

PUBLIC ACCOUNTS COMMITTEE
MINUTES OF MEETING OF THURSDAY, 24 March 2022

The Committee met in **Public** Session at 09.33 a.m., a quorum being present.

The following Members were present:

Deputies: Brian Stanley (Cathaoirleach), Colm Burke, Jennifer Carroll MacNeill, Matt Carthy, Paul McAuliffe, Cormac Devlin, Neasa Hourigan, Imelda Munster, Catherine Murphy (Leas-Chathaoirleach), Verona Murphy, James O'Connor, Séan Sherlock.

Apologies: Deputy Alan Dillon

Permanent Witness: Mr. Seamus McCarthy, Comptroller and Auditor General.

1. Witnesses Examined

The Sustainable Energy Authority of Ireland

- Mr. William Walsh, CEO
- Ms Marion O'Brien, Director of Corporate Services
- Mr. Ciaran Byrne, Director of National Retrofit
- Mr. Declan Meally, Director of Business Public Sector and Transport

Department of the Environment, Climate and Communications

- Ms Jenny O'Hora, Principal Officer
- Mr. Robert Deegan, Principal Officer

Matters for discussion

- The Sustainable Energy Authority of Ireland Financial Statements 2020

The Committee suspended at 11.10.

The Committee resumed in **Public** Session at 11.22.

It was agreed that the Clerk would request any follow-up information and carry out any agreed actions arising from the meeting. It was also agreed to note and publish the opening statement and briefing documents provided to the Committee for the meeting.

The Committee suspended at 12.35.

The Committee resumed in **Public** Session at 13.34.

2. Minutes

The minutes of the meeting of 10 March 2022 were agreed.

3. Financial Statements and Accounts

The Committee noted five sets of financial statements and accounts which were laid before the Dáil between 7 and 18 March 2022.

Ref	Body/main purpose	Accounting period/ turnover	Date certified	Date laid	Audit opinion/notes
1	Tipperary Education and Training Board (click here to view accounts)	2020 €75 million	22 Dec 2021	10 Mar 2022	Clear audit opinion Attention is drawn to non-compliance with procurement rules. (click here for further information)
2	University of Limerick (click here to view accounts)	2019/2020 €288 million	15 Dec 2021	11 Mar 2022	Clear audit opinion Emphasis of matter in relation to recognition of a deferred pension funding asset for one of the University's pension schemes (standard for universities) (click here for further information) Attention is drawn to <ul style="list-style-type: none">• Significant level of procurement non-compliance (click here for further information)• Ongoing investigation of concerns raised about the purchase in 2019 of a site for a city centre campus (click here for further information)• Finding of investigation that there was override of internal controls by a senior manager of the University in relation to HR and procurement issues (click here for further information)• An agreement with the former President in relation to his resignation which had the typical characteristics of a

					severance agreement but was not submitted for sanction to the Department of Public Expenditure and Reform as required. (click here for further information)
3	Insolvency Service of Ireland (click here to view accounts)	2020 €8.4 million	21 Dec 2021	11 Mar 2022	Clear audit opinion
4	Kildare and Wicklow Education and Training Board (click here to view accounts)	2020 €170 million	24 Dec 2021	15 Mar 2022	Clear audit opinion Attention is drawn to non-compliance with procurement rules. (click here for further information)
5	Dublin and Dun Laoghaire Education and Training Board (click here to view accounts)	2020 €238 million	14 Dec 2021	15 Mar 2022	Clear audit opinion Attention is drawn to non-compliance with procurement rules. (click here for further information)

The Committee has a standing agreement to request explanations for any significant non-compliant procurement or delays in laying accounts before the Houses of the Oireachtas.

4. Correspondence

Correspondence received		
A – Briefing Documents and Opening Statements		Decision
R1138 PAC33	Correspondence received from William Walsh, CEO, Sustainable Energy Authority of Ireland, dated 21/03/2022	Note and publish.
R1142 PAC33	Correspondence received from William Walsh, CEO, Sustainable Energy Authority of Ireland, dated 22/03/2022	Note and publish.
R1143 PAC33	Correspondence received from William Walsh, CEO, Sustainable, Energy Authority of Ireland, dated 24/03/2022	Note and publish.
B – Correspondence from Accounting Officers and/or Ministers and follow up to PAC meetings		Decision
R1114 PAC33	Correspondence received from Fergal Costello, Government Accounting Unit, Department of Public Expenditure and Reform, dated 03/03/2022	Note and publish.

Correspondence received		
R1116 PAC33	Correspondence received from Transport Infrastructure Ireland, dated 04/03/2022	<p>Note and publish</p> <p>It was agreed to request the following information:</p> <ul style="list-style-type: none"> - details in relation to legal costs regarding M50 tolls from 2018 - 2021; - details regarding how long Transport Infrastructure Ireland retains records (some information requested re M7 bypass not available); - rationale for not having plans for expansion of public transport given the magnitude of developments in the Cherrywood, Sandyford and Dundrum areas; - detailed breakdown of phases for projects in the National Development Plan and estimated costs and timelines for completion of each phase (cost ranges provided are very broad); and - actual overall construction cost of Portlaoise/Cullahill phase of the M7/M8 project.
R1117 PAC33	Correspondence received from Helen Martin, Chief Executive, Charities Regulator, dated 07/03/2022	Note and publish.
R1119 PAC33	Correspondence received from Robert Watt, Secretary General, Department of Health, dated 07/03/2022	<p>Note and publish.</p> <p>Reiterate previous requests from the Committee which were not addressed in the response:</p> <ul style="list-style-type: none"> - provide details regarding the number of staff on-site and whether staff levels are impacting on construction targets; - clarification regarding the discrepancy in the number of design changes previously provided by the National Paediatric Hospital Development Board at the meeting of 9 February 2022 and the corresponding number provided in this correspondence; - further information regarding the two-stage procurement process, why that was chosen and where it was used before; - a copy of the KPMG report in relation to the National Paediatric Hospital (on a confidential basis if necessary); - if a counterclaim in relation to staffing is being taken, or considered, in respect of non-compliance on the contractor's side; and - response regarding the waiving of salary announced by the Secretary General.

