



**An Roinn Oideachais**  
Department of Education

# **Governance Framework**

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

**March 2023**

## Foreword from Secretary General

I am pleased to introduce the Department of Education's Governance Framework which encapsulates, into a single resource, our:

- political and operational context
- obligations and responsibilities
- standards of conduct, and
- 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 Governance 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 children and young people, 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 themselves to the good governance of the Department through the requirements of this Governance Framework in the performance of our duties.

**Bernie McNally**  
**Secretary General**

March 2023

## 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 Governance 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 in delivering upon the Government's commitments and statutory obligations in the Education Sector. The Governance 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 children and young people, through learning, to achieve their full potential and contribute to Ireland’s social, economic and cultural development.”*<sup>1</sup>

The Governance 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 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; child protection; and arrangements for review of the Governance Framework
- **Ministerial and Senior Management Roles & Assignment of Responsibilities:** an overview of the roles and responsibilities of the Minister and Ministers 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.

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<sup>1</sup> [Department of Education Statement of Strategy 2023-2025](#)

- **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.

The Governance 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.**

## 1.1 Introduction

The Department of Education 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 sector. The reform programme centres on the key goals of quality education provision and experience for the learner, advancing progress of learners at risk of educational disadvantage and learners with special educational needs, and leading delivery of strategic direction and support. These goals will contribute to a responsive education system built on solid relationships between education and the wider community, society and the economy.

The Department takes a whole-of-system approach to strategic planning and implementation across the Education 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 system.

The Department’s mission is “To facilitate children and young people, 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 student 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 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 all those who work in schools and in other education settings in our education system. We work to create an environment where all of us can learn, develop and contribute to the goals of the education system.
- We are accountable, open to change, and respectful in our dealings with the public and work colleagues.



## 1.2 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 taking actions to implement Ministerial and Government decisions.

### 1.2.1 Senior Management structures

The following is the senior management structure within the Department:

- The Minister is a corporation sole<sup>2</sup> of the Department and is accountable to the Government in relation to all functions delegated to them 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 for Education<sup>3</sup>. 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 their statutory roles and duties as Administrative Head of the Department. The Secretary General 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 their 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 Units. 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 9 functional

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<sup>2</sup> [Minister and Secretaries Act 1924](#)

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

areas. These areas and those responsible for them are outlined in Chapter 3. Further details on the functions of Divisions are also available [here](#).

## 1.3 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 a Statement of Strategy for the Department<sup>4</sup>. The Statement of Strategy 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 Statement of Strategy, the Department adheres to the procedures outlined in the Guidelines on the Preparation of Strategy Statements issued by the Department of the Taoiseach. The Public Service Reform Programme Office co-ordinates the drafting of the Statement of Strategy. The initial engagement on drafting the Statement of Strategy takes place between the Secretary General/Management Board and the Ministers and their Special Advisers. This discussion concerns the key priorities as set out in the Programme for Government for the Ministers and the Department.

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

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

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

Each Statement of Strategy has an accompanying annual Statement of Priorities, Forbairt that details the key priorities deliverable within a given year for the Department and the sector. Forbairt is typically developed on an annual basis and progress is monitored and reported regularly (usually every quarter). This annual process allows the Department to review and reprioritise activity in a flexible and responsive way to meet changing circumstances nationally and internationally.

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<sup>4</sup> [Public Service Management Act, 1997](#)

The priorities set out in the Statement of Strategy 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
Statement of Strategy	Every three years or within six months of the appointment of a new Minister.	Public Service Reform Programme Office
Forbairt; Statement of Priorities	Quarterly progress reports and end of year review	Public Service Reform Programme Office
Management Board meetings	Weekly	Secretary General's office
Minister/Management Board meetings	6 Weekly	Secretary General's office
Oireachtas Committees	As requested by the Oireachtas Committee	Secretary General's Office

## 1.4 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 Units 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 Units 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 ePMDS, 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.

The Leadership, Evaluation and Development System (LEADS) provides a robust performance review process for those at Assistant Secretary, Deputy Secretary and Second Secretary levels. The process is supported by an e-system, LEADS.

#### **1.4.1 Business Continuity Planning**

It is essential that the Department provides for continuity of essential services in order to serve the sector and its customers and fulfill its comprehensive programme of work. 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 units which provide critical services are identified and continuity plans are drafted annually for their services and functions. These units also plan for and carry out disaster recovery testing and scenario testing to ensure continuity plans are workable in the event of an incident.

### **1.5 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 and is aligned with the Department's Action Plan progress reports and end of year review. The preparation of the Annual Report is managed by Corporate Services and it is submitted to the Secretary General and Minister for approval. The annual report is published online in both Irish and English and is laid before the Houses of the Oireachtas.

### **1.6 Public Service Reform**

#### **1.6.1 Planning Framework**

The Department operates a Planning Framework, which publishes an annual plan to set out the key priorities for delivery for the Department of Education and its agencies and aegis bodies. This is driven by the ambition and goals set out in the Statement of Strategy. Both documents set out the Department's commitment to interdepartmental and whole of Government reform programmes.

Progress on the implementation of the Planning framework is monitored through the publication of quarterly progress reports and end of year review. 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 delivery, change and reform.

### **1.6.2 Our Public Service Reform Programmes**

The Planning framework supports the broader public sector reforms, which are led centrally by the Department of Public Expenditure, NDP Delivery and Reform (DPENDPDR). 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. A successor to this, Our Public Service 2030 is now in development. Responsibility for the implementation of this within the Department and education sector will be through the Public Service Reform Programme Office.

The Department works closely with the Reform Delivery Office and the Reform Evaluation Unit in DPENDPDR to support the implementation of the reform programmes, supporting development and innovation across the public service.

The Department continues to promote the use of appropriate structures and processes to ensure Management Board oversight and governance of the development and implementation of commitments under the Public Service Reform agenda, and to promote Project and Programme Management structures and methodologies throughout the organisation.

## **1.7 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 (CSR) Plan (2014) set out 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.

