

Draft Corporate Governance Standard for Central Government Departments

FOR PUBLIC CONSULTATION

CONTENTS

About this Standard	1
Governance Principles.....	3
Part 2 - Governance Framework	7
Chapter 1 Department Overview	8
Mission/Purpose of the Department	9
Values, Behaviours and Culture	9
Leadership and Organisational Capacity/Capability.....	10
Senior Management Structures	10
Organisation Structures	11
Strategic Planning, Decision Making & Performance Management.....	11
Engagement with External Stakeholders.....	12
Review of Effectiveness.....	12
Chapter 2 Ministerial and Senior Management Roles & Assignment of Responsibilities ...	13
Minister.....	14
Relationship with the Minister	14
Minister of State	15
Relationship with the Minister of State.....	16
Secretary General & Accounting Officer.....	16
Special Adviser	19
Assignment of Senior Management Roles & Responsibilities	19
Responsibilities of all Staff	19
Chapter 3 Management Board and other Governance Structures	20
Internal Governance Structures and Principles of Operation.....	21
Management Board	21
Ad-hoc Working Groups and Management Structures.....	26
Governance across Organisational Boundaries	26
Chapter 4 Bodies under the Aegis of the Department	27
External Governance and Oversight of Bodies under the Aegis of the Department.....	28
Chapter 5 Audit, Assurance and Compliance Arrangements	31
Audit and Assurance Arrangements.....	32
Compliance Framework	32
References	34
Appendix A – Governance, Assurance & Control Considerations	36
Appendix B: Draft Extract from Compliance Framework	41
Other Appendices - Detailed Guidance/Standards of Behaviour/Corporate Policies & Procedures	45



About this Standard

Good governance is central to the effective operation of Government Departments; it is vitally important in effectively discharging their statutory and policy obligations. It ensures that a framework of structures, policies and processes are in place to deliver on these obligations and it allows for an objective assessment of management and corporate performance.

The Civil Service Renewal Plan (CSRP) agreed by Government in November 2014 sets out new arrangements for governance and accountability in the Civil Service. The Civil Service comprises all Departments as defined by the Public Service Management Act 1997, all offices or branches of the Public Service specified in Part I or in Part II of the Schedule to that Act and 'Vote Holding' bodies under the aegis of those Departments and Offices. The Renewal Plan includes a key action to enhance governance arrangements in line with international best practice by the introduction of a common governance standard. In particular it seeks to:

- Formalise the role of the Management Board in Departments and support greater ministerial and managerial interaction in jointly and regularly reviewing priorities and performance;
- Introduce a single governance standard for all Management Boards drawing on international best practice in corporate governance; and
- Establish an annual assessment for all Management Boards to measure delivery and performance.

There is already a great deal of guidance on a variety of aspects of corporate governance within the Civil Service, for example, in the Cabinet Handbook, the Public Finance Procedures (the blue book), the Civil Service Code of Standards and Behaviour, and the recommendations of the Report of the Working Group on the Accountability of Secretaries General and Accounting Officers (i.e. the 'Mullarkey Report'). Much of the content of this Standard will be familiar to those working in or with central Government Departments. Nothing in this Standard is intended to disturb the existing roles, responsibilities and accountabilities of Ministers, Secretaries General, Accounting Officers, and Departments. Existing administrative and legislative provisions¹, applying to a Department on matters that are also the subject of this Standard, continue to apply (e.g. Strategy Statement, Performance Budgeting etc.)

¹ Any reference contained in this document, whether a reference to any enactment or otherwise, should be construed as a reference to such provision as amended.

The focus of this common Standard is on central Government Departments (i.e. all Departments and Central Government Offices in the Civil Service, hereafter referred to as Department(s)). This Standard is set out in two parts: Part 1 sets out a summary of good governance principles. These are supported by Part 2 that sets out an adaptable Governance Framework including provisions to be used in documenting each Department's own arrangements. It focuses on references to key areas of governance, and points to sources of more detailed guidance and includes within the appendices, key governance documents addressing assurance, compliance, planning and oversight arrangements.

The Standard recognises that a 'one size fits all' approach is not appropriate as Departments are not uniform in their structure, size, functions, locations etc. (e.g. Ministers with responsibilities across more than one Department, co-location of Taoiseach's and Tánaiste's offices and Government Secretariat in the Department of the Taoiseach) and therefore must make pragmatic decisions against a core Governance Framework to reflect their own responsibilities and circumstances. However, a common approach on certain core governance issues must exist across Departments. In this regard, this Standard should be considered in its entirety to ensure a comprehensive perspective. Exceptionally, Departments may choose to put in place alternative governance measures with similar effect to the principles or supporting provisions. In such an instance, a Department should aim to illustrate how its practices are both consistent with the principle to which the particular provision relates and contribute to good governance.

Departments should document and publish their governance arrangements in accordance with the principles set out in this Standard. Corporate governance measures must stay within the framework of constitutional and statutory provisions, and comply with the statutory provisions in the Ministers and Secretaries Acts 1924 to 2013, the Civil Service Regulation Acts 1956 to 2005, the Public Service Management Act 1997, and Comptroller and Auditor General Acts 1866 to 1998.

Looking Ahead

The Standard is intended to be a living document and will evolve in line with best practice.

Part 1 - Governance Principles

Governance is concerned with developing and implementing appropriate structures and processes for directing and managing an organisation so that stakeholders can be assured that the organisation is operating effectively and efficiently. In the context of Government Departments, good governance is about delivering priorities, achieving objectives, behaving with integrity and acting in the public interest, in accordance with the appropriate legislative framework.

The 'International Framework: Good Governance in the Public Sector'² suggests a number of high level governance principles which should underpin the governance arrangements in civil and public service organisations. The Framework states that the fundamental function of good governance in the public sector is to ensure that entities achieve their intended outcomes while acting in the public interest at all times.

Governance Principles

Governance Principles
<ol style="list-style-type: none"> 1. Good governance supports a culture and ethos which ensures behaviour with integrity, a strong commitment to ethical values, and respect for the rule of law. 2. Good governance ensures openness, effective public consultation processes and comprehensive engagement with domestic and international stakeholders. 3. Good governance helps to define priorities and outcomes in terms of sustainable economic and societal benefits and to determine the policies and interventions necessary to optimise the achievement of these priorities and outcomes. 4. Good governance means developing the Department's capacity, including the capability of the leadership team, management and staff. 5. Good governance means managing risks and performance through robust internal control systems and effective performance management practices. 6. Good governance means implementing good practices in transparency, reporting, communications, audit and scrutiny to deliver effective accountability.

² International Framework: Good Governance in the Public Sector (IFAC, CIFPA 2014)

Legislation is a key driver of governance arrangements in Government Departments. There is also a wide variety of authoritative guidance³ that outline much of the governance obligations for civil and public service organisations.

