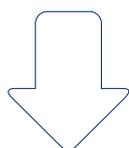

THE NATIONAL OMBUDSMAN AT YOUR SIDE

2014

*Summary of the 2014
Annual Report of the
National Ombudsman
of the Netherlands*



36.278



-4,6%



87%



76%



161

QUOTES FROM STAFF MEMBERS

Willemijn van Helden

project leader for systemic investigations



“When I start work on a piece of systemic research, I want it to have some effect. I think it’s awful if people are in a fix and nobody listens to them.”

Laurien Brummelhuis

complaints officer,
Care Services and
Education team



“Of course, it’s not up to me personally to solve all these problems between citizens and municipalities, but I can do my bit to make things better.”

Jacco Holthuis

complaints officer,
Care Services and
Education team



“I always try to empower people, so that they will have the confidence to get directly in touch with government bodies for themselves.”

Marieke Ruitenber

complaints officer, Housing, Care Services and Mobility team



“My greatest fear is turning into the kind of official who thinks in terms of regulations and procedures. In my work for the National Ombudsman, I fight for personal contact and individual solutions.”

STATISTICAL REPORT

People can contact the National Ombudsman in several different ways:

2014



orally (by phoning or visiting in person)



digitally (using the electronic complaints form, e-mail or social media)



by post (letter, fax or printed form)

Respectful



In the Netherlands it is possible for people who do not pay their fines, to be locked up until they pay. Ronald received a phone call from the police to say that he was to be locked up that same week for non-payment of a fine. Locked up?! Ronald could hardly believe his ears! Ronald asked what was going on and was told he had been summoned to appear at a court hearing about the matter. The summons had been published in the press because Ronald's address was unknown. Ronald was flabbergasted: he had been living at the same address for years. The National Ombudsman asked to sort the matter out without delay. It turned out that the system contained an incorrect entry indicating that Ronald's whereabouts were unknown. The imprisonment procedure was halted and Ronald was issued with a summons to appear at a new hearing, where he would be able to put his side of the story.

Report highlights

- Introduction of a single bank account number by the Dutch Tax and Customs Administration (report no. 2014/147). The abrupt discontinuation of payments created unnecessary financial problems for many citizens.
- Implementation of Fraud Act (report no. 2014/159). Errors do not constitute fraud. Most of the people who were fined did not deliberately commit fraud.
- Conduct of police authorities in the Schilderswijk district of The Hague (report no. 2014/078). No indications of structural abuses. Issued guidelines for police officers and citizens to prevent escalation.
- Municipalities devoting insufficient attention to implementation of Sheltered Employment Act (report no. 2014/120). Municipalities are responsible for providing labour market opportunities for people with occupational disabilities.

Number of complaints

Many people prefer a quick, oral method of complaints handling and resolution. The National Ombudsman has tailored his complaints handling and registration procedures to their needs. The total number of complaints was down 4.6% compared with 2013.

2013



25.574



7.909



4.550

38.033

2014



24.922



7.712



3.644

36.278

Complaints about government

2013



74%

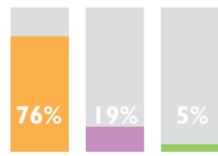
2014



77%

The National Ombudsman deals with complaints about government. People with questions or complaints about other matters are helped to find their way to the right body for them.

Decisions in reports



- Partly/fully justified
- Unjustified
- No decision

Recommendations in reports



The National Ombudsman made a recommendation or recommendations in 52 reports. 87% of them were implemented.

Developments in 2014

- Opening of 'Ombudsplein': a central place in the organisation where citizens can communicate directly with Ombudsman staff and are helped quickly in finding the best solution for their problem.
- Coming into force of the Veterans ombudsman Act bestowing a special mandate on the National Ombudsman for handling complaints from veterans.

Open and clear

Ms Ramans is a lawyer. During a meeting with the Immigration and Naturalisation Service (IND) she wanted to use her phone to make an audio recording. Was this permissible? Government bodies in the Netherlands take widely varying attitudes to such requests. To clarify the situation both for government and for the public, the National Ombudsman launched an investigation and talked to both sides. Based on the outcome, he produced guidelines spelling out what government bodies and members of the public can reasonably expect from each other in this respect. Ms Ramans and the IND will now discuss her request on the basis of these guidelines for the making of audio recordings.



Subject of complaints

To be proper, government should be open and clear, respectful, caring and resolution-oriented, and fair and trustworthy. The decisions in National Ombudsman reports are based on proper conduct criteria derived from these core values.

