



The State Comptroller  
and Ombudsman of Israel



ISRAEL  
OMBUDSMAN  
JUBILEE



State of Israel



2020

Office of the Ombudsman of Israel  
**Another Action-Packed Year**  
Review of Activity in 2020

June 2021



## Foreword of the Israel Ombudsman and the Head of the Office of the Ombudsman

This pamphlet reviews the extensive activity of the Office of the Ombudsman in 2020 and provides data on the complaints investigated during that year. The pamphlet also gives a short description of the handling of complaints on a variety of subjects. Those wishing to delve deeper into the data or receive a broader picture of the diverse activities of the Office in 2020, are invited to peruse the full report (in Hebrew only).

In 2020, the Office received 17,719 letters of complaint, as opposed to 14,263 letters of complaint in 2019. The activity of the Office in 2020 thus increased by 24%, compared with the previous year.

The Office takes various measures to make itself known to persons in need of its services. To this end, it launched the "Ombudsman in the Community" project for advancing the rights of populations deserving special attention. This project involves cooperation between the Office and social organizations dealing with the exhaustion of rights.

The "Office of the Ombudsman in the Office of the State Comptroller" clinic has started working in the law faculty of the Zefat Academic College. The aim of the clinic is to enhance awareness of the Office's existence among the communities living in the North of the country, to expose the students to the importance of handling public complaints

and to enlist their assistance in receiving complaints from communities in the North.

Furthermore, the staff of the Office hosted webinars during the Covid-19 crisis, in order to continue reaching out to relevant communities, such as bodies dealing with the exhaustion of rights and the staff of departments for social services in the local authorities.

For the first time in the history of the Office of the Ombudsman, on 8 September 2020 a special report was presented under Section 46(b) of State Comptroller Law, 5718-1958 [Consolidated Version]. This report deals with the handling of complaints during the first wave of the Covid-19 crisis.

The Office utilizes innovative and effective tools for complaint investigation, especially in times of crisis such as Covid-19. These tools include using video calls for receiving complaints and holding discussions with public bodies, and online site visits (via video calls). Furthermore, during the Covid-19 crisis the Office began to conduct online mediations.

The Office also made use of innovative tools in compiling the annual report. For the first time, the Office contacted the Central Bureau of Statistics in order to receive an in-depth analysis of the characteristics of complainants turning to the Office. This analysis enables the Office to locate the

populations that are unaware of its existence and to improve the accessibility of its services to all sectors of Israeli society, especially to those in particular need of them.

The Office is for the first time launching on its website a geographic information system. The system is also suitable for use with smartphones. We invite the public to use this innovative system.

As professional home to ombudspersons and public complaints commissioners in the Israeli civil service, the Office promotes peer learning among them. Within this framework, in 2020 the Office hosted two online fellow events in the wake of reports that it had published.

On 24 November 2020, the Office hosted an international online conference for all the ombuds institutions around the world. The conference, which was held under the auspices of the International Ombudsman Institute (IOI), was titled "Covid-19 and the Ombudsperson– Rising to the Challenge of a Pandemic". More than 2,500 representatives from 47 states participated in the conference, which was conducted in English and interpreted simultaneously into Spanish, French and Arabic.

On 30 June 2020, "National Ombudsday" was inaugurated by the Knesset (Israeli parliament). To mark this day in 2021, the staff of the Office will be holding many informational

activities throughout the country, focusing on the community of senior citizens.

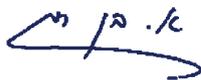
We wish to thank the entire staff of the Office for its difficult and dedicated work in the investigation of complaints, especially during the demanding and challenging Covid-19 period.

We invite the public to continue seeking the assistance of the Office when encountering difficulties in receiving services from public bodies or in exercising their rights; and in order to facilitate the relations between the individual and the government authorities.



**Matanyahu Englman**

State Comptroller  
and Ombudsman



**Dr. Esther Ben-Haim**

Head of the Office  
of the Ombudsman

In the State of Israel, the State Comptroller is also the Ombudsman. This amalgamation of functions is unique in the world and has many advantages. The Ombudsman fulfils his function by means of the Office of the Ombudsman (the Office).

The goal of the Office is to act as mouthpiece for the citizen, and especially for populations deserving special attention. It aims to assist individuals, whose rights are being violated, in their relations with government authorities. The actions of the Office assist the public and contribute to an improvement in public administration and the strengthening of democracy in Israel.

The Head of the Office of the Ombudsman was appointed in 2017 by the State Audit Affairs Committee of the Knesset (Israeli parliament), upon the recommendation of the Ombudsman. At the end of 2020, the Office comprised 81 lawyers, 3 social workers and 18 investigation support workers.

Every year the Ombudsman presents a report reviewing the activities of the Office and describing the handling of selected complaints during the previous year. The report is presented to the Israeli parliament.

# Review of activities: What did we do in 2020?

## Making the Office accessible

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The Office adopts multifarious measures for increasing public awareness of its existence and the possibility of turning to it. To this end, the Office holds informational activities throughout the year, including for populations less aware of its existence. The staff of the Office give lectures in different bodies, such as non-profit organizations, legal clinics, community centers and civil organizations. These activities were also carried out in 2020, while making increased use of online means, as a result of the challenges posed by the Covid-19 crisis for the economy at large.

