

RECEPTION AND INTEGRATION AGENCY

DEPARTMENT OF JUSTICE AND EQUALITY

HOUSE RULES AND PROCEDURES
FOR RECEPTION AND ACCOMMODATION CENTRES

Department of Justice and Equality
RECEPTION AND INTEGRATION AGENCY



Reception and Accommodation Centres

House Rules and Procedures

Revised January 2019

Contents

	Page
Foreword	4
General Introduction	7
House Rules and Procedures, viz.:	
Part 1: Services	13
Part 2: House Rules	17
Part 3: Fire Safety	30
Part 4: Complaints Procedure & Reviews/Appeals	33
Appendix 1: Formal Complaint Form (from resident to centre manager)	44
Appendix 2: Formal Complaint Form (from resident to RIA)	46
Appendix 3: Schedule 7 Notice of Appeal under the European Communities (Reception Conditions) Regulations 2018	48

Foreword

The House Rules set out in this booklet have been made in accordance with Regulation 25 of the European Communities (Reception Conditions) Regulations 2018. These Regulations came into operation on 30 June 2018 and lay down the standards for the reception of protection applicants while their application is being determined.

Who is this booklet for?

This booklet is for international protection applicants¹ staying in reception or accommodation centres provided by the Reception and Integration Agency (RIA); and for information purposes for the staff running these centres.

It explains what you as an applicant need to know about your stay in this centre. It covers:

- the services that your centre provides;
- the rules that you must follow;
- fire safety; and
- how you can make a complaint so that issues can be dealt with fairly and quickly.

¹ The term “international protection applicant” is used in this booklet and House Rules to mean a recipient within the meaning of the European Communities (Reception Conditions) Regulations 2018.

What is the Reception and Integration Agency (RIA)?

The European Communities (Reception Conditions) Regulations 2018 (hereafter “the Regulations”) set out the material reception conditions (housing, food, clothing and a daily expenses allowance) available to applicants for international protection. In accordance with the Regulations, accommodation is only offered to people that do not have enough money to provide for an adequate standard of living independently. RIA is responsible for providing accommodation and associated services for international protection applicants at centres like the one that you are staying in.

What is the difference between RIA and Centre Management?

- RIA is part of the Department of Justice and Equality.
- Centres are managed by private companies under contract to RIA.

Are these House Rules the only means of having your rights protected?

No. The Regulations govern a wide range of issues related to the provision of accommodation and related services. The Regulations refer to the House Rules, which you must observe when you are a resident in RIA accommodation. These Regulations are available by clicking the following link:

<http://www.irishstatutebook.ie/eli/2018/si/230/made/en/pdf>

[For printed versions please go to the full website address above](#)

These House Rules also compliment other RIA policies and procedures to protect residents and monitor contractors, viz.;

- Sexual Harassment and Domestic Violence policy
- Child Protection and Welfare Policy
- Garda vetting policy;
- RIA's 'one to one' clinics where residents can communicate with RIA staff directly without management being present; and
- RIA's Code of Practice for persons working in centres
- RIA also has an inspections process to ensure that contractual obligations are being met

Details of these policies and procedures are on the RIA website – www.ria.gov.ie

How can I contact the Reception and Integration Agency?

You can contact RIA at:

Reception and Integration Agency

PO Box 11487

Dublin 2

Phone: 01 4183200;

Lo - call: 1890 777727;

Fax: 01 4183271;

Email: RIA_Inbox@justice.ie



General Introduction to the Reception System

The Reception and Integration Agency (RIA) would like to welcome you to this reception or accommodation centre. This centre provides accommodation for you on behalf of the Minister for Justice and Equality. It is your home while your application for international protection is being processed.

We appreciate how difficult and stressful this period can be. We and the reception or accommodation centre staff will be as helpful as possible during your stay.

Your Centre details are as follows:-

Centre Name: _____

Centre Address: _____

Telephone no.: _____

The centre manager is: _____

Does this booklet deal with other State services?

No. This document does not give information on the Daily Expenses Allowance or Exceptional Needs Payments or how to access health and education services. These services are delivered by other Government Departments and services. Your centre manager can give you information about how to access these services.

What type of accommodation does RIA provide?

In line with the Regulations, we provide accommodation to international protection applicants at a designated centre while they are awaiting the outcome of their protection application. We provide all your accommodation needs including full board (all meals).

We are committed to providing safe, quality accommodation, which promotes your wellbeing. We expect the residents, staff and management to treat each other with respect.

While you are a resident here, you must observe the rules and procedures as set out in this document and under the Regulations.

Can RIA or centre management help me with my protection application?

No. Neither RIA nor centre management has any input into or involvement in the international protection process. This is the responsibility of the International Protection Office (IPO). Neither do we have any input into how long you will spend in our accommodation while waiting for a final decision on your application.

Are there rules I should take particular note of?

Yes. You should pay special attention to the 'report and reside' requirements explained immediately below.



