



The State Comptroller
and Ombudsman of Israel



State of Israel



Highlights from The Ombudsman's Report for the year 2022

Annual Report 49

June 2023

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

This pamphlet contains highlights from Ombudsman Report 49 for the year 2022. The pamphlet includes data on the complaints investigated by the Office of the Ombudsman during that year, as well as a short description of the Office's handling of complaints on a variety of subjects. Those wishing to delve deeper into the data, or receive a broader picture of the diverse activities of the Office, are invited to read the full report (in Hebrew only).

The Office of the Ombudsman works in diverse ways to raise public awareness of its existence, particularly among communities deserving special attention. In 2022 the Office shone a spotlight on the community of older persons. Within this context, at the beginning of 2023 the State Comptroller and Ombudsman submitted to the Knesset (Israeli parliament) a special report detailing challenges and goals in providing services for older persons, as disclosed by the investigation of the complaints filed with the Office by members of this community¹.

In 2022 the Office received 20,938 letters of complaint, an increase of 47% as compared with 2019. 44% of the complaints were found justified or their matter was rectified without the need for the

Office to make a ruling.

In order to make the services of the Office of the Ombudsman accessible to population groups that are not sufficiently aware of its existence, the State Comptroller and Ombudsman launched an innovative project in collaboration with the IDF - "The Office Enlists" project. The aim of this project is to raise the awareness of the army's command and Terms of Service staff both as to the activity of the Office and its ability to assist soldiers and their families in appropriate cases. Within the framework of the project and in coordination with the IDF, the Office gives lectures to various command staff in both regular service and the reserves. As a result of the project, the Human Resources Department of the IDF has issued a document on "Policy for Contacting the Office of the Ombudsman", which aims to raise the awareness of the commanders and the Terms of Service staff as to the activity of the Office, and the scheme for working and communicating with it.

The Office of the Ombudsman serves as a "professional home" for ombudspersons and public inquiries commissioners in the Israeli public sector.

¹ The Ombudsman, **Special report no. 3:** Challenges and Goals in Providing Services for older Persons - Lessons Learned from the Investigation of Complaints (2023).

As such, it initiates diverse activities for sharing knowledge and peer learning. For example, in November 2022 the Office held a study day on a professional subject relating to the investigation of complaints, which was attended by ombudspersons and public inquiries commissioners from different public bodies.

From time to time the Office publishes online information sheets for the community of ombudspersons and public inquiries commissioners within the public bodies, for institutions for higher education and for Third Sector organizations dealing with the take-up of rights. These information sheets include details of the decisions of the State Comptroller and Ombudsman, as well as other important updates, including events that the Office has hosted and reports that it has published.

The complaints received by the Office disclose that one of the barriers to filing complaints is the language barrier. The Office overcomes this barrier by employing staff that speak different languages, including Arabic, English, Russian, Ukrainian, Amharic, Tigrinya, French and Spanish. And indeed, persons requiring the services of the Office are generally received by a staff member who speaks their language.

Furthermore, the staff of the Office of the Ombudsman are interviewed in fixed slots on programs serving Russian and Amharic speakers on the "Radio Kan" REKA station. Here the staff share with the listeners information about different complaints in which the Office succeeded in helping

the complainants. These interviews are another way for the Office to acquaint different population groups with its activity and services and to inform them of the possibility of receiving assistance from its staff when needed.

The Office of the Ombudsman has initiated awareness-raising events for immigrants from Ukraine, who came to Israel as a result of the war between Russia and Ukraine. To this end, staff of the Nazareth and Be'er Sheva bureaus hold awareness-raising activities for the new immigrants, where the latter are informed of the Office's activity and are given an opportunity to file complaints with it.

The Office of the Ombudsman attaches considerable importance to its involvement in the community of ombuds institutions around the world. Staff of the Office lecture at conferences and participate in international research and projects in fields relating to the activity of the Office, and its presence at ongoing international activities in these fields is prominent. In 2022 the IOI (International Ombudsman Institute) adopted the Best Practice Paper that was written by the Office on the subject of the use of mediation as a tool for the investigation of complaints, and circulated the document among ombuds institutions around the world.

Our thanks go to the staff of the Office of the Ombudsman for their dedicated work in the investigation of the complaints and for their efforts in assisting, as far as possible, the community of complainants.



Matanyahu Englman
State Comptroller and Ombudsman



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

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The State Comptroller
and Ombudsman of Israel



**The Office of the State Comptroller
and Ombudsman serves as an objective,
professional and accessible body,
investigating complaints received from any
person in order to ensure the upholding
of their rights and the promotion of effective
and just public service for all sectors of society**



From The Vision of the State Comptroller and Ombudsman

General Overview of the Office of the Ombudsman

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

The goal of the Office is to give a voice to all persons, and especially to population groups deserving special attention. It aims to assist individuals whose rights are being violated in their interaction with government authorities. The actions of the Office aid 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 then-presiding State Comptroller and Ombudsman. At the end of 2022, the Office comprised 89 lawyers, five social workers, an accountant and 17 investigation support staff. **74% of the staff are women, seven are from the Arab community, four from the ultra-orthodox Jewish community and three are of Ethiopian origin.**

Every year the State Comptroller and 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 Ombudsdays, a day designated for enhancing public awareness of the Office and its activities and the important work of ombudspersons and public inquiries commissioners in the public bodies.



