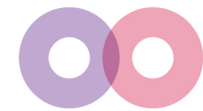




Citizen's perspective: a way of doing things

Summary
Annual Report 2023



**nationale
ombudsman**



**veteranen
ombudsman**



**kinder
ombudsman**

Introduction

The National Ombudsman, the Ombudsman for Children and the Ombudsman for Veterans are there to help people, including children and veterans, when things go wrong. And to challenge governments and other authorities to safeguard the standpoint of citizens in everything they do and to ensure that children's rights are observed. The primary focus of the ombudsmen is to know how government departments behave in practice towards people and how they interact with people. Peoples' standpoint must be an integral part of all government actions.

In this summary of the Annual Report, we outline the work of the National Ombudsman, the Ombudsman for Children and the Ombudsman for Veterans in 2023. The themes that the ombudsmen focused on at their own initiative are listed in the Ombuds Agenda. In 2023, these themes were Poverty, Access to Public Services, Fundamental Rights, Participation and Influence, Quality of Life, and Life Course and Development.



Reinier van Zutphen has been the National Ombudsman since 2015. He was appointed for a second time by the House of Representatives for a second term of six years. This term runs until 2027. He is also the Local Ombudsman for almost 80% of Dutch municipalities. He is also Ombudsman for Veterans and he campaigns for veterans who do not receive the recognition or care that they are entitled to from the government or other authorities.



Margrite Kalverboer was appointed Ombudsman for Children on 20 April 2016. Her second six-year term started on 1 April 2022.



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Citizen's perspective: a way of doing things



Liset has a physical disability. She goes to a day care in a town nearby for two half-day sessions a week. But getting there is becoming increasingly difficult. Her kilometre budget under the Social Support Act (Wmo) is rapidly shrinking. Her world is getting smaller and smaller. At her daughter's request, the municipality is looking into possibilities. They are trying to arrange a place at another day care centre. Liset will have to wait until this has been made possible. In the meantime, the municipality has increased her budget so that she can go to day care half a day per week and swimming lessons once a week. This municipality did what was necessary. So it is possible: a government department that looks for practical solutions with effective results for citizens.

The primary focus of the National Ombudsman, the Ombudsman for Children and Ombudsman for Veterans is to know how government departments behave in practice towards people and how they interact with people. Peoples' standpoint must be an integral part of all government actions.

All too often, the government still has a reflex to turn to rules and tries to solve problems with bureaucratic tools such as legal frameworks, processes and accountability. It is now up to the government to put arrangements in place for changes that are practical. It is precisely in a period in which there are many discussions on improving the relationship between the public and the government that is important that citizens actually experience these improvements in their contact with the government. Citizens benefit from changes in government *behaviour* and not from changes in the *systems*. The title of the Annual Report for 2015 was: *Citizen's perspective: another mindset*. We now claim: it is a way of doing things.

Do away with recurring patterns

We noticed that administrators and professionals were aware that they need to do things differently. This became apparent during roundtable discussions on our reports, during sessions on proper government actions and during the regular meetings with directors of various national and local government organisations. Everyone is interested in flipping the switch and that is promising. But at the same time we are seeing the inability to really change government actions. What patterns need to be broken so that the situation changes visibly for many people who are struggling.

Personal contact

The government acts insufficiently in terms of the question: what is a proper way of dealing with it? Even though the answer is often simple: personal contact and listening to the needs of citizens and children. It is a duty of the government to seek out citizens themselves. To listen. And then do what is necessary. There are ample examples that show that it can be done. The municipality of Vaals, for instance, implements the Wmo in their own way. This municipality has a movement consultant who really listens to people living there and discusses what they need. The consultant is not bound by rules and purchased care.

Citizen's perspective: a way of doing things



Government must learn how to learn

Government departments make little use of the knowledge and experience gained in previous redress processes. It appears to be difficult for the government to keep their services simple. We continue to raise the issue of a more proactive government. A government that arranges the approval of facilities in a simple manner by allocating them automatically, for instance.

Anticipated obstacles

The government often finds itself trapped in anticipated obstacles, particularly when it comes to proactive services. This includes the fact that the contact with citizens, for example, can only be done through the formal route, preferably using a standard procedure. It assumes the fear of unpleasant after-effects or being considered a precedent rather than the idea of using the powerful position of the government service provider to do the right thing. It would seem that the answers that the government provides in accordance with the procedure makes them feel more secure than simply engaging with people to find an appropriate solution. A good example from our research on early detection by municipalities, is that several Dutch municipalities go door-to-door to identify people with debts and thus prevent situations becoming even worse. The municipalities did not just send out letters, they persevered until they had had personal contact with the people as, in practice, this is almost always effective.

