

2016 – mid-2017 PERFORMANCE AGREEMENT BETWEEN

THE DEPARTMENT OF JUSTICE AND EQUALITY

AND

THE GARDA SÍOCHÁNA INSPECTORATE



**AN ROINN DLÍ AGUS CIRT AGUS COMHIONANNAIS
DEPARTMENT OF JUSTICE AND EQUALITY**



**GARDA
INSPECTORATE**

PROMOTING EXCELLENCE & ACCOUNTABILITY

1. Introduction.

The Garda Síochána Inspectorate was established under Part 5 of the Garda Síochána Act 2005. Its objective is to ensure that the resources available to the Garda Síochána are used so as to achieve and maintain the highest level of efficiency and effectiveness in its operation and administration as measured by reference to the best standards of comparable police services. In fulfilment of its objective, the Inspectorate carries out inspections and provides advice to the Minister and the Policing Authority.

The Inspectorate is independent in the performance of its functions.

A person is not eligible to be appointed as a member of the Inspectorate if he or she is or has been a member of the Garda Síochána.

2. Objectives of the Performance Agreement

The purpose of this Agreement is to strengthen governance arrangements which are in place for the Garda Inspectorate. This Agreement replaces the Work Programme of the Inspectorate, which was previously the mechanism for identifying outputs from the Inspectorate, and will track the inputs and outputs of the Inspectorate over the period 2016 to mid-2017 to coincide with the term of office of the current Inspectorate.

The objectives of this Agreement are:

- To set out the accountability framework of the Garda Inspectorate within the Justice and Equality sector;
- To support the Inspectorate to carry out its functions as detailed in the Garda Síochána Act 2005 as amended;
- To set out the inputs, outputs, and expected outcome of the Inspectorate's activities;
- To measure performance of those functions through monitoring of agreed targets, outputs indicators

3. Corporate Governance

3.1 Chief Inspector

The Chief Inspector has overall management responsibility for the Inspectorate and, in this capacity, he is also responsible for the implementation of effective corporate governance so as to ensure that the Inspectorate's statutory obligations are fully discharged.

To assist with the implementation of its functions, the Inspectorate has developed the Protocol for the Provision of Information by the Garda Síochána to the Garda Síochána Inspectorate (2008).

3.2 Inspection reports

Reports of inspections carried out by the Inspectorate are published on its website at www.gsinsp.ie. These reports include recommendations for the improved efficiency and effectiveness of the performance of the Garda Síochána.

3.3 Financial expenditure

While the Inspectorate is independent in the exercise of its functions, its budget sits within the vote of the Department of Justice and Equality (Vote 24). Thus, the Secretary General of the Department is the Accounting Officer in respect of expenditure undertaken by the Inspectorate.

3.4 Code of Practice on State Bodies

Proposed revised text as advised by Corporate Governance Unit of the Dept

The Garda Síochána Inspectorate is subject to a range of corporate governance obligations including the Code of Practice for the Governance of State Bodies, a revised version of which is expected to issue shortly from the Department of Public Expenditure and Reform. To confirm compliance with key provisions of the Code of Practice and the Governance Framework for the Department of Justice and Equality, the Inspectorate will complete, on an annual basis, a Compliance Statement in order to provide risk assurance to the Department that the systems of internal control, risk management and other areas of compliance are operating effectively. Governance obligations will also be reviewed as part of the overall monitoring process of the Performance Agreement itself as set out in paragraph 6.1 below.

4. Mutual Commitments

- Both parties commit to proactive and timely communications, cooperation and information sharing on service delivery;
- Both parties support the effective achievement of agreed targets, as well as the promotion of partnership, responsiveness and mutual cooperation in their ongoing interactions;
- Both parties support prompt and timely responses to correspondence, information requests and related matters.
- Both parties commit to keep each other fully apprised and updated on all key issues.

The Department of Justice and Equality will provide the following supports to enable the Inspectorate to fulfil its mandate:

- Where required, liaise with the Department of Public Expenditure and Reform to ensure as far as possible, timely sanction for expenditure and staffing in line with Public Financial Procedures and Civil Service HR Policy Guidelines;
- Provide updates on Public Financial Procedures and Civil Service HR Policy Guidelines;
- Provide guidance on Civil Service HR Policy, public expenditure, remuneration and industrial relations, procurement and contracts;
- Provide guidance on Government Accounting and Governance;
- Provide financial services (e.g. payroll and accounting services) through the Department's Financial Shared Services;

- Provide advice in relation to proposed IT projects and resulting expenditure and prompt review (by the ICT governance group) of the sanctioning of project related expenditure;
- Liaise with the Inspectorate in relation to Public Service Reform initiatives.

The Department will continue to liaise with the Inspectorate on matters which impact on its functions, including the reform agenda for the justice sector.

5. Inputs

5.1 Financial Inputs

The budget for the Garda Inspectorate is provided in Subhead A6 of Vote 24 (the Department of Justice and Equality).

