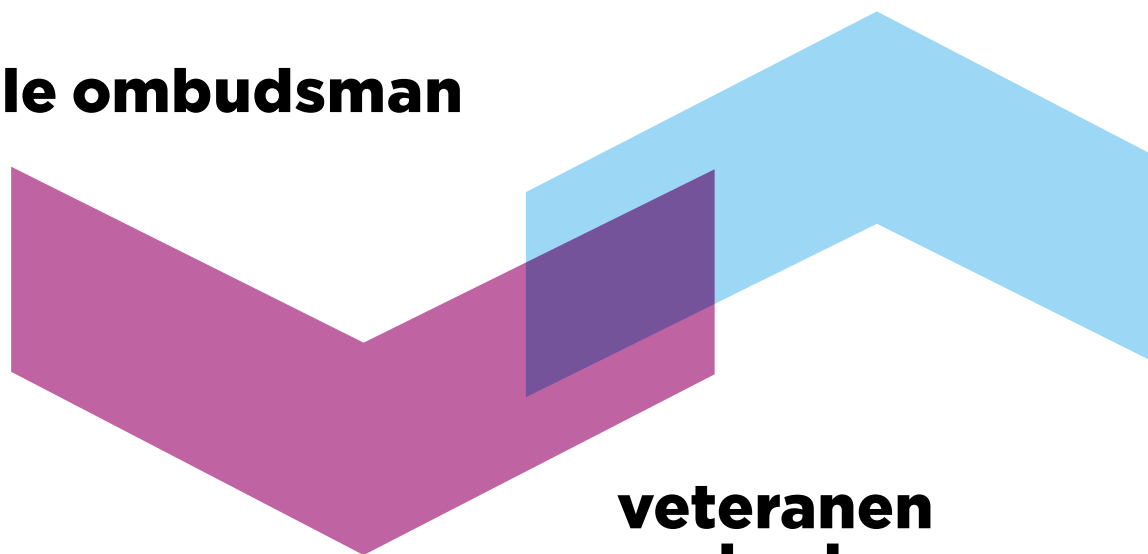




**nationale ombudsman**



**veteranen  
ombudsman**

de Kinderombudsman.

**Ombudsagenda 2020**

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## Introduction

Every day, the National Ombudsman, the Children's Ombudsman and the Veterans Ombudsman draw attention to the fact that citizens, children and veterans desperately need the government to obtain provisions such as benefits, healthcare, and support. They also need the government to safeguard people's fundamental rights, and to provide clarity about plans for their immediate surroundings. Although more often than not all's well that ends well, citizens and the government do not always know how to find each other and citizens sometimes get into trouble. Procedures are complicated, and the government has become increasingly complex. In addition, many public tasks have been privatised or become more remotely positioned. Citizens sometimes lose their way or get stuck. Wherever public services are provided, regardless of who provides them, the Ombudsman has a role to play in continuing to help citizens on their way and holding the government accountable.

When things go wrong between a citizen and the government, the ombudsman can intervene, mediate or investigate. The Ombudsman may also turn their attention to structural issues on their own initiative. The topics that we want to make particularly visible in 2020, are listed on the Ombudsman's agenda. In this way, citizens, professionals, journalists, civil servants and politicians know what large projects to expect. The Ombudsman's Agenda will be kept up-to-date to make it easier to see the status of the various projects.

In 2020, the National Ombudsman, the Children's Ombudsman and the Veterans Ombudsman will focus on five themes: Fundamental Rights, Participation and Influence, Access to Services, Poverty and, finally, Liveability. The first four themes were included in the Ombudsman's Agenda for 2019 and will be given a new focus on a number of points. The theme of Poverty, for example, no longer focuses exclusively on debt issues, but also includes poverty among people who are not (yet) in debt. The theme of 'Digitisation' is no longer on the Ombudsman's Agenda. However, the Ombudsman will continue to pay attention to this issue and we will give it a place on the agenda under the other projects.

The Ombudsman's Agenda for 2020 introduces a new theme: Liveability. This concerns the environment in which people live, work and lead their lives. Government actions have major consequences for liveability. How are areas designed, or redesigned? Are citizens given the information they are entitled to? What is the government planning to do for the people of Groningen in the earthquake zone and for their children? In 2020, the new theme will initially focus on energy transition, the introduction of the Environment Act and the consequences of gas production in Groningen. Throughout the year, we will add more topics to the Liveability theme.

Finally, we will take the initiative more often to share information, knowledge and experiences. In order to help others who focus on the relationship between citizens and government on their way, and to cooperate with them and to guarantee children's rights. We will deepen and strengthen our cooperation, at both national and local level. So that together, we can offer more effective help to citizens who encounter difficulties or who are unable to move forward in their lives.

