



IRISH PRISON SERVICE  
**Governance Framework**

April 2016

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## **Foreword by the Director General**

This document sets out the structures and working arrangements that comprise the internal governance and senior management framework of the Irish Prison Service. It has been prepared in line with the *Corporate Governance Standard for the Civil Service* taking into account the particular requirements of the Irish Prison Service.

Good governance is central to effectively discharging statutory and policy obligations. It ensures that a framework of structures, policies and processes are in place to deliver on these obligations and allows for an objective assessment of management and corporate performance<sup>1</sup>. Governance also focuses on the culture and the set of relationships between the Minister, the Department, senior management, all staff and stakeholders in determining the direction and performance of the Irish Prison Service.

The requirement to ensure the Irish Prison Service adheres to good governance applies to all management and staff and not only to those in key leadership and governance roles.

Michael Donnellan

April 2016

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<sup>1</sup> Corporate Governance in the Civil Service, Department of Public Expenditure and Reform, 2015 pg 1.

## **Introduction**

Corporate governance has been described as ‘the system by which organisations are directed and controlled’. Good corporate governance is important because it provides clarity in relation to authority and responsibility, it supports effective decision making and it identifies the assurance and accountability arrangements that exist within any organisation. In the case of the Irish Prison Service, there is a range of legal and regulatory obligations which must be complied with in the context of ministerial and parliamentary accountability and oversight systems. The requirement to ensure the Irish Prison Service adheres to good governance applies to all management and staff and not only to those in key leadership and governance roles.

## **The Purpose of this Framework**

The purpose of this Governance Framework (GF) is to provide a clear and comprehensive summary of the principal aspects of corporate governance within the Irish Prison Service.

Corporate governance is vitally important for the Irish Prison Service in effectively discharging its statutory and policy obligations. It ensures that a framework of structures, policies and processes are in place to deliver on these obligations and it also allows for an objective assessment of management and corporate performance. Corporate Governance also provides for a more systematic approach to the dissemination of advice and guidance on all areas of governance and control, as delivered by the Irish Prison Service through the collation and publication of governance and control advice on the Policy Documents Centre on IRIS.

This Governance Framework focuses on key areas of governance and it also points to sources of more detailed guidance. It is envisaged that the Governance Framework will be further developed in line with best practice over time as the governance agenda and needs of the Irish Prison Service and its stakeholders evolve. The Executive Management Team will review the Framework on an annual or otherwise as necessary basis to ensure its effectiveness.

# CHAPTER 1 – IRISH PRISON SERVICE OVERVIEW

The purpose of this chapter is to provide an overview of the mission and values of the Irish Prison Service, senior management and organisation structures, an outline of strategic and business planning processes and statutory framework.

## Our Mission

Providing safe and secure custody, dignity of care and rehabilitation to prisoners for safer communities.

## Our Vision

A safer community through excellence in a prison service built on respect for human dignity.

## Our Values

**Service:** We serve the public.

**Public Safety:** As a key element of the criminal justice system we endeavour to make a positive contribution to public safety.

**Leadership:** We aspire to be positive role models and encourage others to excel.

**Integrity:** We act lawfully, transparently, honestly, reliably, fairly, and ethically.

**Respect:** We treat everyone with courtesy and respect and concern for their dignity, equality and human rights.

**Principle-led:** We provide the opportunity to offenders to engage in appropriate programmes and activities to improve their lives for a safer community. We apply appropriately the principles of normalisation, personal responsibility, individualisation, non-discrimination, progression and reintegration.

**Collaboration:** We work together, and we form effective partnerships with other agencies so that our performance benefits from a broad range of perspectives, insights and advice.

**Accountability:** We are responsible to ourselves and others for our actions and decisions.

**Family Life & Community:** We assist offenders, where appropriate, to maintain family relations and contact with the wider community.

**Courage:** We do what is right, even when confronted with adversity.

**Excellence:** We conduct ourselves with distinction.

The *Civil Service Renewal Plan* describes its values as encompassing a deep-rooted public service ethos of independence, integrity, impartiality, equality, fairness and respect; a culture of accountability, efficiency and value for money; the highest standards of professionalism, leadership and rigour.

The future vision of the Irish Prison Service organisational culture is currently being developed through the Irish Prison Service Strategic Plan 2016 – 2018 to better reflect needs and aspirations and support the effective governance and oversight of the Irish Prison Service.

