



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

Minutes of Meeting of the Policing Authority

Date: 26 and 27 January 2017

Venue: 90 North King Street

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

For Item 7: Robert Olsen, Chief Inspector and Pauline Shields, Deputy Chief Inspector, Garda Síochána Inspectorate

For Item 11: John O’Callaghan, Assistant Secretary General, Department of Justice and Equality, Robert Olsen, Chief Inspector of the Garda Síochána Inspectorate and Judge Mary Ellen Ring, Chairperson of GSOC

Apologies: Pat Costello [for part of Item 11]

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 that the Authority had had an extraordinary month and thanked Members and staff for their commitment and high level of productivity. During January the Tánaiste launched the Authority’s Code of Ethics for the Garda Síochána and the Authority advertised its first selection competition for appointment to Assistant Commissioner rank. It was noted that with the exception of its Garda appointments functions, which were not commenced until 2017, the Authority had delivered all of its statutory objectives within a year of its first meeting.

The Chairperson provided a number of updates to Members including in relation to:

- Her meeting with the Tánaiste and Minister for Justice and Equality (‘the Tánaiste’) in January
- The nomination of Dr. Vicky Conway, further to a request from the Department of Justice and Equality (‘the Department’), to be an evaluator under the GRECO programme;
- A meeting between the Chairperson and Chief Executive, the Garda Commissioner and the Chair of the Garda Síochána (‘GS’) Audit Committee in January in relation to the Authority’s statutory function to appoint the members of the GS Audit Committee This was in the context that the terms of the current members expire in April; and
- The periodic tripartite meeting in December with the Secretary General of the Department and the Garda Commissioner in accordance with formal governance arrangements.

2. Correspondence

A number of items of correspondence were noted, including:

- Correspondence from GSOC which will provide an input to future discussions by the Authority in relation to its statutory role in monitoring trends in complaints; and
- Correspondence from the Department on the development of a sectoral policy on Protected Disclosures.

3. Minutes and Matters arising

The minutes of the last meeting on 14 December were agreed and cleared for publication.

It was noted that the Policing Plan has been approved by the Authority with the consent of the Tánaiste. It was laid before the Oireachtas on 13 January and is available on the GS and Authority websites. It was agreed that the Authority should ensure that the plan is formally circulated to all Joint Policing Committees ('JPCs').

A number of proposed changes to the Authority's Code of Conduct were discussed and agreed arising from decisions relating to the Authority's appointments functions and to meet the requirements of the revised Code of Practice for the Governance of State Bodies. A practice guide is being prepared relating to how approaches to Authority members and staff for information will be dealt with in a consistent way.

No.	Action point	By Date	By Whom
A_014_01	The Executive, in conjunction with the GS, to ensure that the Policing Plan is circulated to all JPCs.	Immediate	The Executive and GS
A_014_02	The revised Code of Conduct, subject to drafting changes, to be finalised and published.	Immediate	The Executive
A_014_03	A practice guide on the Authority's approach to dealing with canvassing to be prepared for Authority consideration.	ASAP	The Executive

4. Chief Executive' Report

The Chief Executive's report was taken as read. She drew Members attention to the recent appointment of Ms. Aileen Healy as Head of Governance and Corporate Services and Authority members joined in congratulating her. She noted that the draft Relationship and Support agreement with the GS is at a final stage and is expected to be finalised and signed in the coming weeks.

In the context of an approach by a member of the public to a member of the audit committee at his home, there was some discussion about the processes for handling correspondence from members of the public and whether the previously agreed policy needs to be revisited.

No.	Action point	By Date	By Whom
A_014_04	The Chief Executive to provide a summary of themes of complaints received in 2016 to the February meeting.	23 February	The Chief Executive
A_014_05	The Authority to review the paper presented and agreed in July 2016 on the approach to be taken by the Executive to complaints. As part of this review, consideration will be given to establishing a formal customer complaint policy.	23 February	The Authority

5. Committee updates

Audit and Risk Committee

The Chair of the Audit and Risk Committee noted that Crowleys DFK were awarded the contract for the provision of internal audit services following a procurement process.

Arrangements for conducting the self-assessment review of the Authority were discussed and it was agreed that all Members would complete a self-assessment questionnaire in advance of the March meeting when a discussion on the outcomes would be facilitated.

There was a discussion of risk with a view to formally identifying and documenting the Authority's headline risks.

