



**Office of the  
Refugee Applications Commissioner**

**CUSTOMER SERVICE ACTION PLAN 2016-2018**

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## Foreword by the Refugee Applications Commissioner

I am delighted to present the sixth Customer Service Action Plan for the Office of the Refugee Applications Commissioner, covering the period 2016-2018, which aims to provide clear direction for ORAC's activities in advance of the commencement of the International Protection Act, 2015 which will see the Office subsumed back into the Irish Naturalisation and Immigration Service, Department of Justice and Equality.

ORAC continues to take a pro-active approach in meeting the needs of our customers and we value input and feedback from members of the public including via our Customer Service Liaison Panel. We report each year on our customer service commitments contained in the Action Plan in our annual report.

The organisation's continued commitment to providing a high quality customer service is reflected in this Action Plan which builds on the achievements of previous plans and outlines how we intend to implement our Customer Charter commitments over its lifetime.

I am aware that a high quality customer service cannot be delivered without the continued dedication of the staff within the organisation. I would like to thank all ORAC staff for their work to date in delivering such a service and I am confident that this commitment will continue in the future including in the context of the planned International Protection Office to be established in the context of the commencement of the International Protection Act, 2015.

David Costello  
*Commissioner*

## Introduction

There are 12 Principles of Quality Customer Service for customers and clients of the Public Service. These 12 principles guide us in our service delivery role including in the context of this Action Plan. These are:

1. Quality Service standards
2. Equality/Diversity
3. Physical Access
4. Information
5. Timeliness and Courtesy
6. Complaints
7. Appeals (Reviews)
8. Consultation and Evaluation
9. Choice
10. Official Languages Equality
11. Better co-ordination
12. Internal Customers

The Action Plan commences with a description of ORAC's core statutory and non-statutory functions (Chapter 1) and outlines the role played by each Unit within our organisation (Chapter 2).

The Plan sets out our customer service commitments across a range of headings (Chapter 3) and describes, with reference to the above principles of Quality Customer Service, how we intend to deliver on those commitments (Chapter 4).

Finally, the Plan sets out the mechanisms in place to regularly monitor and report on the progress we are making in the delivery of our customer service commitments (Chapter 5).

A number of appendices containing additional background material are also incorporated into this document, including a glossary of technical terms for ease of reference.

## Chapter 1

### Functions of the Office of the Refugee Applications Commissioner

The Refugee Applications Commissioner derives his mandate in respect of refugee status determinations from the Refugee Act, 1996, and regulations made under that Act, which provides that the Commissioner shall be independent in the exercise of his functions which are of a statutory and non-statutory nature. The ORAC also has responsibility for processing applications for subsidiary protection.

The key statutory responsibilities under the 1996 Act are:

- to investigate applications from those who seek a declaration for refugee status and to issue appropriate recommendations to the Minister for Justice and Equality on such applications,
- to investigate applications by refugees to allow family members to enter and reside in the State and report to the Minister for Justice and Equality on such applications, and
- to investigate applications for subsidiary protection and to issue appropriate recommendations to the Minister for Justice and Equality on such applications.

In undertaking its responsibilities ORAC also has a requirement to provide a high quality service to our customers through the implementation of policies and procedures which are fair and open, treating all applicants with courtesy and sensitivity.

Under the 1996 Act, it is also the Commissioner's responsibility to:

- issue Temporary Residence Certificates to asylum seekers.
- comply with any Ministerial directives concerning the prioritisation of certain categories of applicant.
- direct the presentation of the Commissioner's case to the Refugee Appeals Tribunal where recommendations are appealed to the Tribunal.
- furnish to the UNHCR, as well as relevant Government agencies, information as provided for in legislation.
- refer unaccompanied minors to TUSLA - the Child and Family Agency.

While ultimately responsible for fulfilling these statutory functions under the 1996 Act, the Commissioner may delegate these functions to any member of his staff.

#### Subsidiary Protection

ORAC also has responsibility for the investigation and determination of subsidiary protection applications under the European Union (Subsidiary Protection) Regulations 2013 ("the 2013 Regulations"). Under the 2013 Regulations, the Commissioner is also independent in the exercise of his functions.

### **Relocation of asylum seekers from other EU States to Ireland**

ORAC also inputs into the Irish Refugee Protection Programme under which applicants for asylum in EU States designated by relevant EU Council Decisions are transferred to this State to have their applications for asylum processed here.

The Commissioner also has non-statutory functions. These include:

- ensuring that all applications for refugee status at first stage are treated and processed in a fair, courteous and efficient manner.
- issuing directives on the practical application of the Refugee Act, 1996, and on procedures and standards of work.
- ensuring that adequate information on countries of origin of protection applicants and international jurisprudence and practice in the area of protection is available to staff.
- participating in international fora on protection related matters.
- management of staff performance and training and development.
- dealing with press queries.
- preparation and management of the budget and Business Plan for the organisation.

### **International Protection Act 2015**

The International Protection Act, 2015 will see ORAC subsumed into the Irish Naturalisation and Immigration Service (INIS) and provides for the establishment of a single processing framework or single procedure for applications for international protection (refugee status and subsidiary protection) as well as applications for permission to remain in the State.

### **Legal Framework:**

The legal framework under which ORAC operates is outlined in our Annual Report.

## Chapter 2

### Organisational Framework of the Office of the Refugee Applications Commissioner

The Office of the Refugee Applications Commissioner consists of the following work Units, some of which are inter-linked. The services they provide are set out below.

A detailed description of the asylum process is available on ORAC's website ([www.orac.ie](http://www.orac.ie) - refugee status determination).

#### 1. Administration, Arrangements and Presenting Unit

##### Administration & Arrangements

The functions of the Unit are:

- to arrange the scheduling of interviews for protection applicants.
- to arrange for interpretation and translation services.
- to manage the interview waiting area.
- to issue recommendation notifications to asylum applicants and relevant parties following the investigation of asylum applications.
- to process deemed withdrawn cases.
- to provide administrative support to the Case Processing Unit.
- to process correspondence in relation to the Case Processing Unit.
- to manage file movement and file copying in ORAC.

