



Oifig an Ombudsman
Office of the Ombudsman



Oifig an Choimisinéara Faisnéise
Office of the Information Commissioner



Oifig an Choimisinéara um Fhaisnéis Comhshaoil
Office of the Commissioner for Environmental Information



Oifig an Choimisiúin um Cheapacháin Seirbhíse Poiblí
Office of the Commission for Public Service Appointments



Coimisiún um Chaighdeán in Oifigí Poiblí
Standards in Public Office Commission

CORPORATE GOVERNANCE FRAMEWORK

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Foreword

Corporate Governance is defined as the system, principles and processes by which organisations are directed and controlled. The principles underlying corporate governance are based on managing the organisation with integrity and fairness, being transparent, making all the necessary disclosures and complying with relevant legislation. Good governance facilitates efficient and effective management that translates into value and excellent customer service for our various stakeholders.

This document sets out how the Office of the Ombudsman, the Office of the Information Commissioner, the Office of the Commissioner for Environmental Information), the Standards in Public Office Commission, the Commission for Public Service Appointments and the Referendum Commission (when constituted) operate. These Offices, referred to collectively as the 'Office' throughout the document, each carry out separate and distinct statutory functions.

This Office is committed to best practice structures, processes and systems that support the successful operation of duties in an ethical, accountable, transparent and effective manner. We firmly believe that good corporate governance is essential in order to support the delivery of the Office's strategic priorities. In documenting governance arrangements our stakeholders can be assured that good governance policies and practices are embedded in the culture of the Office.



Ger Deering
Ombudsman & Information Commissioner



Elaine Cassidy
Director General

1. Office Overview

Roles of the Offices

This document covers the Office of the Ombudsman, the Office of the Information Commissioner (OIC), the Office of the Commissioner for Environmental Information (OCEI), the Standards in Public Office Commission (SIPOC) and the Commission for Public Service Appointments (CPSA). The five Offices each carry out separate and distinct statutory functions. Nonetheless, they function as a single amalgamated agency under one Vote and one Accounting Officer and a management team which manages the Office, while simultaneously protecting and preserving the statutory independence and functions of each of the constituent parts. Each Office has its own staff complement but the staff and systems of finance, human resources, legal, communications and information technology are shared.

The Office of the Ombudsman is primarily concerned with considering individual complaints regarding certain public service providers, and seeking individual redress where appropriate and securing improvements to public services. Its governing legislation is the Ombudsman (Amendment) Act, 2012. The Office also examines complaints about failures by public service providers to provide accessible buildings, services and information, as required under Part 3 of the Disability Act, 2005.

The OIC's main functions are reviewing decisions of public bodies in relation to requests under the Freedom of Information (FOI) Act, 2014 and where necessary, making binding new decisions and reviewing the operation of the FOI Act to ensure that bodies comply with the provisions of the legislation.

The OCEI was established by the Access to Information on the Environment Regulations 2007. The role of the Commissioner is to decide on appeals by members of the public who are not satisfied with the outcome of their requests to public authorities for environmental information. Specifically, the Regulations provide that the Commissioner can review decisions of public authorities and can make binding decisions on access to environmental information.

The focus of the SIPOC secretariat is oversight of Ethics and Electoral legislation, the spirit of which is to ensure accountability and high standards in Irish public life. It has a supervisory role under the Ethics in Public Office Act 1995, as amended by the Standards in Public Office Act 2001, (the Ethics Acts), the Electoral Act 1997, as amended, (the Electoral Acts), the Oireachtas (Ministerial and Parliamentary Offices) (Amendment) Act 2014, (the Parliamentary Activities Allowance Act) and the Regulation of Lobbying Act 2015. The Regulation of Lobbying Act, 2015, provides for a web-based Register of Lobbying to make information available to the public on the identity of those communicating with designated public officials on specific policy, legislative matters or prospective decisions. In its role as Regulator of Lobbying, SIPOC oversees the implementation of the register, monitors compliance, provides guidance and assistance and where necessary investigates and pursues breaches of legal requirements.

The CPSA is responsible for regulating recruitment and appointment processes in the public sector. It was established by the Public Service Management (Recruitment and Appointments) Act, 2004 and is bound by law to ensure that recruitment and selection is carried out by fair, open, inclusive and merit-based means.

The Office also provides a secretariat to the Referendum Commission, when established. The Commission is an independent body and its main functions are to explain the subject matter of referendum proposals, promote public awareness of a referendum and to encourage people to vote. It is funded by the Vote of the sponsoring Department.

More detailed information regarding the workings of each Office can be found in the 'About Us' section of their respective websites - [Office of the Ombudsman](#), [Office of the Information Commissioner](#), [Office of the Commissioner for Environmental Information](#), [Standards in Public Office Commission](#), [Regulation of Lobbying](#), [Commission for Public Service Appointments and the Referendum Commission](#).

The public services landscape is constantly evolving and therefore this Framework will be treated as a dynamic document, which will be updated regularly bearing in mind related circulars and associated guidance.

Values, Behaviours & Culture

Our vision is 'To promote fairness, transparency, accountability, and excellent public services'. This will be achieved through the following objectives, as set out in our Strategic Plan 2019 – 2021.

- Drive and influence improvements in the public service
- Enable and support the public service in achieving and maintaining best practice standards
- Reinforce organisational capacity to provide an effective and efficient service to all of our stakeholders
- Enhance public awareness of our roles and how to access our services in order to optimise our impact on the public service

Our values, set out below, underpin our strategic objectives and help to shape the way in which we deliver our services:

Independence - We will examine complaints, conduct reviews, and make decisions in a fair, objective, and impartial manner.

