

CHAPTER 4

PROVIDING QUALITY CUSTOMER SERVICE TO INTERNAL AND EXTERNAL STAKEHOLDERS

Provision of a quality customer service to external stakeholders

Customer service standards

During the year under review, the Office remained committed to providing a quality customer service to its own staff and to all members of the public with whom it has dealings. The feedback and formal complaints services, as provided for on the Office's website, are integral to that commitment.

Customer Charter

The Office's Customer Care documents are published on the ODCE's website and provide detail of, amongst other things:

- the Office's service standards;
- the standards that customers can expect from the Office;
- principal contact points; and
- a Customer Feedback and Complaint Form.

During 2021, 1 formal complaint was received under the Office's Customer Complaints Procedure. It is important to point out that our Customer Complaints Procedure exists to deal with mistakes, delays, or poor customer service. It does not relate to dissatisfaction with policy, decisions made by officers or other case-related matters. The procedure is initiated by completing and returning a Customer Complaint Form, available on the Office's website.

Nature of principal engagements with external stakeholders

The Office's principal engagement⁴⁴ with external stakeholders includes:

- i. the provision of information on the Act and related material;
- ii. outreach activities;
- iii. handling queries and complaints from members of the public;
- iv. managing and developing relationships with external stakeholders; and
- v. website/social media.

Activities associated with (i), (ii) and (iv) above, which for the most part fall within the remit of the Advocacy Unit are elaborated upon in Chapter 2 of this Report. With the exception of complaints regarding alleged breaches of company law, which are dealt with in Chapter 3, the activities associated with (iii) and (v) above are further elaborated upon below.

Public enquiries

The Office provides, to the extent practicable, information on general company law matters to interested parties.

In order to further assist querists, the Office has developed a series of Frequently Asked Questions ("FAQ") and responses thereto, which are available on the website⁴⁵. The FAQ section of the website is regularly reviewed and supplemented as necessary. During the year under review, the FAQ section was again comprehensively reviewed and updated to reflect the queries most frequently received by the Office. As well as consulting the website,

44 i.e., excluding parties being engaged with in the context of the Office's enforcement remit

45 www.odce.ie/faq.aspx

members of the public can also direct queries to the Office’s information email address (info@odce.ie) as well as submitting their queries by telephone.

While the Office deals with the majority of queries by reference to the services outlined above, some queries require a more detailed and considered response and the Office deals with numerous such queries each year. The Office is not, however, in a position to provide querists with legal advice and, in circumstances where the nature of an enquiry suggests it to be the case, querists are advised that they should consider seeking independent professional advice.

Website

During the year under review the ODCE website was re-built on an updated platform to provide enhanced security. While the upgrade was being carried out the pages available to the public were much reduced, with only Covid-19 updates visible. The reduction is reflected in the reduced statistics for pageviews during the year. Following the redevelopment of the website, the Office implemented a Cookie Banner in compliance with the requirements of GDPR and e-Privacy.

Table 20 below details those sections of the website that attracted the most traffic during the year under review.

Table 20 Top 5 most visited sections of the website in 2021 - www.odce.ie

Section	Views
1. Court Decisions	6,033
2. Media	3,517
3. Publications	3,205
4. Company Law & You	3,112
5. FAQs	2,080

By way of further elaboration, Table 21 below details the twenty most frequently visited individual pages (i.e., as opposed to sections) on the website during the year (excluding the home page). As in previous years, the FAQ section featured heavily in the most viewed pages. Taking all the FAQ pages together, they attracted over 2,000 views during the year.

Table 21 Top 20 most viewed pages in 2021 - www.odce.ie

Page	Views
1. Prosecution Cases	3,051
2. Press Releases	1,832
3. Court Disqualifications	1,689
4. Company Law and You/Shareholders	947
5. Company Law and You/Company Directors & Secretaries	826
6. FAQ Management Companies	689
7. Company Law and You/Other Guidance	611
8. Winding Up & Insolvencies	590
9. Presentations	509
10. Publications Relating to Liquidations	506
11. Company Law Legislation	819
12. Annual Reports and Reviews	429
13. Liquidators, Receivers & Examiners	387
14. Other Corporate Publications	358
15. Media/Articles	353
16. Functions/Customer Services	344
17. Finance & Procurement	343
18. Company Law and You/Accountants and Auditors	323
19. Our Role	294
20. Consultation Papers	285

The website was accessed from mobile devices 4,274 times during the year. At year end, 528 persons had registered to receive website notifications by email. The Office also provides an Irish language version of its website and, in 2021, 1% of all website traffic was to the Irish version (www.osfc.ie) with 1,014 views.

