

An Garda Síochána

Oifig Saorála Fáisnéise,
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

Láithreán Gréasain/Website:

www.garda.ie

Bí linn/Join us



Ríomh-phoist/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000314-2018 Request Part-Grant

Dear

I refer to your request, dated and received on 24th July 2018 which you have made under the Freedom of Information Act 2014 (FOI Act) for records held by An Garda Síochána. Your request was further clarified by this office on 27th July 2018.

Part 1(n) of Schedule 1 of the FOI Act 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, only administrative records that relate to human resources, finance or procurement shall be considered.

Your request sought:

1. *Audit of ICT Projects Payments Process*
2. *Audit of ICT Projects Appraisal*
3. *Systems Audit of Cash and General Management of the Garda College Restaurant & Shop*
4. *Audit of Command and Control*
5. *Audit of EU International Security Fund*
6. *Report to the Commissioner in Relation to Financial Controls in 2017*
7. *Review Audit DMR West*

The provision of these records is sought within timeframes set out in the Freedom of Information Act 2014 - please treat as urgent.

I wish to inform you that I have decided to part-grant your request on the 22nd August 2018.

The purpose of this letter is to explain that decision.

1. Findings, particulars and reasons for decision

Upon receipt of your request, a search was conducted in Garda Internal Audit Section (GIAS) and a number of records have been identified in this regard. The audits contain information relating to human resources, fiancé and procurement matters but in addition to this type of information the audits also make reference to operational policing matters.

I am to advise you that I am refusing your request for the following audits:

1. *Audit of ICT Projects Payments Process*
2. *Audit of ICT Projects Appraisal*
4. *Audit of Command and Control*
5. *Audit of EU International Security Fund*
6. *Report to the Commissioner in Relation to Financial Controls in 2017*
7. *Review Audit DMR West*

Section 15(1)(d) of the Freedom of Information Act states the following:

Refusal on Administrative Grounds to grant FOI requests

*15(1) A head to whom an FOI request is made may refuse to grant the request where –
(d) the information is already in the public domain*

The audits outlined above have been the subject of two previous FOI requests and have been published on the FOI Decision Log on the Garda website. Access to these requests and the appropriate records may be sought by following the attached link:

<https://www.garda.ie/en/information-centre/freedom-of-information/decision-log/internal-audit/internal-audit-general-decision-logs-2018.html>

You also sought a copy of the audit entitled ‘*Systems Audit of Cash and General Management of the Garda College Restaurant & Shop*’. Please find attached herewith a copy of this audit in a redacted format and a schedule of records has also been provided outlining the reasons for the redactions.

Section 6(2)(a) of the FOI Act provides that an entity specified in Schedule 1, Part 1 of the Act shall, subject to the provisions of that Part, be a public body for the purposes of the FOI Act. Schedule 1, Part 1 contains details of bodies that are partially included for the purposes of the FOI Act and also details of the certain specified records that are excluded. If the records sought come within the description of the exclusions of Part 1, then the FOI Act does not apply and no right of access exists.

Part 1(n) of Schedule 1 of the FOI Act provides that An Garda Síochána is not a public body for the purposes of the FOI Act other than in relation to administrative records relating to human resources, or finance or procurement matters.

The term “administrative records” is understood to mean records relating to the processes of running and managing a business or organisation. I am therefore refusing Part 10 of this audit

as the information contained therein falls outside the scope of the FOI Act insofar as the records do not meet the criteria of administrative records as defined in the Act.

2. Right of Appeal

In the event that you are not happy with this decision you may seek an Internal Review of the matter by writing to the address below and quoting reference number **FOI-000314-2018**.

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

Please note that a fee applies. This fee has been set at €30 (€10 for a Medical Card holder). Payment should be made by way of bank draft, money order, postal order or personal cheque, and made payable to Accountant, Garda Finance Directorate, Garda Headquarters, Phoenix Park, Dublin 8.