No.	Action point	By Date	By Whom
A_014_06	The Chair of the Audit and Risk Committee and the Executive to finalise arrangements for conducting the survey of Members and for facilitation of a workshop as part of the March meeting.	23 March	Audit Committee Chair and Executive

Ethics Committee

This Chair of the Committee briefly outlined the future role of the Committee in overseeing the embedding of the Code of Practice by the GS, including by considering the GS implementation plan and the performance measures which will assist in monitoring progress.

Garda Organisation Development Committee

The Chair of the Committee noted that the Committee had held its first meeting including a joint meeting with the Policing Strategy and Performance Committee and engagement with the GS representatives. The Committee's work is just commencing and its first focus was on providing an initial a quarterly report to the Tánaiste on implementation of the recommendations of the Garda Inspectorate ('GI') report 'Changing Policing in Ireland' ('CPI') and the implementation of the relevant aspects of the GS Modernisation and Renewal Programme ('MRP'), which was discussed under a later agenda item.

Policing Strategy and Performance Committee

The Chair of the Committee updated the Authority on its work and recent meeting with the GS, including:

- Ongoing examination of roads policing data, with particular regard to the linkage between incidents recorded and conviction rates. There will be further engagement with the GS in relation to this data in the coming months in addition to feedback from other agencies involved across these processes.; and
- Discussion on the format of the Garda Annual report for 2017 to make it part of the performance assessment framework.

Garda Appointments Quality Assurance and Selection Governance Committee

On behalf of the external Committee Chair, the Chief Executive updated the Authority on the work that had been done by the Executive in co-operation with the Committee during January to enable finalisation and advertisement of the selection competition for appointment to the rank of Assistant Commissioner. It was noted that the Committee had approved the Candidate Information Booklet and the Application Form and that the Statement of Practice had been finalised following incorporation of the Committee's comments and for approval by written procedure by the Authority

6. Performance Framework for the Policing Plan

The Authority considered and approved the proposed Performance Framework for the Policing Plan 2017.

7. Meeting with Chief Inspector, Garda Síochána Inspectorate

The Authority met with the Chief Inspector and the Deputy Chief Inspector of the Garda Síochána Inspectorate ('GSI'). The Chief Inspector welcomed the publication of the Code of Ethics for the Garda Síochána and commended the Authority on the Code.

The Deputy Chief Inspector updated the Authority in a general way on the approach to and progress of work commissioned by the Authority under s 117 of the Garda Síochána Act 2005 ('the Act'), on foot of a request by the Tánaiste to the Authority to conduct a review in relation to delivering local policing services. The Chairperson indicated that, having regard to their respective roles, the Authority is keen to keep in touch with this work as it progresses.

The Chief Inspector updated the Authority on its remit from the Tánaiste under s117 of the Act to undertake an examination of and make recommendations regarding entry routes to the Garda Síochána and its approach to this work. There was a discussion in relation to the options that were being explored as part of this examination and of the importance of learning from the experience of other police services. The GSI, in light of the role of the Authority as a key stakeholder in regard to its role in overseeing the performance by the Garda Síochána of its functions and statutory appointments functions, invited the Authority to provide input to the examination. Members agreed that this was a critical piece of work and the Chairperson indicated that the Authority would consider the issue and make a submission to the GSI in relation future entry routes to the GS.

No.	Action point	By Date	By Whom
A_014_07	The Chief Executive to engage with the Garda Inspectorate to identify suitable opportunities for deeper engagement on the progress of the project as the work goes forward.	Immediate	Chief Executive and GSI
A_014_08	The Authority to make a submission to the GSI setting out its views on entry routes to the GS.	30 April 2017	Chairperson and Chief Executive

8. First report to the Tánaiste in relation to certain recommendations contained in the Garda Inspectorate Report 'Changing Policing in Ireland'

The Authority considered the first report to the Tánaiste in relation to certain recommendations contained in the GSI CPI report and provided input on the draft. It was noted and agreed that an essential early step will be to see that the CPI recommendations are appropriately reflected in the MRP in line with the Government decision, and to identify any gaps.

The finalisation of the letter and the first quarterly report to the Tánaiste was delegated to the Chairperson and the Chair of the Garda Organisation Development Committee.