‘Report and Reside’ requirements

If you are a protection applicant who is subject to the ‘report and reside’ requirement of section 16(3)(d)(i) of the International Protection Act 2015, you must live at the place specified by the Minister in a notice under that provision. If the place specified is the accommodation offered to you while the State decides on your application for protection, then you must remain there unless the requirement is varied or withdrawn by an immigration officer. You should inform RIA if you are subject to a requirement under section 16(3)(d) of the International Protection Act.

Any specific reporting requirements and the penalties for failure to comply with them are as stated in the letter provided to you when being assigned to your accommodation.

If you fail to abide by these requirements, you will be committing an offence and may be penalised as specified in section 16(5) of the International Protection Act 2015. This may result in your application for protection being deemed withdrawn and refused.

Can I expect to be treated with respect?

Yes. We must always treat each other with respect. This includes you, other residents and the centre’s management, staff and visitors.

How does Irish Law affect the rules?

These House Rules are made in accordance with the Regulations stated at the beginning of the document. The rules and procedures are designed to make reception and accommodation centres safe and effective. They do not in any way interfere with your legal rights under Irish law.

Like everyone else in Ireland, you must obey the law. Some breaches of the rules (for example, abusive or violent behaviour) are also breaches of the law. They could lead to someone acting in a violent manner being prosecuted and/or expelled from the centre.

To ensure that there is good order at reception and accommodation centres and that they are safe and effective, in line with Regulation 7 of the Regulations, the Minister for Justice and Equality can designate another reception or accommodation centre, or, in exceptional circumstances, withdraw or reduce services.

Can I approach management and staff?

Yes. Any resident can approach any member of management or staff on any issue that may arise in relation to their stay in the reception or accommodation centre.

The centre will hold joint ‘management and residents’ meetings regularly or as required, to deal with issues. The centre will display notices about such meetings at reception. Centre Management will invite you to go to these meetings and give your point of view.

How do I complain?

There is a formal complaints procedure (**see this booklet: Part 4: Complaints Procedure**). Residents and management can follow this procedure if they cannot informally resolve issues covered by the rules and procedures, or if serious matters arise. There are complaint forms available at each centre.

Can I choose what centre I live in?

No. Under Regulation 7 of the Regulations the Minister for Justice and Equality will designate the centre where RIA offers you accommodation. No one has the right to live in a particular centre.

Can I request a transfer to another centre?

If you are in need of accommodation, you have no right to be moved to another centre of your choice. Transfer is possible, but only when the Minister decides that the reason is a priority. This only happens in rare and exceptional circumstances.

If you ask for a transfer due to medical reasons, an independent medical referee may be asked to evaluate your request.

If you decide to request a transfer to another centre, your centre can give you an application form that you must fill in and send to us at: The Reception and Integration Agency, PO Box 11487, Dublin 2. We will not deal with personal callers.

You will receive a reply from RIA within 21 days of our receiving your application. Our decision is final.

If we refuse your application, you cannot complain under the complaints procedure, as outlined in 'Part 4: Complaints Procedures' of this document.

If we believe you have asked for a transfer because your centre failed to provide the services outlined in 'Part 1: Services' of this document, we will refer your request to the centre manager and we will consider their observations before we respond to you. Where appropriate your details will be kept anonymous.

Q. Do I have to pay towards the cost of providing accommodation?

A. As provided for in Regulation 5 of the European Communities (Reception Conditions) Regulations 2018, if you have a permission to access the labour market and have been working for a period of 12 weeks, you will be required to pay a contribution towards the cost of providing your material reception conditions if your Daily Expenses Allowance has been withdrawn. The amount you will be required to pay will depend on your level of income. Full details can be found by clicking on the following link and accessing page 14: [Schedule 2 page 14](#)

Further information on labour market access can be found by clicking on the following link: [Labour Market Access](#).

For printed versions please go to the following website address:

<http://www.inis.gov.ie/en/INIS/Pages/labour-market-access>

We wish you well during your stay in this reception or accommodation centre

Principal Officer

RIA

Part 1

Services That Your Centre Must Provide

What services do reception or accommodation centres appointed by the Reception and Integration Agency (RIA) provide?

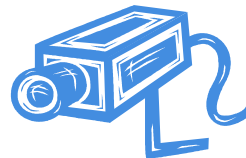
We contract reception or accommodation centres to provide services in accordance with our general policy. We arrange regular inspections of each centre to make sure services are satisfactory. These unannounced inspections are carried out by RIA staff and by an independent contracted private company. Below are the details of the services the centre must give you.

Respect

1.1 The centre must treat you with respect. We will not accept improper behaviour such as sexual harassment, racism or intimidation of any kind.

Standard of accommodation

1.2 Your accommodation must be safe, hospitable and clean. In order to make sure you are safe, our centres may be monitored by security cameras.



Infant and baby nutrition

1.3 The centre will provide infant formula and baby foods in line with the 'Infant Feeding Guidelines'. The Health Service Executive (HSE) has drawn up these guidelines and the centre has a copy, which they can show you.

