



Tailte
Éireann

Tailte Éireann Compliance Framework

October, 2023



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Document Control	
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1. INTRODUCTION

This Compliance Framework sets the basis for compliance in Tailte Éireann, as part of its overall Corporate Governance Framework and its statutory, policy and administrative obligations. It is based on the requirements set out in the Corporate Governance Standard for the Civil Service (see Section 2 below), and is intended to ensure that the organisation takes a proactive and transparent approach to identifying standards and requirements, monitoring compliance and reporting to senior management on that compliance. This is underpinned by concepts of risk management, quality management and knowledge management, as well as integrity and a focus on communication and continual improvement. The Tailte Éireann Compliance Framework also aligns corporate compliance with functional compliance reporting and assurance.

2. CORPORATE GOVERNANCE STANDARD FOR THE CIVIL SERVICE

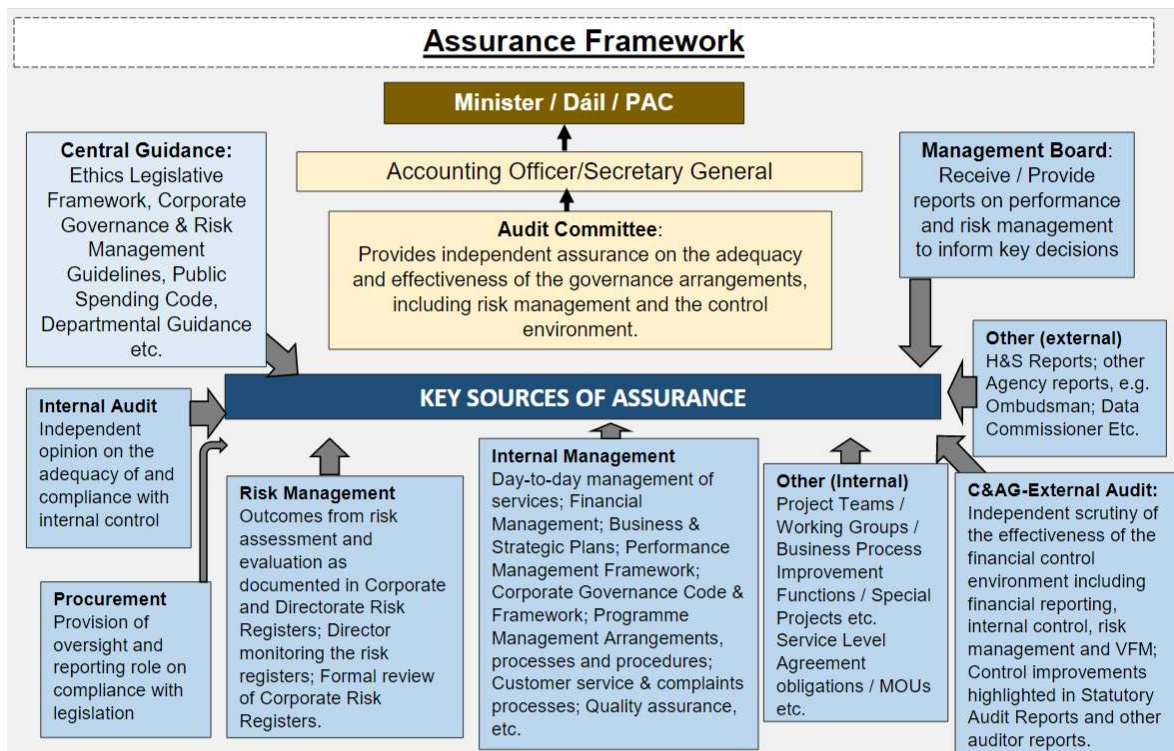
The Corporate Governance Standard for the Civil Service provides that all Government Departments and Vote holding Offices should document and publish their governance arrangements in accordance with the principles outlined in the Standard¹. The Standard further provides that governance arrangements should be communicated to all staff and stakeholders.