Payment can be made by electronic means, using the following details:

Account Name: Garda Síochána Finance Section Public Bank Account

Account Number: 10026896

Sort Code: 900017

IBAN: IE86BOFI90001710026896

BIC: BOFIE2D

You must ensure that your FOI reference number (FOI-000314-2018) is included in the payment details.

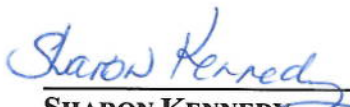
You should submit your request for an Internal Review within 4 weeks from the date of this notification. The review will involve a complete reconsideration of the matter by a more senior member of An Garda Síochána and the decision will be communicated to you within 3 weeks. The making of a late appeal may be permitted in appropriate circumstances.

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**
SHARON KENNEDY
FREEDOM OF INFORMATION OFFICER

23 **AUGUST 2018**

| Requester Name: | | File Re: FOI-000314-2018 | | | |
|-----------------|-------------------------------------------------------------------------------------|-------------------------------------------|------------------------------|---------------------------------------|---------------------------|
| Page No | Description of document | Deletions | Relevant Section of FOI Acts | Reason for decision | Decision Maker's decision |
| 1-12 | Systems Audit of Cash and General Management of the Garda College Restaurant & Shop | | | | Grant |
| 13-14 | Systems Audit of Cash and General Management of the Garda College Restaurant & Shop | 2 parts | Part 1(n) of Schedule 1 | Outside the scope of the FOI Act 2014 | Part Grant |
| | | Total number of pages | | | 14 |
| | | Total number of pages for full release | | | 12 |
| | | Total number of pages for partial release | | | 2 |
| | | Total number of pages being withheld | | | 0 |

AUDIT REPORT



Systems Audit of Cash and General Management of Garda College Restaurant and Shop

July 2017

Executive Summary

Audit Opinion

Since the Interim Report of the Financial Procedures in the Garda College dated February 2017 was concluded, significant improvements in the control environment are apparent. The most significant improvement relates to the establishment of a proper Administration Office with a Principal Officer responsible for the administration and financial management of all activities in the Garda College. While considerable additional work needs to be progressed in relation to documenting procedures, establishing Imprest Accounts for the shop and restaurant, closure of bank accounts and introducing appropriate procurement procedures, GIAS are confident that the new Administrative Team is advancing these issues. It is however too early to restate the overall audit opinion of “no assurance” which was presented in relation to these issues in February.

Main Findings and **Priority 1** Recommendations:

A College Administrator has been appointed in accordance with the recommendations of the Interim Audit Report on the Financial Procedures in the Garda College. This Administrator has initiated changes to the administration of the College; this initiation is at an early stage of development. This will also involve putting appropriately trained staff in place and the redeployment of policing resources to policing roles.

There is an urgent need for procedures to be documented; a procedures manual is an important part of governance in nearly every public organisation as it establishes efficiency, consistency, responsibility, and accountability.

The establishment of an Imprest Account for supplier payments in respect of the Shop and Restaurant, and the closure of the existing bank accounts, needs to be progressed. GIAS acknowledge that this cannot be progressed until the positions of the staff in the Shop and Restaurant is regularised.

Formalised procurement procedures need to be introduced for the Shop and Restaurant; Procurement Section in Garda HQ will provide the appropriate advice.

Until 31 December 2014 both the Shop and Restaurant produced annual financial statements which were independently audited. Pending the implementation of the Imprest system, used in the Garda Districts for processing receipts and payments, these financial statements should be produced (including the years 2015 and 2016).

Audit Report

Introduction

This audit examined the adequacy and effectiveness of the current control systems in place in relation to the cash and stock of the shop, restaurant and vending machines in the Garda College.

Background

The catering facilities at the Garda College consist of the Restaurant, Shop and vending machines; there was also a bar and this is currently closed. Students are provided with their meals in the Restaurant and this is paid for from the Garda Vote. Visitors pay a reasonable sum for their meals. Both visitors and students pay for goods and refreshments provided by the shop and vending machines.

