



**An Roinn Oideachais
agus Scileanna**
Department of
Education and Skills

Governance Framework

**(Drafted in accordance with the
Governance Standard for the Civil Service
November 2015)**

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Foreword by Secretary General

I am pleased to introduce the Department's Governance Framework which encapsulates, into a single resource, our political and operational context, our obligations and responsibilities, our standards of conduct and our accountability mechanisms – all of which support the Department in achieving its objectives and goals in a challenging environment.

The Department is committed to delivering high quality educational outcomes, and has a values-driven management and staff who are open and responsive to changing needs, who behave with integrity and who are dedicated to the achievement of our objectives and goals. The Department is aiming to maintain, and indeed enhance, this reputation through a continued adherence to the highest standards of governance in the Department as outlined in this Framework.

The Department has a responsibility to ensure that appropriate and proportionate arrangements are in place so that the resources in our care are directed and utilised where most needed in order to support our mission to “To facilitate individuals, through learning, to achieve their full potential and contribute to Ireland's social, economic and cultural development.”

We recognise that good governance is about delivering priorities, achieving objectives, behaving with integrity and acting in the public interest, and in ways that are consistent with legal, regulatory and Government policy obligations. We believe that it makes a tangible and lasting contribution to our performance and our ability to deliver positive outcomes.

Of course, systems alone cannot deliver good governance. Each member of staff has a role to play in collectively committing to the good governance of the Department through the requirements of this framework in the performance of our duties.

Seán Ó Foghlú
Secretary General

Introduction

Corporate Governance in the Public Service refers to the systems, procedures, practices and behaviours of an organisation in delivering its stated objectives, statutory obligations, and policy goals in delivering services to citizens in an open, efficient, ethical, fair, and transparent manner.

This framework provides an overview of the structure of the Department including its organisational and management structures. It details the means by which it monitors performance and progress towards achieving its goals, and its role in supporting the Minister for Education and Skills in delivering upon the Government's commitments and statutory obligations in the Education and Training Sector. The framework outlines the political and operational context in which the Department operates, its obligations and responsibilities, standards of conduct, and its accountability mechanisms.

Scope and Structure

The governance framework sets out the key principles, structures, policies, procedures and control mechanisms in place to support the Department in realising its mission ***“to facilitate individuals, through learning, to achieve their full potential and contribute to Ireland's social, economic and cultural development.”***

The framework comprises five chapters which are organised in line with the key governance principles set out in the Corporate Governance Standard for the Civil Service 2015. The governance framework focusses on high level governance structures and policies within the Department. It includes a number of references and links to other detailed legislative, policy, operational codes, and guidance documents which underpin how the Department strives to ensure good governance within the Department and in the wider Education and Training sector.

The main issues covered in the chapters are as follows:

- **Department overview:** the Department's Mission; Value, Behaviours and Culture; organisation structures; strategic planning, decision making and performance management; internal communication arrangements; engagement with external stakeholders; and arrangements for review of the framework.
- **Ministerial and Senior Management Roles & Assignment of Responsibilities:** an overview of the roles and responsibilities of the Minister and Minister(s) of State and the Department's relationship with them; an overview of senior management governance roles and responsibilities including those relating to the Secretary General/Accounting Officer, Special Advisers, and the governance role of all staff; and how responsibility is assigned to officers of the department for the performance of functions.
- **Management Board and other Governance Structures:** the purpose, role and terms of reference of management structures and arrangements in place including Management Board, committees, ad-hoc working groups and senior management structures; and an overview of governance arrangements that span across organisational boundaries.
- **Audit, Assurance and Compliance Arrangements:** internal audit and finance assurance arrangements; and compliance framework.
- **Bodies under the Aegis of the Department:** external governance and oversight arrangements of bodies under the aegis of the Department.
- **Child Protection:** procedures to assist schools in preparing, and publishing their Child Safeguarding Statement.

The framework is designed in a manner that it can be reviewed and developed over time as the governance environment and needs of the department and sector change.

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Chapter 1 – Department Overview

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.

1. Introduction

The Department of Education and Skills operates in a challenging and complex environment, shaped in particular by economic, social, technological, cultural and demographic changes. In recent years, a significant programme of reform has been underway across the Education and Training sector. The reform programme centres on the five key goals of shaping a responsive education and training system, advancing the progress of learners at risk of educational disadvantage and learners with special educational needs, equipping education and training providers with the skills and supports to provide quality learning experiences, intensifying the relationships between education and the wider community, society and the economy and leading in the delivery of strategic direction and supportive systems.

The Department takes a “whole-of-system” approach to strategic planning and implementation across the Education and Training sector. This “joined up” approach enables us to plan and implement an extensive programme of reform and to balance this with the demands of supporting and sustaining the operation of our education and training system.

The Department’s mission is¹ *“to facilitate individuals, through learning, to achieve their full potential and contribute to Ireland’s social, economic and cultural development.”*

Our mission is underpinned by the following values, which provide for the achievement of priority outcomes:

- We place the learner at the centre of education strategy and policy development and value learning as a public good, in light of its core role in the development, cohesion and wellbeing of an inclusive society.
- We believe in the vital importance of open communication, consultation and collaboration with stakeholders, within the education and training sector and with the wider community.
- We are committed to the principles of continuous improvement, innovation and evaluation which will underpin evidence-based policy development and programme delivery.
- The achievement of our goals will be underpinned by the overarching values for the Civil Service, as set out in the Civil Service Renewal Plan.
- We value our staff and create an environment where we learn, develop and contribute to the goals of the organisation.
- We are accountable, open to change, customer-focused and respectful in our dealings with the public and work colleagues

¹[Department of Education Statement of Strategy 2019-2021](#)

2. Organisational Structures

The Department's organisational structure derives from its core work of providing policy advice for decision to the Minister, formulating and implementing Government priorities in the area of education and training, and taking actions to implement Ministerial and Government decisions.

2.1 Senior Management structures:

The following is the senior management structure within the Department:

- ❖ The Minister is the corporation sole² of the Department and is accountable to the Government in relation to all functions delegated to him/her by the Government.
- ❖ The Government, on nomination of the Taoiseach, appoints the Ministers of State. The Government delegates to the Ministers of State, by way of an Order, powers and duties of the Minister of Education and Skills³. The role and function of the Ministers of State may also be on an administrative basis.
- ❖ The Secretary General is the administrative head and Accounting Officer of the Department and is accountable to the Minister for the discharge of his statutory roles and duties as Head of the Department. He is the chief policy advisor of the Department, responsible for providing independent advice to the Minister and Ministers of State on issues relevant to the Department.
- ❖ The Secretary General is supported in carrying out his functions by Heads of Division comprising Assistant Secretaries and the Chief Inspector. The Secretary General assigns responsibility for particular Divisions to them while retaining overall accountability to the Minister. The allocation of Divisional responsibilities is set out in the Framework of Assignments but may change according to needs and emerging priorities. The responsibilities of the Chief Inspector include those set out in section 13 of the Education Act, 1998. In addition to their individual Divisional responsibilities, Assistant Secretaries and the Chief Inspector are members of the Department's Management Board. As Members of the Management Board, they lead on their respective Divisional responsibilities and engage on the basis of shared participation and corporate responsibility.
- ❖ The Secretary General assigns responsibility to Principal Officers or equivalents as Heads of Sections. These responsibilities sit within the overall management framework for the Department.

Divisions are organised to report to individual members of the Management Board. Accordingly, the organisational structure of the Department is based on 10 functional areas. These areas and those responsible for them are outlined at the end of this Chapter. Further detail on the functions of Divisions are also available [here](#).

² [Minister and Secretaries Act 1924](#)

³ [Ministers and Secretaries \(Amendment\) \(No. 2\) Act 1977](#)

3. Strategic Planning & Decision Making

The Department is required, every three years, or within six months of the appointment of a new Minister to prepare and publish an Strategy Statement for the Department⁴. The Strategy Statement is informed by the Programme for Government, and outlines high-level priorities agreed by the Minister. These priorities translate into the Department's annual work programme and activities of the Divisions.

In developing the Strategy Statement, the Department adheres to the procedures outlined in the Guidelines on the Preparation of Strategy Statements issued by the Department of the Taoiseach. Corporate Services co-ordinate the drafting of the Strategy Statement. The initial engagement on drafting the Strategy take place between the Secretary General/Management Board and the Minister and his Special Advisers. This discussion concerns the key priorities as set out in the Programme for Government for the Minister and Department.

A wide-ranging consultation process for the development of the Strategy takes place thereafter including:

- discussions by the Management Board on the initial drafting of the Statement
- consultations with key senior officials to consider the articulation of key strategies
- discussion by the Department's Senior Management Forum (SMF) to conclude internal considerations on the mission, vision and key strategies
- consultation with key stakeholders and other Government Departments for their input into the Strategy
- consultation with the public to inform the drafting process

The Secretary General submits the draft Strategy Statement to the Minister for approval and to the Government to note and thereafter it is adopted as the foundation of the Department's strategic priorities.

The Strategy Statement 2019-2021 has an accompanying annual Action Plan that details the high level work programme. Action Plans will be developed on an annual basis with actions monitored for delivery. The Annual Action Plan process allows the Department to review and reprioritise activity in a flexible and responsive way to meet changing circumstances nationally and internationally.

The priorities set out in the Strategy Statement are monitored and progress noted by a variety of means including those outlined below.

Framework	Frequency of Reporting/Mechanism	Lead Division/Unit
Programme for Government; Statement of Government Priorities	Annual and as requested by Government	Secretary General's Office
DES Statement of Strategy 2019-2021)	Every three years or within six months of the appointment of a new Minister.	Corporate Services

⁴ [Public Service Management Act, 1997](#)

Action Plan for Education 2019	Quarterly progress reports and end of year progress report	Public Service Reform Programme Office
Management Board meetings	Regular	Secretary General's office
Minister/Management Board meetings	Monthly	Secretary General's office
Oireachtas Committees	Annual/bi annual and or as requested by the Oireachtas Committee	Secretary General's Office

4. Business Planning and Performance Management

The Department's Business Planning framework sets out the annual high-level goals, objectives and targets for each Division and identifies the performance standards and expectations for each individual staff member. The business planning process each year is directed, managed and led by the Management Board who oversee the development and finalisation of Divisional plans.

The Department's business planning template supports the integration of related business processes such as risk management, workforce planning, projects associated with the Civil Service reform programme and Business Process Improvement (BPI) projects.

Heads of Sections hold business planning meetings with staff and the relevant Management Board member usually attends the meetings. Business planning meetings provide Management Board Members, the Head of Sections and their teams with an opportunity to review the achievements and any issues outstanding from the previous year and to form a shared understanding of the opportunities and priorities for the coming year.

Each staff member's responsibilities, as articulated through business plans, and their performance in delivering upon agreed targets is measured and assessed under the Department's Performance Management and Development System (PMDS). The PMDS supports managers and staff across the Department to manage and improve performance. Performance Management centres on the role and effectiveness of line managers in setting and agreeing goals for each staff member in line with the objectives of the Department's Business Plan, and reviewing and strengthening the performance of staff. The formal recording of this information is through a computerised PMDS facility, to which staff have varying degrees of access. Divisional meetings take place regularly to monitor compliance with and progress on business planning and performance management.

4.1 Business Continuity Planning

It is essential that the Department provides for continuity of essential services in order to fulfill its comprehensive programme. Accordingly, the Department's Business Continuity Plan (BCP) provides an outline of the key risks that could impact significantly on continuing critical business operations within the Department.

Key sections which provide critical services are identified and continuity plans are drafted annually for their services and functions. These sections also plan for and carry out disaster recovery testing and scenario testing to ensure continuity plans are workable in the event of an incident.

5. Annual Report

An annual report on the implementation of the Statement of Strategy is required by the Public Service Management Act 1997. The Annual Report outlines the main achievements and developments during the year to advance the Department's objectives, as set out in its Statement of Strategy. Material for the Annual Report is provided by each division in the Department. The preparation of the Annual Report is managed by Corporate Services and is submitted to the Secretary General and Minister for their approval. The annual report is in both Irish and English on the Department's website and laid before the Houses of the Oireachtas.

