



State of Israel



The State Comptroller
and Ombudsman of Israel

OFFICE OF THE OMBUDSMAN

Summary of Activity in 2021



2021

June 2022



Opening Remarks of the Ombudsman and the Head of the Office of the Ombudsman

This pamphlet summarizes the activity of the Office of the Ombudsman (Office) in 2021. The pamphlet gives details of the extensive activity of the Office in 2021 and provides data on the complaints handled in that year. The pamphlet also gives a short description of the investigation 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, are invited to peruse the full report (in Hebrew only).

In 2021, the Office received 19,701 letters of complaint. This constitutes an 11% increase in the number of letters of complaint received by the Office, as compared with 2020 in which 17,719 letters of complaint were received. The year

2020 also saw an increase in the number of complaints received by the Office, as compared with the previous year - a 24% increase in 2020 as compared with 2019. In the years 2019 to 2021, there was an impressive overall increase of 38% in the number of letters of complaint received by the Office. In 2021, 43% of the complaints that the Office was authorized to handle were found justified or their matter was rectified without the need for the Office to reach a decision pertaining to them.

In the present report, a special chapter is devoted to the digitalization of public services. In recent years, public authorities have been making greater use of digital means. The consequences of this digitalization are double-edged. On the one hand, the failure of public authorities to make use of digital means causes inconvenience to people who have switched to a "virtual lifestyle" and are accustomed to it. On the other hand, populations with lower digital orientation are less likely to exercise their rights if their communication with the authorities is via digital means only. The chapter dealing with this issue turns a spotlight on the process of digitalization in public bodies, including the difficulties caused as a result of both the underuse of digital means and the overuse of them.

In 2021, the Office celebrated its 50th anniversary. To mark this significant milestone, the Office published, for the first time in its history, a Jubilee academic publication containing eight articles written by staff of the Office and academics. The publication also includes an article written by the outgoing president of the IOI, which furnishes the international perspective on the work of ombudspersons.

On 14.12.21, the Ombudsman submitted to the Speaker of the Knesset (Israeli parliament) a special report under Section 46(b) of State Comptroller Law on the handling of complaints during the third and fourth waves of the Covid-19 crisis. The special report details the actions of the Office during the third and fourth waves of the crisis, from 1.12.20 to 15.10.21, and includes a review of the complaints relating to the crisis that were received during this period and a description of the way they were handled.

In 2021, the Office hosted two central peer-to-peer forums in the wake of the reports that it published. At these events, the reports were reviewed and lectures were given to enrich the professional knowledge of the participants, based on the experience gained through the investigation of the complaints. These events reflected the role of the

Office as a "professional home" for ombudspersons and for those dealing with public enquiries in the Israeli public sector.

The Office attaches considerable importance to its involvement in the international ombuds community, and participates in international conferences, researches and projects in fields that are relevant to its work. Among its other activities in the international arena in 2021, on 1.12.21 the Office hosted an international online professional conference to mark its Jubilee year; the conference was

titled "Protecting the Rights of Older People in an Age of Longevity". Ombudspersons and academics from **51 countries** participated in the conference.

We wish to thank the staff of the Office for its dedicated investigation of complaints and for doing all in its power to assist the community of complainants. We invite the public to continue seeking the Office's assistance in exercising its rights and receiving services from public bodies, and in facilitating its interaction with government authorities.



Matanyahu Englman
State Comptroller and Ombudsman



Dr. Esther Ben-Haim, Adv.
Head of the Office of the Ombudsman

Summary of Activity in 2021

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 spokesperson 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 2021, the Office comprised 86 lawyers, 4 social workers and 17 investigation support staff.

Every year the Ombudsman presents a report reviewing the activities of the Office in the previous year and describing the handling of selected complaints during that year. The report is tabled with the Knesset (Israeli parliament) on National Ombudsday, a day nominated for enhancing public awareness of the Office and its activities and the important work of ombudspersons and those dealing with complaints of the public in public bodies.

Making the Office Accessible

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 2021, while making increased use of online means, in order to cope with the challenges posed by the Covid-19 crisis.

On 8.3.2021, the regional bureau of the Office in Lod hosted a wide-ranging webinar for the staff of Legal Aid agencies throughout the country, as well as for other staff members of the Ministry of Justice. The aim of the webinar was to acquaint the participants with the work of the Office and to enhance collaboration between the Office and the staff of Legal Aid agencies, for the benefit of populations requiring assistance.

On 20.4.2021, the regional bureau of the Office in Be'er Sheva hosted a webinar, which was attended by representatives of women's organizations and representatives of other organizations dealing, among other things, with the exercising of women's rights. The aim of the webinar was

to enhance the organizations' awareness of the work of the Office, its authority and the possibility of receiving its assistance in the handling of enquiries received by the organizations.

On 23.5.2021, students of the "Office of the Ombudsman" clinic, together with the clinic's academic coach, were given a tour of the regional bureau of the Office in Haifa. The clinic was established by the Law Faculty of the Zefat Academic College, in collaboration with the Office. The tour was organized by heads of department within the Office, who also act as coaches in the clinic.

Within the framework of the "Office Enlists" project, the Office conducts informational activities for the command staff and terms of service staff in the Israel Defence Forces (IDF). The aim of this activity is to increase the IDF staff's awareness of the work of the Office and to enable them to advise soldiers and their families to turn to the Office where necessary. As part of the project, on 19.7.2021 the Office hosted outstanding noncommissioned officers from all the regiments of the Kfir Brigade.

In addition, staff of the Office were interviewed in the Israeli media for the Arab and Russian populations, with the aim of enhancing the awareness of the Arab community and of new immigrants from the former Soviet Union about the

work of the Office. Collaboration between the Office and the radio station REKA, serving Russian speakers, has led to a fixed slot in which (Russian-speaking) staff of the Office are interviewed and given an opportunity to tell the listeners about different complaints in which the Office succeeded in helping the complainants.