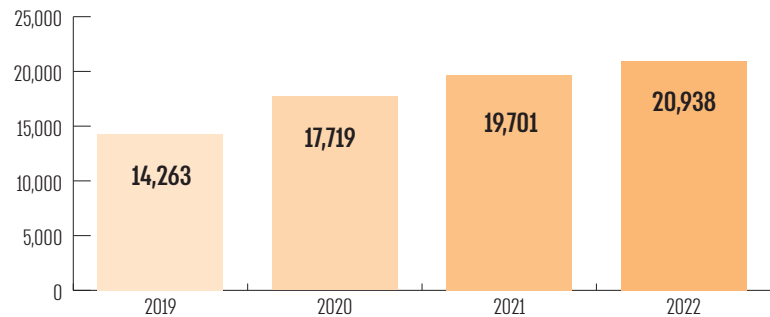
The aim of the Office of the Ombudsman is to assist individuals in their interaction with the government authorities

Data on Complaints in 2022

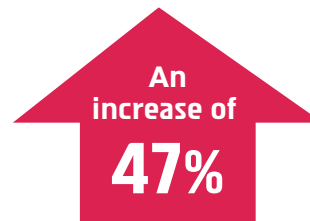
Every year the Office's annual report presents data on the complaints, including the number of complaints received and handled by the Office, the results of the investigations, the percentage of complaints found justified and the percentage of complaints rectified.

In the annual report, the Office of the Ombudsman presents in-depth analyses of the characteristics of complainants, based on the findings of statistical analyses received from the Central Bureau of Statistics.

Chart 1: Number of letters of complaint received in 2019 - 2022



In 2022 a total of
20,938
 letters of complaint² were received



in the number of letters of complaint
 received by the Office of the Ombudsman

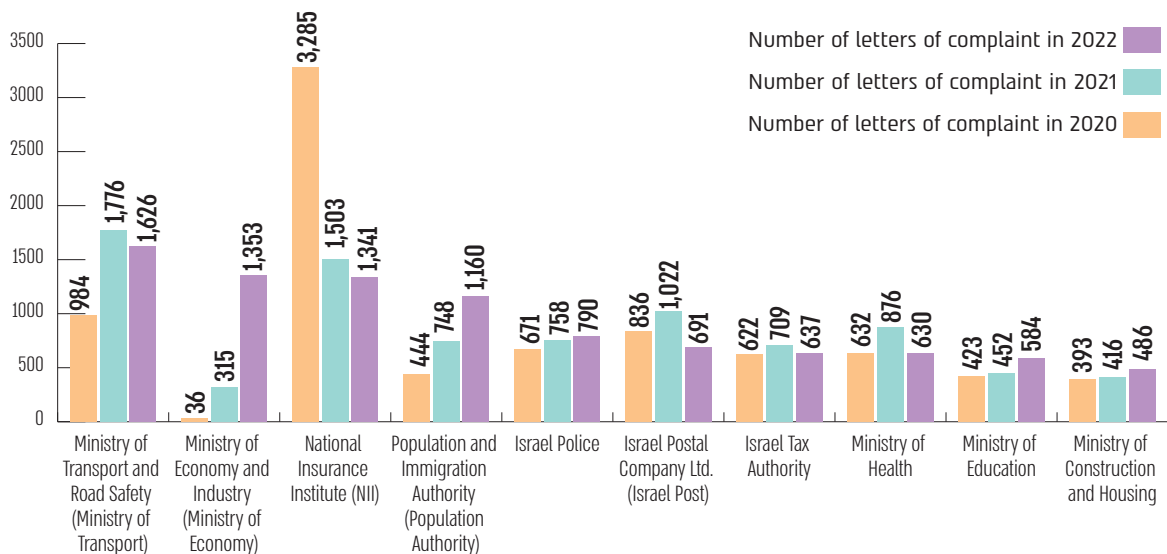
² Letter of complaint - a letter from a complainant that contains one or more complaint about one public body. Complaint - the complainant's claims about the public body.

The ten public bodies against which the highest number of letters of complaint was filed in 2022³

The Office of the Ombudsman is aware 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 that the higher the number of persons using the services of a public body, the higher the number of complaints that are likely to be received against it. Therefore, a multi-year examination of the complaints received against a particular public body gives a more comprehensive and reliable picture of its functioning over the years, and the directives that the Office of the Ombudsman gives on the basis of this examination can lead to an improvement in the public service provided by the body.

The following chart illustrates the bodies against which the highest number of letters of complaint was filed. The number of letters of complaint filed against each public body in the years 2020 - 2022 will also be shown.

Chart 2: The ten public bodies against which the highest number of letters of complaint was filed in 2022



³ Public body - a body against which a complaint may be filed under State Comptroller Law, 5718-1958 [Consolidated Version].

