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Ombuds Agenda 2023



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Introduction

The Ombuds Agenda highlights the key topics on which the National Ombudsman, the Ombudsman for Children and the Ombudsman for Veterans wish to focus particular attention in 2023. The aim is to ensure that citizens, children, veterans, professionals, journalists, civil servants and politicians know what they can expect from the ombudsmen. The Ombuds Agenda will be regularly updated on the websites www.nationaleombudsman.nl and www.kinderombudsman.nl, making it possible to monitor the status of the different activities. The Ombuds Agenda not only includes details of newly launched investigations, but also looks back at previous investigations, recommendations and other activities.



The National Ombudsman, the Ombudsman for Children and the Ombudsman for Veterans see evidence on a daily basis of the extent to which adults and children have a genuine need for government (and other organisations) in their lives. This is clearly the case when it comes to accessing education, care, support or benefit payments. But it also involves their right to participate in policy and law-making and be able to exercise an influence, for example by taking part in demonstrations and/or having an impact on government plans in their immediate environment. Although things often go well, the lines of communication between citizens, children, veterans and government are not always as clear as they could be, leading to problems. Another factor is the increasing complexity of government: procedures can often be convoluted, leaving people unaware of where they should turn for help. At the same time, government is not always aware of the issues facing all citizens and badly needed help from government is failing to reach certain groups. Every year, the ombudsmen receive a total of 30,000 complaints and communications.

Wherever there are government activities, irrespective of who is doing them, the ombudsmen have a role to play: in helping citizens, children and veterans and in calling the government or other organisations to account. When there are issues between citizens, children, veterans on the one hand and the government or other organisations on the other, the ombudsmen can mediate or launch an investigation. The ombudsmen can also take the initiative in opting to focus on long-standing issues. The Ombudsman for Children has the additional role of advising the government and parliament on the upholding of children's rights. The Ombudsman for Veterans pays particular attention to ensuring that veterans receive the recognition, care and information to which they are entitled.

In their agenda for 2023, the National Ombudsman, the Ombudsman for Children and the Ombudsman for Veterans will be focusing on the following six themes: Fundamental rights, Participation and influence, Access to public services, Poverty, Quality of life and, finally, Life-course and development. For the first time, there are multi-annual programmes for each theme.



The first five themes were already included in the 2022 Ombuds Agenda. In 2023, we are introducing a new theme: Life-course and development. It is widely accepted that major problems, such as poverty, are often passed down the generations. For the sake of children's development and their parents' role in it (with or without the government's help), it is important to bring an end to this vicious cycle. This is why this theme focuses on healthy children's development and tackling the problems people face in different phases of life.

An important joint activity of all three ombudsmen in the 2023 Ombuds Agenda is their focus on the government's various redress schemes and compensation programmes of recent years. The key question is this: when is redress actually complete and a damage case actually concluded to the satisfaction of the citizen, child or veteran involved? Currently, there are several major compensation programmes running, in which the government is obliged to compensate (large) groups of citizens, children and veterans and entrepreneurs for material and immaterial damage they have suffered. These schemes and programmes vary, but in all cases, it is essential that the government puts the perspective of the citizen, the child, the veteran and entrepreneur at the forefront of its focus. We are investigating



whether and, if so, how, the government is learning from the experiences in these ongoing programmes and whether it has learnt lessons from similar programmes already completed. Only if it does so will the government be able to provide proper damage compensation that satisfies citizens, children, veterans and entrepreneurs.

National Ombudsman
Ombudsman for Children
Ombudsman for Veterans

1 The theme of Fundamental Rights

The National Ombudsman protects and promotes human rights and fundamental freedoms, and in doing so is applying principle five of the Venice Principles¹. In this, it places particular focus on citizens who are in a vulnerable situation in relation to government.

The rights enshrined in the Veterans Act (Veteranenwet) are fundamental rights. The Ombudsman for Veterans promotes the upholding of these rights, including recognition, appreciation and special care for veterans and/or their relations.

The rights enshrined in the Convention on the Rights of the Child are also fundamental rights. The Ombudsman for Children promotes the upholding of these rights.