Customer Focus - We aim for excellence and professionalism in the delivery of our services. We will meet defined quality standards and continuously review our performance to ensure that the customer remains at the heart of everything that we do.

Fairness - Treating all people with respect, dignity and fairness is fundamental to our relationships with all of our stakeholders. It also contributes to a healthy work environment that promotes engagement, openness and transparency.

Empathy - We understand that our customers generally avail of our services having exhausted all other avenues open to them. We will listen carefully to our customers with a view to understanding and being sensitive to their concerns.

Innovation - We will deliver continuous performance improvements and avail of best practice methods for delivering a first class service and in doing so enhance confidence in public service delivery.

The Ombudsman and Information Commissioner (currently one person), is appointed by the President on the nomination of the Oireachtas, for a fixed term of office. The Ombudsman is also a member of the SIPO, CPSA and Referendum Commissions. All other staff in the Office are civil servants of the State.

Staff Appointments

On appointment each staff member is given a copy of Circular 7/98, which sets out the obligations of civil servants in respect of secrecy and integrity in the performance of official duties. Staff also receive a copy of both the Civil Service Code of Standards and Behaviour and the Office Code of Standards and Behaviour, which illustrates the behaviour expected of staff under the Civil Service Code. Staff must certify that they have read and understood these three documents, as they form a part of the terms and conditions of their service.

Staff are also provided with the Civil Service Disciplinary Code, Dignity at Work (the civil service anti-bullying, harassment and sexual harassment policy), the Office Health and Safety statement and our Protected Disclosure and Clear Desk policies. The documents are covered via staff induction, which also incorporates a module regarding Office values, behaviours and ethics.

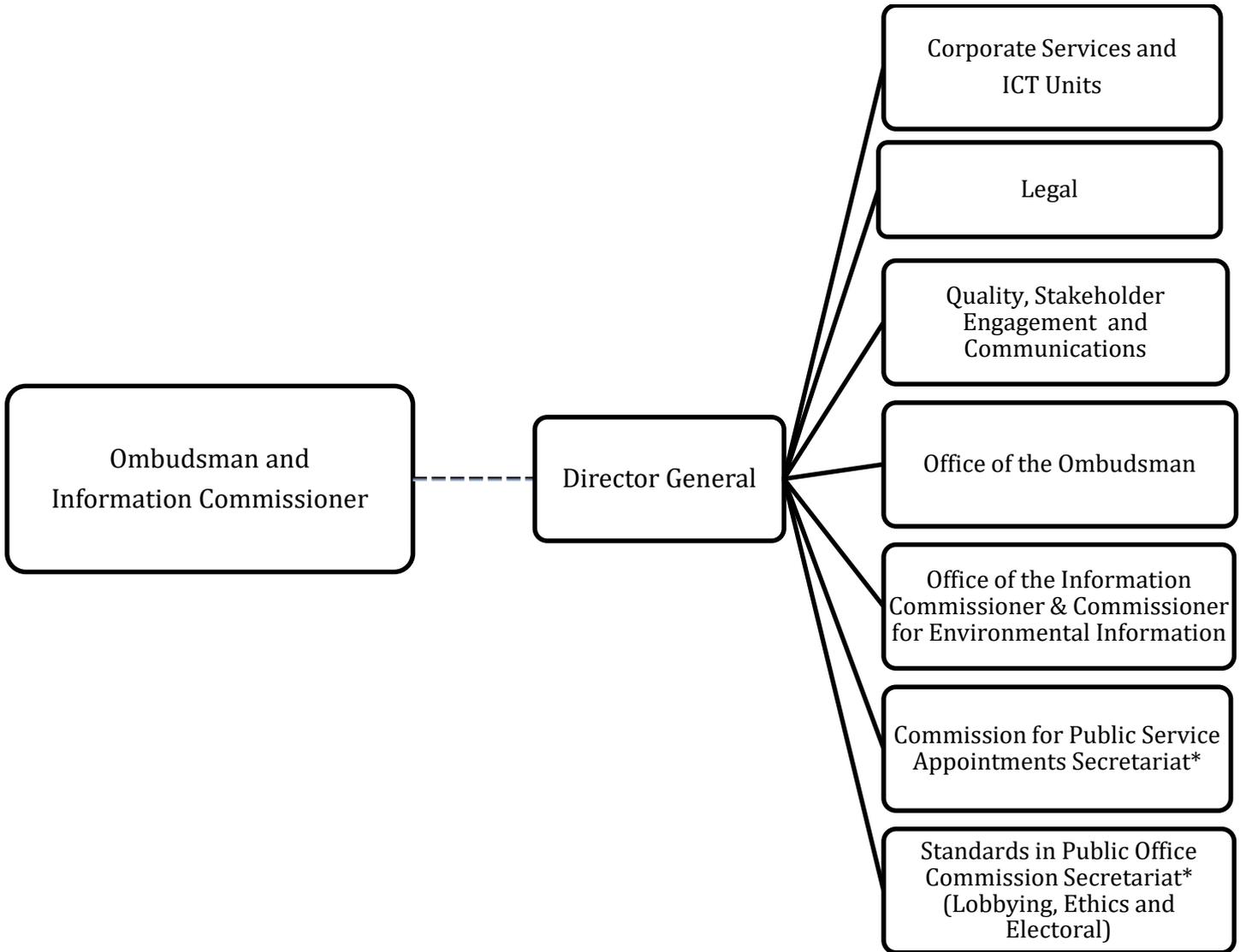
Client Service Charter

The Office is committed to providing all of our clients with a high standard of service in accordance with the principles of Quality Customer Service as approved by Government. We provide services to a wide range of clients, including individual complainants and their representatives, elected representatives such as TDs, Senators and Local Authority members, members of the media, Public Service Providers, and many voluntary and representative bodies and organisations.