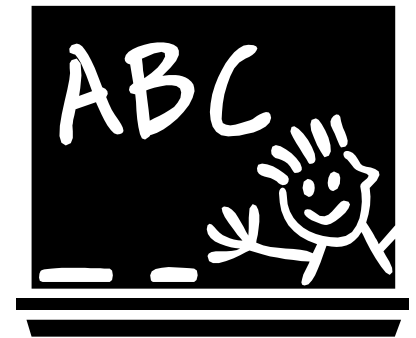
Babies' cots and bedding

1.4 The centre will cater for the needs of infants and provide cots.



Schools

1.5 The centre will give you information on local schools and help you to get places for your children in them.



School lunches

1.6 The centre must provide a healthy, varied and nutritious packed lunch for school-going children where necessary.

Meals

1.7 The centre will provide you with a varied and nutritious breakfast, lunch and dinner.



Medical dietary needs

1.8 The centre will cater for any dietary needs you or your child has due to medical reasons. They will get the help of a medical professional when needed.

Ethnic dietary preferences, and 24 hour refreshments.

1.9 Where possible and practical, the centre will cater for ethnic food preferences. The centre will provide you with tea and coffee making facilities, and drinking water, outside normal meal times.

Soap, shampoo, toothpaste

1.10 The centre will provide you with soap, shampoo and toothpaste when you arrive. They will give you new supplies when you need them.

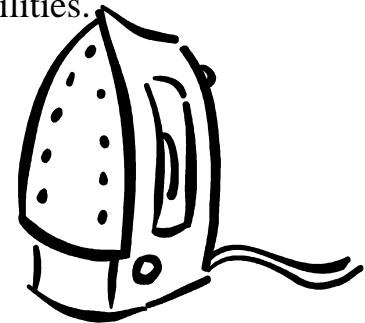


Washing and showering

1.11 The centre will provide you with washing and showering facilities.

Laundry and ironing

1.12 The centre will provide laundry and ironing facilities.



Cleaning

1.13 The centre's cleaning staff will clean your room if needed. However, all residents are expected to tidy up after themselves and keep their rooms reasonably clean and tidy.

Heating

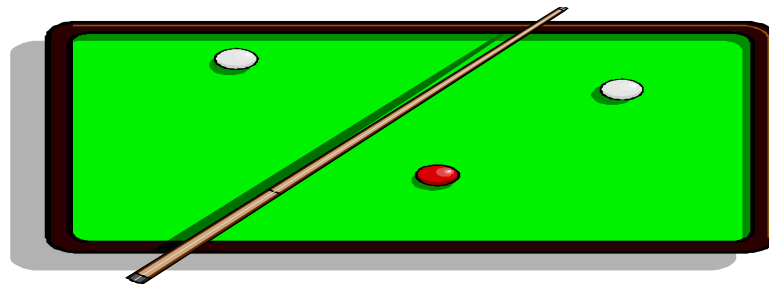
1.14 The centre management will make sure your room and any common recreational rooms are heated to a comfortable standard.

Bedding and towels

1.15 The centre will give you adequate bedding and bed linen. They will have your bed linen and towels changed when needed, but at least once a week.

Leisure facilities

1.16 Information about leisure facilities will be at reception in your centre and where these are provided by the centre you may use them free of charge. The centre may organise other activities that are free or may have a small fee.



Part 2

House Rules

The following are the basic House Rules made in line with the European Communities (Reception Conditions) Regulations 2018. Residents in RIA accommodation must comply with the rules of the centre as set out in this document and in the Regulations.

Respect

2.1 You must treat everyone you meet with respect. You must also respect the property in the centre and that belonging to other residents. You must not do anything that would compromise the safety or good order of your centre.

The Law

2.2 You must obey Irish Law. You must not engage in any criminal activity or do anything which would harm or endanger other residents or the management or staff of the centre.

2.3 Under Regulation 6 of the Regulations, the Minister for Justice and Equality can decide to withdraw accommodation and related services if a resident has committed or is committing a serious breach of the House Rules or if the resident has been seriously violent. A serious breach of the House Rules includes the following:

- violence
- consuming illegal drugs
- storing illegal drugs
- being drunk and disorderly



- sexual harassment
- racism, or
- intimidation of any kind
- deliberately making false, malicious and defamatory statements, or
- Endangering or harming the health and safety of other residents or centre staff

Such conduct also constitutes offences under Irish law.

If anyone breaks the criminal law, they will be reported to An Garda Síochána (Irish Police).

Your Room

2.4

a) Centre Manager's instructions

You must comply with the centre manager's directions in relation to occupying and vacating your room.

b) You may have to move

Under Regulation 7 of the Regulation, the Minister shall designate an accommodation centre. RIA requires each centre to make full use of the bed spaces they have to accommodate protection applicants. This may mean that the centre will need you to move from one room to another at some time.

Sometimes, RIA may need a resident to move to another centre.

If centre management or RIA needs you to move to another room, or to another centre, you will be told why.

c) **Cleaning**

You must keep your bedroom clean, tidy and aired.



d) **Room inspections**

It is important that the standard of accommodation is as good as it can be for everyone living in the centre. The centre manager is responsible for making sure that standards are maintained, all facilities are working properly and arranging any maintenance that is needed. This means that sometimes the centre manager will need to see your room.