## Organisation Structure

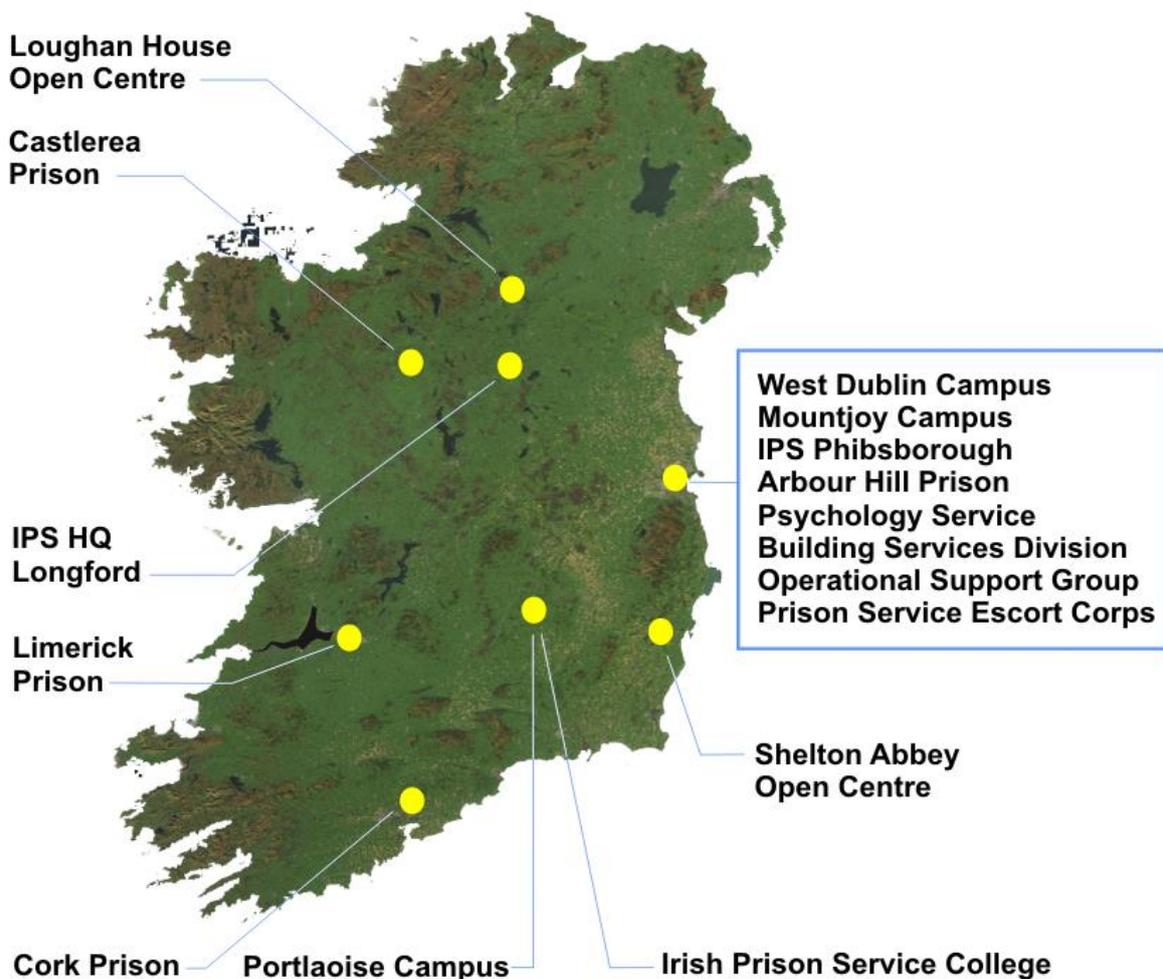
Political responsibility for the prison system in Ireland is vested in the Minister for Justice and Equality. The Irish Prison Service operates as an executive agency within the Department of Justice and Equality. It is headed by the Director General supported by the Executive Management Team. The Director General also is a member of the Department of Justice and Equality Management Board which is responsible for the Department's governance.



## Ireland's Prisons

The Irish Prison Service deals with male offenders who are 17 years of age or over and female offenders who are 18 years of age or over. There are 14 institutions in the Irish prison system consisting of 11 traditional "closed" institutions, two open centres, which operate with minimal internal and perimeter security, and one "semi-open" facility with traditional perimeter security but minimal internal security (the Training Unit). The majority of female prisoners are accommodated in the Dóchas Centre with the remainder accommodated in Limerick Prison.

Campus based governance has been introduced in three locations - West Dublin Campus (Wheatfield Place of Detention and Cloverhill Prison), Portlaoise Campus (Portlaoise and Midlands Prisons) and Mountjoy Campus (Mountjoy Prison, St Patrick's Institution, Dóchas Centre and the Training Unit).