Social media

The Office continues to utilise various social media platforms to communicate with its stakeholders. Specifically, the Office operates on two platforms, i.e., Twitter and LinkedIn. These media are used to highlight and promote the Office's outreach activities.

Provision of a quality customer service to internal stakeholders

Staff training & development

Performance management applies across all Government Departments and Offices and is implemented each year by the Office. It seeks to ensure that the roles of individual staff are clear and that they are aligned with overall corporate objectives, while facilitating performance review and management. It also directly links Office training programmes and expenditure to the role of each staff member. To the extent practicable, the Office supports staff members in their training and development needs.

ODCE staff received a total of **200.3** days' training during 2021 (2020: 138), including:

- training provided from in-house resources – 162.3 days, relating to 36 staff; and
- training provided by the Department – 38 days, relating to 19 staff.

During 2021, the Office assisted staff members to undertake the following programmes of education, training, and development:

- i. MA (Law);
- ii. Professional Diploma in Leadership and Management;
- iii. Professional Certificate in Anti-corruption;
- iv. Professional Certificate in Governance;
- v. Whistleblowing and Protected Disclosures - Preparing for the EU Whistleblowing Directive;
- vi. accountancy staff members' CPD⁴⁶ requirements;
- vii. solicitor staff members' CPD requirements;
- viii. engineer staff member's CPD requirements.

Compliance with obligations on foot of law, regulation and by virtue of the Office's status as a public sector entity established by statute

Parliamentary Questions ("PQ")

The Office is regularly requested to provide information/material to the Department to assist it in preparing Ministers' responses to Deputies' PQs. In addition, the Office is sometimes itself the subject of Deputies' PQs. During the year, the Office provided material in response to 26 PQs (2020: 31).

Prompt Payment of Accounts Act 1997

The Prompt Payment of Accounts Act provides for the payment of interest to suppliers whose invoices are unpaid at a prescribed date (usually 30 days after receipt of the invoice). Despite the Office's policy of settling all invoices within prescribed timeframes, there were 16 invoices paid outside of the time allowed and as a result Prompt Payment Interest of €210.67 was incurred, together with €790.01 in penalties (2020: seven invoices, €2.37 and €370 respectively). The delays in payment were, in the main, due to the issues associated with remote working.

Risk Management Action Plan

During the year, the ODCE reviewed and updated the Office's risk management plan in consultation with the Department.

Freedom of Information (FOI)

Most records of the Office (i.e., all records other than records concerning its general administration) are exempt from the FOI Act. During 2021, 7 requests were made under the Freedom of Information Act (2020: 5).

Of the requests received, two were either partially granted or granted in full while the remainder were for records that did not exist, were not held by the ODCE (and therefore had to be refused) or did not fall within the scope of the Act.

As required under the FOI Act, the Office's FOI Publication Scheme is published on its website, as well as a log of FOI Requests and the decisions on such requests⁴⁷.

Data Protection and the General Data Protection Regulation

On 25 May 2018 the General Data Protection Regulation ("GDPR") became enforceable. This legislation gives a broad level of protection to citizens regarding the privacy and use of their personal data, and grants rights of access to personal data held or processed by a data controller.

46 Continuing Professional Development

47 https://www.odce.ie/Portals/0/Documents/Functions/ODCE_FOI_Log_Dec2021.pdf

The Office has put significant efforts into ensuring compliance with the GDPR and the Data Protection Act 2018, as well as holding information sessions so that all staff are aware of the new obligations.

During 2021, three requests for information were made to the Office under the Data Protection Act 2018 (2020: 4). The requests were each considered and, where applicable, the relevant information was provided to data subjects insofar as the rights to such information was not restricted to the extent necessary to protect the functions of the Director and where such restriction was proportionate.

