



**Effectiveness and Renewal Group  
for the Department of Justice & Equality**  
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30 April 2019

Mr Charlie Flanagan, T.D.,  
Minister for Justice & Equality

Dear Minister,

In accordance with our mandate, I enclose herewith the Fourth Report of the Effectiveness and Renewal Group for the Department of Justice & Equality.

We are happy to report that the Department has continued to be fully engaged in the transformation programme and our report highlights the considerable measures carried out in the first quarter of 2019 to materially advance the transition from the traditional model to a functional model.

This transformation is a challenging undertaking that requires careful planning and execution and in particular, we acknowledge that the Department has undertaken this work with speed and focus while simultaneously managing a particularly full and challenging Ministerial brief.

The Department remains on schedule and we are confident that they will successfully deliver the transformation within the recommended timeframe.

We will submit our next report in July.

Yours sincerely

Pádraig Ó Ríordáin  
Chairman

[Leo Varadkar, T.D., Taoiseach]





# **Effectiveness and Renewal Group for the Department of Justice and Equality**

**Fourth Report  
1 January - 31 March 2019**



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## Executive Summary

This is the Fourth Report of the Effectiveness and Renewal Group (ERG) for the Department of Justice and Equality (the Department). In accordance with our mandate, its purpose is to report on progress on the Transformation Programme for the Department in the first quarter of 2019.

We are pleased to report that in this quarter the Department has continued to be fully engaged in its Transformation Programme under the commendable leadership and direction of Secretary General Aidan O'Driscoll and Deputy Secretaries Oonagh McPhillips and Oonagh Buckley.

Although the functional model that we recommended for the Department in our First Report is both logical and reasonably simple in concept, transforming a department in its entirety from its traditional structures and ways of working into that model is both technically complex and challenging from a human perspective. It is also a deeply detailed undertaking where the topography of the existing organisation must be carefully mapped onto the new model to avoid gaps and reduce risks on transition. The Department has been undertaking this work with speed and focus while simultaneously managing a particularly full and challenging Ministerial brief.

What this demonstrates most clearly to us is that the abilities and potential of the Department, which it has demonstrated over decades, remains undiminished. To the extent it has encountered difficulties over recent years, we are more convinced than ever that these have been generated primarily by an outdated structure and operating model. The pace, agility, vigour and precision with which the Department has taken on the task of its Transformation Programme is marked and demonstrates very clearly its depth of capability.

During the quarter under review the Department completed its Current State Assessment, its High Level Design of the Target Operating Model, appointed a majority of the Function Heads, designed its High Level Learning & Development and Communications Programmes and successfully deployed its change management consultants Ernst & Young, who currently have approximately 26 staff on site on a fulltime basis supporting the programme.

The project remains on schedule to complete at the end of September/beginning of October by which stage the new functional operating model will be deployed.

In the coming quarter, the Detailed Design of the Operating Model will be completed as well as the preparations for implementation. This will include identification of new roles for all affected personnel. During this phase we have encouraged the Department to focus further on communications, the human and cultural elements of the change process, as well as the clear definition of goals and accountability as the design progresses.

We recommend strongly that, to the extent possible, everything is done within the civil service system to expedite the appointment of the remaining Function Heads, who are critical to the success of the project.

Finally, in the terms of reference of the ERG it was provided that a review would take place in the first quarter of this year in respect of the progress of the project. This is now complete and the Minister has asked the ERG to remain in place, reporting quarterly until the project is complete later this year. The ERG is happy to do so and we look forward to reporting further on the Department's progress in the second quarter of 2019.

## Progress 1 January – 31 March

### Current State Assessment

Over the course of January and early-February the Department undertook a deep-dive Current State Assessment (CSA) to analyse and document how its *existing* functions, structures, governance and infrastructure currently operate and how its people, processes, systems and structures currently work together. This clear definition of current state provides the baseline from which the Transformation Programme is defined and implemented.

The transformation team utilised a variety of methods to complete the assessment including analysing existing data to build a picture of the Department, consulting with senior and middle management staff, and conducting a Department Activity Analysis to capture activities carried out at an individual level.

This detailed assessment provided key insights into the Department's structure, the responsibilities of the existing divisions, workforce strength, capabilities analysis, as well as how the divisions interface with each other internally and with external stakeholders. This data was then available to inform the organisational structure, organisational sizing and the key activities required for the target operating model.