In the academic year October 2020 to September 2021, the "Office of the Ombudsman in the Office of the State Comptroller" clinic started working in the law faculty of the Zefat Academic College. The clinic was established to enhance awareness of the Office's existence among the communities living in the North of the country and to expose the students to the importance of handling public complaints in general, and those filed with the Office in particular.

The staff of the Office participated in conferences and seminars that took place last year, the majority online. In the 13th Mediation Conference that took place on 8 December 2020, on the theme "Mediation as a tool for resolving public complaints", one of the sessions was devoted entirely to the mediation process used by the Office and to its partners in the process; the session was conducted by the Head of the Office.

In addition, the staff of the Office hosted informational webinars about the Office. The webinars were presented amongst others to staff of the Social Services Administration in the Tel Aviv Municipality, to staff and volunteers of Shil-Citizens Advisory Services throughout the country, and to staff of the units for the exhaustion of rights in the different authorities. The staff of the Office also gave online Zoom lectures to staff of the social services departments in different local authorities, to law students and high school pupils; they also carried out informational activities in the media in Arabic, Russian and French.

At the beginning of 2020, a meeting was held on the subject "Meet the Ombudsman", and was attended by office holders from the Office of the State Comptroller and Ombudsman and teachers of civic studies teaching in matriculation conversion assessment programs. The meeting took place in the framework of a program aimed at enhancing awareness of the work of the Office of the State Comptroller

and Ombudsman among different communities. It should be pointed out that the staff of the Office and the state audit divisions have already started giving lectures on this subject to 11th and 12th grade pupils at high schools around the country.

In 2020, the Office of the State Comptroller and Ombudsman, with the cooperation of the Unit for Supervision of Civic Studies at the Ministry of Education, put into use an E-learning unit<sup>1</sup> on the subject of the Office of the State Comptroller and Ombudsman. The unit was developed by the Center for Educational Technology.

In order to enhance its accessibility, the Office distributes designed information brochures detailing the areas of activity of the Office and how to receive assistance from it. The brochures are published in different languages. This year the Office published a new information brochure on the subject of whistleblowers; the brochure was published in three languages - Hebrew, Arabic and English.

## For the first time: Israeli parliament inaugurates "National Ombudsday"

On 30 June 2020, the Ombudsman presented to the Chairman of the Israeli parliament (Knesset), MK Yariv Levin, the annual report of the Ombudsman for the year 2019. At this event, and for the first time ever, the plenum of the Knesset inaugurated "National Ombudsday", which is designed to enhance awareness of the activities of the Office and the important work of ombudspersons and public complaints commissioners in public bodies. At the meeting of the plenum, parliament members praised the important initiative and raised different issues on the topic.



Discussion on the findings of Annual Report 46 in the State Audit Affairs Committee of the Knesset, July 2020

1 <https://lo.cet.ac.il/player/?document=53a65e3d-9f63-4652-86a9-87fb25d549bf&language=he&sitekey=citizenship>

## Investigation of complaints during the Covid-19 crisis

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During the Covid-19 crisis, the Office worked to protect the right of Israeli residents to receive appropriate public services, and played a prominent and significant role in the relations of residents with the different authorities. The staff of the Office worked tirelessly and with dedication, flexibility and creativity to provide swift, attentive and effective relief for those seeking its assistance.

## Publication of special report: "Investigating complaints during the first wave of the Covid-19 pandemic"

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On 8 September 2020, the Ombudsman presented to the Chairman of the Israeli parliament, MK Yariv Levin, a special report under Section 46(b) of State Comptroller Law, 5718-1958 [Consolidated Version] (State Comptroller Law). The report details the investigation of complaints during the first



wave of the Covid-19 crisis<sup>2</sup>. On 14 and 15 September 2020, the State Audit Affairs Committee of the Knesset, chaired by MK Ofer Shelah, discussed the findings of the report and the data emerging from it.

## Office of the Ombudsman - Professional home for ombudspersons and public complaints commissioners

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The Office is the professional home for ombudspersons and public complaints commissioners in the Israeli public sector. Within this framework, it hosted in 2020 two central fellow events in the wake of reports that it had published.

The first fellow event took place on 5 July 2020, after the publication of the Ombudsman's annual report for 2019. This event, which was attended by the Ombudsman and the Chairman of the State Audit Affairs Committee of the Israeli parliament, was broadcasted live on the internet. The second fellow event took place on 8 September 2020, following the publication of the special Covid-19 report, and discussed "handling complaints in the

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2 From 15.3.2020 to 30.6.2020

age of Covid-19". The aim of the event was to promote mutual learning as to the ways that the ombudspersons and public complaints commissioners dealt with the challenges that

arose during the Covid-19 crisis. Ombudspersons and public complaints commissioners from different bodies participated in the event, which took the format of a webinar.



Ombudsman Matanyahu Englman and Head of the Office of the Ombudsman, Dr. Esther Ben-Haim, at the international online conference on the theme of ombudspersons and the Covid-19 crisis

צילומים: קובי אלקין, ל'עמ

## International relations

In 2020, the Office held an important event, a first in its history - on 24 November 2020 it hosted, under the auspices of the International Ombudsman Institute (IOI), an international conference for all the ombuds institutions across the globe. The conference was titled "Covid-19 and the Ombudsman - Rising to the Challenge of a Pandemic", and it discussed the ways that ombuds institutions had been dealing with the Covid-19 crisis. Over 2,500 representatives from 47 countries

around the world participated in the conference, which was conducted in English and interpreted simultaneously into Spanish, French and Arabic.

