

The Ombudsman and complaints about **Education services**



Oifig an Ombudsman
Office of the Ombudsman

This factsheet tells you what you can do if you have a complaint about a publicly funded education body.



What can the Ombudsman do?

The Ombudsman examines complaints from the public about certain actions of providers of public services including those in the education sector such as:

- universities
- institutes of technology
- education and training boards
- the State Examinations Commission, including the Reasonable Accommodations at the Certified Examinations (RACE) scheme
- the Higher Education Access Route (HEAR) and the Disability Access Route to Education (DARE) schemes and
- Student Universal Support Ireland (SUSI)



When should I complain to the Ombudsman?

Before you complain to the Ombudsman you must first complain to the provider of the education service, for example, the university or college 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 education 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 examine 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 complaint

The Ombudsman cannot examine complaints about:

- primary or second level schools, but we may be able to examine the actions of a board of management
- private schools and colleges and
- academic judgement

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

The Ombudsman service is free, independent and impartial.



I'm not happy with the result I got in my exams. If I complain will the Ombudsman conduct a recheck?

No. The Ombudsman does not re-mark exam scripts or evaluate matters of academic judgement.

The Ombudsman can examine complaints about

- the fairness of the process through which students are assessed and graded
- whether examiners followed a fair and sound process to determine your mark and
- whether your mark meets marking scheme requirements



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 education 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.

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.



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

We will keep you informed as to what is happening with your complaint.



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 education service provider.

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.



Is the Ombudsman independent?

Yes. The Ombudsman deals with all complaints independently and impartially when deciding whether the action or decision of the education 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.



This Factsheet is also available in Irish.

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 an education body, 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
18 Lower Leeson Street
Dublin 2. D02 HE97
-  **Phone:**
LoCall 1890 22 30 30
(Charges may vary)
or 01 639 5600
-  **Email:**
ombudsman@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.