

The Ombudsman and complaints about **Education services**

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



What does the Ombudsman do?

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

- universities
- technological universities
- 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
- 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 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 complaint

The Ombudsman **cannot** investigate 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
- academic judgement

Unless the circumstances are exceptional, the Ombudsman cannot investigate 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.



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
- whether your mark meets marking scheme requirements



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 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.



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. If you want to complain on behalf of someone else, you must get their permission first.



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.



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?

The best way to make a complaint to the Ombudsman is through our website: www.ombudsman.ie.

You can also write to:

- The Office of the Ombudsman, 6 Earlsfort Terrace, Dublin 2, D02 W773
- Or call us at (01) 639 5600.



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.