## **Strategic Planning, Decision Making & Performance Management**

### **Statutory Framework**

The Prison Service operates within a statutory framework comprising:

- the Prisons Acts, including the Prisons Act, 2007;
- relevant provisions in other statutes such as the Prisons (Visiting Committees) Act, 1925, the Criminal Justice Act, 1960, the Criminal Justice (Miscellaneous Provisions) Act, 1997, the Criminal Justice Act, 2007, other criminal justice acts and the Transfer of Sentenced Persons Acts, 1995 and 1997;
- the Prison Rules, 2007, including the Prison Rules Amendment (2014); and.
- the European Convention on Human Rights Act 2003.

For persons held on immigration related matters the main legislative provisions are the Immigration Acts 1999, 2003 and 2004, their associated regulations, the Illegal Immigrants Trafficking Act 2000 and the Refugee Act 1996.

The Prison Service also takes due account of various international human rights treaties, declarations, standards and recommendations, including:

- the Universal Declaration of Human Rights;
- the European Convention on Human Rights;
- the United Nations Standard Minimum Rules for the Treatment of Prisoners;
- the European Prison Rules 2006;
- the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment;
- the United Nations Covenant on Civil and Political Rights; and
- the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.

The Prison Service also takes due account of the Reports of the Inspector of Prisons and endeavours to implement the Inspector's recommendations.

## **Implementation of Programme for Government**

As an executive office of the Department of Justice and Equality, the Irish Prison Service supports the Department in the implementation of the relevant provisions of the Government's Programme for National Recovery, 2011 – 2016 including commitments:

- to enhance safety in our communities;
- to balance the needs of the community and those of victims of crime and the rights of those accused;
- to deliver services in an economically viable manner/within budget;
- to drive cross organisational co-operation and goal sharing between all justice and equality organisations with other Departments and agencies;
- to contribute to effective cross-functional and joint agency collaboration, for example, in relation to social policy, children, substance misuse and other cross-Government issues;
- to contribute to the Government's "Open Government" reform initiative;
- to contribute to improved organisational efficiency and effectiveness, knowledge management and service delivery;
- to continuously update criminal and civil law.

## **Annual Report**

An annual progress report is prepared by the Irish Prison Service for the Ministers approval. This progress report is required by the Public Service Management Act 1997. The Annual Report outlines the main achievements and developments during the year to advise the Irish Prison Service Strategic objectives. It is also published in Irish.

## **Strategic Planning**

Key objectives and actions in line with the IPS Strategic Plan 2012 – 2015 (Strategic Plan 2016 – 2018 is currently under consultation) and especially IPS priorities are identified to measure performance and progress. The 2012 - 2015 three year strategic plan can be accessed on our website [www.irishprisons.ie](http://www.irishprisons.ie)

Commitments under National Agreements are also factored into the planning process. The Irish Prison Service works in partnership with a wide range of Departments, Agencies and Bodies in delivering on its mission and on cross-departmental issues. Business Planning assists our objectives to further enhance our communication, co-operation, collaboration and strengthen our relationships with stakeholders.

The IPS Corporate Business Plan represents all aspects of business planning process alongside individual plans for Directorates and individual institutions and campuses. The IPS Business Plan draws on a wide range of knowledge from the many different disciplines to ensure key objectives are linked to the Strategy Statement and Performance Management. A framework for the management of Business Planning for 2016 leading into 2017 has been developed which outlines IPS Corporate Governance requirements and ongoing review process within which business planning is identified and monitored.

The Irish Prison Service is included in the high level Corporate Department of Justice and Equality Strategic Business Plan. This unified approach is intended to afford the Department of Justice and Equality Management Board a clear view of monitoring the Department's work and allow for more strategic targeting of resources.

### **Internal Communications.**

Strategies and processes continue to be deployed to support effective communications and dissemination of information at all levels in the Irish Prison Service. An internal Intranet Realtime Information System (IRIS) is used to display key messages to staff and an internal newsletter is published each quarter. A communications strategy is currently being prepared which will be supported by a programme of actions.

### **Engagement with External Stakeholders.**

External stakeholders include individual members of the public, agencies associated with the Irish Prison Service, elected representatives, other Government Departments, Health Service Executive, international organisations and many voluntary and representative

groups. We engage with external stakeholders across a range of activities including development of legislation, other activities and have significant involvement with international bodies such as the Council of Europe, The Irish Prison Service is committed to providing a professional, efficient and courteous service in a challenging environment. The programme of actions under the proposed communications strategy will provide for enhanced engagement.

### Review of Effectiveness of Governance Framework

The Irish Prison Service Governance Framework will be monitored by Staff and Corporate Services Directorate in conjunction with Internal Audit and Prison Policy in the Department. It will be reviewed on an annual basis by the Executive Management Team to ensure its effectiveness. The Executive Management Team will formally review the operation of these frameworks annually.

## CHAPTER 2 – SENIOR MANAGEMENT ROLES & ASSIGNMENT OF RESPONSIBILITY

The purpose of this chapter is to provide an overview of senior management governance roles and responsibilities and the roles for all staff.

