

# The Office of An Coimisinéir Teanga

## Publication Scheme under Section 8 of the Freedom of Information Act 2014

September 2018

## Table of contents

1. Introduction.....	4
2. Information concerning the Office of An Coimisinéir Teanga: Who we are and what we do.....	5
2.1. The Establishment of the Office of An Coimisinéir Teanga .....	5
2.2. Role, responsibilities and functions.....	5
2.3. Arrangements in relation to governance and management .....	5
2.4. The Office’s Strategy Statement .....	6
2.5. Annual Report .....	6
2.6. Organisation and grading structures .....	6
2.7. Organisation location and contact details.....	7
2.8. Customer Charter .....	8
2.9. Codes of Practice or Guidelines .....	8
3. The services we provide.....	12
3.1. Services provided to the public .....	12
3.2. Ways in which the services may be accessed.....	13
3.4. The cost, if any, of accessing the services .....	14
3.5. Administration of these services .....	14
3.6. Rights of review or appeal pertaining to those services.....	16
3.7. Research projects undertaken in relation to functions or services.....	16
4. Policy decisions.....	17
4.1. Major policy proposals including any public consultations.....	17
4.2. Background information in relation to major policy proposals and decisions .....	17
4.3. Reports on the operation of public services by the Office .....	17
5. Expenditure .....	18
5.1. Financial statements .....	18
5.2. Major capital expenditure plans.....	18
5.3. Payments or purchase orders for goods and services .....	18
5.4. Funding / sponsorship of non-public bodies .....	18
5.5. Prompt payment .....	19
6. How expenditure is made .....	20
6.1. Procurement policies .....	20
6.2. Link to current tender competitions on the eTenders web site.....	20
6.3. Public contracts awarded including the type of contract, the contractor, value, date of award, length and brief description (in table form) over €10K for IT and over €25K for other contracts.....	21
7. Other information .....	22
7.1. FoI Disclosure Log.....	22

<b>7.2. Reports.....</b>	<b>22</b>
<b>7.3. Information held by the Office and regularly requested.....</b>	<b>22</b>

## **1. Introduction**

The Office of An Coimisinéir Teanga is a partially included agency under the Freedom of Information Act 2014.

Section 8 of the Freedom of Information Act 2014 requires public bodies to prepare and publish a scheme concerning the publication or the making available of information and records held by the body and not falling within the scope of the Act in accordance with a model publication scheme and guidelines made by the Minister for Public Expenditure and Reform, provided that the publication or provision of such information is not prohibited by law.

The Act requires that in preparing, reviewing or revising a publication scheme, an FOI body shall have regard to the public interest in:

- (a) allowing public access to information held by the FOI body;
- (b) publishing reasons for decisions made by the FOI body; and
- (c) publishing information of relevance or interest to the general public in relation to its activities and functions generally.

## **2. Information concerning the Office of An Coimisinéir Teanga: Who we are and what we do**

### **2.1. The Establishment of the Office of An Coimisinéir Teanga**

The Office of An Coimisinéir Teanga was founded in 2004 as a result of the coming into effect of the Official Languages Act 2003. It is a statutory and independent office that functions both as an ombudsman service and as a compliance agency. The President of Ireland appoints An Coimisinéir Teanga, on the advice of the Government following a resolution passed by Dáil Éireann and Seanad Éireann recommending the appointment. The term of the Coimisinéir is for a period of 6 years, but s/he may be reappointed in the role. Seán Ó Cuirreáin was appointed as the first Coimisinéir Teanga on 23 February 2004 and was reappointed for a further period in 2010. On 23 February 2014 he resigned as Coimisinéir Teanga. Rónán Ó Domhnaill was appointed as the second Coimisinéir Teanga on 12 March 2014.

#### **2.1.1. Official Languages Act**

The President signed the Official Languages Act 2003 into law on 14 July 2003 and the provisions of the Act were implemented gradually over three years. This was the first time statutory provision was made for the provision of state services generally in Irish. The Official Languages Act 2003 aims to increase and improve the number and quality of services provided through Irish by public bodies to the public, in a planned manner, over time. The legislation aims to create a place and space for the language in the public life of the country.

Where reference is made to the “Act” in this publication scheme, it should be assumed that this refers to the Official Languages Act 2003, unless otherwise indicated.

### **2.2. Role, responsibilities and functions**

General information on the functions of An Coimisinéir Teanga is available on the Office website: <https://www.coimisineir.ie/rol-an-choimisineara-teanga?lang=EN>

### **2.3. Arrangements in relation to governance and management**

An Coimisinéir Teanga has overall responsibility for the proper administration of the Office in accordance with best practice and with the *Code of Practice for the Governance of State Bodies*.

#### **2.3.1. The Internal Audit and Risk Management Committee**

As part of the Office’s operational systems to ensure compliance with best practice and convention with regard to financial management, risk management and administrative processes, An Coimisinéir Teanga appoints an independent audit committee. The Audit Committee comprises three members – two external members and the Director of the

Office or another member of staff. The Audit Committee gives independent advice and recommendations with regard to the internal audit system. The committee functions as a support and resource for the Office of An Coimisinéir Teanga and advises An Coimisinéir Teanga on the administration and development of the internal audit system in accordance with a charter and terms of reference.

