

Performance Delivery Agreement

between

The Department of Justice and Equality

and

The National Disability Authority (NDA)

2020

Performance Delivery Agreement

I. Introduction and Objective of the Agreement

This Performance Delivery Agreement (PDA) has been drawn up by the Department of Justice and Equality (“the Department”) in consultation with the National Disability Authority (NDA) 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 Oversight/Performance Delivery Agreement 2019 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 NDA can be measured and assessed.

As per the Code of Practice, with reference to PDAs, *“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 documents the agreed level of service between the parties in order to facilitate improved effectiveness and efficiency of relevant public services. It sets out the NDA’s key targets for 2020 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 NDA.

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

The Agreement will support the NDA’s Strategic Plan 2019-2021.

2. Inputs

2.1 Financial Inputs

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

The Department will provide an annual grant to the NDA, which in 2020 will be as follows:

Pay: €3,067,000

Non-Pay: €1,777,000

Total: €4,844,000

The Department recognises that the pension portion of the pay budget relates to pension payments for former staff of the NRB and NDA, but that this liability will be transferred to the Paymaster General further to amendments of the National Disability Authority Act 1999.

The non-pay expenditure includes key central services, training, Authority fees, general running costs and a wide range of project work (research – commissioned, field work, surveys, focus groups, consultation as well as conferences, round table discussions, workshops, guidelines, codes of practice, assessment, and indicator development) in addition to specific projects relevant to disability-awareness raising activities.

The NDA owns the building in which its offices are situated and therefore incurs expenditure for maintenance and refurbishments as required. The NDA avails of shared services including:

- Financial Shared Services
- ICT shared service
- Shared Print Management Services
- Payroll Shared Services

The NDA will ensure proper use of funding in the operation of the NDA and delivery of its work programme, including in relation to delivering on its statutory function to independently commission research, and will ensure effective monitoring and reporting on expenditure. Monthly management accounts will be produced and monitored by the Senior Management Group, the NDA Finance Committee, the NDA Audit Committee and the Authority. Copies will also be provided to the Department, as required.

Where new project costs exceed €50k, the NDA will submit requests to support timely consideration and approval of same by the Department as appropriate, before issuing contracts. The NDA will transfer to the Department any income received including from the HSE for temporary officers and rental income received from private tenants for accommodation and service charges as appropriate.

The NDA adheres to the public service policies as directed by the Department of Public Expenditure and Reform with regard to salaries for staff.

2.2 Staff Resources

The NDA is responsible for recruiting its own staff and operates its own HR unit. The NDA has a staff complement of 36.8 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 any additional new posts as appropriate in order to deliver on the strategic plan. Details of the staff complement for 2020 are as follows (represented as 36.8 WTE):

Principal Officer (Higher)	1
Principal Officer (Standard)	2
Assistant Principal Officer (Higher)	1
Assistant Principal Officers (Standard)	15 (Including 1 x temporary)
Higher Executive Officer	6.8 (including 0.8 x temporary)
Executive Officer	1
Admin Grade IV	7 (including 1 x temporary)
Admin Grade III	2
Clerical Officer	1

To note, a new Director will be recruited in 2020 subject to receipt of relevant sanction from the Department of Public Expenditure and Reform.

3. Outputs and Targets

The following section sets out Key Performance Indicators which can be used to assess the NDA's progress towards achieving its key mandate and core function, i.e. the delivery of evidence-informed advice, active monitoring and evaluation of policy implementation, compliance with employment targets and accessibility requirements by the public sector, and the promotion of universal design to key stakeholders.