### Department and Government

The Minister decides policy and is legally the corporation sole<sup>2</sup> of the Department.

### Accounting Officer

The Secretary General is the senior civil servant and non – political head of the Department. The Secretary General is responsible for overall management, strategic planning and leadership of the Department. He is the Accounting Officer for the Irish Prison Service (Vote 21) and in this regard has responsibility for safeguarding funds. The roles and responsibilities of Accounting Officers are explained in the 2011 publication by the Department of Public Expenditure and Reform *The Roles and Responsibilities of Accounting Officers: A Memorandum for Accounting Officers*.

### Role of the Director General

The Director General is the most senior civil servant in the Irish Prison Service. The Director General is appointed by the Minister following a competitive process to undertake the functions of the Director General governed by the Prison Rules 2007 are available on our website [www.irishprisons.ie](http://www.irishprisons.ie) The Public Services Management Act also empowers the Secretary General to assign the Director General responsibility for the performance of his/her functions.

The relationship between the Minister, the Department and the Irish Prison Service as an executive office is fundamental to the governance framework. In order to support the Minister as policy maker the Department and the Irish Prison Service:

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<sup>2</sup> Minister and Secretaries Act 1924 - 2011

- Develops policy at the request of the Minister or the Government
- Initiates policy advice in response to the changing environment for the consideration of the Minister or Government; and
- Offers advice to the Minister on Government policies in development.

Ministerial priorities are agreed between the Minister and the Secretary and Director General. These priorities are kept under regular review and revised as appropriate. The *Department of Justice and Equality Governance Standard for Justice and Equality Sector Bodies* sets out in detail how the Department implements oversight over the Irish Prison Service to ensure strategic alignment, clear communication, governance and accountability and is available at website [www.justice.ie](http://www.justice.ie) and [www.irishprisons.ie](http://www.irishprisons.ie) .

## Directors

There are 5 Directors supporting the Director General. Each Director has responsibility for a particular Directorate in the Irish Prison Service and devolved budgetary responsibility for related expenditure.

### **Staff and Corporate Services Directorate**

The Staff and Corporate Services Directorate has diverse and wide ranging responsibility and is comprised of 8 sections within the directorate, namely:-

- Attendance Management Change Management
- Bullying & Harassment, Mediation and Disciplinary Code
- Industrial Relations/Change Management (including implementation of Public Service Agreements and all matters)
- Corporate Services (including development and oversight of IPS Strategy Statement, Business Plan, Risk Register)
- Information and Statistics (including Press Office)
- Pensions & Remuneration
- Policy Review and Development (including Dignity at Work Programme)

- Workforce Planning

In addition the Director has oversight responsibility for:-

- Irish Prison Service College (IPSC)
- Employee Assistance Service (EAP)

### **Operations Directorate**

The main responsibilities of the Directorate are to ensure that prisoners are detained in accord with the Law, effective prisoner progression through sentence management, the control of prisoner population numbers, maintenance of good order and discipline, the Security of the Estate and prisoner transport services.

The Directorate through its Operational Units attached to it (the Operational Support Group and the Prison Service Escort Corps) works closely with an Garda Síochána to ensure effective information-sharing, assesses and procures new technologies with a view to combatting the smuggling of contraband into prisons, and is responsible for the transfer of prisoners from prison to prison, to Courts and to hospital.

Sentence managers within the Directorate review prisoners on a regular basis and devise sentence management plans for them. These plans are devised in consultation with local management and the various appropriate services (Probation, psychology, addiction services, education etc) with the aim of facilitating the rehabilitation of the individual prisoner and contributing to safer communities. These sentence plans may result in a prisoner being transferred to an Open Centre, being granted Temporary Release and/or being assessed for release under the Community Returns Scheme and the Community Support Scheme. The sentence managers are also responsible for ensuring that sentence management plans for prisoners involved in the Parole Board process are submitted to the Board for consideration and the implementation of

Ministerial decisions arising from those recommendations. The Director of Operations is a member of the Parole Board.

The Directorate is also responsible for oversight of the prisoner disciplinary system and administers the Prisoner Serious Complaints System.

The Victim Liaison Officer is based in the Operations Directorate.

### **Care and Rehabilitation Directorate**

Prisoner care and rehabilitation is a core aim of the Irish Prison Service. The Service tries to achieve a balanced approach in the effective performance of its care and custody functions. It seeks to manage sentences in a way which encourages and supports prisoners in their efforts to live law abiding and purposeful lives on release.

Prisoner care and rehabilitation involves input by a diverse range of general and specialist services provided by the Irish Prison Service and in-reaching statutory and non-statutory services. An Integrated Sentence Management (ISM) system has been developed to ensure co-ordination of interactions with prisoners based on agreed sentence plans.