These values were further reiterated in CSR2030. 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 CSR 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 results of the 3<sup>rd</sup> survey, which took place in September

to October 2020, indicated improvements across 13 of the 23 thematic areas over the 2017 results. This is a relatively positive outcome given the significant challenges on staff of the Department as a result of COVID-19 and the restructuring required as a result of the establishment of the Department of Further and Higher Education, Research, Innovation and Science (DFHERIS) in 2020. The results also indicate areas where the Department needs to improve and where it needs to continue to focus its efforts e.g. Involvement Climate, Performance Standards and Public Perception. 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 by the Survey. These initiatives will complement the implementation of actions that will be set out in the CSR Plan 2024, the first of three plans under CSR2030, and will support our vision for the future and the long-term development of the Department and the wider Civil Service.

### **1.7.1 Codes of Conduct**

The Civil Service Code of Standards and Behaviour (the Code) 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.

#### **Ethics in Public Office**

The Ethics in Public Office Acts 1995 and 2001 provide a statutory framework for disclosure of interests by certain categories of civil and public servants. Public bodies, Directorships of public bodies and specific positions of employment (below Principal Officer level) are prescribed in Regulations made by the Minister for Public Expenditure, NDP Delivery and Reform which are usually updated annually. The Ethics Acts apply the principles of openness and transparency whereby those prescribed under the Acts make annual statements setting out their interests and those of their spouse or civil partner, child or child of spouse which could materially influence the person in or in relation to the performance of his/her functions.

The Ethics Act 2001 also includes tax clearance obligations for persons who are appointed to senior office i.e., Deputy Secretary General level and above in the civil service.

The [Standards in Public Office Commission](#) publishes guidelines under the Ethics Acts, for prescribed public servants as well as Office holders (i.e. Ministers, Ministers of State, etc.) to ensure compliance by them with the requirements of the legislation. The key requirements of the Ethics Acts are set out as follows:

#### **▪ Annual Returns of Statements of Interest**

A person who occupies a prescribed position under the Ethics Acts must complete and furnish a statement of interests to the Secretary General by 31st January each year in respect of any period in the preceding year where the person concerned occupied a designated position of employment in the Department.

## ▪ Statements of a Material Interest

Where an official function of a designated position of employment falls to be performed and a person who occupies that position or a 'connected' person (e.g. a relative, civil partner or a business associate) has a material interest in the matter, the person must not perform the function and must furnish a statement of the facts to the Secretary General. If the person intends to perform the function, because there are compelling reasons to do so, he/she must furnish a statement of the compelling reasons to the Secretary General. Statements of persons who occupy designated positions of employment are not furnished to the Standards in Public Office Commission.

Compliance by prescribed persons under these Acts in this Department is actively managed by the Department's HR Unit.

### 1.7.2 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 DPENDPDR guidance titled "*Statutory Guidance for public bodies and prescribed persons.*"

The culture and working environment of this Department aims to encourage, facilitate and support 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 Disclosures Act, 2014 requires that an [annual report](#) be published in relation to the protected disclosures received by the Department.

The Protected Disclosures (Amendment) Act 2022 was enacted in July 2022. The 2022 Act amends Ireland's existing national whistleblower protection law – the Protected Disclosures Act 2014 ("the 2014 Act") – to give effect to the provisions of the EU Directive 2019/1937. This Directive provides for a set of minimum standards for the protection of whistleblowers across the European Union.

The Department's guidance documents aligns with DPENDPDR guidance.



### 1.7.3 Regulation of Lobbying

The Regulation of Lobbying Act 2015 (“the 2015 Act”) commenced on 1 September 2015. The Department has published, online, [a list of Designated Public Officials](#) as required under the 2015 Act.

Section 5(7) of the Regulation of Lobbying Act 2015 provides that the “Minister for Public Expenditure, NDP Delivery 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. Details of the Working Groups within the Department exempted under the Transparency Code are available on [gov.ie](http://gov.ie).

### 1.7.4 Data Protection

The General Data Protection Regulation (GDPR) and Data Protection Act took effect in 2018. 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 published a range of 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 [here](#).

### 1.7.5 Data Governance

The Data Compliance & 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 for Education 2022 is to ‘provide greater strategic direction in the Department’s governance, management and use of data’. The Data Strategy sets out how the Department will endeavour to achieve this and it identifies four key objectives in realising its 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



### 1.7.6 Information Management

Freedom of Information legislation creates a general right of access to records held by public bodies (including the Department of Education), counterbalanced by exemption provisions protecting specified types of information. The Data Compliance and Support Unit has published a [range of guidance](#) in relation to FOI.

The Department also complies with record management requirements under data protection and National Archives legislation. [Policies and guidelines](#) are available on the intranet.

### 1.7.7 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>.

The objective of ICT policy is to ensure the continuity of business management and to reduce interruptions of business by preventing and minimizing the consequences of security incidents and protecting the confidentiality, integrity and availability of information.

The Department requires ICT policy's to protect its digital assets from security threats. It is critical to protect the DOE's information systems to maintain a secure delivery of service to citizens and to maintain supplier trust and confidence.

Security threats originate at a wide variety of sources, including computer-assisted fraud, industrial espionage, sabotage, vandalism and natural disasters. Computer viruses, unethical hacking and denial of service attacks are examples of threats encountered while operating over the Internet. These types of threats are becoming increasingly more common, more ambitious and more sophisticated.

To help safeguard against these types of security threats the DOE have developed the following internal ICT policies:

- Information Security Policy
- ICT Usage Policy

These internal policies have been written to provide a mechanism to establish procedures to protect against security threats and minimise the impact of security incidents. These policies will continue to be reviewed on an ongoing basis with the view to keeping them in line with best practice security standards.

## 1.8 Communications

The Department takes a proactive approach to communication, with structures in place to support effective communication with a wide range of stakeholders. Communication and consultation is recognised as an integral feature of effective policy development and implementation.

The Department works with all stakeholders to continuously improve communications, with a particular emphasis on clear communication to the school system. It takes a proactive role in this regard. The principles under which it works are to ensure:

- honest, accurate information delivered in an open, effective and timely manner
- clear and accessible information, provided in a way that meets the needs of the relevant audience, including specific accessibility needs and plain language
- use of a range of channels and platforms to reach a wide audience and ensure appropriate dissemination of messages.