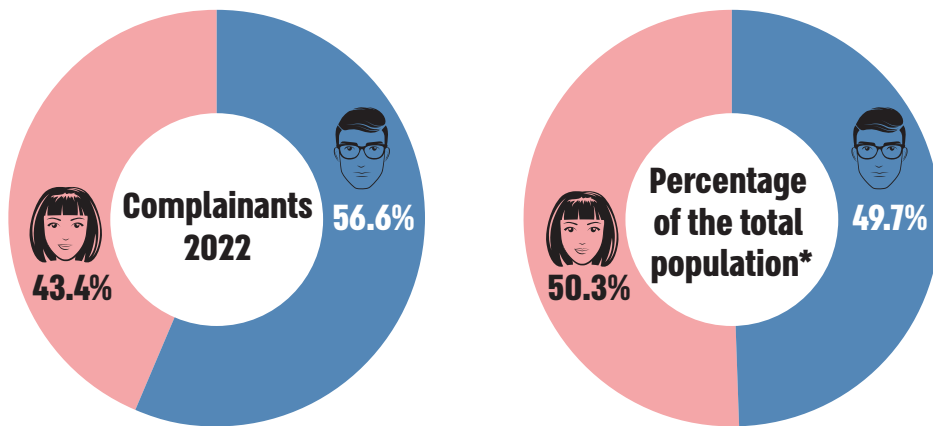
Results of complaint handling in 2022

44% of the complaints were found justified or were rectified without the need for the Office of the Ombudsman to make a ruling.

Characteristics of complainants

Complainants' gender

Chart 3: Breakdown of complainants by gender



* Since at the time of writing the report updated data on the population in 2022 had not yet been published, the percentage of the total population in 2021 is presented.

Complainants' age

Most of the complainants were aged from 25 to 34 (23%) and from 35 to 44 (22%).

Complainants' religion

The percentage of Jewish complainants (87%) was higher than their percentage of the total population (74%). The percentage of Muslim complainants (7%) was lower than their percentage of the total population (18%).

Complainants' district of residence

The districts in which the number of complainants per 10,000 residents was the highest are the Judea and Samaria district (21.4), the Tel Aviv district (19.9) and the Jerusalem district (19.3).

The Office of the Ombudsman's Toolbox

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

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

The following are some of the tools used by the Office of the Ombudsman in the investigation of complaints:

Onsite visits

Experience teaches that seeing is believing, and therefore in the course of the investigation of complaints the staff of the Office make onsite visits and talk to representatives of the public body, in order to assess quickly and directly the hazards described in the complaints and to rectify the matter within a short period of time.

Staff members as "undercover clients"

Sometimes staff members of the Office of the Ombudsman go to the offices of the public body or phone its call center in order to check out, firsthand, if indeed the provision of service by the public body was faulty.

Mediation at the Office of the Ombudsman

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

Investigating the acts of several public bodies

Where the Office of the Ombudsman deems that the public bodies are shirking responsibility for handling the matter of the complaint, or that cooperation between all the bodies is required for handling



The Office of the Ombudsman is authorized to investigate complaints in any way it sees fit

the issue - it brings the matter of the complaint to the attention of the relevant bodies and ensures that the appropriate body deals with the matter of the complaint and sees to its rectification, or makes sure that all the public bodies are cooperating in the handling of the complaint. Sometimes the Office of the Ombudsman initiates a meeting with representatives of the relevant public bodies, in order to urge them to take responsibility for handling the issue raised in the complaint and to work together on the matter.

Preliminary notification of findings

Sometimes towards the end of the investigation, the Office of the Ombudsman contacts the public body, points out the prima facie findings and the apparent conclusions, and allows the public body to rectify the defect disclosed by the investigation. This it does without reaching a final decision pertaining to the complaint. The Office looks favourably upon measures initiated by public bodies to rectify defects found in their actions, without the need for the Office to instruct them to do so.

Swift investigation

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



The swift investigation enables the Office to notify the complainant of its findings within a short space of time

Basket of Remedies

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

- Cessation of the act that is harming the complainant
- Take-up of right denied the complainant
- Reimbursement of money collected unlawfully
- Payment of monetary compensation to the complainant
- Letter of apology from the public body
- Regulation of the matter of the complaint in a provision or directive or the issuance of a reminder to the staff of the public body of the existing provisions and directives

Financial Implications of the Office of the Ombudsman's Rulings for the Complainant



Financial Implications for the Complainant



Broad Financial Implications

Following the investigation of their complaints by the Office of the Ombudsman, complainants are likely to receive remedies that have financial implications. This is the case whether their complaint has been found justified and the Office has pointed out the need to rectify the matter of the complaint, or if the matter has been rectified in the course of the investigation.



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

Sometimes the investigation of the complaint leads to the rectification of a general defect that has financial implications not only for the complainant, but for others as well.

In 2022 complainants who turned to the Office of the Ombudsman, and others who were affected by the Office's rulings, received in total some 11.7 million NIS. This sum was paid following the investigation of 881 complaints.

The following are common subjects of complaints whose investigation may have financial implications:

- Payment of pensions and monetary benefits
- Cancellation of a monetary debt
- Eligibility for a discount
- Monetary compensation



A Kind Word

To the Office's satisfaction, a public body will sometimes decide on its own initiative to rectify the defect disclosed by the complaint, or to act ex gratia with regard to the complainant. The Office makes special mention of the positive acts of these public bodies.



