay policy.

Important Note

Different terms and conditions may apply, if, immediately prior to appointment the appointee is already a serving Civil Servant or Public Servant.

Tenure

The appointment will be to a permanent post in the public service. The appointee will be required to serve a 12 month probationary period.

Assignment / Location

The successful candidate will be based in Dublin. When required to travel on official duty the appointee will be paid appropriate travelling expenses and subsistence allowances, subject to normal public service regulations.

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. 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. Flexi-time will apply.

Annual Leave

The annual leave allowance for the position of Executive Officer is 23 days, rising to 24 after 5 years' service and to 25 after 10 years' service. This allowance is subject to the usual conditions regarding the granting of annual leave in the Public Service, is based on a five day week and is exclusive of the usual public holidays.

Health

A candidate for and any person holding the office must be fully competent and capable of undertaking the duties attached to the office and be in a state of health such as would indicate a reasonable prospect of ability to render regular and efficient service.

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, who will be paying the Class A rate of PRSI, will be required to sign a mandate authorising the Department of Social Protection to pay any benefits due under the Social Welfare Acts direct to the employing Department/Organisation. Payment of salary during illness will be subject to the appointee making the necessary claims for social insurance benefit to the Department of Social Protection within the required time limits.

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, and except for candidates who have worked in a pensionable (non-single scheme terms) public service job in the 26 weeks prior to appointment (see paragraph d below), this means being offered appointment based on membership of the Single Public Service Pension Scheme ("Single Scheme"). Key provisions attaching to membership of the Single Scheme are as follows:

a. Pensionable Age

The minimum age at which pension is payable is 66 (rising to 67 and 68) in line with State Pension age changes.

b. Retirement Age

Scheme members must retire at the age of 70.

c. Pension Abatement

If the appointee was previously employed in the Civil/Public Service and is in receipt of a pension from the Civil/Public Service normal abatement rules will apply. However, if the appointee was previously employed in the Civil/Public Service and awarded a pension under voluntary early retirement arrangements (other than the Incentivised Scheme of Early Retirement (ISER) or the Department of Health Circular 7/2010 VER/VRS which, as indicated above, renders a person ineligible for the competition) the entitlement to that pension will cease with effect from the date of reappointment. Special arrangements will 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.

If the appointee was previously employed in the Civil Service or in the Public Service please note that the Public Service Pensions (Single Scheme and Other Provisions) Act 2012 includes a provision which extends abatement of pension for all Civil and Public Servants who are re-employed where a Public Service pension is in payment. This provision to apply abatement across the wider public service came into effect on 1 November 2012.

This may have pension implications for any person appointed to this position who is currently in receipt of a Civil or Public Service pension or has a preserved Civil or Public Service pension which will come into payment during his/her employment in this position.

Department of Education and Skills Early Retirement Scheme for Teachers Circular102/2007

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).

III-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.

d. Prior Public Servants

While the default pension terms, as set out in the preceding paragraphs, consist of Single Scheme membership, this may not apply to certain appointees. Full details of the conditions governing whether or not a public servant is a Single Scheme member are given in the Public Service Pensions (Single Scheme and other Provisions) Act 2012. However the key exception case (in the context of this

competition and generally) is that a successful candidate who has worked in a pensionable (non-single scheme terms) capacity in the public service within 26 weeks of taking up appointment, would in general not become a member of the Single Scheme.

In this case such a candidate would instead be offered membership of the pension scheme for non-established civil servants ("Non-Established State Employee Scheme"). This would mean that the abatement provisions at (c) above would apply, and in addition there are implications in respect of pension accrual as outlined below.

e. Pension Accrual

A 40-year limit on total service that can be counted towards pension where a person has been a member of more than one existing public service pension scheme would apply. This 40-year limit, which is provided for in the Public Service Pensions (Single Scheme and other Provisions) Act 2012 came into effect on 28 July 2012. This may have implications for any appointee who has acquired pension rights in a previous public service employment.

f. Pension-Related Deduction

This appointment is subject to the pension-related deduction in accordance with the Financial Emergency Measure in the Public Interest Act 2009.

For further information in relation to the Single Public Service Pension Scheme for Public Servants please see the following website: <http://www.per.gov.ie/pensions>.

Important Notice

The above represents the principal conditions of service and is not intended to be the 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.

APPLICATION AND SELECTION PROCESS

How to Apply:

All candidates should visit www.fspo.ie where there is a full list of available positions at the FSPO with the corresponding downloadable information booklet and application form for each position. Completed application forms should be submitted to jobs@fspo.ie with 'Application for the position of Adjudication Officer' in the subject line.

Only applications fully submitted online will be accepted into the campaign.

Closing Date:

Your application must be submitted by 15:00 on Monday, 12 March 2018. **Applications will not be accepted after the closing date/time.**

Candidates should make themselves available on the date(s) specified by the FSPO and should make sure that the contact details specified on their application form are correct.