### 1.8.1 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 *education partners* – students, parents, schools, and centres of education, unions and management bodies, patron bodies, business representatives, the local community and other State bodies. 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 and the media.

The Department takes a proactive approach to the publication of a wide range of official information in an open and accessible manner and encourages its re-use. Information produced by the Department is routinely published on gov.ie/education through the Public Service Data Catalogue and on the public service Open Data Portal. The Department's FOI Publication Scheme can be accessed [here](#).

The Department places a high value on effective and high-quality communication and prioritises engagement and consultation processes with stakeholders. This is achieved through regular meetings and formal consultation processes, including working groups, consultative fora, task forces and committees. These are established and maintained 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 responds annually to hundreds of media queries, providing prompt and accurate responses, as well as providing information to the media on a range of programmes and initiatives to ensure wide dissemination.

The Department maintains clear and accurate information, designed in a citizen-focused manner and provided bilingually on its main platform, gov.ie/education. This is supplemented by specific communications campaigns across social media channels, including its Twitter, YouTube and LinkedIn channels. Use is made of advertising in traditional and social media to disseminate important information as the need arises.

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. The Department treats all its customers equally and makes every effort to ensure that the services provided 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 [Customer Service Complaints 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.

The [Department's scheme](#) has been prepared in the context of the Guidelines issued by the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media.

The Official Languages (Amendment) Act 2021 came into law in December 2021. When fully implemented, a system of language standards will replace the language scheme. Until then, the Department continues to operate under the current language scheme.

### **1.8.2 Internal Communication**

The Department's objective for internal communications is to ensure consistency, cohesiveness, high standards, knowledge enhancement and awareness in support of its mission.

The Management Board has identified internal communication as an integral success factor to our mission and promoted this aspect of service delivery in business planning and other fora.

Internal communications are a priority across all levels of the organisation, with all line managers expected to hold regular meetings of staff teams and information and planning sessions. Line managers are supported to ensure ongoing communication within teams.

This structure is supported by centralised communications. The Department's HR, Communications and Staff Training units collaborate on internal communications planning and have established an internal communications working group. This focuses on high standards, consistency, quality and effectiveness, protocols and good practice,

technology and efficiency. It will build on work undertaken by the Department's innovation initiative, which enabled the trialling of ideas, development of good practice and provided a useful consultation phase for internal communications plan development. To date, a new electronic staff newsletter *Nasctha* has been created and disseminated regularly to provide a link for and between staff during the period dominated by remote working. A new wellbeing e-mail is issued regularly, to provide a focus and support for this topic.

Staff networks and fora are well established as a key internal communications tool and promote improved horizontal communications and networking between peers. Examples of these are:

### **Networks**

Networking events for managers at Higher Executive Officer/Administrative Officer, Assistant Principal Officer and Principal Officer grades are held on an annual basis. The Networks are championed and attended by Management Board and attended by a majority of staff. The Networks are intended to enable the sharing of expertise and knowledge among peers, strengthen working relationships and provide opportunities to debate and discuss policy developments in the Sector as well as the broader Civil Service.

### **Annual Conferences: NEPS and Inspectorate**

The Inspectorate and National Educational Psychological Service (NEPS) each hold an annual conference to update staff on developments in their profession as well as broader education sector issues.

### **Senior Management Fora**

Senior Management Fora for Assistant Secretaries and Principal Officers/Equivalents take place three times each year. The Fora provide an opportunity to discuss strategy and policy developments as well as central Government initiatives which impact the work of the Department.

### **Staff Forum**

Staff Fora are held twice each year for staff at Service, Clerical and Executive Officer grades. The Fora are attended by members of the Management Board and provide an opportunity for networking and sharing views and ideas on developments across the Department, the education sector and the wider Civil Service.

### **1.8.3 Government of Ireland identity**

The Department has adopted the Government of Ireland identity for the Department's publications and materials and applies its use in accordance with guidance received from Government Information Services in the Department of the Taoiseach. Coordination of use of the Government of Ireland identity is led by the Department's Communications Unit. The Communications Unit also supports the planned adoption of the identity across aegis bodies.

## 1.9 Child Protection

The safety, welfare and development of children and young people is a core objective and key priority for the Department of Education. Every staff member of the Department has a responsibility and a duty of care to ensure that every child/young person availing of our services is safe and protected from harm (defined in Children First National Guidance for the Protection and Welfare of Children as physical/emotional/sexual abuse or neglect).

The Children First Act, 2015 places a statutory obligation on providers of a relevant service, to prepare a Child Safeguarding Statement. The Department has in place a Child Safeguarding Statement which has been prepared in line with Tusla's *Guidance on Developing a Child Safeguarding Statement, Children First: National Guidance for the Protection and Welfare of Children* as well as the *Addendum to Children First: National Guidance for the Protection and Welfare of Children* which deals with online safety.

The Department of Education is responsible for developing child protection procedures for schools based on the requirements of the Children First Act, 2015 and the Children First National Guidance 2017.

The Department's *Child Protection Procedures for Primary and Post Primary Schools, 2017* give direction and guidance to school authorities and to school personnel in relation to meeting their new statutory obligations under the Children First Act, 2015 and in the continued implementation of the best practice (non-statutory) guidance set out in Children First National Guidance 2017.

The Department must also exercise oversight of how schools fulfil their obligations having regard to the governance responsibilities of school authorities.

- The Department's Inspectorate monitors the compliance of schools with the requirements of the child protection procedures for primary and post primary schools.
- Parents and Learners Unit, which has responsibility for Child Protection and Parental Complaints, has a dedicated child protection phone line and email, and has responsibility for referring any child protection concerns received by staff to the relevant investigatory authorities, including the school, the Child and Family Agency (Tusla) and/or An Garda Síochána.
- A Child Protection Oversight Group (CPOG) has been established within the Department comprising senior members of the Inspectorate and senior officials from Parents and Learners Unit, NEPS, Terms and Conditions Unit and School Governance Unit. One of the key functions of the CPOG is to monitor the implementation of the *Procedures for responding to child protection concerns brought to the attention of staff employed by the Department of Education*, including in relation to the numbers and types of child protection concerns/allegations of child abuse recorded across the Department, and report to the Management Board and to the Minister of the Department on a quarterly basis.
- At national level, the Department is a member of the Children First Inter-Departmental Implementation Group (CFIDIG), chaired by the Department of Children, Equality, Disability, Integration and Youth. The Interdepartmental Group was established under Part 4 of the Children First Act 2015 to keep under

review the implementation across the public sector of the Children First legislation and guidance.