The Client Service Charter for each Office is available on the homepage of the respective websites. The documents set out the standards of service we aim to provide to our customers. It also describes our procedures in relation to making a complaint against a member of staff. If the matter appears to have sufficient substance, the Director General designates an appropriate staff member to act as a Complaints Officer, who will examine the complaint and make recommendations in relation to it to the Director General.

Organisation Structure

As set out earlier in this document, the Office consists of a number of bodies with distinct statutory functions, whose activities are overseen by a Management Team (see Section 3) and funded by one Vote.



*The Office of the Ombudsman provides services to the Standards in Public Office Commission, the Commission for Public Services Appointments and the Referendum Commission (when constituted) in the form of a secretariat and other shared services. The Director General is the Accounting Officer for these statutory functions. Secretariats report to their Commission in respect of statutory decisions and other functions related to their legislative mandate; and to the Director General on matters relating to staff and fiscal management



**The Director General/Director of the CPSA are the same person.

Strategic Planning, Decision Making & Performance Management

The Offices of the Ombudsman and Information Commissioner published a revised Strategic Statement in 2019, in which four high level objectives were identified as primary enablers in the achievement of their vision, as follows:

- Drive and influence improvements in the public service
- Enable and support the public service in achieving and maintaining best practice standards
- Reinforce organisational capacity to provide an effective and efficient service to all of our stakeholders
- Enhance public awareness of our roles and how to access our services in order to optimise our impact on the public service

The CPSA and SIPO prepare separate strategic statements. While the Statement is concerned only with the Offices of the Ombudsman, Information Commissioner and Commissioner for Environmental Information, given the sharing of staff across all five Offices, in accordance with the needs and priorities of each Office, many aspects of the document are clearly relevant to all staff. The Statement also identified organisational values, as set out on page six of this document.

Business Planning

Each area of the Office is required annually to produce a Business Plan, which set out the key outputs that will be delivered in order to achieve the objectives of the Strategic Statements. The plans are reviewed on a quarterly basis by the Management Team. Formal progress updates are also provided to all staff on a biannual basis.

Annual Reports

Annual Reports are prepared by each Office, under the appropriate legislation, and laid before the Houses of the Oireachtas. The reports review the business progress of the preceding year and outline significant Office developments and achievements.

Internal Communications Arrangements

Good internal communication is vital to the successful operation of the Office and to ensure that staff goals are aligned to the organisational aims. The overall objectives of our Internal Communication Strategy are to:

- Foster a strong communication culture within the Office by creating a flow of information up, down and across the organisation
- Develop a culture where managers and staff feel motivated and empowered to make a contribution to the organisation, and where communication and sharing of knowledge is seen as a joint responsibility

In achieving the objectives it will ensure that:

1. Staff are well informed, and have the information to carry out their jobs efficiently and effectively
2. Staff are encouraged to put forward their views and concerns
3. Staff are actively involved in planning and decision making
4. Relevant information is communicated to the appropriate people, in the appropriate manner and at the appropriate time
5. Everyone understands the Office's objectives and values, and shares in its culture. Staff are actively supported and challenged to deliver on their ambitions and that of the Office
6. An environment of openness, honesty, consistency and clarity of communication is created
7. Staff, regardless of their location,(e-workers, part time and those on extended leave), are kept informed of what is going on in the office
8. Staff receive feedback on their work and development needs are addressed
9. There are clear channels for communication (including intranet, newsletter, team meetings)

In order to support and encourage strong internal communication the Office also provides biannual staff updates regarding progress in respect of the Strategic Statement, produces a quarterly staff newsletter called Fair Play, and has an active Partnership Committee. Our staff intranet is a key communication resource that is regularly updated with material to ensure staff are kept fully informed. The Office also engages fully in the PMDS process, which supports good communication between staff, line managers and senior management. It clarifies issues such as work goals and progress on achieving them, and also offers a way for staff to identify training needs.

Engagement with External Stakeholders

Our Office proactively engages with public service providers and external agencies and endeavours to foster good working relationships with all of our stakeholders. We acknowledge the importance of two-way communication in order to progress matters of importance. The Office shares guidance material to bodies and members of the public on a regular basis. It also produces explanatory information leaflets regarding its role in various sectors such as Health or Education, in addition to general information material, for example, frequently asked questions on all areas of work. The documents are available on our websites and are also distributed to relevant service providers.

Office of the Ombudsman

The Office of the Ombudsman produces a quarterly 'Casebook', which summarises case outcomes and can serve as a learning / research tool for public service providers. It also has an active Outreach programme and has allocated resources to a dedicated Quality, Stakeholder Engagement and Communications Unit that is led by the Head of Communications. The Ombudsman also engages with the Select Committee on Finance, Public Expenditure and Reform and Taoiseach in respect of his Annual Report, regarding on-going issues of major importance to the Office and in relation to his vision for the future of the Office of the Ombudsman. In turn the Select Committee has a role in ensuring that the Ombudsman's criticisms and recommendations in respect of public service providers, are acted upon.

Office of the Information Commissioner and Commissioner for Environmental Information

As well as publishing all review decisions on its website, the OIC also publishes general guidance notes, which give a short commentary on the Commissioner's interpretation and application of various aspects of the FOI Act, 2014. The notes should therefore assist FOI bodies in the FOI decision making process. Procedures Manuals are also published on the website. Investigators and other staff regularly contribute to workshops and training events run by public bodies and others. The OIC engages with the Department of Public Expenditure and Reform on matters relating to FOI legislation and the OCEI liaises with the Department of Communications, Climate Action and the Environment on the Access to Environmental Information (AIE) regime and the Aarhus Convention. The OCEI also presents to training events for public authorities and to academic and legal seminars on the Commissioner's role in AIE.