The most recent audited accounts available for the Shop and the Restaurant are for the year ended 31 December 2014¹. These give an indication of the scale of each operation.

| | 2014 | 2013 | 2012 | 2011 |
|-----------------------------|---------|---------|---------|---------|
| Restaurant | | | | |
| Cost of Sales | 225,082 | 176,468 | 179,779 | 202,738 |
| Administrative Expenses | 410,894 | 365,479 | 439,103 | 478,152 |
| Stock ² | 8,272 | 4,430 | 5,897 | 4,193 |
| Staff number (incl Manager) | 16 | 15 | 14 | 15 |
| | | | | |
| | | | | |
| Shop | | | | |
| Turnover ³ | 128,039 | 77,163 | 96,066 | 141,104 |
| Cost of Sales | 109,058 | 63,808 | 76,855 | 101,727 |
| Administrative Expenses | 81,237 | 72,945 | 87,494 | 91,618 |
| Stock ⁴ | 55,730 | 32,105 | 33,829 | 40,146 |
| Staff number (incl Manager) | 3 | 3 | 3 | 4 |

¹ The last year for which financial statements have been certified.

² Stock at 31 December

³ Turnover in the Restaurant is "has been arrived at on the basis of the sale of goods" (Accounting Policies) as students are provided with their meals free of charge Turnover is not an indicator of the level of activity. It has therefore been excluded from the above table.

⁴ Stock at 31 December

Turnover in the Restaurant is “has been arrived at on the basis of the sale of goods” {Accounting Policies}. As students are provided with their meals free of charge, turnover derives from people attending conferences and short courses. It is not an indicator of the level of activity in the Restaurant and credit must be given to the Manager and staff who provide three meals a day, of good quality in a clean environment, to all students and visitors. The matters expressed in the Interim Audit Report on Financial Procedures in the Garda College (the Interim Report) are not a reflection on the staff in the Shop/Restaurant.

Offices Examined

GIAS interviewed the Principal Administrator Garda College (the Administrator) and both the Manager and the Assistant Manager for the Restaurant/Shop. The auditors wish to express their appreciation to these people for their assistance and support during the course of the audit.

Audit Methodology and Scope

Audit Scope

The audit examined the financial controls currently in place relating to management, safe custody and secure storage of money and stock. As the procedures for the controls over payments were being enhanced the focus of the audit was on payments being processed at the time of the visit (invoices being processed in May in respect of purchases made in April 2017).

The audit focused on the bank accounts used for the daily transactions for the restaurant and shop it did not examine the investment and other bank accounts mentioned in the earlier audit report (February 2017).

General Audit Objective

The general audit objective was to provide assurance, and to make recommendations for improvement, in respect of the management and effectiveness of the control systems in place in relation to the cash and stock of the shop, restaurant, vending machines and bar in the Garda College.

Audit Issues & Recommendations

1. Procedures Manual

The procedures for the administration of the College Restaurant and Shop are not documented.

Recommendations

Priority 1

As a matter of urgency the procedures for the administration of the Restaurant and Shop should be documented. This manual must clearly set out:

- The reporting structures for the administration of the Restaurant and Shop (a diagram should be effective).
- The Administrator, Manager and Assistant Manager of the Shop and Restaurant should hold periodic PALF meetings in line with Garda best practice.
- The procedures for:
 - Making purchases.
 - Paying suppliers.
 - Control of stock.
 - Reconciliation of receipts.
 - Bank reconciliations and book keeping.
- The appropriate forms to be used for administrative activities.
- Controls over vending machines.

The above list is not complete and the manual should be adaptive over time.

The indicative timeframe for completion of this recommendation is by 30th August 2017.

Management Response

Priority 1 –

A document 'Interim New Procedures for the Restaurant and Shop (including Vending machines) – Version 1' was produced and circulated to the Restaurant & Shop Manager and a copy sent for the attention of the College Management. This outlines the current procedures and also states that these are subject to change as the implementation of recommendations are finalised.

