

An Garda Síochána

Oifig Saoráil Faisnéise
An Garda Síochána
Teach áth Luimnigh
Lárionad Gnó Udáras Forbartha Tionscail
Baile Sheáin
An Uaimh
Contae na Mí
C15 DR90



Freedom of Information Office
An Garda Síochána
Athlumney House
IDA Business Park
Johnstown
Navan
Co Meath
C15 DR90

Teileafón/Tel: (046) 9036350

Bí linn/Join us  

Láithreán Gréasain/Website: www.garda.ie

Ríomh-phoist/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000051-2016 Internal review

Dear

I refer to the appeal which you made under the Freedom of Information Act 2014 (FOI Act) dated 28th April 2016 and received on the 29th April 2016. This letter only refers to your request for the following audit:

- ***Expenditure Review 2013 Vehicle Maintenance Contract***

A Principal Officer, who is a more senior member of staff of this Organisation, has conducted an Internal Review of your Freedom of Information request. His decision on review is an entirely new and separate decision on your request and is explained as such below.

Your request is shown below:

Under the FOI Act I wish to receive copies of the following records:

1) The following 2014 audit reports:

- *Audit of NBCI*
- *Expenditure review 2013 Vehicle Maintenance Contract*
- *Expenditure review 2014 GoSafe Camera Contract*
- *Audit Mayo Division*
- *Review Audit Mayo*

2) The following 2013 audit reports

- *Audit of procurement*
- *Audit of the Serious Crime Review Team following Allegations of Financial Irregularities.*
- *Audit of the Offices of the Regional Assistant Commissioners*

3) *The following 2012 audit reports*

- *Audit of Compensation Claims*
- *Audit of Controls in the Fixed Charge Penalty Office*
- *Audit of Tranman System*
- *Review of CCTV systems*

1. Findings, particulars and reasons for decisions to deny access

In arriving at his decision, the Internal Reviewer had regard to the original request, the records which were located as part of that request and the appeal which you submitted in this regard.

Part 1(n) of Schedule 1 of the Freedom of Information Act 2014 states that An Garda Síochána is listed as a partially included agency *"insofar as it relates to administrative records relating to human resources, or finance or procurement matters"*. Therefore, the only Garda records falling within the scope of the provisions of the FOI Act are administrative records relating to human resources, finance or procurement.

Having considered the nature and the scope of the contents of *"Expenditure Review 2013 Vehicle Maintenance Contract"*, the Internal Reviewer does not consider all of the document to be akin to an administrative record or related to the administrative functions as set out in the FOI Act for An Garda Síochána as a partially included public body (Part 1(n) of Schedule 1). Therefore specific records as per page 4 & 5 of the Audit and Appendix B in its entirety are not provided. As a result, the relevant audit report will be provided in a redacted format and your request for this record after an Internal Review has been partially granted. A schedule of records is also attached outlining the above redactions.

Audits similar to this one, contain very sensitive information in relation to various companies who may have business with An Garda Síochána. In this regard, Section 36(1)(b) of the FOI Act 2014 states:

*"(1)...a head shall refuse to grant an FOI request if the record concerned contains –
(b) financial, commercial, scientific or technical or other information whose disclosure could reasonably be expected to result in a material financial loss or gain to the person to whom the information relates, or could prejudice the competitive position of that person in the conduct of his or her profession..."*

Some of the information obtained through the Internal Audit report conducted on the Service, Repair and Maintenance contract with Ford Ireland is commercially sensitive and could reasonably be expected to, either intentionally or unintentionally, influence both private and commercial entities in their decision making process when seeking a similar contract with Ford Ireland.

A Garda based audit of Ford Ireland would be of interest to the General Public when considering the purchase of a vehicle and the car manufacturing companies selling vehicles. It is not unreasonable to believe that observations contained within the audit and conclusions or recommendations made could either positively or negatively impact upon the car manufactures competitive position. An Garda Síochána must not knowingly promote or detract from a commercial organisations competitive position within their profession or business.