## **1.10 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, with a formal review completed in 2022. The Governance Framework will be kept under ongoing review and updated accordingly from time to time. It will be formally reviewed again in 2025.

## 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

### 2.1 Role of the Minister for Education

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.

#### 2.1.1. 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 their 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 their 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 their 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.

## 2.2 Ministers of State in the Department of Education

The Government may, on the nomination of the Taoiseach, appoint by way of an Order 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 their Department, any or all of their statutory powers and duties.

The Ministers 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 Ministers of State provide assistance to the Minister as appropriate in this regard.

In the Department of Education, the Minister has delegated responsibility for Special Education and Inclusion to Minister of State Josepha Madigan TD. In December 2022, a second Minister of State, Thomas Byrne, TD, was appointed to the department with special responsibility for Sport and Physical Education.

## 2.3 Role of the Secretary General

### 2.3.1 Introduction

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

- accountable to the Minister for discharge of their 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;

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 the [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 their functions to other officers of the Department, however they retain 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 Assignments<sup>5</sup>. These assignments

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<sup>5</sup> 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



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, 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.

### **2.3.2 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. They discharge 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 the role of Accounting Officer, which is personal and cannot be delegated, they are responsible for the stewardship of public funds. Furthermore, they are responsible for:

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

As Accounting Officer, while they can put in place arrangements to assist with the aspects of governance obligations, they 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 DPENDPDR and the Comptroller and Auditor General (C&AG), as necessary.<sup>6</sup>

The Accounting Officer cannot be acquainted with the detail of every transaction in the Department and, as such, 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.

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<sup>6</sup> [The Role and Responsibilities of Accounting Officer](#)

## 2.4 Role of senior management within the Department

### 2.4.1 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 Governance 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.

### 2.4.2 Principal Officers/Equivalents

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

## 2.5 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.

## 2.6 Ministerial Special Advisers

The Government 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.

## **2.7 Minister of State Special Adviser**

Under Section 11 of the Public Service Management Act 1997, the Government 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 is currently one special adviser appointed to the Minister of State for Sport and Physical Education.

## **2.8 Minister - Department Relationship**

### **2.8.1 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 their accountability to the Oireachtas;
- initiating consideration of policy advice having regard to the changing education environment and requirements for the consideration of the Minister or Government;
- developing policy and legislation relating to all areas of education under their responsibility;
- offering advice to the Minister on Government policies in development, by preparing appropriate observations on Government Memoranda; and
- reviewing efficiency and effectiveness of existing policy schemes and programmes and measure against desired outcomes.

### **2.8.2 Overview of interaction between the Minister and officials**

The Minister engages with senior officials by regular interaction at a direct level and at 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. Due to 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.

### **2.8.3 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.

## **2.9 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 the 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

### 3.1 Vision and Purpose

The Department's vision is "*To facilitate children and young people, through learning, to achieve their full potential and contribute to Ireland's social, economic and cultural development*". A quality learning system empowers learners to make better life choices. In support of this vision, the Secretary General 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 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:

### Management Board Membership

Bernie McNally	Secretary General (Chair)
Aoife Conduit	Assistant Secretary: Teachers, SNA Terms & Conditions; External Staff Relations; School Transport; RIRU, Early Years Education.
Yvonne Keating	Chief Inspector: Inspectorate

## Management Board Membership

Hubert Loftus	Assistant Secretary: Planning & Building Unit
Martina Mannion	Assistant Secretary: Social Inclusion; Special Education; NEPS;
Deirdre McDonnell	Assistant Secretary: Shared Services Implementation; Schools Employee Payroll; Pensions; Information Technology; ESBS Payroll Operations
Gavan O'Leary	Assistant Secretary: Corporate Services; Finance Unit; Human Resources; Communications; Gaeltacht Education Unit
Tomás Ó Ruairc	Assistant Secretary: Data Compliance & Support; Statistics; Public Service Reform; Central Policy/Legal Services; International Cooperation
Clíodhna O'Neill	Assistant Secretary (acting): ETB Financial/Administrative Personnel; Parents and Learners; Teacher Allocation and School Governance Policies; Schools Financial and Database
Dalton Tattan	Assistant Secretary: Curriculum & Assessment Policy; Teacher Education Policy - Teacher Supply & Digital; Teacher Education Policy - ITE & Professional Development

### 3.1.1 Role of Management Board members

Members of the Management Board have a corporate responsibility to provide leadership and strategic direction in developing, 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 Management 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 Management 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 Management Board;
- advise the Secretary General in making decisions to progress the business of the Department; and
- advise the Management Board on matters of cross-organisational interest,

including decisions with inter-departmental implications.

### **3.1.2 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.

## **3.2 Operation of the Management Board**

### **3.2.1 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 Management 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 3.3.1 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 where possible and video-conferencing is facilitated as required.

### **3.2.2 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.

### **3.2.3 Role of the Secretary General as Chairperson**

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

In particular, as Chairperson:

- 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 Management Board on ongoing discussions they have 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 their decision-making responsibilities; and
- encourages consensus on decisions or determines a course of action if a consensus cannot be reached.

### **3.2.4 Role of the Secretary to the Management Board**

The Secretary to the Management Board:

- prepares a draft agenda in consultation with Management Board members and thereafter circulates the agenda to Management 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 Management 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 Management Board member and/or Senior Official.