Standards in Public Office Commission

The Standards in Public Office Commission publishes statutory guidelines and information tools for persons and organisations who have obligations under the Ethics in Public Office Acts 1995 and 2001 (the Ethics Acts), the Electoral Act 1997, as amended, the Oireachtas (Ministerial and Parliamentary Offices)(Amendment) Act 2014 and the Regulation of Lobbying Act 2015.

The Commission also conducts education and outreach activities directed towards Oireachtas members, office holders, designated public officials, lobbyists, public bodies, political parties, third parties, candidates and election agents to raise awareness of their statutory obligations under the acts. The Commission engages with relevant government departments, the Houses of the Oireachtas, and relevant Committees regarding proposed legislation and forms. Outreach activities also include advertising, speaking at events across the country, publishing articles in trade journals, hosting open house information sessions, and liaising with media as required.

The Commission also has investigation and enforcement powers under ethics, electoral and lobbying legislation, including powers to summarily prosecute offences under the Regulation of Lobbying Act. The Commission receives complaints, conducts case assessments, preliminary inquiries and investigations, and may refer certain offences to the Director of Public Prosecutions or An Garda Síochána. The Commission maintains two websites (www.sipo.ie and www.lobbying.ie), which contain a wide array of guidance material, FAQs and information videos that are tailored for various audiences.

Commission for Public Service Appointments

The Commission for Public Service Appointments (CPSA) publishes its audit reports on its [website](#). It also maintains a casebook, which sets out the CPSA's position on the most common complaints it receives regarding the conduct of recruitment and selection processes. In addition, the CPSA's annual reports, statement of strategy and FAQs are available on the website.

We recognise that the way in which our customers interact with the Office has changed given the improvements in technology and the fact that the Internet is now a vital and immediate communications resource. Our Strategic Initiatives strive to capitalise on this and aim to both improve the efficiency of our daily activities whilst also simplifying our customers' experience of

public services. Our websites are the most important information resource available to the Office to provide information on our various roles in an easily accessible way to a widespread and diverse audience.

2. Senior Management Roles & Assignment of Responsibilities

Good corporate governance is a vital element of an effective Management Team, whose role is to set goals and targets, develop strategy and establish policies that will enable the Office to successfully achieve its strategic objectives and maintain a strong performance.

Role of the Ombudsman & Information Commissioner / Commissioner for Environmental Information

The Ombudsman and Information Commissioner (currently one person), is appointed by the President on the nomination of the Oireachtas, for a fixed term of office. The Ombudsman/Information Commissioner is independent in the performance of his functions.

Ombudsman

The Ombudsman's primary role is to examine complaints regarding the administrative actions of public service providers and to determine whether or not the actions have resulted in maladministration and adverse affect. He also seeks to drive improvements in the wider public sector. Normally investigations are commenced on foot of a complaint but the Ombudsman also has the power to carry out own initiative investigations, without having received a specific complaint. In addition to addressing maladministration across a particular sector through a single investigation, own initiative investigations also allow the Ombudsman to bring to public attention matters of significant public interest.

Following an investigation of a complaint against a public service provider, the Ombudsman will make a finding. If the complaint is upheld the Ombudsman may make a recommendation to that public service provider aimed at rectifying the maladministration that occurred. The Ombudsman may also

make that recommendation to other public service providers if he considers that it would be beneficial for them to also act on it.

The Ombudsman engages with the Committee on Finance, Public Expenditure and Reform, and Taoiseach in respect of his Annual Report, on-going issues of major importance to the Office as well as his/her vision for the future of the Office of the Ombudsman. In turn, the Committee on Finance, Public Expenditure and Reform and the Taoiseach have a role in ensuring that the Ombudsman's criticisms and recommendations in respect of public service providers are acted upon.

The Ombudsman also examines complaints under the Disability Act, 2005. The Act places a statutory obligation on public service providers to support access to services and facilities for people with disabilities. A complaint can be made to the Ombudsman regarding a public body's failure to comply with Part 3 of the Disability Act. Specifically, the Ombudsman may investigate complaints about access, by people with disabilities, to public buildings, services and information.

Information Commissioner / Commissioner for Environmental Information

The Information Commissioner is also independent in carrying out his duties. Decisions of the Information Commissioner are binding and only appealable to the High Court on a point of law. The Freedom of Information Act, 2014 provides the Commissioner with significant powers to allow him to carry out his function of reviewing the decisions of bodies under remit. If he considers a decision to be inadequate, he may, under Section 23, require that a new one be issued.

Under Section 45, the Commissioner may also require any person who he considers has information relevant to a case or investigation to provide it to the Office. Furthermore, the Commissioner may require the person to attend before him to present the information. He can enter any premises occupied by a body under remit and require any person found on the premises to provide documents, which he may copy and retain for a reasonable period.

Anyone who hinders the Commissioner in the performance of his review or investigative functions is guilty of an offence and, in accordance with Section 45, may have a fine imposed or be imprisoned for a term not more than 6 months.

The Office of the Commissioner for Environmental Information was established by the Access to Information on the Environment Regulations, 2007. The role of the Commissioner is to decide on

appeals by members of the public who are not satisfied with the outcome of their requests to public authorities for environmental information.

