# **Appropriation Account 2024**

Vote 19

Office of the Ombudsman

## Introduction

As Accounting Officer for Vote 19, I am required each year to prepare the appropriation account for the Vote, and to submit the account to the Comptroller and Auditor General for audit.

In accordance with this requirement, I have prepared the attached account of the amount expended in the year ended 31 December 2024 for the salaries and expenses of the Office of the Ombudsman, the Office of the Commission for Public Service Appointments, the Office of the Protected Disclosures Commissioner, the Standards in Public Office Commission, the Office of the Information Commissioner and the Office of the Commissioner for Environmental Information.

The expenditure outturn is compared with the sums granted by Dáil Éireann under the Appropriation Act 2024, including the amount that could be used as appropriations-in-aid of expenditure for the year.

A surplus of €1.204 million is liable for surrender to the Exchequer.

The statement of accounting policies and principles and notes 1 to 6 form part of the account.

## Statement of accounting policies and principles

The standard accounting policies and principles for the production of appropriation accounts, as set out by the Department of Public Expenditure, National Development Plan Delivery and Reform in circular 20 of 2024 have been applied in the preparation of the account. This includes the application of a number of Central Government Accounting Standards (CGAS) brought into effect from 1 January 2024.

#### Depreciation of capital assets

Depreciation of property, plant and equipment and amortisation of intangible assets are calculated and charged in accordance with CGAS 17 and CGAS 31 respectively.

The useful lives and associated rates of depreciation/amortisation for major classes of capital assets are as follows.

o o o i ai i mo	Rate of depreciation/ amortisation
5 years	20%
icence term (3 years)	33%
5 years	20%
	Licence term (3 years)

## Statement on internal financial control

### Responsibility for system of internal financial control

As Accounting Officer, I acknowledge my responsibility for ensuring that an effective system of internal financial control is maintained and operated by the Office of the Ombudsman.

This responsibility is exercised in the context of the resources available to me and my other obligations as Director General.

Also, any system of internal financial control can provide only reasonable and not absolute assurance that assets are safeguarded, transactions authorised and properly recorded, and that material errors or irregularities are either prevented or would be detected in a timely manner. Maintaining the system of internal financial controls is a continuous process and the system and its effectiveness are kept under ongoing review.

#### Shared services

I have fulfilled my responsibilities in relation to the requirements of the service management agreement between this Office and the National Shared Services Office (NSSO) for the provision of HR, finance and payroll shared service.

I rely on a letter of assurance from the Accounting Officer of the NSSO that the appropriate controls are exercised in the provision of shared services, including financial shared services, to this Office.

#### Financial control environment

A control environment comprising the following elements is in place.

- Financial responsibilities have been assigned at management level with corresponding accountability.
- Reporting arrangements have been established at all levels where responsibility for financial management has been assigned.
- Formal procedures have been established for reporting significant control failures and ensuring appropriate corrective action.
- There is an Audit Committee to advise me in discharging my responsibilities for the internal financial control system.
- Procedures for key business processes have been documented.
- There are systems in place to safeguard the assets.

## Administrative controls and management reporting

A framework of administrative procedures and regular management reporting is in place, including segregation of duties and a system of delegation and accountability.

- There is an appropriate budgeting system with an annual budget which is kept under review by senior management.
- There are regular reviews by senior management of periodic and annual financial reports which indicate financial performance against forecasts.
- A risk management system operates within the Office.
- There are systems aimed at ensuring the security of the ICT systems.

#### Internal audit and Audit Committee

The Office has an internal audit function which is externally outsourced, with appropriately trained personnel. The internal audit unit operates under a charter which was approved in March 2024. Its work is informed by analysis of the financial risks to which the Office is exposed and its annual internal audit plans, approved by me, are based on this analysis. These plans aim to cover the key controls on a rolling basis over a reasonable period. I have put procedures in place to ensure that the reports of the internal audit function are followed up.

#### **Procurement**

The Office ensures that there is an appropriate focus on good procurement practice in the award of all contracts and that procedures are in place to ensure compliance with all relevant guidelines.

The Office has provided details of three non-competitive contracts in excess of €25,000 in the annual return in respect of Circular 40/2002 to the Department of Public Expenditure, National Development Plan Delivery and Reform.