Public Interest Test

In considering the public interest issues which arise in this case, the following factors have been taken into account in favour of release:

- There is serious interest by the community in this matter which is not just curiosity
- There is an interest in ensuring that An Garda Síochána is accountable to the public for the decisions that they make
- Maximum openness, transparency, accountability and value for money in the use of public funds.

In considering the public interest factors which favour withholding the records, the following has also been taken into consideration:

- That the companies concerned not be unduly impeded in the effective pursuit of their business.
- There is a public interest in An Garda Síochána being able to make informed decisions in the course of carrying out its functions and in being able to maintain the confidentiality of their deliberative process in purchasing vehicles.

Having balanced these factors, it is considered that the public interest in preserving and protecting the commercial sensitivity of the information involved outweighs the public interest that would be served were the records to be released. As a result, redactions have been applied to the audit report to protect the commercial sensitive information in this regard.

2. Right of Appeal

You may appeal this decision by writing to the Information Commissioner at 18 Lower Leeson Street, Dublin 2. There is a fee of €50 (€15 for medical card holder) for such appeals, other than appeals against a decision to impose a fee.

If you wish to appeal, you must usually do so not later than 6 months from the date of this notification. Should you write to the Information Commissioner making an appeal, please refer to this letter.

Please be advised that An Garda Síochána replies under Freedom of Information may be released in to the public domain via our website at www.garda.ie.

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.

Should you have any questions or concerns regarding the above, please contact me by telephone at (046) 9036350.

Yours sincerely,

 **SUPERINTENDENT**
HELEN DEELY
FREEDOM OF INFORMATION OFFICER

 **May 2016**

Expenditure Review 2013 - Vehicle Maintenance			Requester Name:		File Re: FOI-00051-2016
Page No	Description of document	Deletions	Relevant Section of FOI Acts	Reason for decision	Decision Maker's decision
Cover Page	Expenditure Review 2013 Vehicle Maintenance Contract				Grant
1-3	Expenditure Review 2013 Vehicle Maintenance Contract				Grant
4	Expenditure Review 2013 Vehicle Maintenance Contract	17	Part(1)(n)Schedule (1)	Outside the Scope of the Act insofar as it pertains to An Garda Síochána	Part-Grant
5	Expenditure Review 2013 Vehicle Maintenance Contract	19	Part(1)(n)Schedule (1)	Outside the Scope of the Act insofar as it pertains to An Garda Síochána	Part-Grant
6	Expenditure Review 2013 Vehicle Maintenance Contract	3	Sn. 36(1)(b)	Commercially Sensitive Information	Part-Grant
7	Expenditure Review 2013 Vehicle Maintenance Contract	1	Sn. 36(1)(b)	Commercially Sensitive Information	Part-Grant
8-9	Expenditure Review 2013 Vehicle Maintenance Contract - Appendix A				Grant
10-12	Expenditure Review 2013 Vehicle Maintenance Contract - Appendix B	Pg. 10-12	Part(1)(n)Schedule (1)	Outside the Scope of the Act insofar as it pertains to An Garda Síochána	Refuse
		Total number of pages			13
		Total number of pages for full release			6
		Total number of pages for partial release			4
		Total number of pages being withheld			3

AUDIT REPORT



Quality Assurance Compliance with DPER circular 13/13

March 2015

Quality Assurance
Compliance with DPER circular 13/13
Review of Service Repair and Maintenance contract with Ford
Ireland

Introduction

An Garda Síochána are required to complete an annual Quality Assurance Report, which must be signed off by the Accounting Officer, in compliance with the Public Spending Code¹. The Quality Assurance process has five steps:

1. Draw up inventories of projects at the different stages of the project lifecycle
2. Publish information of all procurements in excess of €2m
3. Complete a series of self assessed checklist on compliance with the PSC
4. Carry out a more in-depth check of a selected project
5. Complete a summary report for DPER

This audit is step 4 of the process, an in-depth check on a selected project and the particular project is the service level agreement for the maintenance of the Garda fleet.

