



Performance Delivery Agreement

between

The Department of Justice

and

The Irish Film Classification Office (IFCO)

2023

Performance Delivery Agreement

1. Introduction and Objectives of the Agreement

This Performance Delivery Agreement (PDA) has been drawn up by the Department of Justice (“the Department”) in consultation with the Irish Film Classification Office (IFCO) in accordance with the 2016 edition of the Code of Practice for the Governance of State Bodies (“Code of Practice”). It succeeds the previous Performance Delivery Agreement 2022 and is also informed by the Oversight Agreement (OA) 2023-2025 between the two parties.

This PDA shall be reviewed and updated annually, and it will be utilised to formalise the process through which the inputs, outputs and outcomes relating to IFCO 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 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 outcomes of IFCO’s activities, in quantitative, measurable terms;
- Assessment of performance by monitoring of agreed targets, around those key inputs, outputs and outcomes.

This Agreement documents the agreed level of service between the parties in order to facilitate improved effectiveness and efficiency of relevant public services. It sets out IFCO’s key targets for 2023 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 IFCO.

The Agreement ultimately seeks to

- a) Facilitate IFCO in carrying out its functions
- b) Progress the ongoing development of output measures for its expenditure
- c) Improve the effectiveness and efficiency of public services.

The Agreement will provide for IFCO to develop a new 3-year Strategy Statement covering 2023-2025 and a related Action Plan.

2. Inputs

2.1 Financial Inputs

The Department is responsible for determining the overall allocation of funding to IFCO i.e. the annual grant, while IFCO is responsible for the allocation of its current expenditure within agreed budgetary parameters.

The Department will provide an annual grant to IFCO, which in 2023 will be as follows:

Pay:	€367,000
Non-Pay	€361,000
Total:	€728,000

2.2 Staff Resources

Details for the staff complement for 2023 are as follows:

- 1x Director of Film Classification (Principal Officer)
- 1x Office Manager / Home Entertainment Co-ordinator (Higher Executive Officer)
- 1x Theatrical Co-ordinator (Executive Officer)
- 2x Clerical Officers (Video Licensing & Theatrical / Home Entertainment Support)

Note: The Director of Film Classification is assisted in carrying out the duties of IFCO by a team of five Assistant Classifiers who are engaged on a contract for services basis, as provided for in Section 2 of the Censorship of Films (amendment) Act 1992.

The nature of IFCO's work means staff are required to work on site for a minimum of 2 days per week. This is managed on a rostered basis and is determined by business need. Assistant Classifiers work more flexibly as some AV content, in particular Home Entertainment, can be viewed remotely.

2.3 Other Resources

IT services are supplied by the Department. The IFCO website and distributor portal is also provided by the Department. IFCO also has contracts and relationships with third party IT and audiovisual equipment suppliers in relation to the infrastructure required for the delivery, viewing and reporting of AV content. These are managed directly by IFCO.

IFCO is located on Blackhall Walk, Smithfield, Dublin 7. The building is supplied by the OPW.

3. Outputs and Targets

The following section sets out the Key Performance Indicators which can be used to assess IFCO's progress towards achieving its key mandate and core function.

IFCO has responsibility for examining and certifying all content with the exception of advertisements that is presented in cinemas in Ireland. It is also responsible for examining and certifying all home entertainment content on DVDs/Videos distributed in Ireland. IFCO is also responsible for the issuing of licences to sell/rent home entertainment content (DVD/Video).

The IFCO Director is the national nominee to the PEGI Council. PEGI (Pan-European Game information) is a European video game rating system that applies to all video games distributed in Ireland. IFCO reviews all games which are awarded a PEGI 18 Certificate as a matter of course and can decide to review games awarded other certificates on a case by case basis.

IFCO also provides a content advisory service in respect of cinema content for film festivals and similar events on request and resources permitting.

The Goals, Actions, KPIs and Targets will be aligned with the goals set out in IFCO's Strategic Plan 2023 – 2025.