Inspections by the Centre Manager:

The manager, or staff appointed by the manager, will notify you when they want to inspect your room. We ask that you cooperate with the manager. After three requests to see your room without success, the manager may give you formal notice that s/he will inspect the room on a specified date and time. The manager may enter rooms unannounced if s/he believes there is an immediate health and safety risk.

Your room may also be inspected by:

- staff from RIA, or
- other inspectors appointed by RIA

All of these people will respect your privacy as much as they can.

Inspections by RIA or on RIA's behalf

The purpose of these inspections is to make sure that all health and safety requirements are met; that the company providing your accommodation is meeting its obligations as set out in the contract with RIA; and that you are receiving all of the services due to you under the Regulations.

These inspections by or on behalf of RIA are unannounced. Neither the centre manager nor you will be told when these inspections will take place. On the day of the inspection, you will be notified that your room will be inspected later. If you are not there, the inspection may take place in your absence.

e) Electrical appliances



Some electrical appliances and adapters can be a fire hazard. If you want to use any electrical appliance in your room you must first ask the centre manager for permission. **(Please see Part 3: Fire safety.)**

f) Decoration

You may only redecorate your room if you get permission from the centre manager. Decorating can create a fire hazard.

Food and cooking

2.5 You must not store food in your bedroom. You must not cook food in your room.

Alcohol and illegal drugs

2.6 You must not consume or store alcohol or illegal drugs in the centre.

Noise

2.7 You must not create excessive noise, especially between 10 at night and 8 in the morning. It is essential that you consider other residents and neighbours and remember that all residents have the right to quiet enjoyment of the centre.



Smoking

2.8 You must not smoke anywhere inside this centre. You must not cover any smoke detectors as this could be a serious fire risk.



Pets

2.9 You cannot keep pets in the centre. Assistance dogs are permitted where necessary.



Rubbish

2.10 Please put all rubbish in the bins provided.

Fire drills

2.11 You must take part in all fire drills and obey the fire regulations as set out in this document. Fire drills are conducted for your safety. **(Please see Part 3: Fire Safety)**

Visitors

2.12 Being able to meet friends or relatives is an important aspect of life and management wishes to facilitate this as much as possible. RIA wants everyone living in a centre to enjoy safe and secure accommodation and that the rights of everyone living there are respected.



For this reason, visiting is generally allowed between 10am and 10pm (8pm for children unless they are with a parent / guardian). The centre manager may restrict the number of visitors at any one time if s/he believes there might be a health and safety risk. The centre manager may also refuse entry or ask visitors to leave if s/he has reason to believe they may cause a threat to residents or centre property. In this case, the centre manager will notify RIA the reasons for such a refusal.

Given the need to respect the rights of other residents and to observe child protection standards, the way in which visits can be facilitated will depend on the type of centre you are living in. There are three broad types of accommodation within RIA's accommodation portfolio.

Type A:

These are centres comprised of individual accommodation units and include mobile homes, houses and self-catering apartments. Because of this, visits to the accommodation unit can be facilitated on the resident's invitation.

Type B:

These are centres where the accommodation units are in communal areas e.g. where individual rooms are situated off communal corridors. Type B centres would be former hotels, hostels etc. Visits to these centres will be facilitated in designated visiting rooms which can be booked in advance. Visits to residents' rooms are not allowed because it is not appropriate to allow non-residents access to communal landings and corridors.

Type C:

These are centres largely made up of rooms which single persons share with each other. Visits to rooms are not allowed where people share rooms with non-relatives in order to respect the privacy of the person sharing the room. As with Type B above, visits to these centres will be facilitated in designated visiting rooms which can be booked in advance.

Irrespective of the type of centre involved the following must be observed:

- Visitors are requested to tell reception staff who they wish to visit and fill in the visitor log.

- You are asked to come to reception to meet your guest. Please make sure that your guest respects other residents' rights.
- Visitors are asked to sign a form saying they will follow House Rules and policies.
- Visitors are asked to sign a waiver in relation to any loss or injury sustained during the visit.

Staying away overnight

2.13 In line with Regulation 4 of the Regulations, accommodation is offered to you on the understanding that you will be living there in the normal course. It is RIA's responsibility to ensure that accommodation is available to all protection applicants without sufficient means and that all allocated beds are used.

Please let the centre manager know if you or your children are away overnight. If you are away for more than three nights without explanation, the centre manager will write to you asking for the reason. If you stay away from your accommodation without any explanation, this will be taken as indicating that you no longer require accommodation.

Absences may affect the payment of your Daily Expenses Allowance.

2.14 The centre manager is obliged to notify the Community Welfare Service that you have been away without letting management know. This may affect whether or not you are entitled to the Daily Expenses Allowance. Please also see Rules 2.20 and 2.21 regarding children's absence from centres.