In 2021, the staff of the Office continued to visit high schools around the country and give lectures to pupils as part of their civics education. The lectures were given within the framework of the "Know the State Comptroller and Ombudsman" project.

In light of the challenges posed by Covid-19, in October 2021 the Office started receiving complaints remotely, via the Zoom platform. In order to bring this to the attention of the public, a notice was published on the website of the State Comptroller and Ombudsman in Hebrew, Arabic, English and Russian.

In 2021, the Office launched a Geographic Information System. This system, which is updated monthly, makes it possible to receive continuous data on the complaints handled by the Office. The data are presented in two cross-sections: results of complaint handling according to the complainants' place of residence and the results of the investigation of complaints against local authorities.

Making the Office Accessible to Older Persons

In 2021, the Office focused on looking out for older persons. On "National Ombudsday", the Office conducted informational activities for older persons, with the aim of acquainting this community with the work of the Office. The Ombudsman, the Head of the Office of the Ombudsman and tens of staff members visited retirement homes, day centres and Holocaust survivors clubs in 16 cities and towns across the country, in order to inform older persons of the Office's work and assist them in their interactions with the authorities.



Informational activity for older persons

Making the Office Accessible to the Periphery and to Populations Deserving Special Attention

The Office runs regional reception bureaus in Nazareth, Lod and Be'er Sheva, in addition to the reception bureaus situated in the Office of the State Comptroller and Ombudsman in the three major cities - Jerusalem, Tel Aviv and Haifa. The activity of the regional bureaus makes it easier for residents living nearby to file complaints.

In order to inform residents of the periphery about the Office, its authority to investigate complaints and the ways of filing complaints, the regional bureaus conduct informational activities in the periphery, including in the welfare departments of the local authorities in this area. The regional bureaus also conduct informational activity for social and volunteer organizations.

As part of a volunteer project that is run by the Office, staff of the Office lectured on the Office to older persons from East Jerusalem who are taking part in the "Warm House" project led by the Idan non-profit organization; the staff members also received complaints from the participants. The "Warm House" project enables older persons to get together in the "Warm House" near their homes and receive answers to



Lecture on the Office within the framework of the "Warm House" project

their questions from municipality representatives, as well as information about their rights.



Lecture at Bet Samuel in Be'er Sheva

Making the Office Accessible to Speakers of Different Languages

The bureaus of the Office comprise staff members who speak different languages, including Arabic, English, Russian, Amharic, French and Spanish. In general, people requiring the services of the Office who are unable to file complaints by other means, are received in the bureaus by a staff member who speaks their language.

On 25.7.21, the Office gave a lecture at the "Bet Samuel" Community Centre in Be'er Sheva. This centre serves the community of Jews who immigrated from Ethiopia and offers activities for young people, various courses and enrichment lectures for all ages.



Presentation of the Ombudsman's Annual Report to the Knesset on "National Ombudsday"

On 22.6.2021, the Ombudsman presented to the Speaker of the Knesset (Israeli parliament), MK Mickey Levy, Ombudsman Annual Report for the year 2020. At the same time, "National Ombudsday" was marked in the plenum of the Knesset for

the second year running. The aim of "National Ombudsday" is to raise awareness of the Office and its activity and of the important work of ombudspersons and those dealing with complaints of the public in public bodies.

From right to left: Secretary General of the Knesset, Yardena Meller-Horowitz, Head of the Office of the Ombudsman, Dr. Esther Ben-Haim, Adv. Speaker of the Knesset, MK Mickey Levy, State Comptroller and Ombudsman, Matanyahu Englman, Director-General of the Office of the State Comptroller and Ombudsman, Yishai Vaknin, Director-General of the Knesset, Gil Segal



Summary of Activity Pamphlet in Three Languages

On "National Ombudsday", the Ombudsman also presented to the Speaker of the Knesset a pamphlet summarizing the activity of the Office in 2020. The pamphlet details the extensive work of the Office in 2020, gives data on the complaints investigated during that year and a short description of the handling of complaints on a variety of topics. The pamphlet was published in Hebrew, Arabic and English.

Publication of the Office's Second Special Report

"Investigation of Complaints in the Third and Fourth Waves of the Covid-19 Crisis"

On 14.12.21, the Ombudsman presented to the Speaker of the Knesset, MK Mickey Levy, a special report under Section 46(b) of State Comptroller Law, 5718-1958 [Consolidated Version] (State Comptroller Law), which deals with the handling of complaints during the third and fourth waves of the Covid-19 crisis (1.12.20 - 15.10.21). On the same day, a discussion was

held in the Special Committee for Public Petitions, headed by MK Yael Ron Ben-Moshe, on the findings of the report and the data accumulated from it.

The Office - "Professional Home" for Ombudspersons and People Dealing with Public Enquiries

The Office constitutes a "professional home" for ombudspersons and people dealing with public enquiries in the public sector of Israel. In this capacity, the Office last year held two central peer-to-peer forums in the wake of reports that it published.

The first peer-to-peer forum took place on 30.6.2021, online, after the publication of Ombudsman Annual Report for the year 2020. This event was broadcasted live to the participants over the internet. At the forum, the Head of the Office, Dr. Esther Ben-Haim, Adv., presented the main points of the report and staff of the office gave TED-style talks on selected complaints from the report. These were followed by TED-style talks given by colleagues dealing with the investigation of complaints, and a panel was held on the subject "The Ombudsman as a key player in the improvement of public services".

The second peer-to-peer event took place on 18.1.22, online, to mark the publication of the second Covid-19 special report, which addressed the handling of complaints during the second and third waves of the Covid-19 crisis, and to mark the issuing of the academic Jubilee publication, in December 2022, on the occasion of the Office's 50th anniversary.

The forum, which was held in the format of an E-Seminar, was attended by ombudspersons and people dealing with public enquiries. The aim of the event was to promote mutual learning relating to the ways of dealing with challenges during the Covid-19 crisis.