Background

An Garda Síochána operates a fleet of approximately 2,400 vehicles distributed throughout the state in 29 Garda divisions.

The servicing and repair of Garda vehicles was traditionally (prior to 2008) carried out by the Garda Transport Section based in Garda Headquarters. The role of Transport Section has evolved to a Fleet Management Model.

In 2009, the local discretionary spend of €500 was removed from District Officers. All service providers now contact Transport Section for prior authorisation for repairs etc.

Previous arrangements for the servicing and repair of the Garda fleet was found not to be efficient², cost effective or found to be ineffective for long term fleet management due to difficulties in capturing vehicle repair history, odometer reading, or the age of the fleet.

Following on from an Internal Audit Report on the Garda Transport Fleet³ which recommended that *a multi annual budget facility should be sought for the purchase of Garda vehicles in line with a vehicle replacement policy*, L&A Consultants were

¹ Public Spending Code; Department of Public Expenditure and Reform; Circular 13/13 (November 2013) Expenditure Planning & Evaluation in the Irish Public Service.

² Deloitte Review of SMI in relation to Transport Maintenance and Procurement Compliance (2004); Department of Justice.

³ Audit Report Garda Transport Fleet; GIAS (August 2007).

Garda Internal Audit Section
Review of Service Repair and Maintenance contract with Ford Ireland

contracted to review the fleet operation in An Garda Síochána⁴. The purpose of this review was to establish an appropriate fleet profile for An Garda Síochána to meet its policing requirements and identify efficiencies which would deliver enhanced operational effectiveness. This review process covered a number of areas including the service, maintenance and repair of Garda vehicles and Garda fleet data and management.

The Report made a number of recommendations, including;

- An Garda Síochána should maintain a comprehensive Service Maintenance and Repair (SMR) history for every vehicle.
- Operating a more formal servicing schedule, enabling it to predict when a vehicle requires a service.
- SMR suppliers should be performance managed to ensure vehicles are serviced and maintained cost effectively.
- The management and monitoring of downtime to ensure that vehicle downtime is kept to a minimum and vehicle availability increased.
- An Garda Síochána should introduce a mechanism for accurate and frequent odometer reading to enable the Transport Section to undertake service forecasting and vehicle utilisation analysis.
- The introduction of Service Level Agreements between the Garda operational departments, the fleet office and outside suppliers to set service standards at each stage of vehicle management from procurement to disposal.

In this context, An Garda Síochána initiated a pilot project with Ford Ireland Ltd in October 2009, as they represented 60% of the fleet at that time. This pilot project provided for the delivery of a service, repair and maintenance regime through Ford Ireland's network of authorised dealers. The pilot project addressed many of the previously identified fleet management difficulties including:

- Priority customer and parts service in a one stop repair shop facility - resulting in reduced vehicle downtime and enhanced operational capacity,
- Direct uploading of vehicle data such as odometer readings and vehicle history to Garda Tranman system (Fleet Management System),
- Central point of contact and a complaints procedure - enhancing fleet management capacity,
- Online processing of repair estimates, central billing to required Garda format and verifiable database for repair times - resulting in improved budgetary management,
- Free safety checks and valeting on all vehicles.

In early 2011, the Executive Director of Finance and Services made a business case to go to tender for the provision of a service based on the experience gained through the pilot project with Ford Ireland. Following the appropriate procurement process the contract for the Service Level Agreement (SLA) was awarded to Ford Ireland on 1st March 2012.

⁴ L&A Consultants (Capital Eye Report on Garda Síochána Fleet Operation (December 2008))

Garda Internal Audit Section
Review of Service Repair and Maintenance contract with Ford Ireland

GIAS conducted a further Audit of Transport Section in September 2011 in which the enhancements to the vehicle service policy were acknowledged including:

- A facility for odometer readings being recorded on-line through the Garda portal.
- HQ Directive 13/08 made it mandatory that vehicles on reaching 4 years of age are subject to a “comprehensive vehicle condition testing system with NCTS Ltd”. This is not a statutory requirement but an initiative taken by An Garda Síochána.
- A letter issued on 11 May 2009 from the Executive Director of Finance and Services directing that on completion of the scheduled service at 200,000kms a vehicle safety check should be completed after every 10,000km.