No.	Action point	By Date	By Whom
A_014_09	The Executive to assess if the CPI recommendations are appropriately reflected in the MRP in line with the Government decision, and to identify any gaps.	ASAP	The Executive
A_014_10	The Chairperson and the Chair of the Garda Organisation Development Committee to finalise the letter and quarterly report to the Tánaiste on the recommendations of Changing Policing in Ireland.	31 January	Chairperson and Committee Chair

9. Appointments – Garda Appointments

The Chief Executive updated the Authority on the preparations to undertake selection competitions for appointment to the Assistant Commissioner, Chief Superintendent and Superintendent ranks, including:

- Briefing the Garda Commissioner and the relevant GS staff associations about the intended process for the selection competitions;
- Convening of Garda Appointments Quality Assurance and Selection Governance Committee, chaired by an external expert, Mr. Bryan Andrews, former Chief Executive of the Public Appointments Service; and
- Refresher training and briefing of the selection board;

It was noted that the Assistant Commissioner competition had been advertised on the Authority website, the Garda portal and the PSNI portal on 25 January, with a closing date for receipt of applications of 15

February. It is anticipated that the selection process will be completed by end March, after which the Authority will form a panel of candidates in the order of merit determined by the selection board.

There was a discussion about the clearance process in relation to the health and character of candidates. In accordance with the relevant Regulations, the Authority is legally required to be satisfied about the outcome of this clearance process before it appoints any candidate from the established panel of candidates. These matters are covered in the competition booklet and the Authority’s Statement of Practice but the key point is that, as the Authority will not have direct access to relevant HR records, candidates have been asked to consent to the Authority seeking and being provided with relevant information by their employer or the relevant Ombudsman. It was agreed that the operation of the clearance process will be kept under review by the Committee.

10. 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.

11. Strategy Day

The Chairperson, the Chief Inspector of the Garda Síochána Inspectorate, the Chairperson of GSOC and the Assistant Secretary Policing Division, Department of Justice and Equality presented perspectives on the environment for 2017 and the achievement so the Authority in its first year, followed by a general discussion.

The Authority discussed the environmental issues and external contributions and their impact on the Authority’s overall approach to its work in 2017 including its strategy, objectives, priorities and risks.

The Authority endorsed the Corporate Priorities proposed by the Chief Executive for 2017 subject to some final drafting changes and noted that continuing to build the capacity of the Executive team will be a critical success factor. In that regard Authority members were very pleased with the culture and atmosphere evident in the office.

It was noted that once the first round of appointments to the senior ranks are done, the Authority will consider putting in place a “calendar” for future competitions. Consideration will also be given to how to ensure that its more detailed performance oversight work will range across all policing functions over time.

No.	Action point	By Date	By Whom
A_014_11	The Chief Executive to consider various approaches to enhancing the capacity available to the executive in relation to the technical aspects of policing.	ASAP	Chief Executive
A_014_12	The Executive to explore a link with the ICT Governance Committee in the GS to ensure there is no duplication of effort and that the Authority has access to all relevant information.	ASAP	The Executive

No.	Action point	By Date	By Whom
A_014_13	<p>The Executive to continue incrementally to develop the skills base of the organisation including by way of recruitment.</p> <p>Arrangements to be made with the GS to make presentations to new recruits to the GS and to other groups as part of CPD, rank/grade based training or other courses as appropriate.</p>	ASAP	The Executive

Part B – Authority Meeting with the Garda Síochána (26 January)

Attendance:

Authority and Executive: As above

Garda Síochána: Nóirín O’Sullivan (Garda Commissioner), Dónall Ó Cualáin (Deputy Commissioner), John Twomey (Deputy Commissioner), Joseph Nugent (Chief Administrative Officer), John Barrett (Executive Director HRPD) [for Items 2-3], Liam Kidd (Executive Director ICT) [for Item 3], Gurchand Singh (Head of Garda Analysis Service), John Keegan (Superintendent), Marie Broderick (Superintendent).

1. Commissioner’s Report to the Authority.

The Commissioner’s report was taken as read and Authority Members asked questions arising from it. Matters arising included:

- *Staffing.* Members raised a question about the accuracy of a statement in the report which, in the view of members, gives the impression that the Authority were delaying approval in relation to a GS request for 94 civilian posts. It was emphasised by Authority Members that this request had been considered by the Authority at its November meeting and approval, subject to the consent of the Minister for Justice and Equality and the Minister for Public Expenditure and Reform, had been conveyed to the GS on 7 December.