##### Presenting Unit

The role of the Presenting Unit is to represent the Refugee Applications Commissioner at appeal hearings before the Refugee Appeals Tribunal in respect of refugee status, subsidiary protection cases and under the EU Dublin III Regulation, to respond at appeal hearings to the issues raised in the appellant's appeal and to assist the Member of the Tribunal in reaching a fair and just decision. The Unit provides statutory responses under sections 16(6) and 16(7) of the Refugee Act, 1996, and the relevant provisions of the European Union (Subsidiary Protection) Regulations 2013.

#### 2. Asylum Case Processing Unit

The primary objective of the Asylum Case Processing Unit is the fair, timely and efficient investigation of applications for a declaration of refugee status and the making of legally robust recommendations on such applications. The investigation includes the individual interviewing of applicants, the objective research of the claims made and the making of recommendations as to whether an applicant should be 'granted' or 'refused' refugee status.

#### 3. Corporate and Customer Service Centre

The role of the Corporate Office is to oversee the provision of quality administrative and secretarial support to the Refugee Applications Commissioner and his senior Management Team to enable him to discharge his statutory and non-statutory functions. The office co-ordinates material in response to requests from, *inter-alia*,

other parts of the Irish Naturalisation and Immigration Service (INIS), Government Departments/agencies and the media; prepares all corporate documents and is responsible for their circulation. The Customer Service Centre is responsible for the development and monitoring of customer service structures, the management of customer service enquiries and liaising with other organisations (governmental and non-governmental).

#### **4. Dublin Unit**

This Unit deals with the implementation of the EU Dublin III Regulation and is responsible for determining whether asylum applications should be transferred for examination to other Member States. It also deals with requests from other Member States to transfer applications for asylum to this State.

#### **5. Family Reunification Unit**

Family Reunification Unit investigates applications made by refugees for permission for certain members of their family to be allowed to enter and reside in the State and provides reports on these investigations to the Minister for Justice and Equality.

#### **6. Judicial Review and Investigations Unit**

The Judicial Review Unit prepares the ORAC response to legal challenges against recommendations of the Office (first instance asylum and subsidiary protection recommendations), as well as challenges under the EU Dublin III Regulation. This includes appeals to the Supreme Court and referrals to the Court of Justice of the European Union (CJEU). The investigation side of the Unit provides investigative assistance to other Units in ORAC and acts as a point of contact for other bodies such as INIS and GNIB.

#### **7. Procedures, Training and Organisation Development Unit**

This Unit acts as the central knowledge resource for the organisation and leads the development and ongoing review of ORAC policy and procedures in relation to the management and investigation of asylum and subsidiary protection applications. The Unit also co-ordinates and provides the appropriate training for staff in relation to both refugee status and subsidiary protection determination processes.

#### **8. Reception Unit**

The Reception Unit deals with the acceptance and processing of asylum applications when first received in ORAC including the initial interview of applicants, the taking of fingerprints and the transmission thereof to the EURODAC fingerprint database, the photographing of applicants and the issue to applicants of Temporary Residence Certificates. The Unit also processes the initial stage of subsidiary protection applications.

#### **9. Reporting and Analysis Unit**

The Reporting and Analysis Unit (RAU) is responsible for providing statistical and management information and for the compilation and circulation of periodic statistical reports. The ORAC RAU is part of the INIS RAU.



#### **10. Single Procedure Planning Unit**

The Single Procedure Planning Unit is responsible for the development of internal policies and procedures as well as training programmes required to facilitate the implementation of the International Protection Act, 2015, which will result (when commenced) in the introduction of a single procedure. Under the proposed single procedure, an applicant will have all grounds for seeking international protection (refugee and subsidiary protection) as well as other grounds for remaining in the State examined and determined in one process.

#### **11. Staff Support & FOI, COI/ Research and Legal Analysis Unit**

The role of the Unit is to:

- Provide and co-ordinate residual staff support functions including certain aspects of staff training.
- Provide Country of Origin Information (COI) and other research material to support ORAC's various areas of responsibility.
- Manage the language analysis function.
- Provide legal analysis/research support in relation to judicial reviews, ORAC's policies and procedures, and other legal work which is undertaken for the Commissioner.
- To ensure that all Freedom of Information requests are processed in accordance with the requirements of the Freedom of Information Act, 2014.

#### **12. Subsidiary Protection Unit**

Subsidiary Protection Unit's role is to ensure the fair, timely and efficient investigation (including interview) of applications for subsidiary protection and the making of legally robust recommendations as to whether an applicant should be 'granted' or 'refused' such protection. It also oversees the management of other responsibilities in relation to subsidiary protection including scheduling of interviews, ensuring representation at Refugee Appeals Tribunal appeal hearings, issue of recommendations, production of management statistics and the management of work processes generally.

#### **13. Relocation Unit**

Relocation Unit is responsible for ensuring the fair, timely and efficient relocation of asylum seekers from EU Member States as specified in relevant EU Council Decisions. The Unit also oversees the processing of asylum applications in respect of relocated persons.

## Chapter 3

### Customer Service Commitments

ORAC's Customer Charter was published in June 2004, the purpose of which is to:

- Advise customers of the standards of service they can expect from the organisation, and
- Highlight our commitment to transparency and quality in our delivery of customer service.

It is important for any organisation seeking to achieve quality customer service delivery that staff are equally recognised as customers. This is based on the premise that excellent customer service starts internally and is reflected externally. The standards set out in our Customer Charter apply to staff as well as to external customers. We have also set out below a number of key additional commitments relating specifically to internal customer service.

In Chapter 4 of this Plan we set out in detail the steps we are taking to live up to the commitments in our Customer Charter, by reference to each of the principles of Quality Customer Service for the Public Service. These principles inform every aspect of our customer service activity.

### Customer Charter

The Office of the Refugee Applications Commissioner places a high emphasis on providing a professional, efficient and high quality service to all its customers, and our Customer Charter outlines the standards of service that our customers can expect.

### Our Commitments

#### 1. Quality service for all

- We are committed to making sure that our services take into account the needs of all our customers whatever their background.

#### 2. Personal callers to our office

- Our public office will be open from 8.45 a.m. to 4.00 p.m. Monday to Friday (apart from public holidays).
- We will try to keep waiting times in our reception areas to a minimum.
- If you have an appointment we will see you promptly when you arrive.
- We will deal with you politely and as quickly as possible.
- We will keep our reception and waiting areas clean and tidy, and will improve our facilities where necessary.
- If you need an interpreter, we will provide one (where necessary and possible).

- We will continue to review and improve our access for our customers with disabilities.
- Persons in contact with our office, either in person or by other means, have an obligation to treat our staff with courtesy and respect.

