

Leaflet No 9 - Customer Care and Complaints

- **Complaints about a law centre, a barrister or a private solicitor providing services on our behalf.**
- **Family Mediation complaints.**
- **Criminal Legal Aid schemes complaints.**
- **Disability Act 2005 (Section 38 complaints).**

We are committed to the provision of a quality service in line with our Customer Charter. This charter is available on our website – www.legalaidboard.ie – or you can ask for a copy from our head office or any law centre

How can I complain about the service that I am receiving?

You have a right to complain if the service you receive from us does not meet the standards set out in the Customer Service Standards in our Customer Charter. We are committed to the provision of a quality service in line with our Customer Charter. This charter is available on our website – www.legalaidboard.ie – or you can ask for a copy from our head office or any law centre

If we get something wrong, we will apologise, and where possible, we will try to put things right. We also aim to learn from our mistakes and use the information we gain to improve our service.

See also Leaflet No 16 - Requests for a change of solicitor or barrister

If you believe the service you are receiving does not meet our Customer Charter/Customer Service Standards, you have the right to complain. We believe it is best to deal with problems directly and as soon as possible. If you have a complaint, please raise it with the person you are dealing with and they will try to resolve it for you there and then. However, they may need time to deal with it.

Alternatively, you can make the complaint in writing to a Complaints Officer at Civil Operations, Legal Aid Board, 48-49 North Brunswick Street, George's Lane, Smithfield, Dublin, D07 PE0C or by email to complaints@legalaidboard.ie. Or if your complaint is in relation to a member of our Solicitors Panel you can make your complaint in writing to a Complaints Officer at Decision Making and External Services, Legal Aid Board, Quay Street, Cahirciveen, Co. Kerry V23 RD36 or by email to PPcomplaints@legalaidboard.ie.

Please be assured that making a complaint will not negatively impact on the service you are receiving from us.

What should you include in your complaint?

- Remember to state your name, address, telephone number, email address and case reference number;
- Describe what your complaint is about stating relevant dates and times;
- List your specific concerns starting with the most important concern;
- State what you would like to happen (for example an apology, explanation etc.);
- State your preferred method of communication i.e. letter or email as all complaints are dealt with in writing.

The Complaints Officer will acknowledge receipt of your complaint within 5 working days and decide the appropriate person to deal with your complaint. You will be notified who is handling your complaint.

The person who will investigate your complaint depends on who the complaint relates to:

- If the complaint is in relation to a law centre staff member (but not the Managing Solicitor of the law centre) or a barrister – the Managing Solicitor of that law centre will investigate.
- If the complaint is in relation to the Managing Solicitor – the Regional Manager who has responsibility for the law centre will investigate.
- If the complaint is in relation to a private solicitor providing services on our behalf a Manager in the Board's Decision Making and External Services function will investigate.

The person who is investigating your concerns will aim firstly to establish the facts. The extent of this investigation will depend on how complex and how serious the issues you have raised are. In complex cases, we will draw up an investigation plan.

We aim to resolve concerns as quickly as possible and expect to deal with the vast majority within 30 working days.

Where the complaint is taking longer to respond to you can expect to receive an update every 20 working days after that.

Our procedures for dealing with your complaint:

The standard operating procedure in matters of this nature is that all communication should be in writing (letter or email), so as to ensure there is a clear record of the communication. We will deal with your complaint in an open and honest way.

Our procedure for the investigation of complaints incorporates fair procedures for all involved. In order for a full investigation into your complaint to take place, you should be aware that details of your complaint will be made available to the person about whom the complaint relates, for their comments on the matter. Similarly, you will be

provided with a copy of their response and you can make observations of your own. It is in the interests of all concerned that complaints be dealt with as quickly as possible. Therefore, you will be required to furnish any observations you wish to make on this response within a period of 14 days of being furnished with the response. If your observations are not received within that period of 14 days then the consideration of the complaint will continue in the absence of any such observations from you. The decision maker will make a decision when they feel they are in receipt of all relevant information and you and the person you complained of will be notified of that decision.

Outcomes of Complaints

If a complaint is found to have merit then we will apologise, and where possible, we will try and put things right. We will also aim to learn from our mistakes and use the information we gain to improve our service.

Internal Review of your complaint

You can seek a review of how the complaint was handled to a review officer.

The Review Officer can determine the appropriateness of the decision made in the original complaint investigation report and decide whether to:

- Uphold it in full;
- Uphold it in part;
- Not uphold it;
- Vary it;
- Make a new recommendation.