If you are moving out permanently

2.15 You must tell the centre manager if you are moving out of the centre permanently.

Change of address

2.16 If you are a resident in one of RIA's centres and you change your address, you must write to the relevant authorities including the International Protection Office to let them know. The centre manager can give you the relevant change-of-address forms.

If you do not let the authorities know you are changing address you may fail to receive important notices about your application. This could mean you fail to meet time limits for lodging documentation, appeals and so on.

Who do I write to about my change of address?

2.17

a) If you are at the **application stage** in the protection process,

write to:

The International Protection Office
79 - 83 Lower Mount Street,
Dublin 2.

b) If you are at the **appeals stage** in the protection process,

write to:

The International Protection Appeals Tribunal
6/7 Hanover Street,
Dublin 2.

c) If you are looking for **permission to stay** (‘seeking leave to remain’) write to:



The Repatriation Division
Irish Naturalisation and Immigration Service (INIS)
Department of Justice and Equality
13 - 14 Burgh Quay
Dublin 2.

Vehicles (including cars, motorbikes and others)

2.18 Vehicles can only be parked on centre grounds with permission of management.

If you have a vehicle parked on the centre grounds, you must be able to prove that:

- you own it;
- it is fully taxed; and
- it is fully insured.



It is a serious breach of the law to have a vehicle without tax and / or insurance.

Children



School

2.19 You must make sure that your child attends school.

Every child between the ages of 6 and 16 must attend school or otherwise receive an education as per the Education (Welfare) Act, 2000. Most children begin school in the September after their fourth or fifth birthday.



Once your child is enrolled in school they must attend every day. You must tell the school if your child is missing from school due to illness or other reasons.

Care and safety

2.20 As a parent or legal guardian, you have responsibility for the care and safety of your children.

In Ireland, up to the age of 18 years, a person is legally a child. Please ensure that all children are cared for by an appropriate adult when you are not in the centre.

Child Protection Policy

2.21 RIA has a Child Protection Policy in place in each of its centres. Each centre has a copy of the



RIA 'Child Protection Policy' and you can get a copy of it from the centre's staff. Under the terms of this policy, you must make sure that children and young people are treated with respect. You must always make sure to keep them safe and to look after their general welfare.

Supervising Children in the Accommodation

2.22 Parents and guardians are advised to ensure their children have adequate supervision while resident in RIA accommodation. Advice on parenting in Ireland, local child care options, and on how to contact family resource centres in your area is available from www.tusla.ie or www.newcommunities.ie. Your Centre Manager can also advise you on local services for families.

It is parents and guardians' responsibility to ensure that their children are safe and cared for. If a child is believed to be at risk, it is the duty of centre staff to follow RIA's Child Protection Policy, and Children First National Guidance for the Protection and Welfare of Children. A copy of each policy is available from the Centre Manager, or from www.ria.gov.ie and www.tusla.ie.

Centre staff cannot care for your children. Please make appropriate child minding and babysitting arrangements during working hours, or in the evenings if you are not in the centre.

Overnight Stays Elsewhere

2.23 As part of the Child Protection Policy, please tell the centre manager in advance if your child is going to stay overnight somewhere other than the centre.

You must give the manager the name and address of the person with whom your child is staying, and the date you expect them to return. If you don't do this your child may be reported as a missing person to An Garda Síochána (Irish Police).



Part 3

Fire Safety



For your safety and the safety of all residents, you must know and abide by the following fire safety rules:

Fire Drills

3.1 The centre will hold fire drills reasonably often, to make sure you know what escape routes you can use and where you should assemble if there is a fire.

Fire Alarm

3.2 If there is a fire or the centre is holding a fire drill, the alarm will sound continuously. When you hear this alarm, please leave the building immediately by the nearest exit and go to the assembly point.

Details of your evacuation route should be displayed in your bedroom. If they are not, please contact your centre manager.

Parents and guardians should (where it is safe to do so) make sure that they take their children with them when they evacuate the centre. In addition, parents and guardians should tell centre management if any of their children are not on the premises at the time, for example if they are at school.

You must co-operate with fire drills

3.3 You must co-operate with staff in your centre if they are evacuating the centre due to a fire or a fire drill. Anybody who fails to co-operate will have broken House Rules and the centre will notify RIA. RIA takes very seriously any breach of the rules, especially those that relate to fire safety.

Fire notices

3.4 There are fire notices on the walls throughout the centre to help you to understand what to do if there is a fire or a fire drill. Do not remove or deface these notices.

Your nearest escape route

3.5 Please take note of the nearest fire escape to your bedroom.

Keep exits clear

3.6 Please keep fire exits clear at all times.

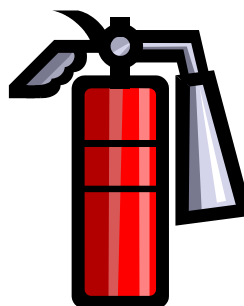
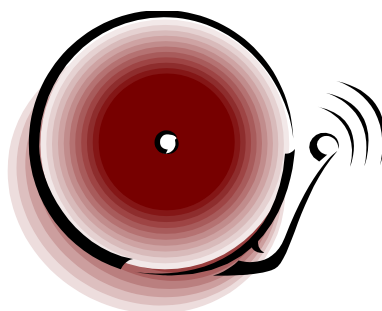
Keep fire doors closed

3.7 Please keep fire doors closed at all times.

Leave equipment alone

3.8 Do not interfere with fire safety equipment, for example:

- fire extinguishers;
- fire hoses; or
- fire alarm equipment.