The conference was an enormous success and received highly positive feedback and compliments from the IOI and AOM (Association of Mediterranean Ombudsmen) administrations, from the international ombudsman community and from ombudspersons and public complaints commissioners in Israel.

The Office also published articles in the IOI newsletter and participated in international webinars.

# Data on Complaints in 2020

Every year, in its annual report, the Office presents data on the complaints, including the number of complaints received and handled by the Office, the findings of the investigations and the percentage of justified complaints and complaints that were rectified. This year, for the first time, the Office used the services of the Central Bureau of Statistics to receive an in depth analysis of the characteristics of complainants turning to the Office. This analysis enables the Office to locate populations that are unaware of its existence and of the benefits to be gained from seeking its assistance, and to improve the accessibility of its activities to all sectors of Israeli society. The data analysis is also important for the public bodies, since it acts as a "sensor" gauging for them the quality of the service that they provide<sup>3</sup>.

**For the first time, the Office has launched on its website a geographic information system that enables receiving continuous data on the complaints handled by the Office. Since the data in the geographic system relate only to complainants who informed the Office of their place of residence, there may occur discrepancies between these data and the official data presented in this pamphlet.**

<sup>3</sup> With regard to the statistical analyses that the Office received from the Central Bureau of Statistics, see Ombudsman, **Annual Report 47 (2021)** (in Hebrew only), in the chapters "Data on complaints in 2020", "Handling of complaints during the Covid-19 crisis" and "Senior citizens".

## In 2020 the Office received



**16,887**  
letters of complaint  
against public bodies

**832**  
letters of complaint  
against non-public bodies

A total of  
**17,719**  
letters of complaint

For purposes of comparison, in 2019 the Office received 13,579 letters of complaint\* concerning public bodies\*\* and 684 letters of complaint concerning non-public bodies - in total, 14,263 letters of complaint.

**▲ The number of letters of complaint in 2020 rose by 24%**

\*Letter of complaint - a letter from the complainant containing one or more complaints against one public body. Complaint - claims of the complainant against the public body. Some of the letters of complaint may contain more than one complaint against one public body.

\*\* Public body - body against which a complaint may be filed under the State Comptroller Law.

## Breakdown of complaints by public bodies

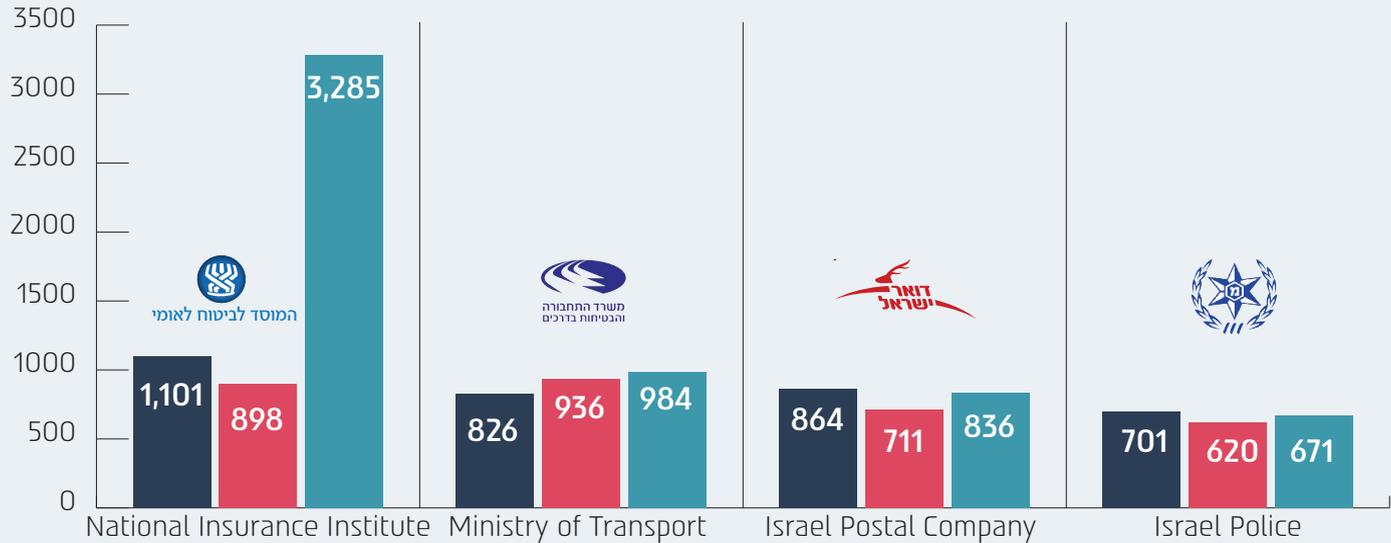
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The Office is aware of the fact that as a rule, a large number of complaints against a particular public body as opposed to other public bodies is not necessarily an indication of the quality of service provided by that body. The reason for this is that in the nature of things, more complaints are likely to be filed against a public body providing services for a large number of people than against a public body providing services for a small number of people. A multi-year analysis of the complaints received against a particular body can give a better indication of the functioning of the body throughout the years, and the observations made by the Office following the investigation of the complaints can lead to an improvement in the service provided by the body for the public.