6. Public Service Reform

6.1 Action Plan for Education

The Action Plan for Education 2019 sets out the priorities for the Department of Education and Skills and its agencies and aegis bodies. The annual plan is driven by the goals and ambitions set out in our Statement of Strategy 2019-2021. Both documents represent the Department's commitment to interdepartmental and whole of Government reform programmes.

Progress on the implementation of the Action Plan framework is monitored through the publication of quarterly progress reports and annual reports. This allows for close tracking of achievements and areas requiring further focus, in order to build and consolidate progress towards the achievement of a long term, sustainable programme of change and reform.

6.2 Our Public Service 2020

The Action Plan is being implemented as part of broader public sector reforms, which are led centrally by the Department of Public Expenditure and Reform (DPER). The current public service reform plan, Our Public Service 2020, was published in 2017 and notes 18 high-level actions to be implemented over its lifetime. The DES is leading the delivery of one of these, Action 14-Continuous and responsive professional development. The Action Teams include representatives from across the public service, in order to deliver responsive and measurable reforms which will improve the quality of services provided for the public. Monitoring arrangements are being developed in tandem with the reforms, and a Public Service Leadership Board, with membership at Secretary General level, is responsible for overall leadership of the Plan.

7. Behaviour and Culture

As a Civil Service body, the values and behaviours of the Department and of its staff are those of the Civil Service generally - impartiality, integrity, respect for the law, commitment to service and performance. These are the values enshrined in the statutory Civil Service Code of Standards and Behaviour as published by the Standards in Public Office Commission. The Civil Service Renewal Plan (2014) reiterated these values as follows:

- a deep-rooted public service ethos of independence, integrity, impartiality, equality, fairness and respect;
- a culture of accountability, efficiency and value for money; and
- the highest standards of professionalism, leadership and rigour.

In delivering upon the Department's objectives, and ensuring it achieves priority outcomes,

the Department aims to sustain and foster a culture and related values that exemplify ethical behaviour and effective governance. These shared values drive behaviour and define a culture that support the Department's efforts to deliver its mission in a professional, efficient, fair and balanced manner. An important commitment within the Civil Service Renewal Plan was to conduct three Civil Service Employee Engagement Surveys. The surveys enable staff to provide their views on important work issues like leadership, employee engagement, commitment to the organisation and wellbeing. The result of the 2nd survey, which took place in September 2017 compare favourably to the Department's 2015 results with improvements indicated across 18 out of the 24 thematic areas of the survey. The results indicate areas where the Department needs to improve and where it needs to continue to focus its efforts e.g. Involvement climate, Performance Standards, Public Perception and the Innovative climate. The Department is now working on developing and implementing initiatives that will enable us build on areas of strength within the Department while also addressing the more challenging areas identified within the Report. These initiatives will complement the implementation of the Actions set out in the Civil Service Renewal Plan and support our vision for the future and the long-term development of the Department and the wider Civil Service.

7.1 Codes of Conduct

The Civil Service Code of Standards and Behaviour forms a part of the terms and conditions of service of all civil servants. The Code underpins the rules in many areas including in relation to impartiality and confidentiality, civil servants and politics, behaviour at work, improper use of influence, and the acceptance of gifts, hospitality, payment for outside work and appointments outside the Civil Service. A copy of the Code is given to every appointee who must certify in writing that they have received it.

7.2 Protected Disclosures

The Department's document [Guidance on Protected Disclosure Reporting in the Workplace](#), is in accordance with our obligations under the Protected Disclosures Act 2014. The guidance document sets out in detail the process by which a worker of the Department can make a protected disclosure, what will happen when a disclosure is made and what the Department will do to protect the discloser. This guidance document is informed by the Department of Public Expenditure and Reform guidance titled "*Guidance under section 21(1) of the Protected Disclosures Act 2014 for the purpose of assisting public bodies in the performance of their functions under the Act.*"

The culture and working environment of this Department encourages, facilitates and supports an employee of the Department to "speak up" on any issue that could impinge on the Department's ability to carry out its roles and responsibilities to the high standard expected and the process as set out in the guidance document, supports this.

The Department recognises the importance of developing an ethical workplace and the valuable contribution of those who raise concerns about wrongdoing.

The Department is a member of the Integrity at Work Programme ("IAW"), an initiative of Transparency International Ireland. The IAW is aimed at promoting a safer working environment for people who speak up about wrongdoing. The [IAW Pledge](#) was signed by the Secretary General and the Assistant Secretary with responsibility for the Corporate Division.

Section 22 of the Protected Disclosure Act, 2014 requires that an annual report be published in relation to the protected disclosures received by the Department. The Department's Annual Report is available [here](#).

7.3 Regulation of Lobbying

The Regulation of Lobbying Act 2015 ("the 2015 Act") commenced on 1 September 2015. The Department has published on its website a list of Designated Public Officials as required under the 2015 Act. The list can be accessed from the following link <https://www.education.ie/en/The-Department/Regulation-of-Lobbying-Act-2015/>

Section 5(7) of the Regulation of Lobbying Act 2015 provides that the "Minister for Public Expenditure and Reform shall prepare and publish a code, to be known as the "Transparency Code", which sets out how certain relevant public bodies" (Regulation of Lobbying Act, 2015), such as ministerial advisory groups, certain working groups etc. may conduct their activities in a transparent way.

By adhering to the Transparency Code, communications within these bodies would meet the exemption from the requirement to register and report on lobbying activities.

At the end of October 2019, the Department had 14 groups exempted under the code. <https://www.education.ie/en/The-Department/Regulation-of-Lobbying-Act-2015/Groups-Committees-exempted-under-the-Transparency-Code/>

7.4 Data Protection

In 2018 the General Data Protection Regulation (GDPR) took effect and the Data Protection Act 2018 also commenced at this time. Both the GDPR and the Act provide for a "risk based" approach to data protection. This means that individual controllers and processors are required to put appropriate technical and organisational measures in place in order to ensure – and to be able to demonstrate – that their processing of personal data is in compliance with the higher standards; for the purposes of assessing such risks, they are required to have regard to the nature, scope, context and purposes of the processing and the risks of varying likelihood and severity that might arise therefrom for the rights and freedoms of individuals.

The Department, as a data controller, has updated its Data Protection and Privacy policies. It has also designated a Data Protection Officer (DPO) as required under Article 37 of the GDPR. Further information on the Department's data protection policies and procedures and contact details for its DPO are available at

<https://www.education.ie/en/The-Department/Data-Protection/Information.html>

7.5 Data Governance

The Data Governance & Support Unit leads and coordinates the implementation of actions within the Department's [Data Strategy](#) with a view to maximising the value of data to provide evidence to underpin the Department's policies, services and operations. One of the Actions in the Action Plan is to 'provide greater strategic direction in the Department's governance, management and use of data'. The Data Strategy sets out how we will endeavour to achieve this and it identifies four key objectives in realising our vision of delivering 'First Class Data for Education' as follows:

- Build Data Capacity and Capability
- Strengthen Data Management
- Strengthen Data Related Collaboration
- Maximise the Use and Value of Data

7.6 ICT Policy

The Department's internal policies on the use of its information and communications technologies are made available on the IT Unit intranet page <http://intranet/info/itunit>.

8. Communications

The Management Board is particularly conscious of the need to bring cohesion to and enhance the Department's communications capability, to support it to achieve its mission and deliver on its strategic goals. Consequently, the Department has appointed a principal officer with responsibility for communications. A key task for this new role is to develop and implement a communications strategy to address internal and external communication, for the benefit of customers, learners, stakeholders, our education partners, staff and management.

Core principles of the Department's strategy will include:

- to adopt a proactive role in communicating with our stakeholders
- to ensure that honest, accurate information is delivered in an open, effective and timely manner
- to establish a clear understanding and awareness of the role of the Department among key target audiences.
- to promote the work and reputation of the Department.

8.1 Engagement with external stakeholders

The Department has many stakeholders. While learners are the primary customers of the educational process, there are a number of other principal customers/stakeholders, referred to collectively as the *Education Partners* – students, parents, unions and management bodies, business representatives, the local community and other State bodies including schools, Higher Education Institutes, Further Education Colleges and Centres of Education. The partnership approach is an embedded feature of education policy and the Department regularly engages in extensive consultation on many issues.

The Department is committed to openness and transparency in all aspects of its work. This ranges from how policy is formulated to engagement with the public, stakeholders and the Oireachtas.

Section 8 of the Freedom of Information Act 2014, requires FOI bodies to prepare and publish as much information as possible in an open and accessible manner on a routine basis outside of FOI, having regard to the principles of openness, transparency, and accountability. In that regard the Publication Scheme can be accessed from the following link. <http://www.education.ie/en/The-Department/FOI/Publication-Scheme/>

The Department places a high value on effective and high-quality communication and engages with relevant stakeholders through regular meetings and formal consultation processes. The Department also establishes and maintains a number of working groups, consultative fora,

task forces and committees, as the need arises, to seek the views of relevant stakeholders in relation to the development and/or review of departmental policies, strategies and curriculum across the education sector.

The Department is committed to providing a professional, efficient and courteous service to all our customers, providing and delivering the highest quality of service in accordance with the 12 Principles of Quality Customer Service. We treat all our customers equally and make every effort to ensure that the services we provide reflect their needs and expectations.

The [Customer Charter](#) is a public statement on the levels of service customers can expect when dealing with this Department.

The [Complaint Procedures](#), including appeals procedures, are designed to assist our customers in making a complaint so that we can respond and, where possible, put things right.

The quality customer service standards adopted by the Department in relation to the delivery of services to our customers will also apply to those services that the Department has committed to deliver in the Irish language under this scheme.

Section 11 of the Official Languages Act 2003 provides for the preparation by public bodies of a statutory scheme detailing the services which they will provide

- through the medium of Irish;
- through the medium of English; and
- through the medium of Irish and English.

[Scheme under Section 15 of the Official Languages Act 2003 \(2016-2019\)](#)

The Department has commenced the process of drafting its new Irish Language scheme to cover 2019-2022.

8.2 Internal Communication

The Department's intent for internal communications is to ensure consistency, cohesiveness, high standards, knowledge enhancement and awareness in support of its mission. The Management Board has prioritised internal communication as an integral success factor to our mission and promoted this aspect of service delivery in business planning and other fora. The themes addressed in an internal communication plan will include high standards, consistency, quality and effectiveness, protocols and good practice, technology and efficiency. As part of the Department's innovation initiative 'improving internal communications' has been chosen as a theme for the 'Secretary General's Challenge', and this has enabled the trialling of ideas, development of good practice and provided a useful consultation phase for the internal communications strategy development. Staff networks and fora have improved horizontal communications and networking between peers. Examples of these are:

Networks

- Networks on an annual basis are held on agendas agreed by the participants for the grades of Higher Executive Officer, Assistant Principal Officer and Principal Officer. In general topics include educational developments, broader Civil Service issues and items

which are designed to enhance their management and leadership skills. Members of the Management Board attend the Networks.

Annual Conferences

- The Inspectorate and National Educational Psychological Service (NEPS) both hold an annual conference to update staff on developments in their profession and broader educational issues.

Senior Management Fora

- Senior Management Fora for Assistant Secretaries and Principal Officers/Equivalent take place regularly. Discussions include strategy and policy development and central Government initiatives that may impact on the Department.

Staff Fora

- Staff fora provide an opportunity for the Secretary General and senior officials to discuss Departmental issues and obtain feedback from staff up to Executive Officer grade.

8.3 Government of Ireland identity

The Department's new communications unit has undertaken a role in the implementation and monitoring of the new Government of Ireland identity within the Department and the planned adoption of the identity across aegis bodies. Instructions with regard to corporate identity are received from Government Information Services, Department of the Taoiseach. The identity guidelines, as well as support, feedback and resources, are issued from communications@education.gov.ie to staff of the Department and its agencies. Guidelines and stationary are available on the intranet. <http://intranet/info/cserv/gi/Sitepages/Home.aspx> and the communications unit provides ongoing guidance and oversight of the use of the identity in both public-facing and internal work.