*National Ombudsman  
Children's Ombudsman  
Veterans Ombudsman*

# 1 Fundamental Rights

## International Migration

Migration and refugee issues remain high on the international agenda. For example, the National Ombudsman will continue to work with the Greek and Basque Ombudsman on migration issues in 2020, such as registration and processing of asylum applications and the position of unaccompanied minor asylum seekers. This project will be completed in May 2020. Next, the Ombudsman will map out refugee issues in the Dutch Caribbean.

## Integration

In 'A False Start', a report on civic integration of October 2018, the National Ombudsman called on the government to put its principles on proper civic integration into practice. For example, the government must start offering tailor-made solutions. Are the basics in order; does the government provide basic needs, such as housing, benefits, insurance? Do persons who are integrating get the information they need? Does the government learn from complaint handling? And does the government view approaching persons who are integrating as a sustainable investment?

The ombudsman is starting a follow-up inquiry to see whether the government – municipalities, the department and officials – has responded to this.

## The best decision for the child

The Children's Ombudsman ensures that children's rights are respected in the Netherlands. The International Convention on the Rights of the Child plays an important role in this. Article 3 of this Convention concerns the best interests of the child, which must always be the primary consideration in decision-making on children. This multi-year project supports professionals and policy makers in doing so. The Children's Ombudsman has drawn up a handbook for this purpose.

The handbook was launched on 19 November 2019 and various youth care organisations initiated pilot projects. The outcome of these pilots will continue to shape the project in 2020. The Children's Ombudsman also brings the handbook to the attention of everyone who makes decisions that influence the future of a child.

## Traveller sites

Travellers have their own cultural identity, which needs to be protected. This requires a sufficient number of travellers' sites so that travellers can live according to their traditions and cultural identity. On 17 May 2017, the National Ombudsman published a report entitled 'Woonwagenbewoner zoekt standplaats' ('Traveller seeks caravan pitch'). Since then, the Ombudsman has drawn attention in a variety of ways to the importance of a proper caravan pitch policy for travellers.

In the first half of 2020, the National Ombudsman will meet with mayors and the Minister of the Interior and Kingdom Relations for a round-table session about caravan policy and undermining. If children of travellers are present for these meetings, the Children's Ombudsman will join in.

## Complaint treatment in case of ethnic profiling

The National Ombudsman will start an inquiry in 2020 into how governments deal with complaints about ethnic profiling. It is important that citizens who feel ethnically profiled are heard and that their complaints are dealt with properly.

This inquiry was prompted by discussions with government agencies that have an investigative role in recognising, identifying and dealing with complaints about ethnic profiling. Information was also collected from organisations that are actively involved in ethnic profiling, such as Amnesty International and Controle Alt Delete. The focus is on complaint handling and the question of what citizens find important. Ultimately, this research should lead to a clear framework for handling complaints about ethnic profiling.

### **Access to justice**

It is often more difficult for citizens to obtain justice: the possibilities for legal aid are under review. The pressure on legal proceedings is growing and waiting times are increasing. One important point of attention for the National Ombudsman is that citizens are not always aware of the legal remedies at their disposal. In addition, they sometimes have insufficient information about the consequences of certain procedures.

The National Ombudsman, therefore, focuses their inquiries on the provision of information to citizens about criminal decisions and dismissal decisions. In the inquiry, the Ombudsman discusses this with various parties – including the Public Prosecution Service, the CJIB (the Central Judicial Collection Agency), the police, criminal lawyers, including juvenile criminal lawyers, and the Legal Services Counter. The purpose is to map out which bottlenecks citizens encounter and what they can expect from the government in terms of information provision.

## 2 Participation and influence

### **Provision of information on the granting of licences**

The National Ombudsman received signals from citizens about the provision of information concerning the granting of licences. The information often proved insufficiently understandable and not always accessible to citizens. That is why the National Ombudsman started an inquiry in 2018 and 2019: how do citizens experience the provision of information and in what areas can it be improved?

This research has resulted in the report 'Informerren = Publiceren? ('To Inform = To Publish?') and the Information Scan Poster, published on 8 March 2019. The report formulates several starting points for the government: being (pro)active, offering tailor-made solutions and providing accessible information.

In the follow-up inquiry, the Ombudsman monitors various government bodies – including municipalities, environmental services and a water board – in their deliberate application of these principles for a year. The aim is to support government agencies and gain insight into the effectiveness of the research.

### **"My concern, my business." Being involved in your own treatment**

In this project, the Children's Ombudsman investigates the ways in which sick, or chronically sick, children from the age of 9 and adolescents are involved in their medical treatment. This involves a broader view than just the decisions made in the treatment room. The child's living environment is also considered: how, for example, are agreements made with the school regarding the illness and treatment of the child?