In the case of Departments, governance focuses on legal, regulatory, financial, policy and service obligations. It is also concerned with the key relationships between the Minister, Minister of State, Secretary General, Accounting Officer, senior management, all staff and stakeholders in determining the direction and performance of the organisation. The following table outlines the governance principles that are appropriate to Departments and how they form the basis for the governance arrangements as outlined in this Standard. These principles support the fundamental function of good governance which is to ensure that Departments deliver on their mandate and achieve intended outcomes while acting in the public interest at all times.

Civil Service and Ministerial Accountability

- The Minister is in charge of the Department and is responsible to the Oireachtas for all elements of the exercise of his/her departmental responsibility. This responsibility, a central element of the structure of government, ranges from significant political decision-making on major policy issues to routine administrative responsibilities discharged by civil servants on the Minister's behalf.
- The Department's Accounting Officer is personally responsible for and accountable to the Oireachtas for regularity and propriety in the Department's accounts, the efficient and economical use of the Department's resources and for the control of assets held by the Department. Accounting Officers are required to supply a signed Statement of Internal Financial Control to the Comptroller and Auditor General with the annual Appropriation Account.
- The Secretary General of the Department is responsible and accountable for managing the Department, providing advice to his/her Minister, and monitoring and implementing Government policies appropriate to the Department.

³ As outlined on Page 1.

Management Board of the Department

- Each Department should have an effective Management Board that operates to the principles of shared participation and responsibility for the operational success of the entire Department in supporting the Minister and Secretary General in the fulfilment of their statutory roles.
- The Management Board, which operates as a unifying force, provides leadership and strategic direction for the Department's business, concentrates on advising on strategic and operational issues affecting the Department's performance as well as scrutinising and challenging departmental policies and performance. The roles and responsibilities of each Board member should be clearly defined in the Department's Governance Framework.
- The Secretary General should ensure that arrangements are in place to enable the Board to discharge its responsibilities effectively, and ensure it has available to it the information required to assist its deliberations on policy development and effective communication throughout the organisation. The Board should support the Secretary General in the strategic and financial management of the Department, including risk management.
- The wider Management Board should have a balance of skills and experience appropriate to fulfilling its responsibilities. For example, some Departments may wish to extend Management Board membership to other grades depending on the size and business needs of the organisation.

Clarity of Roles and Responsibilities

- Each Department should ensure that there is clarity on the respective roles, decision making rights and delegated authorities (how the Secretary General as Head of a Department assigns responsibility for the performance of functions by individual officers, or grade or grades of officer, to Principal Officer level, in accordance with Section 4 (1) and 9 (2) of the Public Services Management Act.)

(Note link to Action 12 of the CSRP⁴).

Compliance

- The Management Board should ensure that there are effective arrangements in place to provide assurance on governance, risk management and internal control of

⁴ Action 12: Design and implement a robust performance review process for Secretaries General and Assistant Secretaries.

the Department. The Secretary General should be supported by an Audit Committee with an independent external chair and an internal audit service.

- The Management Board should take the lead on and oversee the preparation of the Department's governance and compliance framework.

Bodies Under the Aegis of Departments

- The Accounting Officer, with the support of the Management Board of the Department, has an important role in ensuring that there are robust governance arrangements in place for each of the bodies under the aegis of the Department, taking particular account of the Code of Practice for the Governance of State Bodies⁵

Effective governance encourages the effective use of resources, strengthens accountability for the stewardship of those resources, improves management and service delivery, and thereby contributes to improving peoples' lives. Good governance must be integral to the culture and to strategic and operational policies and practices of an organisation. All employees have an important role to play in collectively committing to the good governance of their organisation through the requirements of this Standard and adhering to the Civil Service Code of Standards and Behaviour in the performance of their duties.

⁵ Code of Practice for the Governance of State Bodies (2009) – to be updated in 2015.

Part 2 - Governance Framework

This Governance Framework is structured around a number of chapters, setting out the fundamentals that should be considered by Departments when establishing or reviewing their governance arrangements, as follows:

- Department Overview;
- Ministerial and Senior Management Roles and Assignment of Responsibilities;
- Management Board and other Governance Structures;
- Bodies under the Aegis of the Department; and
- Audit, Assurance and Compliance Arrangements.

It is envisaged that these key areas of governance will be further developed over time as the governance agenda and needs of Departments and their stakeholders evolve.

Chapter 1 Department Overview

In their Governance Framework, Departments should:-

- Include an overview of the mission of the Department in accordance with its Strategy Statement;
- Reflect the leadership capability, core values and behaviours that define the overall culture;
- Include senior management and organisational structures;
- Align with their Strategy Statement;
- Include an outline of the strategic and integrated business planning process;
- Include engagement with External Stakeholders; and
- Include a review of Effectiveness

Mission/Purpose of the Department

Departments are accountable to the Dáil for funds allocated to them for the provision of public services. Against this context each Department should clearly communicate the organisation's purpose (aligned with its Strategy Statement) to ensure that service users receive a high-quality service. In doing so, Departments should also set out their legislative basis⁶.

Values, Behaviours and Culture

Good governance must be integral to the culture of an organisation. In order for the successful delivery of its mission and to ensure the achievement of priority outcomes, Departments must aim to sustain and foster a culture and related shared values that exemplify ethical behaviour and effective governance. Therefore it is important that everyone understands the governance system and his or her responsibilities for contributing to a sound and effective governance culture. The Governance Framework should reflect the values, behaviours and culture of each Department.

The Governance Framework should set out the arrangements in place to foster awareness of all employees' responsibilities as reflected in the Civil Service Code of Standards and Behaviour and the Ethics in Public Office Acts and the Civil Service Renewal Plan. The values should be communicated to all managers and staff along with the obligation that they are expected to familiarise themselves with all the relevant codes, rules and legislation governing

⁶ This will include details of the specific statutory independence and legislation governing some Central Government Offices e.g. Statistics Act 1993 for the Central Statistics Office, and section 101, Ministers and Secretaries (Amendment) Act 2011 and The Revenue Commissioners Order, S.I. 2 of 1923 for the Office of the Revenue Commissioners.

the Civil Service including the application of the requirements in relation to official secrecy. These requirements are also relevant to former staff of the Department and Special Advisers.

Departments should set out the well-understood procedures for dealing with problems or complaints raised by the public and staff and these procedures should ensure fairness, transparency, independence and appropriate recordkeeping.

Leadership and Organisational Capacity/Capability

Departments should acknowledge the part that leadership style plays. The management team of the Department leads and manages the implementation of the systems, processes and behaviours necessary to promote good corporate governance across the organisation so that all staff work together as a high performing team. Strong leadership of senior management is critical. While clear direction and support of Department Heads is crucial, successful governance depends on the leadership of the senior executive as a whole. Leadership and management must “walk the talk” setting the tone for strong governance from the top while modelling good governance behaviours and demonstrating a commitment to achieving Government objectives through accountable processes.

Departments should set out the expectations of those with leadership and management responsibilities to ensure outcomes are consistent with good governance obligations.

