

Performance Delivery Agreement

Between

The Property Services Regulatory Authority

And

The Department of Justice

2022

Performance Delivery Agreement – PSRA 2022

1. Introduction and Objective of the Agreement

This Performance Delivery Agreement (PDA) has been drawn up by the Department of Justice (“the Department”) in consultation with the Property Services Regulatory Authority (PSRA) in accordance with the 2016 edition of the [Code of Practice for the Governance of State Bodies](#) (“Code of Practice”). It, together with the separate but related Oversight Agreement (OA), succeeds the previous Performance Delivery Agreement 2021 between the two parties.

This Performance Delivery Agreement shall be reviewed and updated annually, and will be utilised to formalise the process through which the outputs and outcomes required from the PSRA can be measured and assessed.

These agreements will act as a performance contract between the parent Department and the State body in which an agreed level of performance/service is formalised and which will ultimately result in improved efficiency and effectiveness in the delivery of public services.

The agreements allow for the adoption of both annual and multi-annual targets, and the development of output and outcome indicators, including milestones to measure performance against targets.

To achieve this, it is necessary to set out the following:

- The key inputs, outputs and expected outcomes of the Authority’s activities, in quantitative, measurable terms;
- Assessment of performance by monitoring of agreed targets, around those key outputs, inputs and outcomes.

This Agreement sets out the PSRA’s key targets for 2022 and defines the output and outcome indicators on which performance should be measured. In addition it will also highlight any potential risk factors, allow for a level of flexibility and amendments of targets where necessary, and specify the monitoring arrangements between the Department and the PSRA.

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The Agreement ultimately seeks to (a) facilitate the PSRA in carrying out its functions, (b) progress the ongoing development of output measures and (c) improve the effectiveness and efficiency of public services.

While Covid-19 continues to impact on work practices, the PSRA has put in place appropriate responses to ensure the continued effective delivery of the PSRA’s statutory remit and will monitor and review outputs in this regard.

The Agreement will support the PSRA’s Strategic Plan 2020 - 2023.

2. Inputs

2.1 Financial Inputs

The following table summarises the PSRA’s budget allocation for 2022.

Expenditure	2022 Budget Allocation
Pay	€2,214,000
Non-Pay	€924,000
Total	€3,138,000

2.2 Licence Fees

The level of licence fee to be paid was determined by the Authority in 2012 based on its estimated annual cost of administering the licensing system at that time. An annual fee of €1,000 is payable by Property Service Employers and an annual fee of €100 is payable by Employees. The estimated number of licenses to be issued in 2022 is approximately 6,000, comprising of circa 1,900 Employer licences and 4,100 Employee licences. The projected income for 2022 is approx. €2.2 million, in line with previous years.

2.3 Compensation Fund

Section 77(1) of the Property Services (Regulation) Act 2011 requires the Authority to establish a Property Services Compensation Fund to which each applicant is required to contribute before a licence is granted.

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2.4 Staffing Resources

The Department will endeavour to provide the appropriate and necessary resources to the Authority either directly or, on a contracted basis, having regard to pressures on public service numbers and competing demands.

Grade	Headcount 1st Jan 2022	Staff Level 1st Jan 2022 (FTE)
CEO	1	1
Assistant Principal Officer	2	2
Higher Executive Officer	13	13
Administrative Officer	2	2
Executive Officer	10	10
Clerical Officer	9	8.5
Total	37	36.5

3. Outputs /Targets

3.1 The following section sets out the Key Performance Indicators which will be used to assess the PSRA's progress towards achieving its key mandate and core function; the licensing and regulation of all Property Services Providers operating in Ireland under the provisions of the Property Services (Regulation) Act 2011.

3.2 Service Levels and Performance Measurement 2022

The following key performance indicators will form part of the PSRA's Performance Measurement in relation to the PSRA Business Plan for 2022:

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Key Performance Indicator	Target
Processing of new licence applications where application meets all statutory requirements	3 weeks
Processing of licence renewal applications where application meets all statutory requirements	4 weeks
Processing of licence renewal applications during peak renewal period of September - November (over 3,500 applications received)	90% of these renewal applications assessed by end of December 2022
Compliance investigations conducted under the Property Services (Regulation) Act 2011	150
Compliance investigations conducted under the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010	150
Complaints under investigation	60% of open cases at 1 January 2022 concluded or under active investigation at year end
Acknowledgement of complaints received	3 working days
Commercial Lease Compliance rate	60%
Registers updated	Weekly

3.3 Customer Service

In accordance with the PSRA's customer charter, we will respond to all queries within the following timeframes:

Telephone Calls	Lines are open Monday to Friday, 10:00 am – 12:30pm
Email responses	Within 5 working days.
Response to letters	Within 10 working days.