9. Review of Effectiveness of Governance Framework

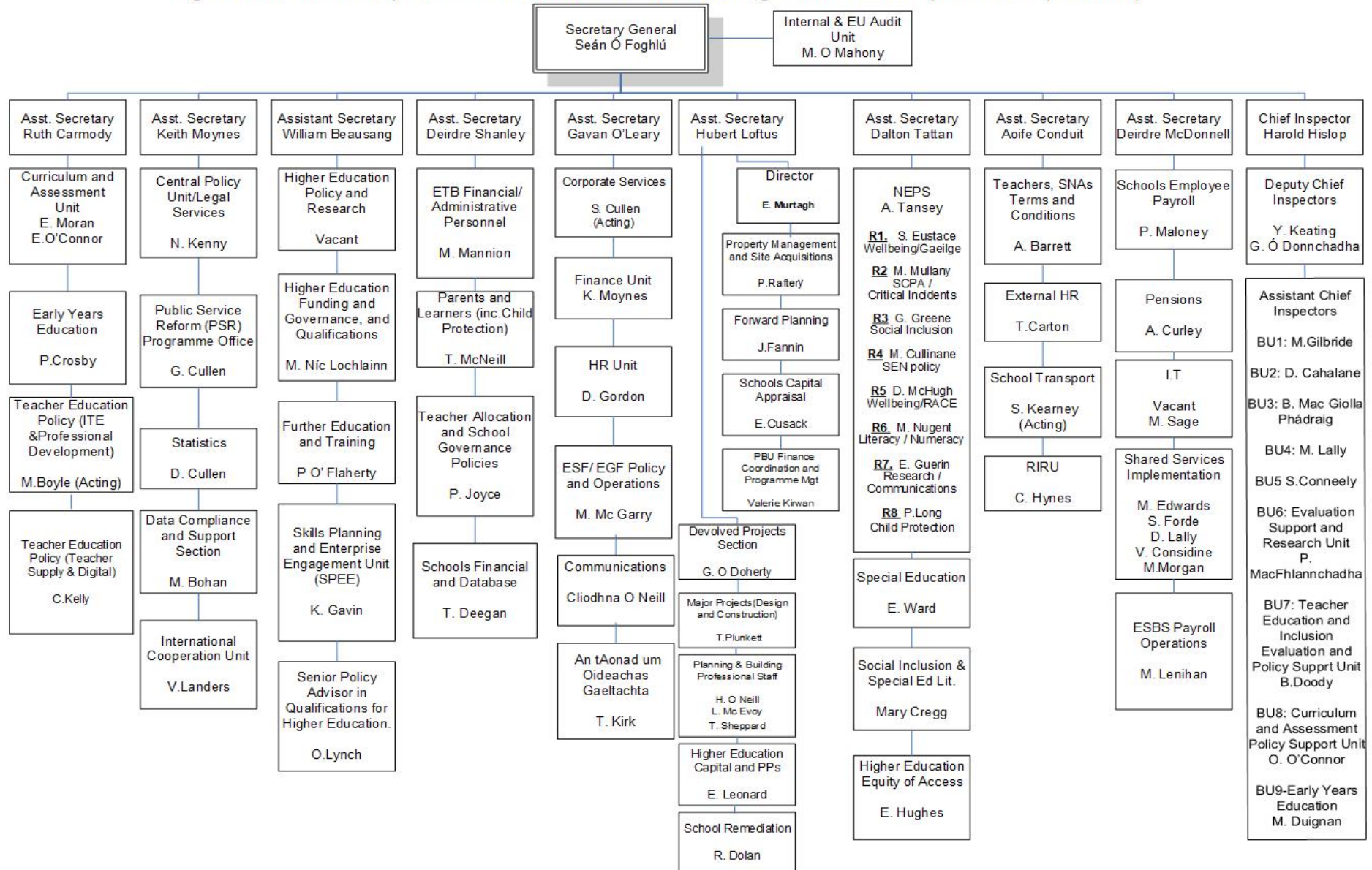
The objectives of this Governance Framework are to ensure that:

- the Department's systems of accountability and responsibility are effective, robust, clear, and identifiable, and
- the Governance Framework for the Department evolves so that we can better adapt to social, political, environmental and economic changes.

This Governance Framework was first developed in accordance with the Standard and published in May 2016. It continues to be reviewed and updated. The Framework will be kept under ongoing review and updated accordingly from time to time. It will be formally reviewed again in 2020.

Chapter 1 - Department Overview

Organisation Chart – Department of Education and Skills – Management Board Responsibilities (Jan 2020)



Chapter 2 – Ministerial and Senior Management Roles & Assignment of Responsibilities

2

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. It means implementing good practices in transparency, reporting, communications, audit and scrutiny to deliver effective accountability.

Roles of the Minister and Ministers of State at the Department of Education and Skills

1. Role of the Minister for Education and Skills

The structures of Government Departments and distribution of their business activities are regulated by legislation. In particular, the doctrine of Ministerial responsibility is underpinned by the designation of the Minister in charge of each Department as a 'corporation sole'. As 'corporation sole', the Minister embodies the Department in law and bears the responsibility for its activities. In effect, the Minister is the Department and the civil servants have no separate existence. Accordingly, the Minister is the ultimate decider of Departmental policy within the overall context of Government policy.

1.1. Legislative provisions

Article 28.4.2 of the Constitution provides that the Government is collectively responsible for Departments of State "administered" by the Members of the Government. In addition, Article 28.12 of the Constitution notes that 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 is the responsible Head of the Department or Departments under his charge and "...shall be individually responsible to Dáil Éireann alone for the administration of the Department or Departments of which he/she is the head...". This gives statutory effect to the constitutional principle of Ministerial responsibility. The Minister bears political responsibility under the Act of 1924 for all actions within his or her Department. This Governance standard does not replace or usurp the Carltona Doctrine whereby powers vested in Minister may be exercised, without any express act of delegation, by officials of certain seniority and responsibility.

2. Ministers of State in the Department of Education and Skills

The Government may, on the nomination of the Taoiseach, appoint by way of an Order ([S.I. 641/2018](#), [S.I. 642/2018](#)) under the Ministers and Secretaries (Amendment) (No. 2) Act, 1977 members of the Oireachtas as Ministers of State to Government Departments. The Minister may subsequently, with the consent of the Government, delegate to a Minister of State assigned to his/her Department, any or all of his/her statutory powers and duties.

The Minister of State may also perform other administrative functions at the request of the Minister which don't require a delegation order, including the oversight of the implementation of a specific policy commitments and the Minister of State provides assistance to the Minister as appropriate in this regard.

In the Department of Education and Skills, the Minister has delegated responsibility in the following areas to the Ministers of State:

- the provision of higher education;
- further education and training programmes;
- planning and coordinating adult education; and
- school transport services.

3. Role of the Secretary General

3.1 Introduction

The Secretary General is the Administrative Head of the Department and is:

- accountable to the Minister for discharge of his/her duties as Head of Office;
- chief policy advisor to the Minister and responsible for offering independent advice to Ministers and Ministers of State on issues relevant to the Department; and

The list of duties specified in the Public Services 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. The Secretary General has additional statutory duties as set out in [Education Act, 1998](#).

The Secretary General, under Section 4(1) and 9(2) of the Public Services Management Act 1997, has the power to assign responsibility for the performance of his functions to other officers of the Department, however he retains ultimate responsibility and accountability for the actions of the Department, irrespective of the delegation of assigned responsibilities.

The specific delegations of responsibility for the performance of Divisional functions within the Department is set out in the Framework of Assignments⁵. These assignments have due regard to the factors which affect the distribution and discharge of responsibilities across the Department, such as, the alignment of activities spanning or involving more than one area,

⁵ 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

Chapter 2 – Ministerial and Senior Management Roles & Assignment Of Responsibilities

and/or the co-ordination of shared or contiguous responsibilities. It also has regard to the assignment of functions in respect of appointments, performance and discipline of personnel under the Civil Service Regulation Acts 1956-2005, which are made by the Secretary General and to the statutory responsibilities of the Chief Inspector as set out in Section 13 of the Education Act, 1998.

3.2 Role of Secretary General as Accounting Officer

The Department's Secretary General, as the Head of Office administering the Vote, is also the Accounting Officer. He discharges responsibility for the money entrusted to the Department, for the use made of its resources, and for control of the assets in its keeping, such as land, buildings, equipment or other property.

In his Accounting Officer role, which is personal and cannot be delegated, he is responsible for the stewardship of public funds. Furthermore, he is responsible for:

- the regularity and propriety of all the transactions in each Appropriation Account bearing his signature; and
- the efficiency and economy of administration in his Department.

As Accounting Officer, while he can put in place arrangements to assist with the aspects of governance obligations, he cannot delegate accountability to subordinate officers.

Procedures are also in place, as outlined in both the Government Accounting Officers Guidelines and Public Financial Procedures, to ensure that any differences of opinion between the Accounting Officer and the Minister, on an issue for which the Accounting Officer is responsible, are documented and reported to the Department of Public Expenditure and Reform and the Comptroller and Auditor General, as necessary.⁶

The Accounting Officer cannot be acquainted with the detail of every transaction in the Department and, as such, he ensures that proper mechanisms are in place to provide appropriate assurance about the regularity, propriety and efficiency of the Department's operations. These mechanisms are:

- robust internal control systems;
- sound internal audit and Audit Committee arrangements; and
- effective risk management.

4. Role of senior management within the Department

4.1 Assistant Secretaries/Chief Inspector

Divisional responsibilities are assigned to officers at Assistant Secretary level in their function as Heads of Divisions. In addition, the Chief Inspector has statutory duties as set out in [Section 13 - Education Act, 1998](#).

These responsibilities form part of the overall management framework for the Department. Further information is available at <http://www.whodoeswhat.gov.ie/>. The specific roles, responsibilities, and membership of the Management Board are set out in Chapter 3 of this

⁶ [The Role and Responsibilities of Accounting Officer](#)

Chapter 2 – Ministerial and Senior Management Roles & Assignment Of Responsibilities

Framework.

In addition to their assigned roles, senior management also have responsibilities as members of the Management Board including:

- engaging collectively on corporate and strategic matters;
- providing advice on strategic direction;
- the formulation of policy;
- management of the Department as a whole; and
- the implementation generally of relevant Government policies.

However, the Secretary General and the Minister retain ultimate decision-making responsibility for operational and policy matters respectively relating to the Department.

4.2 Principal Officers/Equivalentents

Principal Officer/equivalentents have responsibilities for their Sections and further information in this regard is available at <http://www.whodoeswhat.gov.ie/>. In addition to the specific Section responsibilities, they support the Management Board in achieving the objectives relevant to their Section in accordance with Divisional business plans and the Department's Action Plan

5. Governance Role of all Staff

All staff have an important role to play in collectively committing to the good governance of the Department through compliance with the requirements of this Governance Framework, Departmental policies, circulars, and office notices, and adhering to the Civil Service Code of Standards and Behaviours in the performance of their duties.

6. Ministerial Special Advisers

The Cabinet may appoint Special Advisers as provided for under the Public Service Management Act 1997. The role of the Special Advisers is to assist the Minister by providing advice, and monitoring, facilitating and securing the achievement of Government objectives that relate to the Department.

Special Advisers may perform other functions, as directed, while being accountable to the Minister in the performance of those functions. The Special Advisers perform their roles alongside the senior Civil Servants in collectively supporting the Minister and the Government of the day. There are currently two Special Advisers assigned to the Minister for Education and Skills.

7. Ministers of State's Special Advisers

Under Section 11 of the Public Service Management Act 1997, the Cabinet may appoint 2 Special Advisers to a Minister of State in the Department if that Minister of State regularly attends Cabinet meetings or in the case of any other Minister of State no more than 1 Special Adviser. There are currently three special advisers appointed to the Ministers of State, two appointed to the Minister of State for Higher Education, one appointed to the Minister of State for Training, Skills, Innovation and Research.