Within the context of business planning and workforce planning, Departments should set out how the organisation ensures it has both the capacity to fulfil its own mandate and to make certain that there are strategies in place to guarantee that the organisation’s management has the operational capacity for the entity as a whole.

[Note link to Civil Service Renewal Plan Action 20⁷].

This section could also have regard to HR Strategies, ICT governance and security, record and information management.

Senior Management Structures

The Governance Framework should bring clarity to how Departments are structured, directed, controlled and managed in addition to the governance roles of individual senior managers,

⁷ Action 21: Publish the framework for assignment of responsibilities for all Departments.

Management Boards (MB)/ Executive Boards (EB)/ Management Advisory Committees (MACs)⁸ (hereafter referred to as Management Board⁹).

Organisation Structures

Clear and unambiguous lines of accountability, responsibility and reporting are critical to effective governance. Accordingly, Departments should set out how they are organised by function in order to deliver on their corporate objectives (by way of inclusion of a functional Organisation Chart). To ensure clarity of purpose the Governance Framework should set out a clear descriptive overview of the functions within its overall organisational structure e.g. by Directorate, Division, etc. These functions evolve over time in response to changing priorities.

Strategic Planning, Decision Making & Performance Management

Departments should set out:-

- The strategic planning processes incorporating the Programme for Government, Strategy Statement, and the setting of corporate wide priorities;
- The monitoring of progress with Ministers;
- Their integrated framework for business planning which cascades from strategic priorities to divisional priorities and business activities;
- How the integrated business planning framework serves to monitor progress and bring clarity to roles and responsibilities right down to the level of the individual staff members; and
- How the business planning cycle is managed, supported and directed by senior management all of which should allow changing needs and circumstances to be identified quickly.

This serves to allow employees to see exactly how their individual work contributes to their team goals, to their division's goals and ultimately to their Department's corporate goals. It also shows how working towards these goals helps achieve the Department's overall priorities supported by the Performance Management and Development System (PMDS).

[Note link to Civil Service Renewal Plan Action 11¹⁰].

⁸ These terms are used commonly across organisations and are not necessarily interchangeable or consistent in use. The choice of title seems to reflect a difference in emphasis: MAC being used where the role is primary advisory and Management/Executive Board where the role involves some decision-making. This is clarified in Chapter 3.

⁹ The term 'Management Board' refers to a Board established on an administrative basis only, and does not refer to statutorily appointed Boards which carry out statutorily imposed functions such as the Board of the Office of the Commissioner of Public Works in Ireland, or the Board of the Valuation and Ordnance Survey Office etc.

¹⁰ Action 11: Strengthen the performance management process.

Engagement with External Stakeholders

Departments should set out their commitment to openness and transparency in all aspects of their work. This ranges from how policy is developed to engagement with the public, stakeholders and the Oireachtas. In this regard the Governance Framework should set out the arrangements for engagement and management of relationships with stakeholders including, for example, arrangements under the Quality Customer Service Initiative.

Review of Effectiveness

The effectiveness of the Management Board is a matter for the Secretary General in the first instance. A strong focus on building and sustaining sound and effective Governance Frameworks and on detecting signs of poor governance can assist Departments to resolve issues before they develop into serious performance issues. It is fundamental that Departments set out the processes for monitoring all aspects of their Governance Framework to ensure fitness for purpose, that issues of significance are escalated and they are resolved by the right people at the right time. The Governance Framework should provide for a review process. The purpose of this review is to ensure effectiveness and to ensure that the Governance Framework is maintained and kept up to date.

[Note The Secretary General Working Group looking at Civil Service Renewal Plan Action 3 will be providing further guidance in this area & Note link to Civil Service Renewal Plan Action 12¹¹].

¹¹ Action 3: Set a common Governance standard. Action 12: Design and implement a robust performance review process for Secretaries General and Assistant Secretaries.

Chapter 2 Ministerial and Senior Management Roles & Assignment of Responsibilities

Departments should include in their Governance Framework:-

- An overview of the roles and responsibilities of the Minister and the Minister(s) of State, and the Department's relationship with the Minister and the Minister(s) of State.
- An overview of senior management governance roles and responsibilities, including those relating to Secretary General and Accounting Officer, Special Adviser, those who exercise a senior management role within the Department and the role for all staff; and
- How assignment of responsibility by the Heads of Departments under the Public Services Management Act 1997 is assigned to officers of the Department for the performance of their functions. Individual managers' roles should include both corporate and divisional level responsibilities, resource management, policy advice and implementation responsibilities.

Minister

The Governance Framework should set out the role of the Minister. Article 28.4.2 of the Constitution provides that the Government shall be collectively responsible for Departments of State "administered" by the Members of the Government. Under Article 28.12 of the Constitution ministers are "in charge of" Departments of State. The principal legislative provisions governing the Minister's powers are the Ministers and Secretaries Acts 1924 to 2013 and the Public Service Management Act 1997. The structures of Departments and distribution of its business are regulated by these Acts.

The Ministers and Secretaries Act 1924, as amended, provides that each Minister shall be the responsible head of the Department or Departments under his/her charge and "...shall be individually responsible to Dáil Éireann alone for the administration of the Department or Departments of which he is head...". This gives statutory effect to the constitutional principle of ministerial responsibility.

Relationship with the Minister

A key governance process is a Department's relationship and communication with the Minister and his/her advisers. The successful delivery of business priorities and programmes

is contingent on these relationships operating effectively. For this to happen, there has to be a shared understanding between all the actors of their mutual supporting role, within their distinct statutory or other responsibilities, in achieving agreed outcomes.

Both the role of the Minister and interaction with the Department should be clearly set out in order to ensure clarity of the Ministerial/Senior Civil Service relationship while recognising the complexity and the differing and dynamic approaches that are involved

In some instances the relationship may largely centre on interaction through the formal Management Board processes; in others, and while no less formal, it may be characterised by interaction at a direct level with management at senior level. Governance standards should also recognise that the Minister/Department relationship can occur routinely at any time and may not be confined to normal working hours and normal office arrangements. These may derive from the nature of the work of Departments or from the functional style of office holders. Formal governance arrangements should take into account these realities. As such they should recognise that a “one size fits all” approach will not be appropriate and that a degree of flexibility may be required but not to an extent that they compromise the key elements of the governance standard.

The Department’s Governance Framework should set out:

- An overview of regular interaction between the Minister and Secretary General/Senior Management for agreeing priorities and ensuring shared political/management oversight of progress, performance and issues (through regular Ministerial/Management Board meetings or other similar format including agreeing purpose, agenda, frequency and attendees¹²) as part of the decision making and monitoring role; and
- The formal processes and mechanisms for documenting decisions made within the Department to include Ministerial consideration and filing of same.

Minister of State

The Governance Framework should set out the role and the functions of the Minister(s) of State; whether these are administrative, or statutory by way of an Order under the Ministers and Secretaries (Amendment) (No. 2) Act 1977.

¹² Report of the Independent Review Group on the Department of Justice and Equality July 11th, 2014

Relationship with the Minister of State

An overview of the interaction between the Minister(s) of State and the Department, where relevant, should be described.