The NDA's current work programme is based on the following 5 strategic priorities, and the successful completion of projects are in some cases dependent on the engagement by the relevant stakeholders which include government departments, agencies and universal design stakeholders (e.g. educational and professional bodies):

- To provide research-informed advice to government to guide the development and implementation of national policies, programmes and strategies relevant to the lives of persons with disabilities
- To understand and advise on societal changes, challenges and opportunities that impact on the lives of persons with disabilities

- To promote and monitor the implementation of Codes of Practice, standards and guidelines in services, and to evaluate policy and practice
- To continue to build awareness and adoption of the concept of Universal Design, maximising independence and participation for all
- To continue to be an effective and pro-active organisation, committed to delivering on our strategic priorities and communicating our work

The NDA's annual workplan for 2020 includes those statutory commitments specific to the organisation and to the Department of Justice and Equality, such as:

- Submit draft financial statements for 2019 to the Department in February 2020
- Produce and publish NDA Annual Report 2019 before end of June 2020 (subject to being laid before the Houses of the Oireachtas)
- Deliver on the annual work plan 2020 as agreed by the Authority

The work plan covers a range of projects with targets and estimated timeframes for deliverables, including those relevant to the Department of Justice and Equality as follows, as well as those specific to the policy and service remit of other Government Departments and Agencies. The following list of targets does not represent the full list of projects that the NDA may deliver over the course of the year.

Strategic Priority I: To provide research-informed advice to government to guide the development and implementation of national policies, programmes and strategies relevant to the lives of persons with disabilities.

Performance Indicators to include the following:

Goal	Action	KPI	Target
<p>To ensure advice and guidance to support implementation of:</p> <ul style="list-style-type: none"> National Disability Inclusion Strategy (NDIS) UNCRPD by government departments and agencies 	Produce independent analysis of progress in implementation of the Strategy	Report on analysis of key areas	Q2 2020
	Advise Departments and Agencies on the implementation of NDIS	Advice inputs – verbal and written	Throughout 2020
	Produce report on the outcome of NDIS to date in line with agreed indicators	Report produced	Q2 2020
	Undertake research and advise on implementation of the UNCRPD	Advice produced through bilateral engagement and written papers as appropriate.	Throughout 2020
	Research and advise on the role of Disabled Persons Organisations in engaging with public policy	Research and advice paper to guide Govt Depts	Q2-2020
To guide the implementation of the Comprehensive	Advise on the implementation of 3 year action plan by Government	Advice – verbal and written, bilaterally with Departments/agencies	Throughout 2020

<p>Employment Strategy 2015 - 2024</p>	<p>departments 2019 – 2021</p> <p>Implementation of NDA Actions including:</p> <ul style="list-style-type: none"> • employer project with OECD • Guidance on Reasonable Accommodations <p>Conduct an assessment on progress in implementing plan in 2019</p> <p>Assess progress against agreed suite of indicators</p> <p>Prepare policy advice on Vocational Rehabilitation for Minister</p>	<p>and inputs to Steering Group (4-6 meetings per year).</p> <p>Research project with OECD scoped and commenced</p> <p>NDA input to OECD research provided</p> <p>Guidance on Reasonable Accommodations published and launched</p> <p>Assessment paper delivered and published</p> <p>Report delivered and published</p> <p>Advice paper prepared and delivered</p>	<p>Quarterly to meetings of the Steering Group</p> <p>Q2 2020</p> <p>Q4 2020</p> <p>Q4 2020</p> <p>Q2 2020</p> <p>Q2 2020</p> <p>Q3 2020</p>
<p>To guide on the implementation of the national Transforming Lives Programme by the HSE and the Department of Health</p>	<p>Advice to the HSE on key elements including implementation of New Directions, Person Centred Planning Framework, Quality framework etc.</p> <p>Complete evaluation of decongregation in selected sited including analysis of outcomes and costs</p>	<p>Advice delivered through membership of key working groups and committees</p> <p>Report of evaluation completed and submitted to HSE</p>	<p>Throughout 2020</p> <p>Q4 2020</p>