The customer charter is available on the PSRA website.

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3.4 The PSRA has identified five key strategic objectives in its Strategic Plan 2020 – 2023 which are the focus of its current work programme;

1. Develop an enhanced register and effective system of regulation to support professional practice
2. Continuously enhance the Authority’s processes and arrangements to deliver targeted inspections on a cost effective basis
3. Promote professional standards, address unlicensed activity and operate an effective complaints management process
4. Promote engagement, awareness and continuous professional development to the benefit of all stakeholders; and
5. Resource and manage the Authority to optimise organisational efficiency and effectiveness.

Strategic Objective 1 - Develop an enhanced register and effective system of regulation to support professional practice

Goals	Actions	KPIs	Target
Review of licensing system	Engagement with Department of Justice Civil Justice Legislation Function	Work on required legislative changes further progressed	Q4
Stipulate revised PII requirements following previous engagement with the insurance industry	Review outputs from insurance industry engagement	Outputs reviewed	Q1
	Meet with subgroup of the Board to consider revised requirements	Meeting(s) held	Q2
	Define revised minimum PII requirements for the sector	Minimum requirements identified	Q3
	Draft S.I.	S.I. drafted	Q4

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	Draft guidance documentation for sector on updated PII requirements	Guidance documentation drafted and published	Q4
	Update Licensing procedures relating to PII as required	Procedures updated	Q4
Deliver new online licence application system – www.psralicences.ie	Progress the project with relevant parties – engage in project management process	Project plan underway and on target	Q2
	Transition to new PSRA online licence application platform	New platform tested and introduced to live system	
		Online system in place	
	Communicate changes to Licensees	Licensees (approx. 6,000) aware of new platform This will be gauged by number of renewal applications received	
Enhanced Register of Licensed PSPs available	Engage with Information Management & Technology (IM&T) as part of website migration regarding presentation of Register	Design and development of improved look Register	Phase 1: Q4 2022 Phase 2: Subject to IM&T availability
	Engage with Business Analyst to evaluate and identify additional functionality requirements and automation of Register as part of Phase 2	Requirements identified	

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Strategic Objective 2- Continuously enhance the Authority’s processes and arrangements to deliver targeted inspections on a cost effective basis

Goals	Actions	KPIs	Target
Review legislative amendments made to the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 and take the necessary actions to ensure compliance is achieved by both the PSRA and the property services sector	Share updated guidance with the sector and actively monitor compliance rates	Guidance shared and compliance rates monitored	Q4
	Conduct compliance audits of C and D licence holders	Compliance audits conducted on C and D licence holders	
	Monitor A licence holders compliance with revised CDD.	Compliance with updated CDD of A licence holders checked at audit	
Continue to apply risk based approach developed to selection of Licensees for audit	Continue to implement risk based analysis in identifying Licensees for audit	Licensees for audit identified	Ongoing
	Assign audits accordingly	Audits assigned	

Strategic Objective 3- Promote professional standards, address unlicensed activity and operate an effective complaints management process

Goals	Actions	KPIs	Target
Monitor CPD Compliance	Introduce procedures, processes and reporting mechanism for monitoring sector	Number of Assessments carried out in 2022	Q4

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	compliance with CPD		
Identify Unlicensed activity and continue to address reports of Unlicensed activity	Carry out investigations of reports of unlicensed property service providers	Timely investigation of reports of Unlicensed property services providers	Q4
	Undertake prosecutions and injunctions of unlicensed property service providers	Prosecutions and injunctions undertaken	
Continue to operate an effective complaints management system	Agree and promote awareness of: (i) stages and (ii) target timelines for acknowledging, processing and adjudicating on complaints received	Publish agreed complaints process and target timelines Performance against targets monitored	Q4
	Manage legal proceedings arising from complaint investigations	Legal proceedings taken where required and managed appropriately	

