



An Coimisiún  
um Rialáil Fóntas  
**Commission for  
Regulation of Utilities**

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**Commission for Regulation of Utilities**

# Complaints Procedure Under Section 38 of the Disability Act 2005

## Overview

A complaint may be made against the Commission for Regulation of Utilities (CRU) by any person who is of the view that the CRU is not in compliance with the provisions of Sections 25, 26, 27 and 28 of the Disability Act, 2005. These sections of the Act relate to access by persons with disabilities to:

- the CRU's public buildings;
- the CRU's services;
- services supplied to the CRU; and
- the communications made by the CRU.

## Complaints Procedure

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

### Making a Complaint

1. 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 by another person advocating on behalf of that person with his or her consent.
2. A complaint must be made in writing, which can include fax or e-mail, and should provide all contact details for the person making the complaint.
3. The complaint must 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 CRU to meet its requirements under Sections 25, 26, 27 and 28 of the Disability Act, 2005.
4. The complaint must be made to the CRU Inquiry Officer in writing. The contact details are as follows:

**Address:** The Inquiry Officer, Commission for Regulation of Utilities, The Exchange, Belgard Square North, Tallaght, Dublin 24, D24 PXW0.

**Email:** [inquiryofficer@cru.ie](mailto:inquiryofficer@cru.ie)

**Fax:** 01 – 4000 850

## Investigating a Complaint

On receipt of the complaint, the Inquiry Officer will acknowledge receipt to the person who made the complaint.

1. The Inquiry Officer will examine the complaint to establish if it relates to an alleged failure by the CRU to comply with Sections 25, 26, 27 and 28 of the Disability Act, 2005.
2. Where the Inquiry Officer considers that the complaint is frivolous or vexatious, the person making the complaint will be notified to that effect. Otherwise they will investigate the complaint.
3. 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.
4. The Inquiry Officer may consult with all parties which they consider appropriate regarding the matter.
5. In the course of the investigation the Inquiry Officer may undertake interviews with such persons which they consider appropriate, including the person who made the complaint, to elicit information.
6. The Inquiry Officer will maintain a written record of his or her investigation.
7. The Inquiry Officer will prepare a written report of the results of the investigation setting out their findings together with a determination in relation to:
  - whether there has been a failure by the CRU to comply with the relevant provision of the Disability Act; and
  - if such a determination indicates that there has been such a failure, the steps required to be taken by the CRU to comply with the relevant provision(s) of the Act.
8. The Inquiry Officer will furnish a copy of their report to the person who made the complaint and to the Chairperson.
  - The Inquiry Officer will complete the report within 20 working days from the receipt of all information requested. Where a full report is not available within 20 days, the Inquiry Officer will send an interim reply and indicate when the report will be available.
9. The furnishing of the report to the person who made the complaint and to the Chairperson concludes the investigation of the complaint.

## Appealing a Decision to the Ombudsman

If the person who made the complaint is not satisfied with the CRU's final decision, they have the option of raising the matter with the Ombudsman who may be contacted at:

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

**Tel:** (01) 639 5600

**Fax:** (01) 6395674

**Email:** [ombudsman@ombudsman.gov.ie](mailto:ombudsman@ombudsman.gov.ie)