	Advice to Dept of Health, HSE and other relevant stakeholders on Assessment of Need process for children and separate process for adults	Advice – written and verbal	Q3 2020, pending alignment with Dept of Health/HSE requirements
To guide on the implementation of personalised budgets demonstration projects by the HSE, including evaluation of same	Commission the evaluation of personalised budgets demonstration projects.	Contractor appointed and evaluation commenced Progressed through key stages of pilot project over 2020/21 with completion pending HSE activity.	Q2 2020 Q4 2021 tbc
Disability Awareness Initiatives	<ul style="list-style-type: none"> • Fund project for delivery of Disability in Employment awareness training materials • Schools competition project 	Training materials piloted and hosted by beneficiaries on online platform Competition conducted	Q2 2020 Q4 2020
Annual Conference delivered to guide on key policy area	Prepare and deliver conference for policy makers and practitioners on relevant theme	Conference delivered	Q4 2020

Strategic Priority 2 - To understand and advise on societal changes, challenges and opportunities that impact on the lives of persons with disabilities

Performance Indicators to include the following:

Goal	Action	KPI	Target
Advise on Assistive Technology matters	Host round table discussion	Round table delivered.	Q1 2020

	Develop policy advice	Advice paper for national policy and systems approach produced.	Q3 2020
Research Promotion Grant Scheme 2019/20	Fund and manage 2 projects on homelessness and disability	2 research grant projects to be completed by beneficiaries on relevant topics. 2 reports to guide policy.	Q4 2020

Strategic Priority 3 - To promote and monitor the implementation of Codes of Practice, standards and guidelines in services, and to evaluate policy and practice

Performance Indicators to include the following:

Goal	Action	KPI	Target
Establish monitoring mechanism for measuring accessible public transport services	Implement mechanism in public transport services	Piloting a Monitoring Tool to measure accessibility of Public Transport Services	Q3 2020
		Report of the pilot exercise to validate the tool for rollout.	Q4 2020
		Commence scaled up monitoring exercise of all public transport services	Q4 2020
Report of Compliance with Public Sector Employment Target	Assess performance by public bodies in employing persons with disabilities	Annual statutory report to Minister by 30 November.	Q4 2020

Promote compliance with Public Sector Employment Target	Follow up with non-compliant bodies Issue statutory determinations where appropriate for 2017/2018	Letters to bodies Determinations agreed and communicated with directions for action.	Q1 2020 Q2 2020
Follow through findings of the Section 25 Review	Develop Code of Practice for Public Buildings pending direction from Minister for Justice and Equality	Commence engagement with stakeholders on the development of the Code Finalise production of Code for approval by the Minister, that defines how Public Buildings can be accessible	Q2 2020 Q3 2021
Publish revised Code of Practice on Accessible Public Services and Information (revised)	Publish and disseminate Code for compliance by government departments and agencies	Code published and disseminated to all relevant stakeholders	Q2 2020

Strategic Priority 4 - To continue to build awareness and adoption of the concept of Universal Design (UD), maximising independence and participation for all

Performance Indicators to include the following:

Goal	Action	KPI	Target
Implement European Standard with UD focus on design process.	Engagement with key stakeholders on exemplars of	Exemplars published demonstrating the benefits of a UD process in a range	Q4 2020

	implementing UD Standard.	of different organisations.	
Guide national standard with UD focus for accreditation of utilities sector	Support the development on an accreditation system through ongoing engagement with NSAI and Commission for Regulation of Utilities (CRU) Collaborate with the NSAI and CRU on the implementation of the published Standard	Further engagement with NSAI and CRU to advance the potential of an Accreditation system,	Ongoing over 2020 Q1 2021
UD curricula for Junior Cert – Phase 2	Engagement with over 30 schools on the delivery of Power of Design Module while to identify a future sustainable model	Report on impact of module in 30 schools and plan for future roll out	Q4 2020
Guide continued professional development of IT professionals with UD focus	Continued engagement with Irish Computer Society (ICS) on developing and delivering 1 st phase of training on accessible ICT to IT professionals in both public and private sectors.	Suite of courses agreed for delivery by ICS	Q4 2020
Develop e-learning module content on UD for architects	Develop e-learning module based on first case study on built environment with support from Royal Institute of	Material for e-learning module produced	Q2 2020