A way of doing things

We need to achieve results now so that citizens and future generations of citizens can regain their trust and confidence in the government. We have learned time and again from our discussions with citizens, children and veterans that it all comes down to listening. During the past year, we were present in many places in the Netherlands and the Caribbean Netherlands. To hear what citizens and entrepreneurs encounter in their contact with the government. Where things went wrong and where the government was able to help. Citizens, children and veterans contacted us more than 22,000 times last year. We helped them on their way through conversations, phone calls and letters. And we will continue to do so for as long as necessary. It is our way of doing things.



The work of the National Ombudsman



The work of the National Ombudsman primarily focuses on whether citizens are being fairly treated by the government. Is the government fair, does it communicate with citizens in an understanding manner and is the citizens' perspective sufficiently paramount? The National Ombudsman helps people when things go wrong between them and the government. We support them by providing answers and practical tools. And we show them the way to the appropriate information desk. Where necessary, we carry out additional investigations. In areas where we have determined that the treatment of citizens can be improved, we challenge government departments to take a different view on their services and processes, with the aim of preventing similar complaints in the future. We are committed to ensuring that the citizens' perspective is safeguarded in everything the government does. We are also a helpdesk for employees of administration agencies, municipalities, central government and other professionals to enable them to be of better assistance to citizens with a request for help.

"Many people experience the distance between The Hague and the rest of the country as being great. We at the National Ombudsman want to reduce that distance, which is why we regularly visit all parts of the country to talk to people. We want everyone who has a problem with the government to be able to seek our help."

Reinier van Zutphen - National Ombudsman

The National Ombudsman talks to citizens and the government. After all, it is not just their goal to help citizens, but also to help the government be more mindful of the citizens' perspective in everything it does. These include talks in the Senate and House of Representative, often about one of their studies, and regular individual talks with cabinet members. There are also conversations with administrators of national and local government departments on the problems and possible solutions that the Ombudsman observed based on complaints, signs and their own research. Furthermore, the Ombudsman and/or their staff regularly talk with social interest organisations, such as *Slachtofferhulp Nederland* (organisation for victim support), *Het Juridisch Loket* (legal helpdesk), *Ieder(in)* (umbrella organisation for people with a physical or intellectual disability), *Vluchtelingenwerk* (Dutch Council for Refugees), *Nidos* (youth care organisation), *Nationale Jeugdraad* (Dutch National Youth Council), *Leger des Heils* (Dutch Salvation Army), *Valente* (trade association for participation, guidance and safe shelter), *Landelijke Cliëntenraad* (National Client Council), *ZZP-Nederland* (organisation for freelancers), *Per Saldo* (association for people with a personal

budget), *ANBO* (Dutch advocacy group for older people), *Sociaal Werk Nederland* (Social Work Netherlands) and *Schuldhulpmaatje* (buddy system to help with money worries and debts).

Decency and fairness are a matter of principle for the National Ombudsman when they assess and give advice on actions of the government. Acting properly is about the government putting the perspective of citizens first. The Ombudsman has laid down the essence of decency and fairness in the Propriety Guide. As decency and fairness, as well as the relationship between citizens and the government, are subject to change, the Ombudsman is reviewing the way in which they are being implemented. The Ombudsman will present the results in 2024.

The Ombudsman has an online community, the Raadbaak, for professionals who work directly or indirectly with citizens. Almost 1,000 professionals have now joined this community. They share reports and knowledge, ask each other questions and discuss case scenarios. By learning with and from each other, they can provide better assistance to citizens and they can do this faster. The Ombudsman and their researchers identify potential bottlenecks using the Raadbaak, which may prompt further investigation. In addition to the Raadbaak, our website has a special section with specialist information on the complaints handling procedure and on the themes of the Ombuds Agenda. There is a Counsellor Helpline for complaints handlers, district policemen and social councillors, for instance.

The work of the National Ombudsman



The National Ombudsman is also the Ombudsman for all provinces and water boards, for 269 of the 342 municipalities (in 2023) and for almost all commonly agreed regulations. At the beginning of 2023, all 13 Zeeland municipalities joined the National Ombudsman. This increased the percentage of municipalities affiliated with the National Ombudsman for complaints handling to 78%. The three special municipalities in the Caribbean Netherlands are also part of the work domain of the National Ombudsman, the Ombudsman for Children and the Ombudsman for Veterans. The Ombudsman frequently visits parts of the Netherlands or goes on overseas business trips.

