



2024 Performance Delivery Agreement

between
the Property Services Regulatory Authority
and
the Department of Justice

Performance Delivery Agreement – PSRA 2024

1. 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 Property Services Regulatory Authority (PSRA) 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 2023 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 PSRA can be measured and assessed.

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 sets out the PSRA’s key targets for 2024 and defines the output and outcome indicators on which performance should be measured. In addition it will also highlight any

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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 PSRA.

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

The Agreement will support the PSRA’s Strategic Plan 2023 – 2026.

2. Inputs

2.1 Financial Inputs

The following table summarises the PSRA’s budget allocation for 2024.

Expenditure	2024 Budget Allocation
Pay	€2,494,000
Non-Pay	€1,104,000
Total	€3,598,000

2.2 Licence Fees

The level of licence fee to be paid was determined by the Authority in 2012 based on its estimated annual cost of administering the licensing system at that time. An annual fee of €1,000 is payable by Property Services Employers and an annual fee of €100 is payable by Employees.

The licence fee has been reviewed by the Authority and the licence fee increased with effect from 17 April 2024. An annual fee of €1,100 will now be payable by Property Service Employers and an annual fee of €110 will be payable by Employees. The estimated number of licences to be issued in 2024 is approximately 6,000, comprising circa of 1,800 Employer licences and 4,200 employee licences. The projected income for 2024 is approx. €2.4 million.

Each year the licence fees generated by the Authority are paid to the Exchequer.

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2.3 Compensation Fund

Section 77(1) of the Property Services (Regulation) Act 2011 requires the Authority to establish a Property Services Compensation Fund to which each applicant is required to contribute before a licence is granted.

2.4 Staffing Resources

The Department will endeavour to provide the appropriate and necessary resources to the Authority either directly or, on a contracted basis, having regard to pressures on public service numbers and competing demands.

Grade	Headcount 1st Jan 2024	Staff Level 1st Jan 2024 (FTE)
CEO	1	1
Assistant Principal Officer	4	4
Higher Executive Officer	10	10
Administrative Officer	1	1
Executive Officer	11	10.8
Clerical Officer	11	10.5
Total	38	37.3

Note that with the above staffing complement, the PSRA had 5 vacancies (as at 1st January 2024). Efforts are ongoing within the HR Division of the Department of Justice and the Public Appointments Service to fill existing vacancies.

The PSRA has an overall resourcing requirement of 44 staff.

3. Outputs /Targets

3.1 The following section sets out the Key Performance Indicators which will be used to assess the PSRA's progress towards achieving its key mandate and core function; the

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licensing and regulation of all Property Services Providers operating in Ireland under the provisions of the Property Services (Regulation) Act 2011.

3.2 Service Levels and Performance Measurement 2024

The following key performance indicators will form part of the PSRA's Performance Measurement in relation to the PSRA Business Plan for 2024:

Key Performance Indicator	Target
Processing of new licence applications where application meets all statutory requirements	3 weeks
Processing of licence renewal applications where application meets all statutory requirements	4 weeks
Compliance investigations conducted under the Property Services (Regulation) Act 2011	250
Compliance investigations conducted under the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010	250
Complaints under investigation	60% of open cases at 1 January 2024 concluded or under active investigation at year end
Acknowledgement of complaints received	3 working days
Commercial Lease Compliance rate	65%
Registers updated	Weekly
Forum meetings	Twice yearly
Expected number of visits to the Residential Property Price Register	Over 1.5 million

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3.3 Customer Service

In accordance with the PSRA’s customer charter, we will respond to all queries within the following timeframes:

Telephone Calls	Lines are open Monday to Friday, 10:00 am – 12:30pm
Email responses	Within 5 working days.
Response to letters	Within 10 working days.

The customer charter is available on the PSRA website.

3.4 The PSRA has identified four key strategic goals in its Strategic Plan 2023 – 2026 which are the focus of its current work programme;

1. Operate a comprehensive and modern licensing system and effectively regulate the property services sector
2. Promote professional standards, specifying and enforcing qualification requirements, addressing unlicensed activity and operating an effective complaint and investigation process
3. Further establish our position within the sector, through effective engagement with stakeholders, broader brand awareness and providing comprehensive publicly available registers
4. Organise and resource the PSRA workforce, as well as its processes, technology, and systems, to efficiently meet the current and future needs of the organisation and the sector

In addition to the day-to-day operational activities of the PSRA, the PSRA has a number of strategic objectives on which it will focus in 2024 as set out below.

