



Office of the State Comptroller and Ombudsman



Protection of Whistleblowers

The State Comptroller is also the Ombudsman and he performs this function through the Office of the Ombudsman



The State Comptroller, in his capacity as **Ombudsman**, is authorized to issue **orders** designed to protect an employee whose rights have been infringed due to his exposing **acts of corruption, a serious breach of legislation** or a **serious violation of proper administration** in the body in which he works, including an order revoking his dismissal or an order granting special compensation.

Conditions for issuing a protection order

- The complainant is an **employee** of the body about which the complaint has been filed
- The complainant has exposed or assisted another in exposing, **in good faith** and in accordance with **proper procedure**, acts of corruption, a serious breach of legislation or a serious violation of proper administration in his workplace
- A **causal connection** exists between the injury to the complainant and the exposure of the said acts

Special protection for internal auditor

The Ombudsman is also authorized to issue a protection order for an **internal auditor** who is an employee of the body about which the complaint has been filed, if the internal auditor has been harmed **in response to his actions** in the fulfillment of his duties.

Which bodies can be the subject of a complaint?



Which complaints will not be investigated?

- A complaint about private bodies and private individuals
- A complaint in a matter pending in court, or on the merits of which the court has made a substantive decision
- A complaint of a person serving in the IDF regular forces or reserves and a complaint of a policeman or prison warden

Provisional protection order

- A provisional protection order is designed to prevent harm to the complainant or a change in his status, his salary or work conditions in the course of the investigation procedure
- The issuing of such an order will be considered at any stage of the investigation
- The order is valid until a different order is issued by the Ombudsman

The issuing of a provisional protection order does not constitute taking a stance as to whether or not the complaint is justified

The main stages in the investigation of the complaint of a whistleblower

1

Considering the issuance of a
provisional protection order

2

Conducting inquiries with **all relevant sources able to clarify the facts** and examining **all the relevant documents**, including documents detailing the response of the public body to the complaint

3

Summing up the findings and forming **prima facie conclusions**

4

Conveying the findings and the apparent conclusions to the party likely to be harmed, for his response

5

Examining the responses and conducting an **additional investigation** where necessary

6

Reaching a **final decision** by the Ombudsman

Possible remedies

If the ombudsman has decided that there are grounds for issuing the complainant a **final order**, he has broad discretion as to the content of the order.

The Ombudsman is authorized to issue **any order deemed correct and just** by him in order to protect the complainant, including the following:

- An order revoking dismissal
- An order granting monetary compensation
- An order instructing the transfer of the employee to a different position in his employer's service

Breach of protection order

A protection order (provisional or final) obligates both the employer and the employee.

Possible implications of violating the order:

- Disciplinary offence of the employee or employer
- Criminal offence of the employer

Comprehensive support

The Office of the Ombudsman is aware of the fact that the filing of a complaint and the entire investigation procedure may entail many difficulties that affect the complainant and those close to him in different ways. The Office therefore offers support and emotional assistance by a social worker employed by the Office.

Important things to know

- The filing of a complaint is free of charge and does not require representation by a lawyer
- The complainant is entitled to representation by the Legal Aid Department in the Ministry of Justice, regardless of his financial situation and in accordance with the provisions of the Legal Aid Law
- In order to receive a protection order, the complainant is required to prove that he believed in good faith in the existence of the acts of corruption reported by him

Addresses of the offices of the Ombudsman

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Scan the code



for the
Ombudsman's website



Ways of contacting the Office of the Ombudsman

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Facebook Office of the State Comptroller and Ombudsman

At the offices of the Ombudsman in person or by posting a letter
in a designated postbox

This leaflet contains general information only and is not a binding text. The full and binding provisions with regard to the investigation of complaints and the authority of the Office of the Ombudsman are detailed in State Comptroller Law, 5718-1958 [Consolidated Version].
All uses of the masculine form refer also to women.