Secretary General & Accounting Officer

The Governance Framework should set out the role and responsibilities of the Secretary General. The Secretary General is the administrative head of the Department, the Accounting Officer, and has overall management responsibilities for the quality of advice submitted to the Minister. The respective responsibilities are set out below.

Secretary General: The Ministers and Secretaries Act 1924 and Public Service Management Act 1997 outline the statutory responsibility of the Secretary General. Under the 1997 Act, certain duties are assigned to the Secretary General within the Department (section 4 (1), 9 (1) & 9 (2)), including, but not limited to:

- managing the Department;
- implementing Government policies appropriate to the Department;
- delivering outputs as determined with the Minister;
- providing advice to the Minister and using resources so as to meet the requirements of the Comptroller and Auditor General (Amendment) Act 1993 in relation to regularity and propriety as well as to economy, efficiency and effectiveness;
- preparing Strategy Statements for submission to the Minister;
- providing progress reports to the Minister on the implementation of the Strategy Statements;
- ensuring proper use of resources and the provision of cost-effective public services;
- making sure arrangements are in place to maximise efficiency in cross departmental matters;
- preparing an outline of how specific responsibilities are to be assigned so as to ensure that the functions performed on behalf of the Minister are performed by an appropriate officer, or an officer of an appropriate grade or rank down through the Department; and

- managing matters relating to appointments, performance, discipline and dismissal of civil servants below the grade of Principal or its equivalent.

The list of duties specified in the Public Service Management Act 1997 while extensive, are not necessarily exhaustive and the Secretary General may also be required, under the Act, to carry out other functions on behalf of the Minister.

Accounting Officer: The Governance Framework should set out the roles and responsibilities of the Accounting Officer. In doing so, Departments should have regard to the 'Role and Responsibilities of Accounting Officers – A Memorandum for Accounting Officers (2011)'¹³. .

The Civil Service head of the Department administering the Vote is normally appointed Accounting Officer on the premise that he or she alone is in a position to discharge responsibility for the money entrusted to a Department/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 property¹⁴. The statutory role of the Accounting Officer is set out in the Comptroller and Auditor General Acts 1866 to 1998 and also set out in section A5 of the Public Finance Procedures. The Accounting Officer is defined in The Comptroller & Auditor General (Amendment) Act 1993 as the "*Officer referred to in Section 22 of the Exchequer and Audit Departments Act, 1866 to whom the duty of preparing the Appropriation Accounts of a Department is assigned...*"

Each Accounting Officer is personally responsible for the safeguarding of public funds and property under his or her control; for the regularity and propriety of all the transactions in each Appropriation Account bearing his or her signature; and for the efficiency and economy of administration in his or her Department. The Accounting Officer is personally answerable to the Oireachtas Committee of Public Accounts (PAC) for regularity, propriety and value for money through rigorous post factum examination of the manner in which Accounting Officers have discharged their responsibilities by means of independent audit and examinations by the Comptroller and Auditor General.

In addition to the preparation of the Appropriation Accounts, the main responsibilities of Accounting Officers as laid down in *Public Financial Procedures* are as follows:

- The safeguarding of public funds and property under his or her control;

¹³ To be updated in 2015 by the Department of Public Expenditure and Reform

¹⁴ Department of Expenditure & Reform's Public Financial Procedures (2012)

- The regularity and propriety of all the transactions in each Appropriation Account bearing his or her signature;
- Ensuring that all relevant financial considerations are taken into account and, where necessary, brought to the attention of the Minister where they concern the preparation and implementation of policy proposals relating to expenditure or income for which he or she is Accounting Officer;
- Economy and efficiency in the administration of the Department. This includes ensuring that there are adequate financial management systems in place to support the proper administration of the Department in an economic and efficient way;
- The adequacy of arrangements within the Department to ensure the correctness of all payments under his/her control and the prompt and efficient recovery and bringing to account of all receipts connected with the Vote, or with any fund for which the Department is responsible;
- Ensuring that Department of Public Expenditure and Reform sanction for expenditure has been obtained and for the maintenance of a central record of both delegated and specific sanctions;
- Responsibilities for internal audit, including regularly reviewing the internal audit function to ensure there is the desired quality of assurance on the adequacy, reliability and efficiency of the Department's internal control system;
- Responsibilities in respect of grants to outside agencies, particularly in regard to the conditions of the grant, the submission of accounts and being satisfied that the accounting systems and organisational arrangements of the grantee are adequate to ensure the proper administration of the money;
- Ensuring that there is a clear framework for control (including financial reporting) and accountability for public funds in bodies operating under the aegis of the Department;
- Accounting Officers are required to include with the Appropriation Account for their Department a statement on their organisation's systems of internal financial control.

Public Financial Procedures sets out the principles of Government accounting as well as the more important ways in which they are applied in the day-to-day operations of Departments, and outlines the essential features of financial management. Accounting Officers as well as the relevant officials in their Departments should be thoroughly familiar with Public Financial Procedures.

Special Adviser

The Governance Framework should acknowledge the role of Special Advisers¹⁵. The primary functions of Special Advisers are to secure the achievement of Government objectives and to ensure effective co-ordination in the implementation of the Programme for Government. The role and duties of Special Advisers are described in section 11 of the Public Service Management Act 1997. In summary, these are to assist the Minister or the Minister of State by (i) providing advice; (ii) monitoring, facilitating and securing the achievement of Government objectives that relate to the Department, as requested; and (iii) performing such other functions as may be directed while being accountable to the Minister or the Minister of State in the performance of those functions.

Assignment of Senior Management Roles & Responsibilities

The Governance Framework should detail how the Secretary General as Head of a Department assigns responsibility for the performance of functions by individual officers, or grade or grades of officer, to Principal Officer level in accordance with Section 4 (1) and 9 (2) of the Public Services Management Act 1997.

[Note link to Civil Service Renewal Plan Action 21¹⁶].

Responsibilities of all Staff

The Governance Framework should recognise that all staff have a role to play in assuring good governance, adherence to the Civil Service Code of Standards and Behaviours in the performance of their duties, as well as corporate policies, procedures, circulars and Office Notices. Where appropriate Departments should also refer to their international responsibilities through membership of EU, UN, OECD etc.

¹⁵ A template to assist each Department in preparing 'Office Notices Regarding Special Advisers' is being prepared in accordance with Action 21 of the Civil Service Renewal Plan

¹⁶ Action 21: Publish the framework for assignment of responsibilities for all Departments.

Chapter 3 Management Board and other Governance Structures

Departments should include the following in their Governance Framework:

- The purpose, role and terms of reference of management structures and arrangements in place including Management Board or Committee structures, Ad-Hoc Working Groups and senior management structures.
- An overview of governance arrangements that span across organisational boundaries.