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Strategic Goal 1 - Operate a comprehensive and modern licensing system and effectively regulate the property services sector

Key Objectives	Key Actions	KPIs	Target
Commencement of PSRA EU SI, in response to EU Pilot	Engagement with Civil Legislation and the EU Commission	Regular engagement with Civil Legislation	Subject to enactment of revised legislation
	Review and collaborate on draft recommendations/provisions with relevant parties	Recommendations agreed	
	Communication with the sector and relevant parties	Amendments to the Act drafted	
Identify and implement changes to business processes as a result of EU SI	Workshops held to identify changes required to business processes as a result of EU SI	Requirements identified	Subject to enactment of revised legislation
	Specifications reviewed and agreed by relevant business areas	IT systems updated	
	Engagement with ICT providers and technical specifications provided	Review of internal licensing processes complete	
	Testing of IT changes made and engagement with relevant parties as required		
	Roll out of IT changes made to live environment		
	Internal licensing processes updated as required		
Draft Regulations arising from the implementation of the EU SI	Engagement with Civil Governance/Civil Legislation as required	Regulations drafted	Subject to enactment of revised legislation

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	Consultation with legal advisors as required	SI commenced	
	Communication with the sector and relevant parties on the implementation of Regulations	Relevant parties informed of implemented Regulations	
Commencement of Regulations as required to facilitate PSRA Licensing developments (eg, licence fee increase)	Engagement with Civil Governance/Civil Legislation as required	SI drafted	Ongoing
	Consultation with legal advisors as required	Relevant parties informed of changes to take place	
	Review of draft SI		
	Commencement of SI		
	Communication to the sector		

Strategic Goal 2- Promote professional standards, specifying and enforcing qualification requirements, addressing unlicensed activity and operating an effective complaint and investigation process

Key Objectives	Key Actions	KPIs	Target
Updated licensing qualification requirements identified.	Review of findings of draft report prepared on this subject	Final report agreed	Q4
	Engagement with the author of the report and relevant parties		
	Updated qualification requirements agreed	Qualification requirements identified	
	Identification of appropriate timeline for implementation of updated	Implementation plan agreed	

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	qualification requirements		
	Communication with property sector and educational bodies		
Identify unlicensed operators	Triage and carry out investigations of reports of unlicensed property services providers	Timely conclusion and investigation of reports of unlicensed property services providers	Ongoing
	Undertake prosecutions of unlicensed property services providers	Number of prosecutions undertaken	
	Undertake injunctions of unlicensed property services providers	Number of injunctions undertaken	
	Continue to work with Licensing Section to improve internal engagement, aiding in the identification of unlicensed operators	Timely identification and investigation of unlicensed operators	
Manage compensation fund process effectively	Provide Quarterly Bordereau to underwriters	Effective liaison with underwriters	Quarterly
	Manage compensation fund claims effectively and in a timely manner	Number of claims processed in relation to the compensation fund	Ongoing
	Notify An Garda Síochána of alleged criminal activity where claims on the fund are granted		As cases arise
	Manage Property Services Appeal Board submissions effectively and in a timely manner	Number of submissions	Ongoing

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	Continuously review compensation fund insurance	Compensation fund insurance in place	Ongoing
	Issue RFT to insurance sector to insure Compensation Fund	RFT Awarded	October 2024
	Manage investment of the Compensation Fund	Quarterly reporting of investments to the Board	Ongoing
Ensure ongoing continued delivery of an effective CPD program for Licensees	Draft and publish RFT for provision of mandatory professional competence scheme for the PSRA	RFT published	Q2
	Evaluate tenders received	Tenders evaluated	Q3
	Award tender	Ongoing continued delivery assured	Q3

Strategic Goal 3- Further establish our position within the sector, through effective engagement with stakeholders, broader brand awareness and providing comprehensive publicly available registers

Key Objectives	Key Actions	KPIs	Target
Establish a stakeholder group for marts to address issues identified during compliance audit process and how best to address the mart sector	Issue invite to respective appropriate stakeholders to discuss the compliance audit process for marts and how best to streamline it	Respective stakeholders met in 2024 Identified issues addressed	Ongoing
Migration of www.propertypricerregister.ie from Lotus Notes to a new platform, delivering improved functionality and user experience	Review and agree requirements for the new solution with DoJ IT	Requirements documented and signed off by Registers Unit	Subject to DOJ IT
	Development of the new solution and complete User Acceptance Testing	New website live	