In summary, the Current State Assessment fulfilled the purposes set out in Diagram A.

### Diagram A

Current State Assessment Output	Next Steps
Division Activities	✓ Ensures that there are no activity gaps in the design ✓ Informs the development of design questions and process mapping
FTE Analysis	✓ Informs the workforce transition approach ✓ Acts as an input into sizing
Interface Analysis	✓ Informs the interface relationship mapping ✓ Ensures external & agency stakeholders are identified and informed of any changes in the Department that may impact them
Capability Analysis	✓ Informs the training needs analysis ✓ Informs the skills required for the target operating model
Locations	✓ Acts as an input into the location recommendation analysis

The Current State Assessment is excellent work which was then used to inform the organisational structure, sizing and the key activities required for the High Level Design of the Organisation Structure and the Target Operating Model.



## **High Level Design of Organisation Structure**

Against the baseline of the Current State Assessment, the Department has carefully analysed and reviewed the indicative structure for the Functional Model set out in the First Report of the ERG in June 2018. This review resulted in the structure set out in Diagram B (page 8), which incorporates some changes to, and elaborations on, the model initially proposed by the ERG, each of which we agree with. The primary of these are as follows:

### ***1. A Single Transparency Unit covering both Criminal Justice and Civil Justice & Equality***

In our First Report, we conceived of two separate Transparency Units, one for each division of the Department. This would operate in a manner similar to each of the other functional units in that Division to give it a complete autonomous functional capability.

However, in undertaking its detailed planning for the Transformation Programme, the Department concluded that, due primarily to the complexity with which information is currently managed and deployed across the Department, the requirement to build entirely new sets of capabilities and the imminent migration to the eDocs IT system, it was best to start with one Transparency Function serving both Divisions.

We believe that this is a very sensible and thoughtful approach which will allow the Transparency Function to be built more cohesively while refining immediate accountability and reducing the potential for gaps to arise.

We are particularly encouraged by the appointment of Deputy Secretary General Oonagh McPhilips to head this key unit on an interim basis pending the appointment of a permanent head of function. This appointment ensures that the function will be built and led optimally while also signalling to the Department as a whole the key importance of Transparency.

*2. Addition of Immigration Service Delivery Unit to the Civil Law & Equality Division*

There is a very large requirement for direct service delivery by the Department in the area of immigration. The Department proposes to address this by combining the service delivery elements of INIS, the Reception & Integration Agency and the Irish Refugee Protection Programme into a separate unit called Immigration Service Delivery in the Civil Justice and Equality Division. In doing so, the functional elements of immigration ie Policy, Legislation, Governance and Transparency will be separated from service delivery and embedded in the Division's respective functional units.

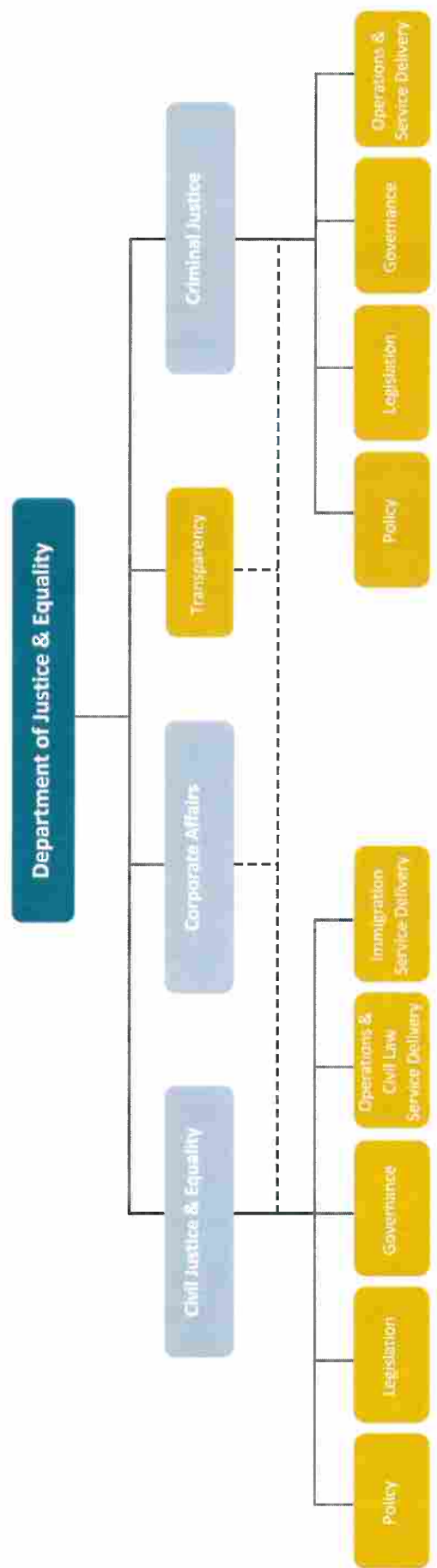
We very much agree directionally with this approach, but will discuss further with the Department the precise positioning of the new unit in the transformed structure before concluding on it.

