



PEARL MUSSEL PROGRAMME

Procedure to appeal a decision made by the Pearl Mussel Project Team

The Pearl Mussel Project team will always strive to make the right decision, however if you feel an incorrect determination is made we welcome the opportunity to correct it. To ensure the success of the Pearl Mussel Programme it is important that you have an opportunity to seek a review of your case and if necessary appeal a decision to an independent body.

If you believe that the Pearl Mussel Project team has made an incorrect determination in how they have dealt with your case, you should;

1. Talk to the local Pearl Mussel Catchment Officer about it. They will explain the decision and the reasons for it to you.
2. If you are not satisfied with this, you can contact the Project Manager (in writing) and request a review of the decision by submitting a formal review request form (available to download from project website). The Project Manager will consider your case. As part of this process he may invite you to a meeting or suggest a site visit to explore the issues involved. Your advisor, or another person, may be present to support you at this meeting.
3. After considering the material that you have provided, the Project Manager will make a final decision on behalf of the Pearl Mussel Project team. If you are not satisfied with this decision you can make a formal appeal it to the Appeals Commissioner. You must exhaust all avenues for the resolution of the dispute within the Pearl Mussel Project, as outlined above, before making a formal appeal.
4. You can obtain a Formal Appeal Request Form from the Pearl Mussel Project team or from your advisor (also available to download on the project website). The completed Formal Appeals Request Form must be received within two months of the Project Manager informing you of his decision on the review of your case. You must include the following on the form:
 - reasons why you believe the decision was in error along with any other information that you consider relevant to your case
 - whether you request an oral hearing or a site visit
 - any third party you may wish to represent you (such as an advisor)
 - you and any other joint participants must sign the form and it should be addressed to;

Appeals Commissioner
C/O The Pearl Mussel Project
Bell Height
Kenmare
County Kerry
V93KD00

5. Once the Appeals Commissioner is satisfied that your appeal is valid and is within his Terms of Reference, he will request the Pearl Mussel Project team to supply him with your file and all material relating to the decision that you are appealing.
6. If the Appeals Commissioner decides that your request for an oral hearing or a site visit could contribute to making a decision, he will contact you to arrange this.

7. The Appeals Commissioner will decide on your appeal in a timely manner.
8. The Appeals Commissioner will inform you of his decision in writing.
9. The decision of the Appeals Commissioner is binding on the Pearl Mussel Project team. If you are unhappy with it, you can appeal it further to the Office of the Ombudsman or to the Courts.

Appeals Commissioner

The Steering Group that oversees the Pearl Mussel Project has appointed Mr Peter Leonard to the post of Appeals Commissioner for the Pearl Mussel Programme. Peter was formerly the Regional Manager of Teagasc in County Mayo.