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Civil service, 2022

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The year 2022 saw the Irish civil service continue to fare well in national and international comparative reviews. Surveys such as the *OECD Survey on Drivers of Trust in Public Institutions* and the *Civil Service Business Customer Survey* revealed that satisfaction with the civil service is continuing to grow. Ireland has one of the highest levels of public trust in the civil service in Europe, with 68 per cent of respondents saying they trust the civil service (OECD, 2022). Progress was made in various civil service strategies in 2022, such as the *Civil Service Renewal 2024 Action Plan* (CSR2024), and the year also saw the publication of frameworks and policies, including the *Blended Working Policy Framework*. The extension of the *Building Momentum Agreement* to the end of 2023 brought to light the challenges for the civil service and Ireland as a whole, as a cost-of-living crisis and economic uncertainty have further emphasised the need for continuing reform and support within the civil service.

Progress on Civil Service Renewal 2030 Strategy

The ten-year strategy for the civil service, *Civil Service Renewal 2030*, was published in May 2021 (Department of Public Expenditure and Reform (DPER), 2021b), followed in December by its first action plan, CSR2024 (DPER, 2021a). In 2022, the first year of implementation of CSR2024, there was progress in relation to the commitments aimed at achieving strategic priorities. Two of the key developments are as follows.

Blended Working Policy Framework

A *Blended Working Policy Framework* for the civil service was published in March (DPER, 2022a). The framework, which was informed by a review of remote working carried out by the Irish Government Economic and Evaluation Service (2022), falls under the CSR2024 theme of ‘Workforce, Workplace and Organisation of the Future’.

As well as informing the development of blended working to ensure a consistency of approach, the framework delivers on a government commitment for public service organisations to move towards 20 per cent remote working, as recommended in the 2021 strategy.

The framework, which was co-designed by representatives from civil service organisations and in consultation with trade unions and staff associations, provides direction to individual organisations in the civil service in the development of tailored policies on blended working which are appropriate to their business needs. The framework includes a set of key principles to guide organisations, guidance on eligibility criteria, a blended working policy template, guidance on central supports and obligations, and policy review mechanisms and measurements.

The framework’s five key principles are:

1. support the business needs of the organisation;
2. leadership and management;
3. be an employer of choice;
4. transparency and consistency;
5. health and safety.

Connecting Government 2030

Another theme of CSR2024 is ‘Digital First and Embedding Innovation’. Progress was made in this regard with the publication of the *Connecting Government 2030* strategy in March (DPER, 2022c). This digital and ICT strategy for the civil service sets out an approach to deliver digital government for all, benefiting both society and the broader economy. The strategy addresses the ‘digitalisation of public services’ dimension of the national digital strategy, *Harnessing Digital – The Digital Ireland Framework*, as well as aligning with the targets set out in *Civil Service Renewal 2030*.

There are six priority action areas to deliver *Connecting Government 2030*:

1. a human-driven digital experience – understanding users and their needs is key to delivering better services;
2. harnessing data effectively – improve public services by implementing structures to deliver more and better re-use of data, respecting privacy and data protection;
3. government as a platform – drive service simplification through an ecosystem of standards, resources and tools, including application of the ‘once-only’ principle;
4. evolving through innovation – challenge ourselves to look afresh at solving difficult problems to build innovative solutions putting users at the centre;
5. strengthening digital skills – strengthening and developing new capabilities and skills, which are able to sustain a digital public service culture;
6. focusing on governance and leadership – put in place governance structures to drive digital transformation across government.

Connecting Government 2030 will also act as an umbrella strategy for actions across a number of other related government policies, thereby ensuring an overall coordinated and integrated approach to their delivery.

Developments made under the Building Momentum Agreement

Progress report

The final progress report of the *Civil Service Action Plan* linked to the *Building Momentum Agreement* (Workplace Relations Commission, 2021) was published in August, outlining achievements from January to August 2022 under each of the four strategic priorities (DPER, 2022b). Some of the key developments of each priority area are as follows:

1. Improving access to services and increased flexibility in our resourcing model to deliver better services:
 - Pre-Covid opening hours have resumed in all Department of Social Protection offices.
 - Continued cooperation with the Temporary Assignment Policy and Scheme and its principles where required.
 - Professional and Technical Mobility Scheme draft guidelines were agreed with stakeholders and relevant trade unions.

