



Labour's Plan

for Reforming Politics,
Government and Public Sector



Labour

One Ireland
jobs, reform, fairness

Labour's Plan to Reform Politics, Government and the Public Service

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Executive Summary

This is the second time in a generation that Ireland has been confronted by a profound economic crisis because of bad, or failed, governance. A change of government and the removal of the incompetent Fianna Fáil administration is only the first step in a process of profound reform and renewal of our state and our systems of governance. We need to put power back in the hands of the Irish people, and make practical changes so that their government, at every level, better serves their interests.

This is not a time to commission studies or set up working parties, this is a time for rapid and resolute action. The Constitutional Convention will begin its work this autumn with a mandate to propose changes to the Constitution 12 months later. Labour will combine an ambitious legislative programme with a series of reforms which will see the vast majority of the measures outlined in this policy paper either in place, or well advanced, by the end of 2011.

Reforming Politics: the first steps

- End political cronyism. Labour will start by reserving the right to seek the resignation of all those appointed to state boards from 22 November 2010, the date the Green Party announced their intention to pull out of Government. Under Labour, all positions on state boards will be open to all qualified candidates, and appointments will be subject to scrutiny by Dáil Committees.
- Make good corporate governance a legal condition of being listed on the Irish stock exchange.
- Reduce allowable donations to political parties and candidates to €2,500 and €1,000 respectively, and require all aggregate sums above €1,500 to parties and €600 for individuals to be publicly disclosed.
- Regulate political lobbying, including how soon ex-Ministers and senior

- civil servants can work as a private lobbyist after leaving public service.
- A Whistleblower's Law to protect those in the public and private sector who expose corruption or misconduct.

Reforming Government: the first steps

- A Constitutional Convention to draw up a new Constitution for Ireland in the 21st century.
- Abolish the Seanad, strengthen the Dáil and make it more independent, with greater powers to hold the Government to account, a longer working day, a longer working week, and fewer holidays.
- Ministers and senior civil servants will be made legally accountable for decisions they take.
- An Independent Fiscal Advisory Council to advise Government on the economic impact of its policy decisions.
- Restore democratic accountability to local government, and devolve more decision-making powers to local communities.

Reforming Public Service: the first steps

- Establish an Office of Public Sector Reform, headed by a Cabinet Minister, for a limited period, to get the job of public service reform done.
- Reduce the number of quangos and duplication of agencies and government departments.
- Make Government departments and agencies accountable for meeting joined-up government objectives.
- Reduce the management layers in the civil and public service, and allow more freedom for managers to manage staff and budgets.
- Government services reconfigured so that users can access, as far as

possible, multiple public services through one phone number, one website or one public office.

Reforming Politics

Labour pledges that Ireland will never again be vulnerable to the kinds of abuses of corporate and political power that have risked our country's sovereignty. To restore confidence at home and abroad in public governance in Ireland, Ireland must make significant changes in the culture and framework within which business is conducted. That applies both to the formal rules of corporate governance and to the relationship between money and politics. Labour will rid Ireland of its 'Crony Capitalism' image, and restore trust in our democracy.

Ending political cronyism

Labour will end the system whereby appointments to state boards are used as a form of political patronage and for rewarding insiders. In future, appointment to boards must be based on a demonstrable capacity to do the job. Labour will start this process immediately.

Labour will reserve the right to seek the resignation of all those appointed to State Boards since 22 November 2010, the date the Green Party announced their intention to withdraw from Government. We will publicly advertise all vacancies, and invite applications from the public. A database of individuals who are willing to serve, and their qualifications, will be established.

In future, Oireachtas Committees will consider the suitability of nominated candidates, including having candidates appear before the Committee, if the Committee believes they should do so. It will be a condition of appointment that board members appear before Committees as required.

Cleaning up corporate cronyism

Labour will make good corporate governance the law, not an optional extra. Fianna Fáil is happy with voluntary codes of regulation. Labour believes this has amounted to a blank cheque for corporate misconduct. Such voluntary codes do not provide sufficient reassurance to investors, who need to be convinced that Ireland is a fair, transparent place to do business.

Labour will enact legislation to provide for a binding code of practice for corporate governance, which will be obligatory for companies wishing to be listed on the Irish stock exchange.

Ending the link between big money and politics

Labour will end the link between big money and politics. It is not enough to fold up the Galway tent. We have to end the culture that created it: a culture where money can buy access to power. To restore its citizens' faith in democracy, and our country's reputation abroad, we need to send a clear message that influence in Ireland is not for sale.