Do not try to tackle the fire yourself

3.9 If you discover a fire, please activate the nearest fire alarm call point and then leave the building immediately.

Do not try to tackle the fire yourself.



Part 4

Complaints Procedure

4.1 The RIA has a complaints procedure. It aims to deal with problems quickly and efficiently.

Who can use this complaints procedure?

4.2 This complaints procedure is open to both you and the manager of the centre. This means:

- a) you can complain if you think the centre is not fulfilling its obligations to you as set out in ‘Part 1: Services’ of this booklet; and
- b) the manager of the centre you are staying in can complain if they think you are not fulfilling your obligations to the centre as set out in ‘Part 2: House Rules’ of this booklet.

4.3 You, the resident, are encouraged to use the complaints procedure to tackle issues and problems that arise in RIA accommodation centres. For example, if you think that the centre is not fulfilling its obligations to you as set out in ‘Part 1: Services’ of the House Rules booklet, you should use the complaints procedure. In cases where RIA believes that there is an imminent threat to the safety and security of a centre, an appeal under Step 4 will still be allowed however RIA may have to make decisions and take actions immediately pending the outcome of the appeal.

4.4 You should not be afraid to complain when you need to. Making a complaint will not affect your international protection application.

Who will handle the complaint?

4.5 Where possible and when necessary, your complaint should be handled by someone who is the same gender as you.

Is my complaint confidential?

4.6 All complaints will be handled sensitively and in confidence by centre staff and RIA, but sometimes they may need to consult other people involved.

Does my complaint have to be in English?

4.7 No, you may submit your complaint in any language. If RIA needs to have your complaint translated, it may take them a few days longer to deal with it.

Can I ask someone to assist me in making a complaint?

4.8 Residents may seek assistance in making a complaint. For example, they may seek the assistance of a friend, relative, or member of a support group etc. However, RIA and centre management retain the right to communicate directly with the resident regarding the complaint.

How do residents complain?

4.9 It is expected that most complaints can be resolved quickly and informally. However, sometimes this cannot happen and further stages have to be gone through. Complaints can be made in four stages:-

Informally – verbally (Step 1)

Formally – in writing (Step 2)

Appeal to RIA – in writing (Step 3)

Appeal to Ombudsman or Ombudsman for Children (Step 4)

Step 1

Can my complaint be handled informally at the accommodation centre?

4.10 Yes. The centre manager must try their best to resolve your issue quickly and **informally**. If you want to make an informal complaint because you think the centre is not fulfilling its obligations to you, as set out in ‘Part 1: Services’, you must tell the centre manager immediately if you become unhappy with the services they are providing.



Step 2

What happens if I am not happy with how the centre handles my complaint?

4.11 If you are not satisfied with how the centre manager handles your complaint informally, you may complain **formally in writing** to them. They will respond to you within 14 days. An example of a complaint form that you can use in this instance is at **Appendix 1** of this booklet.

Step 3

How do I complain to RIA?



4.12 If, having gone through the above process, you believe your centre has not handled your complaint satisfactorily, you can write to RIA telling them what your original complaint was. An example of a complaint form you can use to complain to RIA is at **Appendix 2** of this booklet.

Please send this form to the Operations Manager of RIA at PO Box 11487, Dublin 2. You may also attach a copy of the original complaint and the centre manager's response if you wish.

The Operations Manager will ask an appropriate staff member in RIA to deal with your complaint. This staff member will ask you and anyone else involved for observations about the complaint.

Can I complain directly to RIA?

4.13 In very exceptional and serious circumstances you may submit your complaint directly to RIA, bypassing the centre manager. For example, this can happen where it would make it difficult to process your complaint fairly if it were first dealt with by the centre manager. However, RIA may send the complaint to the accommodation centre manager if they think it should have been dealt with locally first.

Step 4 Complaints to the Office of the Ombudsman or the Office of the Ombudsman for Children

4.14 If you are not satisfied with the outcome of your complaint to the Reception and Integration Agency you may then submit a complaint to the Office of the Ombudsman or the Office of the Ombudsman for Children as appropriate. Complaints will only be dealt with by these offices if you have already followed the formal complaints procedure which require you to submit complaints to your centre management in the first instance and then, if you are not satisfied with the outcome, to submit a formal complaint to the Reception and Integration Agency. The Office of the Ombudsman or the Office of the Ombudsman for Children shall deal with complaints relating to your accommodation and other services provided to you while residing in State provided accommodation. These offices will not deal with matters pertaining to your application for international protection.