No consent given to share information

The Dutch Social Insurance Bank (SVB) sent Amina a letter stating that she is entitled to child benefit, but that she has not yet applied for it. She had deliberately not done so yet because her husband temporarily works in Belgium and she is unsure whether she is then eligible for child benefit. After receiving a reminder a few months later, she decides to apply for child benefit anyway using an online application form. One of the questions on the form is about working abroad. She fills in that her husband is temporarily working in Belgium.

A week later Amina was notified that she will receive child benefit. The letter also stated that she may be entitled to Belgian child benefit and that the SVB had passed on her information to the Belgian authorities. After a while, she received several letters from the Belgian authority asking for more information. Amina was dumbfounded. She doesn't want to apply for Belgian child benefit and she never consented to sharing her information. Amina filed a complaint about this with the SVB. They stated that they handled in line with European regulations. At Amina's request, the National Ombudsman investigated exactly how such an application works at the SVB and what the rules are.

Our investigation showed that Amina could not have known that the SVB would share her information when she applied for child benefit. We therefore asked the SVB to revise their online form and to clearly indicate why they ask for certain information and what they will do with this information. The SVB has informed us that they will revise their form so that people will no longer be faced with such unpleasant surprises in the future.



The work of the Ombudsman for Children



The Ombudsman for Children ensures that children's rights are observed in the European and Caribbean Netherlands. Not only by the government, but also by organisations in the field of education, child care and healthcare, for instance. The interests of the child and the influence that the child should have on measures affecting the child are paramount in the wide range of issues dealt with by the Ombudsman for Children. In doing our work, the IVRK (Convention on the Rights of the Child) and thus the interests of and developmental effect on the child are always the underlying principle.

Children, adults and professionals can contact the Ombudsman for Children if they believe that the government or organisations with a statutory duty involving children and young people are infringing children's rights. Reports may be focused on obtaining help or information but could also be a complaint about an individual situation. The Ombudsman for Children assesses how reports can be handled in a way that is in the child's best interests. Depending on the situation, the Ombudsman for Children's staff provide information or advice or they contact the organisation named in the complaint. The Ombudsman for Children can also initiate

investigations in response to certain complaints and write reports about them.

In 2023, we drew attention to the children's rights that are under pressure in our advice, letters and reports to the government, the House of Representatives, municipalities and other authorities. We also started designing a children's rights assessment on legislation and policy, based on the Convention on the Rights of the Child. In December 2023, the Council of Public Health and Society (RVS) made recommendations in its report *'Kinderen uit de knel'* (Helping Children out of a plight) on safeguarding the interests of the child in legislation and policy by means of such an assessment. The Council explicitly refers to the expertise of the Ombudsman for Children and the children's rights assessment that we are developing.

Many children come into contact with youth care and youth protection services. However, this help is not readily available. There is enormous pressure on these services, which means that children and families have to wait a long time for appropriate help. In 2023, The Ombudsman for Children paid particular attention to the reform agenda, the future scenario for child and family protection and secure youth service.

Addressing the closure of children's heart centres again. The Ombudsman for Children once again asked the Minister of Health, Welfare and Sport to devote attention to the right to have access to healthcare. In addition, the interests of the child must be investigated and involved in the decision to close children's heart centres. Closure of the children's heart centre at UMC Groningen would mean that people living in the north of the Netherlands have a significant risk of no longer being able to receive acute care of the highest standard. In our letter we indicated that closure is in violation of the Convention on the Rights of the Child. Children have a right to the best possible health and healthcare and access to healthcare. According to the Children's Rights Committee, the non-regression principle applies here: appropriate available care may only become better and not worse.



Complaints to the Ombudsman for Children in 2023

1.523

Complaints were about education, youth care, responsibility and contact, poverty, family law, and law enforcement authorities.

The work of the Ombudsman for Veterans



According to the Netherlands Veterans Institute (NLVI), there were 102,150 Dutch veterans in 2023. Among them are thousands of veterans who served during recent peacekeeping missions or crisis management operations in places like Lebanon, Bosnia, Kosovo, Iraq, Afghanistan and Mali. Since the Veterans Act came into effect in 2014, the National Ombudsman is also responsible for the duties and responsibilities of the Ombudsman for Veterans. In that role, he ensures that veterans receive the recognition, care and information that they are entitled to and he handles veterans' complaints. In addition, the Ombudsman for Veterans has the task of informing the government and the House of Representatives of their findings.