- Review of civil service secondment policy has begun, with any amendments to be agreed and implemented by Q4 2022.
- 2. The potential for technology to transform service delivery:
 - Project plans are in place with a range of departments and bodies, which will see the number of users of the Office of the Government Chief Information Officer's Managed Desktop Service more than double within the next two years.
 - Continue to run a twelve-week Foundation Certificate in Artificial Intelligence, attracting interest from civil/public servants.
- 3. Flexibility and strengthening capacity:
 - *Blended Working Policy Framework* agreed and published.
 - The Department of Rural and Community Development (DRCD) has completed an audit of buildings to ensure efficiencies in terms of office space and configuration.
 - Pilot departments have recently established communities of expertise within their individual departments.
 - An external review of programmes and schemes in the DRCD has commenced to ensure that programmes are being administered as efficiently/effectively as possible.
- 4. Business/operational/policy changes leading to internal efficiencies:
 - Discussions and progress underway with unions in relation to the updates to the annual leave and bereavement leave circulars.
 - There has been satisfactory engagement between stakeholders and the Department of Agriculture, Food and the Marine in relation to the outsourcing of transmissible spongiform encephalopathy sampling.

Review of Building Momentum

In early September, following a review of the *Building Momentum Agreement*, government approval was secured to extend the agreement by twelve months to the end of 2023. With the extension of the agreement, the Workplace Relations Commission (2022) issued proposals for additional pay adjustments to be applied alongside the existing pay term in *Building Momentum*. The proposals included a 3 per cent increase in pay for public sector workers, backdated to 2 February 2022, as well as a 1 per cent increase from 1 March 2023 and a further 1.5 per cent (or €750, whichever is greater) from 1 October 2023. This is in addition to the 1 per cent increase (or €500, whichever was greater) of 1 October 2022 agreed under the original *Building*

Momentum Agreement. These increases take into account the higher anticipated rates of inflation that have emerged since mid 2021 and followed into 2022.

Haddington Road Agreement

In April the government accepted the recommendations of the Independent Hours Body appointed to review the extra hours being worked by public services since the *Haddington Road Agreement* (HRA) in 2013. Section 4 of the *Building Momentum Agreement* states that the additional HRA hours are considered ‘outstanding matters to be resolved’ and includes a commitment that the Independent Body would make recommendations regarding the hours, with the recommendations to be rolled out within its lifetime. Included in a report published in January, the Independent Body recommended that the HRA hours implemented in 2013 be restored in the majority of civil and public service employments, with the exception of academic grades, hospital consultants and primary and post-primary teachers, with effect from 1 July 2022 (Independent Hours Body, 2022). The second recommendation was that working hours for any grade will not be less than the level that applied prior to the HRA; in this regard a minimum floor of thirty-five hours per week will apply. The recommendations were accepted, and ended the need for any further negotiations for the restoration of pay and other conditions of employment arising from the HRA.

Review of Ireland’s Statutory Framework for Ethics in Public Office

At a meeting in December the government approved the publication of the report of the Review of Ireland’s Statutory Framework for Ethics in Public Office, undertaken by DPER (2022h). The review marks the first step in delivering on a commitment from the 2020 programme for government of reforming and consolidating the Ethics in Public Office legislation. As part of the review process, the department engaged directly with significant stakeholders, including relevant government departments, the Attorney General’s Office, the Standards in Public Office Commission (SIPO), and the Dáil and Seanad Committees on Members’ Interests. This reform process and report aims to achieve a fit-for-purpose, easy-to-understand and user-friendly ethical framework that contributes to the quality and efficacy of public administration.

The report incorporates the following elements:

- a review of Ireland's existing ethics legislative framework;
- a review of the recommendations of relevant tribunals of inquiry;
- a review of SIPO based on its operation of the current regime;
- consultation with the Department of Housing, Planning and Local Government on the local government aspects of a consolidated statutory regime;
- a review of current EU/international best practice;
- a public consultation process.