8. Minister/ Department relationship

8.1 Context

In order to support the achievement of the Department's mission and strategic objectives, senior management provide impartial professional advice to the Minister, ensuring the effective implementation of Government policy as it relates to the Department. The Department does not formulate policy independent of the Minister, rather, it supports the Minister as a policy maker by:

- developing a range of policy advice, including as requested by the Minister or the Government and supporting the Minister in his accountability to the Oireachtas;
- initiating consideration of policy advice having regard to the changing education and training environment and requirements for the consideration of the Minister or Government;
- developing policy and legislation relating to all areas of education and training; and
- offering advice to the Minister on Government policies in development, by preparing appropriate observations on Government Memoranda.
- reviewing efficiency and effectiveness of existing policy schemes and programmes and measure against desired outcomes.

8.2 Overview of interaction between the Minister and officials

The Minister engages with senior officials by regular interaction at a direct level and in formal Ministerial Management Board meetings. In addition, the Minister and the Secretary General meet regularly to discuss issues relating to Departmental, Ministerial and Government priorities. The Secretary General updates Management Board colleagues of the discussions at subsequent Management Board meetings.

The particular functional style and preference of the Minister determines, to some degree, the methods of interaction in relation to Department business that take place between senior officials and the Minister. Because of the nature of the work and the pace of progress on issues, Minister/senior official interaction can occur routinely at any time and may not be confined to normal working hours and standard office arrangements.

8.3 Recording of Ministerial decisions

Submissions seeking Ministerial decisions are forwarded to the Minister's Private Secretary by the Secretary General or by the relevant senior official as appropriate through eSubmissions. The Private Secretary records receipt of the submission and the submission is forwarded to the Minister for decision. Thereafter, the submission, with the Minister's decision, is returned to the relevant official.

eSubmissions developed by the Office of the Government Chief Information Officer (OGCIO), under the Build-to-Share strand of the Public Service ICT Strategy, is in use in the Department.

9. Ministers of State/ Department relationship

In carrying out their functions, the Ministers of State have regular meetings with relevant Management Board members and other senior officials dealing with issues under their particular remit. They also attend Ministerial Management Board meetings. Submissions for decision by Ministers of State are recorded and processed, as in section 8.3 above, by the Private Secretaries to the Ministers of State.

Chapter 3 - Management Board and other Governance Structures

3

Good governance means developing the Department's capacity, including the capability of the leadership team, management and staff.

Functions of the Department's Management Board

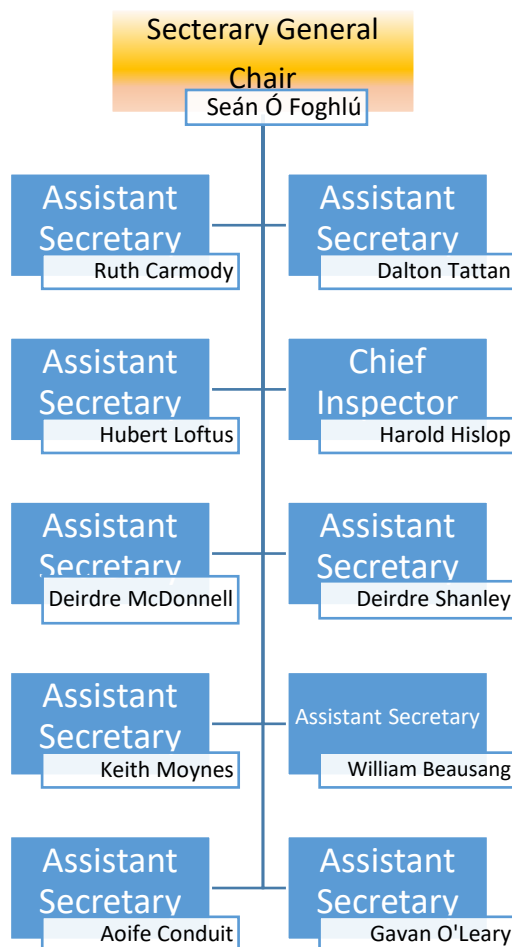
1. Vision and Purpose

The Department's vision is *Cumasú - Empowering through learning*. A quality learning system empowers learners to make better life choices. In support of this Vision, the Secretary General (Accounting Officer) and the Management Board have overall responsibility, through the structures outlined in this chapter, to provide leadership in supporting the Minister in pursuing strategic Governmental and Sectoral objectives as articulated in the Programme for a Partnership Government and the Statement of Strategy.

The Management Board operates on the principles of shared participation, collaboration and corporate responsibility and it plays an active role in shaping and leading the Department and the Education Sector. The leadership and management of Board members sets the tone for effective governance and they are committed, individually and collectively, to achieving Department and Government objectives through accountable processes.

The policies pursued by the Department are set at the direction of the Minister, within the framework laid down by the *Programme for Government*, the Statement of Strategy and the Action Plan for Education. The Management Board supports the Secretary General in the effective implementation of policy, having regard also to budget and resource considerations. It ensures an appropriate process of engagement and coordination on policy issues across the Department, and with other Government Departments and agencies, as well as external stakeholders.

The [Management Board](#) comprises



1.1 Role of Management Board members

Members of the Management Board have a corporate responsibility to provide leadership and strategic direction in driving and overseeing the implementation of Departmental strategies. They seek to support the Minister and Secretary General in the fulfillment of their statutory roles. Each individual Board member has a leadership role contributing to the management of the Department as a whole and to actively supporting colleagues in meeting objectives.

In addition they:

- report on the progress of significant matters within the responsibility of their Divisions;
- ensure that the Board is aware of any issues or risks to the delivery of Department strategies within their divisions and mitigation measures as appropriate;
- bring relevant issues to Management Board attention for corporate consideration;
- utilise their experience to challenge and critically examine issues under discussion by the Board;
- advise the Secretary General in making decisions to progress the business of the Department; and
- advise the Board on matters of cross-organisational interest, including decisions with inter-departmental implications.

1.2 Terms of Reference

The terms of reference of the Management Board are to:

- ➔ support the Minister, Ministers of State and Secretary General in the fulfilment of their statutory roles
- ➔ provide collegiate leadership, oversight management and strategic direction to the Department
- ➔ cultivate a collaborative culture across the Department, between Divisions, with the Education Sector and inter-departmentally, in order to deliver policy and services to achieve the best possible outcomes
- ➔ oversee the accountability of Divisions of the Department for the delivery of policy and services
- ➔ monitor, review and adapt strategy and policies in order to achieve the Department's targeted and strategic objectives
- ➔ oversee the allocation and monitoring of resources having regard to desired outcomes to achieve the highest standards of efficiency and effectiveness in the delivery of services
- ➔ oversee processes and procedures which identify risks and their mitigation and
- ➔ provide guidance and leadership in fostering a culture of excellence and developing staff to their potential

In addition to reviewing its Terms of Reference annually, the Management Board also periodically engages external assistance to review and improve team performance and effectiveness.

2. Operation of the Management Board

2.1 Management Board meetings

The Management Board usually meets on a weekly basis and is assisted by Heads of Units (Principal Officers or equivalents) and other officials who may be invited to attend to provide briefings and updates on significant policy and operational management issues within their area(s) of responsibility. This engagement provides senior officials with an understanding of the views of the Board in general and with direction on further actions that may need to be undertaken to bring an issue to finalisation and decision.

In addition to the standing items listed in Section 3 below, Management Board members and Heads of Unit may propose agenda items for weekly meetings of the Management Board. The Secretary General is responsible for determining the final agenda for each meeting of the Management Board.

All members are required to attend Management Board meetings and video-conferencing is facilitated as required.

2.2 Ministerial Management Board meetings

In addition to Management Board meetings, Ministerial Management Board meetings are held regularly and are attended by the Minister, Ministers of State, Special Advisers and Management Board members.

2.3 Role of the Secretary General as Chairperson

In his role as Chairperson of the Management Board, the Secretary General leads the Board in fulfilling its strategic role in the Department.

In particular, as Chairperson, he:

- chairs the Management Board meetings;
- fosters a collegiate and open discussion of agenda items;
- ensures progress on agenda items to decision-making stage;
- leads the Management Board in consideration of significant issues which may impact on the Department's medium to long-term capacity and capability or on significant risks to delivery on its objectives;
- briefs the board on ongoing discussions he has with the Minister and Ministers of State about Ministerial and other priorities;
- reports to the Minister on advice and views of the Management Board concerning strategic and other significant issues;
- leads on consideration of matters falling within his decision-making responsibilities; and
- encourages consensus on decisions or determines a course of action if a consensus cannot be reached.

2.4 Role of the Secretary to the Management Board

The Secretary to the Management Board:

- prepares a draft agenda in consultation with Board members and thereafter circulates the agenda to Board members once it has been agreed by the Secretary General;
- co-ordinates the collation of relevant papers for the Management Board meetings and ensures timely circulation of same;
- takes the minutes of the Management Board meetings;
- circulates the draft minutes, approved by the Secretary General, to the Board for agreement at the subsequent meeting;
- publishes the agreed minutes on the Department's intranet; and
- coordinates follow up actions, arising from Management Board discussions, with the relevant Board member and/or Senior Official.

3. Management Board Procedures

3.1 Agenda of Management Board Meetings

The Management Board regularly meets and a range of issues including Standing Issues are discussed by the Board.

Examples of agenda items generally are:

- initiation of projects with potential for significant cross-organisational impact and business decisions with cross-organisational impact
- consideration of major strategic challenges, crosscutting and longer term issues
- briefing/progress reports on relevant issues
- reviews of organisational performance issues
- consideration of strategic policy issues

Standing Issues include a number of corporate items encompassing:

- updates on Minister/Secretary General meetings
- Industrial Relation (IR) issues
- Human Resource (HR) issues
- reporting on the Department's Child Protection Guidelines for staff

- Information and Communications Technology (ICT) issues
- Expenditure Reports
- governance issues
- corporate issues
- risk issues

3.2 Papers/Decisions

Matters of strategic importance, or which give rise to a significant risk, are brought to the attention of the Board, through the relevant Management Board member in a timely manner. The Management Board is consulted in advance of significant strategic policy decisions (particularly where there may be cross-cutting implications within the Department). However, in the event that the matters are brought directly to the Secretary General/Minister for decision due to time constraints/urgency, the relevant Management Board member briefs his colleagues at the earliest opportunity.

Papers for discussion/decision by the Management Board are circulated by the Secretary to the Management Board in advance of each Management Board or Ministerial/Management Board meeting. Papers submitted to the Management Board are required to be concise and adequate to enable the Management Board Members/Minister to understand the background and context of the item for discussion/decision.

Where papers are submitted to the Management Board for decision, the decision will normally be taken by consensus (the Secretary General retains final decision-making responsibility where consensus cannot be reached) and the Secretary to the Management Board clearly records the decision taken and communicates this to the relevant Head of Unit (if not in attendance) and/or any revisions or amendments proposed by the Management Board/Minister.

eSubmissions is an electronic, paperless system to handle submissions going to the Minister, the Minister(s) of State, the Secretary General, and other senior management, at all stages from initial drafting to final approval and submission. The application provides a central electronic location for storing submissions (both in progress and finalised).

4. Management Board Sub-committees

The Management Board appoints sub-committees, either on a standing or ad-hoc basis, to address particular policy or organisational issues. Such sub-committees are accountable to and report to the Management Board. Further information is available at Appendix B.

5. Governance across Organisational Boundaries

The Department is regularly involved in various groups, committees and programmes across the Civil Service. In some instances, the Secretary General may be a Programme Sponsor or a member of the Management Board may be assigned responsibility to lead a particular group. Additionally, staff members support the work of Cabinet Committees and also may service cross-Departmental official level groups. This work, the operation of which is within the respective remits of individual Ministers and Departments, is interdependent and collegiate in nature.

6. Other Governance Structures

Senior officials lead or participate in a number of internal and external committees or working groups and programme boards. For example in relation to overseeing the implementation of its reform programme the Department introduced comprehensive governance arrangements. These include the establishment of an Education and Training Reform Board (ETRB), a dedicated Public Service Reform (PSR) Programme Office and other programme boards and project steering groups.

The ETRB comprises all members of the Management Board, is chaired by the Secretary General and is collectively responsible for ensuring the delivery of the Department's reform programme. The Board oversees and monitors the planning, implementation and review of the delivery of reform at a strategic level, and provides clear leadership and direction throughout the programme lifecycle. The ETRB ensures appropriate governance arrangements are in place for large-scale change programmes and projects and provides an avenue for the escalation of issues.