	Architects Ireland (RIAI) members Trial with RIAI members	Trial module delivered to inform next stages	Q3 2020
Engage stakeholders in Universal Design Grand Challenge to promote awareness and adoption	Deliver design challenge with 3 rd level institution engagement Follow up with Enterprise Ireland on funding to develop the ideas further	Challenge delivered Enterprise Ireland grants secured for winning students ideas/concepts	Q4 2020 Q4 2020
Advice on Universal Design Schools to support inclusive education for children with disabilities	Develop Paper Review Technical Guidance Documents to embed Universal Design Research and develop practical guidance and examples of good practice pending funding	Briefing paper submitted to NCSE Guidance documents reviewed and advice to Dept of Education and Skills Research and guidelines finalised	Q1 2020 Q3 2020 Q1 2021 tbc

Strategic Priority 5 - To continue to be an effective and pro-active organisation, committed to delivering on our strategic priorities and communicating our work

Performance Indicators to include the following:

Goal	Action	KPI	Target
Ensure effective facilities	Progress building improvements	Project management in place	Q2 2020 Q3 2020

		Electrical and accessibility works and refurbishment commenced guided by available budget	
Upgrade websites	Enhance accessibility and communications functions of 2 organisational websites	Tender for relevant expertise completed Upgrading and redesign completed	Q1 2020 Q4 2020
Enhance Communications	Develop and implement Communications Strategy	Strategy developed Implementation of Strategy commenced	Q3 2020 Q3 2020
Implement findings of independent Risk Management Review	Implement list of actions	All actions implemented	Q2 2020

4. Flexibility and Amendment of Targets

The NDA is committed to deliver on the established work plan for 2020. However, it also recognises the need to allow for flexibility to respond to priority demands which may arise over that year e.g. new requests for research from a Minister or officials to guide national priorities. The NDA will review the work plan on an ongoing basis to facilitate flexibility for responding where possible and as appropriate. Targets and timelines may be impacted by adjusting priorities but may also be impacted by other factors as referred above. 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. 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.

The achievement of the targets in the NDA work plan 2020 will be impacted on by a range of factors including the extent of engagement by stakeholders where required, quality of contracted works, available resources 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 2021 where appropriate. The NDA will report on progress on targets at governance meetings with the Civil Governance Function, and in between where appropriate.

5. Potential Risk Factors

The NDA operates a formal Risk Management policy, maintains a Risk Register and has an Audit Committee appointed by the Authority which advises the Authority on risk matters. In addition, the NDA also has an appointed a Risk Officer and Risk Committee. The Risk Committee reports to the Audit Committee. The Risk Register is updated on an ongoing basis in accordance with the Department of Finance Guidelines. The NDA's Risk Register ensure that risks are identified and assessed and necessary mitigating actions put in place and implemented, as appropriate. Risk is considered at Authority meetings throughout the year. The NDA agreed a Risk Appetite Statement in 2019

Reflecting the key priorities of the organisation, the following potential risks were identified as the main areas that could negatively impact on the NDA in 2020:

Risks	Controls & Mitigants
Challenges in delivering consistent, high quality, and time-relevant outputs to deliver on statutory research functions particularly due to the dependency on attracting suitably qualified contractors and implications of challenges from recent consent and ethics requirements as new regulations and systems impact project timelines.	Quality and project management systems in place for commissioned work. Ongoing engagement with the relevant national Consent Declaration Committee to secure consent for NDA research, as well as engagement with the Data Protection Commission. Engaging with relevant Ministers regarding the establishment of a National Research Ethics Committee.
Challenges to ensuring timely and effective compliance with governance requirements with regarding GDPR and Public Sector Duty.	Action programmes developed for GDPR and Public Sector Duty, and improvements on Risk Management which are being implemented supporting compliance with relevant requirements.
Challenges to achieving better and more extensive awareness and understanding of NDA role and outputs among wide range of stakeholder groups.	Enhance communications through the development of a new organisational communications strategy and redesign of the NDA's websites.