“Local government also has a duty of care for veterans. This means that municipalities must know who the veterans are, what help they require and provide that help. Or they must refer veterans to other places where they can get help or information, such as the Netherlands Veterans Institute. Municipalities have many responsibilities for many different groups of citizens. To increase and maintain the focus on veterans, organisations such as the Association of Dutch Municipalities (VNG) and the Netherlands Veterans Institute can actively share their knowledge on this with municipalities.”

Reinier van Zutphen - Ombudsman for Veterans

Partly thanks to the efforts of the Ombudsman for Veterans, there were two breakthroughs in the field of the Military Invalidity Pension (MIP) in 2023. The Ministry of Defence has found an interim solution for Dutch health insurance for veterans who wish to emigrate. This was previously not possible for veterans who received MIP, but thanks to customised provision by the Ministry of Defence, this is now possible. Furthermore, the MIP has finally been indexed. This had not been done since 2010 and this meant that many veterans had to turn to facilities such as the Leergeld Foundation, food banks and church authorities because the MIP was their main source of income. The Ombudsman for Veterans continues to raise the issue of long processing times for MIP applications. This has increased to well over a year.

In 2023, the Ombudsman published the study **Gemeente, ken uw veteraan** (Municipality, know your veteran) on the role of municipalities in implementing the Veterans Act. This study showed that whether and how a municipality implements the Veterans Act still too often depends on an individual mayor or executive councillor. It could depend on whether they themselves are a veteran, for instance, or whether they know veterans in their immediate surrounding community. Many problems experienced by veterans in their contact with their municipality are due to a lack of knowledge. According to the Ombudsman, the solution lies in ensuring that the right information is in the right place within the municipality. This will also entail a more active attitude from the VNG. Moreover, the Ombudsman wants municipalities to better embed the knowledge on veterans and the Veterans Act. This could be done, for example, by appointing someone at the municipality as portfolio holder and also by including information in municipal manuals.



Number of complaints in 2023:

234



The Ombuds Agenda



The topics on which the National Ombudsman, the Ombudsman for Children and the Ombudsman for Veterans focused at their own initiative are listed in the Ombuds Agenda. In 2023, these themes were Poverty, Access to Public Services, Fundamental Rights, Participation and Influence, Quality of Life, and Life Course and Development.



Poverty



Access to Public Services



Quality of life



Fundamental Rights



Participation and Influence



Life Course and Development



Poverty



The National Ombudsman and the Ombudsman for Children see that more and more people are struggling. Life has become expensive and at times too expensive for a large group of citizens and the social minimum is not enough to make ends meet. The ombudsmen raised the issue of citizens with money worries. The Ombudsman for Children wants child poverty to be addressed in all areas that are important for a child's development.

The National Ombudsman and the Ombudsman for Children have an unrelenting focus on poverty-related issues. In 2023, the National Ombudsman gave his views on the subject of debt at the request of the House of Representatives. He described five components that he considers important in improving debt assistance to citizens. The Ombudsman, for instance, wants debt assistance to be widely accessible, wants citizens with money worries to be actively visited by municipalities and he wants municipalities to provide good and reliable assistance with a human touch. Furthermore, the Ombudsman called for reducing the differences between municipalities.

The Ombudsman followed closely what the Cabinet did with the recommendations from its four 2022 reports on social minima. The Cabinet's response to the four reports was given in 2023. Although the Ombudsman saw many positive developments in the response, he also had

concerns. The Cabinet's response to a number of recommendations was still not explicit enough and he saw little or no progress. For this reason, he once again brought a number of points to the attention of the House of Representatives. These included the fact that the social minimum is still not high enough for citizens to be able to make ends meet and that the differences between municipalities are too great.

Children who grow up in poverty have poorer prospects for the future. These points were already evident in the 2017 publication **Alle kinderen kansrijk** (Opportunities for all Children). Child poverty remained high on the agenda in 2023. For this reason, the Ombudsman for Children sent a letter to the Minister of Social Affairs and Employment (SWZ) on the further development of the National Child Guarantee Plan and the approach being taken to tackle money worries, poverty and debt. The main message being that the Ombudsman for Children feels that a plan of action focusing on the income position of parents and the parenting relationship between parents and children is lacking.

Both ombudsmen are closely following the settlement of the Childcare Allowance Affair. In 2023, they expressed their concerns to the House of Representatives and the government on the children and young people from families who were victimised and are struggling with problematic debts. The National Ombudsman held several meetings with policymakers, implementers and other authorities on how to accelerate and improve the process of redress for parents and their children.

All of a sudden not a clean slate after all?