Internal Governance Structures and Principles of Operation

As previously discussed, Departments use Management Board or committee structures to support the Head of Department/Accounting Officer in decision-making and governance matters. Every Department will vary according to its decision-making and governance arrangements and having regard to the particular statutory or sectoral context, extent and diversity of its functions, the complexity of its responsibilities, the nature and location of its business and its risk profile.

The Governance Framework should therefore include a description of the purpose, function, and composition and Management Board structures, Sub-Committees, Ad-Hoc Working Groups and senior management structures. While the Head of Department/Accounting Officer is ultimately accountable, Departments should ensure that a corporate Governance Framework appropriate to the organisation is in place, and documented.

Management Board

Each Department, through its Governance Framework, should establish clear terms of reference for its Management Board including but not limited to its purpose, role, composition and procedures¹⁷. The key objective is to clarify the roles and responsibilities of the Board and its members. Each Department should have an effective Management Board which operates to the principles of shared participation and responsibility for the operational success of the

¹⁷ For example, Revenue will set out the Governance Framework of its Office having regard to the Board and the collective and individual roles of the three Commissioners and the role of the Chairman as Chairman of the Board, Head of the Office and Accounting Officer. Given the statutory framework of the Board, Revenue will continue to have a Management Advisory Committee made up of the Board and the Assistant Secretaries, chaired by the Chairman.

entire Department in supporting the Minister and Secretary General in the fulfilment of their statutory roles. Each Management Board should:

- Agree a documented Terms of Reference;
- Review and update its Terms of Reference regularly and at least annually;
- Ensure that the Terms of Reference are communicated to the Minister, Special Advisers and all staff.

The following is suggested material to be included in establishing a documented terms of reference.

1. Department's Vision and Purpose

The Department's vision should be set out having regard to the material in Department's Strategy Statement (which would flow from the Civil Service Vision in the Civil Service Renewal Plan).

2. Department's approach to policy making

Explain how the Department's policies are set (e.g. by Government, by the Minister, co-ordinated with other Departments, consistent with budget and resource constraints, etc.)

3. Membership

- a) Set out the membership of the Management Board (e.g. the grade levels which comprise the core Board) and whether other persons regularly attend for the full Board meeting or for particular agenda items e.g. Human Resources, Corporate Centre, Press Office etc.

4. Relationship with Minister and Special Adviser

- a) Set out the arrangements for interaction between the Management Board and the Minister e.g. whether regular Ministerial / Management Board meetings are held. If other arrangements are in place to keep the Minister informed of relevant developments these should be specified;
- b) Matters which should be covered in regular briefings with Ministers include, but are not limited to:
- Government priorities;
 - Strategy;
 - Key issues; and
 - Department / Agency performance;

- c) Set out arrangements for interaction with the Special Advisers, including whether, for example, there are arrangements in place for Special Advisers to attend the Management Board for discussion of particular items.

Departments should have regard to any relevant recommendations from previous reports which examined or looked at arrangements within the Civil Service governance context;^{18,19}.

5. Roles

Set out the role of the Chairperson, (normally the Secretary General or Head of Office) including:

- a) Scheduling and chairing regular meetings;
- b) Ensuring systems are in place to provide Management Board members with accurate and timely information;
- c) Ensuring the Management Board considers any matters that threaten the propriety or value for money with which the Department carries out its business;
- d) Ensuring the Management Board considers any significant issues which may impact on the Department's medium term capacity, capability or significant risks to delivery on its objectives, together with details of mitigating actions proposed or taken;
- e) Providing for a Deputy Chairperson to chair meetings in his/her absence, as appropriate.

Set out the role of the members of the Management Board including:

- a) Regular attendance and active participation at meetings of the Board;
- b) Specific responsibilities arising from their individual roles as Board members;
- c) Acting corporately and not focusing only on their own functions in providing leadership and strategic direction, and driving and overseeing the implementation of strategies;
- d) Using their experience to challenge and critically examine items under discussion by the Board;
- e) Notifying the Board of any matters that threaten the propriety or value for money with which the Department carries out its business;

¹⁸ Report of the Independent Review Group on the Department of Justice and Equality July 11th, 2014

¹⁹ Interim Report on the Report on Certain Issues of Management and Administration in the Department of Health & Children associated with the Practice of Charges for Persons in Long-Stay Care in Health Board Institutions and Related Matters- Travers Report March 2005.

- f) Notifying the Board of any significant issues which may impact on the Department's medium term capacity, capability or significant risks to delivery of its objectives, together with details of mitigating actions proposed or taken.

Departments should identify those matters that are for decision by the Secretary General and those matters more appropriate for the consideration of the Management Board. Appropriate arrangements for assignments under the Public Service Management Act 1997 will be necessary to ensure that Management Boards have the authority necessary to give effect to any collective responsibilities identified.

6. Committees

The Terms of Reference should identify and set out the purpose, structure and formal reporting lines and reporting frequency for committees that support the Management Board and/or the Secretary General, e.g. the Audit Committee, Risk Committee etc. Departments may also wish to consider whether committees focused on key corporate issues, for example, ICT strategy should be established.

7. Decisions and Reporting

The Terms of Reference should identify those matters always dealt with by the Management Board, for example:

- a) The Strategy Statement;
- b) The Business Plan (s);
- c) Operational strategies, as appropriate, to best implement Ministerial policies;
- d) The acceptable level of risk appetite for the Department;
- e) Discussion of major strategic challenges confronting the Department²⁰ and strategies affecting the long term interests of the Department (including IT, financial and Human Resource allocation, Human Resources strategies);
- f) Ensuring that cross-cutting and longer term issues are fully accounted for in resource planning, policy formulation and advice;
- g) Budget allocation and performance;
- h) Ensuring effective communication throughout the organisation, including dissemination of information on the role and decisions of the Management Board

²⁰ For example: Strengthening the Capacity of the Department of Finance Report of the Independent Review Panel (December 2010)

where appropriate, driving engagement with staff and communication with external stakeholders;

- i) Considering and debating major policy issues and wider external issues of significance;
- j) High-level consideration of significant management and investment decisions made;
- k) Ensuring Strategic Human Resources and Organisational Capacity & Capability Reviews are conducted periodically;
- l) Ensure that opportunities to exploit and embrace technology and innovation to transform how services are delivered; and
- m) Governance arrangements.

It should also set out those matters which are delegated to officers within the Department but where the Management Board expects to receive reports for approval, decision or information as appropriate. These might include:

- a) Sectoral Issues with significant policy or expenditure implications;
- b) Management of industrial relations e.g. Bodies under the Aegis.

It should also identify the main categories of information which the Management Board wishes to consider and the regularity of its consideration of each type of information. These might include:

- a. Progress of spending against profile;
- b. Progress and status of major legislative initiatives being undertaken within the Department;
- c. Progress and status of major projects against expected timeframes and budget
- d. Risk management;
- e. Issues relating to Bodies under the aegis of the Department;
- f. Review of certain documents prior to publication such as Annual Report etc.

8. Performance and Evaluation

The Management Board should arrange a periodic review to measure delivery, performance and effectiveness against its terms of reference.