All three ombudsmen are insistent that fundamental rights, including children's rights, must be respected by the government. Among other things, this means that the government must comply with the law and international and regional human rights treaties while respecting, protecting and upholding the rights and freedoms of citizens and children. Refugee accommodation, the housing shortage, demonstrations or police violence can encroach on citizens' fundamental rights, placing them under pressure. When it comes to the actions of government, these fundamental rights within society continue to be important, irrespective of age, gender, origin, sexual orientation, religion, political belief, physical or mental disability or socio-economic status.

Within this theme, the ombudsmen are focusing on the following priority areas: Housing, Migration and Deprivation of Liberty. In addition, the Ombudsman for Children is focusing on children's rights to inclusive (and special-needs) education, the care and protection of young people and children and the right to a good standard of living. The following activities are on the agenda:



Housing programme

In the coming years, the multi-annual Housing programme will aim to offer a human rights and children's rights framework in which to assess and interpret the housing-related issues faced by citizens and children. The National Ombudsman and the Children's Ombudsman will do this by explicitly highlighting what is needed from housing policy and what obligations the government has in terms of human and children's rights.

- The year 2023 saw the conclusion of the investigation conducted by both ombudsman into evictions of families in vulnerable situations. This investigation explores household evictions as a result of payment arrears, antisocial behaviour and drug-related crime. In 2023, we will investigate whether our proposals for improvement have been followed up by the government. If this has not happened sufficiently, we will call the government to account.
- In 2023, a (follow-up) investigation will be launched into family evictions as a result of building demolitions or renovations.



¹ On 15 March 2019, the Venice Commission (an advisory body of the Council of Europe) approved the Principles on the Protection and Promotion of the Ombudsman Institution (the 'Venice Principles'). These 25 principles highlight the importance of an ombudsman institute and describe the criteria any such institute must meet.



Migration programme

As part of the multi-annual Migration programme, we will be focusing our activities primarily on the housing of refugees. This concerns emergency accommodation for people evacuated from Afghanistan, the situation of refugees (some of them minors) in reception centres, crisis and emergency accommodation, regular refugee accommodation and accommodation in refugee camps in Greece (in alliance with the Greek Ombudsman) and the ongoing issues in the asylum system.

- In 2023, we will conduct an investigation into bottlenecks in the asylum system. This will be carried out jointly by the National Ombudsman and the Ombudsman for Children.
- In 2023, the Ombudsman for Children will be focusing in particular on the extent to which children's rights are being respected within the asylum system.



Deprivation of Liberty programme

As part of the multi-annual Deprivation of Liberty programme, the ombudsmen intend to develop a framework for investigating issues around the deprivation of liberty. We will base this framework on the demands of people who are being deprived of their freedom and the associated government obligations and failures. The framework will provide guidance for handling complaints on this topic on a more equitable basis.

- In 2023, we will conduct an investigation into the bottlenecks faced by refugees living illegally in the Caribbean part of the Kingdom. We are conducting this investigation jointly with the ombudsmen from St. Maarten and Curaçao.





- In 2021, the Ombudsman for Veterans initiated an investigation into veterans in detention. In the report *Toegang tot veteranenzorg achter slot en grendel* (Access to veterans' care behind lock and key), he made several recommendations to the government. We continue to hear that the care provided to this group of veterans is not what it should be. For this reason, in 2023, the Ombudsman for Veterans will monitor action on these recommendations and – where necessary – encourage the authorities to apply them.

Children's Rights programme

The Ombudsman for Children's role involves upholding children's rights as laid down in the UN Convention on the Rights of the Child.



- In this context, the work of the Ombudsman for Children will focus in 2023 on the recommendations made to the Netherlands by the Committee on the Rights of the Child with regard to how children's rights can be more effectively upheld.
- In 2023, the Ombudsman for Children will also continue to implement children's rights impact assessments and impact evaluations (CRIA/CRIE) on new legislation and policy. The Ombudsman for Children will achieve this by means of awareness-raising activities, such as public information and influencing.

2 The theme of Poverty



The National Ombudsman and the Ombudsman for Veterans highlight issues in implementation and regulations in order to enable social services to reach people who are in most need of the government's help to ensure their economic survival. The National Ombudsman also calls for particular attention to be focused on problematic debt (and its prevention), good government practice in demanding payment and effective and accessible debt counselling services.

The Ombudsman for Children promotes an integrated approach to child poverty across all areas that are important for a child's development.

