

**APPROVED PERFORMANCE AGREEMENT 2017
BETWEEN
THE National Disability Authority (NDA)
AND THE DEPARTMENT OF JUSTICE AND EQUALITY**

I. Introduction

The National Disability Authority is an independent body established under the National Disability Authority Act 1999. In accordance with Section 8 of the Act its principal function is to provide information and advice to the Minister for Justice and Equality on matters relevant to the lives of the persons with disabilities and their participation in economic, social and cultural life. Under further functions established in the Disability Act 2005 the NDA also has responsibility for monitoring employment of persons with disabilities in the public sector and for operating a Centre for Excellence in Universal Design to promote universal design. Detailed functions are appended to this agreement.

The National Disability Authority has its independent Board (the Authority) appointed by the Minister to provide governance oversight and direction, and oversee delivery on the statutory Strategic Plan approved by the Minister. The Equality Division in the Department of Justice and Equality is responsible for governance oversight on behalf of the Minister, as set out in this Agreement.

Purpose of this Performance Agreement

This Performance Agreement is a performance contract in which the outputs to be delivered by the NDA over the period of the Agreement are agreed as well as the communications arrangements between the NDA and the Department. It recognises that the nature of the NDA work entails engaging and delivering outputs relevant to the Department of Justice and Equality as well as those specific to other Departments, Public Sector Agencies and other relevant stakeholders.

This Agreement seeks to (a) facilitate the NDA in carrying out its functions as an independent body, (b) progress the ongoing development of output measures for its expenditure, and (c) continuously improve the NDA's effectiveness and efficiency as a public sector body.

Objectives of Agreement

The key objectives of this Agreement are:

- to define the NDA's role in relation to Department of Justice & Equality and its agencies as appropriate, as well as its role with regard to other Departments, agencies and relevant stakeholders;
- to define the Department of Justice & Equality's expectations of the NDA;
- to define the inputs, outputs, and expected outcome of the NDA's activities;
- to enable the NDA to carry out its functions as provided for in the National Disability Authority Act 1999 and Disability Act 2005; and

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- to measure performance of those functions through monitoring of agreed targets, output and outcome indicators, while acknowledging that outcome indicators will be hard to define for all areas given the nature of work involved and advisory role of the NDA.

Mutual Commitments

Both the NDA and the Department commit to ensure:

- timely communication, co-operation, and information sharing on our work and outputs as appropriate to this Agreement, keeping each other fully apprised and updated on all key issues
- prompt and timely responses to correspondence, information requests and related matters
- a co-operative and problem-solving approach, with proactive communication to resolve any issues that may arise

The annual budgetary provision for the NDA form part of the Estimates for the Justice & Equality Vote and the requirements of the NDA will be considered in that context.

The Department commits to:

- Liaise with Department of Public Expenditure and Reform to ensure timely sanctions for expenditure and sanctions as appropriate
- Provide updates on expenditure, HR and other relevant procedures and guidelines and provide guidance on such matters.
- Provide Internal Audit Service
- Provide quality shared services where established. In 2015 this includes financial shared services for processing payments (excluding payroll), ICT support service and print management.
- Liaise with NDA on public service reform initiatives.
- Support NDA in getting access to information from other Departments and their co-operation as appropriate, as well as opportunities to present NDA research and advice to the Senior Officials Group
- Consult with the NDA in relation to the review of its role, and ensure that the review is conducted in an open and collaborative fashion in partnership with the Authority and all other relevant stakeholders.
- Provide early alerts on any developments relevant to role and operations of the NDA.

Corporate Governance

NDA commits to:

- deliver on our statutory functions to produce annual report, to report on compliance by public sector bodies with employment target and submit strategic plans within the statutory timeframes and to produce a Strategic Plan 2019 to 2021 for the Minister by June 2018.
- good governance and implementing the Code of Practice for Governance of State Bodies and the NDA's governance manual and policies.
- ensuring effective controls are in place through policies and practice and also through the operation of Finance, Audit and Risk Management Committees

Inputs

Finances

The Department will provide an annual grant to the NDA, which will be €4.028m in 2015. The NDA will ensure proper use of this funding in the operation of the NDA and delivery of its work programme and will ensure effective monitoring and reporting on expenditure. Monthly management accounts will be produced and monitored by the Senior Management Group, the Finance Committee and the Authority. Copies will also be provided to the Disability Policy Unit in the Department.