### **3. Documents**

- We will produce all documents (such as forms and information leaflets) in as user-friendly a format as possible and (where necessary and possible) in an appropriate range of languages.

### **4. Phone enquiries to the Customer Service Centre**

- With effect from September 2016, the Customer Service Centre telephone line will be open from 9.30 a.m. to 1 p.m. and 2 p.m. to 4.30pm Monday to Friday (apart from public holidays).
- We will deal with your call politely and as quickly as possible.
- We will give you our name and tell you which Unit we work in.
- If we cannot deal with your enquiry promptly, we will explain this and arrange to call you back or write to you as soon as possible.
- If we have to transfer your call, we will tell you to whom we are transferring you and why.

### **5. Correspondence**

- We will acknowledge all correspondence (letters, e-mails or faxes) within five working days of receiving it.
- We will send you a full reply within 20 working days or, if this is not possible, we will send you an explanation of our current position and what we will do next.
- All our letters will give a contact name and phone number.
- All our letters will be written in simple English and we will only use technical and legal terms where necessary.

### **6. Interviews and recommendations on asylum applications**

If we are interviewing you about your asylum application, we will do the following:

- We will give you written notice of the date and time of your interview.
- We will try to meet any special needs you have because of a medical condition or disability that you have told us about.
- At your interview we will give you the opportunity to fully explain your case and any fears you might have about returning to your country.
- In carrying out your interview, we will take into account your age and sex, and any traumatic experiences you have had.
- If you need an interpreter for your interview, we will provide one (where necessary and possible).
- We will assess your case fairly and independently.

- We will make a recommendation about your application as soon as possible after your interview.
- We will write to you with our recommendation and tell you what the next step in the asylum process will be. For example, if your application is unsuccessful, we will tell you about any appeal options you may have.

You will find more information about the interview process in our information leaflet for applicants.

## 7. Complaints

You have a right to complain if the service you receive from us does not meet the standards set out in the Customer Charter, or if you believe that any action or decision that we have taken is not in line with our rules, practice or policy, as outlined in that Charter. If you want to make a complaint, please write to our Customer Liaison Officer (see section 12 below for details). For all complaints we receive, we will do the following:

- Acknowledge them by letter within five working days of receiving them.
- Investigate them thoroughly.
- Send you a full reply within 20 working days or, if this is not possible, send you an explanation of our current position and what we will do next.

You will find a copy of our complaints procedure on our website ([www.orac.ie - customer services/information/complaints procedure](http://www.orac.ie-customer-services/information/complaints-procedure)) or you can contact our Customer Service Centre by phone or e-mail (see section 12 below for details).

Please note that this complaints procedure does not cover our recommendations in respect of protection applications or how we arrive at these recommendations. If, after your interview, your application for protection is unsuccessful, you can appeal to the Refugee Appeals Tribunal, in accordance with the relevant statutory framework under which you are notified of your recommendation.

## 8. Consultation

We are committed to ongoing consultation with various Non-Governmental Organisations (NGOs) who represent our customers' interests. This consultation process involves the Customer Liaison Panel for NGOs. This panel meets at least once during the year. As part of our continuing commitment to this process, we will continue to consult members of the panel about the following:

- Our customers' interests and needs.
- The range and quality of our service.
- The accuracy of the information we supply.
- The standard of the documents we produce.
- The suitability of our service delivery methods.
- How changes in laws and regulations affect our services.

- Any planned new services.

We will also continue to hold regular meetings with the various governmental organisations involved in the asylum process to deliver quality customer service.

## 9. Listening to you

We will sometimes hold customer surveys to get your comments and views. These surveys will form part of our process to improve and, where necessary, change our service delivery so that we continue to meet our customers' needs.

If you want to take part in our surveys, please write to our Customer Liaison Officer (see section 12 below for details).

## 10. Confidentiality

We will keep confidential any personal information you give us, in line with relevant statutory provisions. We may pass your information to other government agencies in line with the Immigration Act, 2003 so that they can perform their legal duties. We may also pass your information to the United Nations High Commissioner for Refugees in line with the terms of the Refugee Act, 1996, and to other countries in the context of the EU Dublin III Regulation. The EU Dublin III Regulation provides the legal basis for deciding which Member State<sup>1</sup> is responsible for examining an asylum application made in a Member State.

## 11. Our website

We will make sure that our website:

- is updated regularly;
- is accessible to people with disabilities; and
- contains relevant information for our customers and other organisations with whom we work.

We welcome your comments about our website, which you can send on-line. Our website address is: [www.orac.ie](http://www.orac.ie) - customer services/contact us

<sup>1</sup> Member State means Member State as defined in the EU Dublin Regulation (EC 604/2013). See Appendix 3 for further information.

**12. How to contact us**

Office of the Refugee Applications Commissioner  
Timberlay House  
79-83 Lower Mount Street  
Dublin 2  
*Telephone:* 01 602 8000  
*LoCall:* 1890 202 418  
*Fax:* 01 602 8122  
*E-mail:* [oracmail@orac.ie](mailto:oracmail@orac.ie)

## **Customer Service Commitments to Staff**

ORAC recognises staff as customers and this philosophy is integrated into our internal procedures and business planning. We appreciate that similar standards in respect of timeliness, courtesy, consultation and clarity of information as set out above, will also apply to the needs of staff as internal customers. In addition, we are committed to:

- Continuing to cultivate an environment in which communication at all levels of the Office is effective and meaningful, within and between Units as well as between staff and their managers.
- Further embedding the partnership approach and encouraging staff participation in strategic and business planning as well as in the management of change at Unit and organisational level.
- Continuing to provide a structured approach to the development and training needs of all staff.

Chapter 4 of this Plan contains details of the actions we will take to deliver on the commitments outlined in this chapter.

## Chapter 4

### Delivering on our Customer Service Commitments

This Chapter describes how we intend to live up to the external and internal customer commitments set out in Chapter 3, by reference to each of the 12 Quality Customer Service Principles outlined in the Introduction to this Plan.

#### 1. Quality Service Standards

*'Publish a statement that outlines the nature and quality of service which customers can expect, and display it prominently at the point of service delivery.'*

We have published our Customer Charter. The Charter sets out the standards of service customers can expect to receive on contacting us.

