

## **The House of Representatives The Federal Ombudsman**

### **The mission of the Federal Ombudsman**

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The Federal Ombudsman is an independent collateral body of the Chamber of Representatives.

It works for the efficient functioning of democracy. It handles citizen's and companies' complaints about federal public services and seeks solutions through dialogue. It examines reports of integrity violations in the various federal public services and coordinates the handling of reports of breaches of law within private companies. In both sectors, it protects whistleblowers from possible retaliations. Through these different missions, the Federal Ombudsman acts as a natural point of contact for citizens experiencing problems with the public services and as a promoter of good governance and integrity and as a protector of whistleblowers.

### **How does the Federal Ombudsman work?**

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The institution employs around fifty persons.

It is run by a French-speaking ombudsman and a Dutch-speaking ombudsman, who act as a college. They are appointed by the Chamber of Representatives following a public call for candidates. Their mandate lasts six years and can be renewed once, following a new call. The current ombudsmen are Jérôme Aass (French-speaking) and David Baele (Dutch-speaking).

The Federal Ombudsman works :

- Free of charge
- Independently and impartially: it takes account of all points of view
- In complete confidentiality: employees are bound by professional secrecy
- Professionally: employees are competent in the matters they deal with and handle cases with care.

### **What type of complaints does the Federal Ombudsman handle?**

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The Federal Ombudsman examines complaints relating to the actions and functioning of the federal public services. It therefore only deals with complaints relating to federal matters (such as social security, personal income tax, VAT, the Immigration Office, etc.) Any person concerned by the problem raised can file a complaint. Legal entities and de facto associations can also file a complaint.

Before turning to the Federal Ombudsman, the citizens must first contact the federal administration concerned by the problem. The administration must be able to resolve the problem itself. If it does not lead to a solution, the citizen can then ask the Federal Ombudsman for help.

The Petitions Committee of the Chamber Representatives can also forward petitions to the Federal Ombudsman who will treat them as a complaint.

### **What type of complaints does the Federal Ombudsman not handle?**

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It does not handle complaints that do not concern a federal public service. The Federal Ombudsman is therefore not competent to handle complaints relating to municipal, regional, community matters, etc. Nor does it handle complaints for which other (ombudsman) services are competent, such as those relating to pensions, SNCB, Bpost, telecoms, etc. It forwards the complaints to the competent ombudsman service.

The Federal Ombudsman can also refuse to handle anonymous complaints or complaints filed more than a year after the facts. It therefore explains the reasons for this to the person that filed the complaint.

Meaningless or fictitious complaints are not handled by the Federal Ombudsman.

If the citizen starts court proceedings or lodges an organised administrative appeal for facts that are part of his complaint to the Federal Ombudsman, then the Ombudsman suspends its examination.

The only exception is if the person concerned introduces an annulment appeal with the Council of State. In this case, the Federal Ombudsman may continue to handle the complaint. A complaint to the Ombudsman does not suspend the deadline for the appeal.



## What whistleblowers reports are examined by the Federal Ombudsman?

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The Federal Ombudsman examines whistleblowers' reports concerning situations that happened in a professional context. It deals with reports concerning integrity violations in the various federal public services. It could be reports of an abuse, a fraud, favouritism or an irregularity. It also writes investigation reports with recommendations.

It also examines reports of breaches of law in the private sector and forwards them to the competent authorities for investigation.

Anonymous reporting is possible in both sectors.

The Federal Ombudsman also protects whistleblowers against retaliations, in both public and private sectors.

## Reports and recommendations

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Every year, the Federal Ombudsman submits an annual report to the President of the Chamber of Representatives by the 31 March at the latest. The report is then made public. It is also presented to and discussed by the Chamber's Petitions Committee.

The annual report contains the main figures relating to complaints and an overview of the problems for which citizens most frequently contacted the Federal Ombudsman during the year. It also describes the Ombudsman's work concerning whistleblowers, the progress in structural cases and the way the institution operates as well as its contacts with other institutions and organizations.

In addition to the annual report, the Federal Ombudsman also writes investigation reports, reports and recommendations in response to structural problems raised in complaints. In these reports and recommendations, it analyses the problem and, if necessary, invites the federal public services and/or Parliament to adapt administrative practice or legislation. It also reports on the follow-up to its reports and recommendations to the Petitions Committee.

After examining whistleblowers' reports in the federal public service, the Federal Ombudsman also writes investigation reports that may contain recommendations. These reports are transmitted to the most senior manager of the federal public service in question and are not made public.

## How to contact the Federal Ombudsman?

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You can file a complaint against a federal public service or make a report as a whistleblower by using the forms available on [www.federalombudsman.be](http://www.federalombudsman.be)

You can contact the Federal Ombudsman by **mail: [contact@federalombudsman.be](mailto:contact@federalombudsman.be)** (complaints) or **[integrity@federalombudsman.be](mailto:integrity@federalombudsman.be)** (whistleblowers.)

You can ask your question by calling the **free phone number: 0800 99 961**. From abroad: +32 2 289 27 27.

**Postal address:** Federal Ombudsman (Or: "Federal Ombudsman-Integrity Centre" if you are a whistleblower), rue de Louvain 48, letter box 6, 1000 Brussels.

It is also possible **to make an appointment** with one of the Federal Ombudsman's members of staff at its offices in Brussel or in a city close to the place of residence of the person concerned, by calling 0800 99 961 or by sending an e-mail to [contact@federalombudsman.be](mailto:contact@federalombudsman.be).

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*The annual and intermediary reports and answers to frequently asked questions, examples of cases handled by the Federal Ombudsman and the latest news about the Federal Ombudsman can be found at [www.federalombudsman.be](http://www.federalombudsman.be)*

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