



The State Comptroller
and Ombudsman of Israel



State of Israel

Special Report no. 3

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Challenges and Goals in Providing Services for Older Persons -
Lessons Learned from the Investigation of Complaints

The Ombudsman



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Challenges and Goals in Providing Services for Older Persons - Lessons Learned from the Investigation of Complaints

This special report of the Ombudsman is presented to the Knesset (Israeli parliament) under the provisions of Section 46(b) of State Comptroller Law, 5718-1958 [Consolidated Version]. The report details challenges and goals in the provision of services for older persons as disclosed by the complaints filed by older persons.



"Wisdom is with the aged, and understanding in length of days" (Job, 12:12)

"He who learns from the old, to what is he compared?"

To one who eats ripe grapes and drinks aged wine" (Ethics of the Fathers, 4:20)

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

This special report of the Ombudsman is presented to the Knesset (Israeli parliament) under Section 46(b) of State Comptroller Law 5718-1958 [Consolidated Version].

According to the vision of the Office of the State Comptroller and Ombudsman, the Office of the Ombudsman must be 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. The special report placed before you illustrates in the best way possible how the Office of the State Comptroller fulfills this vision in practice as regards investigating the complaints of older persons and making its services accessible to this community.

The report before you shines a spotlight on the ageing of the population throughout the world and in Israel, and presents challenges and goals pertaining to the provision of services for older persons, as disclosed through the investigation of complaints filed with the Office of the Ombudsman by this community. The aim of the report is to allow early and optimal preparedness for coping with this phenomenon and rendering appropriate public services.

We are living in an age in which public bodies and others are making increasing use of digital means of communication. However, the relative low digital literacy of older persons makes it difficult for them to use digital means for receiving service from public bodies. Indeed, the report laid before you shows that the trend in digitalization of public services causes

problems for the community of older persons, and that although the digital literacy of older persons has been increasing in recent years, it is still much lower than that of other sectors of the population. In this regard, it should be pointed out that during the Covid-19 pandemic, when digital means became the primary, and often the only, means of communication between the public and public bodies, there was an increase in the use of representatives to file complaints on behalf of older persons aged 70 and above with the Office of the Ombudsman.

This special report is innovative from a number of aspects. Most importantly, it examines the issue of public services given to older persons from the perspective of this community of service users, and innovative tools were used in the writing of the report. The report is based on the data gathered by the Office of the Ombudsman and its statistical analyses relating to the characteristics of older complainants; on an analysis of the discourse of older persons and their relatives on the social networks; on an analysis of the data included in the responses of 55 ombudsman institutions across the globe to a questionnaire that the Office sent out about the investigation of complaints of older persons; and on research addressing the rights of older persons and the right to access the administration.

The report seeks to bring the issue of public services received by older persons both to the attention of public bodies in charge of providing services for this community and to the attention of persons dealing with the investigation of complaints in the public bodies. They will all find in the report tools and insights that will serve them in the provision of services for older persons and in the continuation of their activity in this field.

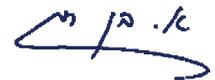
All public servants rendering services for older persons must remember that they are dealing with human beings and must take into account their special circumstances and needs, regardless of their

age. Older persons receiving the service are entitled to respect, without a prejudicial, stereotyping or patronizing approach to their advanced age. Service providers must listen to older persons, including to their expressed needs and preferences. Furthermore, when the service is being given to older persons, public servants must ensure that the needs of the older persons, relating to their age, are being addressed. All these require the service provider to be flexible and sensitive, to ensure respectful communication, to simplify the bureaucratic processes, to exercise broad discretion and to facilitate as far as possible the realization of rights by persons who encounter difficulties in doing so.

The Office of the Ombudsman will continue to lend a listening ear to communities deserving special attention and to focus on broadening its accessibility and availability to these communities, as to the population at large. We invite the public in general, and older persons in particular, to continue receiving assistance from the Office whenever they encounter difficulties in exercising their rights or receiving a service from a public body.