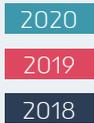
Presented below are the bodies against which the highest number of letters of complaint were received in 2020; also presented are the number of letters of complaint received against each body in the years 2018-2019.

The four bodies against which the highest number of letters of complaint were received in 2020 were the National Insurance Institute (NII), the Ministry of Transport and Road Safety (Ministry of Transport), Israel Postal Company Ltd. (Israel Post) and Israel Police. These figures disclose that in 2020 there was a sharp increase in the number of letters of complaint against the NII. This can be ascribed to the Covid-19 pandemic, which greatly intensified the need of the public for financial assistance (unemployment benefit, grants etc.).

# Number of letters of complaint concerning bodies against which the highest number of letters of complaint were received in the years 2018 - 2020



Data on Complaints in 2020

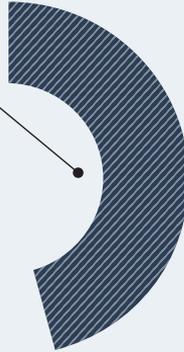


## Percentage of justified complaints



**46%**

of the complaints were found justified or the matter of the complaint was rectified without the need for the Office to reach a decision

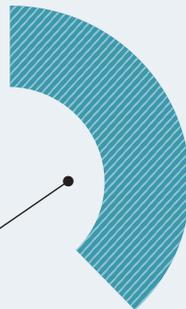


## Results of the investigation of complaints in 2020



The overall percentage of justified complaints out of the total number of complaints in which the investigation was completed and in which a decision was reached in 2020 was

**33%**



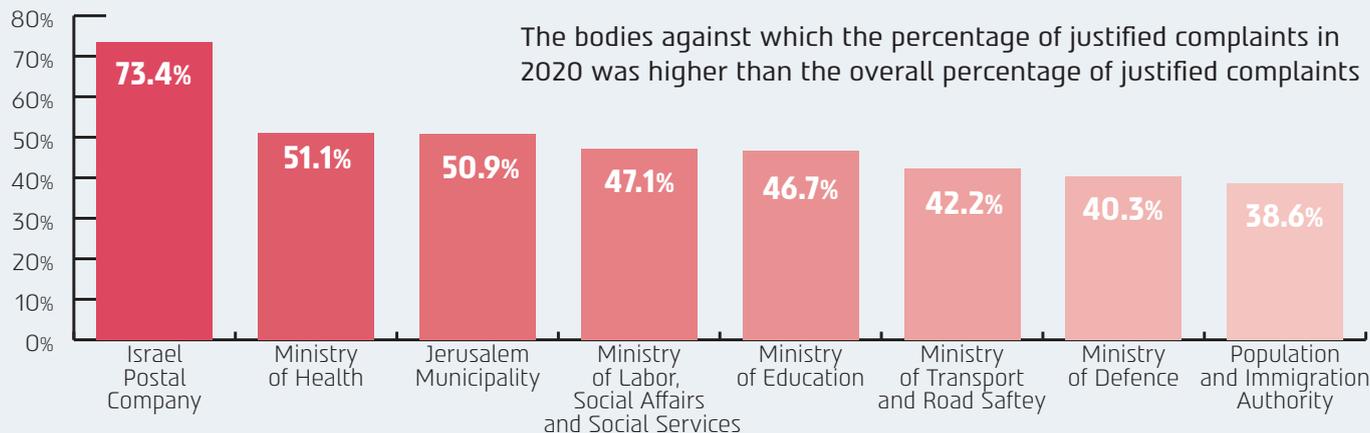
## Breakdown of complaints by gender



**56.4%** Men



**43.6%** Women



## Breakdown of complaints by complainant's place of residence

The districts in which the number of complaints per 10,000 residents was the highest were the southern district and the Tel Aviv district. The district in which the number of complaints per 10,000 residents was the smallest was the northern district<sup>4</sup>.



<sup>4</sup> The annual report includes two maps that display points representing settlements. The size of the point on the map changes in accordance with the number of complaints of residents of the settlement in 2020. One map shows the distribution of complaints according to the complainant's place of residence and the other map shows the percentage of complaints found justified or were rectified, according to the complainant's place of residence.

## Data on complaints relating to the Covid-19 crisis

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In 2020, the Office received 3,273 letters of complaint relating to the Covid-19 crisis. Some 69% of these letters of complaint dealt with matters relating directly to the social security net provided by the state through benefits or various grants.

## The Office's Toolbox

The Office is authorized to investigate complaints in any way it sees fit and is not bound by rules of procedure or laws of evidence.

The Office may request from any person or body information and documents likely to assist in the investigation of the complaint.

The Office has an abundant toolbox for investigating complaints and adapts the investigation process to each complaint so as to achieve what it believes to be the optimal result.

During the Covid-19 crisis, it was necessary to handle complaints swiftly and the Office devised schemes for the fast and effective investigation of complaints. These schemes included making daily contact by phone with relevant office holders in the public bodies; holding online meetings with public bodies, including where several public bodies were involved<sup>5</sup>, and virtual onsite visits.