## 3.3 Management Board Procedures

### 3.3.1 Agenda of Management Board Meetings

The Management Board regularly meets and a range of issues including standing items are discussed by the Management 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
- reporting on the Department's Child Protection Guidelines for staff

Standing issues include a number of corporate items encompassing:

- updates on Minister/Secretary General meetings
- Industrial Relation (IR) issues
- Human Resource (HR) issues
- Information and Communications Technology (ICT) issues
- Expenditure Reports
- governance issues
- corporate issues
- risk issues

### 3.3.2 Papers/Decisions

Matters of strategic importance, or which give rise to a significant risk, are brought to the attention of the Management Board, by 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 their 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 clear 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).

### **3.4 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 report to the Management Board. Further information is available at Appendix B.

### **3.5 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.

### **3.6 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 a dedicated Public Service Reform (PSR) Programme Office and other programme boards and project steering groups.

## 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 Unit 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.

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 units
- confirmation of financial controls by budget-holders
- segregation of duties across processes within the units
- 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

### **4.1 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 Committee reports directly to the Accounting Officer (Secretary General) and has no executive powers. Its roles and responsibilities are set out in the Audit Committee Charter, which is approved by the Accounting Officer.

The Unit, which reports directly to the Accounting Officer, carries out its work in accordance with its Charter and conducts systems audits of Units 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.

Both Charters are available on the Department's [intranet](#).

## 4.2 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.

## 4.3 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;
- 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
- Provide a finance shared service function to the DFHERIS (see section 4.3)

## 4.4 Accounting Officer Assurance Arrangements

#### **4.4.1 Annual Statement on Internal Financial Control (SIFC)**

The Statement on Internal Financial Control (SIFC) is the means by which the Accounting Officer declares their 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 C&AG with the Annual Appropriation Account.

#### **4.4.2 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 Agreement (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 the Department. The ESMA is reviewed annually and updated as necessary to adapt to changing business needs.

#### **4.4.3 Department of Further and Higher Education, Research, Innovation and Science**

As outlined in section 3, the Department's Finance Unit is providing a finance shared service function to DFHERIS. This includes a retained operational/FMS shared service and a transition phase for the remaining financial services for the Vote 45 Appropriation Account and National Training Fund.

A contractual relationship between this Department and DFHERIS will be set out in a Memorandum of Agreement between the two parties with supporting administrative agreements. This Memorandum will define and document the agreed responsibilities, scope of activities, quality of service provision, and performance measures governing the services provided by this Department to DFHERIS.

### **4.5 Role of the Data Protection Officer and Data Compliance and Support Unit**

The Data Protection Officer and Data Compliance and Support 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 issues 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 and carries out their functions in accordance with the GDPR and the Data Protection Act 2018.

### **4.6 Risk Management**

Risk is part of the internal and external environment in which the Department operates. The Department of Education 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 Unit. Heads of Units 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 are approved by the Head of Unit, with moderate and major risks brought to the attention of the Risk Committee and the Audit Committee. As the risk register is a non-static document, it is updated as required.

The Department's risks are recorded on the eRisk Register application 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.

The eRisk register is administered by Corporate Services, and access to the eRisk Register is provided to grades of Assistant Principal Officer and above. Access permissions may also be provided to other staff members, to act in the capacity as risk coordinators as nominated by Heads of Units for their specific business area.

#### **4.6.1 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.

## **4.7 Procurement Management**

The Procurement Policy Unit in Corporate Services is responsible for reporting on compliance with Government and statutory procurement obligations as part of the annual financial cycle. Heads of Units 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 DPENDPDR [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.

Managers across the Department are obliged under Office Notice 01/2020 to register all contracts for goods and services over a value of €2,000 on the Contracts Register and to manage these contracts appropriately.

The Department has also formed the Education Procurement Programme Board establishing cross sectoral governance of procurement reform. This Board is working with the leaders from schools, Education and Training Boards, Higher Education Institutions and the service providers such as the Office of Government Procurement, the Education Procurement Service, the Schools Procurement Unit, Planning and Building Unit and HEAnet to promote the use of the centralised procurement model. It also seeks to identify gaps in the current services and organises centralised solutions where possible, in an effort to continuously improve procurement compliance across the sector.

## **4.8 Compliance Framework**

The Department has in place a Compliance Framework which identifies the source of compliance obligations by the Department and where, within the Department, responsibility lies for 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

Arising from the Government Decision to establish the DFHERIS, seven aegis bodies were transferred from the legacy of the Department of Education and Skills to DFHERIS under Statutory Instrument Number 451 of 2020. The Department of Education is continuing to facilitate the delivery of shared services, in governance, to DFHERIS.

From September 2022 there are ten state bodies under the aegis of the Department of Education. The National Centre for Guidance in Education (NCGE) closed with effect from September 2022, its duties are being centralised into the Department of Education.

These ten aegis bodies are overseen by relevant policy units within the Department and are supported by other relevant units across the Department including the Department's Sectoral Governance Unit.

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 units 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.

### 5.1 Bodies Accountable to other Department of Education bodies

In addition to bodies directly under the Department's aegis, there is an additional complexity in relationships between the Department and specific categories of bodies. The Education and Training Boards (ETBs) which report to the Department of Education also have a reporting arrangement with SOLAS, which, since the transfer of Departmental functions, operates under the aegis of DFHERIS.



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

The Department is guided by the DPENDPDR 2016 Code of Practice for the Governance of State Bodies which became effective from 1<sup>st</sup> September 2016.

The 2016 Code of Practice 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 of Public Expenditure, NDP Delivery and Reform (DPENDPDR) published a new Annex on Gender Balance, Diversity, and Inclusion to supplement the existing Code of Practice in September 2020. The [Annex](#) sets out measures designed to enhance diversity on State Boards and addresses recommendations made by an Inter-Departmental Group on Gender Balance on State Boards. In autumn 2020 DPENDPDR also published a Guide to Periodic Critical Review (PCR) of Non-Commercial State Bodies to supplement the 2016 Code.

The Department continues to work with its aegis bodies to ensure the oversight conditions laid out in the Code of Practice are satisfied. Where appropriate time limited or full derogations from aspects of the Code have been agreed and documented in order to satisfy the Code's "comply or explain" requirements.