4.15 How to make a complaint:

<https://www.ombudsman.gov.ie/en/Make-a-Complaint/>

Or Complaints relating to the reception system:

<http://www.ombudsman.gov.ie/en/Publications/Information-leaflets/Direct-Provision-Factsheet>

How does the centre manager complain about a resident?

4.16 It is expected that complaints by managers can be resolved quickly and informally. Sometimes that cannot happen and further stages may have to be gone through. Complaints can be made in three stages:

Informally - verbally (Step 1)

Formally - in writing (Step 2)

Referred to RIA (Step 3)

Step 1

Can the centre manager handle a complaint against a resident informally?

4.17 Yes, where a complaint is made that a breach of the House Rules by a resident has occurred and the breach is considered to be of a minor nature, the manager will draw the issue to the resident's attention and try to resolve the issue quickly and informally.

Step 2

When does the centre make a formal complaint?

4.18 If a complaint is made that a resident has committed a serious breach of the House Rules, the centre manager will:

- examine the complaint; and

- seek the views of the resident/s involved.

If the manager considers that a resident has committed a serious breach of the rules, he/she will give a written warning outlining how the rule was breached and what action they will take. The resident shall also be informed of the actions that may be taken by the manager or by RIA, in the event of another breach occurring.

What happens if a complaint involves children?

4.19 If there are any concerns or issues relating to children (anyone under the age of 18 years), the centre will notify Tusla and RIA.

Step 3

What happens when someone who has already been warned breaks the rules again?

4.20 If someone has already been warned about breaking House Rules and a complaint is made that they have broken the rules again, the manager will write to let RIA know. In most cases a copy of the letter to RIA will be given to the resident unless the letter contains information which needs to remain confidential to protect another person's identity. RIA will seek the resident's views on the contents of the manager's letter and will then decide on the action to be taken. RIA will write to the resident with their response to the complaint.

Under the Regulations a resident must comply with the House Rules. If a serious breach of the House Rules has occurred the Minister can reduce or withdraw or re-designate (transfer) reception conditions (accommodation and related services) to another centre.

If the resident breaks the House Rules again, RIA will warn them that a further breach may mean a reduction or withdrawal of accommodation or transfer to alternative accommodation. If this happens, the Minister for Justice and Equality will designate the alternative accommodation at which material reception conditions will be made available.

RIA will send a copy of their findings to the centre manager.

What happens if The Minister for Justice and Equality decides to re-designate (transfer) a resident?

4.21 The Minister shall in accordance with Regulation 7 of the Regulations designate accommodation. A transfer of accommodation may be done for many reasons including to support the efficient functioning of the reception system. RIA will write to the resident to let them know and send a copy of this letter to the centre manager. These letters will be issued by fax/email and by post.

4.22 RIA will make the following arrangements:

- find a suitable alternative location to which the resident will move
- contact the relevant official in the Community Welfare Service to organise a travel voucher and transfer of social welfare entitlements; and
- fax/email the manager of the accommodation centre to which the resident is being transferred giving information about their arrival and why they are being transferred

Change of address

4.23 In line with Regulation 7 of the Regulations the Minister for Justice and Equality through RIA can designate you a new centre. If you are transferred, you must notify the relevant authorities that your address has changed (see section 2.18). Change-of-address forms are available at your centre.



Can RIA withdraw accommodation completely from a resident?



4.24 In line with the Regulation 6 of the European Communities (Reception Conditions) In very serious and exceptional circumstances, The Minister for Justice and Equality, in the interest of maintaining good order and the safe and effective management of accommodation centres, can immediately and without notice:

- Withdraw services from a resident, which may mean expulsion from the reception system entirely.

4.25 Generally, these actions can only be done in exceptional cases where no other action can be taken and directed by the Minister through a RIA official at a senior level.

4.26 If a decision is made to withdraw or reduce accommodation and related services, this is done in line with Regulation 6 of the Regulations. The Minister will write to the person with the reasons for the decision. If you are unhappy with a decision to withdraw or reduce accommodation services, you can ask for a review of the decision. Details on how to ask for a review are on page 44.

RIA will notify the Garda Síochána

4.27 If an offence has been committed that led to the withdrawal of accommodation and related services, RIA will immediately write to An Garda Síochána (Irish Police) and the relevant social services to let them know.

Review of Certain decisions made under the:

European Communities (Reception Conditions) Regulations 2018.

4.28 There are certain instances that an applicant can ask for a review of a decision they are not happy with. These instances are listed in Regulation 20 of the above regulations.

- Under Regulation 4, that a person is not entitled to receive accommodation and related services
- Under Regulation 5 (2), to contribute to the cost of their accommodation
- Under Regulation 5 (3), when the Minister for Justice and Equality through RIA asks for a refund of the cost of accommodation
- Under Regulation 6 (1), when the Minister for Justice and Equality through RIA withdraws accommodation
- Under Regulation 11, to refuse to grant or renew a labour market access permission or
- Under Regulation 12 (1), to withdraw a labour market access permission,

An applicant must ask for a review within 10 working days from the date of issue of the decision letter. If the review request relates to Regulations 4, 5 or 6 above please contact: **Review Officer, Reception and Integration Agency, PO Box 11487, Dublin 2.**

If the review request relates to Regulation 11 or 12 please contact: **Review Officer, Labour Market Access Unit, PO Box 12931, Freepost FDN5264, Dublin 2.**

What happens next?