Wesley received a letter from the Tax and Customs Administration. He had to pay an amount of €3,000 for taxes that he had wrongfully received back from his income tax returns in 2017. Wesley was shocked. He went through debt management last year and had just started with a clean slate. This €3,000 was also part of the debt management. Wesley called the Tax Office on the matter. The employee he talked to also thought it was strange and invited him to a meeting at the Tax Office. Unfortunately, the meeting went very differently from the way that he had expected it to go.

They said that although the debt is from 2017, the invoice is from 2023, which means that Wesley has to pay the €3,000. He could hardly believe it. Nevertheless, a few weeks later, a subpoena from the Tax Office arrived in the post. Wesley filed a complaint with the National Ombudsman. He asked the Tax Office to clarify the matter. It turned out to be a mistake after all. They will not collect the €3,000. It is not always easy for people with debts to seek help as they often feel ashamed, which is why it is all the more important that governments act with due care and acknowledge their mistakes in time.



Proper access to public services, such as healthcare and assistance, is essential in any society. The National Ombudsman and the Ombudsman for Children keep a close eye on situations where access to government services is under threat. When things go wrong, we call attention to this. We particularly focus on groups in vulnerable situations, such as the elderly and young people. The government often struggles to reach these groups.

What is the government doing to become and remain more digitally accessible for all citizens? In 2023, the National Ombudsman published the report **DigiD helpt niet mee** (DigiD is not helping) in which it outlined the steps that had already been taken in this regard since the 2017 report **Hoezo MijnOverheid?** (Is it really MY government?). Digital access has improved in a number of areas. But there is still not a good digital authorisation facility for legal representatives and people who want to deal with the government digitally on behalf of a loved one.

In addition, the National Ombudsman conducted a comparative study of ten redress processes. The report **Herstel bieden: een vak apart** (Providing redress: a specialism of its own) shows whether, and if so how, government authorities meet the needs of those affected in redress processes. It found that government authorities had too little regard for the needs of those affected. The focus is often on acting quickly and using existing systems, which means that personal contact with those affected quickly fades to the background. The Ombudsman recommends talking and remaining in contact with those affected and asking them what they need.

The Ombudsman for Children closely followed the legislative process concerning the legal status of secure youth care and the reform agenda for youth care and safeguarded the interests and right of children in it. Thanks in part to this input, the legislative bill on the legal status of secure youth care has been brought more in line with the Convention on the Rights of the Child. Young people in a secure facility, for instance, will be entitled to pocket money and clothing money and their rooms will have to meet a better standard so that they can feel more at 'home'.

Involve children in all decisions that affect them

When Yasmine was 16 years old, she could no longer live at home. She therefore went to live in a group with other children, which was organised by the Sterk Huis organisation. After two weeks, she told the organisation that she had been raped by housemate Alex. Yasmine turned to the Ombudsman for Children because, in her opinion, Sterk Huis had not reacted properly when she told them about the rape. They did not report a crime and she and Alex were not separated, which meant that she had a very unpleasant time.

In our investigation we spoke to Yasmine, posed questions to Sterk Huis and read all the documents so as to understand what had happened. The Ombudsman for Children believes that Sterk Huis did not deal with Yasmine's children's rights properly and that she was therefore right to file a complaint. After Yasmine had told Sterk Huis that she had been raped, she was entitled to good care so that she could continue to grow up healthily. She should also have been protected against violence or more violence. Furthermore, Yasmine was entitled to information and the right to give her opinion when important decisions were made about her. The Ombudsman for Children gave advice to Sterk Huis so that the organisation could learn from Yasmine's complaint. This is also what she herself wants most: for other children not to go through the same thing.



The government must respect fundamental rights, including those of children. This includes compliance with the law and international human rights treaties and conventions. The government must also make efforts to prevent the infringement of these rights. Providing shelter to refugees, housing shortages, or police violence have an impact on citizens' fundamental rights. These are areas of particular focus for the ombudsmen.

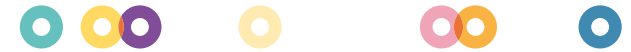
The National Ombudsman and the Ombudsman for Children regularly receive complaints and reports from parents and engaged professionals on the evictions of families. This prompted a joint investigation in 2023, particularly as living expenses and energy and housing prices increased substantially over the past years. As a result, the risks of unpaid debts and thus rent arrears increased sharply. Based on the study **Als de overheid niet thuis geeft** (If the government does not respond), the ombudsmen requested that new policy and legislation be drawn up based on a human and children's rights assessment, in which the focus is on the impact on citizen's fundamental social rights. They also launched a follow-up investigation specifically focused on evictions resulting from demolition and renovation projects.