Among the various services that are provided by the Irish Prison Service are the education, library, work training, psychology and spiritual services. The prison healthcare service provides prisoners with access to the same range and quality of healthcare services as that available under the Medical Card scheme in the community.

## **Estate Management and ICT**

Estate Management Directorate is responsible for the construction and maintenance the buildings within the prison estate. The Directorate also provides Information Communication Technology solutions and support for all staff (both prison officer and civilian) as well as prisoners.

Significant investment has taken place in our prison estate in recent years with in excess of 900 new prison spaces having been constructed and brought into use since 2007.

The Directorate also has responsibility for Information Communications Technology. ICT provides new and enhanced ICT systems and the supporting ICT infrastructure and telecommunications to the Irish Prison Service for both prisons staff and prisoners.

## **Finance Directorate**

The Finance Directorate is responsible for financial reporting and control in the Irish Prison Service. It is also the central purchasing unit for the prison service.

The Directorate produces annual financial statements and ensures the implementation of controls and procedures in compliance with EU and National regulations.

Finance Directorate is divided into two sections:

1. Financial Control
2. Central Purchasing Unit

## **Legal and Professional Standards Office**

A Legal and Professional Standards Office (LPSO), headed by a Principal Officer has been established to bring together in one single entity the management of legal cases for the Irish Prison Service ranging in scope from employment law issues to civil litigation cases. The office is responsible for the provision of advice and guidance to the Director General, the various Directorates and prison Governors in relation to legal matters of relevance to the organisation. It is also responsible for the management of civil compensation claims initiated against the Irish Prison Service

The Legal and Professional Standards Office is also responsible for the review, collation and mapping of Irish Prison Service policies and procedures.

In addition, the office works closely with the Department of Justice and Equality in relation to the consolidation of prison law and its restatement in clear and accessible modern terms.

## **Role of the Governor of a Prison**

Subject to the directions of the Minister and the Director General, the Governor is responsible for the management of the prison of which he or she is Governor. Prison Rules 2007 highlights the specific duties of a Governor:

*The Governor shall at all times conduct himself or herself and perform his or her functions in such a manner as to –*

- (i) influence prisoners for good by his or her example,*
- (ii) maintain the respect of the prisoners in the prison, and*
- (iii) respect the dignity and human rights of all prisoners.*

*The Governor shall -*

- (i) develop and maintain a regime which endeavours to ensure the maintenance of good order and safe and secure custody and personal well being of prisoners; and*
- (ii) assist and encourage prisoners in -*
  - (a) coping with their imprisonment,*
  - (b) achieving their personal development,*
  - (c) taking responsibility for their lives, including offending behaviour, and*
  - (d) preparing for reintegration into society after release.*

*The Governor shall -*

- (i) endeavour to ensure the fitness for duty of all prison officers and good conduct in the performance of such duties;*
- (ii) promote awareness of and ensure compliance with statutory obligations in regard to health, safety and welfare in the workplace;*
- (iii) have in place plans, equipment and procedures and ensure that prison officers are trained to perform their duties to meet fire, riot and other such emergencies.*

*The Governor shall ensure that these Rules are applied fairly, impartially and without discrimination and that all persons to whom these Rules apply are made aware of these Rules and of the consequences of any breach of prison discipline under these Rules.*

*The Governor shall co-ordinate the delivery of all services to prisoners and ensure, in so far as is practicable, the preparation and implementation of sentence management plans incorporating plans for their reintegration into society. The Governor shall endeavour to ensure that the persons engaged in the delivery of such services and the preparation and implementation of such plans co-operate with one another in such delivery, preparation and implementation.*

*A Governor shall comply with any directions of the Minister or the Director General or such persons as may be designated by the Minister or the Director General.*

*The Governor shall ensure the efficient and appropriate delivery of healthcare services in his/her prison and shall seek periodic reports thereon from the relevant healthcare professionals.*

## **Role of the IPS Executive Management Team**

The Irish Prison Service Executive Management Team (EMT) comprising the Director General, Directors and Campus Governors are responsible for overseeing the Strategic and Business process and to ensure that it is operating as intended, to regularly review the Strategy and Business objectives and to periodically review the content of Directorates and Institutions Business Plan.

Proposals coming before the EMT are critically analysed and challenged and all implications considered to ensure that decisions align with the strategic objectives of the organisation. Where necessary, on foot of decisions reached, resource re-alignment or re-allocation is also considered. The Executive Management Team considers the proposals emanating from the Strategy and Policy Group and are the ultimate decision making body in this regard. This ensures integrated decision making process. The reviewed Business Plan is brought to the Senior Management Meeting on specified dates for final review and approval by the EMT.