Chapter 4 – Audit, Assurance & Compliance Arrangements

4

Good governance means managing risks and performance through robust internal control systems and effective performance management practices.

The Department is bound by various statutory and administrative requirements which are principally set out in the Public Financial Procedures, Government Accounting Circulars, the Irish Statute Book, the Public Spending Code, the Code of Practice for the Governance of State Bodies and Public Bank Accounts arrangements. Each Management Board member and each Head of Section is responsible for the management of expenditure for their own areas of responsibility. Day-to-day responsibility for budget resides at budget-holder level. The Department's Finance Unit has a particular oversight role in the financial management of the Vote and National Training Fund.

The Department has in place financial policies and procedures which are designed to act as a source of information and guidance on the procedures and practices that must be adopted in managing its resources.

Key financial controls in place include:

- different levels of authorisation within the sections
- confirmation of financial controls by budget-holders
- segregation of duties across processes within the sections
- accountability of budget-holders /sections
- adherence to Standards in Public Office Declarations of Interest by all relevant officers, and
- adherence to public financial procedures and relevant circulars, including Circular 13/2014 concerning management and accountability of grants

1. Role of Internal and EU Audit Unit

The Internal and EU Audit Unit is responsible for providing assurance to the Accounting Officer (Secretary General) on the adequacy, efficiency and effectiveness of the Department's risk management, internal control systems and governance processes. It undertakes its work in accordance with an annual work programme, which is approved by the Accounting Officer, and is overseen by the Department's Audit Committee.

The Unit, which reports directly to the Accounting Officer, carries out its work in accordance with its Charter and conducts systems audits of Sections of the Department, It also completes audits of EU funded programmes as agreed with the European Commission. Internal and EU Audit Unit tracks, on a quarterly basis, progress on the implementation of recommendations arising from audit reports. The Head of the Audit Unit meets with the Accounting Officer on a

monthly basis to discuss issues of relevance in the area.

The charter is available on the Department's intranet at: <http://intranet/Info/Audit/>

2. Role of Audit Committee

The Audit Committee carries out its work in accordance with its Charter and provides independent advice to the Accounting Officer in relation to internal control, the risk management environment and audit matters, and oversees the work of Internal and EU Audit Unit.

There are five members on the Department's Committee, three external representatives, one of whom is the chairperson, and two internal representatives. Audit Committee members are appointed by the Accounting Officer. Those selected typically have had varied backgrounds and occupations bringing a breadth of experience, skills and knowledge, in areas important to the Department, to their work.

The Chair of the Audit Committee meets the Accounting Officer and presents the Committee's annual report of its work to him. A copy of the report is also provided to the C&AG and an invitation to meet with the Committee is extended to him.

The charter is available on the Department's intranet at: <http://intranet/Info/Audit/>

3. Role of Finance Unit

The role of the Finance Unit is to support the delivery of the Department's strategic objectives by providing a range of budgetary, financial and support services, including:

- Securing investment for the education system through the Estimates process and monitoring Departmental expenditure and public sector numbers;
- Maintaining an accounting and financial framework in line with Government procedures and good practice and engaging with the office of the C&AG on the audit of the Appropriation Account and National Training Fund;
- Delivering financial services, including a general payments service and retained staff payroll/T&S functions;
- Preparing the Department for the migration to Financial Shared Services and supporting and developing the Department's financial management system;
- Supporting the Minister's and Accounting Officer's accountability to the Oireachtas and reporting to Government.

Specific statutory, governance and accounting responsibilities include:

- Production of draft Vote 26 Appropriation Accounts for signature by the Accounting Officer by the statutory deadline of 31 March each year;
- Working with the office of the C&AG to ensure timely finalisation of the Vote 26 accounts for C&AG signature before end September annually;
- Production of draft National Training Fund (NTF) Accounts by the 31 March each year;
- Coordination, as appropriate, of the production of briefing material for the Accounting Officer for hearings of the Public Accounts Committee on the Education Vote and co-ordination of provision of follow-up material, of response, where relevant, for the Minute

of the Minister for Finance/Public Expenditure and Reform, and monitoring of PAC hearings for issues relevant to the Department and Sector;

- Coordination of the Department's Budget preparation and engagement regarding same with Department of Public Expenditure and Reform;
- Coordination of subsequent preparations of Estimates material for the Revised Estimates Volume (REV), including briefing for Estimates appearances by Ministers before Oireachtas committees;
- Coordination and analysis of Vote and NTF income and expenditure details for end of month returns. Exchequer Supply Issue figures and periodic/ad hoc reports to Government;
- Provision of regular updates to the Secretary General and Management Board on the Department's financial position;
- Provision of a payment service for the Department including, Electronic Fund Transfer (EFT) & Interbank Financial Telecommunication (IFT) SWIFT payments, Foreign Payments, Remittances, F.45 certification, VAT and other payovers;
- Facilitation, generation and authorisation of funds transfers from the Department via the Paymaster General (PMG)/Central Bank by IFT/ Revenue On-Line Service (ROS), and reconciling all fund transfers to/from the Department on a monthly basis;
- Oversight of implementation and operation of Delegated Sanction Agreement for management of public sector pay & numbers across the Education Sector, to include analysis of quarterly pay and public sector numbers returns to ensure compliance with terms of the Agreement;
- Submission, in conjunction with the Department's Central Policy Unit, Quality Assurance Reports required under the terms of the Public Spending Code; and
- Coordination of the Department's engagement in the project to migrate to a Financial Management Shared Services Centre, under the direction of a Departmental Project Board.

4. Accounting Officer Assurance Arrangements

4.1 Annual Statement on Internal Financial Control (SIFC)

The Statement on Internal Financial Control (SIFC) is the means by which the Accounting Officer declares his approach to, and responsibility for, risk management, internal control, and corporate governance. It is also the mechanism for highlighting weaknesses which may exist in the internal control system within the organisation.

The Accounting Officer is required to supply a signed Statement on Internal Financial Control to the Comptroller and Auditor General (C&AG) with the Annual Appropriation Account.

The annual accounts of the National Training Fund (NTF) are also submitted by the Accounting Officer to the C&AG.

4.2 National Shared Services Office (NSSO)

The contractual relationship between the Department and NSSO is set out in a Memorandum of Agreement on Employee Service Management (ESMA) between the two parties. The ESMA defines and documents the agreed responsibilities, scope of activities, quality of service provision, and performance measures governing the services provided by NSSO to DES. The

ESMA is reviewed annually and updated as necessary to adapt to changing business needs.

The Accounting Officer for the NSSO, provides a Letter of Assurance to the Department's Accounting Officer regarding the internal control and audit arrangements for HR and payroll shared services.

Management of the Department's Staff Payroll and Travel & Subsistence processes are provided by the Payroll Shared Services Centre (PSSC) in DPER, under the auspices of the NSSO. Contacts with DPER are ongoing in the context of finalising the Service Management Agreement regarding the provision of these shared services, together with the Letter of Assurance regarding internal audit and control arrangements of the PSSC.

5. Role of the Data Protection Officer and Data Protection Unit

The Data Protection Officer and Data Protection Unit provide information and advice to the staff of the Department on their obligations pursuant to the GDPR and data protection legislation. The Unit monitors compliance with the GDPR and policies of the Department in relation to the protection of personal data, provides advice in respect of data protection impact assessments and monitors performance in respect of same and acts as a point of contact with the Department for data subjects and the Data Protection Commission.

The DPO reports directly to the management board of the Department, carries out his work in accordance with Articles 37 to 39 of the GDPR and conducts audits in respect of data protection compliance. The DPO meets weekly with a nominee of the management board to discuss data protection issues.

The text of articles 37 to 39 of the GDPR are available at <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0679&from=EN>

6. Risk Management

Risk is part of the internal and external environment in which the Department operates. The Department of Education and Skills is exposed to a range of possible events that, if they were to happen, would affect the likelihood of the Department delivering on its policy and service commitments and obligations. The management of these risk events involves identifying them, evaluating their potential likelihood and impact on the Department's objectives, and taking mitigating actions against them, by either reducing their likelihood, or impact. Effective risk management makes the Department more capable of responding to emerging issues.

Management of risk at operational level remains the responsibility of each Head of Section. Heads of Sections are required, as part of the business planning process, to identify and assess risks for their particular area of responsibility. This involves ensuring they are included in the risk register, taking appropriate mitigating actions, and monitoring and reporting on developments in relation to risks on an ongoing basis. All risks entered on the risk register must be agreed by the relevant Management Board Member and the risk register is brought for discussion by the Management Board annually. As the risk register is a non-static document, it is updated as required.

The risk register is maintained by Corporate Services, and access to the Risk Register is provided to grades of Assistant Principal Officer and above.

eRisk Register which has been developed by the Office of the Government Chief Information Officer (OGCIO), under the Build-to-Share strand of the Public Service ICT Strategy is being piloted in the Department and it is hoped that the new system will become available in 2020.

6.1 Risk Committee

The Department has established a Risk Committee which is a sub-committee of the Management Board. Its role is to advise the Management Board on risk management strategy and on the development of an appropriate framework of policies, procedures and systems to support the management of risk in the Department.

7. Procurement Management

The Procurement Officer is responsible for reporting on compliance with Government and statutory procurement obligations as part of the annual financial cycle. Heads of Sections are responsible for sourcing activities within their budget remit, and submit details of procurement exceptions as part of our annual accounts submission. The Appropriation Account submission provides confirmation, with the exception of reported exemptions, that the Department is compliant with public procurement obligations and this is attested to by the Accounting Officer (Secretary General). The Procurement Review Committee, a subcommittee of the Management Board, is convened to review procurement cases submitted, where exceptional procurement action may be required.

The obligation on Departments to use central contracts and Frameworks is set out in [DPER Circular 13/2016](#) under a value for money impetus. Use of these arrangements is promoted through the Procurement Policy Unit under the remit of Corporate Services through regular dissemination of procurement notices and opportunities.

7.1 Assurance and Compliance Framework

As an accompaniment to its Governance Framework, the Department will be developing a separate Compliance Framework. This will be an important tool in the management of the Department's risk, and will assist in identifying key statutory and other compliance requirements and the arrangements in place to oversee, monitor and ensure compliance.

Chapter 5 – Non-commercial bodies under the Aegis of the Department

5

Good governance ensures openness, effective public consultation processes and comprehensive engagement with domestic and international stakeholders.

External Governance and Oversight of non-commercial bodies under the Aegis of the Department

The relationship between Government Departments and non-commercial bodies under their aegis is determined primarily by:

- the underpinning legislation establishing the body, and
- the requirements set out in the [Code of Practice for the Governance of State Bodies \(2016\)](#).

There are a variety of control and accountability mechanisms in use by responsible sections across the Department for the purpose of managing bodies reporting to them. These mechanisms may include Performance Delivery Agreements, Service Level Agreements and Memoranda of Understanding.

1. Bodies Accountable to other DES bodies

In addition to bodies directly under the Department's remit, there is an additional complexity in relationships between the Department and specific categories of bodies. There are a number of bodies which are accountable, in the first instance, to other non-commercial bodies under the Department's remit. Examples are a) the Universities, Technological Universities, Institutes of Technology and other Higher Education Institutions which are autonomous bodies and report to the Higher Education Authority (HEA), and b) the Education and Training Boards (ETBs) which report to the Department of Education and Skills and also have a reporting arrangement with SOLAS. Accordingly, in addition to these oversight responsibilities, both the HEA and SOLAS have reporting and accountability responsibilities to the Department as bodies.

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

The Department is guided by the Department of Public Expenditure and Reform's 2016 Code of Practice for the Governance of State Bodies which became effective from 1st September 2016.

The 2016 guidance document which replaces the 2009 Code lays down a framework of oversight and compliance requirements for both Government Departments and aegis bodies. The Code operates in conjunction with the legislative provisions that govern the State Body, with legislative provisions prevailing in the event of any inconsistency or conflict arising in the application of the Code. The 2016 Code provides a framework for the application of best practice in corporate governance for State Bodies and the Bodies are required to confirm to

the Minister that they comply with this code in their governance and practices.