The ombudsmen received many complaints and reports on problems regarding the accommodation of asylum seekers and holders of a residence permit. These complaints and reports were from the families themselves as well as the authorities assisting them. It was often about the crisis emergency shelter in municipalities. This was followed by the investigation **De crisis voorbij** (Beyond the crisis) later in 2023 on why it is not possible to organise crisis emergency shelter of a sufficient quality. The ombudsmen called for these types of shelter to be stopped quickly and for conditions to be improved immediately. Housing should be made available with adequate privacy and cooking facilities, with access to education and meaningful daytime activities. Moving families from shelter to shelter must stop. The government must also put children's interests first on more occasions by talking to them and keeping a professional eye on their development.

Advice for the police on children's rights during house raid - The Ombudsman for Children and the National Ombudsman investigated complaints from Mr Maas about the police raid of his home. The police wanted to arrest him after an anonymous report of prohibited possession of firearms. He is of the opinion that the raid should not have taken place while his 14-year-old daughter Anne was at home and asked the Ombudsman for Children to look into the matter. We investigated whether the police had made sufficient provisions for the children's rights of Anne during the preparation and execution of the raid. We also spoke to Anne herself about her experience.

Anne said that the raid had greatly shocked her. She had seen her father being detained and taken away by police officers wearing balaclavas. She had then been told to remain seated at the table while the police searched their house. Anne felt that the police were insensitive to her feelings. After the raid, she couldn't really concentrate on her schoolwork and failed her exams at school. In addition, she was scared to be on her own at home for fear of the police returning. Anne received no aftercare. This is something she would have liked to have received. Anne cannot understand why the police couldn't have waited a day to conduct the raid as she would then have been at school instead of at home.

The Ombudsman for Children does not pass judgement on whether the police should have been allowed to raid Mr Maas' home while Anne was at home, but we do have an opinion on how the police prepared and executed the raid. According to the Ombudsman for Children, the police did not make sufficient provisions for the children's rights of Anne and they therefore consider the complaint to be well-founded regarding this point. It is also important for a child to receive aftercare. To ensure that the police learn from what happened to Anne, the Ombudsman for Children issued a report with a number of recommendations for the police.



The government must give citizens an opportunity to exercise influence at all levels in terms of decisions and developments that directly affect them. The National Ombudsman and the Ombudsman for Children still see far too many examples of citizens, including children, who are unable to make their voices heard. They are often given insufficient information, are unsure how they can participate or find their input is ignored.

In 2023, the National Ombudsman published the study **Burger in zicht** (Citizen in sight) on the influence of citizens in putting the Social Support Act (Wmo) to use. This pertains to the influence that citizens experience on their own lives and the influence they can exert on policy. Citizen's ideas and opinions are not always considered. The process is often unclear and too slow. In addition, citizens are not very likely to file a complaint because they depend on the authority against which the complaint is directed for their care. Municipalities should be more critical of the application process and not keep citizens waiting. Moreover, they should offer independent client support more often and lower the threshold to file a complaint.

A second study in 2023 dealt with the influence of citizens on their own situation if they have to rely on the Participation Act. In the report **Inspraak mag geen vinkje zijn** (Involvement should not be a tick box), the National Ombudsman recommends that municipalities should provide permanent designated contact persons. Moreover, citizens who cannot or cannot yet work should put more effort into finding another meaningful time allocation so that they can also participate in society. Furthermore, the Ombudsman considers it important that each municipality has a client council and that there should be a one-stop helpdesk that citizens can turn to with their complaints.

The Ombudsman for Children renewed the step-by-step plan **Het Beste besluit voor het kind**. (The Best Decision for the Child) in 2023. Three leaflets are now available: a comprehensive manual for professionals, a separate leaflet for children and a checklist for children. These are all tools for examining and taking into account the best interests of the child in decision-making at an individual level. We will begin implementation in 2024.

Give people control

Gijs has difficulty walking and therefore needs to have his bathroom modified. He applied to the municipality for compensation under the Social Support Act (Wmo). The municipality approved his application and gave him a personal budget that covers the renovation.

After the renovation work it turned out that the contractor had made all kinds of mistakes, as a result of which Gijs cannot use the bathroom. He asked the municipality not to pay the bill. To his great surprise, the municipality did so anyway. They do not transfer the money to him as is customary for personal budgets and they do not pay the extra costs he incurred to correct the contractor's mistakes. He filed a complaint with the municipality and asked for compensation.

When the municipality did not agree, Gijs filed a complaint with the National Ombudsman. After our investigation, the municipality acknowledged their mistake and sent Gijs a letter of apology. They retroactively paid Gijs a partial reimbursement and they indicated that they would pay more attention to this in the future. This is important as the personal budget as a means of arranging their own care or reimbursements gives people more control and responsibility.