In line with the stipulations of the 2016 Code of Practice, 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 unit of the Department, a Management Board Committee on Sectoral Governance and Accountability has been in place since 2014 to guide, develop and enhance the Department's oversight role of aegis body governance and compliance. The Management Board Committee is also supported in its work by the Principal Officer and Sectoral Governance officials in Corporate Services.

Sectoral Governance continues to work towards the delivery of an enhanced oversight control framework to ensure that appropriate appraisals, and proportionate and reasonable oversight regimes are in place having regard to budgets/staffing cohort in the relevant aegis bodies.

Sectoral Governance continue to review the extent to which existing reporting and compliance requirements, together with the associated oversight role of line units, 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**

In line with the obligations under Section 8.14 of DPENDPDRs Code of Practice, Sectoral Governance is currently assisting with the delivery of the Department's first Periodic Critical Review. It is intended to use the learnings from this first process to inform approaches to an ongoing programme of PCR.

### **Continuous Professional Development of Staff**

The Department continues to avail of membership of a Governance Forum for Civil and Public Servants. The forum which is run by the Institute of Public Administration, promotes good governance and aids the Department with the supply of timely advice and information supports to enhance good governance and aids in the continuing professional development of the Department's staff.

### **Non-Commercial Bodies under the aegis of the Department**

There are 10 non-commercial bodies under the aegis of the Department of Education:

- An Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta (COGG)
- Educational Research Centre (ERC)
- National Council for Curriculum and Assessment (NCCA)
- State Examinations Commission (SEC)
- 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)

Appendix C provides further specific details in regard to the 10 bodies, including:

- Governance, management and reporting structures;
- Accountable Person in relevant aegis body;
- Relevant Assistant Secretary and Departmental liaison Head of Unit;
- Exchequer or other funding source;
- Governing legislative framework (where appropriate); and
- Functions, rights or duties of the Department/Minister.

## **5.3 Oversight of State Board appointments process**

Given the diverse nature of the State Boards under the aegis of the Department, while individual Units have responsibility for the day to day oversight of State Bodies, the Department's Sectoral Governance Unit provides advices to Units on 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 DPENDPDR 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 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 State 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](#)
- [Civil Service Disciplinary Code revised in accordance with the Civil Service Regulation \(Amendment\) Act 2005 19/2016](#)
- [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 for the Irish Civil Service](#)
- [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](#)
- [Civil Service Renewal 2030 Strategy - 'Building on our Strengths'](#)
- [Records Management Policy](#)
- [Ministers and Secretaries Act 1924-2013](#)
- [Public Services Management Act \(1997\)](#)
- [Risk Management 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 Atypical Appointments to Positions in the Civil Service and Certain Public Bodies](#)
- [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	Chair, Frequency of Meetings & Secretariat
<b>Mandatory</b>		
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.	Gavan O'Leary  The group meets 3-4 times per annum or as required  Secretariat provided by Procurement Policy Unit.

<b>Internal Governance</b>		
<i>[These are standing committees which oversee ongoing functions of the Department.]</i>		
Committee	Terms of Reference	Chair, Frequency of Meetings & Secretariat
Portfolio, Programme & Project (P3) Strategy Board	A cross-departmental, cross-divisional structure, with external representation, supporting the Management Boards of the Department of Education and the Department of Further and Higher Education, Research, Innovation and Science to drive the delivery of relevant actions in their Statements of Strategy, the joint Digital & ICT Strategy and corporate priorities as they relate to ICT and shared services programmes and projects, recognising that organisational transformation is achieved through People, Process and Technology."	Deirdre McDonnell  The group meets every two months or as required  Secretariat provided by Major Ops PMO
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.	Secretary General  The group meets twice per annum  Secretariat provided by Sectoral Governance Unit

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.	Deirdre McDonnell  The group meets 3 times per annum.  Secretariat provided by Corporate Services
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### Policy-specific Cross-Divisional Committees

*[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.]*

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.	Secretary General  The group meets as required
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.	Secretary General  The group meets as required  Secretariat provided by the Inspectorate
Child Protection Oversight Group	This group is monitoring the implementation of the Procedures for responding to child protection concerns brought to the attention of staff employed by the Department and also monitors the implementation of the Child Protection Procedures for Primary and Post-Primary Schools (2017) by schools	Clíodhna O'Neill  The group meets quarterly  Secretariat provided by Parents and Learners' Unit
Management Board Sub-Group-Strategy and Planning	This group is ensuring alignment of annual action plans with the strategic goals and objectives of the Department, and provide leadership and oversight for the coherent delivery of cross-departmental/whole	Tomás Ó Ruairc  The group meets on a quarterly basis

### Policy-specific Cross-Divisional Committees

*[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.]*

	of Government commitments. To oversee and quality assure all Actions and Reporting of same	Secretariat is provided by PSR Programme Office
Ukraine Management Group	Provides governance at the Management Board level for the Ukraine Programme	Tomás O'Ruairc  The group meets fortnightly  Secretariat is provided by PSR Programme Office
Teacher Supply Steering Group	The Steering Group is leading on the identification of the issues, the development of a programme of actions on teacher supply and the oversight of its implementation.	Dalton Tattan  The group meets approximately 4 times in a year  Secretariat is provided by Teacher Education, Supply & Digital

## Appendix C – Details in regard to the 10 non-commercial bodies under the Aegis of the Department as of November 2022

Governance and management and reporting structures		
Assistant Secretary	Line Unit	Non-commercial body
Martina Mannion	Special Education	NCSE
Dalton Tattan	Teacher Education	Teaching Council
	Curriculum & Assessment	SEC; NCCA; COGG;
Tomás Ó Ruairc	Central Policy Unit	ERC
Aoife Conduit	Residential Institutions Redress Unit	RIRB; RIRC; RISF – CARANUA; CICA