The Tailte Éireann Compliance Framework is based on the compliance requirements set out in the Corporate Governance Standard, which states that *“Good governance is central to the effective operation of Government Departments; it is vitally important in effectively discharging their statutory and policy obligations. It ensures that a framework of structures, policies and processes are in place to deliver on these obligations and it allows for an objective assessment of management and corporate performance.”*

The Standard identifies a requirement for a Compliance Framework, *“As an accompaniment to a Department’s Governance Framework.”* This framework should provide *“an overview of all compliance assurance activity in a Department, and identifies who within the Department is responsible for each activity.”* This should build on centrally identified compliance requirements and requirements identified in an organisation’s Corporate Governance Framework, as an important element of risk management.

The Assurance Framework from the Civil Service Standard is reproduced below for reference. It provides a structured means of identifying and mapping the main sources of assurance in a typical government Department / Office and coordinating them to best effect.

¹ <https://www.gov.ie/en/publication/f6667b-corporate-governance-standard-for-the-civil-service/>



3. CODE OF PRACTICE FOR THE GOVERNANCE OF STATE BODIES

It should also be noted that Tailte Éireann has certain compliance requirements under the Code of Practice for the Governance of State Bodies². It is the Accounting Officer of Tailte Éireann’s parent Department of Housing, Local Government and Heritage, who should satisfy themselves that the requirements of the Code of Practice are being implemented and if reports indicate that problems exist, ensure the appropriate action is taken as soon as possible.

4. AIMS OF THE TAILTE ÉIREANN COMPLIANCE FRAMEWORK

Based on the Civil Service Standard, the purpose of this document is to outline the structures and processes associated with compliance management in Tailte Éireann. With this in mind, the Tailte Éireann Compliance Framework has an important role to play in:

- Ensuring that with effect from ‘Establishment Day’, compliance at the most appropriate maturity level is in place for Tailte Éireann;

² <https://www.gov.ie/en/publication/7adff-governance/?referrer=http://www.govacc.per.gov.ie/governance-of-state-bodies/>

- Providing appropriate assurances as sought by the Chief Executive / Accounting Officer, (Executive) Management Board and other relevant stakeholders (see Appendix A);
- Underpinning the effective implementation of the governance principles set out in the Tailte Éireann Corporate Governance Framework;
- Supporting the Internal Control Systems of the organisation;
- Supporting the management and mitigation of risk in the organisation;
- Providing evidence of the compliance status with statutory requirements, governance requirements, government decisions, administrative and policy initiatives and organisational policy on a regular basis;
- Embedding a culture of appropriate internal controls and compliance throughout the new organisation.

In addition to the suggested compliance requirements set out in the Standard (see Appendix B), possible additional Tailte Éireann requirements (and other key policies) are set out in Appendix C. It is suggested that an agreed list of compliance requirements would be included as an Appendix in the Tailte Éireann Corporate Governance Framework. This list of requirements will be subject to ongoing revision, as necessary.

There is also a requirement on senior management in the organisation to ensure appropriate support to the Compliance function, in terms of the provision of accurate and timely information, and also in terms of support to the Governance & Compliance Unit through appropriate allocation of staff and other required resources, subject to budgetary constraints, workforce planning imperatives and any recruitment delays outside of the control of Tailte Éireann.