For citizens, changes in the environment where they live and work can have a major impact. For many years, the National Ombudsman has been informing the government how important it is to consider the perspective of citizens and to provide a reliable service. Particularly when it comes to citizens' immediate living environment.

In 2023, the National Ombudsman published the study **Een warme transitie?** (A warm transition?) on what the central government and municipalities are doing to include all citizens in the transition to homes free of natural gas. The conclusion is that the government could do more to properly inform citizens who are difficult to reach or require extra attention about the heat transition. It can also do more to get these groups to participate in participation processes. Their interests and wishes must be highlighted as the heat transition will concern everyone.

In the spring of 2023, the report Groningers over Gas (Groningers above Gas) by the Parliamentary Inquiry Committee on Natural Gas Extraction in Groningen was presented. The National Ombudsman and the Ombudsman for Children asked the House of Representatives to closely monitor the package of measures that the government subsequently presented in the Nij begun (New beginning) letter. The measures must individually and as a whole actually contribute to recognition, restoration and perspective for

residents. The government must also have a clear vision of what children and young people need now and in the future so that they can have a good childhood, and develop and grow. We work in the region itself from our office in Loppersum and we pay working visits and talk to those affected.

In October 2023, the National Ombudsman paid a working visit to Limburg again, to the area that had been affected by the flood in 2021. Previous reports and this working visit revealed that some of those affected were still experiencing problems with compensation for residual damage. The Ombudsman once again specified the problems, concerns and wishes of the residents in a letter to the Minister of Justice and Security, in which he called for the affected municipalities to be given the practical leeway to help their residents.

In 2023, the National Ombudsman also addressed reports and complaints from citizens about noise pollution from air traffic. The Ombudsman has been committed to this for years.

Uncertainty for too long regarding compensation for damages

Remy lives in the gas extraction area in Groningen and his home has been damaged. He could resolve the damage with a fixed compensation from the Groningen Mining Damage Institute (IMG). But his application is converted into a customised issue, which means that an expert has to assess the damage and give advice on how it can be repaired. Remy does not agree with this approach. The fixed compensation amount would enable him to fix everything. He went to the IMG helpdesk and asked a staff member to withdraw the customised application so that he can reapply for the fixed compensation. The staff member confirmed that this is possible, but in the end it still didn't work out. Because Remy's house is in a holiday park, they were unable to enter his house number in the system.

At Remy's request, the National Ombudsman asked the IMG to take another look at the application. It turned out that Remy's address did not match the details in the property register and the IMG was unable to change this themselves. When we asked them to change it, they did and Remy's application was converted to a fixed compensation. All's well that ends well, but it shows how citizens are often held in uncertainty too long about compensation and solutions to damages.



Government policy and developments in society affect the lives of children. The Ombudsman for Children ensures that all parties remain mindful of their interests and rights. In that regard, the various legislative processes are closely and critically monitored. We focus on the impact for children when their parents are involved in a conflict with the government. At the administrative level, we also engage in discussions on inclusiveness and other factors that determine safety at schools and we frequently send letters and legislative opinions with comments and recommendations.

The National Ombudsman and the Ombudsman for Children remind the government of its responsibilities to break through the transmission of problems from generation to generation. In the report **Waar ik bij ben** (In front of me), the Ombudsman for Children calls on the government to also take children into account in their conflicts with parents. According to the Convention on the Rights of the Child, children have the right to be involved in important issues that affect them. In conflicts between parents and the government, the government must fully recognise the role of children in their policy and the chosen solution or outcome. This applies to the period in which the conflict occurs as well as during the redress process. The government must visit the children, ask what it is they need and provide them with fair and clear information.

In addition, the Ombudsman for Children safeguards the interests of children and young people in the field of education. In 2023, the Ombudsman for Children provided input for the 'route to inclusive education' Work Agenda, which still lacked a broad vision on inclusiveness. The Ombudsman for Children also addressed the shortcomings in the Bill on Temporary facilities for newcomers in Education. We also suggested improvements to the Free and Safe Education Bill. The Ombudsman for Children is positive about the changes this has brought about in the bill. Furthermore, discussions with the Ministry of Education, Culture and Science included such topics as the Social Safety hotline ([jouwveiligeschool.nl](https://www.jouwveiligeschool.nl)) and the bill on children's rights to be heard.