Rectification of a General Defect

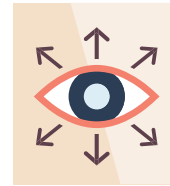
From the Specific to the General - Rectification of a General Defect

The investigation of a complaint frequently discloses a general defect in the action of the public body. In these cases, the Office of the Ombudsman requires the public body to rectify the defect in order to prevent harm to others. Thus, in addition to helping the complainants themselves, the Office contributes to improving the modus operandi of the public administration, including the improvement of public services for all those in need of them.

Examination of Complaints from a "Broad Perspective"

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

The following are complaint issues that the Office of the Ombudsman examined "from a broad perspective" in 2022:



A Broad Perspective

Ministry of Economy Department for the Encouragement of Parental Employment



**Rectification
of a General
Defect**

Lack of availability of the call center for making inquiries about claims for a discount in tuition fees at the supervised facilities

In 2022 the Office of the Ombudsman received 1,193 letters of complaint against the Department for the Encouragement of Parental Employment (formerly the Department for Child Day-Care Facilities). This constitutes a considerable increase - **7.7-fold** - in the number of letters of complaint received against the department, as compared with 2021 (in that year 155 letters of complaint were received).

80% of the complaints against the Department for the Encouragement of Parental Employment relating to public service were found justified or were rectified. This percentage is notably higher than the overall percentage of complaints that were found justified and complaints that were rectified in 2022 (44%). The complaints investigated in 2022 related to different aspects of the



80% of the complaints against the Department for Encouraging Parental Employment relating to public service were found justified or were rectified

handling of claims for the state's participation in tuition fees for the academic year 2021 - 2022, including the role of the Department for the Encouragement of Parental Employment. 676 of the complaints against the Department for the Encouragement of Parental Employment were about the external call center operated by the department. **81% of the complaints against the external center were found justified or were rectified.**

The complaints against the external call center focused on the following issues: lack of availability of the center; prolonged and irregular waiting times to be answered (up to two hours); inability to receive information while waiting, regarding place in line and estimated waiting time; inability to leave a phone number in order to be called back by a representative, should the call be cut off; disconnection of the call and the failure to be called back by a representative; failure to receive a pertinent response from the center regarding eligibility for the state's participation in tuition fees.

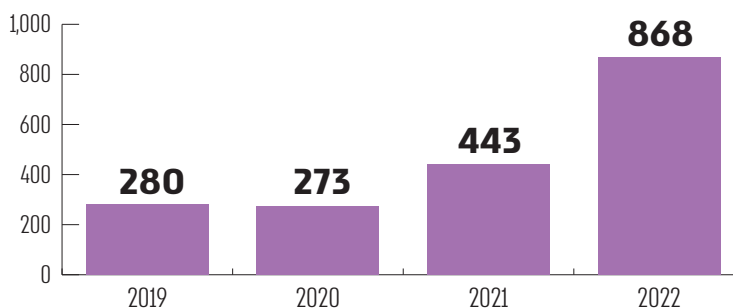
Population and Immigration Authority



Rectification of a General Defect

Public service at the Population and Immigration Authority - Monitoring the rectification of defects

Chart 4: Number of complaints against the Population Authority relating to public service that were handled in the last four years



As the above chart illustrates, in 2022 there was an approximately 96% increase in the number of complaints relating to public service that were handled by the Office of the Ombudsman, as compared with 2021, and a 3.1-fold increase in comparison with 2019.

Approximately 73% of the complaints against the Population Authority relating to public service in 2022 were found justified or were rectified. This constitutes a percentage that is 66% higher than the overall percentage of the justified complaints and the rectified complaints in that year (44%).

Table 1: Complaints against the Population Authority concerning public service in 2021 - 2022, according to main sub-topics

	Handling of inquiries	Service center	Reception of the public
Number of complaints in 2022	352	84	278
Number of complaints in 2021	223	46	84
Percentage of increase in number of complaints in 2022, as compared with 2021	58%	83%	231%

As the table illustrates, in 2022 the number of complaints against the Population Authority concerning reception of the public increased by 231%, and concerning the service center - by 83%.

Table 2: Percentage of justified complaints and rectified complaints against the Population Authority concerning public service in 2021 - 2022, according to main sub-topics

	Handling of inquiries	Service center	Reception of the public
Percentage of justified complaints and rectified complaints in 2022	73%	95%	83%
Percentage of justified complaints and rectified complaints in 2021	65%	74%	35%

These data show that the percentage of complaints found justified or rectified concerning the service center and reception of the public in 2022 (95% and 83% respectively) was significantly higher than the overall percentage of complaints found justified or rectified (44%), and that this percentage increased significantly in comparison with 2021.



Approximately 73% of the complaints against the Population Authority relating to public service were found justified or were rectified

Selected Complaints

Health

National Insurance Institute



Broad Financial Implications

Demand for payment of some NIS 137,000 for medical treatment on the grounds that the insurance had expired - but the investigation revealed that this was erroneous



The complaint

According to National Health Insurance Law, 5754-1994, every Israeli resident, as defined under National Insurance Law [Consolidated Version], 5735-1995, is entitled to health services according to the law. This law also provides that a resident who was absent from the country will not be entitled to health services for the period of a month per year of absence⁴.