Matanyahu Englman
State Comptroller
and Ombudsman



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

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Preface

Israel's population is going through an ageing process, and the life expectancy of its citizens is increasing. The community of people aged 65 and over (older persons) has grown both in absolute numbers and in its percentage of the overall population of Israel. For example, in 1955 the percentage of older persons in the total population stood at 8.4% and in 2021 - 12.2% (a 1.5 increase).

At the end of 2021, close to 41% of older persons were aged 75 and over and 11.8% of them were aged 85 and over. The increase in the number of older persons and their percentage of the total population will continue and will even grow in the coming years. According to the forecasts, by 2040 the number of persons aged 65 and over in Israel will reach some 2 million, and their percentage of the population will stand at 14.2%; the number of people aged 75 and over will reach 1,065,200; and the number of people aged 85 and over will reach some 400,000. In 2065, the percentage of older persons is expected to reach 15.3%¹.

7,832 older persons filed complaints with the Office of the Ombudsman between the years 2019 and 2021. The number of older complainants increased by 23.3% from 2019 to 2021.

The special report deals with the segment of the population of people aged 65 and over. The members of this segment are frequently called "senior citizens". Yet since the special report relates to all persons aged 65 and over, even if they are not Israeli citizens², this special age group is referred to as "older persons" in the report.

The community of older persons is characterized by major diversities in many matters, including physical and cognitive capabilities, skills,

1 See Central Bureau of Statistics, *Indicators for Optimal Ageing in Israel, 2020* (November 2022), p. 26; and "International Senior Citizens' Day 2021: Selected data on Various Topics Regarding Israeli Senior Citizens aged 65 and Over" (29.9.21).

2 Section 33 of State Comptroller Law, 5718-1958 [Consolidated Version], provides that **any person** may file a complaint with the Ombudsman.

proficiencies and degree of independence. Since this community is not homogeneous, care must be taken not to adopt a stereotypic attitude in describing it, assuming that older persons are dependent on others or have uniform needs.

Having said this, and despite the many differences between older persons, where receiving services from government authorities is concerned it is possible to identify prominent characteristics, needs, barriers, difficulties and challenges that are common to many of them and related to their age.

Older persons receiving public service encounter several types of difficulties and challenges. The following are the most prominent ones:

1. Ageism - stereotypic or prejudicial attitude towards persons, irrespective of their specific characteristics as individuals, but on the basis of the age group to which they belong³. An ageism attitude towards older persons receiving services can, for example, take the form of ascribing to them old-fashioned views⁴, limited physical ability and dependence, irrespective of their actual condition. Where ageism is prevalent in public bodies and among service providers, it is likely to constitute a perceptual barrier that affects the ability of older persons to exercise their rights. Ageism can be personal - on the part of a particular service provider, but it can also be institutional - reflected in regulations, directives and policy⁵. The offensiveness of this perception causes pain, even if no evil intent is meant by the person holding it.
2. Lack of understanding of service providers towards old age and its possible effect on service users. When service providers treat older persons like any other service users - without checking if they are restricted in any way or if there exist other special circumstances, and without taking into account such restrictions or circumstances or suggesting solutions for helping to cope with them - this is likely to pose serious difficulties for older persons, and in certain cases even cause them to relinquish their rights.

3 World Health Organization, "Global report on ageism" (2021).

4 Iris Kleinman Ha'Etzni, Looking Back: Life Stories through Psychological Eyes (2022), pp. 58 - 59.

5 World Health Organization, "Global report on ageism" (2021).

3. Lack of knowledge of the laws and directives concerning older persons, which are designed to facilitate the take-up of their rights. This lack of knowledge makes it difficult for older persons to exercise their rights and receive the best service for them.
4. Awareness and knowledge barriers stemming from the lack of awareness of eligible persons of the existence of the right, its terms, content and the way of exercising it. These barriers can also stem from language and communication difficulties; bureaucratic barriers, including complex processes for the realization of rights, a request to go in person to the offices of the authority, multiple forms, requests for unavailable information and others; digital barriers regarding persons who make no use of digital means, as well as those who have access to digital means but encounter different degrees of difficulty in the digital environment; and perceptual, psychological and cultural barriers.