The Chairperson proposed that it would be beneficial to re-convene a meeting of all the parties involved in the process for approval and sanction of civilian staff to explore how the pace of the process could be improved in regard to minimising delays in relation to future requests. It was emphasised that work should be ongoing in parallel with the approval and sanction process to have arrangements in place for recruitment to commence on receipt of sanction. The GS noted that the need to obtain sanction was a factor in the delay in getting projects underway. The Chairperson reiterated the Authority’s desire to have a central resources group to provide a forum to discuss these matters and remove duplication and inefficient processes. It was agreed that the Executive would follow the timing of this with the Department.

- *Estate management.* The Authority noted the ongoing building projects and welcomed the improved conditions that will be in place for GS members and staff and for the public and other agencies using these facilities arising from the work being undertaken.
- *Body Worn cameras.* The GS reported that a working group is examining this issue and preparing a business case. The Authority requested to be briefed further when this case is ready.

The Authority welcomed the Commissioner’s commitment to publish the report, subject to any clarifications required in relation to the matters discussed, including the attached report on forecasted vacancies in the ranks for which the Authority has an appointments function.

2. Report on identification of Garda posts for re-deployment with backfilling by suitably qualified civilians (Government decision)

The Chairperson noted the GS programme for the phased redeployment to front line policing duties of Garda members engaged in administrative and other non-policing duties which had been received in advance of the meeting. There was a detailed discussion on the numbers and rationale for proposed

redeployment of Garda members and replacement by civilian staff and the approach to achieve the targets set by Government.

The GS indicated that the proposed numbers represented a starting point and the programme would be driven by the identification of the roles which did not require policing powers and could be filled by civilian staff.. The GS noted the recruitment lead time for civilian staff but indicated that they are confident that the target set out is realistic and can be achieved.

The Authority welcomed the GS commitment to an identified number of re-deployable posts, but indicated that a project plan would be required for civilianisation/redeployment which would detail baseline figures to provide a basis for measuring progress. GS committed to periodic numeric reporting on progress in achieving these targets to a plan and that over time reports by grade and rank would be transitioned to provision of data by role and skillset.

In relation to civilian members of staff, the Chairperson noted that in approving further requests for civilian staff it would be necessary for the GS to apply the conditions of the sanctions received to date such as demonstrable progress on redeployment and filling positions by means of open recruitment where required. It was agreed that the GS would ensure that these pre-requisites are met when making the next submission to the Authority for staff. It was discussed that the GS would need to:

- analyse the roles that would be filled and the skills required for these roles;
- identify barriers and dependencies, including in the supply chain, and how these would be overcome; and
- set out the detailed steps, activities, practical arrangements, timelines and milestones that would be required to achieve the target.

The need for a workforce plan which has been requested a number of times by the Authority was re-emphasised.

3. Update report on issues relating to email usage and security

The report by the GS to the Authority on email usage and security was discussed in detail and the GS confirmed that:

- A new internet and email policy is nearing completion and will be published in the next month, incorporating mobility practices for access while away from the office;
- Only official Garda email is used to transmit official Garda information;
- While commercial email accounts were originally used, the GS have gradually moved away from this practice and this migration is almost complete. However commercial email is still in use for mobile phone set up and a solution is being sought to allow this practice to be discontinued;
- A new mobile device management tool is being introduced which will give more control over devices and software installed on devices; and
- There are tight controls in place over ICT in the organisation including to prevent access to Gmail accounts.

The GS agreed to provide timelines for the various aspects of the developments set out in the report.

Notwithstanding the changes being made, Members questioned the extent to which the GS can guarantee that commercial email is not being used and what quality assurance is in place.

The GS outlined a number of actions that are taken in this regard including periodic acceptance of usage policy by users when accessing services, ongoing security audits, and technical measures including device encryption and management tools. It was acknowledged that there is a cultural element to security and this must be managed through making users aware of their responsibilities and taking disciplinary action if breaches occur. Assurance was given that the best available technical solutions are in place or being implemented and that reasonable policies and procedures are in place and are being revised to keep abreast of technology with consequences for breaches of same. The Authority suggested and it was agreed that user responsibilities should be reflected in applicable codes of conduct.

