

European Regional Development Fund Complaints Policy

According to article 74 (3) of Regulation (EU) No 1303/2013, Member States with responsibility for European Regional Development Fund (ERDF) programmes shall ensure that effective arrangements for the examination of complaints are in place. For the ERDF Operational Programmes in Ireland, Member State has delegated this task to the ERDF Managing Authorities, the Northern and Western Regional Assembly and the Southern Regional Assembly. Therefore the relevant bodies for the purposes of examining complaints in respect of the ERDF Fund are the respective Managing Authorities for the ERDF Regional Operational Programmes.

Nature of complaints handled

In undertaking their responsibilities as Managing Authorities for the ERDF Co-funded Regional Operational Programmes, the Regional Assemblies provide a broad range of services and work with many external organisations and stakeholders.

In the context of ERDF co-financing there are two areas about which you may wish to submit a complaint:

- Complaints relating to the Managing Authority function regarding ERDF provided by the Regional Assembly;
- Complaints relating to a project co-funded by the European Regional Development Fund through the Regional Operational Programmes for which Regional Assembly is responsible. (For example, complaints regarding project evaluation and selection, functioning of internal controls, fraudulent activity etc.)

In the event that a complaint pertains to broader policy issues regarding EU funding, the Regional Assemblies shall refer the complaint to the EU Structural Funds Division of the Department of Public Expenditure and Reform for review. The Department of Public Expenditure and Reform shall follow the same process that is outlined in the next section.

It is important to note that this complaints policy intends to deal with alleged breaches of national law. The EU Commission will continue to handle complaints alleging a breach of EU law. Complaints regarding breaches of EU law should be addressed to the EU Commission.

The Complaints Process

Informal complaint

Complaints are best dealt with through local resolution where the emphasis should be on achieving quick effective resolutions to the satisfaction of all concerned. In the first instance, this should be addressed directly with the relevant Regional Assembly in line with the Regional Assembly's complaints procedure.

Formal complaint

A formal complaint should be submitted in writing to the relevant Regional Assembly in line with the Regional Assembly's complaints procedure.

Southern & Eastern Regional Operational Programme	BWM Regional Operational Programme
Southern Regional Assembly	Northern & Western Regional Assembly
Assembly House, O'Connell Street, Waterford	The Square, Ballaghderreen, Co Roscommon
Phone: 00 353 (0) 51 860700	Phone 00 353 (0) 94 986 2970
email: info@southernassembly.ie	email: info@nwra.ie

If you are unhappy with the outcome of the Complaints Process

If following these actions, you feel that your complaint has still not been resolved, you may contact the Ombudsman. Contact details are outlined below:

Phone: 0353 1 639 5600 / 1890 223030 (Lo-call)

Email: ombudsman@ombudsman.gov.ie

By Post: 18 Lower Leeson Street Dublin 2 D02 HE97

Further info: www.ombudsman.gov.ie/en/

Please note this Complaints Policy is without prejudice to any mechanism or process for legal redress at national level, in particular with regard to unsuccessful applicants.

Complaints Procedure

ERDF Regional Operational Programmes 2014-2020

According to article 74 (3) of Regulation (EU) No 1303/2013, Member States with responsibility for European Regional Development Fund (ERDF) programmes shall ensure that effective arrangements for the examination of complaints are in place.

For the ERDF Operational Programmes in Ireland, the Member State has delegated this task to the ERDF Managing Authorities, the Northern and Western Regional Assembly and the Southern Regional Assembly. Therefore, the relevant bodies for the purposes of examining complaints in respect of the ERDF Fund are the respective Managing Authorities for the ERDF Regional Operational Programmes.

Nature of complaints handled

In undertaking their responsibilities as Managing Authorities for the ERDF Co-financed Regional Operational Programmes the Regional Assemblies provide a broad range of services and work with many external organisations and stakeholders.

In the context of ERDF co-financing there are two areas about which you may wish to submit a complaint:

- Complaints relating to the Managing Authority function regarding ERDF provided by the Regional Assembly;
- Complaints relating to a project co-funded by the European Regional Development Fund through the Regional Operational Programmes for which Regional Assembly is responsible. (For example, complaints regarding project evaluation and selection, functioning of internal controls, fraudulent activity etc.)

In the event that a complaint pertains to broader policy issues regarding EU funding, the Regional Assemblies shall refer the complaint to the EU Structural Funds Unit in the Department of Public Expenditure and Reform for review. The Department of Public Expenditure and Reform shall follow the same process that is outlined in the next section. It is important to note that this complaints policy intends to deal with alleged breaches of national law. The EU Commission will continue to handle complaints alleging a breach of EU law. Complaints regarding breaches of EU law should be addressed to the EU Commission.

The Complaints Process

Informal complaint

Complaints are best dealt with through local resolution where the emphasis will be on achieving quick effective resolutions to the satisfaction of all concerned. In the first instance, discussing the issue with the appropriate Programme Executive, contact details below, in the Regional Assembly is the recommended course of action. If an informal resolution to the complaint cannot be achieved, a formal complaint should be submitted.

Formal complaint

A formal complaint should be submitted in writing to the Programme Executive, contact details below, in the relevant or both regional assemblies.

The Regional Assembly will:

- Acknowledge receipt of the complaint within 5 working days;
- Inform the Assistant Director, EU Division of receipt of the complaint and examine the nature of the complaint;
- Advise if the complaint pertains to the Managing Authority functions of the Regional Assembly. If the complaint is considered to be outside the remit of the Managing Authority functions of the Regional Assembly or the ERDF fund this will be explained in the acknowledgment letter;
- Take the complaint seriously, examine the issues raised in a thorough and impartial manner;
- If further investigation is required to resolve the complaint, the Regional Assembly will commit to raise the issue with the relevant Department/Agency to examine the issue and to respond within 8 weeks of receipt of the complaint.

Contact details for the Programme Executive are outlined below:

Southern & Eastern Regional Operational Programme	BWM Regional Operational Programme
Vincent Dunphy Southern Regional Assembly Assembly House O'Connell Street Waterford Ph: +353 51 860700 Email: info@southernassembly.ie	Barry Guckian Northern & Western Regional Assembly The Square Ballaghderreen Co. Roscommon Ph; + 353 94 9862970 Email: info@nwra.ie

If your complaint is still not resolved

If you are dissatisfied with our response to your complaint, you may write to the Director at the address below. You must do this within 14 working days of receiving the initial response.

The Director will:

- Acknowledge your request within 5 working days;
- Consider your request and identify if any further actions are required to resolve your complaint;
- Issue a response within 8 weeks of receipt of the complaint.

Southern & Eastern Regional Operational Programme	BWM Regional Operational Programme
Stephen Blair	David Minton
Southern Regional Assembly	Northern & Western Regional Assembly
Assembly House, O'Connell Street, Waterford	The Square, Ballaghderreen, Co Roscommon
Phone: 00 353 (0) 51 860700	Phone 00 353 (0) 94 986 2970
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