Non-compliance with procurement rules

The Office complied with the guidelines with the exception of one contract in excess of €25,000 (exclusive of VAT). The contract, with a value of €31,500 (exclusive of VAT), was in respect of legal services on a judicial review challenge against the Standards in Public Office Commission (SIPO). The Office had engaged in a tendering process which put a suitably qualified panel of counsel in place. The appointment was outside the Office's legal services panel. The judicial review litigation in question has been finalised and all payments have now issued. The total expenditure under this contract was €59,250 (exclusive of VAT). The Office continues to raise awareness of appropriate procurement channels and processes in order to avoid reoccurrence.

#### Risk and control framework

The Office has implemented a risk management system which identifies and reports key risks and the management actions being taken to address and, to the extent possible, to mitigate those risks.

A risk register is in place which identifies the key risks facing the Office and these have been identified, evaluated and graded according to their significance. The register is reviewed and updated by the Management Team on a quarterly basis. The outcome of these assessments is used to plan and allocate resources to ensure risks are managed to an acceptable level.

The risk register details the controls and actions needed to mitigate risks and assigns responsibility for operation of controls assigned to specific staff.

### Ongoing monitoring and review

Formal procedures have been established for monitoring control processes and control deficiencies are communicated to those responsible for taking corrective action and to management and the Management Team, where relevant, in a timely way. I confirm that key risks and related controls have been identified and processes have been put in place to monitor the operation of those key controls and report any identified deficiencies

#### Review of effectiveness

The Office has procedures to monitor the effectiveness of its risk management and control procedures. The Office's monitoring and review of the effectiveness of the system of internal financial control is informed by the work of the internal and external auditors and the senior management within the Office responsible for the development and maintenance of the internal financial control framework.

#### Internal financial control issues

No weakness in internal financial control were identified in relation to 2024 that require disclosure in the appropriation account.

Elaine Cassidy

Accounting Officer
Office of the Ombudsman

11 March 2025

# Comptroller and Auditor General Report for presentation to Dáil Éireann

# Vote 19 Office of the Ombudsman Opinion on the appropriation account

I have audited the appropriation account for Vote 19 Office of the Ombudsman for the year ended 31 December 2024 under section 3 of the Comptroller and Auditor General (Amendment) Act 1993.

In my opinion, the appropriation account

- properly presents the receipts and expenditure of Vote 19 Office of the Ombudsman for the year ended 31 December 2024, and
- has been prepared in the form prescribed by the Minister for Public Expenditure,
   Infrastructure, Public Service Reform and Digitalisation.

#### Basis of opinion

I conducted my audit of the appropriation account in accordance with the International Standards on Auditing (ISAs) as promulgated by the International Organisation of Supreme Audit Institutions. My responsibilities under those standards are described in the appendix to this report. I am independent of the Office of the Ombudsman and have fulfilled my other ethical responsibilities in accordance with the standards.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

# Report on the statement on internal financial control, and on other matters

The Accounting Officer has presented a statement on internal financial control together with the appropriation account. My responsibilities to report in relation to the information in the statement, and on certain other matters upon which I report by exception, are described in the appendix to this report.

I have nothing to report in that regard.

Seamus McCarthy
Comptroller and Auditor General

22 August 2025

## Appendix to the report of the Comptroller and Auditor General

### **Responsibilities of the Accounting Officer**

The Accounting Officer is responsible for

- the preparation of the appropriation account in accordance with section 22 of the Exchequer and Audit Departments Act 1866
- ensuring the appropriation account complies with the requirements of the Department
  of Public Expenditure, Infrastructure, Public Service Reform and Digitalisation's Public
  Financial Procedures, and with other directions of the Minister for Public Expenditure,
  Infrastructure, Public Service Reform and Digitalisation
- · ensuring the regularity of transactions, and
- implementing such internal control as the Accounting Officer determines is necessary to enable the preparation of the appropriation account free from material misstatement, whether due to fraud or error.

## Responsibilities of the Comptroller and Auditor General

I am required under section 3 of the Comptroller and Auditor General (Amendment) Act 1993 to audit the appropriation account and to report thereon to Dáil Éireann stating whether, in my opinion, the account properly presents the receipts and expenditure related to the vote.