Residents of Bonaire, St Eustatius and Saba can contact the National Ombudsman if they have complaints about the government. They can also file complaints about local government: public entities. The latter is notable because, unlike in the European Netherlands, citizens with complaints about the public entities can also turn directly to the National Ombudsman and the Ombudsman for Children.

Ombuds work in numbers

Number of complaints in the Caribbean Netherlands:

170 28 fewer than in 2022.

During their working visits in 2023 and on other occasions, the National Ombudsman and the Ombudsman for Children saw that enough is still not being done to improve the situation of people in poverty in the Caribbean Netherlands. The problems experienced by citizens often go beyond money problems. Other problems include good housing, education, healthcare and social support. In 2023, the ombudsmen published their reflection **De eindjes aan elkaar knopen** (Making ends meet), on poverty-related problems in the Caribbean Netherlands. In this publication, the ombudsmen stated that it is effectively taking too long for the government to put the recommendations and conclusions from their three previous reports to work. In addition to the social minimum, the government must also focus on adequate public transport and accessible debt assistance, for instance. Efforts should also be made to improve housing and provide adequate shelter for vulnerable youth.

The recommendations of the ombudsmen are in line with the report *‘Een waardig bestaan’* (A dignified existence) published by the Commission Social Minimum Caribbean Netherlands on 6 October 2023.

The ombudsmen emphasise that the solutions be developed together with the population (young and old) of the Caribbean Netherlands. In doing so, it is important to take into account the cultural difference, the small scale of the islands and the current lack of trust and confidence in the government.

The National Ombudsman in the field

Jurino visited the National Ombudsman’s consultation hour on Bonaire. He has reached retirement age and applied to the National Office for the Caribbean Netherlands (RCN) for old-age pension. In the Caribbean Netherlands this is called AOV. Jurino received a letter from the RCN explaining that he is not entitled to full old-age pension because, for a number of years, he was not insured according to the rules.

Jurino had studied and lived in the European Netherlands for a number of years. Would he have to contact the SVB (Dutch Social Insurance Bank) in the Netherlands for those years? He submitted an application with the SVB Netherlands for old-age pension. In the European Netherlands this is called AOW. The application was rejected because it was unclear whether Jurino had also worked in the Netherlands. It was however clear that Jurino was registered in the Netherlands and had studied there. He thought it was unfair that on the one hand his AOV pension is cut and at the same time he cannot get an AOW pension.

When we contacted SVB Netherlands, it turned out that they had never received Jurino’s objection. We forwarded the objection and asked them to take all the circumstances into consideration. The SVB reviewed his request. It turned out that Jurino was insured for the AOW Act in the Netherlands for a period. This means that he did accrue AOW pension for a number of years. Jurino is happy that he will receive more old-age pension thanks to the Ombudsman’s help.



International activities



The National Ombudsman, the Ombudsman for Children and the Ombudsman for Veterans collect and share knowledge, expertise and experience with international counterparts. This ensures that citizens receive even better assistance, including in the Netherlands. The ombudsmen's trips to other countries and incoming visits from abroad aim to boost knowledge exchange, to maintain mutual ties and to find out more about local situations. In 2023, the ombudsmen visited or had contact with Aruba, Curacao, St Maarten, Belgium, Luxembourg, Greece, Indonesia and Spain (Basque Country).

The Ombudsman in the field abroad

The National Ombudsman is a member of the Board of the European Region of the International Ombudsman Institute (IOI) and he is also a member of the IOI World Board. The latter met in Vienna in May and one of the things discussed was setting up an Ombuds Academy. This is a plan that was developed by the National Ombudsman to bring the knowledge and experience of staff members of ombuds institutes to a higher level. Staff members ensure continuity in the organisations. Safeguarding the quality of the staff members facilitates the effectiveness of the institutes and their contribution to the rule of law.

The Ombudsman in the field abroad

The National Ombudsman was keynote speaker at the 2023 conference organised by the Ombudsman of Basque Country as part of reforming the Ombudsman Law. The Ombudsman spoke of the way in which his work addresses highlighting the citizen's perspective so that the government can make provisions for this in all its actions. Citizens in vulnerable circumstances are a special target group in this regard.



INTERNATIONAL
OMBUDSMAN
INSTITUTE

The National Ombudsman, the Ombudsman for Children and the Ombudsman for Veterans are there to help people, including children and veterans, when things go wrong between them and the government. And to challenge governments and other authorities to safeguard the standpoint of citizens in everything they do and to ensure that children's rights are observed.

The full 2023 Annual Report can be found at:
nationaleombudsman.nl/de-nationale-ombudsman/jaarverslagen

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The image on the cover shows a citizen and a National Ombudsman staff member in conversation.