[Note: Departments should have regard to any recommendations emerging from the Organisational Capability Reviews to be established under Action 20 of the Civil Service Renewal Plan.]

Management Board Information / Documentation

Management Board papers, where relevant, should be available to members in a timely manner. They should be relevant and concise and adequate to enable members to understand the background and context of the issues under discussion.

As there is significant variation between the nature of individual Department's business, each Management Board should agree the format and content of its regular reports together with the detail, analysis, etc. expected in papers dealing with significant policy or budgetary matters.

Support to the Management Board

A Secretary to the Management Board should be appointed to assist the Chairperson with preparing the agendas, circulating papers, keeping accurate minutes, etc. The Secretary might also be charged with monitoring the compliance of the Management Board with its Terms of Reference and advising the Chairperson of any issues arising.

Ad-hoc Working Groups and Management Structures

The role of oversight or coordinating Sub-Committees, time-bound Ad-hoc Working Groups and management structures (including internal networks) should also be clearly set out including their terms of reference in order to ensure effectiveness and to avoid confusion regarding accountability issues and decision sharing/making functions.

Governance across Organisational Boundaries

The Governance Framework should also recognise where Departments are currently involved in various programmes across the Civil Service where the Head of Department is a Programme Sponsor or where members of the senior management team are assigned responsibility as Senior Responsible Officers to programmes. Additionally, the Governance Framework should acknowledge where staff members service cross-Departmental official level groups and support the work of Cabinet Committees and where they also lead or participate in a number of internal and external committees or working groups that facilitate formulation of wider policy perspectives and strategies.

Chapter 4 Bodies under the Aegis of the Department

Departments should set out governance arrangements in relation to bodies under their aegis in their Governance Framework.

External Governance and Oversight of Bodies under the Aegis of the Department

Many Departments have responsibility for a number of bodies that come under their aegis. Departments will be involved in holding such bodies²¹ to account on behalf of their Minister. This will include evaluating the bodies' budgets against those set down by their Minister and plans (including corporate plans), as well as in monitoring their performance in meeting objectives and targets (including financial targets) and, where appropriate, returns on the State's investment set by legislation or by Ministers. Accounting Officers should satisfy themselves that the monitoring systems and procedures in place are adequate and if reports indicate that a problem has emerged, that appropriate corrective action is taken by the body as soon as possible. A set of guidelines on Corporate Governance in State Bodies was published by the Department of Finance in May 2009 entitled the 'Code of Practice for the Governance of State Bodies.'

While there is no precise definition of bodies under the aegis of a Department in the Civil Service, there are a number of responsibilities set out in various statutes, codes of practice (including the Code of Practice for the Governance of State Bodies) and the Public Service Reform Plan (e.g. in relation to appropriate Service Level Agreements (SLAs) or their equivalents which are in place between Departments and their State Agencies). The following criteria will be of assistance in defining a body as under the aegis of the Department:

1. The Minister presents legislation relating to the body to the Houses of the Oireachtas.
2. The Minister lays the body's accounts and/or annual report before the Houses of Oireachtas.
3. The Minister and/or the Department has statutory responsibility for one of more of the following:

²¹ Note: While Revenue comes under the aegis of the Minister for Finance: It is the responsibility of the Board and the Chairman to ensure that there are robust governance arrangements in place for the Office of the Revenue Commissioners. The Chairman and the Secretary General of the Department of Finance shall agree a framework of meetings at senior management level to review/consider appropriate matters, for example, review of the implementation of Revenue's Strategy Statement.

- a. Provision of funding;
 - b. Presentation of estimates in the Dáil;
 - c. Nomination / dismissal of all / majority of the members of a body's Board, Authority or other governing body;
 - d. Appointment of CEO;
 - e. Consent functions in relation to remuneration, superannuation, fees;
 - f. Consent functions in relation to borrowing.
4. The statutory basis of the body
 5. The Minister sets policy direction for the body.
 5. The Minister has the power to issue directions, codes, regulations or guidelines in respect of the body.
 6. The Minister approves Strategy Statements.
 7. The Secretary General is the Accounting Officer for the body.

Having assessed bodies against this criteria, Departments are likely to have different categories of bodies under their aegis e.g. regulatory bodies. Bodies with their own Vote or Accounting Officer may need to be considered separately including those bodies listed in the Schedule to the Public Service Management Act 1997. Information on governance arrangements could be collated and set out in summary tabular format as per the table below.

Bodies under the Aegis of the Department / Office

Body	Accounting Officer	Principal Officer in Dept	Ministerial and Departmental Functions	Funding Source	Governing Legislation

Given that the relationships between Departments and those bodies under its aegis varies widely (for example, entities that are statutory or regulatory in nature, commercial or non-commercial etc.) the Governance Framework should set out those arrangements for governance and oversight of Bodies under the Aegis, provide an overview and reference of the periodic measures taken to provide ongoing governance assurance as to who is responsible for what.

In doing so, Departments should have regard to the provisions in the Code of Practice for the Governance of State Bodies²². In particular, those relating to:-

- Accountability – In general, it is recommended that each Department/Office set out in writing the respective roles of its Accounting Officer and the Chief Executives of any State Body under its aegis. The Accounting Officer of the Department under whose aegis the Body lies should satisfy him/herself that the requirements of the Code of Governance are being implemented and if reports indicate that problems exist, ensure that appropriate action is taken as soon as possible;
- Service Level Agreements, and a Performance Framework;
- Codes of Business Conduct for the directors and employees of State Bodies – All State Bodies should have written Codes of Business Conduct for their directors and employees. These Codes should refer to the need for directors and staff to comply with the requirements of the Companies Acts, if applicable, and any other relevant legislative and regulatory requirements. They should identify the relevant provisions regarding conduct/conflicts of interest in the governing legislation of the Body;
- Tax clearance and compliance – These include the provision that a report on the Body's compliance with tax laws should be furnished each year to its relevant Department. The report should confirm that the Body has complied with its obligations under tax law.

²² Code of Practice for the Governance of State Bodies (2009) – to be updated in 2015

Chapter 5 Audit, Assurance and Compliance Arrangements

Departments should include in their Governance Framework:-

- An overview of Compliance Framework
- Compliance, Audit and Assurance Arrangements

In the context of good governance, the Governance Framework should acknowledge the effectiveness of management systems, the control culture and control environment are subjected to regular review from Internal Audit, the Audit Committee, external review agencies, regulatory bodies, the Comptroller and Auditor General and the Oireachtas. It should also acknowledge the role that individual managers and staff play in ensuring management systems and control effectiveness through the Department's management assurance process.

Audit and Assurance Arrangements

The Governance Framework should include a clear statement in relation to accountability relationships and organisational assurance, audit and scrutiny functions, having regard to necessary guidance, as follows:

- i. Accounting Officer assurance arrangements underpinning the annual Statement of Internal Financial Control to the Comptroller and Auditor General and other mechanisms ;
- ii. Role of Audit Committee and reporting arrangements to Secretary General;
- iii. Role of Internal Audit Unit and reporting arrangements to Secretary General and/or Management Board;
- iv. Role of internal Finance unit.

