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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 2020, no formal complaints were 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 engagement⁴³ with external stakeholders includes:

- i. the provision of guidance and related material; including the publication in 2020 of “A Single Guide for Companies” which consolidates the existing Guides into a single publication for ease of reference;
- 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 website⁴⁴. 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, 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.

43. (i.e., excluding parties being engaged with in the context of the Office’s enforcement remit)

44. www.odce.ie/faq.aspx

Website

During the year under review the ODCE website was rebuilt 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 19 below details those sections of the website that attracted the most traffic during the year under review.

Table 19: Top 5 most visited sections of the website in 2020 – www.odce.ie

Section	Views
Publications	18,411
Company Law & You	13,901
About the ODCE	9,971
FAQs	9,097
Media & Presentations	5,813

By way of further elaboration, Table 20 below details the 20 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 9,000 views during the year.

Table 20: Top 20 most viewed pages in 2020 – www.odce.ie

Page	Views
Information Books Main Page	2,942
Company Law & You Main Page	2,926
Company Directors and Secretaries – Responsibilities	2,523
Company Law Guidance Page	2,503
About the ODCE – Finance & Procurement	2,383
Company Law & You – Corporate Governance	2,117
Court Decisions Main Page	1,923
Court Decisions – Prosecution Cases	1,827
Quick Guides	1,655
FAQ – Meetings	1,645
About the ODCE – Our Role	1,500
FAQ Main Page	1,373
Complaint Form	1,320
Media & Presentations Main Page	1,263
Company Law & You – Company Directors and Secretaries	2,193
Court Decisions - Prosecution Cases 2019	1,196
Publications - Annual Reports	1,170
Information Books Main Page	1,043
Company Law & You Main Page	1,007

The website was accessed from mobile devices over 3,800 times during the year. At year end, 597 persons had registered to receive website notifications by email. The Office also provides an Irish language version of its website and, in 2020, 4% of website traffic was to the Irish version (www.osfc.ie) with over 5,400 views.

Social media

The Office continues to utilise various social media platforms to communicate with its stakeholders. Specifically, the Office operates on two platforms; Twitter and LinkedIn. These media are used to highlight and promote the Office's outreach activities. As such events were reduced in 2020 due to Covid-19 restrictions, activity on social media was also reduced in 2020.

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 138 days' training during 2020 (2019: 177), including:

- training provided from in-house resources – 90 days, relating to 20 staff; and
- training provided by the Department – 48 days, relating to 25 staff.

During 2020, the Office assisted several staff members to undertake the following training and development:

- i. Advanced Diploma in Corporate, White Collar and Regulatory Crime (King's Inns);
- ii. LL.M in European Law and Public Affairs (University College Dublin);
- iii. B.Sc. in Police Leadership & Governance (University College Dublin);
- iv. Doctorate in Governance (Institute of Public Administration);
- v. ICA International Diploma in Governance, Risk & Compliance;
- vi. accountancy staff members' CPD⁴⁵ 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 31 PQs (2019: 64).

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 seven invoices paid outside of the time allowed and as a result Prompt Payment Interest of €2.37 was incurred, together with €370 in penalties (2019: one invoice, €1.12 and €40 respectively). The delays in payment were primarily due to the difficulties 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 2020, five requests were made under the Freedom of Information Act (2019: 12).

Of the requests received, one was withdrawn, two were granted in full, one was for records that did not exist or were not held by the ODCE and therefore had to be refused, and one was still under consideration at year end.

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 requests.

45. Continuing Professional Development

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.

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

During the year under review, four requests for information were made to the Office under the Data Protection Act 2018. 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 the 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 2020 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