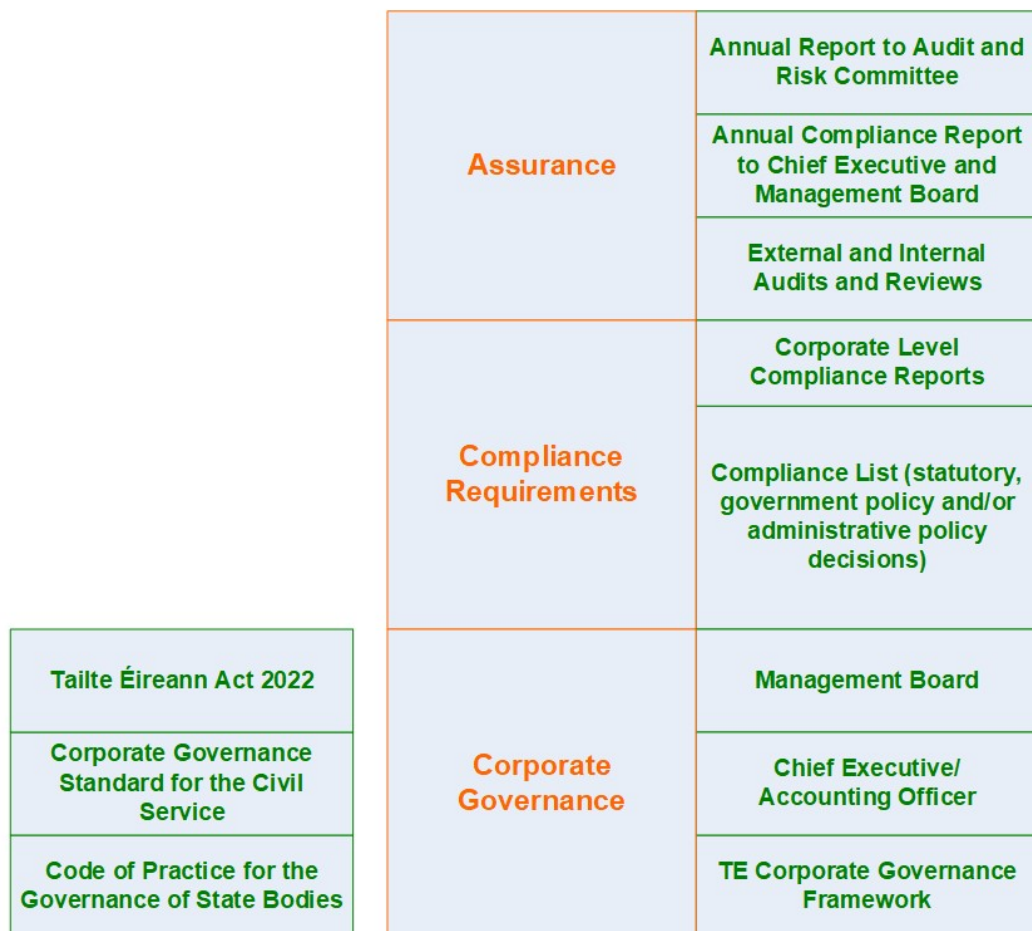
5. TAILTE ÉIREANN COMPLIANCE FRAMEWORK

The Tailte Éireann Compliance Framework is set out in the table below.