Official Languages Act 2003

The Office drafted a second Scheme under the Act in 2011 and awaits agreement with An Coimisinéir Teanga on that Scheme. In the interim, the previous Scheme remains in force, as well as the statutory requirements of the Act. The ODCE, therefore, continued during the year under review to monitor its compliance with that legislation and with its Scheme.

Implementing the Public Sector Equality and Human Rights Duty

During 2021, the Office updated the statement of its intention to comply with the Public Sector Duty under the Irish Human Rights and Equality Commission Act 2019 published on its website. This duty places a statutory obligation on public bodies to eliminate discrimination, promote equality of opportunity and protect the human rights of those to whom they provide services and staff when carrying out their daily work.

In its day-to-day work and particularly in its dealings with stakeholders the Office ensures that no member of the public or other stakeholder suffers discrimination in interactions with the Office under any of the protected grounds of gender, civil status, family status, sexual orientation, disability, age, race, religion and membership of the Traveller community.

The Office extends the same equality of treatment to its staff.

Energy consumption and carbon emission reduction

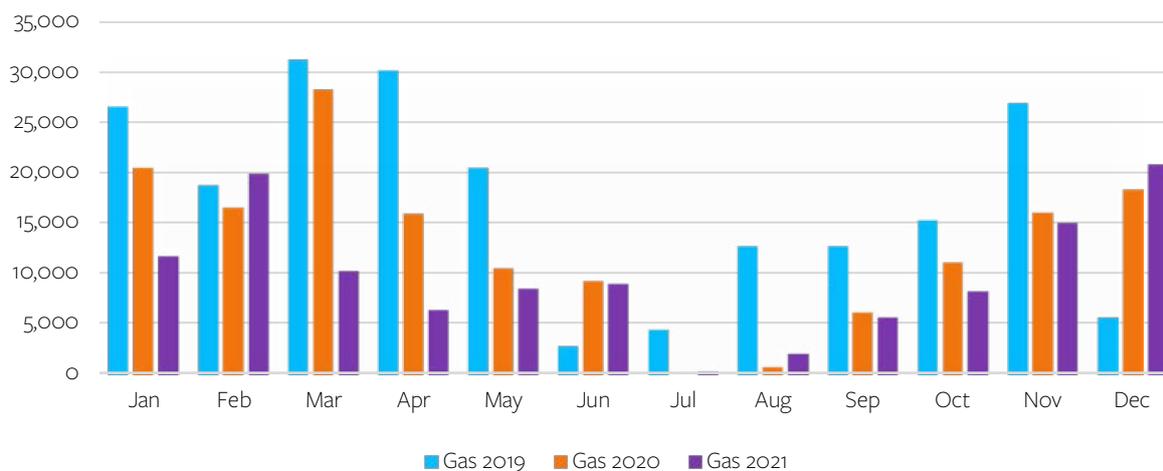
The Office shares its premises with several other occupants, and, at 45.62%, the proportion of space allocated to the Office is slightly less than half. Approximately half of all electricity used in the building is for lighting and the powering of office equipment, while the heating and air conditioning system accounts for the remainder. Gas consumption is used for heating water used in the building's heating system.

Gas consumption for the year was 237,000 kilowatt hours (kwh) (2020: 336,000 kwh), of which the ODCE was responsible for approximately 108,100 kwh. Electricity consumption was 525,500 kwh (2020: 460,000 kwh), of which the ODCE was responsible for approximately 240,000 kwh.