Strategic Priority No.1

Consistent Classification Decisions and Delivering on Public Expectation

Goal	Action	KPI	Target
Classifications comply with legislation and are consistent with published guidelines and legislation.	Continuous review of decisions with reference to guidelines and legislation.	Volume of certifications issued per cinema release (including features and trailers) and DVD Home Entertainment Releases.	Cinema classifications to increase by 10% and exceed 1000 certificates issued, comprising: <ul style="list-style-type: none"> • 450+ features • 550+ shorts/trailers.
			Home entertainment submissions to decrease from 2022 levels. 1200 classification decisions expected, comprising: <ul style="list-style-type: none"> • 300 features (25%) • 600 trailers/ teasers/ DVD extras (under 30mins) (50%) • 300 episodic content (over 30mins) (25%)
			Video game classifications to maintain 2022 levels: <ul style="list-style-type: none"> • 25 classification decisions expected
	In the event of an appeal being submitted to the Classification of Film Appeals Board, a written report will be submitted by IFCO to the board before their meeting to decide on the appeal.	Client classification queries/appeals.	Written reports to be submitted to the board at least one week in advance Engage informally with clients to explain reasoning behind classification decisions as appropriate.

	Gauge public perception of and satisfaction with IFCO function.	Public feedback.	All complaints responded to within 5 working days.
		Review and publish findings from independent customer research undertaken in 2021.	Research report to be published in conjunction with the draft Strategy Statement in Q3 2023. Follow up actions will be set out as part of the draft Strategy Statement
	Respond to consumer queries.	Response time.	Initial response within 2 working days.
	Continue to provide secretariat function to the Censorship of Publication Board and Appeals Board.	Provide any input, as may be required, with proposals on the future of the Boards being brought to Government by the Department of Justice in 2023 (Action 62 of the Justice Plan 2023).	Follow up and implement any relevant actions arising from the Government decision.

Strategic Priority No. 2

Delivery of High Standards and Best Practice with our business customers

Goal	Action	KPI	Target
Maintain best practice in dealings with business clients.	Ongoing engagement and positive working relationships with clients.	Meeting Classification deadlines	100% completion of classification by deadline date submitted with application unless client alters request.
		Continue to supply video licenses to businesses trading in DVDs in line with the requirements of the Acts.	90% (450) of licences expected to be renewed in 2023.
	Awareness of and effective response to client needs.	Continuing flexibility of scheduling viewing material.	Where schedule permits, 90% of client preferred viewing dates are met.
		Feedback from formal and informal discussions with key clients/industry association on at least an annual basis.	Director to attend conferences and any other relevant industry events. Structured Industry engagement on draft Strategy Statement 2023-2025.
	Maintenance of high quality service delivery.	Robust systems for delivery review, reporting and storage of content are in place.	Review current classification processes to ensure they are efficient and effective. Engage with IT to ensure that the Assistant Classifiers have secure remote access to IFCO communications, viewing and reporting systems. Develop and commence implementation of an

			action plan in consultation with IT and other relevant suppliers/ stakeholders to ensure that IT and AV systems are compatible with current technological and security standards.
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Strategic Priority No. 3

Continued Financial Responsibility and Excellence in Governance

Goal	Action	KPI	Target
Maintain strict budgetary controls	Detailed examination of monthly management accounts to ensure spending within allocation and correctly assigned	Maintain spending at or below budget and monitor monthly	Expenditure for year to not exceed €728,000
		Maintain income at or above target. Monitor monthly and submit required monthly returns to the Department.	Income target of €800,000 to be achieved
Excellence in governance	Continued engagement with the Department and other relevant agencies on governance matters.	Delivery of all required reports to the Department on time.	Develop and publish a Strategy Statement for 2023-2025 in Q3 2023. Annual Report to be delivered in June 2023.
		Financial controls reviewed on an annual basis.	Full implementation of the five Internal Audit Recommendations outstanding in November 2022 Report.
		Review current records management policies and processes to ensure compliance with GDPR.	Liaise with the National Archives with a view to supplying them with older classification records.