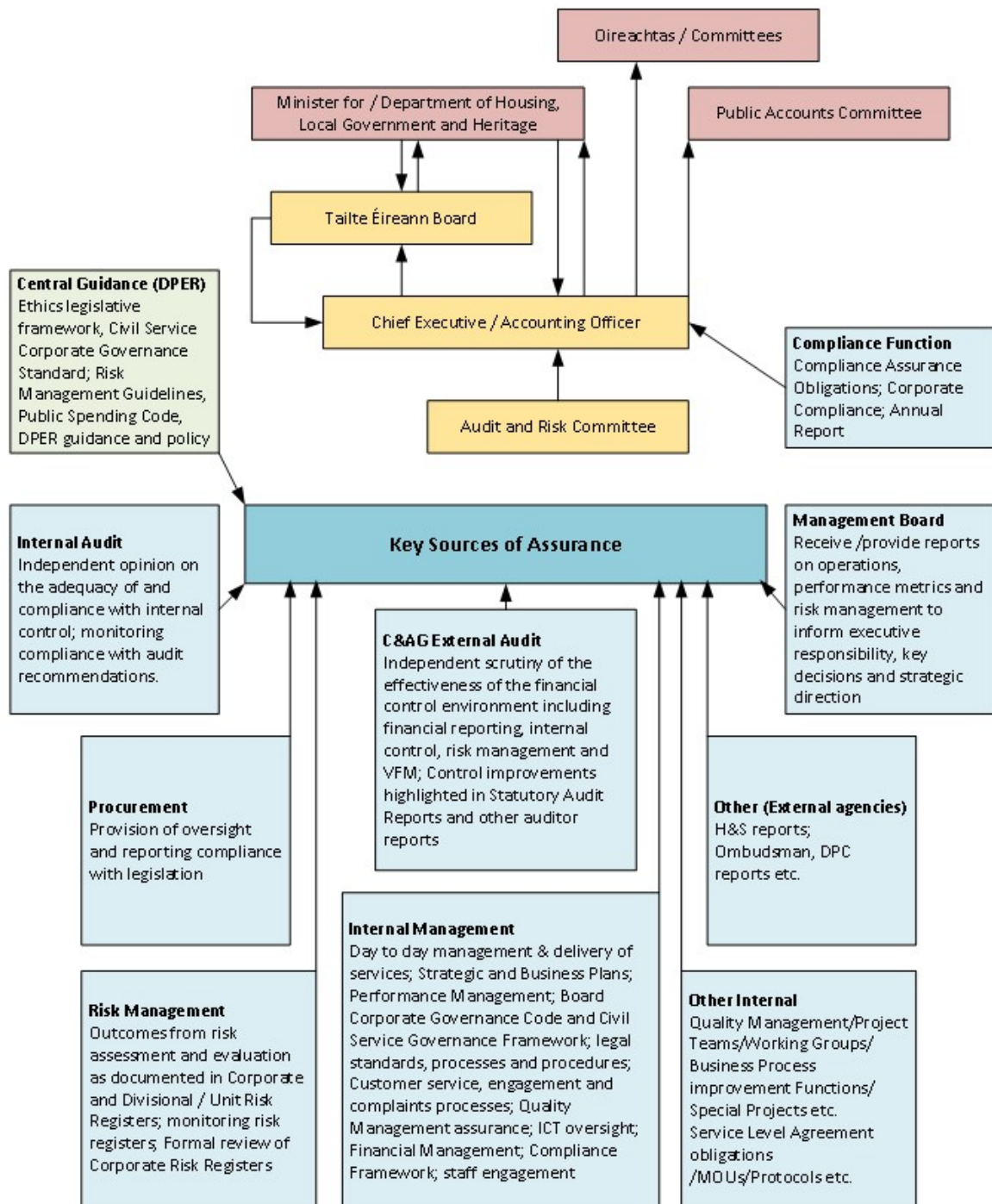
	What	When	Who
1	Review / maintenance of TE compliance list / database	October	Developed by Governance & Compliance Unit, agreed with Chief Executive
2	Completion of annual status reports by SROs, based on Corporate Compliance Status Reporting template (see Appendix D)	November	Templates circulated by Governance & Compliance Unit, completed by SROs (Management Board members and other Principal Officer level managers) and returned to Compliance Unit
3	Updating of TE compliance list / database	December	Compliance list / database updated by Governance & Compliance Unit
4	Compliance assurance report to Chief Executive	February	Developed by Governance & Compliance Unit based on SRO and senior manager reports, presented to Chief Executive,

			Management Board and Audit and Risk Committee
5	Compliance reporting in TE Annual Report	March	Material drafted by Governance & Compliance Unit, submitted to Corporate Administration, approved by Chief Executive and published on TE website (following Ministerial approval)
6	External Audit	Annually, as required	Scrutiny and audit by the Office of the Comptroller and Auditor General
7	Internal Audit	As scheduled	Internal Audit based on annual audit programme
8	Compliance reviews of specific compliance / corporate issues	As required	Reviews of specific compliance issues, undertaken by Governance & Compliance Unit, based on requests by Management Board

An overview of the Compliance framework can be seen in the chart below.



Appendix A - Tailte Éireann Compliance Assurance Overview



Appendix B - Potential Compliance Requirements (Civil Service)

A. Statutory Requirements or Established Compliance Obligations

1. Ministerial and Departmental functions under the Ministers and Secretaries Acts 1924–2013
2. Comptroller and Auditor General (Amendment) Act 1993
3. Comptroller and Auditor General Acts 1866 to 1998
4. Public Service Management Act 1997
5. Civil Service Regulation Act 1956
6. Data Protection Acts
7. Freedom of Information Act
8. Ethics in Public Office Acts
9. Standards in Public Office obligations
10. Protected Disclosures Acts
11. National Archives Act
12. Compliance with Official Languages Legislation
13. Compliance with Employment Law and Civil Service HR circulars
14. Compliance with Disability Legislation
15. Appropriation Accounts
16. Compliance with Public Financial Procedures
17. Agreement of Strategy Statement with Minister
18. Submission of Annual Report to the Minister
19. Other Functions under the Public Service Management Act 1997
20. Health and Safety
21. Compliance with Cabinet Guidelines
22. Compliance with Procurement Directives