Correspondence received		
R1121 PAC33	Correspondence received from John McKeon, Secretary General, Department of Social Protection, dated 08/03/2022	<p>Note and publish.</p> <p>Request RTÉ to clarify the position regarding S class PRSI contributions.</p> <p>Request the Department to provide interim reports as to the number of decisions relating to RTÉ that have been made, whether results have been confirmed, and whether any of them have been appealed.</p>
R1123 PAC33	Correspondence received from Bernie McNally, Secretary General, Department of Education, dated 08/03/2022	Note and publish.
R1124 PAC33	Correspondence received from Arlene Forster, Chief Executive, National Council for Curriculum and Assessment, dated 08/03/2022	Note and publish.
R1125 PAC33	Correspondence received from Rhonda Evans, Communications Manager, National Paediatric Hospital Development Board, dated 09/03/2022	Note and publish.
R1126 PAC33	Correspondence received from Peter Hendrick, Chief Executive Officer, National Broadband Ireland, dated 10/03/2022	Note and publish.
R1127 PAC33	Correspondence received from John McKeon, Secretary General, Department of Social Protection, dated 10/03/2022	<p>Note and publish.</p> <p>It was agreed to send the correspondence to the Committee on Disability Matters.</p>
R1128 PAC33	Correspondence received from Ray Mitchell, Assistant National Director, HSE, dated 11/03/2022	<p>Note and publish.</p> <p>It was agreed to hold over this item for consideration at the meeting of 31 March 2022.</p>
R1131 PAC33	Correspondence received from Ken Spratt, Secretary General, Department of Transport, dated 14/03/2022	Note and publish.
R1132 PAC33	Correspondence received from Katherine Licken, Secretary General, Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media, dated 10/03/2022	<p>Note and publish.</p> <p>It was agreed to request the Department to liaise with the Department of Agriculture, Food and the Marine and to revert to the Committee regarding a timeline for digitising Land Commission records for which public funding has been made available.</p>
R1135 PAC33	Correspondence received from Oonagh McPhillips, Secretary General, Department of Justice, dated 15/03/2022	<p>Note and publish.</p> <p>Request further information regarding section 102 referrals including international comparisons and a breakdown of the circumstances in which the referrals arose.</p>
R1140 PAC33	Correspondence received from Mark Griffin, Secretary General, Department of Environment, Climate and Communications, dated 21/03/2022	Note and publish.

Correspondence received		
C - Correspondence from and related to private individuals and any other correspondence		Decision
R1091 PAC33	Correspondence received from an individual, dated 21/02/2022	It was agreed to request an information note from Eir regarding its current and future investment strategy on the telecommunications industry and market in Ireland in the context of the implementation of the National Broadband Plan.
R1115 PAC33	Correspondence received from an individual, dated 04/03/2022	Note.
R1129 PAC33	Correspondence received from an individual, dated 11/03/2022	Note. Advise the correspondent of the Committee's decision.
R1134 PAC33	Correspondence received from an individual, dated 11/03/2022	Note. Advise the correspondent of the Committee's decision.

5. Work Programme

It was agreed to proceed with the proposed schedule of meetings and to have two separate speaking rotas for the engagements with the Garda Síochána Ombudsman Commission and the Policing Authority on 7 April.

6. Any Other Business

It was agreed to follow up with the Department of Public Expenditure and Reform regarding the Committee's request dated 4 February 2022 for further information in relation to the closure of the Benefacts database.

It was agreed to schedule an engagement in relation to the arrangements in place for accountability and transparency in the local government sector. Potential representatives include: Department of Housing, Local Government and Heritage; the Local Government Audit Service; Local Authority Members Association; National Oversight and Audit Commission; Association of Irish Local Government; County and City Management Association.

The Committee went into **Private** session at 14.44.

7. Private Session

7.1 Sensitive Correspondence

Sensitive correspondence		Decision
R1130 PAC33	Correspondence received from an individual, dated 09/03/2022	It was agreed to consider the matter further at next week's meeting.
R1133 PAC33	Correspondence received from an individual, dated 15/03/2022	It was agreed to consider the matter further at next week's meeting.

7.2 Draft Report on the Committee's Examination of the 2019 and 2020 Appropriation Accounts for Vote 29 – Environment, Climate and Communications, and expenditure on the National Broadband Plan.

The Committee agreed its report on its Examination of the 2019 and 2020 Appropriation Accounts for Vote 29 – Environment, Climate and Communications, and expenditure on the National Broadband Plan.

The Committee adjourned at 15.56 until Thursday 31 March 2022.



Brian Stanley, T.D.
Cathaoirleach
31 March 2022