*3. Operations Function in both Divisions refined to include certain other Service Delivery*

While large service delivery areas in the Department, such the Prison Service, INIS and the Probation Service will continue to be provided by and governed as separate non-statutory agencies of the Department, smaller areas of service delivery which do not warrant separate governance structures will be integrated into the Operations Function of each of the Criminal Law and the Civil Law & Equality divisions.

This is not an area we focused on in our First Report and consider it the correct and most practical solution to the smaller and more dispersed areas of service delivery.

Diagram B: High-level Organisational Structure



## **High-Level Design of the Target Operating Model**

In conjunction with the High Level Design of the Organisation Structure and based against our First Report and the Current State Assessment, the Department has completed the High Level Design of its new Target Operating Model. This is a critical piece of work and defines, at a macro level, the manner in which the Department will work in its new functional model. This is the work which begins to map the recommendations of our Report onto the practical operations and outputs of the Department post-transformation.

This High Level Design has been tested and validated by the Department and provides the blueprint for the Detailed Operating Model Design, which is now underway. Secretary General O'Driscoll ensured that the input of not only the Management Board but also of middle management across the Department was deployed in developing the high level design. This was facilitated through eight interactive and collaborative workshops in the Department over a six week period. These workshops gave staff an opportunity to actively contribute to the future direction of the Department, test the new model, and understand how the Department will operate under a Functional Model. We thoroughly endorse this approach as an essential step in making the Transformation a success.

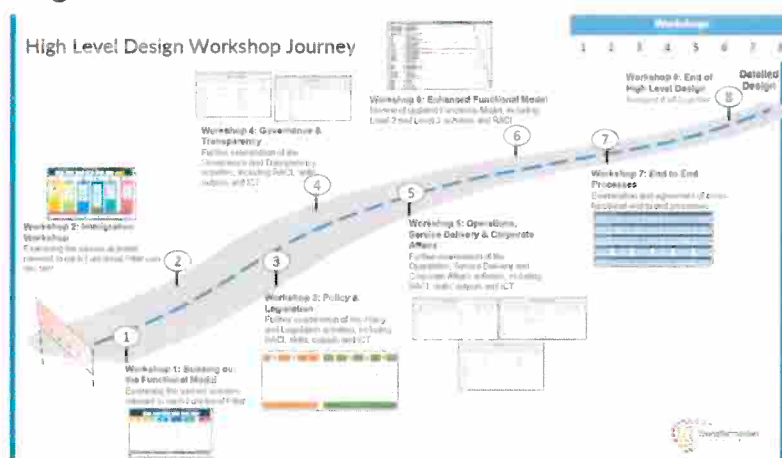
In developing the high-level operating model, the Department identified the core activities of each Function along with second level activities. It also developed end-to-end process scenarios to test the design, and identified relevant stakeholders in each area.

One of the possible downsides of a functional model is the potential for each function to become a silo, separated from the others. Building a strong cross-functional focus is therefore essential to the new Operating Model delivering its potential and the Department is paying close attention to this aspect of the architecture. In doing so it has adopted the Responsible, Accountable, Consult & Inform (RACI) model, which we endorse, which clarifies accountabilities and responsibilities across the Functions, including which Functions should be consulted on or informed about key activities.

The following is an indicative summary of the process undertaken by the Department in developing its High-Level Design of the Target Operating Model:

- Eight concentrated design workshops were run over a six week period to identify, test and validate the future design of the Department. These are illustrated in Diagram C:

**Diagram C**



- Workshops 1 and 2 involved building out the functional model, and testing the descriptions developed for each of the functional areas as well as the specific activities within each function. Diagram D summarises the Level 1 objectives defined in each function while Diagram E summarises the Level 2 activities supporting those objectives.