2. Banking

There are two bank accounts (one each for the Restaurant and Shop) in operation. While the Restaurant Manager, two superintendents and an inspector are signatories to these accounts, no one from the College Administrator's Office is a signatory.

Formal, and documented, reconciliations are not conducted on the Restaurant and Shop bank accounts. The Manager confirmed that she checks with the

bank on-line on a daily basis and demonstrated her ability to reconcile her records with the bank; nevertheless GIAS consider that a monthly documented reconciliation would be an additional control at little cost.

Recommendations

Priority 1

As per the recommendations of the Interim Audit Report on the Financial Procedures in the Garda College all bank accounts under the control of the College Management should be closed with the exception of the College Imprest Account and, with the required permission obtained, a College Restaurant Imprest Account should be opened. The College Restaurant Imprest Account should include all transactions for the Restaurant and Shop, including the vending machines.

Pending the regularising the financial procedures in the college, the control over the existing two bank accounts should be with the College Administrator's Office. GIAS recommend that only the College Administrator's Office should be signatories to the accounts; all other people should be removed. This will ensure that Office will have oversight of all transactions on the account. GIAS appreciate that the College Administrator will require the appropriate sanction before proceeding with this. GIAS consider this arrangement to be merely a temporary measure pending the establishment of the Imprest Account.

Priority 2

Pending the implementation of this recommendation, at least one other cheque signatory is required and the College Administrator should include bank reconciliations in her inspections and reviews under HQ Directive 59/14.

Monthly bank reconciliations should be made and documented.

The indicative timeframe for changing the bank signatories and conducting monthly bank reconciliations is 31st July 2017.

Management Response

Priority 1 –

The implementation of Recommendation 6 from the Interim Audit Report is still in progress and it is also interlinked with Recommendation 8 and 12 of that Report. Arrangements in respect of the payment of Staff wages and Suppliers needs to be finalised before we can close the Shop & Restaurant accounts. There may be a case that once this is completed there will only be

a requirement for one College Imprest Account but this will be kept under review during this process.

The Principal Administrator has sought through the AGS Finance Directorate sanction for these 2 unsanctioned accounts. On confirmation of this sanction then an application will be made for the addition of the Principal Administrator as a signatory on the Bank Accounts.

Priority 2 –

The addition of a signatory is subject to and will be dealt with on confirmation of the sanction received for these accounts mentioned above.

The recommendation of the monthly bank reconciliation will be included in work of Principal Administrator and this will be added as a task on the new procedures document.

3. Payments Process

Since the beginning of May 2017 the College Administrator's Office has initiated controls over payments whereby that Office authorises invoice for payment; this is effective for the invoices relating to April. The Administrator's Office uses the standard Garda Payment Authorisation Form (FMS1) for this purpose.

The Assistant Manager demonstrated the Shop's methodology for checking invoices to the delivery dockets, GIAS understand that this is also the system used by the Restaurant. However, these checks are not evidenced on the face of the invoice.

Invoices are not date stamped upon receipt which has implications for demonstrating compliance with the Prompt Payments of Accounts Act.

GIAS were informed that the Manager insists that supplier's provide evidence of tax clearance and their relevant health certificates.

Recommendations

Priority 2

The FMS1 should be modified to include the Manager's signature – "recommended for payment" signature by Manager and "authorised" signature the Administrator or her Office.

The checking of invoices to delivery dockets should be evidenced on the face of the invoice (simple ticks and/or a note checked to invoice). Alternatively the delivery dockets could be attached to the invoice.

Invoices must be date stamped upon receipt.

The Manager should keep copies of supplier tax clearance and health certificates.

The indicative timeframe for changing the payment authorisation process is 31st July 2017.

Management Response

The above recommendations have been noted and action will be taken to have these implemented as soon as possible.