In 2022, the National Ombudsman noted that increasing numbers of people living on the social minimum income are facing difficulties. As purchasing power falls, increasing numbers of citizens in the Netherlands are worried about their finances. Life has become (too) expensive for a large group of citizens. The social minimum income is not sufficient. Even with the energy allowance and increase in minimum wages, these issues are expected to remain unsolved for many in 2023. For this reason, the ombudsmen are focusing continually on citizens who face financial problems and are reliant on the government. In 2023, their main focus will be on (combating) poverty, debt counselling and applying an integrated approach to child poverty.





Debt Counselling programme

The multi-annual Debt Counselling programme started in 2016. That year saw the National Ombudsman publish the report on debt counselling from the citizen's perspective (Burgerperspectief op schuldhulpverlening) and he has been closely monitoring this topic ever since. In recent years, he published reports on issues experienced by citizens in debt counselling, access to statutory debt relief and debt relief for self-employed professionals. The issue of debt is a subject that will continue to command the National Ombudsman's attention. In 2023, he will be focusing attention on the early identification and detection of debt issues.



- Since 2021, municipalities in the Netherlands have had a new statutory duty when it comes to debt prevention: early detection. By receiving signals about payment arrears, they are now able to reach out to residents facing financial issues as early as possible and offer help. This can help prevent payment arrears, problematic debt and evictions. The ombudsmen question the extent to which municipalities are succeeding in reaching out to residents with financial problems by means of early detection. In 2023, we are launching an investigation into the bottlenecks at play.
- In the upcoming period, the Ombudsman also intends to explore the extent to which he can contribute to the establishment of early detection in dealing with debt issues in the Caribbean Netherlands.

Social Minimum Income programme

As part of the multi-annual Social Minimum Income programme, there have been investigations among three groups of vulnerable citizens (asylum seekers with refugee status, young people on welfare benefits and young disabled persons) to identify the issues they face in practice. In his reports, the National Ombudsman has made recommendations for improvement. In the autumn of 2022, the Ombudsman published a vision of a more active and social government based on these three investigations.

- In 2023, the Ombudsman will be closely monitoring action on the recommendations from the three reports and will take action to encourage implementation where necessary.

Child Poverty programme

A growing number of families are facing financial problems and poverty. Poverty affects a child's development across all areas of life. Children may suffer from financial stress at home, possibly because money worries mean that parents have less time and attention for them. These children also tend to be less satisfied with their lives at school and in their local neighbourhoods and poverty can make it more difficult to engage in social contacts. As a result, children in poverty generally have worse prospects for the future. All of these issues were highlighted in the investigation entitled 'Alle kinderen kansrijk' ('Opportunities for all Children') conducted by the Ombudsman for Children in 2017 and which has been followed up ever since. In recent years, the approach to tackling poverty has focused mainly on public services. In the view of the Ombudsman for Children, this is not enough. She would like to see poverty policy focus on all areas of life in which children's development is being held back. There needs to be an integrated approach to child poverty across central and local government.

- In 2023, we will build further on this. This will include advising the Ministry of Social Affairs and Employment (SWZ) on the further development and implementation of its programmes: the Child Guarantee National Action Plan and its strategy on money worries, poverty and debt.





3 The theme of Access to Public Services

All citizens have access to the government products, services and/or resources to which they are entitled. These must be of good quality. The National Ombudsman and the Ombudsman for Veterans highlight the areas in which vulnerable citizens face difficulties and where access is not as it should be. If possible, they present the authorities involved with potential solutions. They call on them to be accessible to all, to work in a way that is demand-led, to be cooperative and provide citizens with proactive, timely and effective help and information.

The Ombudsman for Children promotes an effective care system that is appropriate for all children, available, accessible and of good quality. This particularly applies to the most vulnerable children with complex care needs.

Citizens are finding it increasingly difficult to engage with government authorities and other executive bodies. Waiting times are increasing and each request may involve multiple waits. In its efforts to find solutions, the government is exploring digital services and what citizens can do for themselves. In this process, there is a tendency to assume that citizens are 'self-reliant' and able to resort to their own strengths. Based on the complaints received and previous investigations by the National Ombudsman, we see that many citizens still find it very difficult to apply for public services. This is particularly the case if people require several services and have chronic needs. Citizens then have to deal with various different help desks, digital systems, laws and regulations. In the years ahead, the ombudsmen will focus on access to care, initial access to the government, appropriate control and support and help and protection for young people.