Strategic Objective 4 - Promote engagement, awareness and continuous professional development to the benefit of all stakeholders

Goals	Actions	KPIs	Target
Migration of PSRA websites to new platform and increase in functionality of websites and search capabilities of PSRA Registers – working in conjunction	Evaluate platform options e.g. gov.ie, WordPress	Platform selected and approved	Phase 1: Q4 2022 Phase 2: subject to IT availability
	Review existing content and approve content for transfer to new website	Design and Development complete	
	Engage with Business Analyst to evaluate and	Requirements for Phase 2 agreed	

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with relevant Units of PSRA	identify requirements for Phase 2		
Develop and implement PSRA Engagement Strategy	Identify key stakeholders and draft PSRA Engagement Strategy	Stakeholders identified and Engagement Strategy drafted	Q4
	Implementation of Engagement Strategy	Engagement strategy actions completed	
	Forum re-established	Forum members appointed and meeting held	

Strategic Objective 5 – Resource and manage the Authority to optimise organisational efficiency and effectiveness

Goals	Actions	KPIs	Target
Continue to monitor the implementation and delivery of PSRA strategic objectives	Board to review progress of Strategic Plan at each meeting	Strategic Plan reviewed	Ongoing
	Board to approve annual Business Plan of the Authority	Business Plan approved	Q1
	Annual Performance Delivery Agreement (PDA) to be agreed between PSRA and the Department of Justice	Performance Delivery Agreement in place	Q2
	Bi-annual meetings held with the Department of Justice to review goals and KPIs set out in the PDA	Meetings held and updates provided*	Ongoing

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* Review of Performance Measurement in 2022

The Code of Practice for the Governance of State Bodies provides that the PDA set out quantitative metrics for measuring progress toward achieving High Level Goals and Objectives. Using SMART (specific, measurable, achievable, relevant and time bound) performance indicators adds significant value to analysing business activities and outputs and identifying new opportunities. It is acknowledged that the assessment and measurement of strategic outcomes is an important feature in the PDA, and this will be an area of emphasis for the Department and PSRA to further develop this year. In line with the Code, PSRA and the Department will have a specific meeting during the year to discuss performance measurement and PDA's and to collaborate on the further enhancement of this area.

4. Potential Risk Factors

The PSRA operates a formal Risk Management policy and maintains a Risk Register and, in accordance with the Department of Finance Guidelines, this is updated on an ongoing basis. The maintenance of the Register ensures that risks are identified and assessed and necessary mitigating actions are put in place.

Reflecting the key priorities of the organisation, the main potential risks to the achievement of targets set out in this Agreement at the time of writing are:

- Continuity of online licence application system
- Risk to the protections inherent in licensing system due to unlicensed operators
- Number of/Large claim(s) on the Compensation Fund
- Dependence of Authority on Department of Justice IM&T: non-implementation by Department of Justice IM&T of internal audit recommendations
- Unexpected expenditure arising from statutory role (for example Judicial Reviews and Legal Costs)
- Business continuity in light of current geo-political situation.

5. Flexibility and Amendment of Targets

Where amendments become necessary, both parties will engage to agree on amended targets.

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6. Monitoring Arrangements

In accordance with the Department’s policy on the monitoring of governance arrangements in relation to the organisations within its remit, the PSRA will meet with the Department twice yearly, or more frequently if required by the Department, to provide an update on developments and achievement of targets as set out in this Agreement.

The PSRA undertakes to return:

- (a) Relevant and appropriately detailed performance information to allow for monitoring of this Agreement;
- (b) relevant and appropriately detailed performance information for inclusion in the Revised Estimates for Public Services volume; and
- (c) performance information in line with the set of such indicators, and in keeping with the timeframe, agreed with the Department.

7. Duration and Signatories to the Agreement

The arrangements as set out in this Agreement will apply with effect from the date signed hereunder until 31st December 2022.



Maeve Hogan,
CEO,
Property Services Regulatory Authority



Dr Stjohn O’Connor,
Director – Civil Governance,
Department of Justice

Date: 11 July 2022

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