		Engage with the Department in delivering a Periodic Critical Review (PCR) of IFCO commencing in 2023.	Information and analysis in support of the PCR are provided to the Department in a timely manner
	Engage with and support other relevant public policy initiatives e.g. Public Sector Climate Action Mandate.	Climate Action initiatives and targets to be included in Strategy Statement 2023-2025	Publish new Strategy Statement in Q3 2023

Strategic Priority No. 4

Public Engagement and Education

Goal	Action	KPI	Target
Maintain and enhance profile and education role of IFCO.	Ensure that classification standards reflect Irish society and are understood by citizens with a particular younger or vulnerable viewers.	Publish relevant research on classification standards and Irish peoples' attitudes to relevant screen content.	Publish B&A National Survey of Parents commissioned by IFCO in 2021 in conjunction with draft Strategy Statement.

	<p>Work with stakeholders to ensure that cinema audiences have access to content that reflects the diversity of Irish society our cultural heritage.</p>	<p>Develop and implement a plan for engagement with stakeholders across the cinema value chain to facilitate the availability of relevant cinema content for Irish audiences.</p>	<p>Support DIFF and other relevant festivals to present a diversity of cinema content.</p> <p>Engage with schools and other educational settings as requested.</p> <p>Join the Media Literacy Ireland Network and participate in projects and initiatives relevant to its mission.</p>
<p>Continuing relevance of IFCO website.</p>	<p>Ensuring timely and accurate consumer information available to the general public.</p>	<p>Increase number of page views and users from 2022 figures by promotion of website and developing enhanced features.</p>	<p>300,000+ page views</p> <p>28,000+ website users.</p> <p>Review Irish language and access provision on the website.</p>

4. Potential Risk Factors

Reflecting the key priorities of the organisation, the following risks were identified as the main areas that could negatively impact on IFCO in 2023.

Risks	Control and Mitigants
As the number of theatrical and DVD submissions that are received online continue to rise, and remote working is normalized a failure of connectivity or security would be a serious impediment to IFCO's ability to function and possibly compromise release dates.	Ongoing Service arrangement with both the Department's IT unit and external providers to mitigate the effects of any interruption and ensure resumption as quickly as possible. Ensure all communication with remote staff is through Department's IT system.
Failure to meet financial targets.	Monthly reconciliation prepared and then approved by Director. Dual independent access to transact banking business.
Future and potential viability of DVD market with increase in online delivery of home entertainment – particularly through streaming services.	Monitor trends in home entertainment classification requests and licence applications. Engage with Coimisiún na Meán and other national and international stakeholders on the implementation of new statutory codes and rules on streamed home entertainment.
Business Continuity	New disaster recovery and business continuity plan being developed to reflect current post COVID working arrangements.

5. Monitoring Arrangements

The implementation of this agreement will be monitored through twice yearly, or more if required, governance meetings between IFCO and the Civil Governance Function in the Department to provide an update on developments and achievement of targets set out in this agreement.

IFCO undertakes to submit all relevant and appropriately detailed performance information in line with indicators and timeframes agreed with the Department in order to

- Enable monitoring
- Advise of any changes necessary and how best to address these
- Provide relevant performance information for the Revised Estimates process.

6. Duration of the Performance Delivery Agreement

The arrangements set out in this agreement will apply with effect from the date signed hereunder until the 31st December 2023, however the general provisions of the agreement will continue to apply until such time as a subsequent Performance Delivery Agreement is agreed.

7. Agreement Approval

Signed: _____

Dr Ciarán Kissane

Date: 25th April 2023

Dr. Ciarán Kissane, Director, Irish Film Classification Office

Signed: _____

[Signature]

Date: 25th April 2023

Dr. Stjohn O'Connor, Director, Civil Governance, Department of Justice