## **2.4. The Office's Strategy Statement**

A strategy statement is published in accordance with the Code of Practice for the Governance of State Bodies after a consultation process with interested parties. The Strategy is reviewed continuously during its three year duration.

The Office's Mission Statement and Strategy Statement 2016-2019 is available on the Office website: <https://www.coimisineir.ie/raitis-mhisin-straiteise?lang=EN>

### **2.4.1. Business Plan**

A Business Plan is prepared annually in order to implement the Strategy and to evaluate performance. The Business Plan is prepared and agreed upon through a formal consultative process with the Office staff at the beginning of the calendar year. The Business Plan details the activities undertaken to realise the objectives in the Strategic Plan. Targets for the year are set within specified timescales with key dates depending on staff and financial resources. Critical factors that may assist or obstruct the achievement of these targets are included as well as the performance indicators whereby performance is evaluated.

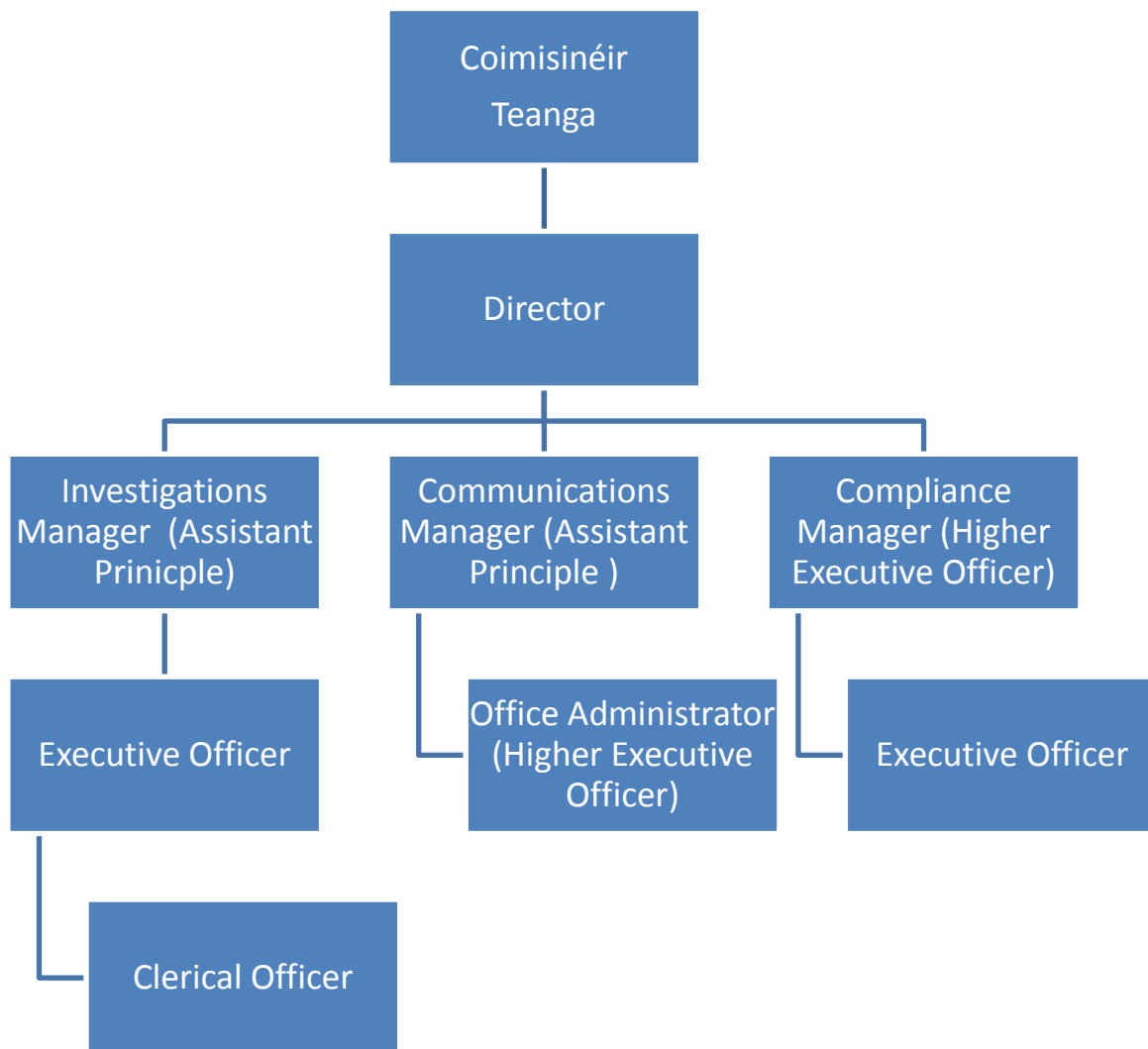
## **2.5. Annual Report**

An Annual Report on the workings of the Official Languages Act from the previous year is provided to the Minister for Culture, Heritage and the Gaeltacht to be laid before the House of Oireachtas. An Coimisinéir Teanga is statutorily obliged have this completed within the first six months of the year under Section 30 of the Act. The Office's Annual Reports are available on the Office web site: <https://www.coimisineir.ie/tuarascalacha-bliantula?lang=EN>