Specifically, the Regulations provide that the Commissioner can review decisions of public authorities, and in accordance with law, the Commissioner can make binding decisions on access to environmental information.

Role of the Director General / Accounting Officer

The Director General is the Accounting Officer of the Office and a member of the Civil Service. She has line management responsibility for all staff in the Office. She is supported by a Management Team of officers at Principal Officer level, who operate as Heads of Business Units.

As Accounting Officer she is personally responsible for the safeguarding of public funds and property under her control; for the regularity and propriety of all the transactions in each Appropriation Account bearing her signature; and for the efficiency and economy of administration in her Office. The Civil Service Head of the Office administering the Vote is normally appointed Accounting Officer on the premise that they alone are in a position to discharge responsibility for the money entrusted to the Office, for the use made of its resources and for control of the assets in its keeping, such as land, buildings, stores, equipment or other property.

In addition to the above and, as Accounting Officer, while she can put in place arrangements to assist with the aspects of the following governance obligations, she cannot delegate accountability to subordinate officers. These obligations are as follows:

- Preparation and presentation of Appropriation Accounts
- Accounting Officer for Vote 19
- Supplying the Statement of Internal Financial Control to the Comptroller and Auditor General with the Annual Appropriation Account
- Appearance before Public Accounts Committee
- Putting in place an Internal Audit function
- Establishing an Audit and Risk Committee
- Approval of the award of major contracts

The Accounting Officer appears before the Public Accounts Committee to deal with issues arising from reports by the Comptroller and Auditor General and other matters relating to the activities of the Office that the Committee may wish to discuss.

3. Management Team & other Governance Structures

Management Team

The Management Team is an executive and advisory forum that brings together the Ombudsman / Information Commissioner, the Director General and the Heads of Business Units to co-operate in the leadership and management of the various Offices. By taking collegiate responsibility for cross-organisational issues, the Management Team balances the individual Office responsibilities of its members with their corporate responsibility as a Senior Management team. The remit of the Management Team is to oversee operations and deliver on the strategic objectives of all of the Offices. Its role and terms of reference are set out in more detail below.

Membership

The Management Team (see Organisation Structure, page 8 and Appendix 1) consists of the Ombudsman, Director General and Principal Officers, who have responsibility for Corporate Services and ICT, Legal, Quality, Stakeholder Engagement and Communications, SIPOC, OIC, OCEI, Ombudsman and CPSA.

Roles of the Management Team

The responsibilities of the Team are specifically to:

- Support the Ombudsman in the development and delivery of Strategic and Business Plans
- Agree the priority of Office activities to ensure the most effective and efficient use of resources
- Evaluate financial and activity performance against agreed key outputs / targets to ensure effectiveness of financial and management controls
- Proactively identify threats and opportunities in the risk environment, review and manage existing risks and ensure that the risk register is updated accordingly
- Manage and monitor the effectiveness of policies and procedures in the Office

- Consider the implications of recommendations of the Audit and Risk Committee and ensure appropriate actions are taken
- Ensure that cross-functional projects deliver optimum output and effectiveness through appropriate allocation of resources
- Encourage and promote innovation throughout Office activities
- Foster effective team working across the range of Office functions to ensure optimum efficiency and effectiveness
- Promote working methods and conduct that reflect the core values of the Office

Meetings

Meetings are held every month, apart from the month of August. There is no set quorum for Management Team meetings, but they are unlikely to proceed with fewer than five members present. Dates are set in January and members must aim to attend all meetings.

Standing items for the agenda are as follows:

- Review of actions from previous Management Team meeting
- Business update reports from each Office
- Monthly Finance report
- Quarterly reports on Office Risk Register
- Main messages /summary for staff

Additional items are also scheduled into the work programme as appropriate.

Reporting

Decisions and key points raised at meetings are formally recorded. Key messages from the meeting are circulated to all staff immediately after the meeting with full minutes circulated to all staff, once agreed. Management Team members also provide an update to their staff at team meetings, which are scheduled as soon as is practicable after the meeting takes place.

Committees

The Management Team is responsible for the oversight of Office business activities and the delivery of the Strategic Statement. However, it is necessary to delegate responsibility for particular tasks or projects to Office committees, who report back on progress to the Management Team. Details of the main Office committees are set out briefly below.

Partnership Committee

The Partnership Committee plays an integral role in the development of the partnership process between staff of the Office, union representatives and management through the facilitation of effective engagement between the various parties. The role of the Committee, having due regard to the interests of the Office and its staff, is to provide a voice for staff on Office matters, to assist with the implementation of change, and to complement, where appropriate, existing industrial relations mechanisms.

The Committee membership consists of the Director General, two representatives from Senior Management, a representative from each of the three Unions and four staff representatives. The role of Secretary is a designated position, which is reviewed every two years. The role of Chairperson rotates every two meetings.

Meetings are held on a quarterly basis. Union and staff representatives are responsible for issuing the Committee agenda to the staff that they represent in advance of meetings and also for seeking any comments or issues on items for discussion under the 'open forum'. Union and staff representatives must also ensure that the minutes of the meeting are communicated effectively to those staff members once the minutes are issued and within two days of the meeting taking place.

Health and Safety Committee

The overall responsibility for the establishment and maintenance of an effective policy for Safety, Health and Welfare at Work rests with the Director General. She is supported in this responsibility by the Health and Safety Officer (Head of Corporate Services and ICT) and the Health and Safety

Committee. The Committee's main role is to advise and assist management and staff on health and safety matters.

Meetings are held four times per year (or more frequently should a health and safety related emergency arise). Its membership consists of staff of the business units, who select their Health and Safety representatives and it may also include one agreed union representative.

