

The Ombudsman and complaints about the **Direct Provision system**



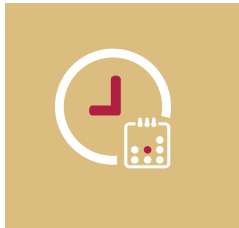
This factsheet tells you what you can do if you are living within the Direct Provision system and you have a complaint.



What can the Ombudsman do?

For those living in the Direct Provision system, the Ombudsman can examine complaints about certain actions of:

- Accommodation Centres
- International Protection Accommodation Service (IPAS)



When should I complain to the Ombudsman?

Before you complain to the Ombudsman, you must first complain to the manager of the Accommodation Centre.

If you are unhappy with the way your complaint has been dealt with by the manager of the Accommodation Centre, you can take it to the International Protection Accommodation Service (IPAS). If you are still unhappy after the IPAS examination, you can then contact the Ombudsman. When making a complaint to the Ombudsman, you should set out the reason(s) why you are unhappy and what you feel should be done to put things right.

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 examine complaints about:

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

The Ombudsman can also examine complaints about services set out in the IPAS House Rules such as:

- standard of accommodation
- meals
- cleaning
- facilities

The Ombudsman cannot examine decisions about:

- asylum
- citizenship
- family reunification
- residency
- visas

Also, unless the circumstances are exceptional, the Ombudsman cannot examine your complaint if you have started legal proceedings against the accommodation centre or the IPAS 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.

You should not be afraid to complain. Making a complaint will not affect your asylum application, a protection application or an application for leave to remain.



How will the Ombudsman deal with my complaint?

If we can examine your complaint, we will ask you to give us all the information about it. We usually ask the accommodation centre and the IPAS 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.

The Ombudsman provides a free service and deals with all complaints independently and impartially.



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 might take us longer. However, we will keep you informed as to what is happening with your complaint.



Can someone else complain on my behalf to the Ombudsman?

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

You must first try to solve your problem through the local complaints process. If you are still unhappy with the outcome, then you can come to the Ombudsman.



Do I need to include anything with my statement of complaint?

Yes. You should include copies of any letters, emails, reports and details of other communications between you and the accommodation centre or the IPAS.



Is the Ombudsman independent?

Yes. The Ombudsman deals with all complaints independently and impartially when deciding whether the action or decision of either the accommodation centre or the IPAS 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.

What if the complaint relates to a child or person under 18 years?

If the complaint relates to a child or person under 18 years who has been adversely affected by an action, or inaction, of the accommodation centre or the IPAS, you should complain to the Ombudsman for Children's Office (OCO).

If you are unsure – for example, the complaint might relate to a person who is now over 18 but who was under 18 at the time the issue arose – contact either the Office of the Ombudsman or the OCO for advice.

How do I complain to the Ombudsman?



Write or call to:

The Office of the Ombudsman
6 Earlsfort Terrace,
Dublin 2, D02 W773



Phone:

01 639 5600



Email:

DirectProvision@ombudsman.ie



Online:

www.ombudsman.ie



Contact Details for the Ombudsman for Children

(For complaints about those under 18)

Ombudsman for Children
Millenium House
52–56 Great Strand Street
Dublin 1

Freephone:

1800 20 20 40
or (01) 865 6800

Email:

ococomplaint@oco.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.