Name of Body	Head of Office	Line Unit and Assistant Secretary	Exchequer Funding Source	Governing Legislation	Minister/Department's Functions, Rights or Duties
<b>An Chomhairle um Oideachas Gaeltachta agus Gaelscoileanna (COGG)</b>	Jacqueline NiFhearghusa	Curriculum and Assessment Policy  Dalton Tattan, Assistant Secretary	Vote 26 – Subhead A.11.2	Section 31 of the Education Act, 1998	<ul style="list-style-type: none"> <li>➔ COGG was established under Section 31 of the Education Act, 1998.</li> <li>➔ 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.</li> <li>➔ The budget of COGG is approved annually by the Curriculum and Assessment Policy Unit section in the DoE based on an agreed annual programme of work.</li> <li>➔ The Minister appoints 12 members to the board of COGG corresponding to the term of the NCCA Council.</li> <li>➔ Currently COGG have a staff of four Civil Servants seconded from the DoE. COGG also have five Education Officers on secondment, four seconded from the NCCA and one from the PDST.</li> </ul>
<b>Educational Research Centre (ERC)</b>	Dr. Aidan Clerkin (Acting)	Central Policy  Tomás Ó Ruairc, Assistant Secretary	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"> <li>➔ In September 2015, the Educational Research Centre was established as a state agency under section 54 of the Education Act by S.I. 392/2015, amended by S.I. No. 309/2017.</li> <li>➔ 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.</li> <li>➔ In accordance with the Code of Practice for the Governance of State bodies (2016), oversight of governance of the ERC is carried out by Central Policy Unit.</li> <li>➔ The budget of the ERC is approved annually based on an agreed annual programme of work within a Performance Delivery Agreement</li> <li>➔ 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.</li> <li>➔ The accounts of the ERC are laid before the Houses of the Oireachtas.</li> </ul>

Name of Body	Head of Office	Line Unit and Assistant Secretary	Exchequer Funding Source	Governing Legislation	Minister/Department's Functions, Rights or Duties
<b>National Council for Curriculum and Assessment (NCCA)</b>	Arlene Forster	Curriculum and Assessment Policy  Dalton Tattan, Assistant Secretary	Vote 26 – Subhead A.11.1	Education Act 1998, Part VII (S.38 – 48) & S.I. No. 131/2009 -Education Act, 1998 (Composition of NCCA Order 2009)	<ul style="list-style-type: none"> <li>➔ The NCCA is established under the Education Act 1998, with its board composition informed by the stipulations of S.I. No. 131/2009. 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.</li> <li>➔ 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.</li> <li>➔ The budget of the NCCA is approved annually by the Curriculum and Assessment Policy Unit in the based on an agreed annual programme of work.</li> <li>➔ 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 one by the Minister for Children, Equality, Disability, Integration and Youth. The remainder of the council are nominated by education partner organisations.</li> <li>➔ All permanent staff of NCCA are civil servants.</li> <li>➔ The Department lays the audited accounts of the NCCA before the Houses of the Oireachtas.</li> </ul>
<b>State Examinations Commission (SEC)</b>	Andrea Feeney	Curriculum and Assessment Policy  Dalton Tattan, Assistant Secretary	Vote 26 – Subhead A.11.4	State Examinations Commission Establishment Order (S.I. No 373 of 2003)	<ul style="list-style-type: none"> <li>➔ The SEC is established under the State Examinations Commission Establishment Order (S.I. No 373 of 2003)</li> <li>➔ 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.</li> <li>➔ The Minister appoints the five Commissioners to the board of the SEC.</li> <li>➔ The budget of the SEC is approved annually by the Curriculum and Assessment Policy Unit in the DoE based on an agreed annual programme of work.</li> <li>➔ 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.</li> <li>➔ All staff of the SEC are Civil Servants.</li> <li>➔ The Department lays the audited accounts of the SEC before the Houses of the Oireachtas.</li> </ul>

Name of Body	Head of Office	Line Unit and Assistant Secretary	Exchequer Funding Source	Governing Legislation	Minister/Department's Functions, Rights or Duties
<b>Teaching Council</b>	Dr. Lynn Ramsey Director	Teacher Education and ICT Policy  Dalton Tattan, Assistant Secretary	Income from teacher registration fees – not funded from the Exchequer	Teaching Council Acts, 2001- 2015	<ul style="list-style-type: none"> <li>➔ The Minister for Education, 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).</li> <li>➔ Under the Teaching Council Act, authority is vested in the Minister to make orders commencing sections of the Act (S.1), to make regulations or consent to regulations made by the Council, (including on regulations for election of members (S.10), registration (S.S.31-33), fees it may charge (S.23)) , and to lay the regulations before the Houses of the Oireachtas.</li> <li>➔ The Minister <ul style="list-style-type: none"> <li>○ may consent (with the approval of the Minister for Public Expenditure and Reform) for the Council to borrow money (S.20) and hold property (S.5)</li> <li>○ 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 (S.38), minimum standards of educational qualifications for entry to programmes of teacher education (S.7), registration of teachers and other matters relating to the work of the Council (S.58)</li> <li>○ shall appoint the 37 members of the Council (S.8) or remove them from office (S.16) following consultation with the Council</li> <li>○ may consent, with the consent of the Minister for Public Expenditure and Reform, to the Council's appointment of employees (S.13) including the Director (S.11), including remuneration, fees and allowances (S.13, Schedule 2); shall implement the superannuation scheme (S.14); and determine terms and conditions of appointment of committees (S.24),</li> <li>○ 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 (S.55),</li> <li>○ is bound by requirements in other legislation e.g. laws on employment, data protection.</li> </ul> </li> </ul>