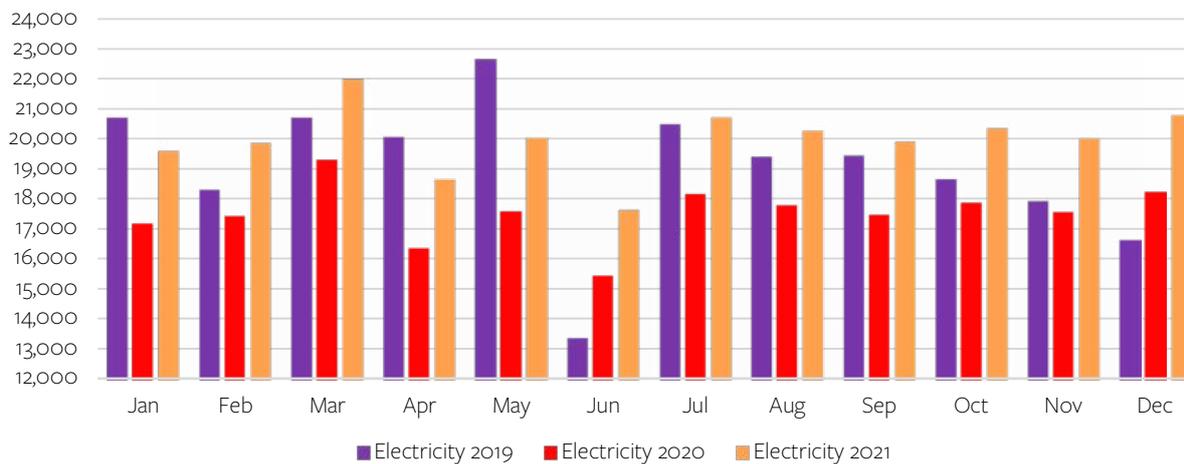
During the year under review, the Office premises remained under-occupied as a large proportion of staff members were working remotely in adherence to the Public Health guidelines for safeguarding against Covid-19. While this resulted in less energy usage for equipment, lighting, heating, and cooling was still required for the staff who were on-site. The Office continues to seek to devise initiatives to further curtail energy consumption, and representatives attended virtual presentations on the topic that were made available through the OP@W (Optimising Power @ Work) campaign. In addition, further sensors were installed to ensure lights were off when not required. Energy usage charts for 2019 to 2021 are set out below.

The target for overall energy consumption reduction in 2021 was a further 5%. The energy performance outturn for 2021 was a saving of 8% in electricity usage and 28% in gas usage, giving an overall 18% saving for 2021 over 2020, mainly in gas consumption.

Gas usage 2019 - 2021



Electricity usage 2019 - 2021



The carbon footprint of the entire building is measured and monitored on behalf of the building's Green Team by OPW, and the data is regularly provided to all occupants of the building. The chart reproduced below shows the reduction in carbon emissions resulting from energy used in the premises across the last three years as measured against emissions in 2014, when the premises joined the campaign. The reduction in 2021 over 2014 was 35%, on target for the 50% target in reduction by 2030.

Total annual emissions profile



APPENDICES

APPENDIX 1

ALLOCATED VS. ACTUAL EXPENDITURE 2019 - 2021

	2019		2020		2021	
	€000s	€000s	€000s	€000s	€000s	€000s
Allocation						
Exchequer Grant	6,057		6,057		6,057	
Contingency - Legal Costs	50	6,107	50	6,107	50	6,107
Expenditure						
Salaries	2,503.1		2,295.8		2,461.9	
Advertising & Publicity	32.2		19.7		27.3	
Office Premises	290.0		357.6		302.0	
Legal Expenses	1,075.2		995.9		1,642.9	
Consultancy	3.8		29.6		17.9	
Computerisation	204.3		441.7		267.2	
Printing	28.8		22.8		29.4	
Incidental Expenses	29.1		32.7		55.9	
Travel & Subsistence	25.2		8.9		21.4	
Telecommunications	45.3		54.3		88.5	
Postal/Courier Services	7.9		8.1		13.2	
Office Machinery & Photocopying	17.5		7.9		3.0	
Human Resource Development	37.4		35.7		72.9	
		4,299.8		4,310.7		5,003.5
Amount surrendered		1,807.2		1,796.3		1,103.5

APPENDIX 2

PRESENTATIONS DELIVERED BY ODCE STAFF DURING 2021

A breakdown of the categories are as follows:

Date	Organisation
Third Level Institutions	
26/01/21	Galway Mayo Institute of Technology New Frontiers
12/02/21	Limerick IT New Frontiers
16/02/21	Galway Mayo Institute of Technology
17/02/21	Galway Mayo Institute of Technology
30/03/21	Blanchardstown New Frontiers
15/04/21	Trinity College, Dublin
11/05/21	Waterford IT New Frontiers
08/09/21	Carlow IT New Frontiers
Professional Bodies	
13/10/21	Corporate Crime & Regulation Summit (A&L Goodbody)
14/10/21	Chartered Accountants Ireland
18/11/21	Association of Compliance Officers in Ireland
15/12/21	Certified Public Accountants Ireland
Public Bodies	
29/03/21	European Commission
22/04/21	CEPOL (EU Agency for Law Enforcement Training)
07/07/21	DETE (Internal Audit)
10/09/21	Kildare County Council
22/09/21	Tipperary Local Enterprise Office
14/10/21	GNECB/AGS/UCD
Other Bodies/Organisations	
20/04/21	Apartment Owners' Network
12/08/21	Omnipro Bootcamp

PUBLICATIONS ISSUED AND PUBLISHED IN 2021

Date	Name of Publication
June 2021	Annual Report 2020

APPENDIX 3

REPORT UNDER SECTION 22 OF THE PROTECTED DISCLOSURES ACT 2014

Section 22 of the Protected Disclosures Act 2014 provides that every public body shall prepare and publish, not later than 30 June each year, a report in relation to the immediately preceding year in a form which does not enable the identification of the persons involved. The above-mentioned report is required to specify:

- i. the number of protected disclosures made to the public body;
- ii. the action (if any) taken in response to those protected disclosures; and
- iii. such other information relating to those protected disclosures and the action taken as may be requested by the Minister for Public Expenditure & Reform from time to time.

Reports received during 2021

During the year ended 31 December 2021, the ODCE received 2 (2020: 1) protected disclosures.

Action (if any) taken in response to the protected disclosures received

On examination it was determined that one of the protected disclosures received fell outside the remit of the Office and the other remains under examination.

Such other information relating to those protected disclosures and the action taken as may be requested by the Minister for Public Expenditure & Reform from time to time

Not applicable.

APPENDIX 4

LIQUIDATION CASES WHERE RESTRICTION CONSENT UNDERTAKINGS WERE GIVEN BY COMPANY DIRECTORS PURSUANT TO SECTION 852 OF THE COMPANIES ACT 2014

Company	Company Name	Director Name		Date Restricted
530460	Anthony Kiernan Limited	Anthony	Kiernan	03/08/2021
405852	Bedzilla Limited	Adrian	McCaffery	23/03/2021
70018	Broderick Furniture & Wholesale Company Limited	Sean	Broderick	30/11/2021
70018	Broderick Furniture & Wholesale Company Limited	Caroline	Mahony	30/11/2021
374565	C.C.C. Builders Limited	Anthony	Coleman (Snr)	22/12/2021
423254	Care & Cure Trading Limited	Ling Yun	Zhang	16/12/2021
592629	Choice Media Limited	Paul	Earls	13/09/2021
592629	Choice Media Limited	Edward	Earls	13/09/2021
469575	Church Road Initiative Limited	Robert	Masterson	13/08/2021
356204	Corbett & O'Dea Limited	Thomas	Corbett (Jnr)	22/12/2021
521905	Cowleys Haulage & Civil Limited	Mark	Cowley	22/12/2021
447885	Crokers Bar & Restaurant Limited	Brian	Smith	12/11/2021
508993	D&J Premier Car Limited	Daragh	Murphy	27/08/2021
508993	D&J Premier Car Limited	Sharon	Murphy	27/08/2021
640938	Danorlagh Energy Systems Limited	Dan	Andrews	26/10/2021
640938	Danorlagh Energy Systems Limited	Orla	Carey	26/10/2021
532526	Gardening Impulse Limited	Brian	Hennessy	13/09/2021
242956	Grade Developments Limited	Patrick	Norris	23/03/2021
242956	Grade Developments Limited	Sean	Norris	23/03/2021
378522	Grafton College of Management Sciences Limited	Saeed	Rehman	24/02/2021
335689	Greeneform Limited Company	John	Greene	30/11/2021
501508	Ivors Engines Limited	Ivor	Robinson	09/11/2021
544026	Jax Miller Unlimited Company	Ann	O'Donnell	22/12/2021
544026	Jax Miller Unlimited Company	John	O'Donnell	22/12/2021
574879	JC and Deb Limited	John	Cooke	08/12/2021
548960	Lubdub Foods Limited	Thippeswamy	Sannaveerappa	01/12/2021
515055	Mark Walsh Motors Limited	Mark	Walsh	01/10/2021
481256	P & M Painting & Decorating Services Limited	Martin	Quinn	06/05/2021