4. Purchasing Process

The Shop and the Restaurant are small scale operations. Payments for purchases by the Restaurant in April 2017 amounted to €49,363. Payments for purchases by the Shop in April 2017 totalled €63,055; this included sports equipment (€32,170) and footwear (€7,800) which students are obliged to purchase. Excluding these “compulsory purchases” purchases for the Shop in April 2017 amounted to €23,085.

Purchase orders for the Restaurant are initiated by the Manager or in her absence the Head Chef. Purchase orders for the Shop are initiated by the Assistant Manager. Order forms are not used; verbal contact is generally made with a supplier when goods are needed. There is no formal list of preferred suppliers; the Manager/Assistant Manager makes contact with local traders as required.

There are no formal tendering procedures. Contact is made with regular, local and reliable suppliers and there are two to three suppliers for each food item.

There is no segregation of duties between the ordering and deliver of goods and GIAS acknowledge that this is not practical in such a small operation. Food delivery records are kept; while this is a stock control, GIAS are informed that it is to comply with health regulations.

Recommendations

Priority 1

Recommendation 8 of the Interim Report on the Financial Procedures in the Garda College “All purchases for the College including the Restaurant should be strictly in accordance with Public Procurement legislation. Advice should

Seirbhísí gairmiúla póilíneachta agus slándála a sholáthar le hiontaoibh, muinín agus tacaíocht na ndaoine ar abhfreastalaímid
To deliver professional policing and security services with the trust, confidence and support of the people we serve

be sought from the Public Procurement Office in Garda HQ and the Office of Government Procurement in this regard” must be implemented without delay.

A Procurement Committee for the Shop and Restaurant should be established. GIAS consider such a committee to be a useful tool to:

- Ensure compliance with the Public Procurement Guidelines.
- Identify opportunities for savings or efficiencies.
- Maintain and monitor a register of contract expiry dates in order that a procurement process is initiated before a contract expires.
- Monitor the performance of contractors to ensure that the service contracted, and being paid, for is provided to an acceptable standard.
- Ensure that goods/services being availed of are being done so in accordance with Public Procurement Guidelines.

GIAS recommend that the Committee should be chaired by the College Administrator and membership include the Manager and Assistant Manager of the Shop/Restaurant.

The indicative timeframe for all purchases to be compliant with Procurement Legislation is 31st December 2017.

Management Response

Priority 1

Recommendation 8 is in progress, a meeting was held with the OGP, AGS Procurement and Principal Administrator on the 15th June 2017. However, OGP have advised that this is a lengthy process. This process will also require communication with the current suppliers.

The establishment of a Procurement Committee is also a welcomed recommendation. As part of the Business Plan for additional staff in the College the Principal Administrators outlined the Organisation Structure which includes a designated office within the Finance Section that would dealing with not just the Shop, Restaurant but all College procurement requirement, including the contact monitoring and renewals.

5. Stockholding

GIAS inspected the stockrooms for both the Restaurant and the Shop and found that;

- The back door of the Shop storeroom is kept locked during the day; the only access is through the actual shop and this is monitored by CCTV. There is no CCTV covering the back door but as this is generally

locked the installation of a camera may not be cost effective in addressing the risk. The cigarette vending machine is inside the door of the stockroom (this is to keep the machine out of sight from visiting school children), the user is in sight of the cashier and the nearby stock consists of low value items – the appropriateness of a cigarette vending machine on the campus is raised below;

- The storeroom for the restaurant is entered either through the kitchen or from the delivery bay through an entrance hall. Both the delivery bay and the entrance hall are monitored by CCTV and visible from the kitchen. GIAS consider any risk posed by these arrangements to be low
- Deliveries are taken by the available staff, who are expected to check the delivery to the delivery dockets
- A stock-take is taken once a year as part of the preparation of the annual financial statements; the stock is monitored on a daily basis by the Manager in the course of running the restaurant.