Labour will introduce spending limits for all elections, including Presidential elections and constitutional referendums and impose spending limits on political parties for a period of six months in advance of scheduled Local, European, General and Presidential Elections.

Since it is not constitutionally feasible to completely eliminate personal political donations, Labour's legislation will significantly reduce the limit on political donations to political parties and candidates to €2,500 and €1,000 respectively, and require disclosure of all aggregate sums above €1,500 and €600 respectively.

Encouraging openness and transparency

Transparency is one of the most powerful weapons against corruption. It is far better to prevent corruption at source, rather than having to painfully clean up its consequences.

Labour will introduce Whistleblower's Protection legislation to safeguard an employee who reports misconduct from losing their job, or being otherwise penalised, to encourage greater transparency, both in the public service and in private institutions such as banks.

It is in the public's interest to know who is paid to seek to influence public policy and decision making, at national and local level. Labour will, for the first time in

Ireland, regulate the practice of political lobbying. We will introduce a statutory register of lobbyists and a statutory code governing the practice of lobbying. This code will make it illegal for an ex-Minister or senior public servant to lobby in their previous sphere of influence for two years after leaving their post.

Labour will restore the Freedom of Information Act so that it is as comprehensive as was originally intended. The fee structure for Freedom of Information requests will be reformed so that cost does not discourage individuals and organisations from seeking information, and the remit of the Freedom of Information and the Ombudsman Acts will be extended to the Garda Síochána, the Central Bank and other bodies significantly funded from the public purse, that are currently excluded

The Official Secrets Act will also be repealed, with criminal sanction only retained for breaches which involve a serious threat to public policy.

Better Government

A fresh start with a new Constitution

It is time for a fundamental review of our Constitution, by the people to whom it belongs.

Labour will initiate a Constitutional Convention, a coming together of all strands of Irish society to rewrite our Constitution. The Constitutional Convention would include experts and specialists, but would also include individual citizens, chosen to serve in much the same way that we choose juries.

This Constitutional Convention would have an open mandate, meaning that no part of the 1937 Constitution would be exempt from consideration, and that the Convention would be free to draw on ideas and proposals that stretch far beyond that document. Thirty of its members would be drawn from the Oireachtas, 30 members would be people with relevant legal expertise and members of civil society organisations, and 30 would be ordinary citizens, chosen by lot. Its mandate would be to review the Constitution and prepare a draft Constitution within a year.

An independent electoral commission

Labour will establish an independent Electoral and Public Offices Commission that will take over the powers of the Standards in Public Offices Commission; the powers of Referendum and Constituency Commissions; and the responsibilities of local authorities and the Department of the Environment in relation to the electoral register and elections.

Labour will also overhaul the terms of reference for the revision of constituencies to ensure the fairest and most proportionate distribution of seats possible.

More efficient, more effective, more democratic government

Labour believes that a nation of our size, scale and composition only needs one strong, single-chamber, directly elected parliament with real legislative and

oversight powers to effectively do the people's business in the 21st Century. Labour will be recommending to the Constitutional Convention that the Seanad be abolished.

As part of Labour's Comprehensive Spending Review, all quangos and bodies significantly funded by the taxpayer will have to justify their existence as a separate entity. Any new bodies established will have a sunset clause that requires them to either justify their continued existence, or be folded up.

Labour will also introduce a package of changes that will bring about a 50 per cent increase in Dáil sitting days. Dáil Éireann will in future meet four days a week. There will be a summer recess of just six weeks and significantly reduced breaks at Christmas and Easter. We will abandon the practice of providing a 'mid-term break'.

The Dáil will be made more effective and more democratic through reforms that give opposition TDs and backbench government TDs more power to propose and scrutinise laws. Elected representatives will have stronger powers to hold government, and publicly-funded state bodies to account.

Citizens will also be able to petition the Oireachtas to look into issues of national importance, similar to their rights to petition the European Parliament.

Holding Ministers and senior civil servants to account

Labour will introduce new legislation making Ministers and senior civil servants responsible for their decisions and for the management of their departments in the public interest. This legislation would abolish the 'Carltona' doctrine of implied general delegation of a Minister's powers to civil servants, and replace it with a fixed and determined system of delegation of specified powers to specified officers who would be accountable both within the department, and directly to the Oireachtas, for the exercise of those powers.

Where a responsibility is delegated through several civil service grades, each grade will be held accountable for their element of it.