At the event, the Deputy Head of the Office, Ido Don Yechiya, Adv., reviewed the main points of the special Covid-19 report. This was followed by a panel on the subject "The Office of the Ombudsman and the Right to Access to the Administration". A discussion was also held on the topic of "public mediation".

From time to time, the Office issues for the community of ombudspersons and persons dealing with public enquiries, newsletters containing key decisions of the Ombudsman, details of events that the Office is holding, information about reports published by the Office, and more. The publication of these newsletters marks an important milestone in the activity of the Office as the central body for investigating complaints of the public in Israel, and testifies to the great importance that the Office attaches to peer-to-peer learning.

Jubilee Publication to Mark the Office's 50th Anniversary

On the occasion of its 50th anniversary, the Office published, for the first time in its history, a Jubilee academic publication. The publication contains eight articles written by staff members of the Office and academics, as well as an article in English by the outgoing IOI President, Mr. Peter Tyndall, which furnishes the international perspective of the work of ombudspersons.

The articles provide different perspectives of the work of the Office, detailing the trends of its development over the years, the direction in which it is striding and the challenges facing it in the 50 years to come. The articles also elaborate on the establishment of the Office of the State Comptroller, the changes that occurred in the institution over the years and the tools used by the Office in its work.



The Office in the Media and on Social Networks

In 2021, staff of the Office were interviewed in the written media and on the radio about the reports that the Office published that year, about the activity of the Office in enhancing older persons' awareness of its services, and more.

In order to increase the accessibility of the Office to the different sectors, the Office initiated the publicizing of notices not only in the national media, but also in the sectorial communication channels, including those of the ultra-orthodox Jewish community and those of the Arab community, as well as in local papers in the geographical periphery.

In 2021, close to the publication of the annual report, the Office produced a brief video that summarized the main data of the report; this video was distributed on the social networks. The Office also produced a short video describing the complaint of an older woman that is included in the report and illustrates the way the complaint was handled. In addition, to mark the Office's Jubilee year, it produced a video summarizing 50 years of the Office's activity and the changes that took place during that period.

International Relations

At the beginning of 2021, the Office contributed information and insights to a Best Practice Paper written by the Canadian Ombudsman institution on the subject "Giving Voice to Mental Health Patients". The Office is currently participating in a comparative research project led by the Austrian Ombudsman regarding the role of the ombudsperson in the age of increasing digitalization of public services throughout the world.

As said, on 1.12.21 the Office hosted an international conference to mark its 50th Anniversary. The conference was titled "Advancing the Rights of Older People in an Age of Longevity". The conference took place online and was attended by ombudspersons and academics from 51 countries. The conference was conducted in English, with simultaneous interpretation into Spanish, French and Arabic.

On 9.11.21 - 10.11.21, the State Comptroller and Ombudsman, the Head of the Office and the Vice-Head of the Office, participated in an international seminar that took place in Manchester on the topic "The Art of the Ombudsman: Leadership in Times of Crisis". The State Comptroller and Ombudsman spoke to the participants of the seminar about making the Office accessible to populations that are worthy of special attention. In the course of the seminar,

the State Comptroller and Ombudsman held a meeting with the British Ombudsman, during which it was agreed that a Memorandum of Understanding would be signed between the two ombuds institutions.

On 4.10.21 - 5.10.21, the State Comptroller and Ombudsman and the Head of the Office participated (online and in person respectively) in an international conference on the theme "The Mediterranean: from the Sea that separates us to the Sea that unites us", which was organized by the Association of Mediterranean Ombudsmen (AOM). At the conference, which took place in Greece, the State Comptroller and Ombudsman gave an online speech on the subject "The Mediterranean energy sources: sustainability and fair use, meeting our needs". The Head of the Office represented the Office at the General Assembly of the ombudsman organization, which took place during the conference.

On 10.9.21, the Head of the Office participated in an online international conference on the theme "Modern Technologies & Media in the work of Ombudsmen". The conference was hosted by the AOM, in collaboration with the Armenian Human Rights Commissioner. The Head of the Office lectured at the conference on the topic "Achieving the Goals of the Office via the Media".

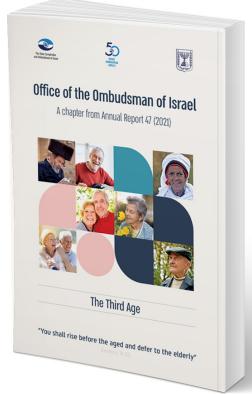
On 26.5.21, the State Comptroller and Ombudsman addressed the 12th World Conference of the International Ombudsman



Online international conference to mark the Office's Jubilee, December 2021

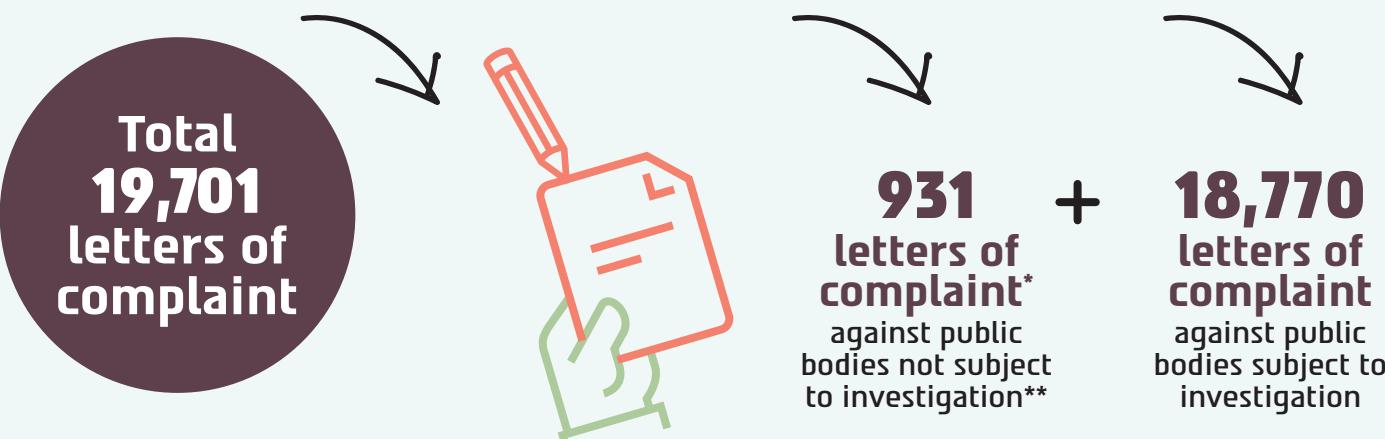
Institute (IOI), which was held online on the theme "Giving Voice to the Voiceless". His lecture dealt with the handling of complaints of minority ethnic groups under the title "Accessibility and Flexibility in the Handling of Complaints of Ethnic Minority Groups".