The Committee's main functions are to:

- Act as a conduit for confidential two-way exchange of information between management and employees in relation to matters of safety, health and welfare
- Provide support and guidance to the Health and Safety Officer
- Consider and make recommendations on matters of general health, safety and welfare
- Make recommendations on amendments to the Safety Statement
- Review accident/incident statistics and make recommendations
- Consider methods of promoting health and safety within the Office

Quality Assessment Team

The Office of the Ombudsman has a dedicated Quality Assessment team in place that reviews cases in respect of complaints received under the Ombudsman (Amendment) Act, 2012 against set quality standards. The work of the team supports the achievement of the Office's organisation value of 'Customer Focus' i.e. we aim for excellence in the delivery of our services by meeting defined quality standards and continuously reviewing our performance to ensure the customer remains at the heart of everything we do. The Director General or one of the Ombudsman Senior Investigators attend each meeting.

The team consists of a mix of Senior Investigators and caseworkers at Higher Executive Officer and Investigator level. Meetings are held on a monthly basis. The team identifies and suggests solutions

to issues arising from the quality audit process, in order to continually improve the service provided by the Office to the public.

Operations Review Group

The purpose of the Operations Review Group is to consider and decide on issues regarding the operational activities of the Office of the Ombudsman in order to facilitate the effective delivery of the Office's Strategic Objectives, together with overseeing the implementation of any change management in the organisation.

The group consists of the Director General (Chair), the Heads of Examinations Unit, the Head of Early Resolution Unit and the Head of Quality, Stakeholder Engagement and Communications (QSEC). A staff member of the Office of the Ombudsman attends the meeting also, in the role of Facilitator. The Head of Corporate Services and ICT attends meetings as required by the agenda or as a result of items on the Commitment Log. Other staff may be invited to attend meetings in relation to matters pertaining to their roles and responsibilities.

Meetings are scheduled by the Facilitator and are held on a monthly basis. However, members may convene additional meetings as considered necessary. Regular agenda items are set out below:

- Commitment Log review – The log is a record of actions committed to, the owners of the actions, resource allocated to the actions and progress to date. It is maintained by the Facilitator.
- Casework Statistics – Figures regarding invalid and valid cases and the associated processing times are reviewed in order to identify trends, analyse throughput and facilitate effective decision making and resource allocation.
- Monthly Quality Report –The Office of the Ombudsman has a dedicated team in place that reviews cases against set quality standards. The Head of QSEC updates the group following the monthly Quality Assessment meeting.

Items for discussion may be referred to the group through the other Office forums i.e. Management Team meetings, Quality Assessment group, Section meetings, project groups etc. Following each meeting, the Facilitator updates the Commitment Log and drafts a note of the meeting. Once agreed the Commitment Log, note of the meeting and any associated documents are published on the Intranet and circulated to all Ombudsman staff.

4. Audit, Assurance & Compliance Arrangements

Accounting Officer – Audit responsibilities

The Accounting Officer has specific responsibilities for the internal audit function. In accordance with Public Financial Procedures and Internal Audit Standards, she:

- approves the written Charter of the Internal Audit Unit
- ensures the independence of the Unit
- agrees the planned work schedule for the Unit with the Audit and Risk Committee
- reviews the internal audit function to ensure that it is getting the desired quality of assurance
- ensures appropriate follow-up action is taken on internal audit reports
- ensures that a programme of staff training and development is in place for staff involved in internal audit
- establishes appropriately resourced Audit and Risk Committees

Role of the Audit & Risk Committee

The Audit and Risk Committee is part of the Office's control environment. It is responsible for providing independent advice to the Accounting Officer regarding the suitability and robustness of the Office's internal control systems and procedures, including the operation and development of the internal audit function, the business control and risk management environment and the relationship with external audit. The Accounting Officer appoints the membership of the Committee, which comprises of an Independent Chair, one Office official and two external representatives from other public service offices. The Head of the Finance Unit and the Internal Auditor, although not members of the Committee, may attend meetings.

The Audit and Risk Committee is not responsible for any executive function and it is not vested with any executive power. The Committee Charter is agreed between the Accounting Officer and the Audit and Risk Committee. The Committee is independent in the performance of its functions.

It is authorised to seek any information or documents, which are relevant to matters falling within its terms of reference. An annual report reviewing the Audit and Risk Committee's operations is prepared for the Accounting Officer and submitted within three months following year end. The report includes

- an assessment on the work of the Internal Audit Unit
- the supports provided to the Audit and Risk Committee
- a self-assessment of the Audit and Risk Committee's own effectiveness
- confirmation that a review of the written charter has been completed at a frequency agreed between Accounting Officer and Chairperson

The Audit and Risk Committee will follow up on any recommendations from the Accounting Officer arising from the report, or in the course of other interactions.

Role of the Internal Audit Unit

The role of the Internal Audit Unit is to provide assurance to the Accounting Officer on the adequacy and effectiveness of the Office's systems of internal controls, risk management and governance arrangements. It also provides assurance that the Office has systems and procedures in place to discharge Value for Money (VFM) responsibilities. Its activity covers the whole network of the Office's systems. The Unit may also act, as required, in an advisory capacity regarding projects under development to ensure the adequacy of control measures. The Internal Audit function is outsourced to an external service provider, which ensures that the Office obtains expert advice and independent opinion regarding the adequacy of and compliance with internal controls and systems. It conducts its work in accordance with the International Standards for the Professional Practice of Internal Auditing (IIA Standards), guidelines from the Department of Public Expenditure and Reform and the Corporate Governance Standard for the Civil Service (December 2015).