## **2.6. Organisation and grading structures**

### **2.6.1. The Office staff**

The members of staff of the Office of An Coimisinéir Teanga are civil servants seconded from the Department of Culture, Heritage and the Gaeltacht in accordance with Sections 7(1) and (2) of the Second Schedule to the Official Languages Act. The number of staff available for the Office is determined by the Minister for Culture, Heritage and the Gaeltacht. An Coimisinéir Teanga has eight members of staff; their functions and grades are set out in the diagram below.



### 2.6.2. Human resource services

The Department of Culture, Heritage and the Gaeltacht and Peoplepoint provide human resource services to the members of staff.

### 2.6.3. Payroll services

The Office's payroll services are provided by the Payroll Shared Service Centre of the Department of Public Expenditure and Reform on behalf of the Department of Culture, Heritage and the Gaeltacht. Travel and subsistence expense claims are also paid in this way. Department of Finance circulars concerning pay scales for civil servants are complied with.

## 2.7. Organisation location and contact details

The Office is located in An Spidéal in County Galway. Contact details are available on the Office's website: <https://www.coimisineir.ie/Teagmhala?lang=EN>

Contact details for the purposes of the Freedom of Information Act are available at: <https://www.coimisineir.ie/saorail-faisneise?lang=EN>

## **2.8. Customer Charter**

The Office of An Coimisinéir Teanga is committed to providing an efficient, professional and courteous service to all our customers. The Customer Charter sets out the standard of service that can be expected from our Office.

The Customer Charter and contact details if dissatisfied with the service received are available at:

<https://www.coimisineir.ie/caighdean-seirbhise-do-chustaimeri?lang=EN>

## **2.9. Codes of Practice or Guidelines**

### **2.9.1. The Civil Service Code of Standards and Behaviour**

The Civil Service Code of Standards and Behaviour is concerned with the delivery of services of the highest standard by civil servants, appropriate behaviour and the highest standards of integrity in the course of their duties. As the Office has both ombudsman and compliance responsibilities, the highest standards of equity, integrity, courtesy, discretion and confidentiality are expected in the Office of An Coimisinéir Teanga.

As the Office is staffed by civil servants from the Department of Culture, Heritage and the Gaeltacht, each newly-appointed officer is given a copy of the Code of Standards (**Circular 26/4**) and is required by the Personnel Section of the Department to sign the attached docket confirming that they have read and taken note of the contents of the Circular and the Code.

### **2.9.2. Official and statutory secrets**

Under Section 4 of the Official Secrets Acts 1963, civil servants are legally obliged to preserve the secrecy and integrity of information which comes to their knowledge in the course of their official duties. This obligation is reaffirmed in Section 7 of the Code of Standards. Every officer is provided with a copy of **Circular 15/79** (detailing the obligations of civil servants with regard to secrecy) by the Personnel Section of the Department of Culture, Heritage and the Gaeltacht and every officer is obliged to sign a declaration that the circular has been read and understood.

No civil servant (including retired civil servants or those on career break) may disclose inappropriately any information which comes to their knowledge in the course of their official duties (unless required to provide information under the Freedom of Information Act or has the authority to do so on some other basis).

In addition to the general responsibility under the Official Secrets Act, officers of the Office of An Coimisinéir Teanga are specifically required under Section 25 of the Official Languages Act not to disclose any information or record which comes to their knowledge in the course of their official duties except for the purpose of the exercise of statutory functions under the Act.



### **2.9.3. Ethics in Public Office Acts 1995 & 2001**

Under the Ethics in Public Office Acts 1995 & 2001, holders of certain designated posts in the public service are required to disclose interests.

The procedure in this Office is that all officers at Higher Executive Officer level or higher are required to make a written declaration annually that they are not aware of any interests (as defined in the Ethics in Public Office Acts) of their own, of their partners or of their children which could materially influence the person in, or in relation to, the performance of the person's official functions. Where the officer is aware of such an interest, a written report must be submitted to An Coimisinéir Teanga. The staff's written declarations are retained by An Coimisinéir Teanga.

### **2.9.4. Confidential disclosure (whistle-blowing)**

An Coimisinéir Teanga and all members of staff in the Office are required to ensure that the policies and administrative practices specified in the Code of Practice for the Governance of State Bodies 2016 and in the Protected Disclosures Act 2014 are adhered to.

