

What the Ombudsman does and how you can complain to us

This factsheet tells you what the Ombudsman does, what you can and cannot complain about, and how to complain.



What does the Ombudsman do?

The Ombudsman investigates complaints from people who feel they have been unfairly treated by certain public service providers.



What public service providers can I complain about?

We accept complaints about public service providers including:

- government departments and offices such as the Department of Social Protection or the Revenue Commissioners
- local authorities
- the Health Service Executive (HSE)
- agencies, such as charities and voluntary bodies, that deliver health and social services on behalf of the HSE
- publicly funded third-level educational bodies
- public and private nursing homes
- Direct Provision centres



When should I complain to the Ombudsman?

Before you complain to the Ombudsman, you must first complain to the service provider whose action or decision has affected you. In some cases there will be a local appeals system which you should use.

If you have complained to the service provider and are still unhappy, then you can contact the Ombudsman.

You should submit your complaint within 12 months of the action or decision that has adversely affected you. However, even if more than 12 months has passed, we may still be able to help if there is a good reason for the delay.



What can I complain to the Ombudsman about?

The Ombudsman can investigate complaints about:

- decisions you consider to be unfair and that affect you in a negative way
- a failure to give you clear reasons for decisions
- a failure to communicate with you on time
- providing you with incorrect, inaccurate or misleading information and
- a failure to deal properly with your complaints



What service providers can I not complain about?

You cannot complain to the Ombudsman about:

- An Garda Síochána
- An Post
- gas, electricity or other utility providers
- banks or financial institutions
- insurance companies or
- telecommunications providers like Eir or Vodafone



What can I not complain about?

You cannot make a complaint if it relates to:

- a decision by, or on behalf of, the HSE or private nursing homes in relation to clinical judgement (such as the diagnosis or treatment of a patient)
- 'reserved functions' of local authorities, which are activities that can be carried out only by elected members of a county council or municipal district members
- recruitment or terms and conditions of employment
- how prisons are run
- an action that was taken to protect national security

You cannot complain to the Ombudsman if you can appeal a decision in the courts or with an independent appeals body.

Unless the circumstances are exceptional, the Ombudsman cannot investigate your complaint if you have started legal proceedings against the service provider about the same complaint.

You can get legal advice about your complaint and still bring it to the Ombudsman -- as long as you don't actually start legal proceedings. Call or email us if you are not sure.



Can someone else complain on my behalf to the Ombudsman?

Yes, but only if you give them written permission to do so. Similarly, if you want to complain on behalf of someone else, you must first get their written permission.



Do I need to include anything with my complaint?

Yes. You should include copies of any letters, emails, reports and details of other communications between you and the service provider.

When you make your complaint, you should explain why you are unhappy and what you feel should be done to put things right.



How will the Ombudsman deal with my complaint?

If we can investigate your complaint, we will ask you to give us all the information about it. We usually ask the public service provider to send us information about the issues involved. It can take time to gather the information that we need before we can make a decision on your complaint.



How long will it take the Ombudsman to deal with my complaint?

It will depend on your individual complaint. We will try to complete the examination of your case within three to six months. If your case is more complicated, it may take us longer. We will keep you informed as to what is happening with your complaint.



Is the Ombudsman independent?

Yes. The Ombudsman deals with all complaints independently and impartially when deciding whether the action or decision of the service provider was fair or reasonable.



What will it cost me to complain to the Ombudsman?

Nothing - there is no charge for the services of the Ombudsman.



How do I complain to the Ombudsman?

You can write or call to:

The Office of the Ombudsman

6 Earlsfort Terrace, Dublin 2, D02 W773.

Phone: 01 639 5600

Online: www.ombudsman.ie



Accessible services

If you have a disability and need help to use the services of the Ombudsman, contact us to arrange to speak to our Access Officer.

A copy of this Factsheet is available in large font on request.

Email: accessofficer@ombudsman.ie or call 01 639 5600.