



**Ombudsman for Children's Office**  
**Freedom of Information Publication Scheme**

in accordance with

Section 8 of the Freedom of Information Act 2014

## **Introduction**

The Ombudsman for Children's Office (OCO) has prepared and published its Freedom of Information Publication Scheme in accordance with Section 8 of the Freedom of Information Act 2014 (FOI Act). This scheme is designed to allow the provision of information to the greatest extent possible, except for information exempted under or outside the FOI Act.

### **A. Information about the Ombudsman for Children's Office**

#### **Establishment**

The OCO was established in 2004 under the Ombudsman for Children Act 2002 (2002 Act). The 2002 Act was amended in 2012 by the Ombudsman (Amendment) Act 2012. The 2002 Act, as amended, is available [here](#).

The OCO is a public body for the purposes of the FOI Act. Accordingly, our records may be accessed by an FOI request, subject to certain exceptions. In this regard, in addition to information exempted under the FOI Act, the FOI Act does not apply to records concerning an examination or investigation carried out by the Ombudsman for Children under the 2002 Act (see Schedule 1, Part 1 of the FOI Act).

#### **Role, Responsibilities and Functions**

Under the 2002 Act, the OCO's two core statutory functions are:

1. to promote the rights and welfare of children up to the age of 18
2. to independently examine and investigate complaints made by or on behalf of children in relation to the administrative actions of schools, voluntary hospitals and public bodies that have or may have adversely affected a child or children.

The Ombudsman for Children is directly accountable to the Oireachtas in exercising these statutory functions under the 2002 Act.

#### **Function to promote the rights and welfare of children**

The OCO's statutory duties to promote children's rights and welfare are outlined in Section 7 of the 2002 Act. These duties are:

- to advise any Minister of the Government on the development and coordination of policy relating to children
- to encourage public bodies, schools and voluntary hospitals to develop policies, practices and procedures designed to promote children's rights and welfare
- to collect and disseminate information on matters relating to children's rights and welfare

- to promote awareness among members of the public, including children, of matters relating to children's rights and welfare, including the Convention on the Rights of the Child
- to consult with children and to highlight issues relating to children's rights and welfare that are of concern to children
- to exchange information and cooperate with the Ombudsman for Children (by whatever name called) of other states
- to monitor and review the operation of legislation concerning matters that relate to children's rights and welfare
- to monitor and review the operation of the 2002 Act
- to advise any Minister of the Government on any matter relating to children's rights and welfare, including the probable effect on children of any proposals for legislation.

In addition, the OCO can undertake, promote or publish research into any matter relating to children's rights and welfare.

Click [here](#) to read more about our work to promote the rights and welfare of children.

### **Function to examine and investigate complaints**

The OCO operates a free, independent complaints handling service, in accordance with Section 6 and Sections 8 to 13 of the 2002 Act. Key aspects of our statutory complaints function are:

- complaints can be made by or on behalf of children
- complaints can be made in relation to schools, voluntary hospitals and a wide range of public bodies
- complaints can be made about the administrative actions of a school, voluntary hospital or public body that have or may have had an adverse effect on a child
- we examine and investigate complaints in an independent and impartial manner
- we respect local complaints procedures and we promote the local resolution of complaints.

Click [here](#) for more information about our complaints function.

### **Records held by the Office**

#### **General**

- Annual Reports
- Strategy Statements
- General enquiries and correspondence
- Correspondence to/from Government Departments, state agencies, NGOs and other agencies
- Records relating to FOI requests
- Records relating to data protection matters

- Records of discussions with the Department of Children and Youth Affairs regarding the operation of the 2002 Act
- Records of engagement with the European Network of Ombudspersons for Children (ENOC) and the British Irish Network of Ombudsman and Children's Commissioners (BINOCC)

### **Corporate Services**

- Personnel records
- Accounts records
- Assets register
- Civil/Public Service Guidelines and Circulars
- Minutes of management team meetings and associated documentation
- Risk register
- Facilities records
- ICT records
- Internal administration records
- Internal procedures records
- Liaison arrangements with public service providers
- Information relating to contracting and contracted third parties
- Correspondence /Memorandum of Understanding with equivalent offices