The review's recommendations centre on five key themes:

1. underpinning the legislative framework for ethics with a set of overarching integrity principles;
2. the need for new specific statutory prohibitions, including on the use of insider information;
3. strengthening disclosures requirements to improve transparency and examining whether the regime should encompass more office holders;
4. strengthening SIPO;
5. ensuring any post-term employment restrictions for elected officials/public servants address matters not already covered by lobbying regulation and align closely with that legislation.

Following the outcome of the review, the government has further agreed to the preparation of a general scheme for legislative reform.

Public Service Performance Report

Published in May 2022, the *Public Service Performance Report 2021* provides, in a clear and accessible manner, an overview of how public funds (total gross expenditure in 2021 exceeded €86 billion) were allocated in 2021 (DPER, 2022g). The report also includes an update on equality budgeting and green budgeting, providing an additional dimension to the impacts of public spending. Using quantitative data, this report aims to enhance the focus on performance and delivery.

The report shows that in 2021 over 1.5 million people were covered by a medical card, almost 950,000 students were in primary and post-primary education, and over 100,000 children were enrolled in the Early Childhood Care and Education preschool programme. The

report also outlines how An Garda Síochána's overall workforce reached 17,826 (including 14,235 Garda members and 3,168 civilian staff) and the number of primary and post-primary teachers reached 71,584. In addition, it shows that the impacts of Covid-19 continued to dominate public services in 2021, noting an almost 93 per cent uptake of the vaccine programme amongst the eligible population by the end of the year, with 95 per cent of test results being communicated within 48 hours.

Civil Service Business Customer Survey

The fourth *Civil Service Business Customer Survey* was published in June; previous surveys were undertaken in 2009, 2016 and 2018 (DPER, 2022e). The survey examined the interactions between businesses and the civil service and the level of satisfaction with the service provided, along with the overall satisfaction with, and attitudes towards, the civil service. The survey was conducted by Behaviour and Attitudes Ltd on behalf of DPER and took place in February and March through telephone interviews with 500 businesses nationwide. The main findings were as follows:

- Business customers reported strong positive experiences with interactions across the civil service in 2021/2, with performance rated as better in many cases compared with 2018. 84 per cent of all business people were satisfied with the services that they received from the civil service. These are the highest satisfaction levels recorded in this series of surveys.
- The most common way in which businesses interacted with the civil service was online (87 per cent), with a high level of satisfaction in how online services were delivered. There was a significant increase in satisfaction with online services in terms of efficiency (up 12 points to 81 per cent), speed of response (up 11 points to 76 per cent) and ease of use (up 9 points to 83 per cent), compared with the previous survey's results in 2018.
- Overall perceptions of the civil service were very positive amongst the business community:
 - 71 per cent believed the civil service securely manages their data;
 - 70 per cent believed the civil service has become more innovative in the last five years;

- the majority believed the civil service is independent and trustworthy, and provides fair and equal services.
- There has been an increase since 2018 in the belief that the Irish civil service is becoming more innovative, performing well in providing digital services and making it easy for businesses to get information.
- Contact with the civil service was marginally down in 2022 compared with 2018 (96 per cent had at least one contact with civil service in 2022, down 2 per cent from 2018). Fewer interactions per government office were also reported compared with 2018.

Public institution trust survey

The results of the OECD's *Survey on Drivers of Trust in Public Institutions* were published in August (OECD, 2022). Ireland was one of twenty-two countries that participated in the survey, which was part-funded by DPER and carried out on behalf of Ireland by the Central Statistics Office. The key findings of the survey in relation to Ireland were as follows:

- Trust in public institutions in Ireland is comparatively high compared to other European countries. Ireland demonstrates a real level of confidence in our public institutions, with a 67 per cent trust score for An Garda Síochána and 65 per cent for the courts and legal system, while a 62 per cent trust score in civil servants compares well with the OECD average of 50 per cent.
- 80 per cent of Irish respondents believe that information they need regarding administrative procedures is readily available, which compares well with the countries that participated in the survey and a 65 per cent OECD average.
- 76 per cent of respondents believe that their application for a government benefit or service would be treated fairly, which was higher than the figures for the other participating countries and the overall average of 70 per cent.
- 65 per cent of respondents believe that personal data they share with a public agency are exclusively used for legitimate purposes, which was significantly above the other participating countries' figures and the OECD average figure of 50 per cent
- 58 per cent of respondents believe that government institutions will be prepared to protect people's lives in the event of a new pandemic, with the average OECD figure being 50 per cent.