On 27.10.21, an online round table meeting was held between representatives of the Office and representatives of the Ombudsman institution of the Netherlands. The meeting addressed the subject of mediation as a tool for investigating complaints.



Data on Complaints in 2021

Every year, the Office's annual report presents data on the complaints, including the number of complaints received and handled by the Office, the results of the investigations, the percentage of complaints found justified and the percentage of complaints rectified.



From 2019 - 2021, there was a total **increase of 38%** in the number of letters of complaint filed with the Office

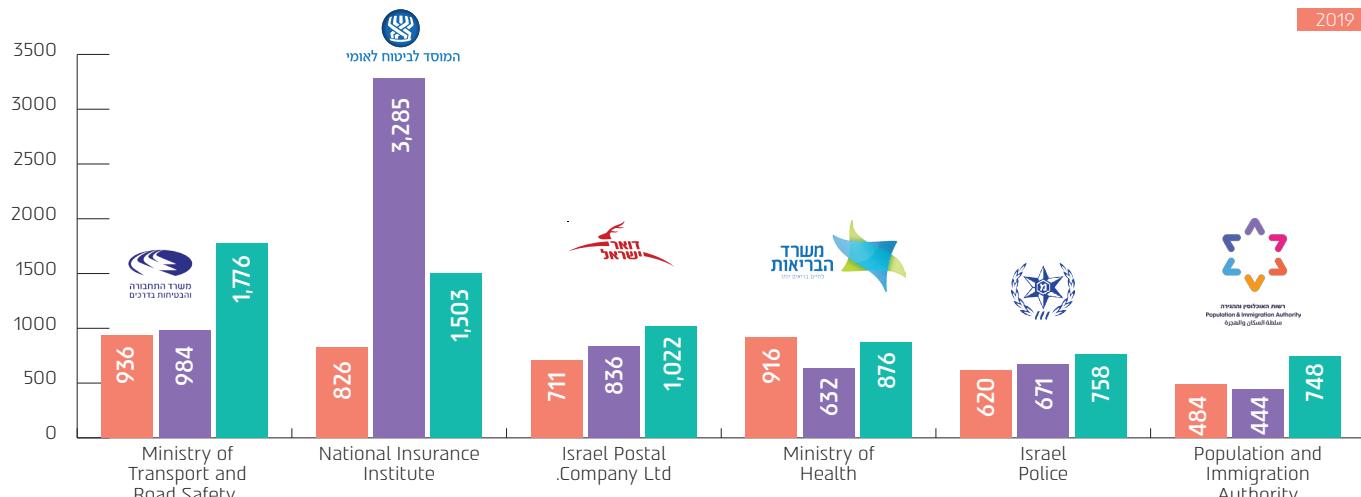
* Letter of complaint – letter from a complainant that contains one or more complaints against one public body. Complaint - the complainant's allegations about the public body.

** Public body - a body against which it is possible to file a complaint under State Comptroller Law.

Breakdown of Complaints by Public Bodies

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 public body. It is natural

The six bodies against which the highest number of letters of complaint was received in 2021

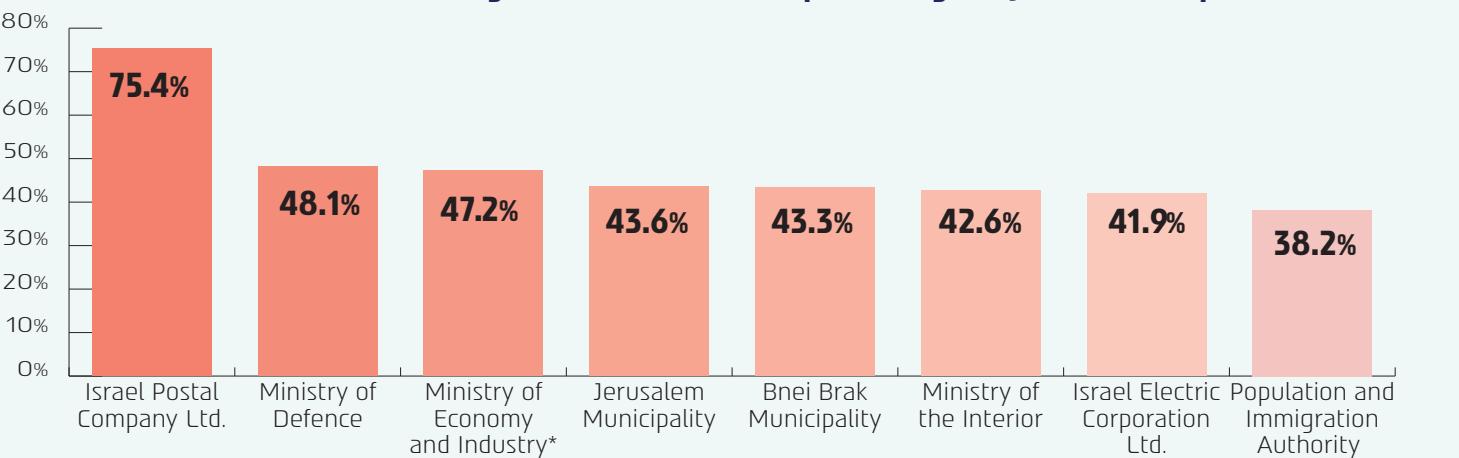


Percentage of Justified Complaints

The overall percentage of justified complaints out of all the complaints whose investigation was completed and in which a decision was reached in 2021 was **34%**

The bodies against which the percentage of justified complaints in 2021 was higher than the overall percentage of justified complaint

Data on Complaints in 2021



*One of the causes of the surge in the percentage of justified complaints against this body is that in 2021, the Department of Child Day Care Facilities moved from the Ministry of Labour, Social Affairs and Social Services to the Ministry of Economy and Industry. The percentage of justified complaints against the Department in 2021 was 51.3%, and in 2020 – 50.6%.