According to the law, it is possible to redeem the waiting period by making a special payment of NIS 13,740 (as of 2023)⁵.

The complainant, a 72-year-old man suffering from heart diseases and arthritis and living on old-age pension, flew to a country where, he claimed, the weather was beneficial for his health. Due to the lockdowns during Covid-19 and a road accident in which the complainant was involved overseas, he was unable to return to Israel. Some two years after he left the country, he was informed that his son had died in Israel of a cardiac arrest. He returned to Israel, and at the

⁴ Section 58(b) of the law.

⁵ Section 58(d)(2) of the law.

end of the "Shiva" (Jewish seven-day memorial period after burial) he had a serious heart attack, following which he was hospitalized and required surgery. According to the complainant, the hospital refused to operate on him on the grounds that his medical health insurance was not valid for the first two months after his return to Israel.

Notwithstanding, 14 days after being hospitalized the complainant underwent bypass surgery and valve replacement; he was hospitalized for a total of 35 days. After his discharge, the complainant received from the hospital a demand for payment of NIS 136,861. The demand for payment notice included a warning that the debt must be paid within 14 days; otherwise legal proceedings would be taken against him.

The complainant applied to his health fund requesting that the latter cover the costs of his hospitalization, but his request was denied on the grounds that during his hospitalization and surgery he had not been insured.

Due to his medical condition, the complainant had been unable to redeem the waiting period prior to his hospitalization. He filed a complaint with the Office of the Ombudsman, pointing out that he was unable to pay the debt.



The investigation

The Office's investigation disclosed that according to the National Health Insurance Law, an Israeli resident staying abroad (whose status as "resident" has not been revoked) and continuing to pay health insurance premiums, continues to be insured provided his premium payments are not overdue by more than 12 months⁶.

Since the National Insurance Institute (NII) deducts the health insurance premiums from the complainant's old age pension, the Office asked the NII why the complainant's health insurance had expired.

The NII responded that indeed the insurance premiums were deducted from the complainant's pension, but that the complainant had an additional minute income as a self-employed person, for which he was required to pay insurance premiums at the end of every year. The NII added that the complainant's payment of these premiums

6 Section 58(a)(7) of the law.



following the intervention of the Office, the health fund settled the payment of medical expenses with the hospital

was overdue by two months, but that the computerized system of the NII had erroneously classified the debt as being 14 months overdue.



The result

Once the mistake had been discovered, the NII renewed the complainant's eligibility for health insurance. Furthermore, following the intervention of the Office, the health fund settled the payment of medical expenses with the hospital and the demand for payment was revoked.

(1145531)

Public Housing

Ministry of Construction and Housing

Amigour installed a socket for charging an electric mobility scooter - but the socket was placed close to the ceiling



The complaint

The complainant lives in sheltered public housing of the Amigour company - Amigour Management of Assets Ltd. (Amigour). She suffers from health issues that make it difficult for her to walk and gets around mainly by means of an electric mobility scooter. She parks the scooter in a room that is situated in the common area of the building in which she resides, and at night lowers an electric cable from her apartment in order to charge it.

In her complaint, the complainant claimed that Amigour, which is under the surveillance of the Ministry of Construction and Housing (Ministry of Housing), demanded that she remove her scooter from the building. According to her, when in the past she parked her scooter outside the building, it was stolen.



The investigation

In response to the complaint, Amigour replied that it was unable to allocate parking spaces for every resident. With regard to mobility

scooters, it was not enough to allocate a parking space, but a socket for charging the scooter also needed to be provided and these sockets were a potential safety hazard. Amigour added that the scooter owners bring their scooters inside the building and keep them in the common areas, which constitutes a safety hazard and a nuisance for the other residents.

The Ministry of Housing responded that it had started planning the allocation of parking spaces for mobility scooters in the sheltered housing, but this did not provide an immediate answer to the complainant's needs.

It later transpired that the complainant had agreed to park her mobility scooter outside the building and that the Engineering Department of Amigour had installed a socket for charging the scooter by the parking space. However, the socket was installed close to the ceiling, and the complainant was forced to stand on a footstool to reach it and had even once fallen and been injured.



The result

Following the intervention of the Office of the Ombudsman, Amigour moved the socket to meet the complainant's needs.

(1125361)



Following the intervention of the Office of the Ombudsman, Amigour moved the socket to meet the complainant's needs

Rights of the Individual

Israel Police



Rectification of a General Defect

The Police did not receive a response to its enquiry - and closed the investigation file



The complaint

The complainant filed a complaint with Israel Police (the Police) about the theft of her credit card details and the charging of her card to the sum of NIS 26,000 in payment of a debt to the Center for the Collection of Fines, Fees and Expenses (the Center for Fines Collection). The complainant claimed that the Police had not handled her complaint as it should have and had not identified the person who had used her card. This was the case notwithstanding that her card had been used to pay a debt to a public body.