Where new project costs exceed €50k, the NDA will adhere to requirements to receive sanctions from the Authority and the Department as appropriate, before issuing contracts.

The NDA will transfer income received from the HSE for temporary officer and from private tenants for accommodation and service charge as appropriate.

The NDA adheres to the Haddington Road Agreement with regard to salaries for staff. The Department recognises that a large portion of the pay budget relates to pension payments for former staff of the NRB and NDA and will work with the NDA on the transfer of this liability to the Paymaster General on enactment of the Miscellaneous (Disability) Bill 2015 and determination of an appropriate commencement date for same.

Staff Resources

The NDA is responsible for recruiting its own staff and operates its own HR unit. The NDA currently has 32.5 WTE posts and continues to fill posts as they become vacant. The NDA will present a business case to the Department seeking sanction to fill new posts as appropriate in order to deliver on the strategic plan.

Details of current staff resources are appended.

Performance Measurement – Agreed Outputs, Targets and Impact indicators

The following are the targets specific to the Department of Justice and Equality in 2017:

- Input to the review of the role of the National Disability Authority
- Annual Report 2016
- Statutory Report on Employment of Persons with Disabilities in the Public Sector 2016
- Follow up and Advice to Public Bodies who are being examined in relation to possible non-compliance with Part 5 of the Disability Act
- Advice further to review of Part 4 of the Disability Act
- Advice to support implementation of the National Disability Strategy Implementation Plan (NDSIP) as appropriate
- Advice on implementation of the Assisted Decision Making (Mental Capacity Act) and prepare draft codes of practice as committed

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- Advice on the implementation of the Comprehensive Employment Strategy for Persons with Disabilities
- Outputs as committed in the Comprehensive Employment Strategy for Persons with Disabilities, including research report on vocational rehabilitation and follow on advice paper; good practice in employment in public sector; draft policy approach on supported employment and related implementation plan.
- Deliverables as committed in the Autism Action Programme, including Guidelines on Autism for Housing Officers, revised Code of Practice on accessible public services and information, guidelines on autism and line management
- Provide advice and support in relation to recommended approach on assistive technology and appliance costs arising from Make Work Pay report recommendation
- Provide advice and support in relation to recommended approach on transport costs for individuals arising from Make Work Pay report recommendation
- Provide advice and support in relation to the Department's Disability Awareness Funding Programme 2017, as appropriate
- Deliver on the annual work plan as agreed by the Authority.
- Commence work to guide draft NDA Strategic Plan Report 2019 – 2021

The NDA annual work plan 2017 sets out targets and expected timeframes for deliverables (see appendix), relevant to the Department of Justice and Equality as well as those specific to other Government Departments and Agencies in 2017 and actions we progress to deliver on statutory functions, for example:

- Universal Design deliverables including in particular the partnership project with the Department of Housing, Planning, Community and Local Government on a Smart Ageing Design Challenge;
- A programme of projects to guide the transformation of disability services under the Transforming Lives policy, which include evaluation of new models of support and cost benefits of same, developing a person centred framework, developing a quality assurance framework etc.
- Engagement with the Department of Public Expenditure and Reform on adopting universal design in implementation of Digital First Strategy
- Engagement with the further education and 3rd level education sectors on adopting universal design in course of education;
- Delivery of research on universal design in CPD for Architects with RIAI
- Advice to the Department of Health on Advance Care Directives and Deprivation of Liberty considerations.
- Conducting a monitoring exercise on accessibility of public transport.