The report focuses on older persons as receivers of service from the state authorities and on how they experience receiving the service. It highlights the barriers facing older persons when receiving services from public bodies. It also includes recommendations for service providers in these bodies in general and for complaint handlers in particular as to how to tailor the service that they provide to the needs of older persons. The report contains five chapters:

1. A statistical analysis of the characteristics of older complainants, of the bodies against which older persons frequently complain and of the main subjects of their complaints. This is based on the findings of the in-depth analysis conducted by the Central Bureau of Statistics relating to data on these complainants. In order to draw attention to particularly vulnerable communities of older persons, the report also presents data on Holocaust survivors and persons requiring welfare services.
2. The public service given to older persons and their service experience, based on the complaints investigated by the Office of the Ombudsman. The chapter focuses on three types of difficulty affecting the service experience of older persons: bureaucratic barriers and delays in the provision of public services; the digitalization of public service; the feeling of older persons that service providers treat them in an offensive and irreverent manner, on the basis of their age and the limitations it generates.

3. An analysis of the discourse of older persons and their relatives on the social networks as regards the accessibility of public service, from the perspective of the service receiver. In recent years, the discourse on social networks has become a central arena in which the public can express its feelings. Among other things, the analysis disclosed that older persons are not always aware of the rights to which they are entitled and the bodies against which a complaint may be filed. The analysis also revealed the difficulty of older persons in navigating bureaucratic intricacies, and the difficulties posed by the digitalization of public services.
4. A survey of the actions of ombudsman institutions around the world pertaining to the investigation of complaints of older persons. This chapter will also present the findings of the analysis of responses to a questionnaire on the subject of the investigation of complaints of older persons that the Office of the Ombudsman sent out to ombudsman institutions around the world.
5. Tailoring public service to older persons - recommendations to the public bodies that provide services, and in particular to bodies that handle the complaints of older persons, to improve the service rendered by them. The recommendations are aimed at all the bodies in the public sector that provide services for older persons and at regulatory bodies responsible for dealing with older persons. The recommendations address four areas: the accumulation and processing of data disclosed by the inquiries and complaints; the construction of a format for providing services that are tailored to older persons and the training of public servants to provide services according to this format; outreach and awareness-raising activities for older persons; making public service and the ways of filing complaints accessible to older persons.

The increase in the number of older persons and their percentage of the population of Israel, their grappling with difficulties that arose during the Covid-19 pandemic, and the desire to increase the number of people from this community turning to the Office of the Ombudsman - all these led the Office to focus its activities on older persons in 2021, the year the Office celebrated its 50th anniversary. The climax of the Office's activity in its Jubilee year was the hosting of an international conference on the theme "Advancing the Rights of Older People in an Age of Longevity". Ombudsmen and colleagues from 51 countries across the globe participated in the conference,

which included a special panel for the promotion of rights of older persons on which sat experts - ombudsmen from different countries and representatives from the academia and the third sector⁶ - who contributed from their experience and expertise in this special field. The Office shared the insights gained from the conference, and from the speeches made in the course of it, with the ombudsmen from Israel and overseas. The report addresses these insights in depth.

This special report is the product of the activity of the Office of the Ombudsman that was focused on older persons, and which is reflected, among others things, in the hosting of the international conference at the end of 2021.

The aim of the special report is to emphasize the fundamental and deep obligation of government authorities and public bodies in Israel to tailor the service that they provide to the important and central community of older persons. This customization may be required in a variety of aspects of service, such as in providing information about the service, in making the service accessible, in facilitating the ways of contacting the authority; also in the manner in which the service is provided, the form of communication with the service seeker, the place in which the service is rendered and the language in which it is provided. This is the case with regard to public service in general and to bodies handling complaints in particular. Service providers in public bodies must be attentive to the needs of older persons, to customize the service as far as possible and to treat them politely, respectfully and patiently.