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Dissemination of PSRA logo to the sector	IT requirement identified and submitted to IT	IT requirement implemented	Ongoing
	IT requirement tested and implemented	Communication with licensees	
	Communication with licensees		
	Dissemination of logo		

Strategic Goal 4 - Organise and resource the PSRA workforce, as well as its processes, technology, and systems, to efficiently meet the current and future needs of the organisation and the sector

Key Objectives	Key Actions	KPIs	Target
Explore opportunities to develop an online messaging system	Engage with sections of the PSRA to develop/identify requirements	Requirements identified and agreed	Subject to completion of PMO process and IT availability
	Engage with IT and Escher in relation to requirements		
	Draft and submit project to PMO	Project plan in place	
	Project plan created		
	Oversee project plan, engaging with relevant parties as required	Updates completed and rolled out to UAT environment	
	Oversee testing process	Testing completed	
	Roll out in Live environment		
Explore opportunities for development of online complaint and unlicensed trading forms	Identify requirements	Requirements identified and agreed	Subject to completion of PMO process and IT availability
	Engage with IT in relation to requirements		
	Draft and submit project to PMO	Project plan in place	
	Project plan created		

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	Oversee project plan, engaging with relevant parties as required	Updates completed and rolled out to UAT environment	
	Oversee testing process	Testing completed	
	Roll out in Live environment		
Review and address Data Protection audit findings	Review findings	Findings addressed appropriately	Q4
	Develop action plan to address findings		
	Engage with DOJ Data Protection Section		
Ensure adherence to governance and financial requirements	Governance and financial processes in place	Requirements met	Q4
	Review and address findings of relevant audits/evaluations		
	Address regulatory requirements in relation to governance and financial matters		
	Report to the Board of the PSRA and its Committees and the Dept. of Justice as required		

*** Review of Performance Measurement in 2024**

The Code of Practice for the Governance of State Bodies provides that the PDA set out quantitative metrics for measuring progress toward achieving High Level Goals and Objectives. Using SMART (specific, measurable, achievable, relevant and time bound) performance indicators adds significant value to analysing business activities and outputs and identifying new opportunities. It is acknowledged that the assessment and measurement of strategic outcomes is an important feature in the PDA, and this will be an area of emphasis for the Department and the PSRA to further develop. In line with the Code, as part of the standing governance meetings, a specific item to discuss performance measurement and PDAs, as necessary, will continue to form part of such meetings.

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4. Potential Risk Factors

The PSRA operates a formal Risk Management policy and maintains a Risk Register and, in accordance with the Department of Finance Guidelines, this is updated on an ongoing basis. The maintenance of the Register ensures that risks are identified and assessed and necessary mitigating actions are put in place.

Reflecting the key priorities of the organisation, the main potential risks to the achievement of targets set out in this Agreement at the time of writing are:

- Risk to the protections inherent in licensing system due to unlicensed operators.
- Insolvency of the Compensation Fund.
- Under performance of investment of the Compensation Fund.
- Dependence of Authority on Department of Justice IM&T: non-implementation by Department of Justice IM&T of internal audit recommendations
- Unexpected expenditure arising from statutory role (for example Judicial Reviews and Legal Costs)
- Business continuity in light of current geo-political situation
- Inadequate internal processes in place to address requirements of EU SI due to insufficient time provided for implementation of legislative changes
- Unable to process licence applications from NI due to legislative gaps.

5. Flexibility and Amendment of Targets

Where amendments become necessary, both parties will engage to agree on amended targets.

6. Monitoring Arrangements

In accordance with the Department's policy on the monitoring of governance arrangements in relation to the organisations within its remit, the PSRA will meet with the Department twice yearly, or more frequently if required by the Department, to provide an update on developments and achievement of targets as set out in this Agreement.

The PSRA undertakes to return:

- (a) Relevant and appropriately detailed performance information to allow for monitoring of this Agreement;

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- (b) relevant and appropriately detailed performance information for inclusion in the Revised Estimates for Public Services volume; and
- (c) performance information in line with the set of such indicators, and in keeping with the timeframe, agreed with the Department.

7. Duration and Signatories to the Agreement

The arrangements as set out in this Agreement will apply with effect from the date signed hereunder until 31st December 2024, however the general provisions of the agreement will continue to apply until such time as a subsequent Performance Delivery Agreement is agreed.



Maeve Hogan,
CEO,
Property Services Regulatory Authority

Date: 15th May 2024



Dr Stjohn O'Connor,
Director – Civil Governance,
Department of Justice

Date: 15th May 2024