481256	P & M Painting & Decorating Services Limited	Philip	Quinn	06/05/2021
469653	Pat White Cars Limited	Pat	White	11/02/2021
469653	Pat White Cars Limited	Rita	White	11/02/2021
382548	R.K. Cleaners Limited	Noel	Kearney	05/08/2021
486382	Rathmond Ireland Limited	Barry	Sheehan	06/04/2021
400044	Studioline Limited	Kevin	Stanley	14/09/2021
519710	Super Miss Sue Limited	John	Farrell	12/06/2021
490336	Taculla Limited	Christopher	Leonard	22/12/2021
419563	Whisper Diva Limited	David	Duggan	27/08/2021
419563	Whisper Diva Limited	Gillian	Duggan	27/08/2021
528267	Yourtel Limited	Mario	Kovac	17/08/2021
528267	Yourtel Limited	Marijan	Vukusic	17/08/2021

LIQUIDATION CASES WHERE RESTRICTION DECLARATIONS WERE MADE BY THE HIGH COURT PURSUANT TO SECTION 819 OF THE COMPANIES ACT 2014

Company Number	Company Name	Director Name		Date Restricted
500368	Autosports Motors Limited	Sarah	Walker	13-Dec-21
594132	Copperpot Limited	Barry	Dunning	06-Dec-21
594132	Copperpot Limited	Tommy	Lyons	06-Dec-21
139898	Enfield Coaches Limited	John Paul	Healy	06-Dec-21
378731	Haz.com Fuels Limited	Michael	Murphy	18-Oct-21
555179	Jemvale Limited	Marie	McNamee	28-Jun-21
555179	Jemvale Limited	Michael	McNamee	28-Jun-21
478258	Sapol Electrical Limited	Thomas	Bolger	18-Oct-21
478258	Sapol Electrical Limited	Sinead	O'Leary	18-Oct-21
479598	Thumple Limited	Paul	McMahon	18-Oct-21
365797	Unitec Investigations Limited	Bernice	Sands	05-Jul-21

APPENDIX 5

LIQUIDATION CASES WHERE DISQUALIFICATION CONSENT UNDERTAKINGS WERE GIVEN BY COMPANY DIRECTORS PURSUANT TO SECTION 850 OF THE COMPANIES ACT 2014

Company Number	Company Name	Director Name		Disqualified From	Disqualified To
583785	Athrú IT Advisory Limited	Gabhan	O'Connor	04/05/2021	03/05/2026
532526	Gardening Impulse Limited	Michael	Hennessy	13/09/2021	12/09/2026
354044	SK Electrical Services Limited	Mark	Kelly	22/12/2021	21/12/2026
354044	SK Electrical Services Limited	Tara	Kelly	22/12/2021	21/12/2026

DISSOLVED INSOLVENT COMPANIES - CASES WHERE DISQUALIFICATION CONSENT UNDERTAKINGS WERE GIVEN BY THE DIRECTORS PURSUANT TO SECTION 850 OF THE COMPANIES ACT 2014