The Tables below indicate the budget allocation for 2015 and 2016, as well as the outturn for 2015.

Table A – Pay Expenditure

Year	Budget Allocation €000	Actual Expenditure €000*
2015	889	802
2016	862	
2017		

Table B – Non-Pay Expenditure

Year	Budget Allocation €000	Actual Expenditure €000*
2015	393	214
2016	393	
2017		

Table C – Total (Pay and Non Pay) Expenditure

Year	Budget Allocation €000	Actual Expenditure €000*
2015	1,282	1,016
2016	1,255	
2017		

5.2 Staff Resources

In accordance with the requirements of the Garda Síochána Act, the Inspectorate comprises a Chief Inspector and two members. The current inspectorate, which will serve up to 29 June 2017, consists of:

- Mr Robert Olson, Chief Inspector
- Mark Toland, Member.
- Member Vacancy¹

The staff of the Inspectorate are serving officers of the Department of Justice and Equality. Excluding the three Inspector posts, the Inspectorate currently has a staff complement of 10.

¹ A competition has taken place to fill the Member vacancy in 2016.

Grade	No
Principal Officer	1
Assistant Principal Officer	2
Higher Executive Officer	1
Researcher	1
Executive Officer (vacant as of Nov 2015)	1
Clerical Officer	3
Service Officer	1

The Inspectorate, with the approval of the Minister, may arrange for the engagement of police officers from any police service outside the State. It also has the facility to engage from any body consultancy or advisory services in connection with the performance of its functions.

The Moratorium on Public Service Recruitment applied to the Inspectorate up to 2015. It has now been replaced with delegated sanction where staffing demands are met within budgetary constraints. In this context, the Inspectorate is required to manage and prioritise work and to seek efficiencies where they can.

The Inspectorate's Headquarters are located at 87 St Stephen's Green, Dublin 2.

6. Service Levels and Performance Measurement 2016- mid 2017

These agreed targets may be revised to accommodate further specific outputs which at the time of signing of the Agreement have yet to be defined but are undertaken by the Inspectorate during the period covered by the Performance.

6.1 Agreed Administration Targets

The following are the administrative targets agreed with the Inspectorate:

- (i) The Inspectorate will ensure that expenditure for each financial annual year will not vary from its projected budgetary expenditure for that year except in exceptional circumstances and following agreement from FMU.
- (ii) The Inspectorate will continue to make use of best practices in the areas of staffing, resourcing, budget, office management and security.
- (iii) The Inspectorate will continuously monitor all aspects of its work, engage with stakeholders and contribute to policy development as required.
- (iv) In accordance with the Code of Practice and the Governance Framework, the Inspectorate will complete an annual Compliance Statement in order to provide risk assurance to the Department that the systems of internal control, risk management and other areas of compliance are operating effectively.
- (v) Develop protocols/ memoranda of understanding, as required.

6.2 Agreed targets relating to the Inspectorate's statutory functions.

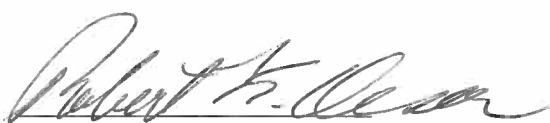
- (i) The number and title of inspections/inquiries initiated under section 117(2)(a) of the 2005 Act (as amended)²:
 - **A follow-up review of the Inspectorate 2012 report entitled "Responding to Child Sexual Abuse";**
- (ii) The number and title of reports which were submitted to the Policing Authority or the Minister under section 117(2)(b) of the 2005 Act;
 - **Expected submission in 2016 of a follow-up review of the Inspectorate 2012 report entitled "Responding to Child Sexual Abuse".**
- (iii) Where appropriate, the provision of advice to the Policing Authority or the Minister with regard to best policing practice in accordance with section 117(2)(c) (number and titles).

7. Monitoring Arrangements

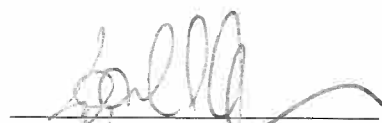
In accordance with the Department's policy on the monitoring of governance arrangements in relation to the agencies within its remit, the Inspectorate will meet with the Department at Assistant Secretary level twice yearly, or more frequently if required, to provide an update on developments and achievements of targets as set out in this Framework.

8. Duration and Signatories of the Framework.

The Inspectorate and the Assistant Secretary of the Department of Justice and Equality agree that the arrangements as set out in the attached Performance Agreement will apply with effect from the date signed hereunder until the 29 June 2017, the date on which the term of office of the current Garda Inspectorate expires.



Robert K. Olson
Chief Inspector of the Garda
Síochána Inspectorate



John O'Callaghan
Assistant Secretary
Department of Justice & Equality

June 2016

17 June 2016

² Section 117(2)(a) provides for inspections/inquiries to be initiated by the Inspectorate at its own initiative, or at the request of the Policing Authority or the Minister.