If a member of Staff becomes concerned:

- (1) that irregularities may have occurred in financial reporting and related matters, and
- (2) that inadequate attention was paid to the issue when he/she drew the matter to the attention of the Office management, or
- (3) that it may be detrimental to him/her to disclose this irregularity to the Office management,

the member of staff may disclose their concerns about such irregularities to the Office's Internal Auditor or to such other person as provided for in the Office policy under the Protected Disclosures Act. This communication will be completely confidential: neither An Coimisinéir Teanga nor the Office management will request the Internal Auditor to identify the informant nor will this identity be disclosed to An Coimisinéir, to any other member of staff or to any other party by the Internal Auditor.

The Internal Auditor is authorised to carry out any investigation necessary on foot of this information. If the Auditor determines that the alleged irregularities do exist, he /she will submit a report in this regard to An Coimisinéir Teanga which will include recommendations to address the irregularities in question within a timeframe specified in the report.

If the Auditor determines that his/her report to An Coimisinéir Teanga has received insufficient attention, he/she shall refer the matter to the Office's Internal Audit Committee.

#### **2.9.5. Policy in relation to travel; travel and subsistence expenses**

The statutory responsibilities of the Office require that officers travel for business purposes (meetings, information sessions, public events etc.) throughout the country and, occasionally, abroad. As civil servants, officials must adhere to the guidelines and conditions set out in the relevant circulars when travelling or when approving an official trip as managers (Circular 11.82 being the most important of these). A travel and subsistence allowance is paid in line with the rates set out from time to time for the Civil Service.

#### **2.9.6. Assurance in relation to the Office's tax compliance**

It is Office policy to ensure the Office is always tax compliant.

#### **2.9.7. Regulations concerning the re-use of public sector information**

The Office complies with the Regulations [*European Communities (Re-Use of Public Sector Information) Regulations 2005 I.R No. 279 of 2005*] concerning the re-use of public sector information and the Office recommends the re-use of the information generated.

Information on this matter is provided on the Office's web site:

<https://www.coimisineir.ie/athusaid-faisneise-on-earnail-phoibli?lang=EN>

#### **2.9.8. Circulars relating to information technology expenditure**

This Office complies with the circulars concerning information technology expenditure. Reports relating to expenditure in this area are provided to the Department of Finance as required on an annual basis.

#### **2.9.9. Data Protection Acts 1998 & 2003 and the GDPR**

The Office complies with the Data Protection Acts 1998 & 2003 and with the General Data Protection Regulation. Data relating to the Office's interested parties, especially complainants, is retained securely on the Office's hard files and electronic files. As an ombudsman office, the Office keeps complainants' details confidential when dealing with public bodies except where the complainants' details need to be provided in order to resolve the complaint. If this is required, the permission of the complainant is sought beforehand.

#### **2.9.10. Disability Act 2005**

The Office has appointed an Accessibility Officer in accordance with subsection 26(2) of the Disability Act 2005. The Accessibility Officer is responsible for assisting and guiding disabled persons in seeking to access the Office's services.

In accordance with Section 38 of the Disability Act 2005, a person may make a complaint to the Office if s/he believes that the Office is not in compliance with this Act. The Office has appointed an Investigations Officer to investigate complaints under Section 38. Information

on this matter is provided on the Office's web site at:

<https://www.coimisineir.ie/Inrochtaineacht?lang=EN>

#### **2.9.11. The Office's Health & Safety Statement**

The Office complies with health and safety legislation. A Health and Safety Statement is prepared in line with the provisions of the Safety, Health and Welfare at Work Act 2005, and is reviewed regularly.

#### **2.9.12. Civil Service Disciplinary Code**

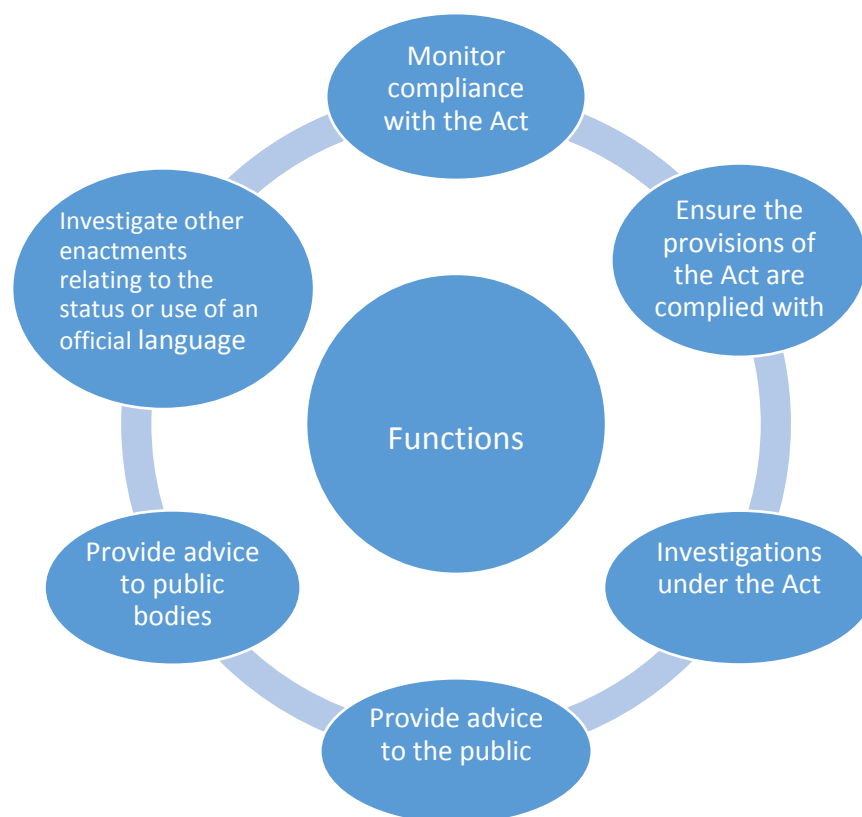
The Office conforms with the Civil Service Disciplinary Code. ([Circular 14/2006](#))