### **Promotion of children's rights and welfare**

- Submissions on legislation and public policy
- Research materials
- Published research reports
- Materials for and records of consultations with children
- Published consultation reports
- Legal advices
- Rights awareness and education materials
- Records of contacts with schools, youth groups and third level institutions
- Published guides
- Queries from members of the public and responses to same

### **Examination and investigation of complaints**

- Case records, including records of correspondence and communications with public service providers and complainants, including children
- Submissions made by public service providers and complainants and children affected
- Legal advices
- Decisions of the Ombudsman for Children
- Appeals process and procedures
- Investigation statements
- Various complaints-related publications, including case studies
- Other records relating to examinations and investigations

### **Communications**

- Published media coverage

- Speeches and presentations
- Contacts with Government Departments
- Contacts with Oireachtas Committees
- Records relating to publication of reports (e.g. annual reports)
- Records relating to events
- Records relating to the operation of the OCO's website and associated webpages
- Records relating to the OCO's social media accounts

### **Governance/Management arrangements**

The OCO is an independent statutory body and the Ombudsman for Children is directly accountable to the Oireachtas for the exercise of his/her statutory functions under the 2002 Act.

The OCO has a Management Team which is made up of the Ombudsman for Children, the Director of Investigations, the Head of Policy, the Head of Participation and Rights Education, the Communications Manager and the Office Manager. The Management Team meets once a month.

### **Corporate Plans and Strategies**

The OCO's Strategic Plan 2019-2021 is available [here](#).

### **Annual Report**

The OCO's Annual Reports are available [here](#).

### **Organisational Structure**

#### **Permanent staff positions**

Ombudsman for Children  
Principal Officer – 1  
Assistant Principal Officer – 7  
Administrative Officer – 3  
Higher Executive Officer – 5  
Executive Officer – 9  
Clerical Officer – 1

OCO Staff are Civil Servants and are paid according to the Civil Service Salary Scales.

### **Location of Office**

The Ombudsman for Children's Office is located at Millennium House, 52-56 Great Strand Street, Dublin 1, DO1 F5P8

Directions to our office can be found here: <https://www.oco.ie/about-us/how-to-find-us/>

### **Contact details**

- Post: Ombudsman for Children's Office, Millennium House, 52-56 Great Strand Street, Dublin 1, DO1 F5P8
- Telephone: 01 8656 800
- Complaints free-phone: 1800 20 20 40 (9.15am to 4.00pm Monday to Friday)
- E-mail: [oco@oco.ie](mailto:oco@oco.ie)
- Complaints e-mail: [ococomplaint@oco.ie](mailto:ococomplaint@oco.ie)
- Ceisteanna as Gaeilge: [ombudsmandoleanai@oco.ie](mailto:ombudsmandoleanai@oco.ie)
- Online complaints form: <https://www.oco.ie/complaints/make-a-complaint>

### **Media Enquiries**

- Contact: Aoife Carragher, Communications Manager, Ombudsman for Children's Office
- Phone: 01 8656 806
- Email: [aoife\\_carragher@oco.ie](mailto:aoife_carragher@oco.ie)

### **Service Level Agreements and Memoranda of Understanding**

There will be instances in which an action of a public body has, or may have, adversely affected both a child and an adult. The OCO has a Memorandum of Understanding with the Office of the Ombudsman which provides the basis for enhanced cooperation to address and deal with such instances appropriately. This Memorandum of Understanding can be found [here](#).

The OCO and Health Information and Quality Authority (HIQA) have signed a Memorandum of Understanding to promote cooperation and exchange of information between the two organisations in the interests of better services and better outcomes for children. Information on this memorandum of understanding is available [here](#).

### **Customer Charter**

The OCO is committed to providing all our customers with high standards of service. Our Customer Charter sets out the standards we aim to provide to people who contact us. The Customer Charter is available [here](#).

### **Code of Practice**

The staff of the OCO are civil servants and are therefore bound by the Civil Service Code of Standards and Behaviour.