Access to Care programme

In the multi-annual Access to Care programme we will be exploring whether citizens have access to appropriate care and support. What issues do citizens face when applying for care and support? Several reports published in recent years, including *Zorgen voor burgers* (Caring for Citizens, 2018), have identified where some of the issues lie. However, access to care actually seems to be becoming more difficult despite the fact that demand for care and assistance is increasing. At the same time, there has been a shift towards 'feeling healthy' and positive health. This calls for people to be capable of adapting their lifestyle if there are things that they find difficult and to be aware of what issues they can resolve themselves and where they can call on help and assistance. This is asking a lot of them and citizens in vulnerable positions may end up having even more problems as a result.



Examples include people who are informal carers for veterans. Informal care can sometimes lead to tensions in the informal carer's domestic situation and concerns about a veteran's accommodation, debts and care support. Informal carers can only continue to provide care if they receive sufficient support. The Ministry of Defence refers these informal carers to the local municipality. However, informal care support from the municipality in cases like this has been shown to be inadequate because it does not meet the requirements of the Veterans Act 2014 (*Veteranenwet 2014*). These requirements cover such areas as the special duty of care that the government has for veterans and their relations, such as partners, parents and children.



- In 2023, the Ombudsman for Veterans will have talks with veterans and informal carers, special-interest organisations, social services and the Ministry of Defence to explore whether the support for veterans' informal carers is being effectively safeguarded as intended in the Veterans Act 2014.

Initial Access to Government programme

In this multi-annual programme, we are investigating how the government is ensuring that every citizen has access to the government. This concerns basic and general services that citizens need whenever they wish to access government services. It covers such areas as accessibility and contact options for information and requests, as well as the Municipal Personal Records Database (BRP). There are public concerns that the government is opting to take more of a back seat. Increasing numbers of services operate by means of digital access. Despite this, there are still groups of citizens – including the elderly – who may find it difficult to work digitally.

- In 2023, we will be conducting a retrospective investigation based on the recommendations in our report published in 2017 on the issues faced by citizens when accessing public services (Hoezo MijnOverheid). Partly on the basis of that, we will also be exploring the possibilities for building further on what has already been developed, together with new policy and laws and regulations governing the way in which citizens can access government services digitally.



Appropriate Control and Support programme

In this multi-annual programme, we are monitoring the consequences for citizens of the changes in their level of control and influence when it comes to accessing public services. The government expects citizens to have control over their own lives to an increasing extent. In healthcare, for example, citizens are increasingly expected to continue to live independently, arrange sufficient funding to do so and maintain a care network. The government provides support if that is no longer possible. This places significant demands on people and there is a





risk that not everyone can achieve this level of self-management. As a result, vulnerable people are at additional risk. The government has a duty to properly inform its citizens about what is possible and to offer help to people who need it. Clearly, there are sometimes occasions when people are either unable or lack the confidence to apply for help. Being able to offer that help requires a proactive government, in which it is also possible to share data between government organisations.

- In 2023, a follow-up event will be held within the framework of the National Ombudsman's 2022 investigation into the underuse of public services for vulnerable elderly people. At this event, we will be exploring what proactive government for this target group looks like.
- A decade after Q-uestion, the special interest group representing Q-fever patients, initially turned to the ombudsman, there is a renewed need to launch a follow-up investigation. After all these years, Q-uestion has stated that it still does not feel acknowledged by the government. They feel that they are not being given a hearing and distrust the government. They also point out that there has been little or no response to the input provided by patients themselves, indicating what could actually help them to improve their situation. For this reason, the ombudsman has decided to launch a follow-up investigation in 2023 to examine the current situation of Q-fever patients.



Help and Protection for Young People programme

In 2023 and the years beyond it, support and protection for young people will remain important issues. Every year, a total of around 400,000 children (approximately 10% of all children) receive some kind of support or assistance. They include a smaller group who face more complex problems. These children in families with complex problems do not receive appropriate help soon enough. In response, the Ombudsman for Children is calling for the position of children to be strengthened in all draft legislation and policy and for the interests of children to be prioritised in all decisions that affect them. The aim of having help for young people as a priority area is to improve access to juvenile care in general and more specific assistance in particular, including youth support.