The EMT are responsible for, inter alia:

- (a) assessing the key actions contained in the Corporate Business Plan and how they are identified, evaluated and managed;
- (b) determining whether any new significant objectives need to be added to the Business Plan having regard to the IPS Strategic Plan priorities for any given year;
- (c) determining whether performance indicators previously identified are still acceptable;

- (d) assessing the effectiveness of the internal control system in managing the Business Plan and whether amendments need to be made to control systems;
- (e) reviewing the adequacy of the Business Planning processes (including scope and depth);
- (f) monitoring the reporting of planning by management;
- (g) monitoring progress on action plans developed as part of the overall strategic and business management process and
- (h) determining whether the business planning processes and policy document needs to be updated.

The Strategy & Policy Group (comprising of Governors and Directors) provide a forum for considering (service wide issues) brainstorming, developing options, sharing information, coordinating resources, identifying dependencies, outlining concerns and a range of other functions.

### **Role of Individual Directors/Governors**

Given that the business plan are firmly linked with the ability of the IPS to fulfil clear Strategic business objectives, and are linked to PMDS to ensure responsibility and accountability, Directors and Governors are responsible for ensuring there is an embedded business planning management process in their own Directorates/Institutions and that it is regularly monitored.

Each institution has a Prison Management Team, which meets on at least a monthly basis. The group comprises the prison management team and functional heads (e.g. Head Teacher, Senior Psychologist, Chaplain, and Senior Probation Officer). This group maintains an overview on the management and operation of the prison. The Governing Governor uses this forum to disseminate IPS wide information, developments, policy etc. to the management team and the forum provides an opportunity to identify/consider issues which may warrant further consideration by the Strategy and Policy Group.

The IPS HQ Management Team – comprising all Directors, POs and AP representatives from each Directorate and Business area- meet on a monthly basis. The management team operates as an effective channel to disseminate IPS wide information, proposals and developments to senior HQ staff and acts as a conduit for channeling issues from HQ to the Strategy Policy Group for deliberation.

The role of Directors and Governors in the business planning management process includes responsibilities for:

- a) Establishing and maintaining a sound system of business planning within their Directorate/Institution;
- b) Identifying and managing the key objectives within their business and summarising these in the form of Directorate/Institution Business Plan;
- c) Monitoring and reporting to the IPS Executive Management Team on key objectives and progress in their area ;
- d) Notifying the IPS Executive Management Team when there is a significant change to the Divisional planning profile.

### **Responsibility of all staff**

In addition to the specific governance roles discussed in chapter 2 and chapter 3, staff have a specific role to play in assuring good governance within the Irish Prison Service in corporate and other functional areas such as Internal Audit, Compliance, Corporate Affairs, Human Resources, Operations, Care & Rehabilitation, Legal, Risk, Procurement, Data Protection, Health & Safety, Facilities, Finance & Accounts, Freedom of Information, Data Protection.

Irrespective of position or grade, the Governance Framework applies to all staff in the Irish Prison Service. In the context of their particular roles and responsibilities, all staff have a duty and an important role to play in collectively committing to the good governance of the Service through the requirements of this framework, policies, Standard Operational Procedures, Circulars and office notices and adhering to the Code of Standards and Behaviours, Prison Rules 2007, and Disciplinary Code for Officers in

the performance of their duties. All staff are made aware as part of their training their obligations including requirements in relation to official secrecy, data protection, dignity at work etc. All of the relevant publications, circulars and notices are available for consultation at the Policy Document Centre on IRIS.

## CHAPTER 3 – MANAGEMENT BOARD AND OTHER GOVERNANCE STRUCTURES

The previous chapter concentrated on governance roles and responsibilities. This chapter sets out the Irish Prison Service management and governance structure and the responsibilities of all staff.

### Management and Governance Structure

The Irish Prison Service is headed by a Director General supported by Directors (Care and Rehabilitation, Operations, Staff and Corporate Services, Estate Management, ICT and Finance) and Prison Governors. Central to the efficient administration of the functions entrusted to the Irish Prison Service is clarity about individual roles and responsibilities. The Executive Management Team provides this clarity through the proper operation of the governance arrangements and management procedures and policies within this framework with a particular emphasis on communications. The Irish Prison Service corporate governance and management structures are in four key layers, as follows:

**IPS Executive Management Team** – This group comprises the Director General, all Directors and Campus Governors and acts as the strategic decision making body for the Service. All proposals coming before the EMT are critically analysed and challenged and all implications considered to ensure that decisions align with the strategic objectives of the organisation. Where necessary, on foot of decisions reached, resource re-alignment or re-allocation is also considered. The Executive Management Team considers the proposals emanating from the Strategy and Policy Group and are the ultimate decision making body in this regard. This ensures integrated decision making process.