The following are a few of the tools used by the Office in the investigation of complaints:

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<sup>5</sup> In this context see Ombudsman, **Investigating complaints during the Covid-19 pandemic** (2020), pp. 29.



Experience teaches that seeing is believing and therefore the staff of the Office frequently make onsite visits and talk to representatives of the public body, in order to assess quickly and directly the hazards described in the complaints and to rectify the matter within a short period of time. Since during the Covid-19 crisis the possibility of actually visiting sites was restricted, in some cases the Office conducted virtual onsite visits.



Staff members often go to the offices of the public body or phone its call center in order to check out firsthand if indeed the provision of service by the public body is faulty.



The Office conducts mediation procedures in certain complaints. The mediation procedure, which is conducted by mediators who are staff members, allows the parties to express their interests regarding the matter in dispute and thus promotes the optional resolution of the conflict between the parties.

## Online mediation procedures

Due to the Covid-19 pandemic, the Office started to conduct online dispute resolution procedures, in which the parties and the mediator or mediators are not in the same room. Online mediations made it possible to overcome the physical distance and continue conducting mediation procedures even during the Covid-19 crisis and the restrictions it necessitated.



Where the Office deems that all the public bodies involved are shirking responsibility for handling the matter of the complaint, or that cooperation between all the bodies is required for handling the issue - it brings the matter to the attention of the bodies and ensures that the appropriate body deals with the matter of the complaint and sees to its rectification. Sometimes the Office initiates a meeting with representatives of the public bodies in order to encourage them to take responsibility for the issue raised in the complaint and to work together on the matter. Since because of Covid-19 the meetings are conducted online, the Office can arrange them quickly.



The Office locates cases where it is possible to complete the investigation and resolve the matter of the complaint swiftly, such as by means of a phone call. The swift investigation enables the Office to notify the complainant of its findings within a short space of time.

# Basket of Remedies

Complainants whose complaint has been found justified may receive different remedies, according to the defects disclosed by the investigation of their complaint. These remedies include the following:

- Cessation of the act that is harming the complainant
- Exhaustion of right denied the complainant
- Reimbursement of money collected unlawfully
- Payment of monetary compensation
- Letter of apology from the public body to the complainant
- Regulation of the matter of the complaint in a written directive or reminding the staff of the public body of the existing regulation
- Provision of any protection order that the Ombudsman deems fit and just, including a provisional order, so as to protect the rights of an employee who has exposed an act of corruption in the body in which he works, taking into account the proper functioning of the body.



## Financial implications of the Office's decisions for the complainant

Following the investigation of complaints by the Office, complainants are likely to receive remedies that have financial implications. This is the case whether their complaint has been found justified and the Office has pointed out the need to rectify the matter of the complaint, or if the matter has been rectified in the course of the investigation. Complaints bearing financial implications have received a special marking in this report. The following are matters investigated by the Office that frequently entail financial implications for the complainant:

- Payment of benefits and monetary aid
- Cancellation of a monetary debt
- Eligibility for a discount
- Rectification of a general defect that has financial implications for other people in the same situation as the complainant



## From the specific to the general - rectification of a general defect

The investigation of a complaint frequently discloses a general defect in the action of the public body. In these cases, the Office does not make do with providing a remedy for the complainant, but also points out the need to rectify the general defect in order to prevent harm to others. In this way, the Office contributes to the improvement of acts of public administration and to the protection of persons requiring public services, in addition to assisting the complainant himself/herself.

In 2020, the investigation of 146 complaints led to the rectification of general defects.

For example, a candidate for recruitment to the Israel Prison Service claimed that because she suffers from a learning disability and ADHD, she was unable to pass the Prison Service entrance exam. The Office pointed out to the Prison Service that the particular difficulties of a candidate

should be taken into account, on the basis of the medical/psychological assessment submitted by the candidate, and that the exam should be adapted to his or her needs. As a result, the Prison Service changed the recruitment procedure, which today takes place online via designated recruitment agencies that make adaptations for persons with disabilities, in accordance with the assessments submitted by them. In addition, the Prison Service has agreed, ex gratia, for the complainant to re-sit the exam for the position of prison warden.

The complainant expressed the following words of thanks to the staff member who had investigated her complaint:

“After three years, out of all the people I turned to you are the only one who listened. You were and still are here for me, without despairing of me – that’s not to be taken for granted. For me you deserve the title of “Woman of the Year”. You are a true queen. Thank you for everything!! God bless you!!!”



## A kind word

The Office is sometimes happy to discover that the public body has decided on its own initiative to rectify the defect disclosed by the complaint or to act ex gratia with regard

to the complainant. In its reports, the Office makes special mention of these positive acts of the public bodies.

For example, during the Covid-19 crisis it became apparent that dedicated workers of the Ministry of Transport and the

Population and Immigration Authority (Population Authority) had shown outstanding good will and service orientation for populations at risk that had encountered difficulties in settling their matters with the authorities.

## Examination of complaints from a "broad perspective"

When the Office receives a large number of complaints on a particular subject or gets the impression from the investigation of certain complaints that there are wide ranging problems over and above the matter of the complainant, it broadens the investigation and delves deeper in order to effectuate a rectification of the general defects disclosed by the complaints.