6. Monitoring Arrangements

The NDA operates to a Strategic Plan approved by the Minister for Justice and Equality, and has its independent statutory Board.

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

The NDA undertakes to submit all relevant and appropriately detailed performance information in line with indicators and timeframes agreed with the Department; to enable monitoring; to advise on any changes necessary and how best to address these; to provide relevant performance information for the Revised Estimates process.

7. Duration and Review of the Oversight and Performance Delivery Agreement

The arrangements as set out in this Agreement will apply with effect from the date signed hereunder until 31st December 2020.

8. Agreement Approval

Signed: Siobhan Barron Date: 15/04/2020
Siobhan Barron, Director, NDA

Signed: Yvonne White Date: _____
15/4/2020
Yvonne White, Director, Civil Justice and Equality, Governance Function,
Department of Justice and Equality

Appendix

Functions of the National Disability Authority under section 8 of the National Disability Authority Act 1999

The principal function of the National Disability Authority is to advise the Minister for Justice and Equality regarding issues of policy and practice relating to disability and to act as a central, national body which will assist the Minister in the coordination and development of policy in relation to persons with disabilities.

Additional functions:

- To undertake, commission or collaborate in research projects and activities on issues relating to disability and to assist in the development of statistical information appropriate for the planning, delivery and monitoring of programmes and services for persons with disabilities
- To advise the Minister on appropriate standards for programmes and services provided, or to be provided, to persons with disabilities and to act as an advisory body with regard to the development of general and specific standards in relation to such programmes and services
- To monitor the implementation of standards and Code(s) of Practice in programmes and services provided to persons with disabilities and to report to the Minister thereon
- To liaise with other bodies, both corporate and unincorporated, involved in the provision of services to persons with disabilities and to facilitate and support the development and implementation of appropriate standards for programmes and services for persons with disabilities
- To prepare Codes of Practice for the purpose of achieving the aim of good standards and quality in the provision of programmes and services provided or to be provided to persons with disabilities
- To recognise the achievement of good standards and quality in the provision of programmes and services to persons with disabilities including through the provision of a disability equality awards system
- To prepare strategic plans

Additional Functions of the Authority under the Disability Act 2005 include

- To prepare Code(s) of Practice relating to the accessibility of public buildings, services, information and heritage sites (section 30)
- To monitor compliance with statutory targets for recruitment and employment of people with disabilities in the public sector, recommend actions to be taken where these targets are not being met, and prepare Codes of Practice where requested (Part 5 of the Disability Act 2005)
- To establish a Centre for Excellence in Universal Design in the built environment and information technology which will promote the principles of universal design that may be

accessed, understood and used to the greatest practicable extent by people regardless of age, size, ability or disability in the most independent and natural manner; in the widest possible range of situations; without the need for adaptation, modification, assistive devices or specialised solution (Part 6 of the Disability Act 2005)

Statutory Powers

In order to fulfil its statutory functions the National Disability Authority has certain statutory powers.

The National Disability Authority has right of access to information (including data) of relevance to its functions which is held by public bodies (section 13, National Disability Authority Act 1999) and may seek information on any matter which concerns the provision of programmes or services for persons with disabilities that is provided by statutory duty and that is publicly funded in whole or in part (section 14, National Disability Authority Act 1999).

The National Disability Authority can make recommendations for the review, reduction or withdrawal of moneys provided by the Oireachtas for any programme or service where it feels it is being provided in an inadequate or unsatisfactory manner or is not being provided to people with disabilities (section 15(4), National Disability Authority Act 1999).

The National Disability Authority can make annual reports and other reports to the Minister with respect to its functions (section 15, National Disability Authority Act 1999).