



Performance Delivery Agreement

Between

The Property Services Regulatory Authority

And

The Department of Justice

2023

Performance Delivery Agreement – PSRA 2023

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 2022 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 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 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 the pandemic 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 and its new Strategic Plan 2023 – 2026.

2. Inputs

2.1 Financial Inputs

The following table summarises the PSRA’s budget allocation for 2023.

Expenditure	2023 Budget Allocation
Pay	€2,339,000
Non-Pay	€1,064,000
Total	€3,403,000

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 Services Employers and an annual fee of €100 is payable by Employees. The estimated number of licenses to be issued in 2023 is approximately 6,000, comprising of circa 1,900 Employer licences and 4,100 Employee licences. The projected income for 2023 is approx. €2.2 million, in line with previous years.

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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.

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 2023	Staff Level 1st Jan 2023 (FTE)
CEO	1	1
Assistant Principal Officer	4	4
Higher Executive Officer	12	12
Administrative Officer	2	1.8
Executive Officer	11	10.8
Clerical Officer	10	9.5
Total	40	39.1

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 2023

The following key performance indicators will form part of the PSRA's Performance Measurement in relation to the PSRA Business Plan for 2023:

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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 2023
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 2023 concluded or under active investigation at year end
Acknowledgement of complaints received	3 working days
Commercial Lease Compliance rate	65%
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.

The Strategic Plan 2020 – 2023 will be superseded by Strategic Plan 2023 – 2026 on the 01 September 2023.

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

Goals	Actions	KPIs	Target/Timeline
Review of licensing system	Engagement with Department of Justice Civil Justice Legislation Function	Work on required legislative changes further progressed	Ongoing
Stipulate revised PII requirements following previous engagement with the insurance industry	Draft S.I.	S.I. drafted	Q2 - Dependent on response from Civil Legislation
	Draft guidance documentation for sector on updated PII requirements	Guidance documentation drafted and published	Q3 - Dependent on response from Civil Legislation
	Update Licensing procedures relating to PII as required	Procedures updated	Q3 - Dependent on response from Civil Legislation

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Enhanced Register of Licensed PSPs available	Engage with Business Analyst to evaluate and identify additional functionality requirements and automation of Register	Requirements identified	Subject to IM&T availability
Independent formal review of licensing qualification requirements completed	Engage a consultant to work with the Executive in undertaking a review of Qualification Regulations	Consultant appointed with terms of reference and scope for review agreed	Q4
Explore potential solutions to implement licence fee reconciliation	Engagement with IM&T and Escher regarding potential solutions	Compatible method identified to implement licence fee reconciliation	Q4 - Ongoing

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

Goals	Actions	KPIs	Target
Maintain an effective system of audit investigation to ensure PSP's compliance with the Property Services (Regulation) Act 2011 and the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 (AML Act)	Audits assigned to Inspectors (outsourced and internal)	Number of audits assigned	Ongoing
	Audits conducted	Number of audits completed	
	Draft reports and final decisions issued to Licensees	Timely notification to Licensees of outcome of the audit	

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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	
Independent Cost-benefit analysis undertaken to determine total value-for-money associated with insourced -v- outsourced audit inspections	Cost-benefit analysis undertaken	Incorporation of value-for-money recommendations considered	Q3

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

Goals	Actions	KPIs	Target
Monitor CPD Compliance	CPD compliance assessed during Audit process	Number of Assessments carried out in 2023	Ongoing
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	Publish agreed complaints process and target timelines	Q4

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	adjudicating on complaints received	Performance against targets monitored	
	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
Increase functionality and capabilities of PSRA Registers – working in conjunction with relevant Units of PSRA	Engage with Business Analyst to evaluate and identify requirements	Requirements agreed	Subject to IT availability
Sector engagement through the PSRA forum	Arrange bi-annual meetings with PSRA Forum members to discuss current topics/issues within the sector	Meetings arranged and key topics and frontline matters discussed and addressed	Q4
Engage with the Marts to advise on their obligations under Client Moneys Regulations and the Property Services (Regulation) Act 2011	Conduct face to face seminars countrywide to engage and make presentations to Marts and their committees to increase their awareness of their statutory obligations	Seminars conducted countrywide with all Marts and their representatives in attendance	Q2
Design and develop procedures and	Complete brand awareness survey	Recommendations of survey reviewed	Q2

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relevant Authority logo formats for issuing to sector	Design and develop procedures for issue of PSRA logo to licensees	Procedures completed and Authority logo formats available to licensees	Q4
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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
Continuing ongoing transition from paper based processes through implementation of digital and on-line solutions as appropriate	Implement digital/online solutions for submission of complaints and reports of unlicensed trading online	Facility available to submit complaints and reports of unlicensed trading online	Q4

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Migration from shared drive to e-doc platform	Review of files stored on shared drive and relevant changes made as required	Successful migration from shared drive to e-doc platform	Q2
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The Strategic Plan 2023 – 2026 will take effect from 1 September 2023, with the following Strategic Goals

Goal 1, Licensing and Regulation:

Operate a comprehensive and modern licensing system and effectively regulate the property services sector.

Goal 2, Consumer Projection:

Promote professional standards, specifying and enforcing qualification requirements, addressing unlicensed activity and operating an effective complaint and investigation process.

Goal 3, Sector Positioning, Promotion and Awareness: Further establish our position within the sector, through effective engagement with stakeholders, broader brand awareness and providing comprehensive publicly available registers.

Goal 4, People, Process and Change: Organise and resource the PSRA workforce, as well as its processes, technology, and systems, to efficiently meet the current and future needs of the organisation and the sector.

These strategic goals will form the basis for the Performance Delivery Agreement for 2024 and for further Agreements put in place for the lifetime of the Strategic Plan 2023 - 2026.

*** Review of Performance Measurement in 2023**

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.

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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 Risk Register ensures that risks are identified and assessed and necessary mitigating actions are put in place. The Risk Register operates by documenting and tracking risk and reporting on the status of agreed mitigation or actions. The Risk Register is updated regularly and submitted at all Audit and Risk Committee and Board meetings.

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.

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;

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- (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 2023, however the general provisions of the agreement will continue to apply until such time as a subsequent Performance Delivery Agreement is agreed



Maeve Hogan,
CEO,
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Date: 29/05/2023



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

Date: 29/05/2023