The NDA engages with Departments and with disability stakeholders through bi-lateral meetings and through its membership of working committees and in some cases project work e.g. workshops, project advisory committee, consultation events. Engagement with the disability sector includes 2 formal meetings per annum with each of the umbrella disability organisations. The NDA also engages with a wider range of stakeholders in relation to its universal design role including industry and professional, educational and standards bodies.

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The achievement of these targets will be impacted by a range of factors including engagement by stakeholders where required, quality of contracted works and in some cases external factors beyond the NDA's control. Where delays arise or new priorities displace projects, the timeframe for delivery may need to be extended including carrying into 2018 where appropriate.

The NDA will report on progress on targets at quarterly meetings and in between where appropriate.

Research and Policy Advice

As referred above the principal function of the NDA is to provide information and advice to the Minister. This will be provided through various means including letters, written advice papers and reports and in verbal reports where appropriate.

The NDA also has functions in relation to research and this work will include research undertaken by the NDA, commissioned by the NDA and funded through its Research Promotion Grant Scheme, as well as partnership projects where relevant and appropriate. Commissioned works will include those through open tender competitions.

The NDA's policy advice will be informed by research, by engagement with people with disabilities and disability organisations as appropriate, and by engagement with relevant Departments and agencies.

Standards and Monitoring

The NDA also has functions to assist in the development of standards and codes of practice and to monitor their implementation as appropriate. In 2017 this will include continued work to guide the HSE on quality assurance framework and monitoring the public transport in line with the code of practice.

Universal Design

The NDA operates the statutory Centre for Excellence in Universal Design (CEUD) and will continue to work with the wide range of relevant stakeholders in the public sector, industry, standards bodies (national and international), professional and educational bodies and to promote awareness generally. Key deliverables have been identified in the work plan 2017.

Flexibility and Amendment of Targets

The NDA is committed to deliver on the established work plan for 2017. However, it also recognises the need to be allow for flexibility to respond to priority demands which may arise over that year e.g. requests for research from a Minister or officials to guide national priorities. The NDA will review the work plan ongoing to facilitate flexibility for responding as appropriate. Targets and timelines may be impacted by adjusting priorities but may also be impacted by other factors.

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Monitoring Arrangements

The National Disability Authority operates to a Strategic Plan approved by the Minister for Justice and Equality, and has its independent statutory Board. The Disability Policy Unit in the Department of Justice and Equality exercises general oversight on a day to day basis on behalf of the Minister.

The implementation of this Agreement will be monitored through:

- Quarterly meetings between the Director of the NDA and senior management group and the Disability Policy Unit in the Department at which the NDA will provide an update on developments in relation to the performance targets and other relevant issues and the Department will also share information on developments relevant to the work and role of the NDA.
- NDA undertakes to submit all relevant and appropriately detailed performance information in line with indicators and timeframes agreed with Dept; to enable monitoring; to advise on where any changes necessary and how propose to address these; to provide relevant performance information for the Revised Estimates process.

Duration of Agreement

Signature 

Date 3 April 2017

Signature Suehan Barron

Date 3 April 2017

Appendix – NDA Staff Resources 2017

32.5 WTEs

1 x PO (I)	Director
1 x Grade V	Personal Assistant to Director
1 x PO	Head of Policy, Research and Public Affairs
4 x APs	Senior Policy Advisors
2 APs	Senior Research Officer
1 x AP	Temporary Senior Research Officer
0.5	Research Officer
2 x HEOs	Policy Advisors
2 x AOs	Temporary Code of Practice Project Officers
2 x Grade IV	Administration Officers
1 x PO	Chief Officer CEUD + Head of Standards & Monitoring
3 x APs	Senior Advisors -Built Environment, Products/Services + ICT
2 x APs	Senior Standards Officers
1 x HEO	Standards Officer
2 x Grade IV	Administration Officers
1 x GrIII	Administration Assistant
1 x AP (I)	Corporate Services Manager
1 x Gr VI	Finance Officer (absent on long-term sick leave)
3 x Gr IV	Administration Officers
1 x GrIII	Receptionist