

The Injuries Board

Procedures for dealing with Complaints under Section 38 of the Disability Act 2005

By Law, the Injuries Board must make its services and information accessible to people with disabilities.

The Injuries Board has appointed an Access Officer, who is available to provide assistance and guidance to persons with disabilities in accessing our service.

The Injuries Board Access Officer can be contacted as below:-

By Email: accessofficer@injuriesboard.ie

By Phone: (01) 4634545

By Fax: (01) 4634596

Section 38 of the Disability Act 2005 enables any person by his/herself or through any person defined under Section 9(2) of the Act to make a complaint in writing to the Injuries Board in relation to the failure of the Board to comply with Sections 25, 26, 27 and 28 of the Act.

The Injuries Board has appointed an Inquiry Officer to investigate complaints made under Section 38 of the Act.

All complaints under Section 38 are to be made in writing and forwarded to:

Inquiry Officer
Injuries Board
Grain House
Exchange Hall
Belgard Square North
Tallaght
Dublin 24.

By Email to: inquiryofficer@injuriesboard.ie

By Phone to: (01) 4634545

By Fax: (01) 4634596

The complaint should state that it is a complaint under Section 38 of the Disability Act 2005 and should, in so far as is possible, set out as clearly as possible the grounds for the complaint regarding the failure of the Injuries Board to provide access to its services.

If you have any questions about filling out your complaint, please phone the Inquiry Officer on (01) 4634545.

Investigating a Complaint

As soon as possible upon receipt of the complaint and no later than 5 working days thereafter, the Inquiry Officer will acknowledge receipt to the person who made the complaint.

The Inquiry Officer will examine the complaint to establish if it relates to an alleged failure by the Injuries Board to comply with Sections 26, 27 and 28 of the 2005 Act.

If your complaint does not relate to matters covered by Sections 25 to 29 of the Act, the Inquiry Officer will inform you. You will be given reasons and where possible, advice in relation to an alternative avenue of redress.

If following consideration of the complaint the Inquiry Officer is of the opinion that the complaint is of a frivolous or vexatious nature, the complaint will not be accepted for investigation and the Inquiry Officer will notify the complainant of this opinion in writing.

If the complaint is deemed valid, the Inquiry Officer will commence the investigation.

The Inquiry Officer may request further details/information from you (the complainant) and if deemed necessary, the Inquiry Officer will consult with all relevant parties regarding the matter.

In the course of the investigation and in order to elicit information, the Inquiry Officer may undertake interviews with such persons whom he or she considers appropriate, including the person who made the complaint. All such interviews will be arranged in advance.

The Inquiry Officer will maintain a written record of his or her investigation.

Notification of a Decision

When the Inquiry Officer has concluded his/her investigations, the Inquiry Officer will prepare a written report of the results of the investigation setting out his or her findings together with a determination in relation to:

- Whether there has been a failure by the Board to comply with the relevant provision of the Disability Act;

And

- If such a determination indicates that there has been a failure, the steps required to be taken by the Board to comply with the relevant provision(s) of the Act.

The Inquiry Officer will furnish a copy of his or her report to the person who made the complaint and to the Chief Executive of the Board. Where possible, the Inquiry Officer will try to complete and furnish the written report within 28 days following receipt of your complaint however if the nature of the complaint and ensuing investigations are such that

an extended time period is required, the Inquiry Officer will notify you in writing, stating the reasons for the delay and providing you with a new date for a response.

The furnishing of the report to the person who made the complaint and to the Chief Executive concludes the investigation of the complaint.

The Office of the Ombudsman

If you feel you have been unfairly treated or are not satisfied with the final decision made in relation to your complaint, you can contact the Office of the Ombudsman. By law, the Ombudsman can investigate complaints about any of our administrative actions or procedures as well as delays or inaction in your dealings with us.

The Ombudsman provides an impartial, independent and free dispute resolution service.

Contact Details are as follows:

**Office of the Ombudsman
18 Lower Leeson Street
Dublin 2.**

Tel: Lo-call 1890 22 30 30

Tel: (01) 639 5600

Fax: (01) 639 5674

Email: ombudsman@ombudsman.gov.ie

Web: www.ombudsman.ie