In 2021, the Children's Ombudsman and the National Ombudsman joined forces with the Council for Public Health and Society, the Dutch Healthcare Authority and the Healthcare and Youth Inspectorate as part of the Samen Verder (Onwards Together) coalition. It focuses on children and families with complex issues. The coalition drew up an analysis of the complex juvenile care system and formulated three key objectives for assistance for children and young people facing complex issues.

- In pursuing the objectives of the Samen Verder coalition in 2023, the Ombudsman for Children will continue to point to the need for a broader perspective to be taken when examining what is happening with a child in a family. In addition, the Ombudsman for Children will call for increased investment in quality and expertise, in appropriate care and available places.
- The year 2023 will see various drafts bills and policy initiatives that aim to improve the care and protection provided for young people. The Ombudsman for Children will continue to monitor these initiatives in terms of whether the proposed changes to legislation or policy will ensure improved safeguarding of children's rights, whether the interests of children's development are being prioritised and whether children have a say in these proposals. Where necessary, the Ombudsman for Children will provide advice on these draft bills and policy initiatives.



Child Abuse and Domestic Violence programme

The general aim of this programme is to promote the protection of children and young people from child abuse and domestic violence. This is done by identifying child abuse and domestic violence at an early stage, enabling children and young people to become agents of their own



protection. This requires their involvement in decision-making and any measures that have an impact on their lives. They also need to be made aware of what a 'normal' upbringing actually involves, since this increases understanding of unsafe situations or maltreatment in their own situation or that of classmates and friends.

- For this reason, the Ombudsman for Children will focus in 2023 on creating more space for children's participation in the domestic violence and child abuse reporting code. To achieve that, the Ombudsman for Children will offer guidance to professionals from across various sectors based on a concrete children's rights framework to enable them to shape children's participation in a meaningful way within the steps of the reporting code.
- The Ombudsman for Children will also make efforts in 2023 to ensure that school boards are aware of the importance of providing regular information about child abuse. This will also provide all actors within schools with a concrete framework and specific help in broaching the conversation of child abuse with children and young people affected.





4 The theme of Participation and Influence

The National Ombudsman and the Ombudsman for Veterans aim to encourage government to offer citizens the opportunity to exercise an influence on decisions and developments that directly affect them. In this, the National Ombudsman is focusing particularly on ensuring that citizens are properly informed and involved in decisions that impact on their own situations.

The Ombudsman for Children aims to ensure that children's interests are properly explored and taken into account in all decisions that impact on their lives. Children themselves are being actively involved in this.

All three ombudsmen believe it is important for (local) government authorities to offer citizens and children the opportunity to exercise an influence on decisions and developments that directly affect them. Proper participation and consultation are also important in ensuring support for government policy and nurturing public trust in government. It is important to investigate whether the involvement of citizens and children is actually working properly in practice.



Participation and Influence in the Social Domain programme

The Participation and Influence in the Social Domain programme aims to convince local municipalities who are still failing to provide citizens with sufficient space to exercise an



influence on their own situation and/or on policy and implementation of the need to improve their processes and working procedures.

- In early 2023, we will be completing the investigation into participation and influence within the Social Support Act (Wet maatschappelijke ondersteuning, WMO). The year 2023 will also see the completion of the investigations into participation and influence in the Participation Act (Participatiewet) and the launch of the investigation into participation and influence in the Youth Act (Jeugdwet).
- Even if a municipality has outsourced or transferred a specific service, it remains responsible for effective implementation. In the National Ombudsman's view, this means that any municipality can never hide behind the fact that it has outsourced or transferred a service when it receives a complaint from a resident concerning its statutory duties. Complaint handling with regard to outsourced services is also part of the investigation mentioned above into the decentralisation of powers from a citizen's perspective. In 2023, we will be examining complaint handling in each domain (WMO, Participatiewet, Jeugdzorg) and talking to municipalities and local ombudsmen about our findings.
- Finally, at the end of 2023, we will offer an overarching vision and guidelines on how citizens can most effectively exercise an influence over their own situation within the framework of these different acts.