Name of Body	Head of Office	Line Unit and Assistant Secretary	Exchequer Funding Source	Governing Legislation	Minister/Department's Functions, Rights or Duties
<b>Commission to Inquire into Child Abuse (CICA)</b>	Hugh McLain	Residential Institutions Redress Unit  Aoife Conduit, Assistant Secretary	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.	<p>Note - the Commission reported in 2009 and is currently in wind down mode, dealing with records pending enactment of legislation.</p> <ul style="list-style-type: none"> <li>➔ The Commission has full statutory independence.</li> <li>➔ The Department pays the running costs of the Commission.</li> <li>➔ The Commission continues to apply reporting arrangements that were in place prior to the introduction of D/PERs 2016 Code of Practice with the Commission continuing to have internal governance arrangements in place. The Minister granted the Commission a derogation from D/PERs 2016 Code of Practice.</li> <li>➔ The Commission members were 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.</li> <li>➔ The Department's Redress Unit has facilitated the payment of all bills falling due for CICA via the: <ul style="list-style-type: none"> <li>○ Department's financial management system/shared payroll services.</li> <li>○ CICA's expenditure incurred via Vote 26 is subject to audit by the Comptroller and Auditor General.</li> </ul> </li> </ul>
<b>Residential Institutions Redress Board (RIRB)</b>	Michael OBeirne	Residential Institutions Redress Unit  Aoife Conduit, Assistant Secretary	Exchequer in the main (Vote 26 – Subhead A.13) with some religious contributions funding awards and applicant legal expenses	Residential Institutions Redress Act, 2002,  Residential Institutions Redress Act Additional Institutions) Order 2005, and Residential Institutions Redress (Amendment) Act 2011	<p>Note - the Redress Board's primary function is to provide financial redress to person who, as children, were abused while resident in Industrial Schools,, Reformatories or other institutions that were subject to State regulation or inspection</p> <ul style="list-style-type: none"> <li>➔ The Redress Board has full statutory independence.</li> <li>➔ The Department pays the running costs of the Board plus awards made and applicant legal costs.</li> <li>➔ The Redress Board continues to apply reporting arrangements that were in place prior to the introduction of D/PERs 2016 Code of Practice with the Board continuing to have internal governance arrangements in place, including a Service Level Agreement. The Minister granted the Redress Board a derogation from D/PERs 2016 Code of Practice.</li> <li>➔ 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.</li> <li>➔ 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.</li> <li>➔ Board members are appointed by the Minister.</li> </ul>

Name of Body	Head of Office	Line Unit and Assistant Secretary	Exchequer Funding Source	Governing Legislation	Minister/Department's Functions, Rights or Duties
					<ul style="list-style-type: none"> <li>➔ The Department lays the Redress Board's Annual Report before the Houses of the Oireachtas.</li> <li>➔ The board's expenditure incurred via Vote 26 is subject to audit by the Comptroller and Auditor General.</li> </ul>
<b>Residential Institutions Review Committee (RIRC)</b>	Helen-Claire O'Hanlon	Residential Institutions Redress Unit  Aoife Conduit, Assistant Secretary	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	<p>Note - the Review Committee was set up under the Residential Institutions Redress Act, 2002.</p> <ul style="list-style-type: none"> <li>➔ The Review Committee has full statutory independence.</li> <li>➔ The Department pays the running costs of the Committee.</li> <li>➔ The Review Committee continues to apply reporting arrangements that were in place prior to the introduction of D/PERs 2016 Code of Practice with the RIRC continuing to have internal governance arrangements in place, including a Service Level Agreement. The Minister granted the RIRC a derogation from D/PERs 2016 Code of Practice.</li> <li>➔ 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.</li> <li>➔ 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.</li> <li>➔ Committee members are appointed by the Minister.</li> <li>➔ The Committee's expenditure incurred via Vote 26 is subject to audit by the Comptroller and Auditor General</li> </ul>
<b>Caranua (The Residential Institutions Statutory Fund)</b>	Executive Offices of Caranua were closed in March 2021 as the Fund had been administered and all applications to the body were	Residential Institutions Redress Unit  Aoife Conduit, Assistant Secretary	Funded by contributions from Religious Congregations which are placed in an NTMA	Residential Institutions Statutory Fund Act, 2012.	<ul style="list-style-type: none"> <li>➔ 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.</li> <li>➔ 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.</li> <li>➔ 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.</li> <li>➔ Caranua is not Exchequer funded, its funding is derived from religious contributions held in trust by NTMA. Caranua's annual financial statements are subject to audit by</li> </ul>

Name of Body	Head of Office	Line Unit and Assistant Secretary	Exchequer Funding Source	Governing Legislation	Minister/Department's Functions, Rights or Duties
	completed. Queries relating to Caranua may be addressed to the Dept's Residential Institutions Redress Unit.		investment account.		<p>the Comptroller and Auditor General. 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.</p> <p>➔ Given the finite nature of the Statutory Fund from which Caranua's expenses are required to be met, Caranua would down its operations over the course of 2021. All outstanding applications were finalised in December 2020, and all appeals to the Independent Appeals Officer were finalised in February 2021. All remaining staff, including the CEO, reached the end of their contracts on 24 March 2021. An interim Board has been appointed by the Minister, and will oversee the arrangements for the formal dissolution of Caranua. The formal dissolution of Caranua will be progressed by way of legislation.</p>
<b>National Council for Special Education (NCSE)</b>	John Kearney CEO	Special Education  Martina Mannion, Assistant Secretary	Vote 26 – Subhead A.11.5	Education for persons with Special Educational Needs Act, 2004.	<p>➔ The NCSE was established under the Education for Persons with Special Educational Needs Act 2004.</p> <p>➔ 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.</p> <p>➔ A Performance Delivery Agreement and Oversight Agreement are in place between the NCSE and the Department to clarify respective roles and responsibilities of both parties, including inter alia, performance targets, monitoring and reporting arrangements and key control and governance requirements.</p> <p>➔ The NCSE is funded by the Department of Education in accordance with the Department of Public Expenditure and Reform Circular 13 – 2014.</p>

## Appendix D – Document Version Control and Change History

### Document Version Control

Document Purpose:	To set out the Corporate Governance structures for the Department
Version Number:	1
Date:	May 2016
Author:	Siobhán Cullen / John Rafferty
Authorised By:	MB

### Change History

Version	Issue Date	Author	Reason for Change
Draft 1	July 2018	Siobhán Cullen	Review
Draft 2	January 2020	Siobhán Cullen	Revised
Draft 3	May 2022	Eimear Gallagher / Sandra Tobin / Ciara Molloy	Revised
Draft 4	September 2022	Eimear Gallagher	Revised
Draft 5	March 2023	Ciara Molloy and Sandra Tobin	Revised and updated
Draft 6	February 2024	Corporate Governance/Sectoral Governance	Updates DPENDPDR SoS 2023-2025 Special adviser pg 20 MB membership pg 23

			PCR pg 35 CP Oversight Group Pg 39
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