Recommendation

Priority 3

Stock-takes should be made on a more frequent basis, at least quarterly if not bimonthly, and the stock-take documented.

The indicative timeframe for conducting stock-takes is 30st September 2017.

Management Response

This had been noted by the Principal Administrator and was listed as a task on the new procedures document that a quarterly stock check is to be completed with a report to be provided to Principal Administrators Office. This can be reviewed and changed to bi-monthly if required.

6. Receipts

The Assistant Manager confirmed that for the Shop (while she couldn't confirm she was confident that the same applied to the Restaurant and this would concur with records seen by GIAS) that the till rolls for each cash register are saved daily and reconciled to the takings. The reconciliations are done by the Manager or the Assistant Manager. A record is kept of this reconciliation.

The shop issues tokens for the use of electricity by players on the tennis courts. These tokens are €2 each but this is not accounted for properly (the €2 being merely deposited into a box) and the proceeds held in a safe and not lodged to the bank. GIAS understand that the money involved is small but does represent an unnecessary risk.

GIAS were informed that the Tennis Club pay €1,200 per year for the use of the courts. This money is paid to the restaurant.

Recommendations

Priority 1

The subscription paid by the Tennis Club for the use of the courts must be regularised as a matter of urgency.

Priority 2

A facility should be put on the till to properly record the sale of tokens for the tennis courts and the proceeds lodged.

The indicative timeframe for regularising payments for the Tennis Club is 31st July 2017.

Management Response

Priority 1

In future any monies paid by the Tennis Club will not be lodged but forwarded to Finance Directorate to be dealt with accordingly (Appropriations in Aid).

Priority 2

Action will be taken to have this sale item included on Till Registers in the Shop and will be dealt with as all other till receipts – included in lodgement.

7. BAR

There is a bar for the sale of alcohol on the campus which is currently closed. GIAS consider this facility neither appropriate nor necessary.

Recommendation

Priority 2

The bar should remain closed and the space put to a more appropriate use.

Management Response

The recommendation will be put forward for the consideration of the Steering Committee.

8. Vending Machines

There are a number of vending machines on the campus as follow:

- The cigarette and mineral vending machines are owned and managed by commercial (unconnected) operators who pay the College a commission.
- In the student recreation area there are two coffee machines which are owned by the College and the third was provided by a commercial operation in recognition of the volume of their product consumed. These three coffee machines are managed by the Shop. The cost of a standard coffee is €1.30, collected by the machine; change is not given but the next customer on the queue benefits from any credit. These machines are managed and stocked by the Shop and the takings are €150 to €200 per day (more if there is a conference). The machines keep a record of their takings.
- There are a further 2 coffee machines in the Restaurant, these are stocked by the restaurant and payments are made at the cash register.

Recommendations

Priority 1

The cigarette vending machine should be removed from the Campus. Section 43(1) of the Public Health (Tobacco) Act, 2002 (as amended), prohibits the sale by retail of tobacco products by means of self service. Self service vending machines are prohibited except in registered clubs and licensed premises.

Consideration must be given to tendering for the mineral vending machines. Procurement Section should be consulted for advice on this.

The indicative timeframe for contracting the provision of all vending machine services throughout the College Campus on a competitive basis and bring all

fees, profits, commissioner into the Vote through Appropriations in Aid is 31th October 2017.

Management Response

The cigarette vending machine is no longer in operation.

The Vending machines were part of the discussion with OGP on the 15th June 2017 and this will be included in the Procurement for the Shop & Restaurant

9. Financial Statements

Up to year ended 31 December 2014 financial statements were certified and audited for both the Shop and the Restaurant. This has not been done for 2015 onwards.