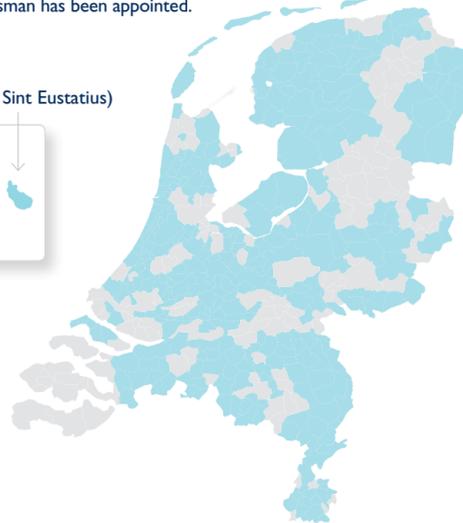


- Not proper
- Proper
- Number of decisions

Municipalities using the National Ombudsman

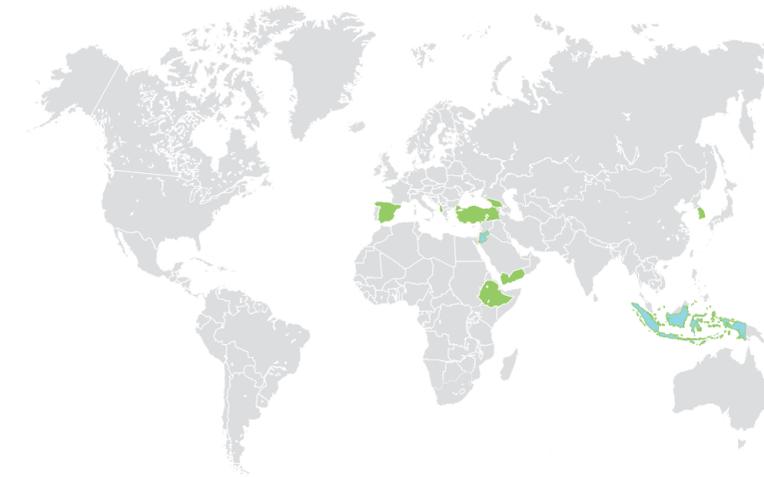
Every municipality in the Kingdom of the Netherlands is obliged by law to have both an internal and an external complaints handling procedure. The external complaints procedure must be operated by an ombudsman. Individual municipalities can choose whether to use the services of the National Ombudsman or to appoint their own ombudsman. This does not apply to the public bodies in the Dutch Caribbean who only have one complaints procedure. (check op juiste spelling van openbare lichamen in het Engels svp). For this procedure the National Ombudsman has been appointed.

(Bonaire, Saba, Sint Eustatius)



287 municipalities use the National Ombudsman

The National Ombudsman as a player in an international network



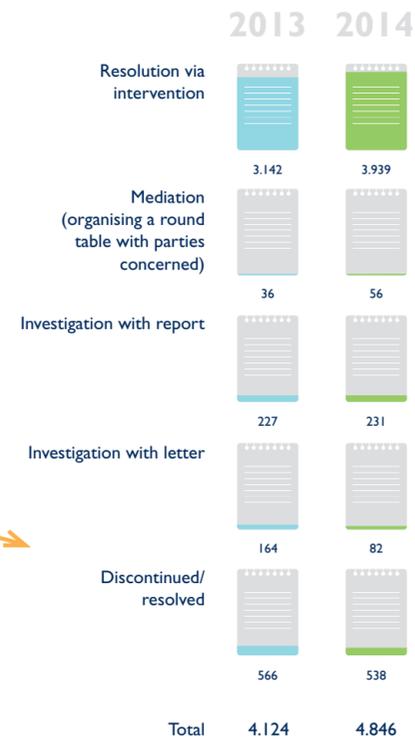
- International cooperation
 - Ombudsman of Jordan
 - Ombudsman of the Republic Indonesia
- The Office of the National Ombudsman was visited by delegations from

Caring and resolution-oriented

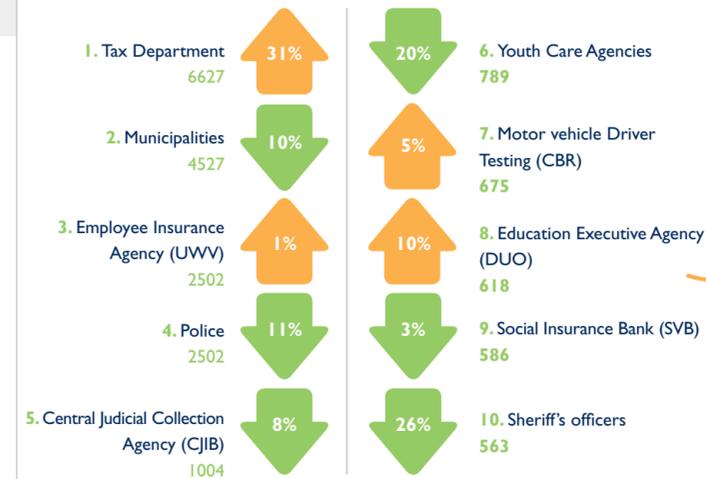
Robbie runs a one-man business. He was hired to do consultancy work for a municipality. When the job was done, he sent a bill requesting payment within three weeks. A month later, his bank statement showed that the money had not been paid. He hesitated to contact the authority and trusted it to transfer the money soon. When the bill was still unpaid after two months, Robbie thought the period was unreasonable. He contacted the authority and was told that the delay was due to staff sick leave. Eventually, it caused him financial problems. Having heard numerous stories like this, the National Ombudsman decided to launch an investigation on his own initiative and recommended that authorities should pay businesses more quickly. (2014/066, report following investigation)