The Department continues to work with its aegis bodies to ensure the oversight conditions laid out in the revised Code of Practice for the Governance of State Bodies are satisfied. Where appropriate time limited or full derogations from aspects of the Code have been agreed and documented in order to satisfy the Codes “comply or explain” requirements.

In line with the stipulations of the 2016 Code of Practice for the Governance of State Bodies the Department has in place Performance Delivery Agreements (or, where appropriate, other relevant formal agreements) with its bodies. The Department continues to work on advancing the development of robust reporting arrangements with its bodies and agencies in order to manage performance and improve governance oversight, including clearly designating governance related responsibilities in respect of these bodies and agencies. The purpose of Performance Delivery Agreements is to ensure that resources are used in both an effective and cost effective manner to deliver quality services to the public.

In addition to each aegis body reporting to an appropriate responsible Section of the Department, since 2014/15, a Management Board Committee on Sectoral Governance and Accountability has been in place to guide, develop and enhance the Department’s oversight role of aegis body governance and compliance. Further information on the role of this sub-committee is available on the Department’s [intranet](#). The Management Board Committee is also supported in its work by the Principal Officer and Sectoral Governance officials in Corporate Services.

The Department expanded its corporate governance compliance oversight capabilities with the development of a Sectoral Governance Unit under the direction of Corporate Services Division. This Unit is working towards the delivery of an enhanced oversight control framework to allow for the operation of a consistent process throughout the sector and in aegis bodies to ensure that appropriate appraisals, and proportionate and reasonable oversight regimes are in place having regard to budgets/staffing cohort in the relevant bodies.

The work programmes rolled out by this Unit since 2017 have kept under consideration the extent to which various existing reporting and compliance requirements, together with the associated oversight role of line sections in the Department, constitute real, effective and structured management oversight and provide assurance to the accounting officer regarding the effectiveness of the procedures in place. Examples of best practice identified as part of this process have been shared with colleagues who oversee the education sector as well as with the aegis bodies to assist in identifying lessons of central application.

Periodic Compliance Measures

With effect from 2015, the Department has augmented its corporate governance compliance capabilities with the Sectoral Governance Unit supported, as appropriate, by external service providers. Two significant review programmes have been rolled out, commencing with non-commercial State bodies, in the education sector. The Department’s initial review process interrogated the level of adherence to governance standards as articulated in the Code of Practice for State Bodies across eleven of the Department’s larger bodies. The output of this review subsequently informed further phases of the Department’s governance compliance review work programme. The second Governance Compliance programme which was rolled

out between 2018 and 2019 considered the effectiveness of Internal Audit Capacity in certain of the DES aegis bodies with the intention to share lessons of central application with the wider education sector.

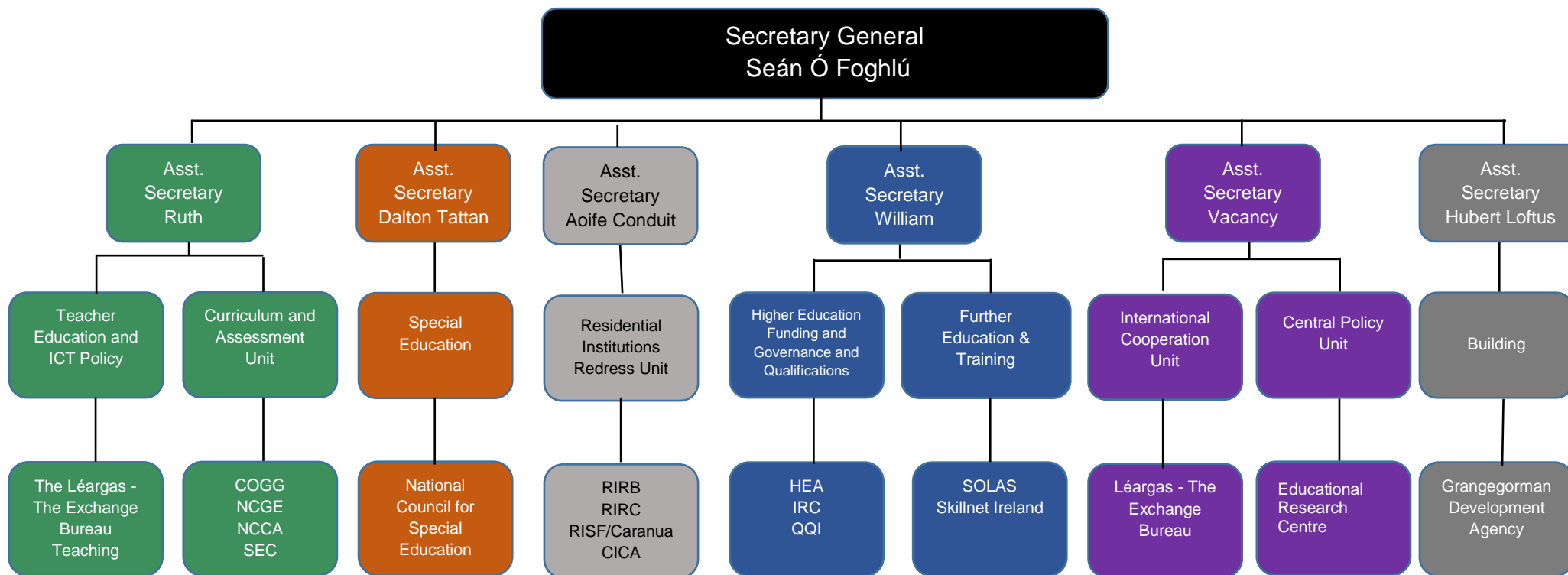
In line with the obligations under Section 8.14 of D/PER’s Code of Practice for the Governance of State Bodies the Sectoral Governance Unit is currently working to scope out an approach to the delivery of Periodic Critical Review (PCR) processes with the aim to commence roll out of a first PCR in 2019 and to use the learnings from this first process to inform approaches to an ongoing programme of periodic critical reviews.

Table of Non-Commercial Bodies under the aegis of the Department

Non-Commercial Bodies Under Aegis
→ An Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta (COGG)
→ Educational Research Centre
→ National Centre for Guidance in Education (NCGE)
→ National Council for Curriculum and Assessment (NCCA)
→ State Examinations Commission (SEC)
→ The Teaching Council
→ Commission to Inquire into Child Abuse (CICA)
→ Residential Institutions Redress Board (RIRB)
→ Residential Institutions Review Committee (RIRC)
→ Residential Institutions Statutory Fund Board (RISF) Caranua
→ National Council for Special Education (NCSE)
→ Irish Research Council
→ Higher Education Authority (HEA)
→ Quality and Qualifications Ireland (QQI)
→ Léargas - The Exchange Bureau
→ Grangegorman Development Agency
→ An tSeirbhís Oideachais Leanúnaigh agus Scileanna (SOLAS)
→ Skillnet Ireland

The table overleaf identifies the Governance and management and reporting structures in regard to the 18 non- commercial bodies.

Governance and management and reporting



Appendix C provides further specific details in regard to the 18 Bodies, including:

- Accountable Person in relevant aegis body;
- Relevant Departmental liaison Head of Section;
- Primary Minister;
- Exchequer or other funding source;
- Governing legislative framework (where appropriate); and
- Functions, rights or duties of the Department/Minister.

3. Oversight of State Board appointments process

Given the diverse nature of the State Boards under the aegis of the Department, while individual Sections have responsibility for the day to day oversight of State Bodies, the Department's Sectoral Governance Unit plays a key role in the oversight of the appointments process to State Boards.

As State Board appointments are processed via an assessment system designed and implemented by the Public Appointments Service (PAS), the Department is required to have a State Board Liaison Officer (SBLO) to liaise with PAS and with internal Departmental staff who are nominated to act as PAS Liaison Officers. The Department's Corporate Services Division PO currently operates as the Liaison Officer between the Department and PAS.

Following from the Department of Public Expenditure and Reform's publication of guidelines concerning appointments to State Boards, Corporate Services Division produced [Office Notice CDU 01/15](#) to provide guidance to staff of the Department on the appropriate procedures to be followed when making direct Ministerial appointments and nominations to State Boards.

Sectoral Governance Unit also maintain an internal Intranet site containing a suite of guidance material as well as current details concerning Board membership and relevant contact details for aegis bodies. Key Board information is also published on the Department's website.

Appendix A – Corporate Policies

The following is a list of corporate policies, procedures, circulars and Office Notices to support staff in carrying out their duties in accordance with good governance principles

- Grievance procedure [Grievance](#)
- Civil Service Disciplinary Code revised in accordance with the Civil Service Regulation (Amendment) Act 2005 19/2016:- [Civil Service Disciplinary Code revised in accordance with the Civil Service](#)
- <https://www.sipo.ie/acts-and-codes/codes-of-conduct/civil-servants/Civil-Service-Code-of-Standards.pdf>
- [Civil Service Code of Standards and Behaviour](#)
- [Circular 09/2009: Civil Servants and Political Activity Conduct](#)
- [Information Security Policy](#)
- [Protection of Personal Data Code of Practice](#)
- [“Dignity at Work” an anti-bullying, harassment and sexual harassment policy](#)
- [Guidelines on compliance with the provision of the Ethics in Public Office Acts](#)
- [Regulation of Lobbying Act, 2015](#)
- [Data Protection Policy](#)
- [Freedom of Information \(FOI\) Code of Practice](#)
- [Information and communications technology \(ICT\) Usage Policy](#)
- [Mobile phones Policy](#)
- [Protected Disclosures guidance - disclosures to Employer](#)
- [Protected Disclosures guidance - disclosures to Minister](#)
- [The Integrity at work pledge](#)
- [Public Spending Code](#)
- [Report of the Working Group on the Accountability of Secretaries General \(the ‘Mullarkey Report’\)](#)
- [Public Service Reform Plan](#)
- [Civil Service Renewal Plan](#)
- [Records Management Policy](#)
- [Ministers and Secretaries Act 1924-2013](#)
- [Public Services Management Act \(1997\)](#)
- [Risk Management Policy](#)
- Minister & Secretary General Decisions and Record Keeping Policy
- Civil Service Underperformance Policy: [Circular 24/2016](#)
- [Child Safeguarding Statement](#)
- [Code of Practice for Appointment to Positions in the Civil Service and Public Service](#)
- [Code of Practice for Appointment of Persons with Disabilities to Positions in the Civil Service and Certain Public Bodies](#)

Appendix B – List of Management Board Sub Committees

Committee	Terms of Reference
Mandatory	
Audit Committee	The Audit Committee carries out its work in accordance with its Charter and provides independent advice to the Accounting Officer in relation to internal control, the risk management environment and audit matters, and oversees the work of Internal Audit Unit.
Procurement Review Committee	The Procurement Review Committee (PRC) reviews proposed sourcing over €25,000 without a competitive process. Managers and staff are made aware of their procurement obligations, internal control measures and PRC governance requirements.
Internal Governance <i>[These are standing committees which oversee ongoing functions of the Department.]</i>	
Committee	Terms of Reference
Management ICT Oversight Subcommittee. (MIOS)	This committee considers all potential projects for inclusion in the IT Unit's annual business plan, following which recommendations are made to the Management Board. The Committee also monitors progress on projects and ensures that the IT Unit's work programme is aligned to the business objectives of the Department.
Committee on Governance and Accountability	This committee was established to develop and enhance the Department's oversight role in relation to the governance of agencies under its aegis.
Risk Committee	The committee was established to advise the Management Board on risk management strategy and on the development and oversight of an appropriate framework of policies, procedures and systems to support the effective management of risk within the Department.
Policy-specific Cross-Divisional Committees <i>[These committees are established on an ad-hoc time-limited basis to examine particular issues and make proposals to the Management Board. At present, the following groups have all been established and are working on proposals on various topics, which will be considered by the Management Board.]</i>	
Cross Divisional Group on Gaeilge	This committee was established to oversee the Department's development of policy and implementation of actions relating to the Irish language in the context of the Government's 20 year Strategy for the Irish Language 2010-2030.
Cross Divisional Group on Social Inclusion	This group is considering how to improve policy cohesion across the full range of current policy interventions on social inclusion and align social inclusion policy in the sector to support learners more effectively and improve the targeting of scarce resources.