The Charter was awarded the Crystal Mark to reflect the clarity of English language used and it was also published in a number of the most commonly used applicant languages (as well as Irish) and displayed in the various language formats on our website ([www.orac.ie/customer\\_services/information/customer\\_charter](http://www.orac.ie/customer_services/information/customer_charter)). Every applicant receives a copy of the Charter when making their initial application for asylum. We continue to review the Charter and the Complaints Procedure annually to quality assure the service we provide.

Our customer commitments are displayed, in poster format, in prominent locations throughout our offices, again in a number of the most commonly used applicant languages.

Correspondence (letters, e-mails or faxes) received by ORAC will be acknowledged within 5 working days of receiving it. We will send you a full reply within 20 working days or, if this is not possible, we will send you an explanation of our current position and what we will do next.

#### Key Action Points

- Continue to ensure that information regarding our customer service standards is prominently displayed and widely distributed.
- Keep under review the content and presentation of our Customer Charter, including the languages in which it is available, to ensure its continued relevance and accessibility.
- Highlight the significance of our customer service standards within the organisation, include them as part of staff induction and ensure that they are incorporated into customer service training modules.

- Monitor our performance against these customer service standards, through, for example, liaison with outside interests and other methods and make available the results of such exercises.

## 2. Equality/Diversity

*'Ensure the rights to equal treatment established by equality legislation, and accommodate diversity, so as to contribute to equality for the groups covered by equality legislation (under the grounds of gender, marital status, sexual orientation, religious belief, age, disability, race and membership of the Traveller Community).'*

*Identify and work to eliminate barriers to access to services for people experiencing poverty and social exclusion, and for those facing geographic barriers to services.'*

ORAC remains committed to treating all customers equally while at the same time respecting individual differences and needs. Given the core function of our Office, considerable care must be taken to ensure not only the fair treatment of persons from diverse ethnic and religious backgrounds but also other types of diversity amongst staff as well as external customers.

Central to our equality priorities is the importance of ensuring that staff are enabled to meet commitments to equal treatment through appropriate training, supplemented by other support structures. Interculturalism Awareness Training is provided to all staff.

### Key Action Points

- Continue to implement ORAC's Equality Programme.
- Raise awareness of equality/diversity issues and schemes with staff through information dissemination.
- Promote equality of opportunity for all staff in accordance with established policies.
- Liaise with relevant statutory and non-statutory bodies to ensure that we remain up to date and informed of best practice in this area.
- Participate in public sector wide programmes designed to address equality/diversity issues.
- Ensure that equality/diversity issues are considered in our business planning process and that new initiatives are 'proofed' in this regard.
- Continually evaluate specific needs which might arise as a consequence of our diverse customer base and liaise with relevant representative groups with a view to meeting such needs.



- Ensure that our website conforms to a high level of accessibility for all users.
- Optimise the use of Information Technology to overcome physical and geographical barriers to access.

### 3. Physical Access

*'Provide clean, accessible public offices that ensure privacy, comply with occupational and safety standards and, as part of this, access for people with disabilities and other specific needs.'*

We are committed to providing appropriate physical access to our buildings for internal and external customers and to ensuring that our offices are clean and safe. As an organisation with a busy reception area, this is an area where considerable work has already been done and customer feedback to date has been positive. Access issues in ORAC are integrated into the work of the Shared Services Unit, INIS. This is an area which remains under continuing review and our practices and procedures are updated and amended as appropriate.

The Disability Act 2005 is designed to improve access to public services for persons with disabilities and places obligations on public bodies to make their services and information accessible to people with disabilities as well as containing provisions on accessibility in relation to buildings. To ensure we are fully compliant with the provisions of the 2005 Act, initiatives undertaken in the past included:

- replacement of internal doors at identified locations with low energy power operated doors which has had a significant impact on the ease with which people can enter and leave the building.
- provision of additional accessible parking spaces located within 50 metres of the building for wheelchair users or people with limited mobility.

Disability awareness training is available to all front line staff.

#### Key Action Points

- Continue to maintain all our offices to a standard which adheres to a high level of safety and comfort for staff and other customers.
- Endeavour to improve access for persons with disabilities, or special needs.
- Continue to consult staff with special access needs and with organisations representing the interests of other customers with such needs.

- Ensure our information on our services and processes is disseminated widely, including by electronic means and through NGOs and relevant State agencies, to help to reduce physical or geographical barriers to accessing our services.

#### 4. Information

*'Take a proactive approach in providing information that is clear, timely and accurate, is available at all points of contact and meets the requirements of people with specific needs. Ensure that the potential offered by Information Technology is fully availed of and that information available on public service websites follows the guidelines on web publications.'*

*'Continue the drive for the simplification of rules, regulations, forms, information leaflets and procedures.'*

ORAC is committed to providing applicants with clear, accurate, comprehensive and up-to-date information. This information includes details on the protection process from start to finish, as well as on applicants' entitlements and obligations generally. Information is also provided about the other relevant State agencies, including the Legal Aid Board Law Centres which provide legal assistance to protection applicants and also some of the main NGOs which may be in a position to assist them. This information is provided in a broad range of applicant languages. Expressing this information in easy to understand terms is a challenge, given the inherently technical and legal nature of many of the concepts and terms.

We are also committed to ensuring that comprehensive information is available to other parties, including members of the public, NGOs, the media and other government departments. ORAC issues a number of publications dealing with its areas of responsibility, including its Annual Report and Strategy Statement. It is also our policy to advise key customer representative groups of important developments in our procedures and services as they happen. Effective internal dissemination of information is equally important, both as an end in itself, and in order to deliver quality external communications. We are also fully committed as an organisation to keeping our customers and staff informed, as appropriate, of developments in relation to the International Protection Act, 2015, insofar as these impact on ORAC as an organisation and its statutory responsibilities.

In meeting its requirements under the Official Languages Act 2003, ORAC ensures that Irish versions of key policy documents are published.

While information is, of course, available by attending the Office in person, the main points of external contact for information provision are our Customer Service Centre and our website ([www.orac.ie](http://www.orac.ie)). Our Customer Charter sets out the standards we are committed to achieving in respect of dealing with all correspondence, including requests for information.