The following are a few of the subjects of complaints that the Office examined from a "broad perspective" in 2020:



## Complaints against water and sewage corporations

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Every year the Office receives complaints about water-related issues, including complaints about water bills and their collection, water cuts and the quality of drinking water. It also receives complaints against the water and sewage corporations. In 2019, the Office handled 276 complaints against the water and sewage corporations<sup>6</sup>, of which 97 were found justified or the matter was rectified following the intervention of the Office<sup>7</sup>.

### Involvement of the public regarding an unexplainable increase in water consumption

From the end of 2019 to the middle of 2020, the Office received 48 complaints about an unexplainable increase in the rate of water consumption (including an increase in joint consumption). In light of the large number of complaints, the Office turned to the public via the social networks and invited anyone who had experienced an exceptional and unexplainable rise in water consumption to contact it. The Office received over 330 responses, relating to 45 water corporations and local authorities. The Office brought

the matter to the attention of the Water Authority and pointed out that the complaints indicated a wide-ranging phenomenon - an exceptional and unexplainable increase in water consumption and excess charges on the part of the water corporations - that required investigation. The Office continues to monitor the Water Authority's handling of the matter.

## Following the investigation of the Office

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- The residents of a building who had been charged by the "Ramat Gan Waters Ltd." corporation for water consumption at a rate that was ten times higher than usual, were reimbursed with the excess sum that they had been asked to pay and each resident also received 100 NIS in compensation.
- The "Sharon Springs Ltd." corporation refunded the complainant with 10,586 NIS that it had charged him with, in addition to the fee he had paid for connecting his property to the water system.

<sup>6</sup> Complaints about water were also filed against local authorities that supply water themselves and not via water corporations

<sup>7</sup> In 2019, the Office handled 243 complaints against water and sewage corporations.

## Health fund's handling of persons injured at work

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Under Section 86 of National Insurance Law (Consolidated Version), 5755-1995, a person who is recognized by the National Insurance Institute (NII) as having been injured at work is entitled to "treatment, convalescence, medical rehabilitation and professional rehabilitation". According to the agreements between the NII and the health funds, the medical treatment given to a person injured at work will be provided through the health fund where the person is insured.

Every year the Office receives complaints from persons who have been injured at work, regarding the medical services provided by the health fund clinics. The issues raised in the complaints include difficulties in receiving refunds of expenses; failure to receive an exemption from paying for medication, doctors' visits and obligations to cover medical expenses; failure to receive approval for purchasing special accessories (hearing aids, orthotic devices and other orthopedic accessories); failure to receive medical and para-medical treatment; failure to receive information from the health fund clinics about rights of persons injured at work. In these cases, the Office helps the injured persons to exercise their rights.

For example, in 2020 the Office helped a person who had been injured at work to receive from the "Clalit" health fund a refund of some 80,000 NIS for medical expenses. The Office also made sure that Clalit register in its computer system that the complainant is exempt from paying for the many medicines that he takes as a result of his injury. The complainant wrote the following to the staff member who had investigated his complaint:



## Amendment of Special Education Law and complaints received in its wake

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In July 2018, the Knesset (parliament) approved Amendment 11 to Special Education Law, 5748-1988. The amendment changed the structure of the committees that determine eligibility for special education services (eligibility committees),

their authority and their modus operandi. The eligibility committees are authorized to determine the eligibility of the pupil for special education services, his level of functioning and his needs, as well as the scope of support that he will receive. Applications to the committee are made online.

In 2020, the Office received 38 complaints about procedures of the eligibility committee from the parents of pupils with special needs. For the sake of comparison, in 2019 no complaints on this matter were filed. The following is an example of such a complaint:



An application to place a pupil from Bnei Brak (a town with a majority of ultra-orthodox Jewish residents) in a language-skill development kindergarten was not received by the Ministry of Education computer system. As a result, his parents were not summoned to the eligibility committee. The Municipality of Bnei Brak informed the Office that the problem affected other pupils as well. The municipality explained that some of the kindergarten teachers had no connection to the internet at home<sup>8</sup>, and were unable to get to the computers in the children's kindergartens or in the offices of the municipality due to the lockdown imposed as a result of the Covid-19 pandemic. For this reason, the online applications were not submitted to the eligibility committees on time. Following the Office's inquiry with the Director of the Department for Special Education in the Ministry of Education, the latter directed all the local authorities to accept parents' applications for placement, as well as documents relating to the situation of the pupil, and summon them to the eligibility committees, even if the applications were not filed online. The Office notified the complainants and the Bnei Brak Municipality of the said directive and as a result, the eligibility committees considered the applications of some 100 pupils.

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<sup>8</sup> For religious reasons, many members of the ultra-orthodox Jewish community do not have internet at home or on their mobile phones

# Selected complaints

## Complaints relating to the Covid-19 crisis

### Following the intervention of the Office

- A 70 year old man received the "Covid-19 grant" to the sum of 1,500 NIS, after the Israel Tax Authority revoked its demand that he submit tax reports from 2007 onwards.
- Parents complained that the National Insurance Institute had not paid them the Covid-19 grant for their three children. The investigation revealed that since 2015 the complainants had not received child benefit for their three children and for this reason they had not received the Covid-19 grant. Following the intervention of Office, the NII paid the parents child benefit retroactively from 2015, as well as the Covid-19 grants, to the sum of 20,000 NIS.