Once a review officer has made their decision, you will be informed in writing. If you are still unhappy with this decision you can ask for an appeal of the review decision to the International Protection Appeals Tribunal (IPAT). This is requested under Regulation 21 of the Regulations and must be done in writing in the form specified in Schedule 7 of the Regulations (attached at Appendix 3).

A full copy of the Regulations and Schedules are available by clicking this link: <http://www.irishstatutebook.ie/eli/2018/si/230/made/en/pdf>

Appendix 1

Sample Complaint Form

Formal Complaint Form from Resident to Centre Manager

Your centre:

Your name:

Your ID Number: _____

Detail of complaint: _____

Have you already informally brought your complaint to attention of centre management: Yes/No __

If no, why not?

If yes, what was the outcome?

Signed _____

Date: _____

Appendix 2

Sample Complaint Form

Formal Complaint Form from Resident to RIA

Your Centre: _____

Your Name: _____

Your ID Number: _____

Detail of Complaint: _____

Have you already formally complained to centre management: Yes/No__

If no, why not?

If yes, what was the outcome?

Why are you appealing the centre manager's decision to RIA

Signed: _____

Date: _____

Appendix 3

SCHEDULE 7

European Communities (Reception Conditions) Regulations 2018 International Protection Appeals Tribunal

NOTICE OF APPEAL

against a decision to refuse to grant, to withdraw or to reduce certain
reception conditions

Part 1: Type of Appeal

1.1 Please tick as appropriate:

- Appeal of a decision under Regulation 11 to refuse to grant or to renew a labour market access permission.
- Appeal of a decision under Regulation 12 to withdraw a labour market access permission.
- Appeal of a decision that you are not entitled under Regulation 4(1) to receive relevant reception conditions.
- Appeal of a decision that you are not entitled under Regulation 4(1) to the daily expenses allowance.
- Appeal of decision under Regulation 5(1) to reduce the amount of the daily expenses allowance.
- Appeal of a decision under Regulation 5(2) that you must contribute to the cost of providing relevant reception conditions.
- Appeal of a decision under Regulation 5(3) to seek a refund of all or part of the cost of providing relevant reception conditions.
- Appeal against a decision under Regulation 5(6) to require a refund of or raise an overpayment for all or part of the daily expenses allowance.
- Appeal of a decision under Regulation 6(1) to reduce or withdraw relevant reception conditions.
- Appeal of a decision under Regulation 6(2) to reduce or withdraw the daily expenses allowance.

Note: You may only make an appeal to the International Protection Appeals Tribunal when you have exhausted all other first level reviews available.

Part 2: Applicant’s Details

2.1 Personal ID Number.....

2.2 Full Name:

2.3 Any other names used:

2.4 Date of Birth:

2.5 Address:

.....

.....

2.6 Telephone Number (if any):

2.7 Nationality:

2.8 Details of any dependents

Name	Date of Birth	Male or Female	Relationship to Applicant	Personal ID Number

Part 3. Legal Representation:

3.1 Do you have legal representation? YES / NO (*delete as appropriate*)

3.2 Name of your legal representative:

3.3 His or her address:

.....
.....

3.4 His or her telephone number:

3.5 His or her email address:

Note: If you instruct a legal representative at a later stage of your appeal, you should inform the Tribunal of this immediately and provide the Tribunal with the relevant details.

Part 4. Grounds of Appeal:

4.1 I have exhausted all first level reviews or appeals available YES/NO (delete as appropriate)

4.2 Please state clearly and concisely the grounds of your appeal. You may use additional pages, if necessary.

Ground 1

Ground 2

Ground 3

Part 5: Documentation

5.1 Please list below all documents submitted by you in relation your fist level review.

Document 1:
Document 2:
Document 3:

5.2 Additional documentation to be considered in your appeal

Document 1:
Document 2:
Document 3:

Note: (1) If you require more space, documentation should be listed on a separate sheet(s).

(2) The documents listed above must accompany this form. Please also include a copy of the decision of the first level review(s).

Part 6: Communications to the Tribunal:

6.1 All communications to the Tribunal should be sent by registered post, or faxed to 01-4748410 (and confirmed by a successful transmission report), or delivered to International Protection Appeals Tribunal, 6/7 Hanover Street East, Dublin 2. The Tribunal will issue you with a receipt, which you should retain as proof of such delivery.

Part 7: Authorisation and Confirmation of Applicant

7.1 I confirm that the answers set out in this form are true and correct.

7.2 I authorise my legal representative, where applicable, to act on my behalf in respect of all matters with the Tribunal and to receive all correspondence and documents relating to my appeal

Signed: **Applicant**

Date: /..... /.....



An Roinn Dlí agus Cirt agus Comhionannais
Department of Justice and Equality