



JOB DESCRIPTION FORM

POSITION (PID) #	980004				
IDENTIFYING INFORMATION			POST CERTIFICATION		
Post Title	Deputy Information Commissioner		Print Name	Signature	Date
Present Grade	38-40		Prepared By	Gitanjali Gutierrez 	19 November 2021
Department	Office of the Information Commissioner		Post holder Reviewed	Vacant	
Section	N/A		Agreed by	Gitanjali Gutierrez 	19 November 2021
POST STATUS			POST TRANSFER (if applicable)		
	New Post	Revised Post	Redefined Post	Previous Title	Assistant Information Commissioner
Date			18 Nov 2021	Previous Department	
Cabinet Conclusion Ref	N/A			Previous Section	
Last Review Date	N/A			Previous Number	
Panel Decision	Grade	Date	Signature	Previous Grade	
	N/A			Date of Transfer	

1. SUMMARY OF MAIN DUTIES	%
1. MANAGEMENT AND ADMINISTRATION	25%
2. REVIEWS AND INVESTIGATIONS	35%
3. PUBLIC AWARENESS	20%
4. REPORTING	15%
5. OTHER DUTIES	5%
TOTAL = 100%	

2. SUMMARY OF ACCOUNTABILITY
<p>2.1 What specifically is this post accountable for?</p> <p>The Deputy Information Commissioner (DIC) is the most senior public officer within the Office of the Information Commissioner ("the Office"), providing institutional knowledge and consistency as well as professional and technical expertise to support the appointed Information Commissioner in the overall fulfilment of the mandate of the Public Access to Information Act 2010 ("the Act"). The Information Commissioner and Deputy Information Commissioner comprise the Management Team for the Office.</p> <p>Working under the guidance and direction of the Information Commissioner, and in accordance with the provisions of the Act and the Office's policies and procedures, the DIC is directly responsible for managing a small team undertaking the Office's investigations and reviews, including the quality of work undertaken by them and the recommendations made to the Information Commissioner. The DIC also has responsibility for assisting the Information Commissioner in raising awareness of and promoting the rights conferred by the Act within the public; and providing guidance to public authorities concerning the obligations imposed by the Act. The DCI is also responsible for assisting the Information Commissioner in fulfilling the reporting requirements and other duties established under the Act and any other statutory provision.</p> <p>The DIC is responsible for assisting with the management and administration of the financial and administrative resources of the Office to ensure efficient and effective support to meet the Office's needs.</p> <p>The Deputy Information Commissioner acts in the absence of the Information Commissioner.</p>
<p>2.2 Briefly describe the level of decision making authority held by this post.</p> <p>The Deputy Information Commissioner has high-level decision-making authority in accordance with the Act, the Information Commissioner's direction, and the Office's policies and procedures. The Deputy Information Commissioner is responsible for providing legal, investigatory, strategic, management and/or operational advice, and approves final recommendations, to the Information Commissioner.</p>
<p>2.3 To which position does this post report directly? The Information Commissioner</p>

3. ESSENTIAL KNOWLEDGE & SKILLS
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List the key knowledge and skills required to fulfill the *minimum requirements* of the post under the following categories.

3.1 Leadership Competencies:

Demonstrated ability to undertake the following leadership competencies at a Level 4.5:

- Provides legal, strategic or policy advice to the Information Commissioner on access to information and related subjects that impact the exercise and enforcement of PATI rights
- Anticipates potential legal, regulatory and policy developments at a local and international level that impact PATI rights and practices, and establishes a strategic vision to respond to the developments through the creation and implementation of objectives and priorities
- Provides professional and technical expertise to Information Commissioner, internal stakeholders and external stakeholders within the public and public authorities
- Presents complex information articulately in written and verbal formats when meeting with Information Commissioner and external stakeholders
- Develops technical portions of the Office's guidelines for internal and external use
- Reviews Investigation Findings and other technical documents, edits materials and provides suggestions to improve reasoning, clarity and accuracy while ensuring documents remain accessible to the public
- Consistently open and approachable when resolving complex issues, and treats individuals within all levels of the Office, the public and public authorities with courtesy and respect
- Examines and utilizes best practices from both local and international resources, along with analyzing metrics, to strengthen organisational infrastructure and operations and improve their efficiencies and effectiveness
- Improves the Office's productivity by expanding on the use of existing IT applications by officers and stakeholders
- Responds to challenges or setbacks by developing alternative approaches to determine the best course of action
- Manages to budget for projects, tracks and allocates expenses appropriately, and adjusts budgets when necessary
- Ensures budgetary concerns are appropriately communicated and corrective action taken, if needed
- Leads team implementing oversight and regulatory responsibilities and interacts with executive-level representatives from public authorities
- Motivates team by assigning work based on team member skill level, interest and professional development
- Maintains organisational and team effectiveness, quality and morale during organisational change
- Encourages creative tension and differences of opinion, while anticipating and taking measures to prevent counterproductive or dysfunctional conflict
- Works with officers under supervision to develop individual development plans addressing employee needs and meeting organisational goals, and holds the officers accountable for performance standards and expectations
- Encourages open and honest work culture; exercises a high-degree of integrity; remains fair and objectives when carrying out responsibilities
- Completes human capital training required for managers and applies key learning to officers under direct supervision

3.2 General Knowledge / People Skills (Soft Skills).

- Excellent leadership, management, and decision making skills
- Demonstrated ability to research and analyse complex information, arguments and situations and exercise judgment to make recommendations, or to present these issues in an accurate and understandable way
- Excellent planning, analytical, and organisation skills, including strong time-management skills and the ability to manage competing priorities
- Excellent interpersonal, oral, and written communication skills, including the ability to write for, or speak to, diverse audiences and assist them to understand complex issues
- Strong influential and persuasive skills
- Ability to diagnose problems and formulate solutions
- Ability to take initiative and work independently
- Ability to work under pressure, prioritise, and meet deadlines
- Demonstrated ability to develop and foster relationships with various parties within the public and public authorities
- Demonstrated understanding and embodiment of principles of independence, fairness, and integrity in public and community service
- Demonstrated level of professionalism
- Ability to maintain confidentiality

- High comfort level working in an open and transparent office
- Ability to be a positive team member and adaptable to Office's growth

3.3 Technical Knowledge / Position Specific Skills (Hard Skills). This includes knowledge of particular legislation, processes, specialties, etc.

- Excellent knowledge of the Public Access to Information Act 2010 and Public Access to Information Regulations 2014, and all other relevant statutory instruments, including the Bermuda Constitution, the Employment Act 2000, and the Public Service Commission Regulations
- Ability to interpret legislation and work within a legislative framework
- Knowledge of the organisation and operations of the Government of Bermuda and other public authorities
- Investigation and caseload management experience, including drafting reports and recommendations within a stipulated period
- Prior experience with the structure and operations of public authorities, and of advising the public on individual or legal rights, would be advantageous but is not mandatory
- Proficiency with Microsoft products, including Word, Excel, Outlook, and Powerpoint
- Training in conflict management or dispute resolution would be advantageous but is not mandatory

4. MINIMUM EXPERIENCE REQUIRED (Tick the Appropriate Box)

Based upon the above identified knowledge and skills, what is the minimum number of years experience required to fulfill the duties of this post?

- No previous experience required
 Minimum one (1) year
 Minimum two (2) years
 Minimum three (3) years
 Minimum five (5) years
 Minimum ten (10) years

4.1 Identify specific experience.

A minimum of five (5) years relevant experience, including two (2) years in senior level position.

5. MINIMUM EDUCATIONAL QUALIFICATION REQUIRED

- Secondary School Graduation Certificate
 Apprenticeship/College Certificate
 College Diploma
 Associates Degree
 Advanced or Specialist Qualification
 Bachelors Degree
 Masters Degree
 Professional Designation
 (Includes Chartered Status)
 Doctorate
 Other

5.1 Please list the title of the academic qualification / professional designation required:

The post holder must have a Master's Degree in Law, Public Administration, Management, Political Science, or a related field.

5.2 List any special licenses, registrations or certifications required for this job: N/A, but certification in conflict resolution or mediation would be an asset.

6.0 RESOURCES UNDER MANAGEMENT

6.1 Management and Supervision of Staff

(Please ensure that the Organization Chart submitted is up to date, accurate and reflects the information listed below)

Please list the position titles (including PID) of 'All Staff' under the 'Direct Supervision' of this post.