## Public service

Every year public service is the central theme of complaints filed with the Office. The complaints relate to the different aspects of the relations between the individual and the public body and mainly concern the following issues: lack of reply to inquiries or failure to handle them; delays in the provision of service, inappropriate behaviour of a public servant towards persons seeking assistance and faulty service in the call centers.

In 2020, the Office handled 5,132 complaints about public service (30.4% of the total number of complaints received). Some 49% of the complaints whose investigation was completed were found justified.

Most of the complaints about public service were against the Ministry of Transport.





## Rights of persons with disabilities

Every year the Office receives complaints from persons with disabilities who have been prevented from exercising their rights in different fields: access, benefits and tax exemptions, transport, welfare, health etc.

The Office places great importance on the protection and advancement of rights of persons with disabilities, in order to enable their integration into all aspects of society. The Office endeavours to help persons with disabilities to exercise their rights, often with the cooperation of the Commission for Equal Rights of Persons with Disabilities in the Ministry of Justice. The following is an example of a complaint on this subject:

### Acoustic accessibility of kindergarten

The complainant's daughter suffers from a hearing impairment. In August 2020, shortly before the start of the school year, the complainant claimed that the Municipality of Ramle had not yet made acoustic adaptations in the kindergarten that her daughter was due to attend. This was so despite the fact that the complainant had informed the municipality of the required adaptations back in January 2020, when she had registered her daughter for the kindergarten. Following the Office's inquiries, the municipality completed the acoustic accessibility of the kindergarten. Furthermore, as a result of the complaint the municipality laid down a new regulation, according to which children who were eligible for accessibility would be allocated to kindergartens close to the time of their registration, so as to prevent delays in making the necessary accessibility adaptations.

“

“Good evening, the system was indeed installed in the kindergarten this week and the ancillary staff received instruction. Thank you for your dedicated handling of the matter. It is good to know that there is someone to turn to, a listening ear and a helping hand”.



## Senior citizens

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A disabled elderly woman complained that she had been asked to appear in person in one of the Population Authority's bureaus in order to cancel a mailing address.

In light of the complainant's health situation and the restrictions imposed due to the Covid-19 crisis, and as a measure of good will, one of the staff of the Population Authority bureau went to the complainant's house and the latter signed the necessary documents. The Population Authority subsequently deleted the mailing address that had been registered in the complainant's name, as requested by the complainant.

The complainant, a man suffering from dementia, received a fine for crossing the road at a red light. In light of his cognitive situation, he did not tell his wife about the fine and she only learnt about it after receiving from the Fine Collection Center demands for payment of the fine, plus

interest for delay. The wife contacted the Police and the Fine Collection Center and requested cancellation of the fine in light of her claim that her husband was not competent to receive it, but the Police refused to cancel it. Following the Office's request that the Police take into consideration the inability of the complainant to file a request for cancellation of the fine on time, the fine was revoked.

## Rights of the individual

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The protection of rights of the individual, especially the rights of those belonging to vulnerable populations, constitutes an important component of the Office's work. The Office also examines the modus operandi of the public body in relation to the way it upholds the rights of the individual and implements the constitutional and legal norms concerning these rights.

In several of the complaints investigated this year, the Office assisted in protecting the rights of the individual. The following are some examples:

### Following the intervention of the Office

- The complainant received from the Municipality of Kiryat Bialik information that he had requested concerning the positions held by a former senior municipality employee.

- The Municipality of Harish deleted its response on Facebook that included information relating to private matters of the complainant, and expressed its apologies.
- The complainant, a woman living in the area of Judea and Samaria, filed a complaint against the Population Authority regarding its demand for a court judgement proving paternity. The Population authority withdrew its demand that the complainant present a judgement declaring that the father of her daughter was an Israeli citizen (Israeli). The Authority agreed to register the Israeli as father on the basis of a document provided by the Israeli's doctor, according to which the woman had been impregnated artificially with the Israeli's sperm.

## Local government

About a fifth (19.3%) of the complaints against public bodies that were received by the Office in 2020 concerned local government.

25.5% of the complaints against local government dealt with public service. In some 46% of the complaints on this subject the investigation was completed since the matter of the complaint was rectified or was found justified. This percentage is identical to the overall percentage of complaints that were investigated by the Office and found justified or were

rectified. Other issues raised in the complaints against local government were planning and construction, compulsory payments, welfare and the environment.

### Following the intervention of the Office

- The Municipality of Bet Shemesh cancelled its demand that the complainant pay a 20-year-old municipal tax debt and reimbursed the complainant with the money that he had paid towards the debt.
- The Municipality of Jerusalem restricted the times for rubbish clearance upon conclusion of the Sabbath (Saturday evening) and festivals. The complainant thanked the Office for handling the matter:



"You handled in a highly effective manner a complaint against the Municipality of Jerusalem concerning rubbish nuisance during rubbish clearance. Since then silence reigns and we enjoy peaceful sleep upon conclusion of the Sabbath and festivals".