My objective in carrying out the audit is to obtain reasonable assurance about whether the appropriation account is free from material misstatement due to fraud or error. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the appropriation account.

As part of an audit in accordance with the ISAs, I exercise professional judgment and maintain professional scepticism throughout the audit. In doing so,

- I identify and assess the risks of material misstatement of the appropriation account
  whether due to fraud or error; design and perform audit procedures responsive to those
  risks; and obtain audit evidence that is sufficient and appropriate to provide a basis for
  my opinion. The risk of not detecting a material misstatement resulting from fraud is
  higher than for one resulting from error, as fraud may involve collusion, forgery,
  intentional omissions, misrepresentations, or the override of internal control.
- I obtain an understanding of internal control relevant to the audit in order to design audit
  procedures that are appropriate in the circumstances, but not for the purpose of
  expressing an opinion on the effectiveness of the internal controls.
- I assess whether the accounting provisions of the Department of Public Expenditure, Infrastructure, Public Service Reform and Digitalisation's *Public Financial Procedures* have been complied with.

I communicate with the Accounting Officer regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

I report by exception if, in my opinion,

- I have not received all the information and explanations I required for my audit, or
- the accounting records were not sufficient to permit the appropriation account to be readily and properly audited, or
- the appropriation account is not in agreement with the accounting records.

#### Appendix to the report of the Comptroller and Auditor General (continued)

#### Reporting on the statement on internal financial control

My opinion on the appropriation account does not cover the Accounting Officer's statement on internal financial control, and I do not express any form of assurance conclusion thereon.

In connection with my audit of the appropriation account, I am required under the ISAs to read the statement on internal financial control and, in doing so, consider whether the information contained therein is materially inconsistent with the appropriation account or with knowledge obtained during the audit, or if it otherwise appears to be materially misstated. If, based on the work I have performed, I conclude that there is a material misstatement, I am required to report that fact.

## Reporting on other matters

I seek to obtain evidence about the regularity of financial transactions in the course of audit. I am required to report under section 3 of the Comptroller and Auditor General (Amendment) Act 1993 if I identify any material instance where public money has not been applied for the purposes intended or where transactions did not conform to the authorities governing them.

I am also required under the 1993 Act to prepare, in each year, a report on such matters arising from my audits of the appropriation accounts as I consider appropriate. In such cases, the audit reports on the relevant appropriation accounts refer to the relevant chapter(s) in my annual *Report on the Accounts of the Public Services*.

# **Vote 19 Office of the Ombudsman**

Appropriation Account 202	24			
			2024	2023
	Estimate p	rovision	Outturn	Outturn
	€000	€000	€000	€000
Programme expenditure				
A Ombudsman function/ Office of the Commission for Public Service Appointments/Office of the Protected Disclosures Commissioner				
Original	9,716			
Supplementary	(505)			
		9,211	8,522	7,931
B Standards in Public Office Commission				
Original	1,770			
Supplementary	229			
C Office of the Information Commissioner/Office of the Commissioner for Environmental Information		1,999	1,785	1,537
Original	3,495			
Supplementary	277			
	<del>-</del>	3,772	3,510	3,260
Gross expenditure				
Original	14,981			
Supplementary	1			
Darkert		14,982	13,817	12,728
Deduct  D Appropriations-in-aid		486	525	523
D Appropriations-in-aid	=	400	<u> </u>	323
Net expenditure				
Original	14,495			
Supplementary	1			
	_	14,496	13,292	12,205

# Surplus

The surplus of the amount provided over the net amount applied is liable for surrender to the Exchequer.