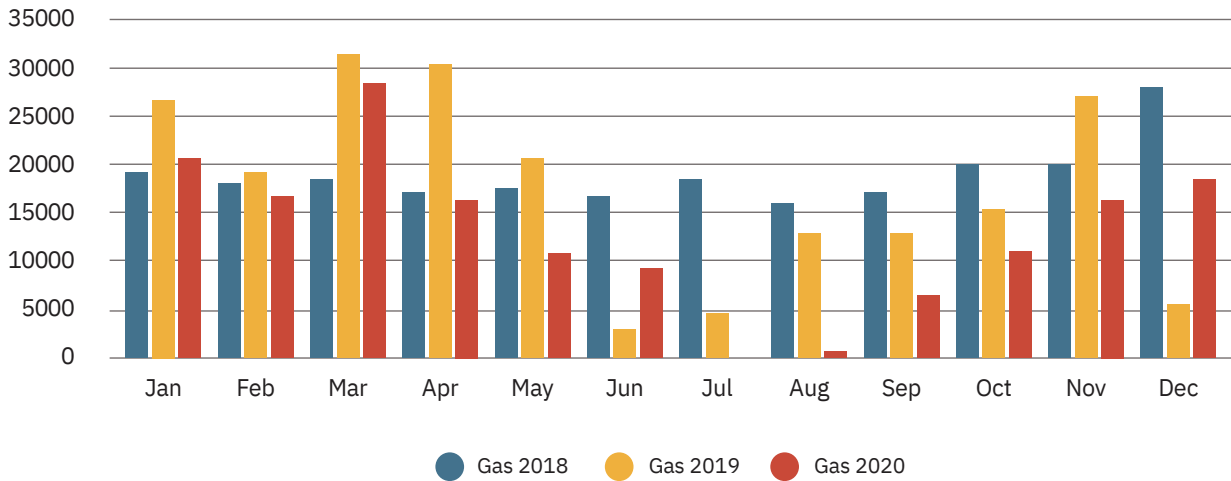
The Office shares its premises with several other occupants, and, at 45.62%, the proportion of space allocated to the Office is slightly less than half. Approximately half of all electricity used in the building is for lighting and the powering of office equipment, while the heating and air conditioning 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 336,000 kilowatt hours (kwh) (2019: 470,000 kwh), of which the ODCE was responsible for approximately 153,000 kwh. Electricity consumption was 460,000 kwh (2019: 500,000 kwh), of which the ODCE was responsible for approximately 210,000 kwh.

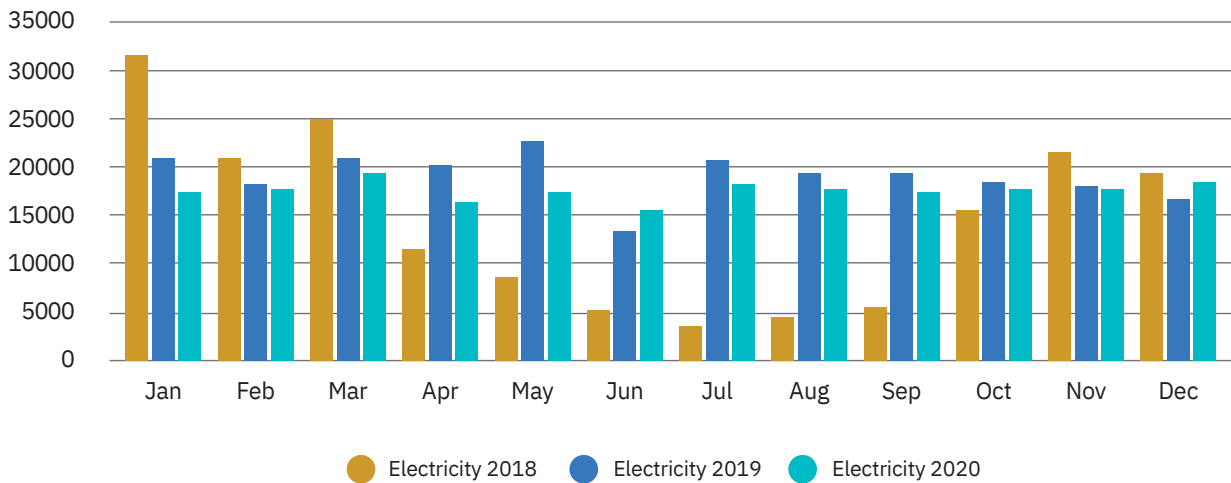
During the year under review, the Office premises was under-occupied as a large proportion of staff members were working from home from March onwards. While this resulted in less energy usage for equipment, lighting, heating and cooling was still required for the staff who were on site. The Office continues 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. Energy usage charts for 2018 to 2020 are set out on the next page.

The target for overall energy consumption reduction in 2020 was a further 5%. The energy performance outturn for 2020 was a saving of 8% in electricity usage and 28% in gas usage, giving an overall 18% saving for 2020 over 2019, mainly in gas consumption.