1. Investigation Officer (PS 33-35, PID 980005)
2. Investigation Officer (PS 33-35, PID 980008)
3. Investigation Officer (PS 33-35, PID 980010)

6.2 Non-Staff Budget and Revenue Streams (FOR EACH SUB SECTION TICK THE APPROPRIATE BOX)					
6.2.1 What 'Responsibility' does this post have for 'Managing Non-Staff Budget' and 'Government Revenue Collection'? (Non-Staff Budget typically applies to contracts for program delivery & capital expenditure projects)					
<input checked="" type="checkbox"/> None		<input type="checkbox"/> Has Direct Management Responsibility		<input type="checkbox"/> Is the Accounting Officer	
6.2.2 Please indicate the level of Non-Staff Budget and/or Revenue Streams for which this post is responsible.					
<input checked="" type="checkbox"/> None	<input type="checkbox"/> Less than \$500k	<input type="checkbox"/> \$500k to \$2m	<input type="checkbox"/> \$2m to \$10m	<input type="checkbox"/> \$10m to \$40m	<input type="checkbox"/> Greater than \$40m
6.3 Infrastructure for Vital Government Services (FOR EACH SUB SECTION TICK THE APPROPRIATE BOX)					
6.3.1 Is the post responsible for managing 'Infrastructure' critical to the delivery of 'Vital' Government Services?					
<input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes. Has Direct Management Responsibility		<input type="checkbox"/> Yes. Is Ultimately Responsible	
6.3.2 If 'Yes' to the above, what would be the impact of failure of this infrastructure?					
<input type="checkbox"/> Low Impact: Mainly internal to Government		<input type="checkbox"/> Medium Impact: Mainly internal to Government		<input type="checkbox"/> High Impact: Mainly internal to Government	
<input type="checkbox"/> Low Impact: Bermuda-Wide		<input type="checkbox"/> Medium Impact: Bermuda-Wide		<input type="checkbox"/> High Impact: Bermuda-Wide	

7. Additional Information
<ul style="list-style-type: none"> • The Deputy Information Commissioner will be required to work over and beyond normal working hours. • The Deputy Information Commissioner must complete a Registry of Interest and be able to dissociate himself/herself from any and all political influences, in accordance with the Office's Registry of Interests Policy • In lieu of a Master's Degree in Law, Public Administration, Management, Political Science, Law, or related field, consideration may be given to applicants who possess a Bachelor's Degree in Law, Public Administration, Management, Political Science, Law, or related field who can demonstrate a minimum of ten (10) years relevant experience, of which four (4) years' experience in a senior level position. • A record of continuing professional development would be an asset.

DUTIES AND RESPONSIBILITIES OF THE POST

8. DETAILED DESCRIPTION OF MAIN DUTIES AND RESPONSIBILITIES OF THE POST
8.1. MANAGEMENT AND ADMINISTRATION
8.1.1 Contributes expertise in the development and implementation of strategic and business plans for the Office of the Information Commissioner as a member of the Management Team to enable the Office to operate effectively and efficiently and to address the mandate of the Information Commissioner.
8.1.1 Provides senior management advice and information to the Information Commissioner on matters affecting the operational functions of the Office, and on the development of internal operations policies for the Office.
8.1.2 Assists the Information Commissioner in the development of the Office's annual performance measures. Oversees the management of the Office's performance management system and dashboard, ensuring the timely collection, reporting and posting of data to include performance metrics and case outcome data.
8.1.3 Responsible for completing probation reports for new staff under supervision and ensures that Forward Job Plans and Performance Appraisals are completed annually in accordance with the ICO's policies and procedures. Responsible for training, development and disciplinary issues for officers under supervision. Ensures that officers receive feedback on their appraisals/reports so that, in cases where improvements in performance are necessary, corrective actions can be taken. Reports achievements to the Information Commissioner. Motivates team and coaches individuals to embody excellence.
8.1.4 Ensures strict compliance with the provisions of the Public Service Commission Regulations and other related employment, the Conditions of Employment and Code of Conduct (CECC), and the Bermuda Public Services Union (BPSU) Collective Agreement for all staff under supervision.
8.1.5 Leads project planning, as directed by Information Commissioner.