The Head of the Internal Audit Unit reports to the Audit and Risk Committee on a regular basis in the context of the Annual Audit Work Plan, and as requested by the Accounting Officer / Committee. The Head communicates and interacts directly with the Audit and Risk Committee at meetings. S/he also communicates with Committee Members between meetings as appropriate. The Head of the Internal Audit Unit works under the general direction of the Accounting Officer to whom s/he has direct access.

The Audit and Risk Committee, in consultation with the Accounting Officer, formulates, reviews and monitors the three year, annual rolling Audit Plan. The internal auditor prepares the draft plan, which may be influenced by:

- the Office's Risk Management Process and Risk Register
- inputs from Office managers
- the views of the Accounting Officer, the Audit and Risk Committee or the External Auditor
- other topical issues that may arise from time to time

External Auditors

The Office of the Comptroller and Auditor General is responsible for the annual audit of the Office's accounts under Vote 19.

Role of the Finance Unit

The role of the Finance Unit is the overall management of the financial affairs of the Office. Key elements of this role include:

- negotiating and co-ordinating budgets in respect of the administrative costs of the Office
- recording all payments and receipts in compliance with Public Financial Procedures
- monitoring and analysing expenditure against agreed budgets and reporting as required to the Department of Public Expenditure and Reform and the Management Team
- preparing accounts at the end of each financial year for audit by the Comptroller and Auditor General
- reimbursement of expenses incurred by staff in the course of official business

- providing management information on the Office's finances to the Management Team and line management on a regular basis
- providing high quality customer service to internal and external clients while dealing with enquiries, providing guidance and advice where required

As part of the Government's Reform Agenda, a new Finance Shared Service Centre (FSSC) is being established. This will provide a financial management and reporting system for 48 Government organisations, however, the role of the Finance Unit as set out will essentially remain the same.

The Ombudsman's Office is in Wave 1 of the project, which is currently underway. The project is quite onerous in terms of preparation as the new system is radically different from the current model. With this in mind, the Finance Unit is liaising with DPER regarding the transition to the new system.

Risk Management

The Office's Risk Management policy provides the mechanisms to identify, prioritise and rank corporate risks and ensure that the appropriate mitigation actions are implemented to address these risks.

The main responsibility for identifying corporate risks lies with the Management Team. Its members are well placed to identify and monitor corporate risks. Other groups within the Office (e.g. the Audit and Risk Committee, Corporate Services Unit, Operations Review Group) also have a role in contributing to the risk management process.

The Director General has overall responsibility for the risk management process. The Office maintains a Risk Register, which is updated quarterly during meetings between the DG and the heads of each business unit. It is reviewed in full annually by the Management Team. The Register also captures any risk incidents that occur, which are then linked to either new or existing risk entries. The Register allows users to prepare reports, which list the risks that they are responsible for managing, the cause and impact of those risks, the mitigations either already in place or to be undertaken and the timescale for the implementation of those mitigations.

Proposals for new projects incorporate a risk assessment exercise, which is considered by the appropriate Project Lead and/or the Management Team where necessary. These new risks are added to the Risk Register on an ongoing basis.

Protected Disclosures

The Protected Disclosures Act 2014 provides safeguards for workers who raise legitimate concerns regarding actual or potential wrongdoing in the workplace. The Office has developed procedures in line with the 2014 Act, which have been approved by the Management Team. The procedures detail:

- how staff members can make a protected disclosure
- what happens when a disclosure is made
- what the Office will do to protect the discloser

The Office recognises the importance of ensuring that staff feel supported in the workplace. The process supports the Office's commitment to ensuring that the culture and working environment encourages and facilitates staff in 'speaking up' on any issue that impinges on the Office's ability to carry out its responsibilities. Section 22 of the 2014 Act requires every public body to prepare and publish an annual report in relation to protected disclosures received under the provisions of that Act. Each of the Office's statutory functions publish the report on their respective websites.

Records Management

Records are created to document the activities, functions and decisions of the Office. Efficient record keeping supports business needs and compliance with relevant legislation (Freedom of Information Act, 2014 and the General Data Protection Regulation). Records can be in a variety of physical forms.

The aims of the Office's record management system are:

- To provide the right information
- To the right person
- At the right time
- For the right length of time
- In the most efficient manner and in line with value for money principles
- To know where records are

- To know who dealt with records

Compliance with records management requirements provides for faster retrieval of information, greater security, knowledge management and compliance with relevant legal provisions.

All information created or received by staff in the course of their duties on behalf of the Office are covered by the Office's Records Management Policy. The policy applies to all permanent, contract and temporary staff of any of the statutory offices.

Records and access requests

While each of the Offices carry out separate and distinct statutory functions they function as a single amalgamated agency under one Vote. Each function has its own staff complement and is independent for the purpose of access requests received under GDPR or FOI legislation. The Office operates a shared services model for the purposes of the finance, human resources, legal, communications and information technology functions, through the over-arching Office of the Ombudsman. For this reason, requests to an individual body, which relate to information held by shared services, will be co-ordinated by the Office of the Ombudsman. This will ensure that the request is also processed in the most efficient manner possible.

Freedom of Information

The Freedom of Information (FOI) Act 2014 gives a person the right to seek access to records, reasons for decisions and amendments to records held by the Office, subject to any applicable restrictions. Each of the Office's statutory functions has appointed an FOI liaison officer, who ensures that FOI requests received by the Office are forwarded to a decision maker in the relevant section for processing and response to the requester. The details of how to make an FOI request is published on the website of each of the Office's statutory functions along with information as to any restrictions that may apply.