With this inquiry, which started in the autumn of 2019, the Children's Ombudsman wants to find out how children are involved in their own treatment: what is going well and what could be improved? In addition to the information provided by children themselves, adults who play a major role in the decisions are also involved. With this inquiry, the Children's Ombudsman wants to increase the chances of improvements actually being realised.

### **Participation in government infrastructure projects, continued**

In 2018 and 2019, the National Ombudsman investigated participation in government infrastructure projects. This research resulted in the report 'Een goed begin is het halve werk' (A good start is half the work'). Conclusion: involving citizens is crucial from the start of the government infrastructure project. The report contains preconditions required for the government to make a good start.

A follow-up will take place in 2020. The National Ombudsman enters into discussions with the Minister of Infrastructure and Water Management and other authorities to ensure that the citizen's perspective is guaranteed in the participation process.

## 3 Access to provisions

### **Bottlenecks in access to, quality and costs of care and support**

In recent years, the National Ombudsman has regularly received complaints and signals from citizens who are barely able to arrange the healthcare or support they need. Thresholds are too high and rules too complex.

The Ombudsman has since initiated several inquiries, evaluations and pilots. In May 2018, for example, the report 'Zorgen voor burgers' (Caring for citizens) was published, based on research into bottlenecks at the intersection of various care laws. On 21 November 2018, the in-depth follow-up study 'Borg de zorg' ('Guaranteeing healthcare') was published, about bottlenecks encountered by people with dementia or their caregivers. On 19 December 2018, the Ombudsman invited VWS, VNG (the Association of Netherlands Municipalities) and ZN (the umbrella organisation of Dutch health insurers) back to the table to establish what exactly has been done about the solutions and recommendations. The Minister of Health, Welfare and Sport promised to launch pilots for, among other things, cooperation between municipalities and health insurers, and improvement (availability) of client support. In 2019, the Ombudsman closely monitored developments at the Ministry of Health, Welfare and Sport and, in the event of acute problems, the Minister, the CAK (Central Administration Office) and municipalities were immediately held accountable and asked to make improvements.

In 2020, the National Ombudsman will continue to monitor developments closely and start a follow-up inquiry into bottlenecks that citizens experience in obtaining healthcare and support. The aim is to make sure that the healthcare system for citizens really works.

### **18-/18+ for status holders**

The National Ombudsman and the Children's Ombudsman jointly explored the '18-/18+ issues' in 2019. Based on this, it was decided to start an inquiry in 2020 into unaccompanied minor foreign nationals with a status who may remain in the Netherlands after the age of eighteen. It is precisely for this vulnerable group that the transition from 18- to 18+ is abrupt: from guidance that takes everything out of their hands to entirely fending for themselves. It will be investigated what this group can reasonably expect from the Dutch government. This could include exploring the role of central government and local and regional authorities.

### **Self-sufficient people without fixed abode**

In 2019, the National Ombudsman published the results of his inquiry into bottlenecks experienced by 'self-reliant' people without fixed abode. This concerns people (often men) who have become homeless due to, for example, dismissal, divorce or serious debts, including mortgage debts. This group often escapes attention, because there is usually no question of, sometimes serious, psychiatric or addiction problems. As a result, facilities and support often do not match their needs, and they fall by the wayside. They often find it difficult to remain registered in the BRP (Personal Records Database), with all the consequences that entails. As a result, they run the risk of getting further into trouble quickly, while it is assumed that they will manage by themselves.

The National Ombudsman has made several recommendations, aimed at BRP registration, linking civil matters with the Social Support Act and deactivating the cost-sharing standard. At the end of 2019, the Ombudsman launched a retrospective inquiry to establish whether the recommendations had been followed up and whether the so-called self-sufficient people without fixed abode were now being helped sooner. The Ombudsman will complete the inquiry in April 2020.

### **Evaluation of appropriate education**

Appropriate education was introduced in 2014. The aim was to give all children with a specific educational need the most suitable place in education. Signals from the Children's Ombudsman and previous interim evaluations show that appropriate education is not yet functioning optimally. For example, children who need both education and care are still not given enough customisation and the number of school-aged children who stay at home instead of going to school has not fallen. The Children's Ombudsman is starting a project to take stock. The starting point is a better guarantee of the right to education for the vulnerable children who now often receive no or insufficiently appropriate education.

### **Research into the duration of treatment of Claims Settlement at the Ministry of Defence**

The Veterans Ombudsman will investigate the handling of claims and the implementation of claims settlement for veterans. Despite the 'Full Compensation for Veterans' scheme, in practice it often takes many years before an agreement is concluded, or not at all. The parties, the Ministry of Defence, veterans and their representatives, often point the finger to one another about this. In addition, veterans also have other questions, such as: when does a case go to the State Attorney and when to the Claims Department? Is it possible to apply for liability after starting a procedure for full compensation? When are you eligible for an advance payment? In short, much is still unclear.