2024	2023
€	€

Surplus to be surrendered	1,203,885	1,216,389
our plus to be surremacred	1,203,003	1,210,303

# Elaine Cassidy

Accounting Officer
Office of the Ombudsman

11 March 2025

# **Notes to the Appropriation Account**

Note 1 Operating Cost Statem	nent 2024		
		2024	2023
	€000	€000	€000
Pay		11,342	10,505
Non pay		2,475	2,223
Gross expenditure		13,817	12,728
Deduct			
Appropriations-in-aid		525	523
Net expenditure		13,292	12,205
Changes in capital assets			
Property, plant and equipment (note 2.1)			
Depreciation			
Intangible assets (note 2.2)			
Purchases	(231)		
Amortisation	100		
Loss on disposal	14		
		(117)	(218)
Changes in net current assets			
Decrease in prepayments	34		
Decrease in accrued income	1		
Increase in accrued expenses	239		
		274	341
Direct expenditure		13,449	12,328
Expenditure borne elsewhere			
Net allied services expenditure (note	1.1)	5,679	4,759
Net programme cost		19,128	17,087

# 1.1 Net allied services expenditure

The net allied services expenditure amount is made up of the following amounts in relation to Vote 19 borne elsewhere.

		2024	2023
		€000	€000
Vote 9	Office of the Revenue Commissioners	41	40
Vote 12	Superannuation and Retired Allowances	2,321	2,114
Vote 13	Office of Public Works	2,376	1,966
Vote 18	National Shared Services Office	767	536
Vote 43	Office of the Government Chief Information Officer	174	103
		5,679	4,759

Note 2 Statement of Financial Position as at 31 December 2024			
	Note	2024	2023
		€000	€000
Capital assets			
Property, plant and equipment	2.1	_	_
Intangible assets	2.2	586	500
		586	500
Current assets			
Bank and cash		194	386
Other prepayments	2.3	528	562
Accrued income		3	4
Other debit balances		253	36
		978	988
Less			
Current liabilities			
Accrued expenses	2.4	541	302
Other credit balances	2.5	419	403
Net Exchequer funding	2.6	28	19
		988	724
Net current (liabilities)/assets		(10)	264
Net assets		576	764
Represented by:			
State funding account	2.7	576	764

# 2.1 Property, plant and equipment

	Office and IT equipment	Total
	€000	€000
Cost or valuation		
At 1 January 2024	528	528
Additions		
At 31 December 2024	528	528
Accumulated depreciation		
At 1 January 2024	528	528
Depreciation for the year		
At 31 December 2024	528	528
Net assets		
At 31 December 2024	_	_
At 31 December 2023		

# 2.2 Intangible assets

	Acquired and developed software	Intangible assets under development	Total
	€000	€000	€000
Cost or valuation			
At 1 January 2024	2,048	252	2,300
Additions	3	228	231
Transfers	449	(449)	_
Adjustment <sup>a</sup>	_	(31)	(31)
Disposals	(68)	_	(68)
At 31 December 2024	2,432	_	2,432
Accumulated amortisation			
At 1 January 2024	1,800	_	1,800
Amortisation for the year	100	_	100
Amortisation on disposals	(54)	_	(54)
At 31 December 2024	1,846	_	1,846
Net assets			
At 31 December 2024	586	_	586
At 31 December 2023	248	252	500

Note a Following a review of a project under development it was determined that the original technical proposal has been superseded by significant changes in technology. The project was discontinued in January 2024.

## 2.3 Prepayments

2024	2023
€000	€000
301	392
227	170
528	562
2024	2023
€000	€000
464	_
77	302
541	302
2024	2023
€000	€000
175	167
106	98
15	8
33	45
37	34
366	349
37	36
37 16	
	36 18 54
	301 227 528 2024 €000 464 77 541 2024 €000

# 2.6 Net Exchequer funding

at 31 December	2024	2023
	€000	€000
Surplus to be surrendered	1,204	1,216
Exchequer grant undrawn	(1,176)	(1,197)
Net Exchequer funding	28	19
Represented by:		
Debtors		
Bank and cash	194	386
Debit balances: suspense	253	36
	447	422
Creditors		
Due to the State	(366)	(349)
Credit balances: suspense	(53)	(54)
	(419)	(403)
	28	19

# 2.7 State funding account

	Note		2024	2023
		€000	€000	€000
Balance at 1 January			764	894
Disbursements from the Vote				
Estimate provision	Account	14,496		
Surplus to be surrendered	Account	(1,204)		
Net vote		_	13,292	12,205
Expenditure borne elsewhere Non-cash items	1.1		5,679	4,759
Intangible asset under development adjustment <sup>a</sup>	2.2		(31)	(7)
Net programme cost	1		(19,128)	(17,087)
Balance at 31 December			576	764

Note a This adjustment relates to the discontinuation of a project following a review as the original technical proposal has been superseded by significant changes in technology. The project was discontinued in January 2024.