Compliance Framework

As an accompaniment to a Department's Governance Framework, a compliance framework²³ should be developed. A compliance framework provides an overview of all compliance assurance activity in a Department. It exists as a separate framework to focus on and provide greater detail of the subset of governance standards that are required to be met by statute, or on foot of government decisions or significant administrative or external commitments.

The compliance framework is an important part of the Department's management of risk. Failure to comply with statutory or other obligations could result in significant reputational damage to the Department. The compliance framework should build on those systems and

²³ Guidance on the structure and composition of a compliance framework is currently being developed by the Department of Public Expenditure and Reform and will be made available in due course.

procedures in place by Departments to meet each of its obligations. The framework assists those members of staff with the best knowledge of these systems and procedures to identify and detail any issues that have the potential to result in some degree of failure of those systems and procedures. These issues can be highlighted on the Department's risk register. A compliance framework should list each specific obligation placed on the Department as to how it should perform its functions. These can be categorised, for example, as either:

- A. Statutory e.g. Protected Disclosures Act 2014, Freedom of Information Act 2014, the Taxes Consolidation Act 1997,
- B. Government Decisions, or
- C. Administrative and Policy Initiatives

An example of a non-exhaustive list of assurance considerations is provided in Appendix A. A draft extract from the compliance framework, from the Department of Public Expenditure and Reform, is attached at Appendix B.

References

The models of good practice which have helped guide the preparation of this Standard include:

- Standards in Public Office (2013) Extract from Guidelines on Compliance with the Provisions of the Ethics Acts 1995–2001 – Office Holders (Dublin, SIPO).
- Various relevant statutes including Ethics in Public Office Acts 1995-2001, Data Protection Acts 1988 and 2003, Freedom of Information Act 2014 and the Comptroller and Auditor General Acts 1866 to 1998.
- Committee on Corporate Governance (2000) The Combined Code: Principles of Good Governance and Code of Best Practice (London, CCG).
- The Mullarkey Report, Report of the Working Group on the Accountability of Secretaries General and Accounting Officers (2002).
- The Role and Responsibilities of Accounting Officers A Memorandum for Accounting Officers (December 2011)
- Department of Finance Regulations, Circulars, Office Notices and Guidance Material.
- Department of Public Expenditure & Reform Public Financial Procedures (2012)
- Department of Public Expenditure & Reform Internal Audit Standards (November 2012).
- Department of Public Expenditure & Reform Audit Committee Guidance (April 2014).
- Department of Finance Code of Practice for the Governance of State Bodies (2009)
- Strengthening Civil Service Accountability and Performance: Consultation Paper on Programme for Government commitments (Department of Public Expenditure and Reform (January 2014).
- Report of the Independent Panel on Strengthening Civil Service Accountability and Performance (May 2014)
- Civil Service Renewal Plan (October 2014)
- Financial Reporting Council (2014) The UK Corporate Governance Code (London, FRC).
- Financial Reporting Council (2014) Guidance on Risk Management, Internal Control and Related Financial and Business Reporting (London, FRC).
- IFAC/CIPFA (2014) Independent Framework: Good Governance in the Public Sector. (New York/London, IFAC/CIPFA).
- Independent Commission on Good Governance in Public Services, The (2004) The Good Governance Standard for Public Services (London, OPM/CIPFA).
- OECD Principles of Corporate Governance (Paris, OECD 2004).

- National Standards Authority of Ireland (2010) Code of Practice for Corporate Governance Assessment in Ireland (Dublin, NSAI).
- Public Sector Governance Vol. 1 and 2 – Australian National Audit Office July 2003
- Corporate Governance for Public Bodies - A Basic Framework, Hong Kong Institute of Certified Public Accountants.
- Corporate governance in Central Government Departments: Code of Good Practice 2011, UK Cabinet Office, HM Treasury.
- Corporate governance in Central Government Departments: Code of Good Practice – Guidance Note 2011, UK Cabinet Office, HM Treasury.
- Government Governance - Corporate Governance in the Public Sector, why and how. Ministry of Finance, The Netherlands.
- OECD Guidelines on Corporate Governance of State Owned Enterprises
- Public Service Reform Plan 2014-2016 (Department of Public Expenditure and Reform January 2014)

Department's Governance Frameworks should also include references to good practice in addition to the above where relevant.

Appendix A – Governance, Assurance & Control Considerations

The Governance Framework should list a comprehensive source of relevant references of more detailed guidance key governance documents and pronouncements.

Category	Item
Government	Bunreacht na hÉireann
	Cabinet Handbook
	Implementation of Government decisions
	Programme for Government Commitments and updates on same
Legislation, Guidelines, Codes of Practice	Ministers & Secretaries Act 1924 to 2013
	Public Service Management Act 1997
	Data Protection Acts 1988 and 2003
	Civil Service Regulation Act 1956
	Public Service Management Act 1997
	Exchequer & Audit Departments Act 1866
	Comptroller and Auditor General Acts 1866 to 1998
	Ethics in Public Office Act 1995; Standards in Public Office Act 2001 <ul style="list-style-type: none"> • Disclosure/Declaration Returns
	Protected Disclosures Act 2014
	Freedom of Information Act 2014
	Occupational Pension Schemes (Disclosure Of Information) Regulations 2006
	Official Languages Act 2003
	Social Welfare Consolidation Act 2005
	Revenue e-Brief No. 10/09
	Health, Safety & Welfare at Work Act 2005 & consequent Regulations
	National Archives Act 1986
	Disability legislation
	Compliance with Employment Law (including Office Notices/Circulars relating to HR Legislative provisions)
	Civil Service Code of Standards and Behaviour
	Code of Practice for Governance of State Bodies (2009)

	Risk Management Guidance for Government Departments and Offices - Department of Finance March 2009
	Registration of Lobbying Act 2015
	European Communities (Re-Use of Public Sector Information) Regulations 2005 (SI 279 of 2005)
	Dáil reform Pre-legislative Scrutiny & Post enactment review
	Statement of Strategy
	Department Framework of Assignments –Assignment of responsibilities by the Secretary General for the performance of functions under Section 4(1) of the Public Service Management Act 1997
	Civil Service Code of Standards and Behaviour
	Organisational Capability Reviews
	Comptroller and Auditor General audit opinion of appropriation accounts
	Internal Statement of Financial Control
	Internal Control Questionnaire (ICQ)
	<ul style="list-style-type: none"> • Relevant Office Notices • Circular 15/1979 - Official Secrecy and Integrity • Circular 3/89 - Data Protection Act 1988 • Circular 26/04 - The Civil Service Code of Standards and Behaviour • A Positive Working Environment Policy - revised (July 2005) Civil Service policy on harassment, sexual harassment and bullying • Dignity at Work Policy – An Anti-Bullying, Harassment and Sexual Harassment Policy for the Irish Civil Service Department of Public Expenditure and Reform 2015 • Relevant Procurement Guideline
	The Role and Responsibilities of Accounting Officers A Memorandum for Accounting Officers Government Accounting Section - Department of Public Expenditure and Reform September 2011
	Department of Public Expenditure and Reform Guidelines for Ministerial Appointments to State Boards
	Bodies under the Aegis Oversight Framework
	The Mullarkey Report, Report of the Working Group on the Accountability of Secretaries General and Accounting Officers 2002
	Audit Committee Guidance issued by Department of Public Expenditure and Reform April 2014