## Key Action Points

- Ensure that all forms and information leaflets are written in simple and easy to understand English. Achieve this by regular review and with advice from relevant experts as necessary.
- Continue to provide all forms and information leaflets in a broad range of applicant languages and provide interpretation facilities where necessary.
- Monitor our success in achieving the standards set in our Customer Charter for handling correspondence and keep those standards under review as necessary.
- Continue to ensure that all front line staff are trained in best customer service and telephone technique practice and that they are aware of, or have ready access to, the most up to date information relating to our activities and the customer service commitments of the Office.
- Monitor and evaluate our website to ensure that it is kept up to date, is well presented and easy to use (including for persons with a disability) and contains all relevant information and statistics relating to our activities.
- Adopt a proactive approach to maximising dissemination of information concerning the organisation's activities, including through relevant NGOs.
- Continue to ensure that our Internal Communications Strategy enables all staff within the organisation to be familiar with significant developments affecting the Office and the background to them.
- Seek the views of customers both directly, and through representative organisations, to ensure that we are meeting our commitments in the area of information accessibility and clarity.

## 5. Timeliness and Courtesy

*'Deliver quality services with courtesy, sensitivity and the minimum delay, fostering a climate of mutual respect between provider and customer. Give contact names in all communications to ensure ease of ongoing transactions.'*

Our Customer Charter sets out the standards we aim to meet in respect of courtesy and timeliness. These standards will apply in all our dealings with customers, whether over the telephone, in writing or in person.

For many of our customers, their most important single interaction with the Office is the interview held in connection with their application for asylum. All interviews are conducted with the assistance of an interpreter in the applicant's own language (where necessary and possible) in specially designated interview rooms. ORAC's interviewers are trained to conduct interviews with courtesy, respect and sensitivity

in an environment where all applicants are provided with the opportunity to explain fully their cases for protection. In the case of unaccompanied minors and separated children seeking protection, ORAC has established child friendly interview rooms and it has developed and adopted an interview approach that is designed to put children at ease to facilitate their comfortable participation in the interview process. Following the interview process, a comprehensive written recommendation providing the reasoning of decisions is issued to all protection applicants in a timely manner. In order to make this possible, considerable resources have been assigned to the processing of cases and extensive case processing training and support systems are in place which are continually being enhanced.

Specialised procedures and training have also been provided to enable staff to deal with protection applicants who might have special needs, separated children seeking protection, gender sensitive issues and interculturalism awareness in the interview setting.

The period of time an applicant must wait before being interviewed is not entirely within the control of this Office and is influenced by a range of factors, such as the trends in the number of applicants applying for protection, the staff resources available, whether the particular application is subject to a Ministerial Prioritisation Directive and/or if the interviews have to be delayed because of illness of the applicant resulting in the deferral of the interview.

The other core statutory function of the Office is the investigation of applications from persons granted refugee status for certain family members to join them in Ireland or to be regularised if they are already here. Under the Refugee Act 1996, persons with refugee status may apply to the Department of Justice and Equality for Family Reunification. These cases are referred to ORAC for investigation, following which a detailed report is provided to the Minister, who then takes the final decision on these cases.

As with the investigation of applications for protection, the time frame for reporting to the Minister on these cases is influenced by a range of external factors including the number of applications received as well as delays in receipt of correct documentation from the applicants. Notwithstanding these difficulties, we are conscious that applicants will be anxious to receive a decision on their case as soon as possible.

### **Key Action Points**

- Continue to carry out refugee status and subsidiary protection determination with professionalism and integrity, through ongoing development of training and with the assistance of case processing support services and a structured quality assurance system.

- Monitor processing times in respect of protection and family reunification applications and seek to keep such times to the minimum consistent with available resources.
- Continue to provide customer service, telephone techniques and interculturalism awareness training on an ongoing basis. Fully integrate the principles and commitments contained in our Customer Charter and Customer Service Action Plan into all customer service training.
- Involve staff in the ongoing evaluation of our services and encourage everyone to take an active part in identifying and implementing means of improving our customer service delivery.
- Monitor customer satisfaction, by reference to standards of courtesy and timeliness set out in our Customer Charter and liaison with NGOs, and make available results of that feedback.
- Further develop existing correspondence tracking systems to facilitate the ongoing monitoring of response times to correspondence to ensure that they remain within the time commitments outlined in our Customer Charter.
- Continue to provide the UNHCR with access to the process so that they can examine any case at any time to ensure that fair procedure and our obligations under the 1951 Geneva Convention and its 1967 Protocol relating to the status of refugees are complied with. A similar commitment applies to subsidiary protection.
- Provision of a quality interpretation service in the language the applicant understands, where necessary.
- Provision of a quality translation service in a large number of languages.
- Cater in an appropriate manner for gender sensitive cases.
- Ensure that a social worker from TUSLA – the Child and Family Agency and a legal representative are present for all interviews relating to unaccompanied and separated children seeking asylum and/or subsidiary protection.
- Provide the opportunity to applicants to submit documentation to substantiate their cases.
- Provide information to all applicants about the right to appeal in respect of the outcome of their claim. Each applicant is guaranteed a right of appeal to the Refugee Appeals Tribunal, in line with the Refugee Act, 1996, and subsidiary protection legislation except in the case of deemed withdrawn applications due to non-cooperation with the process and applications which have been

voluntarily withdrawn. Applicants in receipt of a notice of decision to transfer in accordance with the EU Dublin III Regulation are also provided with information in respect of the appeals process.

- Provide information to all applicants in relation to how to access the legal assistance provided by the Legal Aid Board.
- Continue to provide all ORAC's caseworkers including case processing Panel members with comprehensive training in protection determination including in relation to interviewing vulnerable groups such as unaccompanied and separated children seeking protection. This training will continue to be provided by both in-house training teams, the UNHCR and other experts in the area.

## 6. Complaints

*'Maintain a well publicised, accessible, transparent and simple-to-use system of dealing with complaints about the quality of service provided.'*

While we make every effort to deliver high quality service, we recognise that occasionally individual customers may nonetheless be unhappy with the service received. ORAC is committed to dealing with complaints made by customers on any aspect of the service provided and has developed and published, in consultation with staff and our Customer Liaison Panel, a transparent and easy to use Customer Complaints Procedure. This complaints procedure is summarised in our Customer Charter (provided to all applicants) and is set out in full at **Appendix 2** to this Plan as well as being available to view on our website: [www.orac.ie](http://www.orac.ie) - customer services/information/complaints procedure.

The complaints procedure contains a review mechanism for those customers who are unhappy with the decision on their complaint.