Company Number	Company Name	Director Name	Disqualified From	Disqualified To
374793	Asgard Interiors Limited	Martin Landy	03/06/2021	02/06/2025
456493	Brian Dunphy Vehicles Limited	Martin Kelly	07/05/2021	06/05/2025
476364	Christopher Kavanagh Security Limited	Sean McCormack	02/07/2021	01/07/2025
		Derek Kavanagh	02/07/2021	01/07/2025
124841	Courtline Services Limited	Taragh Faulkner	03/06/2021	02/06/2025
		Sabena Faulkner	18/05/2021	17/05/2025
		Wayne Faulkner	03/06/2021	02/06/2025
147994	Fitzgerald, Callinan & Co Limited	Peadar Fitzgerald	19/12/2020	18/12/2024
		Marion Fitzgerald	19/12/2020	18/12/2023
541701	Funshinagh Limited	Deirdre Ryan	20/05/2021	19/05/2025
		Nicholas Ryan	20/05/2021	19/05/2025
555541	General Steel Fixing Limited	Constantin Gheorghe Cirdei	04/11/2021	03/11/2025
		Nicoleta Ambul	04/11/2021	03/11/2025
533752	Henry Haulage & Logistics Limited	Helen Henry	11/05/2021	10/05/2025
		Brendan Henry	11/05/2021	10/05/2025
488759	JP Reilly Limited	JP Reilly	17/09/2021	16/09/2025
		Sinead Reilly	02/10/2021	01/10/2025
474050	Kyle Cleaning Services Limited	David Finn	01/07/2021	30/06/2025
288205	Martin Murray Developments Limited	Martin Murray	06/03/2021	05/03/2024
		Catherine Murray	06/03/2021	05/03/2024
520873	MJR Electrical Limited	Michael Ryan	07/05/2021	06/05/2025
549860	Plumage Transport Limited	Jennifer Johnson	09/04/2021	08/04/2024
485700	Powersafe Technologies Limited	Richard Murphy	10/08/2021	09/08/2025

LIQUIDATION CASES WHERE DISQUALIFICATION ORDERS WERE MADE BY THE HIGH COURT PURSUANT TO SECTION 842 OF THE COMPANIES ACT 2014

CRO	Company Name	Director Name		Disqualified from	Disqualified to
500368	Autosports Motors Limited	Glenn	Walker	13-Dec-21	12-Dec-31
327571	Carrigaline Carpentry Services Limited	John	O'Neill	15-Nov-21	14-Nov-28
327571	Carrigaline Carpentry Services Limited	Brian	O'Neill	15-Nov-21	14-Nov-28
494630	Gaboto Limited	Paul	Devlin	08-Nov-21	07-Nov-36
494630	Gaboto Limited	Fiona	McNally	08-Nov-21	07-Nov-36
555589	Green Electro Commodities Limited	Wayne	O'Sullivan	20-Dec-21	19-Dec-26
437882	MC Developments (Ballingarry) Limited	Michael	Kealy	29-Nov-21	28-Nov-26
437882	MC Developments (Ballingarry) Limited	Caroline	Kealy	29-Nov-21	28-Nov-26
515093	Kraft Commerce Limited	Wayne	O'Sullivan	20-Dec-21	19-Dec-28
567153	Lindos Weddings Limited	Laurence	Traynor	28-Jun-21	27-Jun-26
408975	Pembroke Dynamic Internet Services Limited	Peter J.	Conlon	09-Jul-21	08-Jul-37
365797	Unitec Investigations Limited	Kieran	Sands	05-Jul-21	04-Jul-29

GLOSSARY

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Act	Companies Act 2014
AGM	Annual General Meeting
CLRG	Company Law Review Group
CPD	Continuing Professional Development
CRO	Companies Registration Office
Department	Department of Enterprise, Trade and Employment
Director	Director of Corporate Enforcement
DPP	Director of Public Prosecutions
FAQs	Frequently Asked Questions
FOI	Freedom of Information
GNECB	Garda National Economic Crime Bureau
HRG	Hamilton Review Group
IAASA	Irish Auditing & Accounting Supervisory Authority
IAIR	International Association of Insolvency Regulators
ICAV	Irish Collective Asset-management Vehicle
ICAV Act	Irish Collective Asset-management Vehicles Act 2015
Minister	Minister for Enterprise, Trade and Employment
MoU	Memorandum of Understanding
ODCE/Office	Office of the Director of Corporate Enforcement
Oireachtas	Collective term for the Upper and Lower Houses of Parliament
PAYE	Pay As You Earn
PII	Professional Indemnity Insurance
PPB	Prescribed Professional Body
PQ	Parliamentary Question
PRSI	Pay Related Social Insurance
RAB	Recognised Accountancy Body
Register	Register of Companies maintained by the CRO
SI	Statutory Instrument
VAT	Value Added Tax
WTE	Whole Time Equivalent

For further information contact:

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Oifig an Stiúirthóra um
Fhorfheidhmiú Corparáideach

Office of the Director
of Corporate Enforcement