	Performance Management and Development System 2013
	Audit Committee Charter
	An Introduction to the Irish Civil Service (2008)
Financial	Appropriation Accounts
	Internal Audit Function
	VFM Reports
	Budgeting system with an annual budget and out-turn forecasting
	Revised Estimates (PART I, II, III)
	Financial responsibilities assigned with appropriate accountability
	The Public Spending Code
	Prompt Payments Code
	Public Financial Procedures (2012) - Blue Book
Risk Management	Risk Management Policy, Process & Risk Register
Oireachtas	Parliamentary Questions
	Public Accounts Committee
	Relevant Oireachtas Committee / Estimates Procedures
	Debates / Topical Issues / Matters on Adjournment, etc.
Procurement	Adherence to EU and National Guidelines
	Reporting to C&AG on contracts over €25k awarded without a competitive tender process
	Directive 2004/18/EC on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts
	DPER procurement circular 10/14 - Initiatives to assist SMEs in Public Procurement.
	D/Fin Public Procurement Guidelines 2010
	D/Fin Circular 40/02 – Public Procurement Guidelines – Revision of procedures for approval of certain contracts
	D.Fin Circular 2/09 - Arrangements for ICT Expenditure in the Civil and Public Service
	Office Notice - 02/2013 Revised Expenditure Approval Procedures
	European Commission Interpretative Communication on the Community Law applicable to contracts not or not fully subject to the provisions of the Public Procurement Directives (2006/C179/02) of 1 August 2006
	Remedies Directive 2007/66EC and Remedies Regulations S.I. No. 130 of 2010
	Procurement Activity in line with controls
	Procurement controls/guidelines

	Office Notice 02/13 Revised Expenditure Approval Procedures and Procurement Policies and Procedures
Quality Customer Service	Quality Customer Service Charter, Customer Service Action Plan and Complaints Procedure
Reporting	Expenditure Profiles/ Exchequer Issues
	Budget and REV skeletons including performance information against indicators
	Ireland Stat data
	Financial Management reporting
	Strategy Statement Report
	Audit Committee Statement/Report
	Internal Audit Unit Reports
	Periodic and Annual Financial Reports

Appendix B: Draft Extract from Compliance Framework
(Example from the Department of Public Expenditure and Reform)

The obligations of a Department can be broken down into 3 categories: a) statutory, b) government decisions, and c) administrative and policy initiatives.

For example, the Responsible Officer for each of the obligations listed below may be asked to document their detailed obligations:-

A. Statutory
1. Ministerial and Departmental functions under the Ministers and Secretaries (Amendment) Act 2011
2. Data Protection Act
3. Freedom of Information Act
4. Ethics/Standards in Public Office obligations
5. National Archives Act
6. Taxes Consolidation Act 1997
7. Compliance with Official Languages Legislation
8. Compliance with Employment Law and Civil Service HR Legislative Provisions
9. Compliance with Disability Legislation
10. Appropriation Accounts
11. Compliance with Public Financial Procedures
12. Agreement of Strategy Statement with Minister
13. Submission of Annual Report to the Minister
14. Other Functions under the Public Service Management Act 1997
15. Health and Safety
16. Compliance to Cabinet Guidelines
17. Compliance with Procurement Directives
B. Government Decisions
1. Input/Reports to Cabinet Committees on Public Service Reform
2. Input/Reports to Cabinet Committee on Economic Recovery and Jobs
3. Appointments to State Boards
4. Implementation of Programme for Government Commitments within Department of Public expenditure and Reform remit and updates on same
5. Guidelines on the Preparation of Strategy Statements
C. Administrative & Policy Initiative
1. Integrated Reform Delivery Plan Returns
2. Review of Legislation in Accordance with Statutory or Government Commitments
3. Effective Business Planning Process
4. Oversight of Robust Performance Management Arrangements
5. Adherence to Civil Service HR Guidelines/Circulars

6. Timely and Accurate Replies to PQs and other Oireactas Requests for Information
7. PAC Appearances
8. Statement of Internal Financial Control
9. Internal Audit Function
10. VFM Reports
11. EU/IMF Programme
12. Compliance with CPSA Codes of Practice
13. Responses to Questionnaires from OECD
14. Record Management Guidelines March 2013
15. Risk Register

For each obligation a detailed 'Compliance Status Report' could be developed. These Reports describe the systems and procedures in place to meet the Department's obligations. They also set out the Responsible Officer within the Department for those systems and for providing assurance to the Secretary General and Management Board that the obligations have been met. An example of such a report is set out below:-

Compliance Status Report - **Obligation A.6**

Compliance with Official Languages Legislation
<u>Responsible Officer:</u>
Compliance Obligation Compliance with Official Languages Legislation
Source Obligation To create the Irish Language Scheme under Section 11 of the Official Languages Act 2003
Who is the auditor/enforcer/controller? The Department of Arts Heritage and the Gaeltacht periodically review the website & issue letters to monitor
How is assurance provided to the Secretary General? Scheme is agreed with the Department of Arts Heritage and the Gaeltacht and is monitored, updated and renewed every 3 years.
What are the underpinning systems and procedures? Scheme drafted by the Corporate Support Unit, reviewed by the Department of Arts, Heritage and the Gaeltacht and then approved by the Secretary General.
Who is involved in the process? Lead officials – Corporate Support Unit

Input from other officials in the Press Office in D/PER also required Names:			
Is the Responsible Officer happy that participants in the process are aware of compliance obligations, respond as required and have captured requirements in section level procedures?	Green	Amber	Red
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	Some Issues	Significant Issues
When was the last audit of these procedures?	Click here to enter a date.		
Have all recommendations from that audit been implemented?	Yes	No	
	<input type="checkbox"/>	<input type="checkbox"/>	
Brief description of any issues with compliance procedures			

The compliance framework should be a live document. Ideally, for each obligation there should be a reference number and an associated “live web-based document” (such as the above ‘Compliance Status Report’) that describes in greater detail the systems and procedures in place to ensure the obligation is met. Such a document allows the relevant Responsible Officer to identify any compliance issues and regularly provide updates.

Other Appendices - Detailed Guidance/Standards of Behaviour/Corporate Policies & Procedures

The Governance Framework should list other appendices considered appropriate as a comprehensive source of references of more detailed guidance, key governance documents and pronouncements e.g. Integrated Business Planning framework, Audit Committee Charters, Internal Audit terms of reference, Framework of Assignment, Oversight of Bodies under the Aegis etc.