



Oifig an Stiúirthóra um  
Fhorfheidhmiú Corparáideach

Office of the Director  
of Corporate Enforcement

## Customer Complaints Procedure

### Our Commitment

We are committed to promoting quality, openness and transparency in the delivery of our services. We welcome your feedback and will deal with your comments and complaints thoroughly, fairly and promptly.

If you are not satisfied with the standard of service you receive, or if you feel improvements could be made, please let us know. We will acknowledge your complaint or comments within 5 working days and aim to send you a full reply within 20 working days.

### What issues are dealt with by the Complaints Procedure?

Customers who wish to complain about the **quality of customer service** provided by the Office can submit a complaint under our Complaint Procedures. Our Customer Complaints Procedure is in place to rectify issues such as mistakes, delays, or poor customer service. If you are dissatisfied with the service you receive from ODCE, please let us know as soon as possible.

For example, complaints may relate to:

- Responses to letters/emails not being issued within accepted timeframes;
- Difficulties experienced in contacting us;
- Incorrect information or guidance provided by us; and
- The manner in which you were treated.

For written complaints, the **Customer Comments and Complaints Form** should be used –

the completed Customer Comments and Complaints Form should be posted to Phil Flood, ODCE, 16 Parnell Square, Dublin 1, D01 W5C2. You may also e-mail your complaint to [feedback@odce.ie](mailto:feedback@odce.ie). Please note that Complaints regarding suspected breaches of Company Law should be notified to the Office using the ODCE Complaints Form available on our website ([www.odce.ie](http://www.odce.ie)).

## **What issues are not dealt with by the Complaints Procedure?**

The Customer Complaints Procedure does not relate to:

- Matters of Policy;
- Decisions by Officers in pursuance of their duties under the Companies Act 2014;
- Matters the subject of litigation;
- Suspected breaches of Company Law (see above);
- Complaints regarding a professional dealing with a company (e.g. Auditors, Liquidators, etc.) – these complaints should be made to the relevant representative body. However, ODCE may deal with complaints of this nature if they are in regard to breaches of Company Law (see above).

## **How do I make a complaint?**

You can make a complaint by contacting the business unit concerned or contacting the Customer Services Section:

- In person
- By phone
- In writing
- By email
- By completing the Customer Comments and Complaints Form

Include as many details as you can about your complaint including the name of the person or unit and the date on which the incident occurred. Tell us why you believe a particular service standard was breached. You may include any other relevant background information to help us deal with your complaint.

If you need further help on making a complaint to us you can contact our Customer Services Officer by:-

Phone: (01) 858 5816 (Phil Flood)  
Email: [feedback@odce.ie](mailto:feedback@odce.ie)

If there is anything that may affect your ability to make a complaint, please let us know and we will do all we can to help you - Phil Flood is also the Office's Access Officer.

## **Can I make a complaint through Irish?**

If a complaint is made in Irish it will be acknowledged in Irish and we will endeavour to deal with any complaint through Irish, if requested.

## **What happens when I make a complaint?**

### **What we will do?**

- When the Customer Services Officer receives your complaint, we will record it and send you an acknowledgement within 5 working days. We will also send you a copy of our Complaint Procedures.
- We will then assign your complaint to a staff member in the appropriate business area who will process your complaint and aim to resolve it promptly and fairly.
- We will aim to send you a full reply within 20 working days.

### **What if I am not satisfied?**

If you are not happy with the Office's response, our Customer Services Officer will tell you how to seek a review.

### **How do I seek a review?**

- Fill out the Complaints Review Form. You can also ask our Customer Services Officer to send you this form. Tell us why you are not satisfied with the response that you have received to date. You may include any other relevant background information. A different officer from the one who dealt with your original complaint will carry out the review.
- You must seek this review within 15 working days of the notification date on the response you received from the business area dealing with your original complaint.

### **How will the Office deal with the Complaints Review request?**

- The Customer Services Officer will acknowledge your Complaints Review request within 5 working days.
- We will assign a new officer to deal with your request for review.
- The officer dealing with the review of your complaint will aim to send you a full reply within 20 working days. If this deadline cannot be met, you will receive an explanation that will inform you when you can expect a full response.

## **Can I make a complaint under the Disability Act?**

Sections 25, 26, 27 and 28 of the Disability Act, 2005 relate to access by persons with disabilities to:

- the Office's public building;
- the Office's services;
- services supplied to the Office; and
- information.

If you feel that the Office has not complied with any of these sections you may make a complaint in writing in accordance with Section 38 of the Disability Act 2005.

**In accordance with Section 39(2) of the Disability Act 2005, the following are the procedures for making and investigating such complaints:**

### **How do I make a complaint under the Disability Act?**

A complaint may be made by a person, or through his or her:

- spouse/partner, parent or relative;
- guardian or a person acting in loco parentis to that person;
- legal representative;
- a personal advocate, assigned by the Citizens Information Board to represent that person or
- someone advocating on behalf of that person with his or her consent.

**A complaint must be made in writing**, which can include e-mail, and should provide all your contact details, or the contact details for whoever is making the complaint on your behalf. The complaint should state that it is a complaint under Section 38 of the Disability Act 2005 and should, in so far as it is possible, set out clearly the grounds for the complaint which should relate to the failure of the Office to provide access to its public buildings, services, services supplied to the Office or information.

The complaint **must** be made to the Director of Corporate Enforcement at  
16 Parnell Square  
Dublin 1  
D01 W5C2

**R-phoist:** ian\_drennan@odce.ie

### **How will the Office investigate my complaint under the Disability Act?**

Following the receipt of a complaint the Director will refer your complaint to an **Inquiry Officer**.

### **Who is the Inquiry Officer?**

In accordance with Section 39(1) of the Disability Act 2005, the Director, as head of the Office, may authorise an Inquiry Officer to investigate complaints.

### **What will the Inquiry Officer do?**

- On receipt of the complaint, referred by the Director, 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 Office to comply with Sections 25, 26, 27 and/or 28 of the Disability Act, 2005. Where the Inquiry Officer considers that the complaint is frivolous or vexatious, he or she will notify the Director and the person who made the complaint to that effect. Otherwise he or she will investigate the complaint.
- The Inquiry Officer may request further information/details from the person who made the complaint and may require that such information/details be furnished within a specified time.
- If you do not provide this information the Inquiry Officer will go ahead with the investigation.

- The Inquiry Officer may consult with all parties which he or she considers appropriate regarding the matter.
- In the course of the investigation the Inquiry Officer may undertake interviews with such persons which he or she considers appropriate, including the person who made the complaint, to gather all the information needed to reach a decision.
- The Inquiry Officer will keep a written record of his or her investigation
- 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 Office to comply with the relevant provisions of the Disability Act, 2005; and,
  - if such a determination indicates that there has been such a failure, the steps required to be taken by the Office to comply with the provisions(s) concerned.

The Inquiry Officer will send a copy of his or her report to the Director and the person who made the complaint. This report will end the investigation of your complaint within the Office.