



An Roinn Dlí agus Cirt
Department of Justice

Performance Delivery Agreement

between

The Department of Justice

and

The Irish Film Classification Office (IFCO)

2021

Performance Delivery Agreement

I. Introduction and Objective of the Agreement

This Performance Delivery Agreement (PDA) has been drawn up by the Department of Justice (“the Department”) in consultation with the Irish Film Classification Office (IFCO) (“the Office”) 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 Performance Delivery Agreement 2020 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 IFCO 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 Office’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 IFCO’s key targets for 2021 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 IFCO.

The Agreement ultimately seeks to (a) facilitate IFCO 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 IFCO’s Strategic Plan 2020 - 2022.

2. Inputs

2.1 Financial Inputs

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

The Department will provide an annual grant to IFCO, which in 2021 will be as follows:

Pay: €346,000

Non-Pay: €361,000

Total: €707,000

2.2 Staff Resources

Details of the staff complement for 2021 are as follows:

1 X Principal Officer (Higher)

2 X Executive Officer

3 X Clerical Officer

The future need for onsite attendance and work demand on the office will be assessed in line with future Government and Department protocols around blended work patterns for IFCO staff members.

Note: The Director of Film Classification is assisted in carrying out the duties of the office by a team of five Assistant Classifiers on a contract for services basis, as provided in Section 2 of The Censorship of Films (amendment) Act 1992.

3. Outputs and Targets

The following section sets out Key Performance Indicators which can be used to assess IFCO's progress towards achieving its key mandate and core function.

- IFCO has responsibility for examining and certifying all cinema films and videos/DVDs distributed in Ireland. Also, issuance of licenses to sell/rent home entertainment content (VHS/DVD).

Strategic Priority I: Consistent classification decisions and delivering public expectation

Goal	Action	KPI	Target
Classifications comply with legislation and are consistent with published guidelines and mission statement.	Continuous review of decisions with reference to guidelines and legislation.	Volume of certifications issued.	Based on 2,454 classifications in 2020, a slightly higher number would be expected. (Note 1)
		Client classification queries/appeals.	In 2020 there were 5 complaints in respect of classifications. This low number has to be viewed in conjunction with cinemas being closed for the greater part of the year.
	Gauge public perception of, and satisfaction with, IFCO function.	Public feedback. Undertake wide, independent and statistically valid research.	Undertaken in 2020 and results will be published in 2021 and used to update guidelines, classification bands and inform future policy.
	Respond to consumer queries/feedback.	Response time.	Initial response within 2 working days.

Strategic Priority 2: Delivery of high standards and best practice with our business customers

Goal	Action	KPI	Target
Maintain best practice in dealings with business clients.	Ongoing positive working relationship.	Meeting classification deadlines.	100% completion of classification by deadline date submitted with application unless client alters request.
	Awareness of, and effective response to, client needs.	<p>Ability to prioritise client submissions on request.</p> <p>Continuing flexibility of scheduling viewing material.</p> <p>Feedback from formal discussions with key clients/industry association on at least annual basis.</p>	Where schedule permits this will be 100% facilitated. However due to limited screen time some late theatrical requests cannot be accommodated.
	Maintenance of high quality service delivery.	Ability to view material on most technologically up to date systems.	<p>The updating of IT in 2019 was instrumental in being able to meet the challenges of remote viewing of material submitted for classification.</p> <p>Office premises have been</p>

			inspected by Health and Safety from DOJ and a system of protocol put in place. In the event of all office attendance these will be strictly adhered to.
--	--	--	---

Strategic Priority 3: Continued Financial Responsibility

Goal	Action	KPI	Target
Maintain strict budgetary controls.	Detailed examination of monthly management accounts to ensure spending within allocation and correctly assigned.	On a monthly basis spending at or below budget. This also applies to A-in-A. Internal Audit Report in 2020 found good internal controls in place.	Expenditure for year to not exceed €500,000. The A-in-A target of €660,000 will be achieved. It may be exceeded but this is not yet quantifiable. (Note 1)

Strategic Priority 4: Information and Education

Goal	Action	KPI	Target
Maintain and enhance education role of IFCO.	Continued liaison with DIFF, Cinemagic and schools to engage with young children and adolescents and those with charge of them.	Ongoing wishes of organisers to maintain association with IFCO already indicated for 2021.	Obtaining feedback from all participants as to understanding of IFCO remit and satisfaction with standards.
Continuing relevance of IFCO website.	Ensuring timely and accurate consumer information available to the general public.	Number of visits.	Due to cinema closures the number of visits has fallen considerably. There was a 39% fall-off in IFCO website traffic

			<p>during 2020 which had been at the 140,000 level in 2019.</p> <p>Accurate monitoring and forecasting only possible when theatres open fully.</p>
--	--	--	--

NOTE 1

All financial and output targets will almost certainly require review as the effects of Covid 19 continue into the national recovery phase.

4. Flexibility and Amendment of Targets

The Office is committed to deliver on the established work plan for 2021. However, the achievement of the targets in IFCO's work plan 2021 will be impacted on by a range of factors including available resources and in some cases external factors beyond IFCO's control such as the business impacts associated with the Covid-19 pandemic. Where delays arise the timeframe for delivery may need to be extended including carrying into 2022 where appropriate.

5. Potential Risk Factors

Reflecting the key priorities of the organisation, the following risks were identified as the main areas that could negatively impact on IFCO in 2021.

Risks	Controls & Mitigants
<p>Covid 19 restrictions. As stated last year the measures in place at time of writing include the restricted opening of cinemas. As long as this remains, the business of IFCO will be disrupted and the impacts remain to be quantified.</p>	<p>IFCO remains in a position to carry out its business but the demand for its services are severely curtailed.</p> <p>Due to the ability to remote view most DVD submissions and the lack of theatrical films, there has been no backlog in service delivery.</p> <p>Ongoing engagement with the Justice Sectoral Planning for COVID recovery through the "Covid-19 Resilience and Recovery 2021: The Path Ahead".</p>
<p>As almost all theatrical and DVD submissions are now received online, a</p>	<p>Ongoing service agreements with both DJE IT section and external providers</p>

failure of connectivity would be a serious impediment to IFCO's ability to function and possibly compromise published release dates.	mitigate the effects of any interruption and ensure resumption as quickly as possible.
Maintenance of sanctioned bank account.	Daily check on balances. Monthly reconciliation prepared and then approved by director. Dual independent access to transact banking business.
Video Works - As online delivery of home entertainment continues to grow and evolve, the consequent diminution in requirements for DVD classification, the need to examine the future role and policy of the agency is in sharper focus.	The future of theatrical classification is assured under current legislation.

6. Monitoring Arrangements

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

IFCO 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 2021.

8. Agreement Approval

Signed: *Ger Connolly*
Ger Connolly, Director, IFCO

Date: 27 July 2021

Signed: *Oonagh M Buckley*

Date: 28 July 2021

Oonagh Buckley, Deputy Secretary General, Department of Justice