B. Government Decisions

1. Input/Reports to Cabinet Committees, if requested
2. Input/Reports to Cabinet Committee on
3. Appointments to State Boards
4. Implementation of Programme for Government Commitments
5. Guidelines on the Preparation of Strategy Statements

C. Administrative & Policy Initiatives

1. Corporate Governance Standard for the Civil Service
2. Code of Practice for the Governance of State Bodies
3. Integrated Reform Delivery Plan Returns
4. Review of Legislation in Accordance with Statutory or Government Commitments
5. Effective Business Planning Process
6. Oversight of Robust Performance Management Arrangements
7. Adherence to Civil Service HR Guidelines/Circulars
8. Timely and Accurate Replies to PQs and other Oireachtas Requests for Information
9. PAC Appearances
10. Statement of Internal Financial Control
11. Internal Audit Function
12. VFM Reports

13. EU/IMF Programme
14. Compliance with CPSA Codes of Practice
15. Responses to Questionnaires from OECD
16. Record Management Guidelines March 2013
17. Risk Register

Appendix C - Guideline List of Tailte Éireann Compliance Obligations

Statutory Requirements (A)

1. Tailte Éireann Act 2022
2. Public Service Management Act 1997 (including Publication of Statement of Strategy and Framework of Assignments)
3. Oversight and Performance Delivery Agreement with DHLGH
4. Public Service Management Acts 2004 to 2013
5. Ministers and Secretaries Acts 1924- 2013
6. Civil Service Regulation Acts 1956-2005
7. Comptroller and Auditor General Acts 1866-2003
8. Prompt Payments Act 1997
9. Probation Act 1907
10. Regulation of Lobbying Act 2015
11. Protected Disclosures Act 2014 (Protected Disclosures Policy)
12. Whistleblowers Directive
13. Official Secrets Act 1963
14. Ethics in Public Office Act 1995
15. Standards in Public Office Act 2001
16. Irish Human Rights and Equality Commission Act 2014 (Public Sector Equality and Human Rights Duty)
17. National Archives Act
18. General Data Protection Regulation 2018
19. Data Protection Acts
20. Freedom of Information Act 2014
21. Data Sharing and Governance Act 2019
22. Open Data Directive
23. Re-Use of Public Sector Information Directive
24. European Convention on Human Rights Act 2003
25. Children First Act 2015
26. National Shared Services Office Act 2017
27. Official Languages Act 2003
28. Unfair Dismissals Acts 1977 to 2015
29. Workplace Relations Act 2015
30. Payment Card Industry Regulations
31. ePrivacy Regulation
32. Criminal Justice (Money Laundering and Terrorist Financing) Act 2010
33. Other Criminal Justice Acts
34. Disability Act 2005
35. Compliance with Employment Law and Civil Service HR Legislative Provisions
36. Employment Equality Acts
37. Safety, Health & Welfare at Work Act 2005
38. Organisation of Working Time Act 1997
39. Payment of Wages Act 1991
40. INSPIRE Directive 2001/2/EC
41. Electoral Acts
42. Interpretation Acts 1933-2005

Government Decisions / Policies (B)

1. Corporate Governance Standard for the Civil Service
2. Code of Practice for the Governance of State Bodies
3. Public Spending Code 2019
4. Financial Procedures
5. Risk Management Guidance, DPER 2016
6. Statement of Internal Financial Control
7. Internal Control Requirements and Reports
8. Agreements and MOUs with other Bodies
9. Project Management Handbook for the Civil Service
10. Annual Compliance Reports to CEO and MB
11. National Disability Inclusion Strategy 2017-2021
12. Our Public Service 2020 Strategic Workforce Planning Guide
13. *Our Public Service* Initiative
14. Civil Service Renewal 2030 Strategy
15. Declaration on Public Service Innovation in Ireland
16. Public Service Data Strategy
17. Creative Ireland Strategy 2017-2022
18. National Development Plan 2018-2027
19. DPER Circulars and Guidelines
20. Quality Customer Service and Customer Charter Initiatives
21. Payment Card Industry Regulations
22. Commission for Public Service Appointments (CPSA) Codes of Practice
23. National Cyber Security Strategy 2019-2024
24. Civil Service Code of Standards and Behaviour
25. Civil Service Disciplinary Code
26. National Mapping Agreements
27. Framework of Assignments
28. Blended Working Policy Framework for Civil Service Organisations
29. Strategic Planning, Business Planning and PMDS
30. Civil Service HR Circulars and Guidelines
31. CPSA Codes of Practice on Competitions
32. Circular 14/2021 - Arrangements for Oversight of Digital and ICT-related Initiatives in the Civil and Public Service
33. Circular 20/2019 - Promoting use of Environmental and Social Considerations in Public Procurement