### 3. The services we provide

#### 3.1. Services provided to the public

The main services provided by An Coimisinéir Teanga to the public or on behalf of the public are set out in Section 21 of the Official Languages Act.

- Monitor compliance by public bodies with the provisions of the Official Languages Act and to take all necessary measures to ensure performance of their obligations under the Act by public bodies.
- Carry out investigations, whether on his or her own initiative, on request by the Minister for Culture, Heritage and the Gaeltacht or pursuant to a complaint made to him or her by any person into any failure considered to have occurred by a public body to carry out its obligations under the Official Languages Act. An Coimisinéir Teanga also has the right to carry out an investigation into any valid complaint where it is alleged that any provision of any other enactment relating to the status or use of the Irish language is not being complied with.
- Provide advice to the public regarding their language rights under the Official Languages Act.
- Provide advice to public bodies regarding their language obligations under the Act.



### **3.2. Ways in which the services may be accessed**

The public or public bodies may contact this Office by visiting (during normal office hours), in writing or by telephone. Contact details are available on the Office's web site at <https://www.coimisineir.ie/Teagmhala?lang=EN>

In addition, an interactive service for making a complaint is available on the web site at <https://www.coimisineir.ie/gearain?lang=EN>

A guidebook is available containing additional information in relation to the Official Languages Act, the functioning of the Act and especially the language obligations of public bodies and the language rights of individuals under the legislation, at <https://www.coimisineir.ie/userfiles/files/Guidebook4.pdf>

Information concerning the language obligations relating to road signs under the Road Traffic Acts and a complaint form are available at <https://www.coimisineir.ie/comharthai-trachta?lang=EN>

### **3.3. Information concerning the statutory activities and responsibilities of An Coimisinéir Teanga**

The Office of An Coimisinéir Teanga is a partially exempt public body under Section 3 of the [Freedom of Information Act \(Exempt Public Bodies Order\) 2015](#). This means that certain records concerning its statutory activities and responsibilities aren't within the scope of the Freedom of Information Act.

These records relate to the main statutory functions of An Coimisinéir Teanga under Section 21 of the Official Languages Act 2003.

- Records relating to investigations and audits of public bodies and other measures carried out to ensure compliance.
- The information received by the Office in relation to advice given to members of the public on their language rights under the Official Languages Act or in relation to advice given to public bodies in relation to their statutory obligations under the Official Languages Act.

In addition, Section 41(1) of the Freedom of Information Act stipulates that a request for information must be refused where the disclosure of such information is prohibited under any other enactment. Regarding the Office of An Coimisinéir Teanga, Section 25 of the Official Languages Act stipulates that any information obtained by An Coimisinéir (or his or her officers) in the course of the exercise by him or her of his or her functions under the Act

shall not be disclosed except for the purposes of such exercise and of any statement, report or notification to be made under that Act. The Office of An Coimisinéir Teanga holds certain records which are not subject to the Freedom of Information Act.

### **3.4. The cost, if any, of accessing the services**

All of the Office's services are free of charge.

### **3.5. Administration of these services**

#### **3.5.1. Monitoring**

The functions of the Office of An Coimisinéir Teanga include the monitoring of the way in which public bodies perform their statutory duties under the Official Languages Act. The primary objective of this monitoring work is to ensure, as far as possible, that public bodies comply with their obligations in relation to the use of the official languages.

The usual practice is that an annual audit plan is prepared encompassing three monitoring areas:

- I. Monitoring of the implementation of language schemes.
- II. Auditing of the compliance with certain language obligations under the Act by public bodies or a class of public bodies.
- III. Monitoring of the implementation of recommendations arising from investigations.

#### **I. Monitoring of language schemes**

The language scheme system is an integral part of the Act since this is the primary mechanism available to place a statutory obligation on public bodies to provide additional services through Irish. The Minister for Culture, Heritage and the Gaeltacht agrees language schemes with public bodies and the Office of An Coimisinéir Teanga has no involvement in this process. The Office is responsible, however, for monitoring how the public bodies implement the language schemes.