**Diagram D**

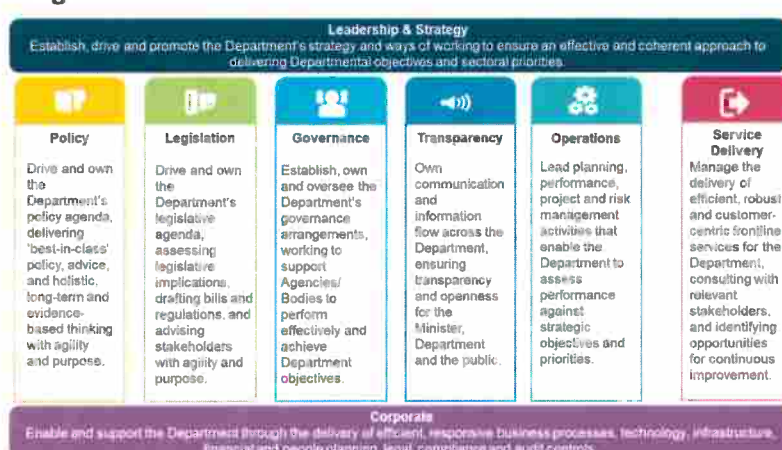
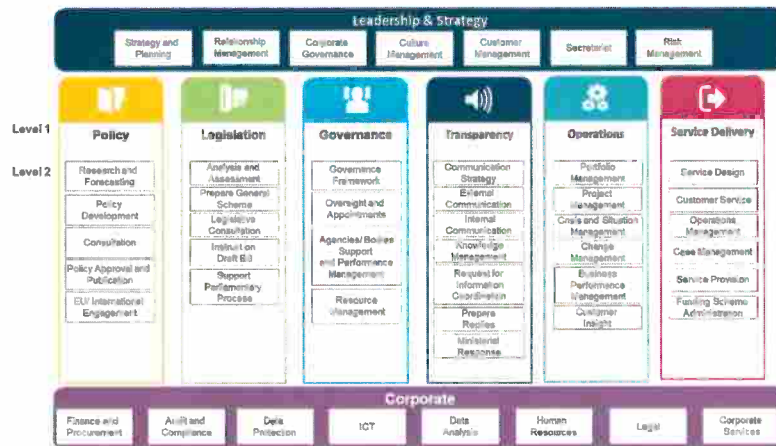


Diagram E



- Workshops 3, 4 and 5 focussed on identifying and testing Level 3 activities for each function and introduced RACI as a means of designing and documenting accountability and responsibility for each activity. An indicative example of Level 3 activities is set out at Diagram F in respect of one function (Policy) and the definition of the guiding RACI approach to accountability and cross-functional integration is set out at Diagram G.

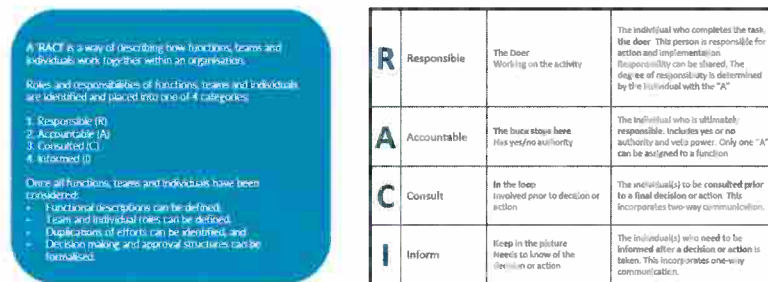
Diagram F

### Functional Map



## Diagram G

### RACI Overview - Recap



- Workshop 6 reviewed the detail of the functional model defined to date and provided input on Departmental activities the participants believed were not fully captured to date. It also presented a view of the full RACI model for each of the functional areas for the group to comment on.
- Workshop 7 defined how end-to-end processes would work in the new operating model. This describes the steps involved to deliver the core business of the Department and is illustrated in Diagram H in respect of Standalone Processes and in Diagram I in respect of how those Standalone Processes are integrated.

## Diagram H



## Diagram 1

### Workshop 7: End2End processes integrated

The diagram below shows the link between five **End to End** processes. These describe the main business of the Department, processes that deliver services to the Department's customers and stakeholders. They start to show how cross-functional work will happen at a high level. To reduce complexity this view does not show **Management** processes, which typically integrate and optimise the core business of the Department (e.g. drawn from Operations functions) and **Support** processes that enable the Department to function (e.g. Corporate HR).