**IPS Strategy and Policy Group** - The Strategy & Policy Group (comprising of Governors, Directors and Principal Officers) provide a forum for considering (service wide issues) brainstorming, developing options, sharing information, coordinating resources, identifying dependencies, outlining concerns and a range of other functions.

**IPS HQ Management Team**- At Headquarters level the management team – comprising all Directors, POs and AP representatives from each Directorate and Business area- meet on a monthly basis. The management team operates as an effective channel to disseminate IPS wide information, proposals and developments to senior HQ staff and acts as a conduit for channelling issues from HQ to the Strategy Policy Group for deliberation.

**Prison Management Team** - Each institution has a Prison Management Team, which meets on at least a monthly basis. The group comprises the prison management team and functional heads (e.g. Head Teacher, Senior Psychologist, Chaplain, and Senior Probation Officer). This group maintains an overview on the management and operation of the prison. The Governing Governor uses this forum to disseminate IPS wide information, developments, policy etc. to the management team and the forum provides an opportunity to identify/consider issues which may warrant further consideration by the Strategy and Policy Group.

The key organisational structures which support the delivery of corporate governance and the management of the Irish Prison Service are as follows:

<b>Structure</b>	<b>Meets</b>
<i>Formal Meetings</i>	
Minister/Department Management Board Meeting <sup>3</sup>	Monthly
Management Board(executive management team)	Monthly
Strategy and Policy Group	Monthly
Risk Management Committee	Quarterly
Financial Management Committee <sup>4</sup> ;	Monthly
ICT Governance Group <sup>5</sup>	Quarterly
IT Planning Group	Quarterly
Compliance Executive Group (CEG)	Quarterly
IPS HQ Management Team	Monthly
Prison Management Team meetings	Monthly
Directorate Team meetings	Monthly
<i>Meetings with other bodies</i>	
Joint Agency Response to Crime (J-ARC) <sup>6</sup>	Quarterly
Irish Prison Service /Probation Service joint meeting	Quarterly

In accordance with the Protected Disclosures Act 2014, the Irish Prison Service operates a policy on Protected Disclosures in the workplace. The objective of the policy is to encourage a culture of ‘speaking up’ and staff with concerns about possible wrongdoing in the workplace are encouraged to raise their concerns internally and/or to internal audit in the Department so that they can be investigated and addressed in an appropriate manner.

<sup>3</sup> The Director General is member of the Department of Justice and Equality Management Board

<sup>4</sup> The Finance Officer is a member of the Department Finance Committee

<sup>5</sup> The CEG sets objectives and monitors the implementation of the occupational health and safety management system across the Irish Prison Service.

<sup>6</sup> J-ARC is a Joint Agency Response to Crime between An Garda Síochána, the Probation Service and the Irish Prison Service

## **Freedom of Information and Data Protection.**

The Information Access Officer handles all Freedom of Information and Data Protection requests received by the Irish Prison Service. The Freedom of Information Act gives a person the right to access records held by the Irish Prison Service. It is the policy of the Irish Prison Service to be fully compliant with its legal requirements under the Data Protection Acts.

## CHAPTER 4 – AUDIT, ASSURANCE & COMPLIANCE ARRANGEMENTS

### Audit and Assurance arrangements

This chapter contains an overview of the Compliance Framework encompassing Compliance, Audit and Assurance Arrangements.

#### **Financial Control Environment.**

The Department manages the financial control environment for the Irish Prison Service and its responsibilities are outlined in detail in Chapter 4 of the Department of Justice and Equality Framework. The Irish Prison Service Finance Directorate is responsible for financial reporting and control. It is also the Central Purchasing Unit for the Irish Prison Service. It produces annual financial statements and ensure the implementation of controls and procedures in compliance with EU and National regulations. The Director of Finance is a member of the Department's Financial Management Committee (FMC) which meets each month and reviews the Irish Prison Service and Department budgetary situation, with the aim of early identification of variances from budget and the drafting and implementation of plans to correct significant deviances from profiled expenditure. The FMC also considers all new expenditure proposals greater than €25,000 in value. The Department's Head of Finance based in Financial Shared Services provides a control and co-ordinating role in respect of all Departmental and related Agency budgets to include the Irish Prison Service Vote 21. There are effective budget management procedures in place in the Irish Prison Service Finance Directorate which include regular monitoring and reporting of income and expenditure levels. Qualified accountants ensure strong financial systems and governance in the Irish Prison Service.

## **Role of Internal Audit**

Internal Audit for the Irish Prison Service is provided by the Internal Audit Unit of the Department of Justice and Equality. Although business planning, risk management and internal control are IPS management's responsibility, Internal Audit plays a key role in promoting effective internal control and governance. Internal Audit's primary objective is to provide independent assurance on the effectiveness of the internal control framework to the Secretary General via the Audit Committee. Internal audit is empowered to audit IPS systems and activities for which the Secretary General is the Accounting Officer. The responsibilities of Internal Audit are set out in detail in the Department of Justice Corporate Governance Framework and the Audit Unit Charter.