The Veterans Ombudsman will bring the parties involved together, identify the bottlenecks and indicate possible solutions.

### **Veterans in detention: access to care**

In recent years, the Veterans Ombudsman has identified several problems with respect to veterans in detention and their (healthcare) treatment. Does the current (military) criminal justice chain consider the veteran's perspective? This is an important question, certainly due to the special duty of care that the government has for veterans, under the Veterans Act of 2014. This is why the Veterans Ombudsman, together with the National Ombudsman, is launching an inquiry into access to care and probation.



## 4 Poverty

### **Poverty in the Caribbean Netherlands**

Poverty is a major problem in the Caribbean Netherlands. In order to introduce and keep this high on the political agenda, the National Ombudsman published a study in 2019 into the distressing situation of the elderly in the Caribbean Netherlands. This study is the first in a series of three studies into poverty in the Caribbean Netherlands.

In 2020 the National Ombudsman and the Children's Ombudsman will jointly investigate the situation of young adults and single parents and their children in the Caribbean part of the Netherlands. The study on poverty among young adults will start in the first half of 2020 and the study on poverty among single parents in the second half of 2020.

### **Housing and homelessness problems**

The Children's Ombudsman is increasingly receiving signals about children and young people who are in trouble on the housing market (whether or not through their parents). This is why in the autumn of 2019 we examined the bottlenecks around housing, and how they affect or may affect the rights of children and young people.

The Children's Ombudsman spoke to ten relevant parties in the field, including governments, housing corporations and knowledge organisations. Based on this information, the Children's Ombudsman will further shape the project in 2020. As part of this project, the Children's Ombudsman will also evaluate the impact of an earlier study into children who live in holiday parks permanently or semi-permanently.

### **Declining inflow into the WSNP (Natural Persons Debt Rescheduling Act)**

Fewer and fewer citizens are eligible for the statutory regulation that should make it possible to be debt-free again after three years - the Natural Persons Debt Rescheduling Act. Creditors - including the government - must actively participate in the process to help those in debt. The inflow into the WSNP has been falling for years and the National Ombudsman considers this a worrying development. In this inquiry, the Ombudsman wishes to assess the consequences for citizens of this decreasing inflow. What obstacles and exclusions do citizens encounter and what consequences does this have for themselves and their families?

## 5 Liveability

### Energy transition

The government encourages citizens to make both their home and their means of transport more sustainable, for example through solar panels, heat pumps and electric cars. However, this comes with a price tag, and several vulnerable groups are unable or struggling to bear the financial consequences of the energy transition. Many citizens are also postponing sustainability because it is unclear what they can expect in terms of government support. Bodies such as Nibud (National Institute for Budget Advice) have already expressed their concerns about this.

The National Ombudsman will investigate what citizens can expect from the government in this respect. For example, does the government play a role in channelling information about sustainability? And does it have a role in facilitating the energy transition for those who have no means?

### Environment Act: is the government accessible to all citizens?

The Environment Act should simplify and combine the rules for spatial development. Its entry into force will have a major impact on both public authorities and citizens. Much more is expected from citizens, for example. This includes being able to organise a participation process or to participate in it themselves.

In 2019, the National Ombudsman entered into discussions with bodies involved in the act (the Ministry of the Interior and Kingdom Relations, municipalities) about several questions: who can an interested party who does not feel sufficiently involved turn to? How does the government supervise? How is complaint handling organised?

In 2020, the National Ombudsman will focus on the accessibility of the Environment Act to all citizens. The idea is to prevent citizens being sent from pillar to post.

### Consequences of gas extraction

Large-scale gas extraction in Groningen has led to subsidence of the soil and earthquakes. This has a major impact on the liveability in the gas extraction area. In 2020, the National Ombudsman will stay involved with the citizens in the Groningen exploration area. To start with, the Ombudsman will visit the area again in February and we will hold talks with those involved. Where necessary, the Ombudsman will continue to hold the government accountable. It goes without saying that we will continue to handle individual complaints and, if necessary, conduct research.

In recent years, the National Ombudsman visited the earthquake area several times. The Ombudsman also called for consideration to be given to the citizen's perspective, social cohesion and the importance of restoring confidence. There is also a red tape issue, which means that there is no one-stop shop for residents. Several steps have now been taken and the government is taking responsibility for the compensation and reinforcement operation. Nonetheless, many residents are still uncertain about compensation for damage sustained, if and when their dwelling is eligible for reinforcement, and what they can contribute to this process. In addition, people have to wait a long time for decisions to be made.

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