- Workshop 8 brought all of the high-level design together, set out the areas being considered for decision by the Transformation Management Board and worked on communicating the design to the wider organisation.

The work undertaken by the Department on the High Level Target Operating Model Design is excellent and has been delivered on schedule, notwithstanding a tight schedule and many competing priorities in its day-to-day work. It has also been undertaken in an open, inclusive manner which is not just commendable and a strong indicator of future culture, but is also essential to ensuring commitment across the Department to the Transformation process.



## **Communications**

### **Internal**

One of the most fundamental enablers of a successful Transformation Programme will be the success of the manner in which it is communicated to everyone affected in the Department. This is not just on a structural level, but at an individual level addressing what it really means for people in terms of role and career prospects, in addition to the benefits to the Department as a whole of undertaking it.

As part of this communication process, Secretary General O'Driscoll participated in three roadshows during January and February where he took the opportunity to outline his future vision for the Department. The roadshows also gave staff an opportunity to have their concerns and questions heard at senior level regarding the future e.g. *How will it work? What will it mean to me? What are the next steps?*

A Case for Change document was developed especially for managers to provide information, tools and processes to enable them to communicate with their teams and explain why the functional model is the best-fit solution for the Department as well as how the model will be delivered.

The transformation team is mindful of the importance of internal communication and has developed an initial Communications Plan and Calendar co-ordinated with the other elements of the Transformation Programme. In addition to the initiatives above, this includes a Programme Newsletter, Tea & Talk, a Transformation News Blog, Department e-Bulletin and a Transformation Hub.

These are all both valuable and necessary. However, for those who may be disinterested in the transformation, or disaffected by it, few of these methods which require voluntary engagement are likely to prove effective.

As the Transformation Programme enters its next phase, which is just prior to implementation, we encourage the Department to complete the detailed design and implementation of a communications and engagement programme aimed at actively listening to and influencing all levels of the organisation especially those who may be most unsure or reluctant about the coming changes.

### External

On 15 March, Secretary General O'Driscoll and the Transformation Programme Team met with representatives of the Justice Sector Offices and Agencies to give an overview of the Transformation Programme progress and timeline plus a follow up to the Ministerial Roundtable event of July 2018. The meeting provided an opportunity for the attendees to discuss the Department's Transformation Programme and contribute to the process in respect of how it will affect them, particularly in relation to the policy, legislation, transparency and governance functions.

Given the fundamental nature of the transformation process which the Department is undergoing and the interest across the wider civil service in its implementation, Secretary General O'Driscoll will host a meeting with Secretaries General and Heads of Corporate across Government Departments in May to update them on the progress and potential of the Transformation Programme.

### Learning and Development

A bespoke Learning and Development Programme is key to the successful operation of the Functional Model once implemented and the Department has developed a Learning & Development High Level Plan to support the Transformation Programme on Day 1. The in-person training is focussed on the Transformation Management Board, Senior Management Team and impacted staff and will include a one day team workshop while wider staff will be provided with a New Team Charter and eLearning to familiarise them with the new organisational and functional orientation.

Three competency levels have been identified which will support the Department both during the transformation process and in the future: (a) leadership competencies which are required by leaders and managers across the Department; (b) functional competencies which are specific to the Department and disciplines; and (c) foundational competencies which are the skills and knowledge required and expected of all staff and which are aligned to the Department's values, vision and mission.

The plan also captures the high-level training which will be required following the go live date and proposes an approach for those activities to be included within a longer term plan to support the ongoing transformation journey e.g. review of the current

competency framework against skills identified through the detailed design, and an individual skills audit against the revised framework to build a training needs analysis.

We see this as an absolutely critical aspect of the overall programme, particularly due to the level of pervasive change which is happening, the need to develop new skills and people's natural concerns in respect of whether they will be suitably equipped to undertake their new roles properly. This is particularly important in an organisation such as the Department which has so many excellent people who will want to continue to do everything they can to help the Department succeed.

We therefore encourage the Department to look more closely at the learning and development being planned for middle management and below and to supplement it as necessary to address the key gaps either they have or may believe they have as they transition to the new model.

### **Appointment of Function Heads**

Although seven of Function Heads have been appointed, it has not yet proven possible to identify and appoint the remaining four Function Heads required by the new Functional Model. The Department of Public Expenditure and Reform has now sanctioned the appointment of one more Assistant Secretary and two Directors to fill these positions, but these appointments will proceed through the Top Level Appointments Committee and Public Appointments Service process which could take up to a further four months.