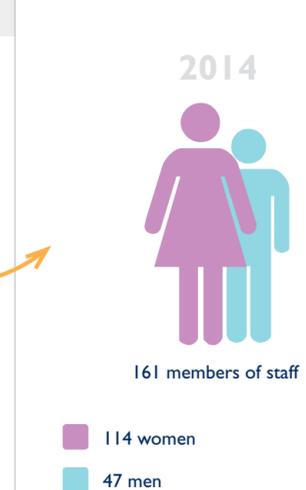
Methods of complaints handling



Top 10 complaints



Staff numbers



Key statistics for 2014

- 36,278 complaints: 24,922 oral and 11,356 written
- Body attracting most complaints: the Tax Department
- 81% of complaints accepted for investigation resolved by phoning the relevant authorities on behalf of the complainants (intervention)
- In reports, 76% of complainants found to be at least partly in the right
- Proper conduct criterion most frequently mentioned in decisions: fairness and trustworthiness (e.g. failure of an authority to do what it said it would do)
- 231 reports issued; 52 contained recommendations

The National Ombudsman at your side

Having someone at your side gives you confidence; it means you can easily turn to them for help and that they can help you deal with other people. The National Ombudsman aims to be at people's side wherever they have dealings with government. He aims to restore confidence, solve problems and ensure that members of the public and government work hand in hand.

The Ombudsman's informal way of dealing with complaints makes him more approachable. The introduction of the 'Ombudsplein' means that people can communicate immediately with Ombudsman staff able to respond quickly and effectively to complaints or signals. In addition, the National Ombudsman helps government by recommending ways in which authorities can improve their services to the public. Unfortunately, government sometimes feels the Ombudsman is not so much at its side as breathing down its neck. Irritation can result. But it is also the job of the National Ombudsman to act as a necessary irritant, spurring government to take action to bridge the gap between itself and the public.

Looking ahead

The Netherlands has decentralised various central government tasks in the health and youth care to the municipalities. This will be a major operation and the National Ombudsman began to prepare for it in 2014. The National Ombudsman provides ombudsman services for 287 municipalities. In a letter to these local authorities, the National Ombudsman called attention to the need for proper complaints handling following decentralisation. It is the municipality's job to provide for an effective complaints handling procedure. The National Ombudsman has formulated the following 'golden rules' for this:

1. Always turn a listening ear.
2. No contract with a private company to carry out the new decentralised tasks, without proper complaints handling.
3. Make complaints procedures easily accessible and informal.
4. Use complaints to learn lessons and improve service to the public.

Key issues in 2014

- **Report 2014/159 on problems with the new Anti Fraud Act:** *"The Anti Fraud Act treats well-meaning citizens as criminals"*. The Ombudsman expressed concern about the classification of simple mistakes as fraud. In practice, this means that innocent people can be punished when, for example, they make an error when filling in forms.
- **Report 2014/147 on changes in the method of benefit payments:** *"Change to payment to single bank account poorly organized"*. Vulnerable people in the Netherlands often depend on benefits from many different authorities. The government wanted all these benefits to be paid into a single bank account but the change was poorly organized. As a result, many people found themselves in difficulty and turned to the Ombudsman. He found their complaints justified.
- **Report 2014/078 on alleged police discrimination:** *"No systematic abuse among police in the borough Schilderswijk in The Hague"*. The police in this part of The Hague were accused of discriminating against ethnic minorities. An action group called on the Ombudsman to investigate. After talking to local residents and police officers, the Ombudsman launched a formal investigation. This led him to conclude that, while there was no systematic discrimination, there were concerns about the situation in this particular borough.
- **Report 2014/066 on delays in government payments to businesses:** *"National Ombudsman criticises government practices in paying private enterprises"*. Businesses often face long delays in payment for work done for government bodies. Many of them hesitate to raise the matter for fear of losing future contracts. The Ombudsman launched an investigation after receiving several reports of problems. He feels government should make greater efforts to pay such bills promptly.

Fair and trustworthy



Naomi was given a fine but the court ruled that she could pay it in five instalments. However, when she was going on holiday, the border police at the airport made her pay the whole amount immediately. She did so to avoid being arrested but she was left with too little money to enjoy her holiday. On her return, she lodged a complaint. It turned out that something had gone wrong with the transfer of Naomi's address by the Public Prosecution Service, with the result that an arrest warrant was issued. The National Ombudsman felt that Naomi should have been able to rely on the court ruling allowing her to pay the fine in instalments. He suggested to the Minister of Security and Justice that an appropriate gesture should be made to compensate for spoiling her holiday.

The full text of the National Ombudsman's Annual Report is available on our new website (only in Dutch). On the English pages of the website you will find some downloads of earlier summaries and some other materials.

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The names in the real-life cases have been changed for privacy reasons.