It is recommended in the [Heads of the Official Languages \(Amendment\) Bill 2017](#) that a standards system would replace the language schemes system. This follows recommendations made in a Report issued by An Coimisinéir Teanga in April 2017 in regard to the effectiveness of the language schemes system.

It has been decided that monitoring will be carried out on different themes of language schemes in future, as opposed to the monitoring of whole schemes which was carried out to date. It could be that subjects such as websites, online services, forms, counter services and such like would be included as audit themes.

#### **II. Auditing of the compliance with certain language obligations under the Act by the public bodies or a class of public bodies.**

Depending on the nature of the obligation or audit, this may entail a range of actions as may be appropriate to the particular case including correspondence with public bodies, site visits and examination of relevant evidence.

Regarding I and II above, if An Coimisinéir Teanga forms the opinion that a public body has failed to comply with a statutory language obligation and that an agreement with the public body could not be reached in respect of such compliance, he or she may, on his or her own discretion, initiate an investigation under Section 21(c) of the Act.

### **III. Monitoring of the implementation of recommendations arising from an investigation**

Where An Coimisinéir Teanga conducts an investigation under Section 21(c) or (f) of the Official Languages Act and makes recommendations in the report of the investigation, he or she may carry out monitoring to ensure that those recommendations have been implemented.

A letter is usually issued to the Chief Executive of the public body and specific questions are posed. He or she is asked whether the recommendations in their entirety have been implemented or to explain the current stage of implementation. The public body may, depending on the case, be asked to provide evidence which would support any assurance given.

The issue is then reviewed and all necessary measures are carried out to ascertain the truth of the current situation to An Coimisinéir Teanga's satisfaction.

Where An Coimisinéir Teanga forms the opinion that the recommendations haven't been implemented, after "a reasonable time", he or she can make a report thereon to the Houses of the Oireachtas, under Section 26(5) of the Act, informing them that the public body is neglecting to implement the relevant recommendations of the investigation.

#### **3.5.2. Complaints and investigations**

When a member of the public makes a complaint to An Coimisinéir Teanga, this Office usually carries out informal preliminary inquiries as a first step in the investigative process. The public body is given an opportunity during the preliminary inquiries to present to the Office any information, factors or circumstances it thinks relevant. The public body is also afforded the opportunity to propose a resolution where it is agreed that the statutory language obligation has been contravened. In light of the results of the above-mentioned preliminary inquiries, An Coimisinéir Teanga decides whether or not it's necessary to pursue the process and to initiate a formal investigation as he or she is authorised to do under subsection 21(c) of the Act, or whether the process can be ended at that point.

Where An Coimisinéir Teanga believes that a statutory contravention has or may have occurred and where the informal process has not succeeded, he or she may, on his or her own initiative, commence an investigation under Section 21(c) or (f) of the Act. Sections 23-26 of the Act set out the way in which an investigation is launched and in which a report on findings and recommendations in the report is made.

The way in which informal preliminary complaint inquiries and investigations are handled is outlined in an information leaflet available on the web site at <https://www.coimisineir.ie/gearain-imscruidithe?lang=EN>

### **3.5.3. Advice to the public and to public bodies**

The functions of An Coimisinéir Teanga include:

- to provide advice to the public regarding their rights under the Official Languages Act, and
- to provide advice to public bodies regarding their language obligations under the Act.

Advice is mainly given in the following ways:

- (i) Advice is provided, either in writing or verbally, at the request of the public or of staff members of public bodies. The normal contact details may be used in this regard (see paragraph 3.2 above).
- (ii) The Office has published a guidebook on the Act <https://www.coimisineir.ie/userfiles/files/Guidebook4.pdf>

Answers to frequent questions are available on the Office's web site <https://www.coimisineir.ie/ceisteanna-coitianta?lang=EN>

- (iii) The Office takes steps to pro-actively publicise rights and obligations under the Act by holding information seminars and publicity campaigns concerning specific aspects of the Act where a need for such actions is identified.

### **3.6. Rights of review or appeal pertaining to those services**

Under Section 28 of the Act, a party to an investigation under this Act or any other person affected by the findings and recommendations of An Coimisinéir Teanga may appeal the decision to the High Court on a point of law. The appeal has to be initiated not later than 4 weeks after notice of the relevant findings and recommendations is given to the person bringing the appeal.

### **3.7. Research projects undertaken in relation to functions or services**

This Office has not initiated any research projects nor has any research project been initiated on its behalf to date.



## 4. Policy decisions

### 4.1. Major policy proposals including any public consultations

The Department of Culture, Heritage and the Gaeltacht is primarily responsible for the State's policy in relation to the promotion of the Irish language and the Gaeltacht, in accordance with that Department's mandate.

The statutory functions and obligations of An Coimisinéir Teanga are prescribed in the Official Languages Act and they relate exclusively to the implementation of certain provisions of that Act. They do not include decisions relating to policy. Section 29 of the Act provides that An Coimisinéir Teanga may make commentaries on the practical application and operation of the provisions, or any particular provision, of the Act.