Objective

The Objectives of this audit are:

- To provide assurance to the Accounting Officer for compliance with Department of Public Expenditure and Reform circular 13/13.
- To provide an evaluation of the performance of the contract in order to inform the Accounting Officer and the Public Service generally

Methodology

This audit is concerned with the in-depth check on a selected project, as required as part of the Quality Assurance process. The methodology was:

- Liaise with the Finance Directorate.
- Interviews with Procurement Section and Transport Section.
- Review the evaluation of the successful tender to determine the service that was contracted for.
- Select the SRM records for a sample of Garda vehicles (this sample would need to include a representative mix of geographical, use and age factors).
- Consult with operating units with regard to the SRM delivery for the vehicles in the sample.
- Obtain from Oracle details of the cost of the SRM of the fleet in 2013.
- Select, on the basis of risk, from those details a sample of individual invoices paid.
- Review the invoices to verify that charges are in line with the contract terms.

The following table presents the cost of the maintenance of the Garda fleet over the years 2010 to 2014:

Maintenance of Fleet (€m)

2014	2013	2012	2011	2010
€9.5m	€11m	€9m	€9.9m	€11.5m

Over a period of four years there will be variables, for example the average age of the fleet in any single year, and this must be recognised when using this table for comparative purposes.

Audit Findings

The Contract for the Service Level Agreement (SLA) was awarded to the Ford Motor Company on 1st March 2012. Following interviews with Transport Section and Procurement Section, and viewing key documents, GIAS are satisfied that;

- The business case considered various options to deliver the desired output i.e. improved quality of service, standardisation of pricing, agreed discounts, central monthly invoicing etc.
- Following approval from DPER, of the business case, an invitation to tender was advertised.
- The evaluation of the tender responses was carried out in an appropriate manner and documented.
- Sanction was obtained from DPER to award contract based on the tender evaluation.

In the Sanction Request and Business Case the Executive Director of Finance and Services set out the requirements that must be met by the SLA, including⁵:

Outcome of Requirements set out in Business Case

Requirement	GIAS Assessment
An Authorised Repair Network	
One stop shop facility for all necessary repairs	
Provision of vehicle repair histories	
Provision of downloads to Tranman fleet management facility.	
Central billing.	
A priority customer status and priority parts supply.	
Tyre replacement	

⁵ This table is based on what the Fleet Management System must provide as per the Director of Finance's business case to DPER. GIAS didn't include Tax clearance and Public and Professional Liability Insurance, provision of information for security clearance as these would be required in the normal course of the procurement. Also excluded is "Conformance with environmental and health and safety at work requirements" as this is a legal obligation on, and reputational issue, for Ford Ireland.

Garda Internal Audit Section
Review of Service Repair and Maintenance contract with Ford Ireland

Free mini valet.	
Collection and delivery facilities.	
Quality assurance of workshop facilities.	
Set discounts on parts and labour.	
A verifiable audit trail on all repairs.	
All repairs to be completed to manufacturers' times with relevant operation numbers to facilitate verification.	
Details of parts prices and parts numbers to be provided.	
Repairs completed to manufacturers work instructions.	
Provision of an emergency helpline, free of charge.	
Health and quality checks on all vehicles.	
Work to be completed by certified master and senior technicians.	
Access to a field engineer.	
Repair for auxiliary Garda equipment.	
Provision of service reminders.	
Road tests completed by senior personnel.	
Secure storage of keys and vehicles.	
Formal complaints procedure.	