Labour's legislation will ensure that the Minister in charge of a department is ultimately responsible for maintaining a level of oversight and supervision in his or her department that ensures it performs to appropriate standards, carries out its functions, and delivers its targeted outcomes.

Restrictions on the nature and extent of evidence by civil servants to Oireachtas committees will be scrapped, and replaced with new guidelines for civil servants that reflect their personal accountability and the reality of the authority delegated to them,

Labour will make the publishing of the Attorney General's advice to government the rule rather than the exception.

Embedding fiscal responsibility in government

Labour will put an end to the boom and bust economics that defined Fianna Fáil's approach to governance.

Labour will establish an independent Fiscal Advisory Council, separate from fiscal decision-makers in government, to undertake macroeconomic projections and monitoring. The Council's functions would include identifying and advising on cyclical and counter-cyclical fiscal policies and structural deficits; the cyclical or temporary nature of particular revenues; and the need to maintain an appropriate and effective tax base. All of its recommendations will be published.

Labour in government will also bring forward and reform the annual Estimates cycle, so that it becomes more timely, transparent and relevant. The annual Estimates will in future start at the beginning of the preceding year, and conclude by the summer. It will also distinguish between monies being allocated to maintaining the existing level of service for existing programmes and money to support new programmes or policy decisions.

Proposals for new expenditure programmes will be accompanied by a five-year projection of costs and benefits. The Book of Estimates will also be accompanied by a detailed performance report on what the previous year's spending has

achieved. It will also give details of the level of performance achieved by agencies under service delivery agreements with Government.

An Estimates Commissioner with the power to obtain all necessary information for a thorough and democratic examination of the Estimates will be made available to Oireachtas members from within existing resources. This Estimates Commissioner would facilitate the scrutiny of spending before it happens, the way the Comptroller and Auditor General scrutinises the outcome of spending, after the event.

Dáil investigations instead of costly tribunals

Labour will establish a strong, bi-partisan Investigations, Oversight and Petitions Committee of the Oireachtas with the power to investigate matters of national concern to replace what has become the semi-automatic dependence on protracted and costly tribunals.

The Committee would receive parliamentary petitions from individuals and groups in the community seeking the redress of grievances connected with the public services of the State and with the public administration generally.

Where particular petitions warrant detailed investigation, the Committee would be empowered to order such investigations through a Parliamentary Investigator. Where the investigator was unable to establish clear facts, the report of a parliamentary investigator would if necessary be followed by either a formal parliamentary inquiry or other statutory investigation, as appropriate.

Reforming local government

Local government's approach to delivering services can be fragmented and costly, and it is prevented from adapting to local needs by excessive control from central government. The Labour Party fundamentally believes in devolving power to local government, and putting local communities in control. That is why we are committed to reforming local government to make it more democratic, more effective in responding to local needs, and better value for money.

In the longer term, Labour favours a fundamental reorganisation of local governance structures that will allow for the devolution of much greater decision-making powers over local services to local people. This restructuring could give local communities more control over transport and traffic, economic development, educational infrastructure, and local responses to crime and local healthcare needs.

Putting local communities in control

Labour will return democratic accountability to elected councillors. The position of County Manager will be abolished and replaced with that of Chief Executive, with a limited range of executive functions. The purpose of the Chief Executive will be to facilitate the implementation of democratically-decided policy. A democratically-decided Regional or City Plan will replace the top-down Strategic Planning Guideline model.

Labour supports the introduction of democratically-elected mayors, beginning with an elected mayor for Dublin. However, we believe that this should be postponed until after 2014, and will be subject to review in light of available resources

Labour will give councillors the power to seek reports from, and question in public, the providers of public services in their area. Councillors will also be empowered to question private sector service providers, such as internet and digital TV providers, local banks or private schools, on their public service remit.

The voting age in local elections will be reduced to 16, so that teenagers have more of a say in local services.

Better value for money in local government

The Local Government Director of Audit will produce an annual report covering all of his functions to the Oireachtas Committee on the Environment. This will determine where local government can produce greater efficiencies.

Labour will also examine what services could be pooled between two or more

local authorities, such as ICT services, human resources and fire services. We will also introduce a single national building inspectorate service.

Local authorities that deliver efficiencies, either alone or through service-sharing, and which are over and above their efficiency requirements, will be able to re-invest a proportion of that saving in local initiatives.