The investigation

The Police responded that as part of the steps taken to investigate the complaint filed with it, it had contacted the Center for Fines Collection to locate the person or body whose debt to the Center had been paid with the complainant's credit card, but since it had not received an answer it had closed the investigation file.

The investigation disclosed a defective manner of operating on the part of the Police - closing an investigation file simply because its enquiry had not been answered; moreover, its enquiry had been made with a public body, where the information at its disposal is relatively easy to locate. It transpired that in public bodies where there is no fixed contact person for communicating with the Police, or a procedure clarifying for the Police investigator which person in the public body is to be contacted, the Police does not locate information which is seemingly easy to locate and closes the investigation file.



The result

The Office initiated a meeting between representatives of the relevant audit division within the Office of the State Comptroller, representatives of the Police and representatives of the Center for Fines Collection. At the meeting it was decided that the Police and the Center for Fines Collection would formulate a scheme for defining a permanent contact person at the Center for Fines Collection who would be in contact with the Police and whom the Police could contact every time a complaint was filed with the Police about the unauthorized use of a credit card, which required the receiving of information from the Center for Fines Collection.

Following the meeting, a directive was issued for all investigatory sources within the Police as to the manner of conveying information between the Police and the Center for Fines Collection in complaints about the misuse of credit cards.

(1113728)



Following the meeting, a directive was issued for all investigatory sources within the Police as to the manner of conveying information between the Police and the Center for Fines Collection

Persons with Disabilities

Airports Authority



**Rectification
of a General
Defect**



**Resolved
through
Mediation**

A complaint was filed about the accessibility of the airport to persons with disabilities - and mediation between the parties led to the systemic overhaul of information sharing and signposting at the airport



The complaint

The complainant filed a complaint about the service provided for persons requiring accessibility services at Terminal 1 of Ben Gurion

Airport. Among other things, he claimed that there were not enough wheelchairs that were suitable in size for the elevators there.



The Mediation

At the mediation session that was attended by the complainant and representatives of the Airports Authority (the Authority), the Authority pointed out that at Gate 3 there was a service station for those requiring assistance, which was permanently manned. The Authority added that at the terminal there were 13 wheelchairs for the use of travelers requiring them, available from the moment of their entering the terminal to the time of their boarding the plane. In addition, at Gate 4 there was an elevator that was suitable for the wheelchairs.

The meeting brought up the need to improve the information provided at the terminal and the signposting, in order to inform travelers that available means for accessibility could be found at the terminal for persons needing to be accompanied and assisted.

At the meeting it was agreed that the Authority would take measures to inform the travelers and the staff of the airport - including staff of the airlines who provide ground services for travelers requiring assistance - about the location of the service station for those requiring assistance, through explanatory activities, guidance and signposting. It was also agreed that the Authority would take steps to inform travelers of the availability of the wheelchairs and the location of the elevator that was suitable for the wheelchairs.

Furthermore, it was agreed that the Authority would erect an appropriate sign relating to the services provided for those requiring help and would refresh the provisions on the subject for its staff and the staff of airlines providing ground services.

It was also agreed that the Authority would erect a suitable sign that included the telephone number of the on-duty manager, so that there would be an available contact person at all hours of the night and day.



The result

At the mediation session, the complainant received a sympathetic and respectful response from the Authority, and was even informed that as a person who made frequent use of Terminal 1, it was possible to issue him an "Alpha" card (an intrastate "frequent flyer's"



At the meeting it was agreed that the Authority would take measures to inform the travelers of the availability of the wheelchairs and the location of the adapted elevator

card) which would allow him a swift security check at the airport. The Authority also gave the complainant an information pamphlet containing details on how the cards were issued.

The settlement reached between the parties at the mediation session led to the systemic overhaul of information sharing and signposting at the airport, which are necessary for improving the service provided for all travelers in need of assistance with accessibility when at the airport - from their entry into the airport until their boarding the plane.



Photos 1,2,3: The signs at the airport giving information about the services provided for persons requiring assistance. The photos were taken by the Airport Authority

(1118174)

Consumer issues



Rectification of a General Defect



Financial Implications for the Complainant

Are you eligible for a discount and have changed address? The benefit in water charges will be preserved regardless of debts with the previous supplier



The complaint

The complainant suffers from cancer and has been recognized by the National Insurance Institute as having a significant degree of disability. Since 2012 he has been eligible by law for a benefit in water charges (payment at a reduced rate for an extra 3.5 cubic meters). The complainant moved home from Pardes Hanna-Karkur to Afula, changed his address at the Population Authority and registered as a consumer with Mei Noam Regional Water and Sewage Corporation Ltd. (Mei Noam). However, he did not receive the benefit even though he was supposed to continue receiving it automatically.

The complainant approached Mei Noam on the subject, and the latter told him to provide them with certification of "release of beneficiary" from the previous corporation. In his complaint, the complainant protested the fact that despite his serious medical condition and his having done all that was incumbent on him by law, he was required to obtain certification from his previous place of residence as a condition for receiving the benefit.