Oversight of Complaints Process

Customer Liaison Officer

The handling of complaints, in accordance with the Board's procedures, is subject to oversight by the Board's Customer Liaison Officer. The Customer Liaison Officer will conduct regular audits to ensure that complaints are being handled in accordance with this procedure and in a fair and transparent manner. In exceptional cases, where he/she finds that the complaint was not properly investigated, he/she may direct that the complaint be re-investigated.

Customer Liaison Officer.
Legal Aid Board,
48-49 North Brunswick Street
Georges Lane
Smithfield
Dublin 7
D07 PE0C

Email: customerliaisonofficer@legallaidboard.ie

External Review

Are there any other remedies available to me?

The Office of the Ombudsman is entitled in certain circumstances to investigate any action taken by us in the performance of our administrative functions. The Office of the Ombudsman is not, however, entitled to investigate the provision of legal services by law centre solicitors or by private solicitors who are providing services on our behalf. If you have a complaint about the legal services you are receiving from your solicitor, the Office of the Ombudsman has no role.

Contact details for the Office of the Ombudsman are as follows:

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

Tel: (01) 639 5600

E-mail: Ombudsman@ombudsman.gov.ie

If you are a child or young person under 18, or an adult who knows a child you feel has been unfairly treated, or you are not satisfied with our decision on your complaint, it is open for you to contact the Ombudsman for Children's Office. By law the Ombudsman for Children's Office can investigate complaints about any of our administrative actions or procedures as well as delays or inaction in dealing with complaints. The Ombudsman for Children provides an impartial, independent and free complaints handling service.

Contact details for the Ombudsman for Children's Office are as follows:

Ombudsman for Children's Office,
52-56 Great Strand Street,
Dublin,
D01 F5P8

Free Phone: 1800 20 20 40

E-mail: ococomplaint@oco.ie

Website: www.oco.ie

Family Mediation

What can I do if I wish to make a complaint about my Mediator or the service provided by the mediation office?

If you wish to make a complaint about the service provided by your mediator or the mediation office, you should carry out the following steps:

1. First make the complaint to the Mediator. They will aim to resolve the matter as quickly as possible and, if necessary, meet with you to discuss your concerns.
2. If you are still dissatisfied, you should put the complaint in writing to the Director of Family Mediation, 48/49 North Brunswick Street, George's Lane, Smithfield, Dublin, D07PE0C. A copy of this letter will be given to the person about whom the complaint is being made for their observations.

If the problem remains unresolved, or your complaint relates to a Regional Manager of Family Mediation or the Director of Family Mediation, you should send the complaint directly to the Customer Liaison Officer, Legal Aid Board, 48-49 North Brunswick Street, George's Lane, Smithfield, Dublin D07 PE0C
(Email: customerliaisonofficer@legalaidboard.ie)

Criminal Legal Aid

What if I have a complaint about the service provided to me by a solicitor or barrister under one of the Board's Criminal Legal Aid Schemes?

The Legal Aid Board has administrative responsibility for the following schemes:

- Garda Station Legal Advice Revised Scheme
- Legal Aid – Custody Issues Scheme
- Criminal Assets Bureau Ad-hoc Legal Aid Scheme.

However, the Legal Aid Board does not have any direct involvement in the assigning of legal representation in criminal matters and has no jurisdiction to deal with complaints against solicitors or barristers. If you wish to make a complaint in relation to the service provided to you by a solicitor or barrister then you should write to the Complaints and Resolutions Unit, Legal Services Regulatory Authority, P.O. Box 12906. Dublin 7 (Tel (01) 8592911 Mon-Wed 10:00am-12:30pm).

Disability Act 2005

For complaints made under section 38 of the Disability Act 2005 the Legal Aid Board has designated the Customer Liaison Officer as an Inquiry Officer to investigate such complaints. Any individual can make a complaint to the Customer Liaison Officer if the Board has not complied with sections 25, 26, 27 or 28 of the Act. Complaints should be made in writing to the Customer Liaison Officer at the address below.

Legal Aid Board,
48-49 North Brunswick Street
Georges Lane
Smithfield
Dublin 7
D07 PE0C
Email: customerliaisonofficer@legalaidboard.ie

Contact Details for the Board's Head Office

Legal Aid Board,

Quay Street,

Cahirciveen,

Co. Kerry,

V23 RD36

Tel: (066) 947 1000

LoCall: 0818 615 200

Email: info@legalaidboard.ie

Website: www.legalaidboard.ie