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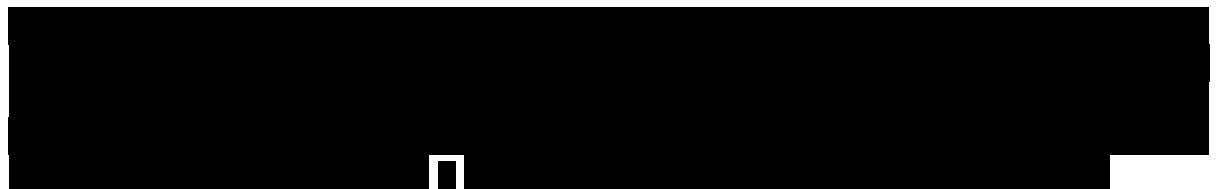
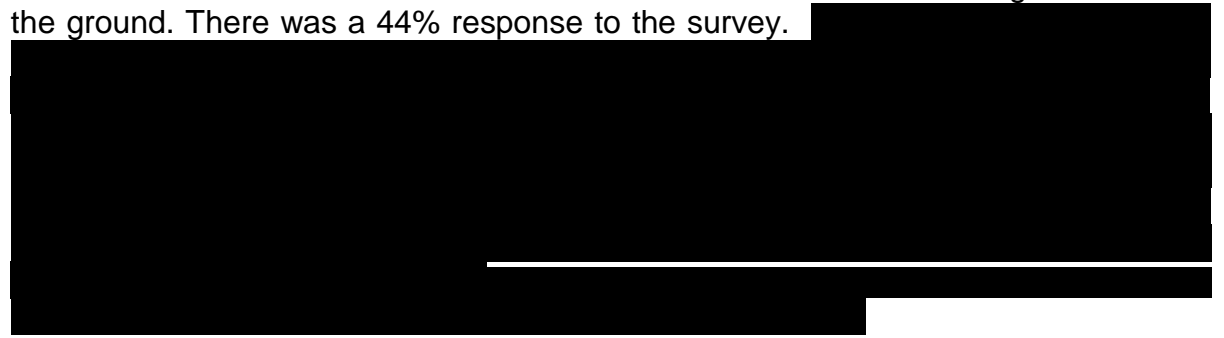
Garda Internal Audit Section
Review of Service Repair and Maintenance contract with Ford Ireland

In addition the contract is managed by Transport Section, which has a staff of 18.5 of whom 5 have a mechanical/motor trade background. Inspections are conducted by two of the personnel with the requisite expertise (an Inspector and a person with motor trade experience); the routine is for the Inspector to interview Garda personnel in the Districts and his colleague to make assessments at the Ford dealers. Transport Section have provided their methodology for these inspections (Appendix A) In 2013, 14 such inspections were carried out and in 2014 there were 13 and one follow up inspection.

Transport Section have in place a call centre which assesses ALL applications for work to Garda vehicles and approves the work to be carried out. Payment for work is only made with work authorisation – job number.

Protocols are in place for the authorisation process and a graduated escalation to more technically qualified staff of higher value/risk items.

GIAS circulated a number of districts to determine if the service is being delivered on the ground. There was a 44% response to the survey.



Conclusions

The contract is working, the response and non-response to the GIAS questionnaire indicates this. There are problems, particularly with non-Ford vehicles where there can be excessive downtime or technical difficulties inadequately resolved. Transport Section are aware of this and are actively managing individual instances through Ford.

Garda Internal Audit Section

Review of Service Repair and Maintenance contract with Ford Ireland

The area of responsibility for Transport Section is very technical but only 5 of their staff have a background in the motor trade; this is a Section that has approved payments averaging €10million per annum over the past 5 years.

[REDACTED] GIAS are of the view that value for money considerations must take cognisance that the goals (requirements) are being mostly achieved and the arrangements continue to develop.

Recommendations

1. Future similar contracts must include conditions to ensure that Districts which have vehicles that are not manufactured by the Contractor are not disadvantaged by longer repair times or ineffective repairs.
2. Districts should have access to details of work carried out on their vehicle and have a service record for their vehicles.
3. Districts should be notified of the works done, in plain English, on their vehicles.
4. The cost effectiveness of assigning personnel with a background in the motor trade to Transport Section should be examined.