Gas usage 2018 – 2020

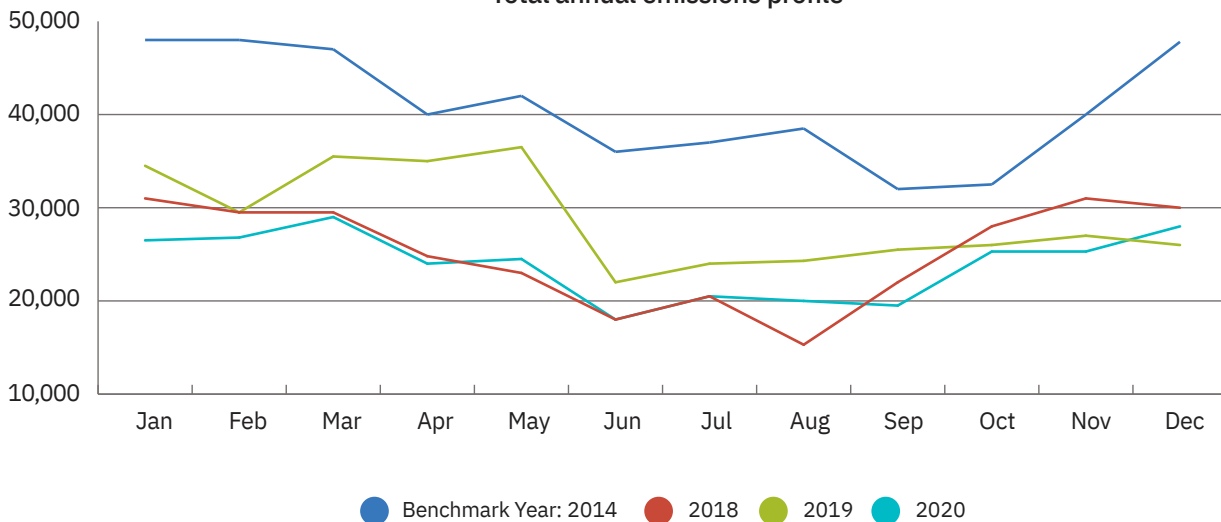


Electricity usage 2018 – 2020



The carbon footprint of the entire building is measured and monitored on behalf of the building’s Green Team by OP@W, and the data is regularly provided to the 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 2020 over 2014 was 40%, on target for the 50% target in reduction by 2030.

Total annual emissions profile



APPENDICES



APPENDIX 1

Allocated vs. actual expenditure 2018 – 2020

	2018		2019		2020	
	€000s	€000s	€000s	€000s	€000s	€000s
Allocation						
Exchequer Grant	5,057		6,057		6,057	
Contingency – Legal Costs	50	5,107	50	6,107	50	6,107
Expenditure						
Salaries	2347.0		2,503.1		2,295.8	
Advertising & Publicity	34.8		32.2		19.7	
Office Premises	297.2		290.0		357.6	
Legal Expenses	741.8		1,075.2		995.9	
Consultancy	3.9		3.8		29.6	
Computerisation	116.0		204.3		441.7	
Printing	22.0		28.8		22.8	
Incidental Expenses	51.3		29.1		32.7	
Travel & Subsistence	14.3		25.2		8.9	
Telecommunications	30.1		45.3		54.3	
Postal/Courier Services	12.6		7.9		8.1	
Office Machinery & Photocopying	8.3		17.5		7.9	
Human Resource Development	22.2		37.4		35.7	
		3,701.5		4,299.8		4,310.7
Amount surrendered		1,405.5		1,807.2		1,796.3

APPENDIX 2

Presentations delivered, exhibitions/events attended and publications issued

Presentations delivered by ODCE staff during 2020

A breakdown of the categories is as follows:

Category	Number of presentations
Third Level Institutions	1
Professional Bodies (including Accountancy bodies, Law Society and An Garda Síochána)	4
Public Bodies (including Government Departments & Agencies)	4
Other Bodies/Organisations (including the community & voluntary sectors)	3

Exhibitions/events attended by staff of ODCE – 2020

Name of Event	Promoter	Venue
National Manufacturing	Premier Publishing	Citywest Convention Centre
Biz Expo	Biz Expo	Citywest Convention Centre
HPSU Showcase 2020	Enterprise Ireland	Croke Park
Manufacturing & Supply Chain Conference	Premier Publishing	Virtual

Publications issued and published in 2020

Date	Name of Publication
June 2020	Annual Report 2019
December 2020	A Single Guide for Companies – consolidation of seven information booklets bringing together information about the main roles and responsibilities of the key parties in companies.