⁶ The panel was moderated by Johnathan Marcovitch, Adv. Senior Head of Department at the Office of the Ombudsman. The panel members were Mr. Rob Behrens, Parliamentary and Health Service Ombudsman UK; Ms. Karen Gomez-Dumpit, Commissioner on Human Rights of the Philippines; Prof Issi Doron, Dean, Faculty of Social Welfare and Health Sciences, University of Haifa; Ms. Silvia Perel- Levin, Chair, NGO Committee on Ageing, Geneva; and Mr. Mark C. Miller, Long Term Care Ombudsman of the District of Columbia (Washington D.C.), President of the National Association of State Long-Term Care Ombudsman (NASOP).

Characteristics of Older Complainants - Statistical Data



Since 2021, the Office of the Ombudsman (Office) has been receiving data on the characteristics of complainants from the Central Bureau of Statistics. These data have formed the basis of statistical analyses on the subject. This chapter will present the in-depth findings of the Central Bureau of Statistics⁷ pertaining to older complainants who have sought the services of the Office⁸.

This chapter will provide data on the percentage of older persons out of the total number of complainants; their breakdown by age, gender and level of education; the percentage of complainants contacting the Office of the Ombudsman via representatives (lawyers, relatives, civil rights organizations or social workers); data on older complainants who are Holocaust survivors or in need of welfare services⁹; and data on the ways that older persons filed complaints and learnt about the Office.

The Office's data will also present characteristics of the complaint: the number of complaints that the Office received from older persons and handled during the period under report, and the matters and bodies about which the majority of complaints were filed. The advantages of conducting an in-depth analysis of complainants and conveying it to public bodies will be elaborated on later (pp. 119 - 124).

The period under report refers to the period from the beginning of 2019 to the middle of 2022¹⁰. The charts in this chapter relate to the average data during this period, unless otherwise stated.

During the period under report, 12,882 complaints were filed with the Office by older persons¹¹.

7 The statistical analysis conducted by the Central Bureau of Statistics and the data that it conveyed to the Office of the Ombudsman related to all the older complainants, without providing specific details regarding individual complainants.

8 The statistical analysis of the Central Bureau of Statistics included data on complainants who provided the Office with their ID numbers.

9 The departments for social services identify those in need of welfare services according to the reason for their approaching, or being referred to, social services. There are 47 such reasons for recognizing an individual as requiring welfare services.

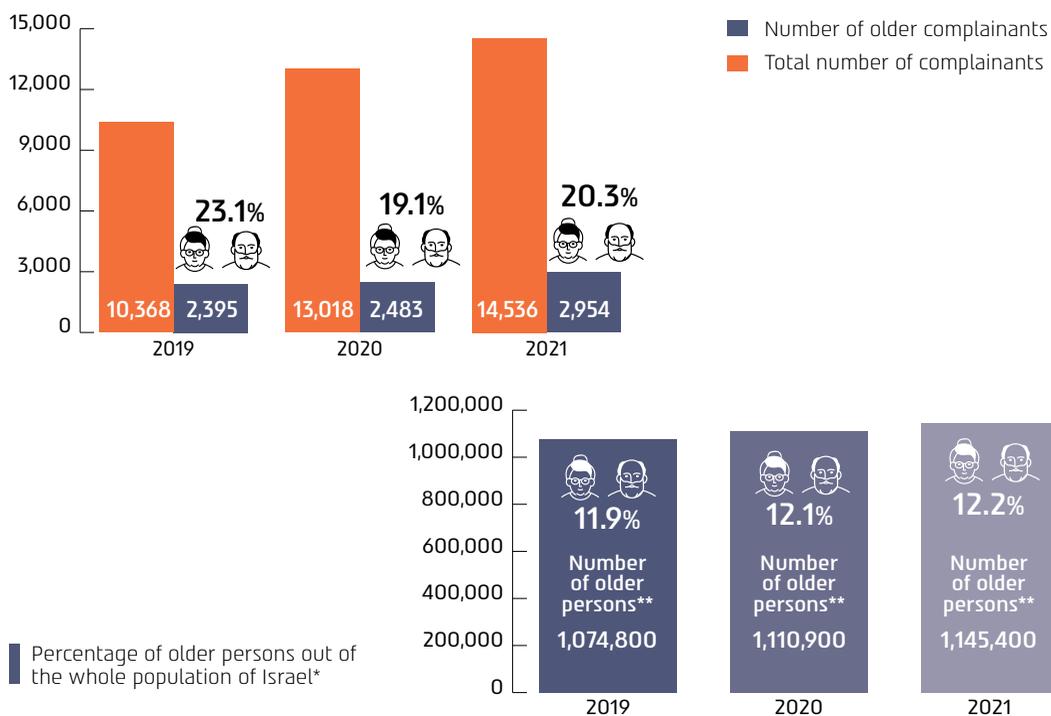
10 The statistical yearbook for 2022 has not yet been published. Therefore the data of the Central Bureau of Statistics that are based on the statistical yearbooks relate to the years 2019 - 2021, unless otherwise stated.