- 42 per cent of respondents believe that public employees would treat rich and poor equally, which matches the average OECD figure, with the highest outcome in Denmark and the Netherlands, at 58 per cent.

Human resources developments

Independent Review Panel

In early April the Minister for Public Expenditure and Reform, Michael McGrath, established an Independent Review Panel to examine the recruitment and pay determination processes in place for senior public servants. The review will include:

- an independent assessment of the current recruitment process in place for senior public service posts, in particular in the civil service, with the aim of providing recommendations and guidance on measures and strategies for their improvement;
- a review of the process for determining terms and conditions for senior posts including relevant ministerial powers, tenure and pay determination procedures;
- an examination into the retirement and severance terms provided under current government policy (DPER, 2022i, p. 1).

Civil service ICT apprenticeship programme

Plans began in October 2022 for the creation of a civil service ICT apprenticeship programme, which will be run in conjunction with FIT, the national coordinating provider for ICT apprenticeships, and the City of Dublin Education and Training Board. Beginning in March 2023, the two-year full-time programme will offer over 100 ICT apprenticeships across 23 civil service organisations. Recruiting ICT apprentices is one of a number of initiatives in line with *Connecting Government 2030*, and aims to strengthen and build digital and ICT skills in the civil and public service (DPER, 2022c). There are three streams available for the apprenticeships: software development, network engineering and cybersecurity. The programme includes both on-the-job and off-the-job elements, and those succeeding on the programme will attain a National Framework of Qualifications Level 6 in Software Development (Computer Programming), Network Engineering (Computer Networking) or Cybersecurity. This scheme is on a much larger scale than the pilot programme run between 2019 and 2021, and will enable participants to play a role in Ireland's ambition to become a digital leader.

Gender Pay Gap Report

The *Gender Pay Gap Report 2022* outlines the analysis and results of payroll metrics from 25 June 2021 up to 24 June 2022 (DPER, 2022d). One of the main findings in the report is that, on average, men are paid 5.71 per cent more than women, as shown by the mean (average hourly pay point) gender pay gap. It is argued that this difference is due to more men occupying senior roles than women over the course of the reporting period. The median (midpoint hourly pay rate) gender pay gap indicates that, on average, women are paid 2 per cent more than men. Data for the mean hourly gender pay gap for part-time employees show that women are paid 33.29 per cent more than men, and median hourly gender pay gap data for part-time employees show that women are paid 20.87 per cent more than men. The report provides further reasoning for the differences relating to remuneration:

- In the civil service, pay rates for each grade are set out in published pay scales which apply to all staff. As such, the gender pay gap arises as a result of the differences in the proportion of male and female employees at particular grades.
- The majority of appointments are managed for DPER by the Public Appointments Service, which facilitates a competitive process and allocates appointees in order of merit and request. The department does not have prior awareness of the gender of these appointees.
- The department manages its own internal recruitment competitions, in compliance with the codes of practice for civil and public service appointments.
- In relation to the part-time employee figures, the majority of staff who work on a part-time basis are female. This statistic is further impacted by the fact that a large majority of senior staff who work part-time are female.

In its concluding section, the report outlines the measures that DPER is taking to eliminate or reduce the differences in pay. While the proportion of female staff at higher grades availing of flexible working options is higher than that of their male counterparts, all flexible working options are available to staff at all grades. The department is also preparing a new HR strategy that will focus on further embedding equality, diversity and inclusion, as well as blended working, to ensure there is no unconscious bias in relation to staff seeking to avail of

flexible working options. Promotional opportunities are also available to all staff, and office notices clearly affirm that senior management are supportive of flexible arrangements.