Results of Complaint Handling in 2021

43% of the complaints were found justified or their matter was rectified without the need for the Office to reach a decision pertaining to them.

The Financial Implications of the Office's Decisions

In 2021, the Office began registering in its computerized system the financial implications of its decisions. The investigation of a complaint is likely to entail financial implications, such as when, following the investigation of a

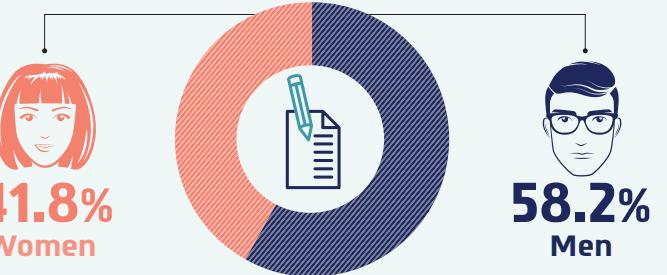


complaint, the public authority cancels a debt, or part of a debt, which the complainant has incurred, or compensates the complainant. When the investigation has financial implications both for the complainant and for other people, the overall sum received by the complainant and the other people as a result of the investigation is registered in the computerized system.

Breakdown of Complaints by Complainant's Place of Residence

The districts in which the number of complaints per 10,000 resident was the highest were the Tel Aviv district (17.74), the Judea and Samaria district (16.27) and the Jerusalem district (16.07).

Breakdown of Complainants by Gender



Data on Complaints in 2021



Examination of Complaints - from a Broad Perspective

When the Office receives a large number of complaints on a particular subject or gets the impression, following the investigation of certain complaints, that there are wide-reaching problems that extend beyond the complainants' issue, it delves deeper into the matter, in order to bring about a rectification of the general defects unveiled by the complaints.

The following are subjects of complaints that the Office examined from a "broad perspective" in 2021:

Main Subjects of Complaints against the Ministry of Transport and Road Safety

In 2021, the Office received 1,776 letters of complaint against the Ministry of Transport and Road Safety (Ministry of Transport). The Ministry was the leading public body in terms of the number of letters of complaint filed against it.

987 of the complaints against the Ministry of Transport in

2021 concerned public service. The Ministry of Transport was the body against which in 2021 the Office handled the highest number of complaints regarding public service; the same applies to the years 2018-2020. The complaints against the Ministry of Transport in this matter mainly concerned the Licensing Department. The Office determined that 56% of the total number of complaints filed against the Licensing Department were justified, or the matter of the complaint was rectified without the need for the Office to reach a decision pertaining to it.

The complaints against the Licensing Department focused mainly on the following issues: difficulties in receiving disability parking stickers, problems in the allocation of driving tests, the failure of driving licences to arrive, a delay in receiving medical approbation of driving proficiency, the charging of fees and the lack of response to online and phone enquiries.

Examples

An infirm older man, who suffered from dementia and was confined to a wheelchair, filed a complaint following the rejection of his application for a disabled parking sticker designed for disabled persons requiring a wheelchair. In light of the Office's intervention, he was granted a permanent parking sticker.

Due to human error, some 1,000 car licensing fees that had been paid with credit cards had been erased. The vehicle owners whose payments had been erased turned to the Ministry of Transport and enquired about the debt that had been registered on their name. They failed to receive an answer from the Ministry's Finance Department, and received an inadequate response from the call centre.

In the course of investigating the complaints, the Office received explanations about the problems that had caused the erasure of the payments and about the steps taken to handle the matter. The Office drew the attention of the Finance Department to the way the vehicles owners had been answered, to the need to inform other sources in the Ministry of Transport who receive enquiries about the

problems and to make internal arrangements for enabling these sources to remedy the problems. Pursuant to the Office's follow-up inquiry, the Finance Department declared that it had erased the debts of all the vehicle owners who had received erroneous debt notifications.

Transportation for children entitled to special educational services

Safe Transportation for Children and Toddlers with Disabilities Law, 5754-1994, provides that a pupil with a disability is eligible for transportation to and from the educational institution that he attends, accompanied by an adult. This right applies on every day that lessons are held in the educational institution, including during times when the school year has been extended.

According to Special Education Law, 5748-1988, the school year in special education institutions can be extended beyond the end of the school year in the regular education system. The directive of the Ministry of Education¹ lays down that all special education institutions will go on an annual two-week vacation, from the middle of August to the beginning of September, when the regular education school year commences.



regard to each and every pupil. For example, following the complaint of parents of a pupil living within the jurisdiction of the Holon Municipality, the Office contacted the municipality and a solution was found. The pupil's mother thanked the Office warmly.

Following the investigation of the complaints, the Ministry of Education laid down a procedure by which local authorities are obligated, from September 2021 to August 2022, to provide transportation for the pupils living within its jurisdiction and attending educational institutions under ultra-orthodox Jewish supervision.

In the ultra-orthodox Jewish community, the school year is determined in accordance with the Jewish calendar, not the Gregorian calendar, and thus within this sector classes are often held in the last two weeks of August. This is contrary to the regular education system where classes do not take place during this time. In light of this difference, there were problems in the provision of transportation for eligible ultra-orthodox Jewish pupils during the last two weeks of August.