Administration Decisions / Policies (C)

1. TE Corporate Governance Framework
2. TE Office Policies and Procedures
3. Memorandum of Understanding (MOU) Agreements
4. Standard Operating Procedures (SOPs), Quality Procedures, Work Instructions
5. Safety Statement
6. Risk Management Policy
7. Business Continuity / Disaster Recovery Policy
8. Corporate Social Responsibility Policy

9. Data Sharing Agreements
10. Data Protection Policies, RoPA, Privacy Notices, Data Protection Impact Assessment Policy, Breach Response Policy, Subject Access Request Policy
11. Accessibility Policy
12. Equality, Diversity & Inclusivity Policy
13. Integrity At Work Requirements
14. Blended Working Policy
15. PMDS; Management of Underperformance

Valuation (V)

1. VO Act 2001 (as amended by Tailte Éireann Act 2022)
2. Local Government Act 2001 Section 227
3. Valuation Practice Guidance Notes and Protocols

Surveying (S)

1. OSI Act, 2001 (as amended by Tailte Éireann Act 2022)
2. Boundary Survey Acts
3. Technical Architecture Development Policy
4. Practice Guidance Notes
5. Geospatial Data Quality Standards and Processes
6. ETOD Certification (Electronic Terrain and Obstacle)
7. Change Management Policy
8. Incident Management Policy
9. ISO9001:2015 Quality Management System – Airborne Capture, related Data Processing and support operations

Registration (R)

1. Registration of Deeds and Title Act 2006 (as amended by Tailte Éireann Act 2022)
2. Registration of Title Act 1964
3. Land Registration Rules
4. Property Registration Practice Directions, Legal Office Notices, Office Notices
5. Counter Fraud Policy
6. Anti-Money Laundering Policy
7. Acceptable ICT Usage Policy

Appendix D - Tailte Éireann Corporate Compliance Status

Compliance Status Report											
Compliance Obligation Code	A6	Compliance with:									
Senior Responsible Officer:											
Compliance Obligation(s):											
Specific Requirements:											
Who is the Auditor/Enforcer/Controller:											
How is compliance demonstrated:											
Who is involved:											
Is the Senior Responsible Officer satisfied their compliance obligations have been met?	<table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="width: 33%; background-color: #28a745; color: white;">Green</th> <th style="width: 33%; background-color: #ffc107;">Amber</th> <th style="width: 33%; background-color: #dc3545; color: white;">Red</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>Some Issues</td> <td>Significant Issues</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </tbody> </table>		Green	Amber	Red	Yes	Some Issues	Significant Issues	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Green	Amber	Red									
Yes	Some Issues	Significant Issues									
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>									
Describe any relevant outstanding compliance issue(s) identified in the column above:											
When was the last Audit?	<div style="border: 1px solid black; padding: 5px; text-align: center; margin-bottom: 5px;">Click here to enter a date.</div> <div style="border: 1px solid black; padding: 5px; text-align: center;">Not Applicable <input type="checkbox"/></div>										
Have all recommendations from that audit been implemented:	<table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="width: 33%; background-color: #28a745; color: white;">Yes</th> <th style="width: 33%; background-color: #dc3545; color: white;">No</th> <th style="width: 33%; background-color: #6c757d; color: white;">N/A</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </tbody> </table>		Yes	No	N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
Yes	No	N/A									
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>									

Note: Where a Senior Responsible Officer is aware of any other Issues/Non Compliances that currently exist outside of their designated Compliance obligations, it is their responsibility to ensure that these are also highlighted using the above template. Any omissions regarding Issues/Compliance are the sole responsibility of the respective declarants.