4. Other Business

- The Authority indicated that it intends to examine data on road safety from incidents recorded through to conviction at the April meeting in public, and that the other agencies involved will be invited to provide inputs to this discussion.
- There was a brief update on the status of the report on the Fixed Charge Penalty Notice prosecution issue and it was indicated that the report would be submitted to the Department with a copy to the Policing Authority in the coming weeks.
- There was a discussion in relation to a number of aspects regarding the process for disciplinary matters and clarifications were sought in relation to statistics provided.
- There was a discussion about the status of the ongoing internal audit of the Garda College and in the context that the report was not yet final, it was agreed that, while it would not be appropriate for the Authority to accept a management briefing at this stage, a briefing note from the Audit Committee would be appropriate, on the basis of which the Authority will seek to meet with the Chairperson of the GS Audit Committee.
- Following previous discussions on cases involving child protection, clarification was sought in relation to a number of issues including compliance with the requirements of 'Children First', reporting to TUSLA and arrangements for the availability of specialist child interviewers. The Commissioner confirmed that there are systems in place to ensure that guidelines and protocols laid out in Children First are being fully complied with by the Garda Síochána.
- The advertisement of the Assistant Commissioner selection competition was noted and the Authority advised the Commissioner that competitions for Chief Superintendent and Superintendent will follow in turn, with the intention of having all competitions underway in the coming months. It is expected that the Authority will hold regular competitions for all three ranks in line with workforce planning requirements and in this regard the GS was again requested to provide details of patterns for non-mandatory retirements in a typical year. It was noted that once promotion panels are in place the Authority will only be entitled to make appointments up to the level of the Employment Control Framework.
- There was a discussion about the clearance process in relation to the health and character of candidates which is provided for in the relevant Regulations.
- The upcoming anniversary of the 'Regency' incident was noted and the Authority welcomed the months of work that had resulted in recent successes in this regard.

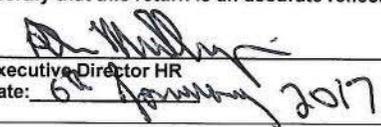
No.	Action point	By Date	By Whom
A_014_14	The GS to publish the Commissioner's Monthly report to the Authority subject to clarifications discussed.	ASAP	Garda Síochána

No.	Action point	By Date	By Whom
A_014_15	The GS to brief the Authority on proposals for body worn cameras when the business case is ready	ASAP	Garda Síochána
A_014_16	<p>The GS to provide the following details in relation to its programme for civilianisation and redeployment:</p> <ul style="list-style-type: none"> • Clear mapping of the roles to be redeployed and the skills needed; • A work plan setting out how the programme will be implemented; and <p>Periodic numeric reporting on progress in implementation.</p>	ASAP	Garda Síochána
A_014_17	The GS to provide detailed timelines for the implementation of measures identified in the report on email/ICT usage and security.	ASAP	Garda Síochána
A_014_18	The Authority to seek to meet the Chairperson of the GS Audit Committee in relation to the status of an ongoing internal audit.	ASAP	Chairperson
A_014_19	The GS to clarify information on the number of specialist child interviewers whose training has been completed.	ASAP	Garda Síochána
A_014_20	The GS to provide details of patterns of non-mandatory retirements in the ranks for which the Authority has an appointment function.	ASAP	Garda Síochána
A_014_21	The Authority to provide to the GS an indicative timeline for Chief Superintendent and Superintendent selection competitions.	ASAP	Chief Executive

**Return to the Policing Authority in relation to numbers and vacancies in the specified ranks
Data as at the end of December 2016**

Rank	ECF	Position at end of last month	Appointed in Month	Career Break		Resignations	Retirements		Demotions	Consequential vacancies	Net Change Increase (+), Decrease (-)	Total at end of Month	Total Number of Vacancies at end of Month
				Commenced	Return		Compulsory	Voluntary					
Assistant Commissioner	8	8	0							0	8	0	
Chief Superintendent	45	45	0							0	45	0	
Superintendent	166	165	0							0	165	1	
Total	219	218	0	0	0	0	0	0	0	0	218	1	

I certify that this return is an accurate reflection of the position in these ranks.


Executive Director HR

Date: 6th January 2017

Schedule of Expected Vacancies for Period to end December 2017

Rank	Forecast of Total Number of Vacancies based on compulsory retirements and other known leavers including voluntary retirements, resignations, career breaks, consequential vacancies, etc.															
	2016		2017													Total to end 2017
	December	Total to end 2016	January	February	March	April	May	June	July	August	September	October	November	December		
Assistant Commissioner		0		1		1		1								3
Chief Superintendent		0	1	1							1				2	5
Superintendent		0						1	1	1	2				2	7
Total	0	0	1	2	0	1	0	2	1	1	3	0	0	4	15	