Participation and Influence #Hoedan? programme

As new legislation intended to improve decentralised participation (Wet Versterking participatie op decentraal niveau) is introduced, the National Ombudsman considers this an opportune moment to update the National Ombudsman's Participation Guide published in 2014 ('Ten golden rules for properly dealing with citizens' contributions and input aimed at municipalities') based on recent complaints, experiences and investigations about citizen participation. In conversations with other ombudsmen conducted as part of their work on Participation and Influence and with the Association of Dutch Municipalities (VNG) and other advisory bodies (e.g. the Social and Cultural Planning Office of the Netherlands and the Council for Public Administration), it has become clear that there is still a need for a formal framework from the National Ombudsman on addressing complaints and questions concerning citizen participation. Equally, in anticipation of the Environmental and Planning Act (Omgevingswet), in which participation plays an important role, an up-to-date Participation Guide could prove very useful.



- In 2023, an update of the Participation Guide will be compiled in consultation with hands-on practitioners (citizens, citizen organisations and civil servants) and experts (academics and professionals in citizen participation) and based on the Ombudsman for Children's experiences with the participation tool kit The Best Decision for the Child. In 2023, the ombudsmen will engage in joint conversation with municipalities about the updated Participation Guide and the Best Decision for the Child tool kit in order to flesh out the Participation Regulation referred to in the draft bill.

The Best Decision for the Child programme

In 2023, the Ombudsman for Children will continue with the Best Decision for the Child programme. The tool kit developed by the Ombudsman for Children is designed to explore and take account of children's interests in decisions at individual, policy and legislative level and will be updated based on lessons learned from practice. These indicate that professionals are in particular need of additional guidance on how to engage in conversation with children and what to discuss.

- The Ombudsman for Children will issue a revised version of the tool kit in 2023. Continued efforts will also be made to ensure active implementation of the children's rights assessment in the development and evaluation of legislation and policy.





5 The Quality of Life theme

As the living environment rapidly changes, this is having a significant impact on citizens. The National Ombudsman is investigating how the citizen's perspective is being safeguarded in major changes in housing, nitrogen and the climate.

Climate change and an unhealthy living environment are causing children anxiety and uncertainty about their future prospects. The Ombudsman for Children is committed to promoting children's participation on this issue. This will strengthen children's positions, giving them greater control in tackling these problems.

Changes in the environment where people live and work are having a significant impact on these citizens and the government's role in these environmental changes can often be significant. This is why the National Ombudsman believes it is important to safeguard the citizen's perspective in the government's actions. What should you be able to expect from government when there is a change to your environment? What will the government do if things go wrong? In the years ahead, the National Ombudsman will be investigating the living environment based on several multi-annual programmes.



Consequences of Gas Exploration programme

The large-scale gas exploration programme in Groningen has caused subsidence and earthquakes. Local residents continue to suffer the consequences. Homes have been damaged and there is uncertainty as to whether buildings are safe. In recent years, the National



Ombudsman has investigated the situation in the natural gas field in Groningen and Drenthe. In 2017, the National Ombudsman presented six recommendations that have not been properly applied. That was the conclusion of the detailed reconstruction in the report 'Verscheurd vertrouwen' ('Fractured Trust'), which includes these recommendations. In November 2022, we issued a follow-up to that publication: 'Beloftes maken schuld' (Promises Create a Debt'). In it, we look at the complaints received in 2022 about efforts to deal with the damage and strengthen resilience.



- In 2023, we will continue to closely monitor developments, calling the government to account where necessary.

Climate Change programme

We are already experiencing extreme weather, such as summer droughts or floods, as a result of climate change. For citizens, this means that their houses need to be more energy efficient and that they will ultimately have to start using renewable energy and/or district heating networks. In our multi-annual programme, we are focusing on the consequences for citizens of the measures taken by government to curtail climate change, such as reducing CO2 emissions. We also intend to investigate how the government is helping citizens to deal with the consequences of climate change. Potential topics include 'foundation problems' caused by drought and tackling floods. In our multi-annual programme, we are focusing on the consequences for citizens of measures taken by government to curtail climate change, such as reducing CO2- emissions.

- In 2023, we are investigating experiences of gas-free neighbourhoods from the citizens perspective. What form did contacts between citizens and government take and did the government provide sufficient space for citizen participation? What issues did citizens face as their neighbourhood was being transformed? Has the government taken sufficient account of the socio-economic impact and its role in it?