### Key Action Points

- Keep the Customer Complaints Procedure under ongoing review during the life of this Plan, in light of experience gained in dealing with complaints.
- Review on an ongoing basis our guidelines for staff involved in handling complaints.
- Continue to ensure all staff are aware of the complaints process and have an opportunity to input into its ongoing review.
- Evaluate feedback received in the form of complaints and incorporate into review of service delivery.

## 7. Appeals (Reviews)

*'Maintain a formalised, well publicised, accessible, transparent and simple-to-use system of appeal/review for customers who are dissatisfied with decisions in relation to services.'*

ORAC aims to ensure that customers receive quality customer service in their dealings with the organisation during the various stages of the asylum process. Customers who are dissatisfied with the quality of service provided by ORAC can avail of the ORAC Customer Complaints procedure.

In line with the Refugee Act, 1996, and subsidiary protection legislation, a separate statutory appeal to the Refugee Appeals Tribunal is provided to applicants who receive a negative recommendation from the Commissioner in respect of their protection application. Applicants who receive a notice of decision to transfer under the EU Dublin III Regulation also have access to a formal appeal to the Refugee Appeal Tribunal.

Details in respect of the formal protection appeals process are provided in the Applicant Information Leaflet issued when the application for protection is made. Such information is also provided when issuing an EU Dublin III decision.

### Key Action Points

- Ensure that applicants for a declaration as a refugee or for subsidiary protection continue to be advised of their rights in relation to appeal to the Refugee Appeals Tribunal.
- Keep the customer complaints procedure under ongoing review during the life of this Plan, in light of experience gained in dealing with complaints.

## 8. Consultation and Evaluation

*'Provide a structured approach to meaningful consultation with, and participation by, the customer in relation to the development, delivery and review of services. Ensure meaningful evaluation of service delivery'.*

ORAC recognises that consultation is the key to understanding the needs and expectations of both external customers and the organisation's staff. ORAC has been proactive in consulting its customers and we will continue to build on this over the period of this Action Plan. Consultation provides an important mechanism through which we can monitor and evaluate the effectiveness of our customer service delivery and ensure that the service continues to meet the needs of our customers into the future. Our Customer Charter includes commitments in relation to external consultation, including through a Customer Liaison Panel for NGOs. Similarly, internal consultation is an essential component of successful service delivery and will continue to be enhanced, in accordance with our Internal Communications Strategy.

A list of our main contact organisations can be seen at **Appendix 1**.

### Key Action Points

- Continue to develop and enhance existing structures for consultation and external evaluation during the life of the Plan.
- Arrange meetings each year of the Customer Liaison Panel for NGOs at which issues relating to service delivery can be discussed.
- Liaise bilaterally or otherwise with particular NGOs on issues of mutual interest.
- Involve the Customer Liaison Panel in providing feedback on our Customer Service standards.
- Continue to ensure regular bilateral meetings with other government bodies on matters of common interest.
- Continue to use ORAC's Partnership Committee as a forum for consulting with our internal customers. (*see section 12 below on Internal Customers*).

### 9. Choice

*'Provide choice, where possible in service delivery, including payment methods, location of contact points, opening hours and delivery times. Use available and emerging technologies to ensure maximum access and choice, and quality of delivery'.*

Our Office in Mount Street is open to the public from 8.45 a.m. to 4.00 p.m. (including lunch time) Monday to Friday, excluding public holidays. A LoCall<sup>2</sup> telephone number is also available as a means of making enquiries with the Office, other than by attending in person, and prepaid envelopes are provided to applicants in order to return completed application questionnaires. In addition, our website enables applicants and others to access a wide range of information about our services and to give us feedback without having to contact us in person.

<sup>2</sup> 1890 (LoCall) numbers are accessible only from the Republic of Ireland. The rates charged for the use of 1890 numbers may vary among different service providers.



### Key Action Points

- Continue to use our website as a mechanism to provide information on services and further develop our on-line feedback and query facility for customers.
- Ensure that our Customer Service Centre is adequately resourced and that staff have customer service and telephone techniques training and that they are aware of, or have ready access to, the most up to date information relating to our activities and the customer service commitments of the Office.
- Continue to arrange work patterns in our Reception Unit so that there is sufficient staff cover from 8.45 a.m. to 4.00 p.m. from Monday to Friday (including lunchtime), excluding public holidays.
- Review, in consultation with customers, choices in service delivery.

### 10. Official Languages Equality

*'Provide quality services through Irish and/or bilingually and inform customers of their right to choose to be dealt with through one or other of the official languages.'*

Having due regard to the nature of the service provided by our organisation and our customer base, we will continue to make every effort to ensure that those customers wishing to conduct their business with us through Irish can do so.

### Key Action Points

- Continue to ensure that we fully meet our obligations under the Official Languages Act, 2003.
- Monitor demand for Irish languages services, with a view to ensuring that satisfactory resources and other arrangements are in place to meet that demand.
- Continue to provide key publications in both official languages.
- Continue to promote Irish language use to all staff through making available opportunities to acquire and enhance Irish language skills.

### 11. Better co-ordination

*'Foster a more co-ordinated and integrated approach to delivery of public services.'*

There is a need for ongoing liaison between all of the agencies involved in the protection process, including the Irish Naturalisation and Immigration Service, while recognising that each has a separate and in some cases a statutorily independent role

to play in that process. Increasingly, both customers and the public rightly expect Government agencies to operate in a 'joined up' fashion and, in so doing, make the best use of available resources.

We have in place a number of formal liaison structures with relevant State agencies and are represented on a variety of national and EU fora which address issues relating to the protection process. We also meet bilaterally with individual agencies as the need arises in order to ensure a co-ordinated approach, where appropriate.

We are also, of course, part of a broader public service which extends beyond the protection process and we are fully committed to participation in public service reform initiatives.

### Key Action Points

- Continue to participate in national and EU fora on protection related issues.
- Ensure broad dissemination of information regarding our policies and procedures to other relevant Government agencies.
- Continue to liaise with other agencies as necessary, including the Irish Naturalisation and Immigration Service, in order to address co-ordination issues and to pool expertise as appropriate.
- Continue to keep staff aware of significant developments in other protection/immigration agencies with possible implications for our work through our Internal Communications strategy.
- Continue our participation in the Civil Service wide Quality Customer Service Network to ensure our approach to service delivery is consistent with best practice.
- Publicise, within ORAC, developments in the broader public sector and aim to ensure that Civil Service wide schemes and initiatives are made available to staff in line with best practice, organisational needs permitting.