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Committee	Terms of Reference
Cross Divisional Group on Well Being	This group is considering the coordination of issues related to supporting the promotion of wellbeing and mental health in order to provide coherent and consistent advice in this area.
Cross-Divisional Group on School Leadership	This group is addressing the issue of school leadership with a view to increasing the coherence and consistency of support to school leaders and to identify opportunities to exploit and deploy current capacity more effectively and generate synergies.
Cross Divisional Group on Quality, Evaluation and Assessment	This group is considering the development of strategic/high level policy proposals regarding quality assurance, evaluation and assessment in the education system.
Cross Divisional Group on Appropriate and Effective School Governance	This group is reviewing the existing governance arrangements of schools and will recommend desirable changes, including measures relating to oversight and compliance, having regard to the purposes and objectives of effective governance.

Appendix C – Details in regard to the 18 non-commercial bodies under the Aegis of the Department

Name of Body	Head of Office	Section In Department acting as Liaison	Primary Minister and Departmental function (as at October 2019)	Exchequer Funding Source	Governing Legislation	Minister/Department's Functions, Rights or Duties
An Chomhairle um Oideachas Gaeltachta agus Gaelscoileanna (COGG)	Muireann Ní Mhóráin	Curriculum and Assessment Unit	Minister for Education and Skills	Vote 26 – Subhead A.11.2	Section 31 of the Education Act, 1998	<ul style="list-style-type: none"> ➔ COGG was established under Section 31 of the Education Act, 1998. ➔ Oversight of governance of COGG is carried out by Curriculum and Assessment Policy Unit according to the Code of Practice for the Governance of State Bodies (2016) and underpinned by a Service Level Agreement. ➔ The budget of COGG is approved annually by the Curriculum and Assessment Policy Unit section in the DES based on an agreed annual programme of work. ➔ The Minister appoints 12 members to the board of COGG corresponding to the term of the NCCA Council. ➔ Currently COGG have a staff of three Civil Servants. COGG have four officers on secondment, three from the NCCA and one from the PDST.
Educational Research Centre (ERC)	Dr Jude Cosgrove	Curriculum and Assessment Unit	Minister for Education and Skills	Funded from Vote 26 – (via Subhead A.11.7)	S.I. No 392/2015 Educational Research Centre (Establishment) Order 2015.	<ul style="list-style-type: none"> ➔ The Educational Research Centre was established as a state agency under section 54 of the Education Act by S.I. 392 of 2015 in September 2015. ➔ The Educational Research Centre carries out independent research on many aspects of education and at all levels of the system. This includes the conduct of national and international assessments of attainment and achievement, including PISA, the evaluation of new programmes (e.g. DEIS) and critical analysis of issues in education. A major part of the work of the Centre is the development of standardised tests and other assessment instruments which it then makes available to schools through the Centre's Test Department. ➔ Oversight of governance of the ERC is carried out by Curriculum and Assessment Policy Unit (since Jan 2016) according to the Code of Practice for the Governance of State bodies (2016) and will be

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Name of Body	Head of Office	Section In Department acting as Liaison	Primary Minister and Departmental function (as at October 2019)	Exchequer Funding Source	Governing Legislation	Minister/Department's Functions, Rights or Duties
						<p>underpinned by a Service Level Agreement when this is finalised with the board of the ERC.</p> <ul style="list-style-type: none"> → The budget of the ERC is approved annually by the Curriculum and Assessment Policy Unit section in the DES based on an agreed annual programme of work. → In addition to the annual budget allocation the ERC derive income from the sale of test material. This income forms part of the ERC budget. → The first board of the ERC was appointed by the Minister in 2016 and is due to hold office until 2021. → All staff of the ERC prior to establishment retained their existing terms and conditions as former employees of St Patrick's College. Staff appointed after establishment will be employed with full public service terms and conditions. → The accounts of the ERC are laid before the Houses of the Oireachtas.
National Centre for Guidance in Education (NCGE)	Jennifer Mc Kenzie (Director, NCGE) Jim Mullin (Executive Director, Léargas)	Curriculum and Assessment Unit	Minister for Education and Skills	Vote 26 – Subhead A.11.3	NCGE operates under the aegis of Léargas	<ul style="list-style-type: none"> → The NCGE is set up under the aegis of Léargas, a company limited by guarantee. → The accounts are laid before the Companies Registration Office. → Léargas is subject to audit by the EU Commission and external auditors. → The only nominations to Léargas for appointment to the Management of Guidance Committee (MGC) come from the Minister for Education and Skills. Léargas appoints the MGC as a subcommittee of the Board of Léargas → Curriculum and Assessment Policy (CAP) Unit approve and oversee the portion of the NCGE's annual budget and work programme funded directly by the Department of Education and Skills. In the course of this oversight, CAP has an awareness of NCGE funding from other sources (SOLAS and the EU) and the work of the NCGE as a whole. NCGE applies for funding to and reports on activities to SOLAS for the FET based guidance support programme → Oversight of governance is carried out by the CAP unit according to the Code of Practice for the Governance of State Bodies (2016). This work is further underpinned by a Performance Delivery Agreement (PDA) between the NCGE, Léargas and the DES. → NCGE staff members are employed under contract with Léargas.

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Name of Body	Head of Office	Section In Department acting as Liaison	Primary Minister and Departmental function (as at October 2019)	Exchequer Funding Source	Governing Legislation	Minister/Department's Functions, Rights or Duties
National Council for Curriculum and Assessment (NCCA)	John Hammond	Curriculum and Assessment Unit	Minister for Education and Skills	Vote 26 – Subhead A.11.1	S.I. No. 131/2009 - Education Act, 1998 (Composition of NCCA Order 2009)	<ul style="list-style-type: none"> → The NCCA is established under S.I. No. 131/2009 -Education Act, 1998 (Composition of NCCA Order 2009) The role of the NCCA is to advise the Minister in matters relating to the curriculum for early childhood education, primary and post-primary schools, and to the assessment procedures employed in schools and examinations on subjects that are part of the curriculum. → Oversight of governance of NCCA is carried out by Curriculum and Assessment Policy Unit according to the Code of Practice for the Governance of State bodies (2016) and underpinned by a Performance Delivery Agreement. → The budget of the NCCA is approved annually by the Curriculum and Assessment Policy Unit section in the DES based on an agreed annual programme of work. → The Minister appoints 25 members to the council of the NCCA on a 3 year cycle. 2 members are nominated by the Minister for Education and Skills and one by the Minister for Children and Youth Affairs. The remainder of the council are nominated by education partner organisations. → All staff of NCCA are civil servants. → The Department lays the audited accounts of the NCCA before the Houses of the Oireachtas.
State Examinations Commission (SEC)	Aidan Farrell	Curriculum and Assessment Unit	Minister for Education and Skills	Vote 26 – Subhead A.11.4	State Examinations Commission Establishment Order (S.I. No 373 of 2003)	<ul style="list-style-type: none"> → The SEC is established under the State Examinations Commission Establishment Order (S.I. No 373 of 2003) → Oversight of governance of the SEC is carried out by Curriculum and Assessment Policy Unit according to the Code of Practice for the Governance of State bodies (2016) and underpinned by a an Oversight and Performance Delivery Agreement. → The Minister appoints the five Commissioners to the board of the SEC. → The budget of the SEC is approved annually by the Curriculum and Assessment Policy Unit section in the DES based on an agreed annual programme of work. → In addition to the annual budget allocation the SEC collect receipts from students sitting the State Examinations. This income forms part of the SEC's annual budgetary allocation. → All staff of the SEC are Civil Servants.

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Name of Body	Head of Office	Section In Department acting as Liaison	Primary Minister and Departmental function (as at October 2019)	Exchequer Funding Source	Governing Legislation	Minister/Department's Functions, Rights or Duties
						<ul style="list-style-type: none"> → The Department lays the audited accounts of the SEC before the Houses of the Oireachtas.
Teaching Council	Tomás Ó Ruairc	Teacher Education and ICT Policy	Minister for Education and Skills	Income from fees – not funded from Exchequer	Teaching Council Act 2001, The Teaching Council (Amendment) Act, 2006 and the Teaching Council (Amendment) Act, 2015	<ul style="list-style-type: none"> → The Minister for Education and Skills, as member of the Executive for Education, (Article 28 Bunreacht na hÉireann) implements the Teaching Council Act, brings amendments to the Act to the legislature, addresses the Houses of the Oireachtas on matters pertaining to the Teaching Council, including answering parliamentary questions, and attending meetings of relevant committees of Parliament (Art 28). → Under the Teaching Council Act, authority is vested in the Minister to make orders commencing sections of the Act (s1), to make regulations or consent to regulations made by the Council, (including on regulations for election of members (s10), registration (ss31,33), fees it may charge (s23)) , and to lay the regulations before the Houses of the Oireachtas. → The Minister <ul style="list-style-type: none"> → may consent (with the approval of the Minister for Public Expenditure and Reform) for the Council to borrow money (s20) and hold property (s5) → may receive advice and information of the Council including on the standards of knowledge, skill and competence required for the practice of teaching, review and accreditation of programmes of teacher education (s38), minimum standards of educational qualifications for entry to programmes of teacher education (s7), registration of teachers and other matters relating to the work of the Council (s58) → shall appoint the 37 members of the Council (s8) or remove them from office (s16) following consultation with the Council, → may consent, with the consent of the Minister for Public Expenditure and Reform, to the Council's appointment of employees (s13) including the Director (s11), including

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Name of Body	Head of Office	Section In Department acting as Liaison	Primary Minister and Departmental function (as at October 2019)	Exchequer Funding Source	Governing Legislation	Minister/Department's Functions, Rights or Duties
						<p>remuneration, fees and allowances (s13, Schedule 2); shall implement the superannuation scheme (s14); and determine terms and conditions of appointment of committees (s24),</p> <ul style="list-style-type: none"> → shall be provided with the Council's Annual Report and accounts (audited by the auditor appointed by the Minister) and lay them before the Houses of the Oireachtas (s55), → is bound by requirements in other legislation e.g. laws on employment, data protection.
Commission to Inquire into Child Abuse (CICA)	Joe Langan	Residential Institutions Redress Unit	Minister for Education and Skills. The Commission reported in 2009 and is currently in wind-up mode, settling outstanding remaining legal costs plus dealing with records pending enactment of legislation.	Exchequer funding via Vote 26 – subhead A.13	Commission to Inquire into Child Abuse Act, 2000 and the Commission to Inquire into Child Abuse Amendment Act, 2005.	<ul style="list-style-type: none"> → The Commission has full statutory independence. → The Department pays the running costs of the Commission. → Oversight of governance of CICA is carried out according to the Code of Practice of State Bodies (2016). → The Commission members are appointed by the Minister. When the Minister is satisfied, after consultation with the Chairperson, that the Commission has completed the performance of its functions, he or she may, by order dissolve the Commission. → The Department's Redress Unit has facilitated the payment of all bills falling due for CICA via the Department's financial management system/shared payroll services. → CICA's expenditure incurred via Vote 26 is subject to audit by the Comptroller and Auditor General.
Residential Institutions Redress Board (RIRB)	Elizabeth Neary	Residential Institutions Redress Unit	Minister for Education and Skills. The Redress Board's primary function is to provide financial redress to person	Exchequer in the main (Vote 26 – Subhead A.13) with some religious contributions (initially up to	Residential Institutions Redress Act, 2002, Residential Institutions	<ul style="list-style-type: none"> → The Redress Board has full statutory independence. → The Department pays the running costs of the Board plus awards made and applicant legal costs. → Oversight of governance of the Redress Board is underpinned by a Service Level Agreement which outline the roles, responsibilities and reporting liaison structures of both RIRB and the Department's Redress Unit.