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 abovementioned 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 2020

During the year ended 31 December 2020, the ODCE received one (2019: 8) protected disclosure.

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

On examination it was determined that the protected disclosure received fell outside the remit of the Office.

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

Cases where Restriction Undertakings were given by company directors or Restrictions Declarations were made by the High Court pursuant to the Companies Act 2014

Liquidation cases where Restriction Consent Undertakings were given by company directors pursuant to section 852 of the Companies Act 2014

Number	Company Name	Director Name		Date Restricted
347848	21st Century Alternative Fuel Systems Limited	McElmeel	Michael	22-Dec-20
579017	ASL Cars Limited	Bowhan	Josephine	06-Aug-20
456722	Bernard Walsh Shopfitting Limited	Walsh	Bernard	13-Aug-20
572253	BGH Seasonal Operations (Irl) Limited	Hoskin	Bruce	23-Jul-20
599861	Brook Creek Construction Limited	Nolan	Wesley	05-Aug-20
540940	Cardea Building Limited	Sheridan	Gerald	21-Aug-20
540940	Cardea Building Limited	Walsh	David	21-Sep-20
643190	Celtic Series Limited	Fitzpatrick	Alan	03-Dec-20
503254	CFNN Limited	Fitzpatrick	Alan	03-Dec-20
473987	Clonliffe Healthcare Products Limited	Navan	William	28-Oct-20
518594	CTP Bars Limited	Leonard	Christopher	26-Oct-20
518594	CTP Bars Limited	Leonard	John	26-Oct-20
486772	Darcys Bar Limited	Sexton	Patrick	15-Sep-20
486772	Darcys Bar Limited	O'Connor	Myra	15-Sep-20
573289	DB 5 Vehicle Imports Limited	Cronin	Ross John	04-Feb-20
573289	DB 5 Vehicle Imports Limited	Browne	David	04-Mar-20
551614	Elite Future Enterprises Limited	Flynn	Paul	24-Sep-20
345234	Finbarr Whyte & Sons Limited	Whyte	Finbarr	15-Sep-20
447023	Foh Audio Limited	Walsh	Philip	10-Aug-20
530482	Glenmak Couriers Limited	Flanagan	Mark	13-Aug-20
582784	Green Foods Catering Limited	Hoskin	Bruce	23-Jul-20
562337	Grey Stag Limited	Stagg	Kevin	15-Sep-20
562337	Grey Stag Limited	Gray	Declan	15-Sep-20
539699	Hira Ventures Limited	Ul-Islam (Shadow Director)	Shafique	20-Mar-20
539699	Hira Ventures Limited	Qureshi	Alia Salaam	20-Mar-20

539699	Hira Ventures Limited	Adnan	Shamaila	20-Mar-20
485788	Homeville Stores Limited	Conway	Owen	10-Mar-20
580546	Ihart Construction Limited	Hart	Ian	07-Aug-20
580546	Ihart Construction Limited	Hart	Erin	07-Aug-20
367630	Johnstown Technology Consulting Limited	Burke	Tony	13-Aug-20
492819	Joyce Motors Limited	Joyce	Kenneth	19-Mar-20
580415	K Property Support Limited	Keaveney	Sally	07-Aug-20
580415	K Property Support Limited	Keaveney	Clem	07-Aug-20
153814	Kells Stores Limited	Ormiston	Norman	04-Aug-20
136229	Laraglen Limited	Collins	Denis	31-Oct-20
136229	Laraglen Limited	Collins	Teresa	31-Oct-20
218592	Lobar Limited	Maguire	Patrick	17-Aug-20
576774	Look Ahead Limited	Carroll	Michael	15-Feb-20
616091	Next Generation Marketing Limited	Sheehan	Richard	25-Aug-20
616091	Next Generation Marketing Limited	Connolly	David	28-Aug-20
495392	Nour Medical Limited	Mohammed	Sally	16-Mar-20
495392	Nour Medical Limited	Hassan	Mohammed	16-Mar-20
515234	R&R Bathrooms Limited	Prestage	Robert	16-Feb-20
601579	Rekan Catering Limited	Reynolds	Andrew	31-Oct-20
577616	Rootaigh Limited	Cronin	Elaine	09-Apr-20
512699	Shayoub Medical Services Limited	Shayoub (a.k.a. Ahlam Abokhlal)	Ahlam	17-Dec-20
512699	Shayoub Medical Services Limited	Naser	Shayoub	17-Dec-20
336147	Springwell Developments Limited	Long	Maura	05-Aug-20
108453	Trodat Limited	McDonagh	Mark	07-Aug-20
580390	United Power Limited	Maguire	Philip	04-Feb-20
580390	United Power Limited	Scanlan	Keith	04-Feb-20
582553	Veranco Limited	Czyzykowski	Artur	17-Sep-20
599233	Vidlyn Communications Limited	Flynn	David	23-Jul-20