Several complaints on the matter were received by the Office. The Office handled the matter both on a general level, by making enquiries with the Ministry of Education, and on an individual level, by contacting the authorities with

Selected Complaints

Digitalization of the Public Service

Since 2018, it has become legally obligatory to enable communication with public bodies via digital means. This obligation is laid down in Contacting Public Bodies via Digital Means Law, 5778-2018. As in many other countries of the world, the digitalization process of public bodies has accelerated in the State of Israel over the last two years, due to the Covid-19 crisis. This is reflected in the possibility of contacting public bodies via their websites and apps and filing documents and paying for services by digital means.

This process has, among other things, achieved two contradicting results due to which the Office has received (a) complaints about inconvenience in communicating with authorities where the digitalization process has not been completed; (b) complaints of people from populations with low digital orientation about the over-digitalization of certain authorities and about the inability to contact these bodies by non-digital means. It has been found that populations should be allowed to make use of analogical tools and face-to-face meetings, if these are required.

Example of lack of digitalization

By law, the Department for the Rehabilitation of Disabled Persons in the Ministry of Defence (Rehabilitation Department) sends notifications of the decisions of its medical committees by registered post. The disabled person has the prerogative to appeal the decision within 45 days of receiving the notification. A complainant filed a complaint with the Office claiming that the registered post had not reached him and that the Rehabilitation Department was refusing to send him notifications of decisions in his matter by email. The Office asked the Rehabilitation Department why the notifications of the medical committee's decision were not sent to the disabled persons by electronic means as well. Following the Office's enquiry, the Rehabilitation Department decided that it was possible to send these notifications via email and to make them available in the personal areas of the disabled persons on the Rehabilitation Department's website, in addition to sending them via registered mail as required by law.

Example of inappropriate service provided digitally for a population lacking digital means

The Lod Municipality permits the filing of documents for receiving a discount in municipal taxes only via a computerized system called "MAST" (the system). According to the complainant, she does not have the technical means required for filing the documents via the system. The complainant went to the offices of the municipality in order to file the documents in person, but was refused on the grounds that the only way to file the documents was via the system.

The municipality informed the Office that in 2018 it had decided that applications for a discount would be filed online only. The municipality added that there were cases where representatives of the municipal tax department fed into the system applications of residents who were unable to do this themselves. However, in the written notices issued to the public no mention is made of the option to receive such help from representatives of the municipal tax department.

The Office asked the municipality to examine its publications and the information conveyed to the residents with regard to the way of filing applications for a discount in municipal taxes,

taking into account the legal provisions and the directives of the Attorney General. As a result, the municipality added a note to its information pamphlet for the residents, informing them of the possibility of filing applications for a discount via the system or in person in the Finance Department.

Obligatory Payments, Grants and Benefits

About 17% of the complaints received by the Office every year relate to monetary matters, and they can be divided into two main topics: one, payments that the public is obligated to make to government authorities and various public bodies; and the other, payments that the public is entitled to receive from the state.

The complaints relating to the first group are mainly about the legality of a demand for payment, failure to grant discounts or exemptions from different obligatory payments or the refusal to refund excess payments. The complaints relating to the second group mainly concern the failure to pay a benefit or grant to eligible persons or their partial payment, and the failure to refund excess payments of benefits or grants.



Financial Implications for the Complainant



Rectification of General Defect

Reduced Purchase Tax for persons with disabilities

The complainant, a disabled man with a 72% disability due to paralysis in his legs, bought with his partner an apartment, which is his only residence. According to Land Tax (Betterment, Sales and Purchase) (Purchase Tax) Regulations, 5735-1974 (the Regulations), disabled persons who purchase an apartment are likely to be eligible for a discount in Purchase Tax at the rate of 0.5% of the value of the apartment. Eligibility is determined according to the percentage of their disability.²

² In clause 1(5)(b)

In his complaint, the complainant claimed that the Israel Tax Authority (Tax Authority), had charged him Purchase Tax at the full rate, in accordance with the tax brackets laid down in Land Tax (Betterment and Purchase) Law, 5723-1963, despite his being entitled to pay tax at the rate of 0.5% because of his disability.

In response to the Office's enquiry, the Tax Authority notified it that the documents that the complainant had filed had shown his disability to be 72% only, whereas the percentage of disability required for receiving a discount in Purchase Tax is 100%.

The Office drew the Tax Authority's attention to the fact that the complainant's disability was determined because of the paralysis in his legs, and with regard to this kind of disability² the Regulations laid down that the discount would be given to a person whose disability was 50% and above, not only to someone whose disability was 100%. The Tax Authority consequently reexamined the complainant's documents and, satisfied that they testified to the disability having been accorded him because of paralysis in his legs, charged him Purchase Tax to the rate of 0.5% only.

Following the complaint, the Tax Authority clarified the directives relating to a Purchase Tax discount for disabled persons.

Welfare

In 1991, the State of Israel ratified the International Convention on Economic, Social and Cultural Rights. Clause 11 of the convention lays down that "states that are a party to this convention recognize the rights of every person to a standard of living that is appropriate for them and their families, including appropriate food, clothing and housing and a continual improvement in their circumstances".

Complaints relating to welfare services are about rejections of applications for material assistance in cases of distress; defects and hitches in providing out-of-home arrangements for older persons, youth and children (boarding schools, hostels and foster families); inappropriate handling of enquiries received by social services departments in the local authorities; assistance for the blind, and more.

After being refused - the complainant's two children were moved to a boarding school and she received a significant discount in school fees

In her complaint, the complainant, a divorced Arab woman, claimed that she was bringing up her two sons, aged four and six, by herself, in financial, familial and emotional distress. According to her, the Department for Social Integration at the Lod Municipality (the Department), had refused her request to transfer her sons to the boarding school where she had grown up and which she trusted.