## **B. The Services we provide to Members of the Public**

### **Examination and Investigation of Complaints**

The OCO provides a free, independent and impartial complaints-handling service. We can deal with complaints about the administrative actions of schools, voluntary hospitals and public bodies. Anyone can make a complaint to us provided it is about a service in the Republic of Ireland. We accept complaints from children and young people under the age of 18 and also from adults on children's behalf. This can include parents, family members and professionals. Once we receive a complaint, we will look into it and see if we should investigate further.

Complaints can be made in writing by post to the address listed above in Part A. Complaints can also be made by using our [online complaint form](#) or by e-mailing [ococomplaint@oco.ie](mailto:ococomplaint@oco.ie). Our office also operates a Complaints Freephone number: 1800 20 20 40. Complainants can also visit our office to make their complaint. More information on our Complaints and Investigation service is available [here](#).

The OCO offers an independent complaints service. This means we are not on the side of the child or of the service being complained about. We consider every complaint very carefully and aim to give the best possible service to everyone. However, we understand that not everyone will be happy with the decisions we make. If a person thinks that our decision on their complaint is incorrect, they can avail of our internal appeals procedure, which is available [here](#).

### **Rights Awareness and Education Programme**

The OCO's Participation and Rights Education team manage and deliver our rights awareness and education programme. This programme includes children's rights education workshops. These workshops are free of charge and support children and young people to understand what their rights are. Through these workshops, we try to make rights real for children and young people by making connections between rights and their daily lives.

We also deliver lectures and seminars about children's rights for undergraduate and postgraduate students (e.g. students of education, social work, social care and child protection).

More information on our workshops and seminars, including how to book, can be found [here](#).

### **Cost**

The services provided by the Ombudsman for Children's Office are free of charge.

### **Information on research projects undertaken**

Published research reports can be found [here](#).

### **C. Decision Making process for major policy proposals**

The OCO is an independent statutory body. As set out in Part A, our core statutory functions are:

1. to promote the rights and welfare of children up to the age of 18
2. to independently examine and investigate complaints made by or on behalf of children in relation to the administrative actions of schools, voluntary hospitals and public bodies that have or may have adversely affected a child or children.

Through our work, we engage with developments in public policy. However, we do not have a role to make public policy.

### **D. Financial Information**

The OCO's budget is allocated through the Department of Children and Youth Affairs.

The OCO's Financial Statements and Prompt Payment Statements can be found [here](#). The Financial Statements are audited by the Office of the Comptroller and Auditor General on an annual basis.

### **E. Procurement**

Information on any current tenders can be found at <https://www.etenders.gov.ie/>. This is a central facility for all public sector contracting authorities to advertise procurement opportunities and award notices.

The OCO follows the public procurement frameworks provided by the Office of Government Procurement.

### **F. FOI Disclosure Log and Other Information to be Published Routinely**

The OCO's Disclosure Log can be accessed [here](#).

#### **FOI Requests to the OCO**

Under the FOI Act, any person is entitled to apply for access to information which is not otherwise publicly available. In general, a person has a right of:

1. access to records held by the OCO
2. correction of personal information, relating to oneself, held by the OCO, where such information is inaccurate, incomplete or misleading



3. access to reasons for decisions made by the OCO which directly affect oneself.

The FOI Act also applies to records relating to the general administration of the OCO (subject to the standard exemptions). However, as set out in Schedule 1, Part 1, paragraph (aa) of the FOI Act, the FOI Act does not apply to records held by the OCO which relate to an examination or investigation carried out by the Ombudsman for Children under the 2002 Act.

FOI requests relating to OCO records should be made to [policy@oco.ie](mailto:policy@oco.ie).

- Requests should be made in writing and should specify that they are being made under the FOI Act.
- To allow identification of the records sought, requesters should describe the records in as much detail as possible.
- A daytime contact number should be provided for the purpose of clarifying the details of an FOI request.
- OCO staff will assist in the formulation of an FOI request, as necessary.

The OCO will acknowledge a request under the FOI Act within two weeks. This will include notification that, in the event that the requester is not satisfied with the FOI decision issued, there is a right to request an internal review of the decision. The decision on an FOI request will issue within four weeks.

#### **Information published by the OCO**

The OCO's publications can be found [here](#).