Selection Process:

It is envisaged that the selection process will include the following:

- Shortlisting of candidates based on the information contained in their application
- Initial/preliminary interview
- A written exercise whereby candidates are asked to evaluate a sample complaint to identify the relevant issues and any jurisdictional difficulties arising
- A final competitive interview

In addition, the Selection Process may also include the following:

- Presentation or other exercises
- Work sample or any other tests or exercises that may be deemed appropriate.

Shortlisting:

Normally the number of applications received for a position exceeds that required to fill existing and future vacancies to the position. While a candidate may meet the eligibility requirements of the competition, if the numbers applying for the position are such that it would not be practical to interview everyone, the FSPO may decide that a number only will be called to interview.

Shortlisting will be undertaken on the basis of the information you provide as part of your application. It is therefore in your own interest to provide a detailed and accurate account of your qualifications/experience on the application form.

Candidates with Disabilities:

Candidates who have indicated on their application form that they would like to avail of reasonable accommodations are asked to submit a psychologist/medical report. The purpose of the report is to provide information to act as a basis for determining reasonable accommodations where appropriate. These reports must be forwarded to Marta Piekarz, Financial Services and Pensions Ombudsman, Lincoln House, Lincoln Place, Dublin 2 or marta.piekarz@fspoi.ie by close of business on **Monday, 12 March 2018**.

Confidentiality:

Subject to the provisions of the Freedom of Information Act 2014, applications will be treated in strictest confidence.

Security Clearance:

Garda vetting will be sought in respect of individuals who come under consideration for appointment. The applicant will be required to complete and return a Garda Vetting form should they come under consideration for appointment. This form will be forwarded to An Garda Síochána for security checks on all Irish and Northern Irish addresses at which they have resided.

Other Important Information:

The FSPO will not be responsible for refunding any expenses incurred by candidates.

The admission of a person to a competition, or invitation to attend interview, or a successful result notification, is not to be taken as implying that the FSPO is satisfied that such a person fulfils the requirements or is not disqualified by law from holding the position and does not carry a guarantee that your application will receive further consideration. It is important, therefore, for you to note that the onus is on you to ensure that you meet the eligibility requirements for the competition before attending for interview. If you do not meet these essential entry requirements but nevertheless attend for interview you will be putting yourself to unnecessary expense.

Prior to recommending any candidate for appointment to this position, the FSPO will make all such enquiries that are deemed necessary to determine the suitability of that candidate. Until all stages of the recruitment process have been fully completed a final determination cannot be made nor can it be deemed or inferred that such a determination has been made.

Should the person recommended for appointment decline, or having accepted it, relinquish it or if an additional vacancy arises the FSPO may, at its discretion, select and recommend another person for appointment on the results of this selection process.

Candidates' Rights - Review Procedures in relation to the Selection Process:

The FSPO will consider requests for review in accordance with the provisions of the codes of practice published by the CPSA. The Codes of Practice are available on the website of the Commission for Public Service Appointments <http://www.cpsa.ie/>.

Candidates' Obligations:

Candidates should note that canvassing will disqualify and will result in their exclusion from the process.

Candidates must not:

- knowingly or recklessly provide false information
- canvass any person with or without inducements
- interfere with or compromise the process in any way

A third party must not personate a candidate at any stage of the process.

Any person who contravenes the above provisions or who assists another person in contravening the above provisions is guilty of an offence. A person who is found guilty of an offence is liable to a fine/or imprisonment.

In addition, where a person found guilty of an offence was or is a candidate at a recruitment process, then:

- where he/she has not been appointed to a post, he/she will be disqualified as a candidate; and
- where he/she has been appointed subsequently to the recruitment process in question, he/she shall forfeit that appointment.

Specific candidate criteria:

Candidates must:

- Have the knowledge and ability to discharge the duties of the post concerned;
- Be suitable on the grounds of character;
- Be suitable in all other relevant respects for appointment to the post concerned;

and if successful, they will not be appointed to the post unless they:

- Agree to undertake the duties attached to the post and accept the conditions under which the duties are, or may be required to be, performed;
- Are fully competent and available to undertake, and fully capable of undertaking, the duties attached to the position.

Deeming of candidature to be withdrawn:

Candidates who do not attend for interview or other test when and where required by the FSPO, or who do not, when requested, furnish such evidence as the FSPO requires in regard to any matter relevant to their candidature, will have no further claim to consideration.

Data Protection Acts, 1988 and 2003:

When your application form is received, we create a record in your name, which contains much of the personal information you have supplied. This personal record is used solely in processing your candidature and should you be successful certain information you provide may be retained as part of your HR record. Such information held is subject to the rights and obligations set out in the Data Protection Acts 1988 & 2003.