## Public housing

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Every year the Office receives numerous complaints concerning public housing. In 2019, 448 complaints on this subject were filed with the Office and in 2020, 504 complaints were filed. Many of the complaints relate to maintenance of the apartments belonging to the public housing scheme, including failure to perform necessary repairs. Many additional complaints concern the rejection of applications for apartments belonging to public housing, the waiting time for receiving an apartment and rejection of requests of public housing residents to change their apartment in order to improve their living conditions. Other complaints concern the rejection of applications for rent payment assistance for persons not living in public housing and the provision of inadequate financial assistance. The following is a complaint received about public housing:

The complainant lives in an apartment belonging to New Amidar— Israel National Public Housing Ltd., and pays a monthly rent of 188 NIS in accordance with a special reduction to which he is entitled<sup>9</sup>. An inquiry conducted by the Ministry of Construction and Housing (Ministry of

Housing) revealed that the complainant owns land in the North of Israel, and in order to continue receiving the reduction he was asked by the ministry to prove that there was no structure on the land. Due to the Covid-19 crisis, there was no reception of the public in the relevant government ministries and the complainant was unable to receive documentation confirming that there was no structure on the land in question. Since a tenant of public housing who owns property or partial property rights is obligated to pay full rent, the Ministry of Housing rejected his request for a reduction and charged him full rent to the sum of 1,900 NIS. Following the inquiry of the Office, and in order to assist the complainant, the Ministry of Housing decided to send an inspector to the site, at its own expense, and the inspector confirmed that there was no structure on the land. The monthly rent was subsequently restored to 188 NIS, and the complainant was reimbursed to the amount of 9,581 NIS, the sum that he had paid in excess. Furthermore, it was decided that in four years' time the complainant would be required to present updated documents relating to the land.

The complainant thanked the lawyer who had investigated his complaint.

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<sup>9</sup> A reduction in rent granted by the Ministry of Construction and Housing according to the financial situation of the tenant.



"I would like to express my appreciation and thanks to the lawyer (who investigated my complaint) for her vigorous and uncompromising handling of the matter with the Ministry of Housing and Amidar. Well done!!!".



## Protection of whistleblowers

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The legislator has authorized the Ombudsman to protect employees who, in good faith and in accordance with proper procedure, have exposed corruption, a serious breach of legislation or a serious violation of rules of proper administration in their workplace, resulting in their superiors victimizing them or requesting their dismissal. The legislator has also authorized the Ombudsman to grant a protection order to internal auditors who are being victimized in response to their work as internal auditors. The process for investigating requests for protection orders, the conditions for receiving an order and the implications of receiving an order or breaching it are detailed on the website of the Office of the State Comptroller and Ombudsman.

In 2020, **53** complaints were filed by employees who claimed that their superiors had violated their rights since they had exposed acts of corruption, a serious violation of proper administration or a serious breach of legislation (compared with 57 such complaints in 2019). In 2020, the investigation of **52** complaints was completed, including complaints that had been filed in previous years (in 2019, the investigation of 62 complaints was completed).

The Ombudsman granted **three** provisional protection orders to employees who filed complaints about victimization following their exposing acts of corruption. The aim of the orders was to prevent harm to these employees until the completion of the investigation.

**2** complainants received final protection orders from the Ombudsman, and in the case of a further **8** complainants, the matter of their complaint was rectified.

## Addresses of the offices of the Ombudsman

### Haifa

12 Hassan Shukri St., Hadar  
POB 4394, Haifa 3104301  
Tel. 04-8649748  
Fax 04-8649744  
ombudsman@mevaker.gov.il

### Nazareth

85 Paulus Hashishi St.,  
Hamercaz Halavan  
POB 50400, Nazareth 1616202  
Tel. 04-6455050  
Fax 04-6455040  
nazeret@mevaker.gov.il

### Tel Aviv-Jaffa

19 HaArba'a St. (13th Floor)  
Migdal Hatichon  
POB 7024, Tel Aviv-Jaffa  
6107001  
Tel. 03-6843555  
Fax 03-6851512  
ombudsman@mevaker.gov.il



### Jerusalem

2 Mevaker Hamedina St.  
Kiryat HaLeom,  
POB 1081, Jerusalem 9101001  
Tel. 02-6665000  
Fax 02-6665204  
ombudsman@mevaker.gov.il

### Lod

1 Hatzionut Blvd., Migdal Keysar  
POB 727, Lod  
Tel. 08-9465566  
Fax 08-9465567  
lod@mevaker.gov.il

### Be'er Sheva

8B Henrietta Szold St.,  
Rasco City Building  
POB 599, Be'er Sheva  
Tel. 08-6232777  
Fax 08-6234343  
beersheva@mevaker.gov.il



Ombudsman website  
[mevaker.gov.il/he/ombudsman](http://mevaker.gov.il/he/ombudsman)



Email  
[ombudsman@mevaker.gov.il](mailto:ombudsman@mevaker.gov.il)



Reception hours in the Office's bureaus  
From Sunday to Thursday  
between 9:00 and 13:00  
Wednesdays  
also between 15:00 and 17:00



2 Mevaker Hamedina St., Kiryat HaLeom  
POB 1081, Jerusalem 9101001  
Tel. 02-6665000 | Fax 02-6665204  
[www.mevaker.gov.il](http://www.mevaker.gov.il) |  

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