We see this as a material point of jeopardy in the Transformation Process, as it means some functions will be designed, built, staffed and perhaps even implemented in the absence of the person who will lead them. In a firmly established role and structure, this is commonplace, but with an entirely new structure, team and function it attracts real risk.

Although it is not directly within the control of the Department itself, we strongly recommend that everything is done within the civil service system to expedite these remaining appointments to the extent possible. The transformation begins to take effect from August.

In advance of that we encourage the Department to continue to focus on how best to mitigate this risk. We know they are mindful of this and the appointment of Deputy Secretary General Oonagh McPhillips as interim Head of Transparency is a good example of that, as is the intention that where a Function Head is appointed in one Division, they would contribute materially to the development of that function in the other Division.

### **International Benchmarking**

We note that the Department, both directly and through its change management consultants Ernst & Young, have sought to identify relevant best-in-class experience internationally which is relevant to the transformation process. Given the broad scope and fundamental nature of this transformation, there is not a single international precedent to draw from. However, as we have done in previous reports we encourage the Department to seek and identify relevant international experience which may inform key aspects of the Transformation Programme as it proceeds.

### **Appointment of Ministerial Liaison Officers**

As envisioned in our First Report, the appointment of two Ministerial Liaison Officers (MLOs) last September, one for each Division, has been helpful to managing the significant workload in the Minister's office in a number of ways. It has assisted in expediting the provision of briefing to the Minister, facilitated the coordination of information for the Minister from across different divisions, and assisted in the management of complex and fluid topical issues. In particular the MLOs play an important role in managing the briefing required for Leaders' Questions.

The full integration of the MLOs into the structures of the Minister's Office has yet to be achieved as one MLO continues to carry out their original role as well as their new role. However, it is expected that the transition to the new roles be completed in the coming period, which we encourage.

These are new roles which are still evolving, but the experience to date has been positive and the roles have provided vital additional capacity and connectivity in the very busy and demanding Minister's Office.

## Co-location

The co-location of the Department from its many current sites to a more integrated physical unit will be a critical determinant of the success of the transformation. The Department has engaged consistently with the Office of Public Works on this topic and some progress has been made. As an initial step, the front block of No. 52 St. Stephen's Green will be released to the Department in September 2019, although this is later than expected. The remainder of the building will be taken over by the Department at a later stage following renovation works which will need to be carried out.

This is a welcome first step in addressing the challenges which the Department will face, particularly in respect of cross-functional integration, from being split over so many locations. However, we emphasise that significantly more needs to be done to address this problem as the maintenance of so many locations will cause additional material risk to the successful operation of the transformed model.

## Next Steps

The next steps for the coming quarter, as we see them are

1. *Complete the Detailed Design of the Target Operating Model*

This is the natural follow-on from the High Level Design which is now completed. Focus should be kept in this design on completing the cross-functional elements of the model.

2. *Appoint remaining Function Heads*

This is a top priority and key to the success of the project. We strongly encourage any assistance which the civil service system as a whole can provide to expedite these appointments through the TLAC and PAS systems or otherwise.

3. *Develop Communications Plan Further*

Develop and refine the Communications Plan in a manner that identifies and engages those members of management and staff who may feel remote from or uncommitted to the Transformation Plan.

4. *Develop Learning and Development Plan Further*

Review and advance the Learning and Development Plan to identify and fill any further gaps and, to the extent practicable, provide for more face to face training of those at middle management levels and below.

5. *Keep Focus on Accountability and Measures of Success*

In the last phases of design and implementation it is essential to the future culture of the Department to keep a focus on defining clear accountability, through RACI and otherwise, as well as measures of success across the Department. Once these measures or KPI's are known, everyone will understand what's expected from them in their new roles and this clarity will be very empowering for the organisation.

6. *Make materially more progress on Co-location of the Department*

The significant reduction in the number of locations occupied by the Department is of key importance to the success of the transformation. Materially more progress needs to be made over the next quarter in planning for how this element of the project will be delivered and on what timescale.

7. *Keep to Schedule*

The Department has done an excellent job to date, despite the tight timeframes and the scope of decisions to be made, of keeping to schedule. It is important that this momentum, now generated, is maintained and that the project is concluded, on target, at the end of September.