Top-level appointments

The 2021 annual report from the Top Level Appointments Committee (TLAC) to the Minister for Public Expenditure and Reform was published in May 2022 (TLAC, 2022). The report outlines statistics regarding recruitment of senior civil service positions:

- Of the candidates who applied for TLAC posts in 2021, 62 per cent were male and 38 per cent were female.
- In 2021 TLAC processed 36 general service posts and 5 specialist posts, a total of 41 posts. This represented a doubling in activity compared with the previous year.
- Of the 41 TLAC recommendations for appointment in 2021, 22 (or 54 per cent) were female and 19 (or 46 per cent) were male.
- In 2021 there were 1,585 applications for 41 posts. Of these, 1,111 were adjudged to be eligible. Of the candidates who applied, 62 per cent were male and 38 per cent were female.
- Of the candidates sent forward for final interview in 2021, 58 per cent were male and 42 per cent were female.
- It is noteworthy over the past two years that although males greatly outnumber females at application stage, each subsequent stage of the process sees a greater proportion of females going forward to the next level. When it came to recommendations for appointment in 2021, females outnumbered males, with 22 females recommended (54 per cent) and 19 (46 per cent) males.
- Data continue to show that while the applicant pool is now diverse in gender it appears to be much less so by other criteria. There are still no data available on ethnicity, nationality or other forms of diversity.
- The largest cohort of eligible applicants to TLAC in 2021 came from within the civil service itself, representing 47.5 per cent of all eligible applicants. The private sector provided just over 30 per cent of eligible candidates while the wider public service provided 23 per cent of eligible applicants.
- Of the 41 recommended for appointment, 35 (85 per cent) were from the civil service and 6 (15 per cent) were from the wider public service.
- It is noteworthy that in 2021, for the second year in succession, no candidate from the private sector was recommended for

appointment by TLAC, although 30 per cent of eligible candidates came from that sector.

- There were 5 TLAC specialist competitions in 2021 with 15 applicants. In all cases candidates were recommended and appointed.

Legislation

Protected Disclosures (Amendment) Act 2022

In July the Protected Disclosures (Amendment) Act 2022 was signed into Irish law, which gave effect to an EU Directive regarding the protection of whistle-blowers, and serves to amend and extend the Protected Disclosures Act 2014. This Act has expanded both the protections available to whistle-blowers and the responsibilities imposed on companies regarding whistle-blowing.

Under the Act, the types of individuals who can claim its protections when making a protected disclosure have been clarified and expanded. Now the information subject to a protected disclosure needs only to have come to light in a work-related context, and the range of individuals who can claim protection under the Act now include:

- current employees;
- former employees;
- contractor or agency workers;
- shareholders;
- volunteers or individuals receiving work experience;
- board members;
- job applicants;
- consultants;
- members (including non-executive) of administrative, management or supervisory bodies.

The Act outlines that any organisation with 50 or more employees is obliged to develop internal reporting channels and procedures to facilitate whistle-blowing for their staff, with the Act also providing specifications regarding how these reporting channels should operate. These obligations extend to private sector organisations. A provision in the Act states that, for employers of between 50 and 249 employees, all obligations under the Act will not come into effect until December 2023.

The 2014 Act provided a range of activities which it considered to be unfair penalisation of individuals who have made a protected disclosure. The Amendment Act has increased this list of penalties to include acts such as the withholding of training, negative performance assessment and harm to the individual's reputation.

Regulation of Lobbying (Amendment) Bill 2022

The Regulation of Lobbying (Amendment) Bill 2022 was published in September to ensure that the framework on lobbying regulation remains up to date and fit for purpose. This Bill is an extension of the Regulation of Lobbying Act 2015, which was designed to provide information and transparency on who is lobbying, the issues involved, the intended result of the lobbying and who is being lobbied. The purpose of the Bill is to build on this and improve the operation and functionality of the Lobbying Register, strengthen the existing legislation and its enforcement, and make failure to comply with the post-term employment 'cooling-off' restrictions a relevant contravention under the Act. The Bill enables SIPO to impose a fine of up to €25,000 and/or a ban on lobbying of up to two years for breaches of the cooling-off period.

Climate Division included in DPER's new operating model

In April DPER published its *Operating Model Review*, which established a Climate Division in the department for the first time (DPER, 2022f). The review consisted of eight key principles, one of which is the prioritisation of the climate agenda. Climate action is a key commitment in the programme for government, and the civil service is playing a huge role in driving change in this area. The new Climate Division will be established in order to maximise the contribution of the department in the climate area.