Data Protection

The Office is fully committed to protecting the personal data that it holds, in line with the principles of the General Data Protection Regulation (GDPR) and the Data Protection Act, 2018. Staff receive

data protection training to ensure they understand their obligations in this area. Strict security measures and protocols are in place to protect personal data contained both in physical files held in business units and in the shared ICT system. Data Privacy Notices are published on each of our websites, which provide information about the ways in which we collect and use our customers' personal data.

The Office appointed a Data Protection Officer in 2018, who coordinates the responses to Subject Access Requests, ensures the transparent reporting of any data breaches that may occur and provides advice on matters involving personal data.

Public Procurement

One of the key objectives of the Office's Procurement Policy is to ensure that our procurement activities are managed in an open, transparent and non-discriminatory manner with the highest levels of compliance, probity and risk-awareness. Contracting authorities must be cost effective and efficient in the use of resources while upholding the highest standards of probity and integrity. Procurement practices are subject to audit and scrutiny under the Comptroller and Auditor General (Amendment) Act 1993 and Accounting Officers are publicly accountable for expenditure incurred.

This Office is committed to ensuring that there is an appropriate focus on good practice in purchasing and that procedures are in place to ensure compliance with all relevant guidelines. The Procurement Policy complements the Public Procurement Guidelines published by the Office of Government Procurement and designates the Head of Corporate Services as the Procurement Officer for the Office.

The Finance Unit has overall responsibility for supporting the procurement function within the organisation. Primarily, the Unit is responsible for ensuring that the actions identified in this Plan are delivered. The onus remains on staff members directly involved in procuring goods and services to ensure that all procurements are in accordance with the overall strategic aims of the organization.

While it is appropriate that responsibility for securing certain goods and services rests with the staff members who possess the necessary relevant expertise to determine how best the demand may be met, it is important that those staff members are sufficiently skilled to deliver best procurement practice. Accordingly, the Finance Unit also provides practical procurement advice and guidance where required. The Unit will ensure that all staff members involved in the procurement function are aware of the organisation's internal procurement policy and are kept up to date with regard to procurement best practice.

The organisation's current procurement policy provides that supplies or services contracts with a value of €1,000 to €4,999 should be awarded on the basis of responses to specifications sent by fax, letter, email, telephone or web to at least three suppliers. Supplies or services contracts with a value of €5,000 to €24,999 should be awarded on the basis of responses to specifications sent by fax, letter or email to between five and eight suppliers. While these limits remain, OGP should be consulted with regard to all procurement procedures as outlined in section 1 above. A formal tendering process in accordance with the Public Procurement Guidelines should be used for the purchase of goods or services over that amount. Responsibility for complying with the Office policy rests with the staff members involved in the procurement process.

Framework Agreements

Procurement Framework Agreements provide for efficiencies in the procurement process while achieving value for money, based on competitive tendering. Purchasing organisations can place contracts with suppliers in the framework without having to carry out onerous tendering procedures for individual requirements that are covered by the framework. The Office of Government Procurement has negotiated a number of framework agreements in certain purchasing sectors, which public sector organisations can avail of. Any member of staff involved in procurement must check for the existence of a Framework Agreement for relevant goods and services, before engaging in a procurement process. The use of existing framework agreements should be considered in the first instance when procurement is being considered.

ICT Procurement

CMOD, a division within the Department of Public Expenditure and Reform (DPER) has, inter alia, responsibility for monitoring and approving ICT expenditure in civil and public service bodies, telecommunications policy and infrastructures, eGovernment policy and infrastructures, technology

research and policy, central ICT procurements and frameworks, and common IT systems including payroll and HR Management. A dedicated website, www.ictprocurement.gov.ie, has been established to provide comprehensive information on each of these roles and responsibilities. Circular 02/16 (Arrangements for Digital and ICT-related Expenditure in the Civil and Public Service) require all civil service Departments, Offices, Agencies, and all non-commercial public bodies and authorities to comply with DPER pre-requisites; restrictions, guidelines and advice notes as published at www.ict.gov.ie. DPER has established a number of procurement frameworks for a range of ICT products and services on behalf of the Irish non-commercial public service. These framework agreements are intended to maximise volume discounts and provide for reductions in administrative and transaction costs for suppliers and public sector purchasers.

In accordance with the provisions of Circular 02/16, the ICT Unit will ensure that all ICT procurement is in accordance with the provisions of Circular 02/16 and will avail of all central procurement frameworks where possible.

Value for Money Principles

While price is a significant factor in determining value for money in procurement, it is not the only variable that needs to be considered. Value for money also encompasses non-cost factors, such as whether the purchase is fit for the intended purpose, whether it is of sufficient quality and whether the level of service or support provided meets the organisation's requirements. Accordingly, when purchasing goods or services staff members adhere to the following principles:

- Challenge whether or not goods / services to be procured are required at all.
- Ensure that the procurement is in keeping with the organisation's strategic aims.
- Be clear about what the organisation wishes to procure.
- Allow sufficient time for the procurement.
- Consider if suitable alternatives would meet requirements of procurement.
- Comply with the general and organisational procedures and guidelines for procurement.

The responsibility for achieving value for money lies with all staff of the organisation and does not rest solely with those who have financial responsibility. All staff on the Management Team have a responsibility to ensure that best practice is followed in their own areas and that both they and staff

are aware of and are implementing all updates, in particular that they are aware of all new and upcoming frameworks from the OGP.

Review

This document will be reviewed and presented to the Management Team on an annual basis. It has been reviewed, updated and re-published on a number of occasions, most recently in February 2021. The next review will be carried out by December 2022.

Appendix 1

Detailed Management Team Structure