Recommendation

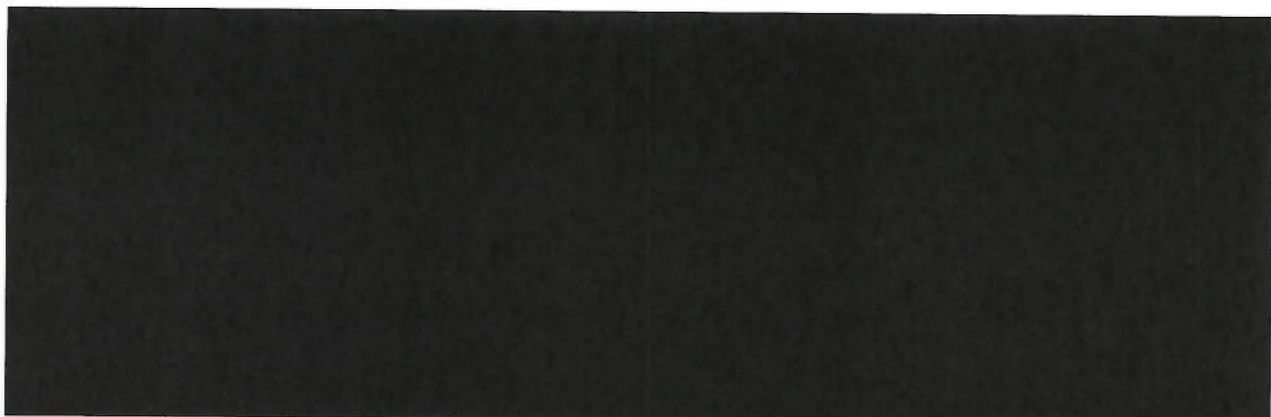
Priority 1

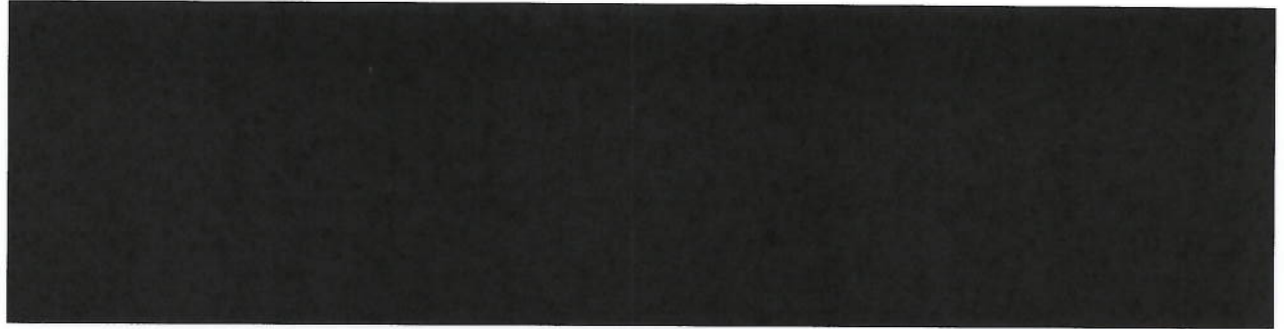
Pending the adoption of an Imprest Account for the financial administration of the Shop and Restaurant, annual financial statements should be prepared, and independently audited, for the years 2015 onwards.

Management Response

The Accounts for the years 2015 have been completed but have not been signed off. The Principal Administrator has requested that the previous Administrator sign off all outstanding accounts which were under their responsibility.

The indicative timeframe for bringing the historic accounts up to date Legislation is 31st September 2017.





Conclusion

GIAS acknowledge significant improvements in the control environment since February 2017. The most significant improvement relates to the establishment of a proper Administration Office with a Principal Officer responsible for the administration and financial management of all activities in the Garda College. It is however too early to restate the overall audit opinion of “no assurance” which was presented in relation to these issues in February.

Acknowledgements

GIAS would like to acknowledge the assistance of the newly appointed College Administrator at Principal Officer level and the newly appointed Higher Executive Officer who assisted this audit. We would also like to acknowledge the assistance of the Restaurant Manager and Assistant Manager during this audit.

Head of Internal Audit
11th July 2017