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Name of Body	Head of Office	Section In Department acting as Liaison	Primary Minister and Departmental function (as at October 2019)	Exchequer Funding Source	Governing Legislation	Minister/Department's Functions, Rights or Duties
			who, as children, were abused while resident in Industrial Schools,, Reformatories or other institutions that were subject to State regulation or inspection	2010) funded awards and applicant legal expenses	Redress Act Additional Institutions) Order 2005, and Residential Institutions Redress (Amendment) Act 2011	<ul style="list-style-type: none"> ➔ The Department's Redress Unit has facilitated the payment of all bills falling due for the RIRB via the Department's financial management system/shared payroll services. ➔ Board members are appointed by the Minister. ➔ The Department lays the Redress Board's Annual Report before the Houses of the Oireachtas.
Residential Institutions Review Committee (RIRC)	John Dalton	Residential Institutions Redress Unit	Minister for Education and Skills. The Review Committee was set up under the Residential Institutions Redress Act, 2002.	Exchequer funding - Vote 26 – Subhead A.13	Residential Institutions Redress Act, 2002, Residential Institutions Redress Act Additional Institutions) Order 2005, and Residential Institutions Redress (Amendment) Act, 2011	<ul style="list-style-type: none"> ➔ The Review Committee has full statutory independence. ➔ The Department pays the running costs of the Committee. ➔ Oversight of governance of the Redress Committee is underpinned by a Service Level Agreement which outlines the roles, responsibilities and reporting liaison structures of both RIRC and the Department's Redress Unit. ➔ The Department's Redress Unit has facilitated the payment of all bills falling due for the RIRC via the Department's financial management system/shared payroll services. ➔ Committee members are appointed by the Minister.

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Name of Body	Head of Office	Section In Department acting as Liaison	Primary Minister and Departmental function (as at October 2019)	Exchequer Funding Source	Governing Legislation	Minister/Department's Functions, Rights or Duties
Caranua (The Residential Institutions Statutory Fund)	Rachael Downes	Residential Institutions Redress Unit	Minister for Education and Skills	Funded by contributions from Religious Congregations which are placed in an NTMA investment account.	Residential Institutions Statutory Fund Act, 2012.	<ul style="list-style-type: none"> ➔ Caranua is an independent Statutory Body. The Minister has a number of functions under the Act, including the appointment of the members of the Board, the appointment of an independent appeals officer and the receipt and laying before the Houses of the Oireachtas of annual reports and annual accounts. ➔ The Minister's approval is required for the engagement of consultants and entering into contracts. The consent of the Minister is required for matters such as staff numbers, terms and conditions of service of staff, etc. The Minister may give directions in writing to the Board in relation to compliance with specified Government policies. The Minister has no role in relation to applications to Caranua or other operational matters. ➔ Caranua is not Exchequer funded, its funding is derived from religious contributions held in trust by NTMA. A performance Delivery Agreement between the Department and Caranua sets out the respective roles and responsibilities of both parties; performance targets, monitoring and reporting arrangements and key control and governance.
National Council for Special Education (NCSE)	Teresa Griffin	Special Education	Minister for Education and Skills	Vote 26 – Subhead A.11.5	Education for persons with Special Educational Needs Act, 2004.	<ul style="list-style-type: none"> ➔ The NCSE was established under the Education for Persons with Special Educational Needs Act 2004. ➔ The chairperson and ordinary members of the Council are appointed by the Minister from among persons who have a special interest in, or knowledge relating to the education of children with special educational needs. ➔ A Memorandum of Understanding between the Department of Education & Skills (DES) and the National Council for Special Education (NCSE) sets out the respective roles and responsibilities of both parties: performance targets, monitoring and reporting arrangements and key control and governance requirements. A Performance Delivery Agreement for 2017-2018 was finalised in December 2018. An Oversight Agreement was finalized at the end of January 2018. ➔ The NCSE is funded by the Department of Education and Skills in accordance with the Department of Public Expenditure and Reform Circular 13 – 2014.
Irish Research	Alan Wall (Mr. Peter Brown,	Higher Education Funding,	Minister for Education and	Vote 26 subhead C12.		<ul style="list-style-type: none"> ➔ The IRC is a sub-board of the Higher Education Authority (HEA), which is a statutorily independent body governed by legislation.

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Name of Body	Head of Office	Section In Department acting as Liaison	Primary Minister and Departmental function (as at October 2019)	Exchequer Funding Source	Governing Legislation	Minister/Department's Functions, Rights or Duties
Council (IRC)	Director of IRC)	Governance & Qualifications	Skills	Funding is issued to the HEA		<ul style="list-style-type: none"> ➔ The IRC operates as a sub-board of the HEA. ➔ As a sub-board of the HEA, governance of the IRC is carried out via the HEA. ➔ The Minister appoints the members of the Council. ➔ The staff of the IRC are employees of the HEA – the HEA has the power under legislation to appoint its own staff, however, under the Delegated Sanction Agreement, it must seek approval for the filling of posts from the Department. ➔ The Department lays copy of the HEA's audited accounts before the Houses of the Oireachtas, these accounts include the expenditure of the IRC
Higher Education Authority (HEA)	Alan Wall	Higher Education Funding, Governance & Qualifications	Minister for Education and Skills	Vote 26 - Subhead C.3	Higher Education Authority Act, 1971 as amended by the Institutes of Technology Act, 2006	<ul style="list-style-type: none"> ➔ The HEA is a statutorily independent body governed by legislation. ➔ Oversight of governance of HEA is carried out by Higher Education – Funding, Governance & Qualifications Section according to the revised Code of Practice for the Governance of State bodies (2016). Up to and including 2017 a Service Level Agreement has been in place with the HEA. From 2018, the Service Level Agreement will be replaced with a Performance Delivery Agreement as per the revised Code of Practice. ➔ The Minister appoints the Board members. ➔ As an aegis body of the Department, guidance circulars/notices for information or action are issued to the HEA as and when required. ➔ The HEA has the power under legislation to appoint its own staff, however, under the Delegated Sanction Agreement, it must seek approval for the filling of posts from the Department. ➔ The Department lays a copy of the HEA's audited accounts before the Houses of the Oireachtas.
Quality and Qualifications Ireland (QQI)	Dr. Pdraig Walsh	Higher Education – Finance, Governance and Qualifications Unit.	Minister for Education and Skills, certain functions have been delegated to Minister of State	Vote 26 – Subhead B.6	Qualifications and Quality Assurance (Education and Training) Act, 2012	<ul style="list-style-type: none"> ➔ QQI is established and governed by legislation ➔ Oversight of governance of QQI is carried out by Higher Education – Finance, governance and Qualifications Unit according to the Code of Practice for the Governance of State Bodies (2016) and is underpinned by a Performance Delivery Agreement. ➔ The Minister appoints members of the Board ➔ The Minister appoints the CEO ➔ The Minister/Department deals with staffing issues as required ➔ The Minister approves the Levy and Fees regulations made by QQI

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Name of Body	Head of Office	Section In Department acting as Liaison	Primary Minister and Departmental function (as at October 2019)	Exchequer Funding Source	Governing Legislation	Minister/Department's Functions, Rights or Duties
						<ul style="list-style-type: none"> → QQI requires the consent of the Minister for remuneration/superannuation benefits in respect of Schemes of the Agency → The Department lays the annual accounts and report of QQI before the Houses of the Oireachtas
Léargas – The Exchange Bureau	Jim Mullin	International/North South	Minister for Education and Skills	Léargas is principally funded by the Department of Education and Skills under subhead C13.1 with co-funding of management costs from the EU Commission	Léargas operates under the Companies Acts, 1963	<ul style="list-style-type: none"> → The Minister appoints members of the Board. → The Department circulates correspondence for information or action as appropriate. → The Department deals with staffing and remuneration issues and consults with the Department of Public Expenditure and Reform as required. → Oversight of governance of Léargas is carried out by International Section and underpinned via a Performance Delivery Agreement between DES and Léargas. → A copy of the annual report of Léargas is provided to the Department. → Léargas does not fall within the remit of the C & AG for audit, it is audited by internal auditors and external auditors. The agency is also audited by agents of the EU and the European Court of Auditors. → There is no requirement to submit the accounts of Léargas to the Oireachtas stipulated in either the articles of association or the 2016 code of practice for the governance of State bodies.
Grangegorman Development Agency (GGDA)	Gerrard Casey	Building Unit, Finance	Minister for Education and Skills	Vote 26 – Subhead C.14	Grangegorman Development Agency Act 2005	<ul style="list-style-type: none"> → The GGDA is established under the Grangegorman Development Agency Act 2005 → Oversight of governance is carried out by the Third Level Building Unit according to the revised Code of Practice for the Governance of State Bodies (2016). This work is further underpinned by formal governance arrangements agreed between the Grangegorman Development Agency (GDA) and the Department of Education & Skills (DES). → The Minister appoints members to the board of the Agency (other than the chief executive). → The Minister makes grants of such amounts as sanctioned by the Minister for Public Expenditure and Reform towards the capital and current expenditure of the Agency. → A Memorandum of Understanding between the DES and the GDA outlines the management and accountability framework between the two bodies which sets out the respective roles and responsibilities of

Appendices

Name of Body	Head of Office	Section In Department acting as Liaison	Primary Minister and Departmental function (as at October 2019)	Exchequer Funding Source	Governing Legislation	Minister/Department's Functions, Rights or Duties
						<p>both parties, communication and reporting arrangements as well as the oversight of key control and governance requirements. This agreement is being replaced by a Performance Delivery Agreement (PDA) which is currently nearing finalisation.</p> <ul style="list-style-type: none"> → The Minister may, from time to time, give to the Agency a general directive in writing as to policy regarding the performance of any of the functions assigned to it by or under the GGDA Act 2005. → The Department deals with staffing issues as required. → The Agency may appoint members of staff to the Agency, including the chief executive. The grade and appropriate level of remuneration for each grade as well as the granting of a scheme of superannuation benefits are all provided with the consent of the Minister and the Minister for Public Expenditure and Reform. → The Department arranges for the laying of the Annual accounts/report of the Agency before the Houses of the Oireachtas. → A Memorandum of Understanding between the DES and the GDA outlines the management and accountability framework between the two bodies which sets out the respective roles and responsibilities of both parties, communication and reporting arrangements as well as the oversight of key control and governance requirements. This agreement is being replaced by a Performance Delivery Agreement (PDA) which is currently nearing finalisation.
An tSeirbhís Oideachais Leanúnaigh agus Scileanna (SOLAS)	Andrew Brownlee	Further Education and Training, NDP/EU Structural Funds	Minister for Education and Skills	Vote 26 – Subheads B.3 & B5 and the National Training Fund	The Further Education and Training Act, 2013	<ul style="list-style-type: none"> → SOLAS is a statutory independent body governed by legislation. → Oversight of governance of SOLAS is carried out by Further Education and Training Section according to the Code of Practice for the Governance of State bodies (2016). This work was further underpinned with the finalisation of a Service Level Agreement with SOLAS during 2016. → The Minister appoints the board members. → As an aegis body of the Department, guidance circulars/notices for information or action are issued as and when required. → SOLAS has the power under legislation to appoint its own staff, however, under the Delegated Sanction Agreement it must seek approval for the filling of posts from the Department. → The Department lays a copy of the audited accounts of SOLAS before the Houses of the Oireachtas.

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Skillnet Ireland	Paul Healy	Further Education and Training, NDP/EU Structural Funds	Minister for Education and Skills	National Training Fund	Company Limited by Guarantee	<ul style="list-style-type: none"> → The Department of Education and Skills ensures the budget allocation is administered in accordance with agreed targets and in line with Government strategies and priorities → The Department has a Framework Mandate with Skillnets which sets out in broad terms the basis for funding agreement with them. The Mandate is supplemented by an Annual Allocations letter which sets out in detail the budget allocation and sets specific targets for the delivery of training by Skillnets for over 40,000 people. → Skillnets supply unaudited accounts to the Department within two months of year-end annually. → The Minister for Education and Skills nominates 3 members to the Board of Skillnets. The remaining members are nominated by Employer and Employee representative Bodies he Department of Education and Skills ensures the budget allocation is administered in accordance with agreed targets and in line with Government strategies and priorities → The Department has a Framework Mandate with Skillnets which sets out in broad terms the basis for funding agreement with them. The Mandate is supplemented by an Annual Allocations letter which sets out in detail the budget allocation and sets specific targets for the delivery of training by Skillnets for over 40,000 people. → Skillnets supply unaudited accounts to the Department within two months of year end annually. → The Minister for Education and Skills nominates members to the Board of Skillnets.