Liquidation cases where Restriction Declarations were made by the High Court pursuant to section 819 of the Companies Act 2014

Number	Company Name	Director Name		Date Restricted
542839	Adalbert Limited	Heagney	Daragh	23-Apr-20
397043	Alvonway Investments Limited	Donovan	Joseph	20-Jan-20
533168	Rio Rodizio Limited	McColgan	Garth	14-Dec-20

APPENDIX 5

Cases where Disqualification Undertakings were given by company directors or Disqualification Orders were made by the High Court pursuant to the Companies Act 2014

Liquidation cases where Disqualification Consent Undertakings were given by company directors pursuant to section 850 of the Companies Act 2014

Number	Company Name	Director Name		Disqualified From	Disqualified To
554503	Clondrinagh Car Repairs Limited	O'Donovan	Marc	03-Nov-20	02-Nov-25
427579	Farm Food Emporium Limited	Coffey	Desmond	26-Oct-20	25-Oct-25
45928	Towerpoint Properties Limited	Wiseman	Niall	27-Jul-20	26-Jul-25

Dissolved Insolvent Company cases where Disqualification Consent Undertakings were given by the directors pursuant to section 850 of the Companies Act 2014

Number	Company Name	Director Name		Disqualified From	Disqualified To
556595	Elder Star Limited	Michael	Nolan	04-Jan-20	03-Jan-23
416910	Casalani Limited	Donal	Kelleher	01-Feb-20	31-Jan-23
394487	Glydebrook Developments Limited	Sean	Lambe	05-Mar-20	04-Mar-24
469983	Sharp Edge Security Limited & United Guard and Security Limited	Brid	Scannell	08-Aug-20	07-Aug-24
		Terry	Scannell	08-Aug-20	07-Aug-24
		Theresa	Scannell	08-Aug-20	07-Aug-24
		Robert	Scannell	08-Aug-20	07-Aug-24
594623	Ivymill Limited	Leon	Lee	25-Aug-20	24-Aug-24
496839	Ellsec Limited	Paul	Ellard	11-Sep-20	10-Sep-24
		Colm	Ellard	11-Sep-20	10-Sep-23
		June	Fields	11-Sep-20	10-Sep-22
513743	Atlas Forklifts Limited	John	Seaver	11-Sep-20	10-Sep-24
		John	Mackle	11-Sep-20	10-Sep-24
114511	Clayworth Investments Limited	John	Dowling	28-Oct-20	27-Oct-24
		Liam	Dowling	28-Oct-20	27-Oct-24
306860	Meadowcraft Developments Limited	Alan	O'Connor	11-Sep-20	10-Sep-24
		Kenneth	O'Connor	06-Nov-20	05-Nov-24
581128	Andy's Auto Imports Limited	Andrew	Bailey	09-Jan-21	10-Sep-24

Liquidation cases where Disqualification Orders were made by the High Court pursuant to section 842 of the Companies Act 2014

Number	Company Name	Director Name		Disqualified From	Disqualified To
555562	Step Training Limited	Mallard	Will	13-Jan-20	12-Jan-25
543634	Westman Plant & Civils Limited	Rabbitte	Kevin	30-Jan-20	30-Mar-34

GLOSSARY



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