The Internal Audit Unit provides assurance to the Accounting Officer about the effectiveness of the Internal Financial Controls in respect of the Irish Prison Service. This assurance facilitates the signing of the annual Statement of Internal Financial Controls (SIFC) by the Accounting Officer. The Unit, in conjunction with the IPS Finance Directorate undertakes a large body of work around the annual Appropriation Accounts to determine the level of assurance that can be provided for the SIFC. The work is designed to offer reasonable assurance to the Accounting Officer that the system of internal financial controls are adequate and operating effectively in Vote 21 (Prison Service). Any issues identified during the audits are notified to the respective management along with recommendations for strengthening of controls in areas where weaknesses are identified; management are asked to address these as a matter of priority.

## **Comptroller and Auditor General**

The Comptroller and Auditor General is required under Section 3 of the Comptroller and Auditor General (Amendment) Act 1993 to audit all accounts of monies administered by or under the authority of the Oireachtas and report on these to Dáil Éireann. The Comptroller and Auditor General includes an element of Value for Money reviews as part of his routine work. The Office of the Comptroller and Auditor General has a full-time presence based in the Department of Justice and Equality.

## **Risk Management**

Risk management concerns the identification, evaluation and mitigation of the risks that threaten the achievement of business objectives and mission of the Irish Prison Service. As risk has the potential to significantly impact on the performance of the Service, it is of prime concern to all managers. Risk Management is an ongoing management activity.

Risk Management Principles underline the IPS approach to risk management:

- The Executive Management Team assumes responsibility for risk management across the IPS as a whole
- Directors and Governors are the business owners of Prison/Directorates risk
- Prudent recognition and disclosure of the financial and non-financial implications of risks
- Monitoring of key risks will take place by the Risk Committee and the Executive Management Team
- The risk management process is integrated with normal management processes and the annual business planning cycle.

The main mechanisms used to ensure the Irish Prison Service is managing risk are:

1. Maintenance of an embedded risk management process
2. Regular review mechanisms on the status of Risk and Control
3. Progress Reports from the Risk Committee and oversight by EMT
4. Use of Internal audit to perform a mix of risk assurance and internal audit reviews.

The Irish Prison Service encourages the taking of appropriately approved, controlled risks, capitalising on new opportunities and the use of innovative approaches to further the Irish Prison Service Strategic objectives. The resultant exposures, however, must not infringe the operating procedures or legal and regulatory requirements of the Service.

The Corporate Risk Register summarises the strategic risks facing the Irish Prison Service. While the Executive Management Team owns the Corporate Risk Register, clear ownership of the individual risks is assigned and detailed within the register.

A Risk Management Committee comprising the Director General and all Directors are responsible for overseeing the risk management process and to ensure that it is operating as intended, regularly review the Corporate Risk Register and periodically review the content of Directorates and Institutions risk registers. The Risk Committee is representative of different functional areas within the Irish Prison Service. It ensures that it is operating in a robust and effective manner and to review the content of the risk registers and can invite managers to the Committee to outline details of their risks and explain how they are being managed. The Committee meets at least four times a year and any member of the Committee or the Director General may call additional meetings.

The reviewed Risk Register is brought to the Executive Management Team Meeting for final review and approval by the EMT.

Given that risk management and internal control are firmly linked with the ability of the IPS to fulfil clear business objectives, Directors and Governors are responsible for ensuring there is an embedded risk management process in their own Directorates/Institutions, there are clear linkages between risk management and other business planning processes and that it is regularly monitored.

Although risk management and internal control are management's responsibility, Internal Audit plays a key role in promoting effective internal control. Internal Audit's primary objective is to provide independent assurance on the effectiveness of the internal control framework and therefore risk management to the Secretary General via the Department's Audit Committee. It does this by carrying out audits across the Irish Prison Service Corporate Risk Register focusing upon the key risks.

## Protected Disclosures

A Protected Disclosures policy is in place in accordance with the relevant legislation to encourage all workers to raise concerns about possible wrongdoing in the workplace internally so that these concerns can be investigated and addressed in a manner appropriate to the circumstances of each case. The policy encourages staff to make such disclosures through the line management hierarchy in the first instance but provides for direct reporting to a named individual (in the Internal Audit Unit) should this be deemed more appropriate to the discloser.

## **Compliance Arrangements**

As an Executive Office of the Department of Justice and Equality, there is an annual performance agreement between the Irish Prison Service and the Department. The details of the agreement are published in the Governance Standard for Justice and Equality Sector Bodies.