The division will bring together key expenditure areas, all in the climate remit, including adaptation, mitigation and climate finance. Its role includes ensuring that climate impacts are considered in the development of the department's policies and actions, as well as in their internal and external processes. Climate evaluation, research and oversight will be the main focus of the new division and it will undertake analytical work to improve *ex ante* and *ex post* evaluation of environmental expenditure policies and measures, as well as enhancing transparency on the impact of climate and environmental expenditure through green and impact budgeting. The new operating

model also outlined that a new Management Board Sub-Committee on Climate Action will be established in line with the Climate Division, highlighting the role the department can play in regard to the growing priority with the climate agenda.

Reinvigoration of Quality Customer Service Initiative

The Quality Customer Service Initiative (QCSI) was developed to improve service design, delivery and engagement with customers. The initiative is based on twelve ‘guiding principles’ for quality customer service, which outline the design and delivery of all public services (DPER, 2021c). In renewing the QCSI, DPER is seeking a commitment from all departments and public service bodies to update, redevelop and implement their organisations’ customer service action plans and customer charters to ensure they achieve and maintain the highest standards of management and accountability in customer service. Organisations will also be required to demonstrate responsiveness by engaging in regular accessible and transparent reporting and evaluating of performance against their service standards. This will facilitate continuous improvement in quality customer service.

Updated guidance on how public service bodies should engage with customers will be published following the reinvigoration of the QCSI. DPER will be assisting public service bodies in improving engagement with users to ensure that the services provided best meet the needs of the public.

Impact 2030

In May the Department for Further and Higher Education, Research, Innovation and Science published *Impact 2030: Ireland’s Research and Innovation Strategy*. The whole-of-government strategy was devised in order to advance Ireland’s research and innovation system’s strategic development before 2030. The department will drive coordination and cohesion of the strategy while working with all stakeholders and other departments. The strategy will be delivered through three three-year work programmes, the first of which covers the period 2022–4.

The strategy is broken down into five key areas:

1. impact of research and innovation outcomes on the economy, society and the environment;

2. impact of research and innovation structures on excellence and outcomes;
3. impact of innovation on enterprise success;
4. impact of talent at the heart of the research and innovation ecosystem;
5. impact of research and innovation on all-island, EU and global connectivity.

Through these five key areas, the strategy aims to intensify Ireland's commitment to building a knowledge-based economy, as well as adopting new and emerging technologies that will be central to long-term economic, environmental and social sustainability at national and regional level. Research and innovation can have an impact across other fields, such as informing better policymaking. The strategy prioritises the development of talent and excellence to build on Ireland's reputation as an 'Island of Talent' and a location for research excellence. The department hopes that the strategy and the whole-of-government approach will ensure that research and innovation deliver lasting impact for Ireland.

Public Sector Trends report

The Institute of Public Administration published its annual review of trends in the Irish public service in December (Boyle et al., 2022). The report provides information and trends on (i) the size and cost of the public sector, (ii) the quality and efficiency of public administration, and (iii) levels of trust and confidence in public administration. The aim of the report is to help inform the debate on Ireland's public sector and public administration, along with its role in Irish society.

The size, cost and inputs of the public sector

- Average government spending per person was €21,134 per head in 2021. This was up significantly from 2019, reflecting the impact of the Covid-19 pandemic.
- The public sector accounted for about 14.4 per cent of the labour force in 2022, down from 15.6 per cent in 2021. This is towards the lower end of European levels.
- Spending on public service pay and pensions has increased each year since 2014. Spending stands at almost €24.5 billion in 2022.

The quality and efficiency of public administration

- Just under 60 per cent of all people surveyed said that the provision of public services in Ireland was good. This was an improvement of 10 per cent on 2021 but still a lower level than in many European countries.
- People in Ireland have a high expectation compared to other European countries that applications for government benefits or services will be treated fairly.
- Individual use of the internet to interact with public authorities in Ireland is very high by European standards.

Trust, satisfaction and confidence in public administration

- Trust in public institutions in Ireland is comparatively high compared to other European countries.
- Trust in local authorities has risen above the European average and counter to the general European trend in 2022.
- Complaints to the Ombudsman offices increased sharply in 2021: 9,046 complaints in 2021, an increase of just over 25 percent on the 2020 figure.

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