Niall Kelly

Head of Internal Audit
11th May 2015

[illegible]

AUDIT REPORT



Quality Assurance Compliance with DPER circular 13/13

March 2015

Quality Assurance
Compliance with DPER circular 13/13
Review of Service Repair and Maintenance contract with Ford Ireland

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Garda Internal Audit Section
Review of Service Repair and Maintenance contract with Ford Ireland

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Garda Internal Audit Section
Review of Service Repair and Maintenance contract with Ford Ireland

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Repair for auxiliary Garda equipment.	
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Road tests completed by senior personnel.	
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[REDACTED]
[REDACTED]
[REDACTED]



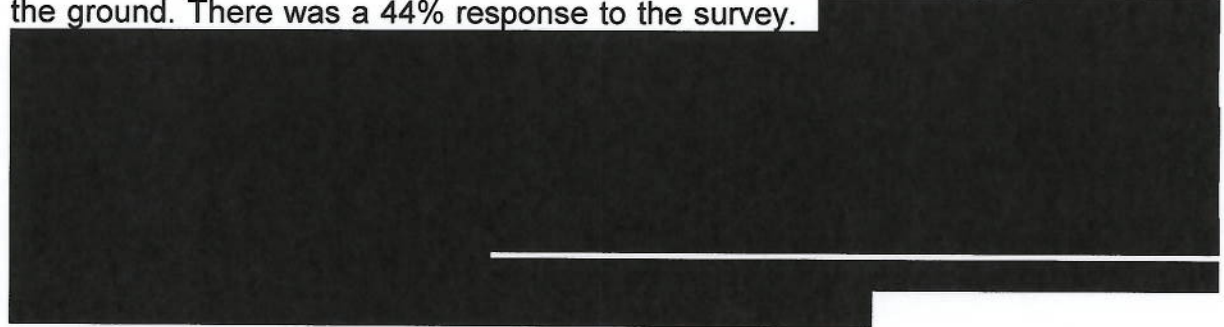
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Garda Internal Audit Section

Review of Service Repair and Maintenance contract with Ford Ireland

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3. Districts should be notified of the works done, in plain English, on their vehicles.
4. The cost effectiveness of assigning personnel with a background in the motor trade to Transport Section should be examined.

Niall Kelly

Head of Internal Audit
11th May 2015

Appendix A

Methodology for Inspections By Transport Section

The following was provided by Garda Internal Audit Section by Transport Section:

The Divisional audits are completed by the Inspector and one member of the Technical staff of transport Section. A meeting is held with Local Garda management to establish the actual situation on the ground in regard to the implementation of the contract terms. All aspects of the contract are part of the agenda including

- a) Service delivery –
- b) Quality of work –
- c) Communications -
- d) Down time -
- e) Parts availability –
- f) Priority customer status –
- g) Systems ease of use –
- h) Central billing –
- i) Mini valet –
- j) Complaints / Concerns –
- k) Has the supply of tyres been satisfactory –
- l) Suggestions for improvement or issues you want us to raise with Ford -
- m) Service exception report discussed

A follow up meeting is then held with the Local service provider at which the following issues are discussed

- a) How efficient is the current authorisation process –
- b) Any difficulties having repairs / service completed -
- c) Any difficulties getting vehicles in / return
- d) Priority customer status –
- e) Systems ease of use –
- f) Tyre checks –
- g) Odometer reading capture –
- h) Garda specific Vehicle health check –

- i) Ford quality assurance programme –
- j) Vehicle corporate image check –
- k) Valet –
- l) Complaints / Concerns. –
- m) Supply of tyres –
- n) Are used Garda tyres being retained & stored separately?
- o) What are arrangements dealing with other marquees –
- p) Suggestion for improvement
- q) Random copies of 10 inspection sheets consequentially assessed by Garda Transport Technical team

A walk through of workshop is completed.

An audit of any Garda vehicles on site.

The Health & Safety Statement is examined

A Garda specific VHC is completed on an official vehicle and any corrective action is identified.

[illegible][illegible]