The 20 Year Strategy for the Irish Language is the State's principal policy concerning the promotion of the use of Irish and the Department has a central role in coordinating the Strategy's implementation: <http://www.chg.gov.ie/app/uploads/2015/07/20-Year-Strategy-English-version.pdf>

The role of the Official Languages Act is reaffirmed as one aspect of the Strategy, especially in relation to Objective 2 concerning the development of the rights of the public in using Irish in their dealings with the State.

### 4.2. Background information in relation to major policy proposals and decisions

- i. In July 2008, An Coimisinéir Teanga accepted an invitation from the advisory group appointed to work on the preparation of the 20 Year Strategy for the Irish Language to present a discussion paper to the group.  
<https://www.coimisineir.ie/userfiles/files/STRATEGY.pdf>
- ii. In 2011, An Coimisinéir Teanga published a report on the practical function and application of the provisions of the Act under Section 29 in the context of the review of the Act conducted by the Department of Culture, Heritage and the Gaeltacht. This report is available on the Office's web site at  
[https://www.coimisineir.ie/userfiles/files/REVIEWOFTHEOFFICIALLANGUAGESACT\\_OfficeofAnCoimisineirTeanga.pdf](https://www.coimisineir.ie/userfiles/files/REVIEWOFTHEOFFICIALLANGUAGESACT_OfficeofAnCoimisineirTeanga.pdf)
- iii. In 2017, An Coimisinéir Teanga published a commentary on the Language Scheme System under Section 29 of the Act. This report is available on the Office's web site at  
<https://www.coimisineir.ie/userfiles/files/Trachtaireacht-Leagan-Bearla.pdf>

### 4.3. Reports on the operation of public services by the Office

A report on the operation of the Office's services is made each year in the Annual Report.

## 5. Expenditure

An Coimisinéir is required under Section 8(1) of the Second Schedule to the Official Languages Act to keep all proper and usual accounts of all moneys received or expended by him or her. This requirement encompasses the responsibility to ensure that an effective system is in place and implemented in relation to internal control with reasonable certainty that the assets are secure, that policies are authorised and properly recorded, and that the risk of significant errors or irregularities is reduced or identified in good time.

Systems are in place in the Office of An Coimisinéir Teanga in relation to internal financial control to ensure reasonable certainty that the assets are secure, that policies are authorised and properly recorded, and that the risk of significant errors or irregularities is reduced or identified in good time.

In addition, it is Office policy that a high quality internal audit system is in place conforming to the best practise statutorily identified in this regard in the Public Service. The Office has a qualified internal auditor who visits regularly to audit the Office's financial accounts. The internal auditor presents reports to the Audit Committee in relation to the results of the examinations carried out.

An Coimisinéir Teanga provides a Statement concerning the Internal Financial Control of the Office in the Annual Financial Statement presented to the Comptroller and Auditor General.

### 5.1. Financial statements

The annual financial statements concerning the Office's expenditure are presented to the Comptroller and Auditor General and later to the Minister for Culture, Heritage and the Gaeltacht to be laid before the Houses of the Oireachtas. An Coimisinéir Teanga is statutorily obliged to do this under Section 8 of the Second Schedule to the Official Languages Act. Copies of the Office's financial statements published hitherto may be downloaded from the Office's web site at <https://www.coimisineir.ie/tuarascalacha-airgeadais?lang=EN>

### 5.2. Major capital expenditure plans

The Office has no major plans at present in relation to capital expenditure.

### 5.3. Payments or purchase orders for goods and services

No payments or purchase orders were made to date for goods and services over €20,000. Two contracts with a value of over €20,000 were awarded through the tender procedure – see the table at section 6.3.

### 5.4. Funding / sponsorship of non-public bodies

There was no sponsorship over €10,000 of any non-public group or organisation.

## **5.5. Prompt payment**

The policy of the Office of An Coimisinéir Teanga is to pay suppliers promptly and in accordance with statutory provisions of the Prompt Payment of Accounts Act 1997 (as amended by the European Communities (Late Payment in Commercial Transactions) Regulations 2002) and relevant Government decisions.

The above-mentioned legislation provides that valid invoices must be paid within 30 days of the date they are received.

In accordance with Government decisions made on 2 and 8 March 2011 (S29296), public bodies are required to have appropriate systems in place to ensure that valid invoices are paid within 15 days from the date they are received. Public bodies are also required to publish a quarterly report on this matter on their web sites.

<https://www.coimisineir.ie/tuarascalacha-airgeadais?lang=EN>

Where an invoice is not payable due to omission or inaccuracy, this is communicated to the supplier within 10 days from the date the invoice is received.

## 6. How expenditure is made

### 6.1. Procurement policies

It is ensured that the Office complies with provisions regarding public procurement and current value thresholds in relation to implementation of European Union rules and national rules on procurement.

The Office of Government Procurement ([www.ogp.gov.ie](http://www.ogp.gov.ie)) provides a centralised procurement service to State Departments and Organisations in relation to a wide range of printed materials, stationery, office supplies and other services. From 1 September 2012, public bodies must make full use of the services and procurements falling within the scope of the contracts awarded by the National Procurement Service wherever possible.