Reforming Public Service

The most important needs of our society cannot be left entirely up to the invisible hand of the market. The values that underpin public services are different to those of for-profit private businesses, but that does not mean public services cannot be delivered efficiently, cost-effectively, and when and where users need them. It is time to reform and modernise our public service so that it is fit for purpose in a fair society, and a rejuvenated economy.

Driving reform

Labour will establish an Office of Public Sector Reform with responsibility for all matters in relation to the public service and headed by a Minister who sits at Cabinet. This Office will have particular responsibility for planning and implementing the change agenda and for ensuring that all aspects of that agenda are communicated fully to the public and to public sector staff.

A Comprehensive Spending Review of all public spending

Labour will undertake a comprehensive review of all government spending to assess its effectiveness in achieving desired outcomes, and its value for money for the taxpayer.

As part of that review, Labour will review the number, range and activities of bodies funded significantly from the public purse, including at local government level, and reduce their numbers where appropriate. In future, when proposing a new agency, the relevant government department will have to prove that its functions cannot be carried out within an existing framework.

A more strategic approach to government spending

For ten years in Government, Fianna Fáil's first response to any problem was to throw money at it. This lack of clear government priorities meant that public spending was less effective than it could have been. Labour in government will provide clear and unambiguous long, medium and short term strategic priorities, which will be clearly communicated to the public service and to citizens.

Government long-term goals will be clearly stated and communicated to the public service and citizens. Strategic priorities will be translated into high level goals for all relevant Departments, on a 'whole of government' basis, and in consultation with Ministers. Performance indicators will be identified to allow progress on the high level priorities to be monitored.

Each government department and public service agency will be expected to demonstrate how it will deliver on stated strategic government objectives.

Annual reports of government departments and state agencies will include output statements and audited financial accounts prepared on generally accepted accounting principles. The performance information provided in output and outcome-focussed measurement will feed into the decision making process for future plans at political and senior management level.

Devolution of budgets with greater accountability

Labour will introduce increased delegation of budgets, subject to detailed plans, relevant performance reporting and audited accounts compiled in accordance with generally accepted accounting principles. This will allow managers greater autonomy and increased flexibility, coupled with greater accountability.

Departmental and agency budgets will be prepared for the medium term as well as on an annual basis. Detailed business cases will be required for major projects, with review and reporting requirements built in to the plan. Sanctions will be imposed at an early stage for significant overruns.

In demanding better accountability, Labour will change the current emphasis on performance reporting to performance management. All medium to long-term projects that involve significant public spending will be subject to a cost benefit analysis, and to ongoing evaluation. Results of programme evaluations will be published on a programme evaluation website, and programmes not meeting their objectives will be wound down.

More modern management and staffing structures

The proliferation of management grades in the civil service creates huge gaps between the front line and the decision makers, and creates unnecessary internal bureaucracy.

Labour will review the grading structure of civil service departments and in the public service, so as to reduce the number of management grades, and move away from bureaucratic box-ticking towards a management structure that allows for innovation and flexibility.

Public service managers will be given greater autonomy in deciding how they use staffing budgets and resources to achieve agreed outcomes. Labour will remove barriers to mobility across the public service, so that staff can be matched to areas of greatest need and to areas where their skills are most appropriate.

Individual goals and performance targets will relate to overall departmental

and whole-of-government strategic goals, which will form the basis for a new performance management and development system.

The capacity of managers in the public service will be improved through management skills training with particular focus on strategic management and evaluation, project management, resource management and communications.

Staff recognition schemes will be developed and devolved, with particular emphasis on team awards. Staff will also be encouraged to put forward suggestions for improving service delivery and organisation efficiency and effectiveness. Public and civil service staff will be encouraged to contribute their views and suggestions for reform through channels such as staff forums and blogs. Incentives will be put in place to promote good internal communications and to ensure staff are widely consulted within public sector organisations and given the opportunity to influence their work and working environment.

User-centred service delivery

Labour takes a “citizen-centred” approach to public service reform.

A Government services website will be developed and public offices, telephone services, and helplines reconfigured, to facilitate access to the broad range of Government services through a single point of contact.

Labour’s Comprehensive Spending Review will also seek the input of civil and public servants, and the users of public services, to assess how frontline services could be made better from the point of view of the customer. The success of frontline service delivery from a user’s point of view will be central to a department or agency’s performance review.

The Office of Public Service Reform will be responsible for developing a whole-of-government approach to electronic service delivery. Websites will be developed to provide maximum information to the public about progress on national and departmental goals and facilitating public comment and suggestions.