



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

Minutes of Meeting of the Policing Authority

Date: 24 November 2016

Venue: Griffith College

Part A – Authority Meeting

Attendance

Authority: Josephine Feehily (Chairperson), Noel Brett, Bob Collins, Vicky Conway, Pat Costello, Judith Gillespie, Valerie Judge, Maureen Lynott, Moling Ryan.

Secretary: Aileen Healy

Executive: Helen Hall (Chief Executive), Catherine Pierse, Margaret Tumelty

1. Chairpersons opening remarks

The draft agenda was discussed, amended and approved.

No conflicts of interest were declared in relation to any of the matters for discussion.

The Chairperson noted the successful Northern Ireland Policing Board (NIPB)/ PSNI Conference in which she had participated and which was attended by Authority Members, including a useful bilateral meeting with the NIPB.

2. Correspondence

A number of items of correspondence from the Department of Justice and Equality (the Department) were noted, including items:

- acknowledging of the positive contribution to the Estimates discussion of the Authority's input;
- responding to the Authority's request for a resources group to monitor Garda resources, which will comprise representatives of the Department, the Authority and the Garda Síochána (GS); and
- inviting the Authority to participate in formal, structured processes which the Department is proposing to establish to co-ordinate all justice sector governance of the Garda Síochána, under Recommendation 3.2 of the Garda Inspectorate Report 'Changing Policing in Ireland'.

It was agreed that the Authority would participate in both of these groups.

3. Minutes and Matters arising

The minutes of the last meeting on 27 October were agreed as amended and cleared for publication. The log of board actions was noted.

It was noted that the Policing Plan received from the Commissioner had reflected the requirements discussed at the previous meeting. It was approved as agreed by the Authority submitted to the Tánaiste for consent.

4. Chief Executive Report

The Chief Executive's report was taken as read. The CEO gave an update on staffing.

5. Committee updates

Audit and Risk Committee

The Chair of the Audit and Risk Committee gave an update from the recent Committee meeting, noting a discussion on the Code of Practice for the Governance of State Bodies and, in particular:

- the responsibility of the Committee to give assurance regarding compliance with the Code; and
- planning for a year-end self-assessment evaluation of the Authority's performance required under the Code.

Other items included a meeting with the C&AG which included discussion of timelines and processes for the audit in 2017 of the Authority's Appropriation Account, arrangements which are in train to outsource an internal audit function and the risk management processes which have been initiated and which are a key area of attention for the Committee.

Appointments Committee

This update was taken together with Item 6.

Ethics Committee

This update was taken together with Item 8.

Performance and Strategy Committee

The Chair of the Performance and Strategy Committee recorded thanks for the work to complete the Policing Plan and reported that the focus in the November meeting was on the monthly report and performance against the policing plan, noting discussion on roads policing and, in particular, engagement with the Gardaí in relation to information on distribution of resources.

6. Appointments

The request to appoint a Principal Officer ICT in the Garda Síochána was considered and the appointment made.

A request for approval of a number of civilian positions at Executive Director and Principal Officer grades under section 19 of the Act, which had been received as part of a larger request for staff at all grades, was considered. The business case and supporting documentation received reflected what was recognised to be reduced HR capacity in the Garda Síochána. There was agreement that filling of these positions would, in themselves, significantly contribute to addressing the capacity shortage and as a consequence the Authority would expect to receive improved business cases for future requests.

The strong preference of the Authority for open selection processes was noted. Nevertheless, it was agreed that the balance between internal and open selection processes for positions approved by the Authority should reflect any sequencing arrangements in place for civil service staff generally and that this would be monitored on an ongoing basis. Approval was given for the positions sought, subject to further engagement on the job specifications and conditional on selection processes specified, the specifics of which will be communicated to the Garda Síochána. Feedback will also be provided on the Authority's expectations regarding requirements for future business cases. The consent of the Tánaiste and Minister for Justice and Equality (the Tánaiste) and the Minister for Public Expenditure and Reform will be sought prior to formal communication of approval for these positions.