The Office's investigation disclosed that the municipality had allocated for the children placements in the boarding school, but the Ministry of Labour, Social Affairs and Social



Financial Implications for the Complainant

Services (Ministry of Welfare), had decided that a foster framework was preferable in light of the young age of the children; however, for many months no such framework had been found. The Office continued to be in contact with the relevant sources until it was decided that the children would be moved to the boarding school, as requested by the complainant.

Notwithstanding, the complainant again contacted the Office and complained about having to pay 1,800 NIS every month for her childrens' accommodation at the boarding school, a sum of money that she could not afford. Following the intervention of the Office, the Department forwarded the matter for discussion at the Exceptions Committee of the Ministry of Welfare. Through the agency of the Office, the complainant presented to the Exceptions Committee documents that testified to her situation; after examining the documents, the Committee decided to reduce the monthly payment to 300 NIS for the two children.



Financial Implications for the Complainant

Assistance in purchasing clothing - including for a single-adult family

The complainant claimed that the Tamra Municipality was not assisting him in purchasing clothes, despite his financial situation. The municipality informed the Office that according to the Social Work Regulations (the Regulations), only families with at least one child under 18 are entitled to such assistance, whereas the complainant lived alone. The Office's investigation disclosed that a single adult is also considered a family unit according to the Regulations, and is thus entitled to assistance. Following the Office's intervention, the eligibility of the complainant for assistance was recognized.

Public Housing

Every year, the Office receives complaints about public housing. The complaints concern requests to receive or change an apartment in the public housing scheme, the waiting time for receiving an apartment, maintenance of the apartments and applications for assistance in rental payments.

When investigating these complaints, the Office endeavours to uphold the rights of the complainants, by directly contacting the Ministry of Construction and Housing (Ministry of Housing) and the public housing companies. Cooperation with these bodies generally leads to a swift investigation and to optimal assistance for populations requiring it.



Financial Implications for the Complainant

The complainant's apartment was damaged by her neighbour - she received increased rent assistance for renting another apartment

The complainant, a single mother of three children, lived in a public housing residence managed by the New Amidar Company - Israel National Housing Company Ltd. (Amidar).

Due to renovations carried out by the complainant's neighbour that caused serious leaks inside the complainant's apartment, she moved to an alternative apartment allocated by Amidar. After the neighbour notified her that he had made the necessary repairs, the complainant moved back into her apartment. However, the apartment was again flooded, but the Ministry of Housing and Amidar rejected her request to

move to an alternative apartment.

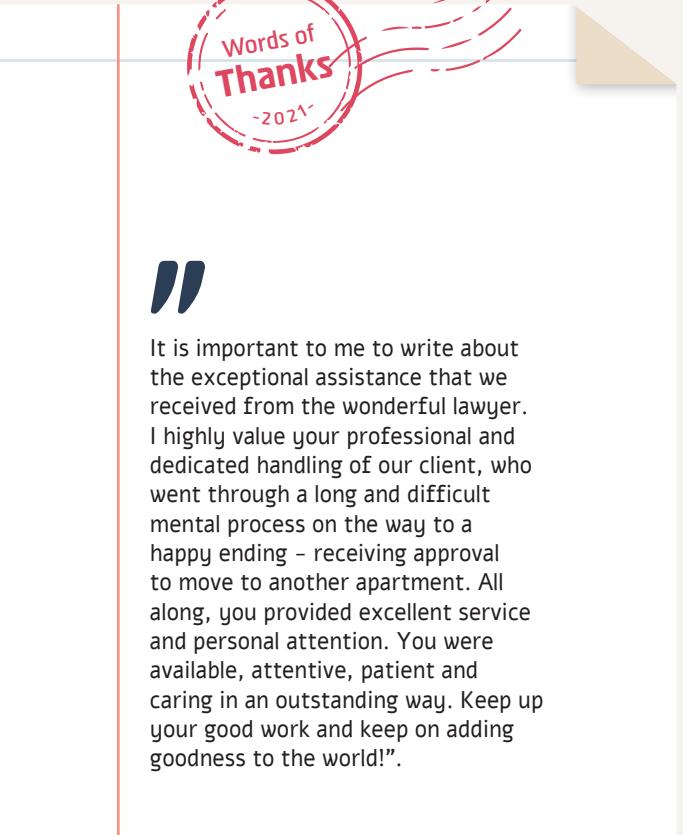
The complainant contacted the Office via a community social worker at the Centre for Realization of Rights in the Jerusalem Municipality (the social worker) and requested assistance for herself and her children.

The complaint was investigated with the full cooperation of Amidar, the Ministry of Housing and the social worker. Amidar made partial repairs to the complainant's apartment and was in contact with the neighbour in an attempt to make him repair his apartment. When this did not succeed, Amidar sued the neighbour, but still he did not carry out the repairs.

Following the Office's intervention and after the engineer from Amidar reiterated that the complainant's apartment was not habitable, the Ministry of Housing held an emergency meeting regarding the complainant, and her request to move to another permanent apartment was approved. Since the waiting list for receiving an apartment within the public housing scheme is long, the complainant was advised to rent an apartment on the open market and receive increased rent assistance, until it was her turn to receive an apartment in the public housing scheme. Today, she receives increased rent assistance and at the same time is waiting for her turn to receive an apartment in the public housing scheme.

At the end of the investigation, the social worker wrote a

thank you letter:



Rights of the Individual

Upholding the rights of the individual, particularly of those belonging to vulnerable populations, is an important component of the Office's work. When examining the actions of public bodies, the Office checks, among other things, the way in which they uphold the rights of the individual and implement the constitutional and legal norms relating to these rights.



Resolved
through
Mediation

Removal of responses from the social network accounts of public bodies and figures and the blocking of access to these accounts

Since 2016, the Office has been investigating complaints about the violation of freedom of expression following the removal of responses from the social network accounts of public bodies and figures. The following is an example of a complaint on this matter that was resolved by mediation:

The complainant responded to a post that the mayor of his town had posted on his (the mayor's) Facebook page. The complainant wrote that the mayor should apologize to the townsmen about the findings of a newspaper investigation that dealt mainly with building irregularities carried out by

the mayor and his associates. Following this criticism, all the complainant's responses were removed and his access to the mayor's Facebook page was permanently blocked.