### 2.8 Commitments

a) Global commitments at 31 December	2024 €000	2023ª €000
Procurement of goods and services	_	_
Capital projects and programmes		
Total of legally enforceable commitments		

Note

In 2024, the contracts threshold was increased to €50,000. The 2023 figures have been restated in line with this change. In addition, contracts without a legally enforceable commitment have been removed. No contracts met the criteria for inclusion in 2023 or 2024.

#### 2.9 Matured liabilities

at 31 December	2024	2023
	€000	€000
Estimate of matured liabilities not discharged	_	52
at year end		

### 2.10 Contingent liabilities

The Office is awaiting the finalisation of six statutory appeal/judicial review cases where legal costs have been ordered against the Office. It is not possible to estimate, in advance, the potential liability of any settlements in respect of the legal cost claims at the date of the financial statements.

In addition, the Office is involved in a number of pending legal proceedings which may generate liabilities depending on the outcome of the litigation. Any actual amount or timing of potential liabilities is uncertain.

## 2.11 Impact of accounting policy changes in 2024

Nine new central government accounting standards (CGAS) were implemented with effect from 1 January 2024. The implementation had the following impact on the State funding balance.

	2024 €000
Payroll accrual <sup>a</sup> Holiday accrual <sup>a</sup>	(349) (115)
	(464)

# **Note 3 Vote Expenditure**

## Analysis of administration expenditure

Administration expenditure set out below has been apportioned across the programmes, to present complete programme costings.

				2024	2023
	<del>-</del>	Estimate	provision	Outturn	Outturn restated <sup>a</sup>
		€000	€000	€000	€000
i	Salaries, wages, pensions and allowances				
	Original	12,446			
	Supplementary	(420)			
			12,026	11,342	10,505
ii	Travel and subsistence				
	Original	50			
	Supplementary _	(10)			
			40	24	20
iii	Training and development				
	Original	175			
	Supplementary _	(30)			
			145	114	127
iv	Operational services, supplies sundry equipment	s and	350	296	377
V	Digital capital, investment and IT expenses				
	Original	1,250			
	Supplementary	(200)			
			1,050	1,024	988
vi	Premises expenses				
	Original	200			
	Supplementary _	(40)			
			160	100	137
vii	Policy reviews, consultancy services and research				
	Original	10			
	Supplementary _	(10)			
			_	_	_
viii	Legal fees				
	Original	500			
	Supplementary	711			
		_	1,211	917	574
			14,982	13,817	12,728

Note a The analysis of non-pay administration subheads has been changed as part of the process to modernise the administrative subheads across voted accounts. The 2023 comparative figures have been amended to reflect the new structure.

## Significant variations

This note outlines the reasons for significant variations (+/- 25% and €100,000) in administration expenditure

## vi Premise expenses

Estimate provision €200,000; outturn €100,000

The savings of €100,000 are due to lower than anticipated energy costs and savings achieved through a change in the cleaning schedule.

#### viii Legal fees

Estimate provision €500,000; outturn €917,000

The excess of €417,000 was due to higher than anticipated legal costs and settlements which fell due at the end of 2024 under programmes B and C. Due to their nature, it is difficult to estimate the timing and amount of legal settlements. A technical supplementary was approved to re-allocate funds from pay and non-pay subheads to meet the cost.

# Programme A Ombudsman function/Office of the Commission for Public Service Appointments/ Office of the Protected Disclosures Commissioner

				2024	2023
		Estimate	provision	Outturn	Outturn
		€000	€000	€000	€000
A.1	Administration – pay				
	Original	8,257			
	Supplementary	(300)			
			7,957	7,463	6,896
A.2	Administration – non pay				
	Original	1,459			
	Supplementary	(205)			
		_	1,254	1,059	1,035
			9,211	8,522	7,931

## **Programme B Standards in Public Office Commission**

				2024	2023
	_	Estimate	provision	Outturn	Outturn
		€000	€000	€000	€000
B.1	Administration – pay		1,267	1,231	1,052
B.2	Administration – non pay				
	Original	503			
	Supplementary	229			
	_		732	554	485
			1,999	1,785	1,537