No.	Action point	By Date	By Whom
A_012_01	The Executive is to inform the candidate concerned and the Garda Síochána of the appointment to the position of PO ICT in the Garda Síochána.	Immediate	The Executive
A_012_02	The Executive is to seek the consent of the Tánaiste and the Minister for Public Expenditure and Reform for its approval of a number of senior civilian positions in the Garda Síochána, subject to the matters discussed.	Immediate	The Executive
A_012_03	The Executive is to engage with Garda HR to: <ul style="list-style-type: none"> finalise the job descriptions for these positions; discuss the arrangements for recruitment and selection to the positions concerned; and provide feedback on the Authority's expectations regarding the content of future business cases requesting approval of staffing numbers and grades. 	Immediate	The Executive

There was a detailed discussion about the arrangements, for which preparations are being made, for the Authority's functions in relation to appointments to the ranks of Assistant Commissioner, Chief Superintendent and Superintendent which are due to be transferred to the Authority when the required regulations are made by the Tánaiste. The Authority welcomed the fact that the majority of its earlier submissions were reflected in the draft regulations and endorsed the proposed response to the Department. The Authority's request for open selection to these ranks was again emphasised. It was also considered essential that the Authority would be enabled to hold competitions for one-off specific posts should this be warranted arising from the specific nature of skills or experience required of a role.

No.	Action point	By Date	By Whom
A_012_04	The Executive to provide the Authority's response on the draft regulations to the Department, with emphasis on the items discussed.	Immediate	Executive

No.	Action point	By Date	By Whom
A_012_05	The Chairperson, Committee Chair and CEO to settle the Authority's position if any further observations on the regulations are required	December 2016	Chairperson, Committee Chair and CEO

The Authority discussed its preparations for taking on these functions. There was agreement that it is essential that the Authority be provided with information on the expected numbers and timing of vacancies and of the need to ascertain the Garda priorities for panels for the ranks concerned in order to inform planning for and sequencing of competitions. The ongoing work to prepare for running competitions was noted, including ongoing consultation with the Garda Síochána regarding same, however there was recognition that some arrangements cannot be finalised until the regulations are settled. It was also agreed that the Executive will need to engage assistance to administer the process, particularly to deal with competitions with large numbers of applicants. Hiring in of assistance and expertise in this manner to work under the direction of the CEO was agreed to be the most appropriate means of meeting the administrative burden in the shorter term while the Authority builds its own capacity.

There was preliminary discussion in relation to the main processes for undertaking selection competitions. The importance of integrity as an underlying principle and the need to carry out this function to high standards was emphasised. It was proposed that a Committee be established to replace the Appointments Committee to provide governance and quality assurance and that there would be benefit in this Committee being chaired by an independent expert in public sector recruitment and selection. This would provide assurance to the Authority of the credibility and validity of the process. It was agreed that the Executive would prepare a paper reflecting the views expressed and exploring the issues involved. It was noted that the Executive will draw on existing public sector recruitment expertise where possible for guidance on process and precedent and practical assistance.

The role for the Authority arising from the proposed amendments to the promotion regulations covering competitions for sergeants and inspectors was discussed and it was agreed that the Executive will follow up with the Department regarding the transfer of existing functions in this regard.

No.	Action point	By Date	By Whom
A_012_06	The Executive to continue with arrangements for preparations for the Authority's selection processes, including the sourcing of external assistance to administer these processes.	Ongoing	Executive
A_012_07	The Executive to explore the extent to which assistance and advice can be provided by the Public Appointments Service.	14 December	Executive
A_012_08	The Executive to engage with the Department in relation to the transfer to the Authority of certain functions under the proposed amendment of the regulations for promotions to sergeant and inspector.	31 December	Executive

No.	Action point	By Date	By Whom
A_012_09	The Chairperson, Committee Chair and CEO to finalise the positions in relation to any further observations on the regulations in the context of finalisation by the Department.	December 2016	Chairperson, Committee Chair and CEO

7. Committees of the Policing Authority

The proposed principles to guide consideration of committee structures were endorsed. It was agreed that the Executive will review the Terms of Reference of existing committees in conjunction with the committee chairs.

A new Garda Organisation Development Committee was established to monitor and assess measures taken by the Garda Síochána to implement the recommendations of 'Changing Policing in Ireland'. The members of the Committee are Bob Collins (Chair), Noel Brett, Pat Costello and Valerie Judge.

No.	Action point	By Date	By Whom
A_012_10	The Executive to review the terms of reference of existing committees and prepare draft Terms of Reference for the Garda Organisation Development Committee in advance of the December meeting.	14 December	Executive

8. Draft Code of Ethics

The Chairperson complimented the Ethics Committee and the Executive on the work done to develop the draft code to its present state. It was noted that the Committee will meet with the staff representative associations in advance of final sign-off at the December meeting.

No.	Action point	By Date	By Whom
A_012_11	Draft Code of Ethics to be finalised for sign off at the December Authority meeting.	14 December	Ethics Committee and Executive

9. Preparation for meeting with the Garda Commissioner

Members discussed the agenda for the meeting and the matters to be discussed with the Garda Commissioner and her team during the public meeting.