- 8.1.6 Monitors the effectiveness of all operational practices and reviews feedback and recommendations from internal and external stakeholders. Reports relevant data, activities, and recommendations to the Information Commissioner, as appropriate.
- 8.1.7 Advises the Information Commissioner on the preparation of annual estimates of expenditure for the Office and assists with budget monitoring, controls and expenditures, in accordance with the relevant Financial Instructions and other Office policies and procedures, and with due regard for value for money.
- 8.1.8 Approve purchase orders in the Office's electronic accounting system following approval of procurement by Information Commissioner.
- 8.1.2 Ensures strict compliance with the obligation to maintain secrecy as required by section 53 of the PATI Act.
- 8.1.3 Undertakes any other management administration functions for the effective and efficient operation of the Office, as directed.
- 8.1.4 Act as the head of Office and Accounting Officer in the absence of the Information Commissioner.

8.2 REVIEWS AND INVESTIGATIONS

- 8.2.1 Under the direction of the Information Commissioner, conducts research using appropriate resources on access to information jurisprudence, relevant local law and international and local legislative and policy developments that impact the Information Commissioner's review process or specific cases.
- 8.2.2 Writes internal memorandum articulating issues and information cogently, objectively and accurately, and in appropriate detail.
- 8.2.3 Identifies requirements for outside legal opinions or advise and makes appropriate recommendations to the Information Commissioner.
- 8.2.4 Supervises the validation of applications for review under Part 6 of the PATI Act and provides technical guidance on validity and identification of the issues under review; ensures timely and accurate preliminary communications with parties and identification of cases that may be suitable for full or partial resolution.
- 8.2.5 Manages and supervises investigations conducted in accordance with Part 6 of the PATI Act, the Information Commissioner's direction and the Office's policies and procedures; ensures thorough, accurate, timely and fair investigations; and approves final recommendations to the Information Commissioner on the disposition of reviews.
- 8.2.6 Manages and administers regulatory oversight of public authorities' compliance with requirements of Part 2 of the PATI Act in accordance with legislation and Office policies and procedures, including carrying out investigations, undertaking inquiries, conducting reviews, attempting resolutions, and recommending enforcement orders.
- 8.2.7 Liaises with external counsel for judicial review, including preparation of case file and reviewing of draft case materials, when instructed.
- 8.2.8 Develops and reviews policies and procedures related to the Information Commissioner's oversight of compliance with the Act, including recommending improvements to the Information Commissioner for more effective and efficient processes.

8.3 PUBLIC AWARENESS

- 8.3.1 Contributes to the design, development and delivery of educational and outreach programs to raise public awareness and understanding of the rights under the PATI Act.
- 8.3.2 Assists in the development of information, instructional brochures, pamphlets and materials regarding the rights under the PATI Act and the ICO processes.
- 8.3.3 Researching and preparing draft guidances and providing approved guidances to public authorities concerning the requirements of the PATI Act.
- 8.3.4 Contributes to the design, development and delivery of briefings and workshops for public authorities on the oversight by the Information Commissioner and the requirements of the PATI Act.
- 8.3.5 Responds accurately and respectfully to general inquiries from members of the public and public authorities by phone, email and in-person.

8.4 REPORTING

- 8.4.1 Prepares drafts of statutory reports by the Information Commissioner, including conducting appropriate research.
- 8.4.2 Maintains accurate data of work and work performance for Office statistics and reporting for inclusion in the Information Commissioner's Annual Report.
- 8.4.3 Manages the receipt and collating of annual written reports from all public authorities, and the preparation of data for review by the Information Commissioner, in accordance with section 58(2) the PATI Act.
- 8.4.4 Oversees and manages the Office's Annual Return process to ensure that public authorities provide an annual written report in accordance with section 58(2) and prepares corresponding report on data setting out information and recommendations cogently, objectively and accurately and in appropriate detail.

8.5 OTHER DUTIES

- 8.5.1 Maintains relationships with external stakeholders and attends meetings, conferences and other official gatherings as the Information Commissioner's representative, as required.
- 8.5.2 Undertakes any other duties as assigned by the Information Commissioner.