## 12. Internal Customers

*'Ensure staff are recognised as internal customers and that they are properly supported and consulted with regard to service delivery issues.'*

Chapter 3 sets out our broad commitments to staff as internal customers. Many of the headings above touch on actions we will be taking over the life of this Plan in order to meet those commitments. A number of additional actions dealing specifically with the internal customer are listed below.

We recognise that the quality of service provided by staff dealing with external customers is, to a large extent, dependent on the quality of support provided to them within ORAC. Since our establishment, we have worked to provide a positive working environment for staff and have devoted particular attention to training and support services as well as to consultation. The Partnership process continues to play a key role in organisational planning.

### **Key Action Points**

- Integrate internal customer service issues into the business plan of each Unit, in particular by identifying how best to interact with other Units and staff members.
- Continue to hold regular meetings of the Partnership Committee. Encourage staff ideas, contributions and participation, including through membership of working groups assigned to examine specific issues and encouragement of observers.
- Ensure that the organisation's Internal Communication Strategy is implemented and enhanced over time and that each Unit's business plan includes arrangements for regular meetings and meaningful two way communication between staff and managers.
- Continue to provide effective staff support for the Office.
- Identify issues relevant to the provision of quality internal customer service through consultation with staff including PMDS upward feedback.
- Hold regular Unit meetings to ensure that staff are kept informed of any new developments.

## **Chapter 5**

### **Procedure for Monitoring and Reporting on Progress**

We will continue to have a range of mechanisms in place to measure our success in meeting the customer service commitments set out in this Plan. These mechanisms will provide us with valuable guidance on how we are performing as well as an indication as to where we need to adjust or enhance our efforts. New developments in our operating environment will also require us to be flexible and to take account of changed circumstances.

Information on the progress we are making in respect of our customer service commitments will be disseminated and discussed with external customers and staff on a regular basis.

#### **ORAC's Business Planning and Reporting Process**

It is the responsibility of the head of each of our work Units to ensure that the customer service commitments outlined in this Action Plan and in the Customer Charter are reflected in each Unit's annual Business Plan. Each Unit's business plan sets out the steps to be taken and the persons responsible within the Unit, along with a specified timeframe. Staff in each Unit are involved in the preparation of these Business Plans and the progress made is discussed at Unit meetings. Each Unit's progress is subject to monthly reporting as well as quarterly and annual review by the Refugee Applications Commissioner and senior management. Where these reviews indicate that progress is not being made as planned or where new circumstances require an adjustment to the Plan, appropriate measures will be agreed and implemented.

#### **Monitoring of Service Targets**

Our Customer Charter sets out a range of commitments in terms of timeliness in responding to all types of correspondence. At least once a year, we will analyse our success in reaching these targets, using data from our correspondence tracking systems and take any corrective action, as appropriate, if required.

We will also sample waiting and processing times in our public areas and monitor the time it takes us to process applications (for protection and for family reunification) from start to finish, in order to benchmark our progress in this regard.

#### **Customer Surveys**

Our Customer Charter commits us to surveying our external customers each year. Through our Customer Service Liaison Panel, our intention is to seek opinions on a number of key issues (courtesy, clarity of information, etc.) on an ongoing basis but to also identify specific aspects of our service delivery for survey on a less frequent basis.

### **Customer Liaison Panel for NGOs**

ORAC has a Customer Liaison Panel, on which several of the main Non-Governmental Organisations which promote the interests of protection and family reunification applicants are represented. This forum has always worked well as a means of obtaining feedback on customer service issues.

### **Views of staff as Internal Customers**

As described in Chapter 4, a range of mechanisms are in place to obtain feedback from staff on how their needs as internal customers are being met. In particular, the Partnership Committee provides a forum for these issues to be raised, as do the regular Unit meetings. In addition, feedback will be received over the life of this Plan through climate surveys and other staff surveys and input mechanisms as appropriate.

### **Update on Customer Service progress in our Annual Report**

Under the Refugee Act, 1996, and the European Union (Subsidiary Protection) Regulations, 2013, the Refugee Applications Commissioner is required to submit an annual report on his Office's activities to the Minister for Justice and Equality. This report is published and made available on our website ([www.orac.ie](http://www.orac.ie) - publications).

Over the life of this Plan, each Annual Report will include an update on significant customer service developments during the year in question, together with information on the results of all of the feedback and monitoring mechanisms described under the above headings.

## ***Appendix 1 - ORAC's Main Contact Organisations***

### **Statutory, Legal and other Bodies**

TUSLA - the Child and Family Agency

Department of Justice and Equality/ Irish Naturalisation and Immigration Service (INIS)

Department of Social Protection

European Asylum Support Office (EASO)

Garda Siochána (Garda National Immigration Bureau - GNIB)

Intergovernmental Consultations on Migration, Asylum and Refugees (IGC) (Geneva)

Legal Aid Board [incorporating the Refugee Legal Service (RLS) and Refugee Documentation Centre (RDC)]

Office of the Chief State Solicitor (CSSO)

Office of the Attorney General

Office of Public Works (OPW)

Reception and Integration Agency (RIA)

Refugee Appeals Tribunal (RAT)

United Nations High Commissioner for Refugees (UNHCR)

### **Customer Liaison Panel for NGO Sector**

Africa Centre

Akidwa

Clare Immigrant Support Centre

Crosscare Refugee Service

Doras Luimní

Immigrant Council of Ireland

Irish Refugee Council

Irish Immigrant Support Centre (NASC)

Spiritan Asylum Services Initiatives (SPIRASI)

The Integration Centre

## ***Appendix 2 - ORAC's Complaints Procedure***

### **Our Commitment**

The Office of the Refugee Applications Commissioner is committed to promoting quality, openness and transparency in the delivery of services to our customers. The Office aims to meet these standards at all times. However, if you are not satisfied with the standard of service you received, it is open to you to make a written complaint and we undertake to deal with all complaints received promptly, thoroughly and fairly.

An acknowledgement will issue within 5 working days and a full reply within 20 working days of the complaint being received. Where this is not possible, you will be advised accordingly and issued with regular updates regarding the progress of your complaint.

We also undertake to ensure, where necessary, that the causes of complaints are rectified and not repeated in the future.