In the case of provisions or services not covered by the National Procurement Service, the normal practise of this Office is to follow a competitive tendering process when purchasing a service or provisions in accordance with the current Department of Finance guidelines ([OGP Procurement Guidelines](#)) and with directions and circulars issued from time to time by the Department ([www.etenders.gov.ie](http://www.etenders.gov.ie)).

The following is the general practice followed by the Office at present in relation to value thresholds:

- **Sums not exceeding €5,000:** The process must be authorised by an officer at Higher Executive Officer grade or higher. One or more tender may be sought verbally. At least 3 written tenders are sought, however, wherever this is practicable.
- **Sums between €5,001 and €24,999:** The process must be authorised by an officer at Assistant Principal Officer grade or higher. At least 3 written tenders are sought.
- **Sums of €25,000 or more:** The process must be authorised by an officer at Principle Officer grade or higher. The contract is advertised on the [www.etenders.gov.ie](http://www.etenders.gov.ie) web site in accordance with Circular S9/24/07.

Except for services provided through the National Procurement Service, this Office requests tax clearance certificates from third party suppliers

(i) to whom a contract is awarded as result of a competitive tendering process,

and

(ii) in any case where more than €10,000 is paid to a third party supplier over any 12 month period.

### 6.2. Link to current tender competitions on the eTenders web site

The Office has no tender competition at present on the eTenders web site.

**6.3. Public contracts awarded including the type of contract, the contractor, value, date of award, length and brief description (in table form) over €10K for IT and over €25K for other contracts.**

<b>Uimhir Number</b>	<b>Conradh Aonair nó Creata? Single Contract or Framework?</b>	<b>Conraitheoir Contractor</b>	<b>Luach Value</b>	<b>Cineál Conartha Type of Contact</b>	<b>Dáta Bronnta Award Date</b>	<b>Fad an Chonartha i Míonna Length in Months</b>	<b>Cineál Seirbhíse Type of Service</b>
T8-2016	Aonair Single	myITdeparmtent.ie Hazelbrook, Athleague, Roscommon F24E516	€33,461	Seirbhís Service	29/02/2016	36	Seirbhís Tacaíochta Ríomhairí Computer Support Service
T2(i)-2016	Aonair Single	Ilikecake Limited 124 Kennelsfort Road Palmerstown Dublin 20	€15,183	Seirbhís Service	10/10/2016	Tionscnamh Project	Athdhearadh Suímh Gréasáin Redesign Website
T9-2017	Aonair Single	Mikey Ó Flatharta 12 Sruthán na Teorann An Cheathrú Rua Co na Gaillimhe	€28,375	Earraí Goods	10/08/2017	Tionscnamh Project	Físeán Corparáideach Corporate Video

## 7. Other information

### 7.1. FoI Disclosure Log

A record of each request concerning non-personal information received by The Office of An Coimisinéir Teanga under the Freedom of Information Act from 14 April 2015 (the date the Act came into effect) is published on the Office's web site. The table of records is updated regularly.

<https://www.coimisineir.ie/saorail-faisneise?lang=EN>

### 7.2. Reports

The Office publishes the following reports and they are available on the Office's web site:

- **Annual Reports** (see also paragraph 2.5 above):  
<https://www.coimisineir.ie/tuarascalacha-bliantula?lang=EN>
- **Financial Reports** (see also paragraph 5.1 above):  
<https://www.coimisineir.ie/tuarascalacha-airgeadais?lang=EN>
- **Reports on Findings of Investigations under Section 26 of the Act** (see also paragraph 3.4.2 above). Summaries available:  
<https://www.coimisineir.ie/imscruidithe?lang=EN>
- **Reports to the Houses of the Oireachtas under Section 26(5) of the Act** (see also paragraph 3.4.1 above).  
<https://www.coimisineir.ie/tuarascalacha-eile?lang=EN>
- **Reports under Section 29 of the Act**  
Commentary on the Implementation of the Act (see paragraph 4.2 above)  
[https://www.coimisineir.ie/userfiles/files/REVIEWOFTHEOFFICIALLANGUAGESACT\\_OfficeofAnCoimisineirTeanga.pdf](https://www.coimisineir.ie/userfiles/files/REVIEWOFTHEOFFICIALLANGUAGESACT_OfficeofAnCoimisineirTeanga.pdf)  
Commentary on the Language Scheme System (see paragraph 4.2 above)  
<https://www.coimisineir.ie/userfiles/files/Trachtaireacht-Leagan-Bearla.pdf>

### 7.3. Information held by the Office and regularly requested

- **Keynote speeches of An Coimisinéir Teanga**  
<https://www.coimisineir.ie/oraidi-an-choimisineara-teanga?lang=EN>
- It is the policy of An Coimisinéir Teanga to publish at the end of each quarter information concerning any repayment of travel and subsistence made to him:  
<https://www.coimisineir.ie/tuarascalacha-airgeadais?lang=EN>