# Programme C Office of the Information Commissioner/Office of the Commissioner for Environmental Information

				2024	2023
	_	Estimate	provision	Outturn	Outturn
		€000	€000	€000	€000
C.1	Administration – pay				
	Original	2,922			
	Supplementary	(120)			
	_		2,802	2,648	2,557
C.2	Administration – non pay				
	Original	573			
	Supplementary	397			
			970	862	703
		_	3,772	3,510	3,260

# **Note 4 Receipts**

# 4.1 Appropriations-in-aid

			2024	2023
		Estimate provision	Realised	Realised
		€000	€000	€000
1	Appropriation in aid	50	48	40
2	Fixed payment fines under section 21 of the Regulation of Lobbying Act 2015	75	79	79
3	Receipts from additional superannuation contributions on public service remuneration	360	393	368
4	Miscellaneous	1	5	36
		486	525	523

# Note 5 Staffing and Remuneration

# 5.1 Employee numbers

Full time equivalents	2024	2023
Number of staff at year end	153	148

## 5.2 Pay

	2024	2023
	€000	€000
Pay	10,360	9,607
Higher, special or additional duties allowances	30	32
Overtime	14	12
Employer's PRSI	938	854
Total pay	11,342	10,505

## 5.3 Allowances and overtime payments

	Number of recipients	Recipients of €10,000	Highest inc	
		or more	2024	2023
			€	€
Higher, special or additional duties allowances	5	1	10,398	9,678
Overtime	9	_	7,115	7,226
Extra remuneration in more than one category	2	1	12,164	12,179

## 5.4 Office employee pay bands

The number of Office employees whose total employee benefits (including basic pay, allowances, overtime; excluding employer PRSI, employer pension costs) for the financial year fell between €20,000 and €59,999 and within each band of €10,000 from €60,000 upwards are as follows.

(€)	Number of empl	oyees
То	2024	2023
59,999	81	85
69,999	13	14
79,999	14	22
89,999	22	15
99,999	12	12
109,999	10	1
119,999	1	3
129,999	1	1
179,999	_	1
189,999	1	
219,999	_	1
229,999	1	
	To 59,999 69,999 79,999 89,999 109,999 119,999 129,999 179,999 189,999 219,999	To         2024           59,999         81           69,999         13           79,999         14           89,999         22           99,999         12           109,999         10           119,999         1           129,999         1           179,999         1           189,999         1           219,999         —

## 5.5 Remuneration and benefits of Accounting Officer

The Accounting Officer's remuneration and taxable benefits for the financial year was as follows.

	2024 €000	2023 €000
Basic pay	184	176

The Accounting Officer's salary is at Assistant Secretary grade.

The value of retirement benefits earned in the period is not included above. The Accounting Officer is a member of the post 1995 superannuation scheme for established civil servants, and her entitlement to pension benefits do not extend beyond the standard terms of that scheme.

## 5.6 Other remuneration arrangements

Six retired civil servants in receipt of a civil service pension were reengaged on a fee basis at a total cost of €13,229. The payments made were consistent with the principles of the Public Service (Single Scheme and other Provisions) Act 2012.

## 5.7 Payroll overpayments

at 31 December	Number of recipients	2024 €	2023 €
Overpayments	13	19,203	40,349
Recovery plans in place	3	5,433	15,406

## **Note 6 Miscellaneous**

## 6.1 Compensation and legal costs

#### Payments/costs paid by the Office in the year

In respect of statutory legal challenges, appeals, judicial reviews, prosecutions and other legal proceedings not relating to claims by employees or members of the public.

	2024	2023
Number of cases	28	30
	€000	€000
Office's own legal costs	463	325
Payments to/on behalf of the Office		
Compensation	27	_
Legal costs	427	242
Other costs		_
Total	917	567

#### Cumulative costs of cases completed in 2024

In respect of statutory legal challenges, appeals, judicial reviews, prosecutions and other legal proceedings not relating to claims by employees or members of the public.

Number of cases	16
	€000
Office's own legal costs	579
Payments to/on behalf of the Office	
Compensation	27
Legal costs	489
Other costs	
Total	1,095