### **What issues are covered?**

This complaints procedure concerns complaints relating to the level and standard of service provided by this Office:

- Delays.
- Mistakes.
- Poor customer service - instances where you did not receive the level of service to which this Office is committed to providing in its Customer Service Action Plan.

### **What issues are not covered?**

Issues not covered by this procedure include:

- Complaints against the determination process leading to recommendations made by this Office in relation to applications for a declaration for refugee status or for subsidiary protection or in respect of decisions made under the EU Dublin III Regulation for which there is a statutory independent appeals authority (Refugee Appeals Tribunal).
- Complaints against matters which are, or have been, before the Courts.



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

The first step is to contact the Customer Liaison Officer by any of the following means to request a complaints form:

- by fax - (01) 602 8122
- in writing - Customer Liaison Officer,  
Office of the Refugee Applications Commissioner,  
79-83 Lower Mount Street,  
Dublin 2
- by e-mail - [oracmail@orac.ie](mailto:oracmail@orac.ie)
- by completing a request for a complaints form on our website:  
[www.orac.ie](http://www.orac.ie) - customer services/contact us

The second step is to ensure that the form you receive is correctly completed and signed before it is returned to this Office in the **FREEPOST** envelope provided. It is important to note that (i) any forms received which are incomplete or unsigned will be returned for completion and signature, and (ii) individuals calling in person to make complaints will be given a complaints form to complete and return.

Complaints received in writing other than on the official complaints form will be processed, provided they are signed by the complainant and contain all the information necessary to process the complaint. The Office would encourage use of the official complaints form to ensure that all relevant information is provided.

Complaints made by legal representatives on behalf of clients or by legal guardians acting on behalf of minors will be accepted.

Generally speaking it will not be possible to investigate complaints relating to events which occurred more than six months prior to the date of a complaint being lodged.

### **Complaints made in Irish or other languages**

The Office of the Refugee Applications Commissioner undertakes to make every effort to deal with any complaint through Irish, if requested. Having regard to our diverse customer base, it is also open to complainants to complete the complaint form in whichever language is most convenient for them.

### **What we will do on receipt of your complaint?**

On receipt of your complaint we undertake to:

- acknowledge it within 5 working days and provide you with a copy of our complaints procedure.

- investigate it thoroughly.
- issue a full reply within 20 working days of your complaint being received, and where this is not possible, we will issue you with regular updates regarding the progress of your complaint.
- where appropriate, provide an explanation for and/or an undertaking to address the issue raised in the complaint.

#### **What if I'm not happy with the reply I receive?**

If you are not happy with the reply you receive it is open to you to seek to have the matter reviewed within 10 working days from the date of the reply. Applications for review received outside of the 10 day time limit will not be considered.

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

You can seek a review by writing to the Customer Liaison Officer quoting the relevant complaint reference number and outlining the reasons why you are dissatisfied with the decision you received.

#### **How will my application for review be handled?**

Your application for review will be:

- acknowledged within 5 working days of receipt.
- considered and investigated by an official other than the official who considered your initial complaint.
- responded to within 20 working days of receipt and, where this is not possible, we will issue you with regular updates regarding the progress of your application for review.

## ***Appendix 3 - Glossary of terms***

### **Business Plan**

Document produced by an organisation stating its planned work outputs over a specific period of time which, in the case of ORAC, is 12 months.

### **Country of Origin Information (COI)**

Country of Origin Information consists of many types of information such as legislation, news reports, maps, official documents e.g., passports, work permits. It is used as an aid to determine the substance of an application for protection.

### **Declaration as a refugee**

As referred to in section 17 of the Refugee Act, 1996, where the Minister for Justice and Equality gives to the applicant concerned, following a recommendation by the Refugee Applications Commissioner, or following a decision of the Refugee Appeals Tribunal to set aside the recommendation of the Commissioner, a statement in writing that s/he is a refugee.

### **Dublin III Regulation**

Since 1990, the EU has put in place a series of measures to determine the Member State responsible for examining an application for asylum lodged in one of the Member States by a third country national or a stateless person. From 1 January 2014 the relevant Regulation has been Regulation (EU) No. 604/2013, otherwise known as "Dublin III", which made substantive changes to the previous system.

### **EASO (European Asylum Support Office)**

The EASO was established under EU Regulation No. 439/2010. The Office became fully operational on 19 June 2011 and is located in Valetta, Malta. The purpose of the Office is to facilitate, co-ordinate and strengthen practical co-operation among Member States on asylum and help to improve the implementation of the Common European Asylum System. It also aims to provide effective operational support to Member States subject to particular pressure on their asylum and reception systems.

### **European Union (Subsidiary Protection) Regulations, 2013**

The principal legislation which provides jurisdiction to ORAC in respect of subsidiary protection matters and which entered into force on 14 November 2013.

### **Refugee Act, 1996**

The principal legislation dealing with refugees and asylum seekers is the Refugee Act, 1996, which entered into force in November 2000. The 1996 Act incorporates the 1951 Geneva Convention relating to the status of refugees into domestic law. It provides for the establishment of ORAC as well as the Refugee Appeals Tribunal and sets out a framework for the determination of asylum applications. (The 1996 Act has been amended by the Immigration Act, 1999, the Illegal Immigrants (Trafficking) Act, 2000, the Immigration Act, 2003 and the Immigration Act, 2004).

**Refugee Documentation Centre**

The Refugee Documentation Centre (RDC) provides a research service and a lending library service to public bodies involved in the protection and immigration process, as well as to the Legal Aid Board and private practitioners.

**Subsidiary Protection**

Subsidiary protection is a form of complementary protection arising from EU law which may be granted when an applicant does not fulfil the requirements for becoming a refugee, but is otherwise determined to be in need of international protection.

**Temporary Residence Certificate**

The Temporary Residence Certificate, provided for under section 9(3)(a) of the Refugee Act, 1996, is a card given to asylum applicants which holds their photograph, name provided at application and other relevant data.

**United Nations High Commissioner for Refugees (UNHCR)**

The Office of the United Nations High Commissioner for Refugees (UNHCR) was established on 1 January 1951. The 1951 Geneva Convention relating to the status of refugees specifically notes that the United Nations High Commissioner for Refugees is charged with the task of supervising international conventions providing for the protection of refugees, and ensuring the effective co-ordination of measures taken to deal with refugee matters in co-operation with the various states.