The investigation

The legal provisions⁷ lay down a mechanism for transferring information between the public bodies, for the purpose of granting

⁷ Regulation 2(a) of Water and Sewage Corporations (Criteria and Registration of Beneficiaries for a Discount in Payment for the Fiscal Year 2014), 5774-2014.

the benefit in water charges for eligible persons. This is an automatic mechanism that is designed to provide a solution for certain community members who cannot take advantage of their rights and to alleviate their bureaucratic burden⁸. The investigation also disclosed that the Government Water and Sewage Authority (Water Authority) had established a computerized system for implementing the mechanism and that every month it received a list of persons entitled to the benefit in water charges, which it forwarded to the different water suppliers to enable granting the discount to the beneficiaries.

It transpired that when consumers moved from one water supplier to another, registered their new address at the Population Authority and did all that was incumbent upon them for receiving the benefit - the previous water supplier was required to take active measures to "release the consumer" in its computerized system, where the benefit mechanism is conducted. In the case of the complainant, and possibly in other cases too, the previous supplier did not release the consumer who had already changed his residence, since the consumer was still registered with the supplier and had not "finalized" his account. In practice, this enabled water suppliers to make transfer of the benefit contingent on payment of debts, notwithstanding that from a legal aspect this was not permitted.



The result

The Office of the Ombudsman conveyed the findings of the investigation to the Water Authority. In November 2022 the Water Authority notified the Office that in light of the findings, it was taking measures to change the program through which it managed the scheme for benefits in water charges, so that the transition between water suppliers after the consumer had changed his residence would not be contingent on an action on the part of the previous supplier. The Water Authority even thanked the Office for discovering the defect, which enabled improvement of the service for the water consumers. In March 2023 the Water Authority notified the Office that the program change had been classified, budgeted and transferred for implementation, and that receipt of the updated version and the incorporation of the change among the water suppliers was planned for the second quarter of 2023.

(1104514)



The Water Authority thanked the Office for discovering the defect, which enabled improvement of the service for the water consumers

8 State Comptroller, **Annual Audit Report 71A** (2020), "Water and Sewage Corporations - Regulation, Management and Supervision", p. 1422 (English abstract) and footnote 143.

Buq'ata Local Council



Financial Implications for the Complainant

Employee required to provide tax assessment for a discount in municipal tax



The council renounced its demand to receive an assessment and approved the complainant's application for the discount



The complaint

The complainant applied to the Buq'ata Local Council for a discount in municipal tax for the year 2020, according to an income test; he attached documentation of his income as an employee in 2019, as required by law. Notwithstanding, the council required the complainant to provide a yearly income tax assessment for the year 2018. The complainant claimed that he had not been self-employed in 2018 and that this document was not relevant to his application.



The investigation

The council contended that even though the complainant was now a business-owner, he had not specified this in his application and it was discovered by chance. The council therefore asked him to provide an annual assessment, as it does in cases of this kind. Since at the time of making the application an assessment for the year 2019 had not yet been filed, he was asked to file the assessment for the previous year, 2018.

The investigation disclosed that in 2019 the complainant had been an employee and had attached to his application for a discount a copy of his pay slips for that year, as required by law. The complaint investigator spoke with the council's legal advisor, who informed the complaint investigator that the council would contact the complainant in order to complete the handling of his application as an employee, not as a self-employed person.



The result

The council renounced its demand to receive an assessment and approved the complainant's application for the discount.

(1111900)

Employees' Rights

Ministry of Education



Financial Implications for the Complainant

Worked 13 years for the Civil Service - but her eligibility for State Pension was not arranged in real time



The complaint

The complainant worked for the Civil Service from 1998 to 2011, firstly as a teacher for the Ministry of Education and afterwards as an employee of the Ministry of Foreign Affairs, at one of its embassies. In 2016 the complainant went back to work for the Ministry of Education. She complained that upon returning to work for the Ministry of Education, the Ministry insured her under the Cumulative Pension scheme, not the State Pension scheme, despite the fact that when she had started working for the Civil Service as a teacher she had been insured under the State Pension scheme.



The investigation

The investigation of the complaint with the Ministry of Education disclosed that the complainant had gone back to work for the Ministry of Education on 1.9.16, after a period during which she had not worked for the Civil Service. Her status was thus that of a new teacher with all the implications, including her being insured under the Cumulative Pension scheme.

However, the standpoint of the Office of the Ombudsman was that it was necessary to make a distinction between the two periods of employment of the complainant with the Civil Service as follows:

During the complainant's first period of employment, she had been entitled to State Pension, both for her work as a teacher and for her work at the embassy, since she had done all that was incumbent upon her to preserve her rights. However, faulty handling of the matter by the Ministry of Education and a lack of understanding between the Ministry of Foreign Affairs and the Civil Service Commission (the Commission) had led to the complainant's rights not being determined in real time.