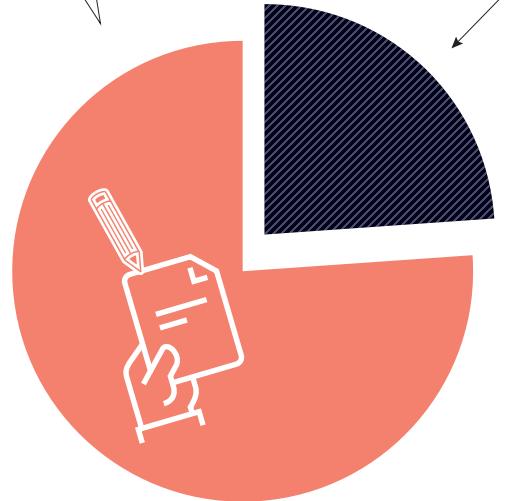
After receiving the consent of the parties to mediation, the Office held a meeting attended by the complainant and representatives of the municipality. At the meeting, the complainant argued that the Facebook page was the official page of the mayor, and that posts appearing on the page were posted by the mayor within the framework of his function. The complainant also alleged that in his responses to the said post, he expressed his opinion in a matter-of-fact and respectful manner. The representatives of the municipality stated that in the wake of this case, the municipality published a directive with regard to the conducting of appropriate discourse on social networks, whereby the municipality would act thus: at the first stage, inappropriate responses would be removed, as a warning; at the second stage, if the inappropriate responses continued, the access of the responder would be blocked for three months. The municipality representatives also pointed out that the investigation published about the mayor was inaccurate and that before posting the responses, the findings of the investigation should have been validated by making an enquiry with the municipality under Freedom of Information Law, 5758-1998.

Local Government

In 2021 the Office received
4,718 complaints
against local government

These constitute about 24% of all the complaints against public bodies received by the Office in the same year

24% of all the complaints



At the mediation session, it was agreed that the municipality would act in accordance with the provisions of the directive that it had published and would immediately revoke the blockage of the complainant's access to the mayor's Facebook page. It was also agreed that the complainant could turn to the municipality's legal department with any question relating to the directive that had been published.



A Kind Word

Swift reparation of a nuisance following the Office's intervention

The complainant lives in Sakhnin. A deep pit gaped open on public land close to his home, attracting reptiles and rats. The complainant alleged that the pit constituted a sanitary nuisance, but that the Municipality of Sakhnin was not dealing with it. Following the Office's enquiry, the Municipality took the necessary steps for closing up the pit, as well as exterminating pests.

The swift action of the Municipality in rectifying the nuisance following the Office's enquiry is worthy of mention.

allowance. The complainant was asked to fill out the form again, and the accident was consequently recognized by the NII as a work accident. However, since a year had passed since the accident, the NII did not pay the complainant work injury allowance for the period she had been absent from work.

The complainant contacted the Ministry of Education and asked for restoration of the sick days that had been deducted as a result of the accident, since the delay in reporting the accident to the NII had prevented her from receiving work injury allowance for this period. However, the Ministry of Education refused her request.

The Ministry of Education informed the Office that it had found out that as an employer, it is supposed to file with the NII the claims of its employees due to work injuries. The Ministry added that it was examining the manner of reporting work accidents with the NII. The Ministry also notified the Office that in the circumstances of the case in question, it would restore to the complainant the sick days that she had been forced to take in the period during which she did not work because of the work accident.

Employee Rights



A Kind Word



Financial Implications for the Complainant



Rectification of General Defect

The Ministry of Education was tardy in reporting the work accident of a teacher - and will restore to her the sick days that she had been forced to take

In March 2017, the complainant, a teacher, was involved in a work accident. Shortly afterwards, the complainant filed with the Ministry of Education a National Insurance Institute (NII) form reporting her work injury. In May 2018, the complainant found out that the Ministry of Education had not sent the form to the NII as required, and she asked the Ministry to amend the omission so that she could receive work injury

Whistleblowers

The year 2021 marked the 40th anniversary of the amendment to State Comptroller Law, which authorized the Ombudsman to investigate complaints of public employees who had reported acts of corruption, and to protect them from restrictive measures or other injuries, such as termination of employment.

In the 40 years that have passed since the amendment of the law, the Office has investigated hundreds of complaints of employees seeking the Ombudsman's protection against a violation of their rights following their reporting acts of corruption in their workplace. The Ombudsman has given many such employees permanent and provisional protection orders, and has even given decisions validating agreements between those employees and their employers, in order to resolve the conflict that erupted between them.

On the website of the State Comptroller and Ombudsman, details can be found pertaining to the investigation procedure of requests for protection orders, the conditions for receiving such an order and the implications of receiving or infringing it.



In 2021, the Office received **41** complaints of employees who claimed that their superiors had violated their rights as a result of their exposing acts of corruption (as opposed to 53 complaints in 2020).

In 2021, the handling of **45** complaints was completed (in 2020, the handling of 52 complaints was completed). Regarding 10 of them, the investigation was not commenced or was terminated for different reasons, such as lack of authority to investigate them (for example, because the matter was pending in a court or tribunal, or because the complaint was filed against a body that is not subject to investigation); 3 complainants received provisional protection orders from the Ombudsman; with regard to 2 complaints, the Ombudsman gave decisions validating agreements reached between the parties, and regarding 6 complaints the matter of the complaint was resolved following the Ombudsman's intervention. Thus, 8 complaints were rectified following the intervention of the Ombudsman; the investigations of 14 additional complaints were terminated for reasons relating to the complainant, such as cancellation of the complaint or the filing of a request to postpone the investigation; with regard to the remaining complaints - their handling was terminated for other reasons or they were found to be unjustified.

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