Part B – Authority Meeting with the Garda Síochána

Attendance (in private session)

Authority and As above

Executive:

Garda Síochána: Nóirín O' Sullivan (Garda Commissioner) Joseph Nugent (Chief Administrative Officer), John Barrett (Executive Director HR), John O'Driscoll (Assistant Commissioner), Michael O'Sullivan (Assistant Commissioner), Michael Finn (Assistant Commissioner), Pdraig Kennedy (Chief Superintendent), Marie Broderick (Superintendent), John Keegan (Superintendent).

The Chairperson advised the Commissioner of the changes to the draft agenda.

1. Format of Commissioner's Report to the Authority.

The Chairperson noted progress on the format of this report and some minor presentational changes were suggested. It was agreed that the report would evolve to meet requirements over time. It was decided in principle to publish the report each month, with the details on timing of publication to be arranged between the CEO and the Garda CAO.

2. Garda appointments

The Chairperson informed the Commissioner of the Authority's appointment of a PO ICT and approvals for senior civilian staff, noting that there would be a need for more comprehensive business cases to support future requests and that the Executive would be engaging with the CAO in relation to finalisation of the job specifications for the positions concerned.

There was a discussion of the need to work together to share a full understanding of vacancies in the ranks which will be appointed by the Authority once that function is commenced. A workforce plan and information on upcoming vacancies are essential to allow the Authority to plan its selection processes in order to meet needs as they arise. It was acknowledged that following selection processes, the Authority will be able to make Garda appointments only up to the limit of the number in each rank determined by the Tánaiste with the consent of the Minister for Public Expenditure and Reform from time to time. This is currently the Employment Control Framework (ECF)

The Authority discussed the arrangements being made for holding selection processes once this function is commenced and consulted the Commissioner about the sequencing of competitions to meet priority needs. The Commissioner welcomed the expected transfer of these functions. She advised that each competition will take a minimum of 16 weeks and offered to assist the Authority with any necessary arrangements.

3. Recent issues relating to email

The Authority members asked about the security of email systems in use in the Garda Síochána, the transmission of sensitive material and data protection and the controls in place. This discussion was continued in the meeting in public.

No.	Action point	By Date	By Whom
A_011_12	The CEO and GS CAO to finalise the Commissioner's monthly report to the Authority and agree timing of publication.	Not specified	CEO and Garda Síochána CAO
A_011_13	The Garda Síochána to provide information on: <ul style="list-style-type: none">• Vacancies arising in the ranks for which the Authority will make appointments, to be provided on a monthly basis;• The Commissioner's views in relation to the sequencing of competitions for Assistant Commissioner, Chief superintendent and Superintendent in 2017 to meet priority needs.	December 2016	Garda Síochána

Part C – Authority Meeting with the Garda Síochána

Attendance (in public session)

Authority and As above

Executive:

Garda Síochána: Nóirín O' Sullivan (Garda Commissioner) Joseph Nugent (Chief Administrative Officer), John Barrett (Executive Director HR), John O'Driscoll (Assistant Commissioner), Michael O'Sullivan (Assistant Commissioner), Michael Finn (Assistant Commissioner), Dr. Gurchand Singh (Head of Garda Analyst Service), Padraig Kennedy (Chief Superintendent), Marie Broderick (Superintendent), John Keegan (Superintendent).

This meeting with the Garda Commissioner and her team was held in public and the recording is available to view at:

<http://www.policingauthority.ie/website/PA/PolicingAuthorityWeb.nsf/page/Meetings-en>

Actions arising from the meeting held in public:

No.	Action point	By Date	By Whom
A_010_14	The GS to provide its revised ICT usage policy on completion of the current review.	Not Specified	The GS
A_010_15	The GS to provide the report that it is preparing in relation to the email issue mentioned, including some sense of the volumes of traffic on official devices, the scale of usage, content risk and how assurance on mitigation of this risk is provided.	Not Specified	The GS
A_010_16	The GS to provide assurance from their Data Controller that their policy meets the requirements of the Data Protection Act.	Not Specified	The GS
A_010_17	The GS to provide the exact figures in relation to the numbers of inspectors in patrol units/shifts and in relation to where there is no unit sergeant or inspector.	Not Specified	The GS
A_010_18	The GS to provide a job description for Sergeant in charge.	Not Specified	The GS
A_010_19	The GS to provide the information leaflet that is issued with letters to victims.	Not Specified	The GS
A_010_20	The GS to provide details of plans for civilianisation in advance of the next meeting.	14 December	The GS
A_010_21	The GS to provide a detailed report on the background to the capital underspend in 2016.	Not specified	The GS