In contrast, during her second period of employment, from 2016 onwards, after a hiatus from the Civil Service of almost five years, she had lost her right to State Pension.



the Commission reviewed the matter and confirmed that the complainant was entitled to State Pension

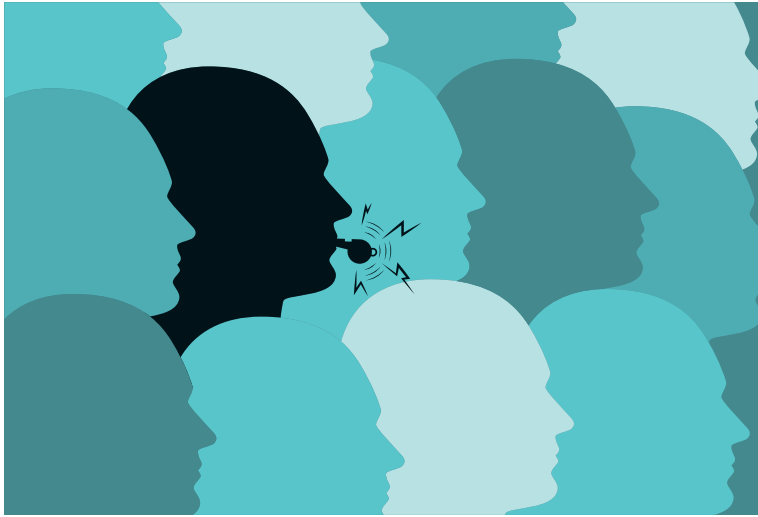


The result

The Office of the Ombudsman put forward its standpoint to the Commission, following which the Commission reviewed the matter and confirmed that the complainant was entitled to State Pension for the first 13 years of her employment with the Civil Service.

(1122733)





Protection of Whistleblowers

State Comptroller Law, 5718-1958 [Consolidated Version] (the State Comptroller Law) spreads a safety net for employees of public bodies in cases where the investigation of their complaint has disclosed that their superior has harassed them in response to their reporting, in good faith, an act of corruption. The broad wording of the State Comptroller Law includes every act designed to punish employees for exposing the acts of corruption or to deter them from doing so.

The State Comptroller and Ombudsman attaches considerable importance to the proper functioning of public authorities and to exposing improper acts of corruption within their ranks. He considers the protection of whistleblowers to be of the highest value and uses his powers under the State Comptroller Law to issue protection orders for public servants who have been harassed as a result of their exposing acts of corruption.

Experience teaches that exposing an act of corruption and filing a complaint about harassment following the exposure can cause many difficulties: mental stress, health issues, financial problems, harm to familial and social relationships, functional difficulties, etc. These affect the whistleblowers and usually their families too. To assist the



The State Comptroller and Ombudsman considers the protection of whistleblowers to be of the highest value

whistleblowers and their families, the Office of the State Comptroller and Ombudsman makes it possible to receive the professional assistance and support of a clinical social worker who is employed by the Office of the Ombudsman. The support is offered to every person seeking protection when filing the complaint and is provided free of charge.

Data on complaints of whistleblowers handled this year

In 2022, 61 complaints were filed by employees who claimed that their superiors had violated their rights after they had exposed acts of corruption, as compared with 41 complaints in 2021.

Seven complainants received provisional protection orders from the State Comptroller and Ombudsman.

In 2022 the handling of 59 complaints was completed (in 2021 the handling of 46 complaints was completed) as follows:

With regard to **five complaints**, the State Comptroller and Ombudsman incorporated in his ruling agreements reached by the parties and awarded the complainants monetary compensation ranging from NIS 100,000 to NIS 500,000. Regarding **two complaints**, the matter was rectified without the Office of the Ombudsman's intervention. With regard to **18 complaints**, the investigation was terminated because of the complainant (the complainant revoked the complaint or failed to respond to the Office's inquiries). Regarding **18 complaints**, an investigation was not commenced or it was terminated since the matter was pending in a court or tribunal. With regard to **four complaints**, an investigation was not commenced or it was terminated since the complaint was filed against a body that is not a public body. Regarding **five complaints**, the State Comptroller and Ombudsman ruled that they were unjustified. Regarding **the rest of the complaints (seven)**, they were closed for different reasons.



The support is offered to every person seeking protection when filing the complaint and is provided free of charge

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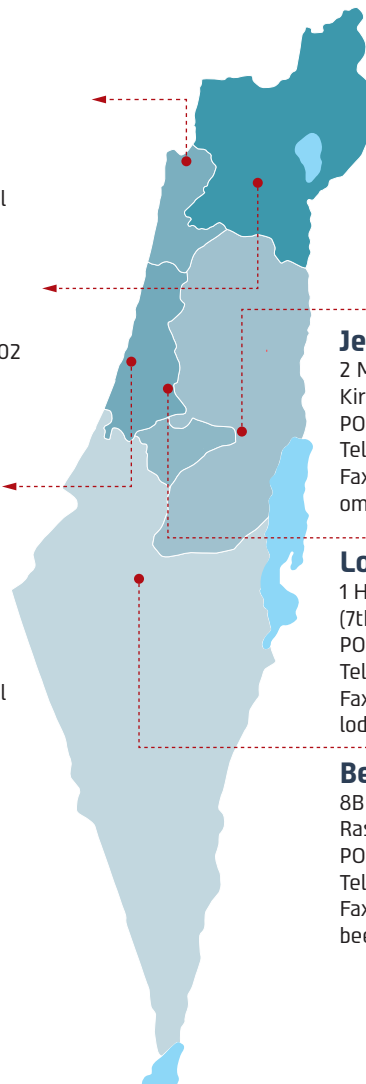
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