Environment and Planning Act programme

The Environment and Planning Act is set to enter into force on 1 July 2023, but municipalities are now calling for it to be postponed until 1 January 2024. The Act aims to bring about shorter procedures and more oversight by means of less and better legislation and regulations. These fine words also demand a lot from citizens. This includes having to deal with the Digital System Environment and Planning Act (Digitaal Stelsel Omgevingswet, DSO) or even setting up their own participation programme or participating in one. In 2019, the National Ombudsman took an interest in the preparations for the Environment and Planning Act. At that time, we called for a focus on access to information in the DSO, on the way in which government authorities configure their services, on participation programmes and on complaint handling. We also asked the government to ensure that citizens are properly prepared for the Act.

- In advance of the introduction of the Act, we will be taking a close look at the differences and similarities between the way in which participation is handled in the Environment and Planning Act and in the draft legislation intended to improve decentralised participation (Wet Versterking participatie op decentraal niveau). In 2023, we will also explore the role that the Environment and Planning Act accords to those taking the initiative in licence applications: what can they expect from the government?





6 The theme Life-course and Development

Vulnerability can often be passed on through the generations. The National Ombudsman, the Ombudsman for Veterans and the Ombudsman for Children see it as their role to highlight this issue. In this, the Ombudsman for Children focuses on the specific phase of life in which the development from childhood to adulthood is central.

Problems passed down from one generation to the next are often referred to as ‘intergenerational issues’. Children raised in an aggressive environment are more likely to use violence against their own children in a later phase of their life. The same applies to such problems as poverty and/or criminal behaviour by parents. It is important to bring an end to this vicious cycle of problems. This is why this theme focuses on children’s healthy development and tackling the intergenerational problems people face in different phases of life.

Inclusive Education programme

Children are entitled to an inclusive education. That means that every child, whoever they are and whatever their needs in terms of additional support, is entitled to equal opportunities in education and to attend school with children who do not face exclusion and do not need additional support. In 2020, the Ombudsman for Children investigated children’s experiences of special-needs education (passend onderwijs). This resulted in recommendations on how the education needs to be improved in order to progress towards inclusive education.

- In 2023, the Ombudsman for Children will follow up on her previous recommendations as part of the Inclusive Education programme. The Ombudsman for Children will advise the Ministry of Education, Culture and Science (OCW) on its working agenda, including education.
- In 2023, the Ombudsman for Children will continue to promote children’s rights to participate in education and the implementation of the Best Decision for the Child tool kit.
- Also in 2023, the Ombudsman for Children will focus on children who do not attend school because they do not receive appropriate support there.

Intergenerational Issues programme

Whenever families end up in a long-term conflict with the government or its agencies as a result of government action or the lack of it, the focus is very often only on the parents. The impact that the issues and/or the conflict itself have on children often remains invisible, unacknowledged or is recognised too late. Their interests and rights go unrecognised and their rights are not protected by the government. Despite this, children genuinely are affected by their parents’ problems, perhaps because it means they grow up in poverty, are regularly confronted by the stress that parents face and/or because family problems develop. As a result, government action has a negative impact on their opportunities to develop and grow as well as on their confidence and security in taking on life’s challenges. There is also a significant risk that the conflict they experience via their parents means that they grow up with little trust in government or government authorities.

- In 2023, the Ombudsman for Children will conduct an investigation that makes it clear to the parties involved, in this case the government and government authorities, what impact existing conflicts with parents have on children’s lives and how they influence children’s development and trust in politics and society.





In 2019, the ombudsmen initiated a theme-based study into poverty-related issues among three groups of Dutch Caribbean citizens living on or around the poverty line or in some other kind of vulnerable situation. This included people over the age of 65 with no additional pension, young adults and single parents and children. These three investigations resulted in three reports, including a series of recommendations for the government.

- In the period ahead, the ombudsmen will be monitoring implementation of these recommendations and will take joint action together with the public bodies in the islands (assuming that they are in agreement about this).



Investigation into social safety in the Caribbean Netherlands

In 2022, the Ombudsman for Children completed an investigation into bullying and other types of exclusion. As a follow-up to this, we will be launching an investigation into social safety in the Caribbean Netherlands in 2023. This is because figures from Statistics Netherlands (CBS) reveal that around 20% of children on the Caribbean islands say they are being bullied, compared to 10% in the European Netherlands. But issues of social safety in the Caribbean Netherlands go much further than school alone. Children also say that they do not always feel safe at home. Previous investigations by the Ombudsman for Children and the National Ombudsman have shown that aggression and violence is a key theme for children on these islands, whether it is among children themselves, among adults or between children and adults.



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