11 Including complaints filed by representatives of older persons.

General data on characteristics of complainants

As the years go by, the community of older persons is growing. It is consequently possible to see an increase in the number of older complainants. See the following chart:

Chart 1: Number of older complainants and their percentage of the population and the total number of complainants¹², 2019 - 2021



* The information relating to the size of the population of Israel is taken from the Central Bureau of Statistics, *Statistical Yearbook of Israel 73* (2022), Chart 2.1.

** Source: Central Bureau of Statistics, *Statistical Yearbook of Israel 71, 72 and 73* (2019 - 2021), Chart 2.3.

¹² The data shown refer to the number of complainants who filed complaints with the Office of the Ombudsman in each of the years. It should be pointed out that in 2019 the Office received 14,263 letters of complaint, in 2020 it received 16,887 letters of complaint, and in 2021 it received 19,701 letters of complaint. See Ombudsman *Annual Report 46* (2020), p. 40 (in Hebrew only); *Annual Report 47* (2021) p. 40 (in Hebrew only); *Annual Report 48* (2022), p. 41 (in Hebrew only).

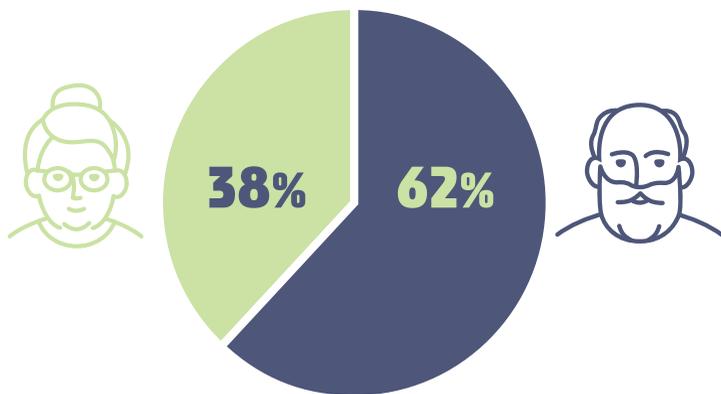
In the years 2019 to 2021, the number of older persons in Israel increased by 6.5%. The data also reveal an increase in the number of older persons complaining to the Office of the Ombudsman - from 2019 to the end of 2021 their number increased by 23.3%.

It should be pointed out that during the Covid-19 pandemic and the lockdowns that were imposed as a result of it, there was an overall increase in the number of complainants. There was thus no significant change in the percentage of older complainants out of the total number of complainants (a 6.3% increase in 2021, as opposed to 2020).

The data show that in 2020 the percentage of older complainants out of the total number of complainants dropped. An explanation for this can be the increase in the number of younger complainants turning to the Office of the Ombudsman about unemployment benefit during the Covid-19 pandemic¹³. Notwithstanding, the percentage of older complainants is higher than their percentage of the overall population.

The following chart gives general information about the characteristics of complainants:

Chart 2: **Gender**



According to the Central Bureau of Statistics and processed by the Office of the State Comptroller.

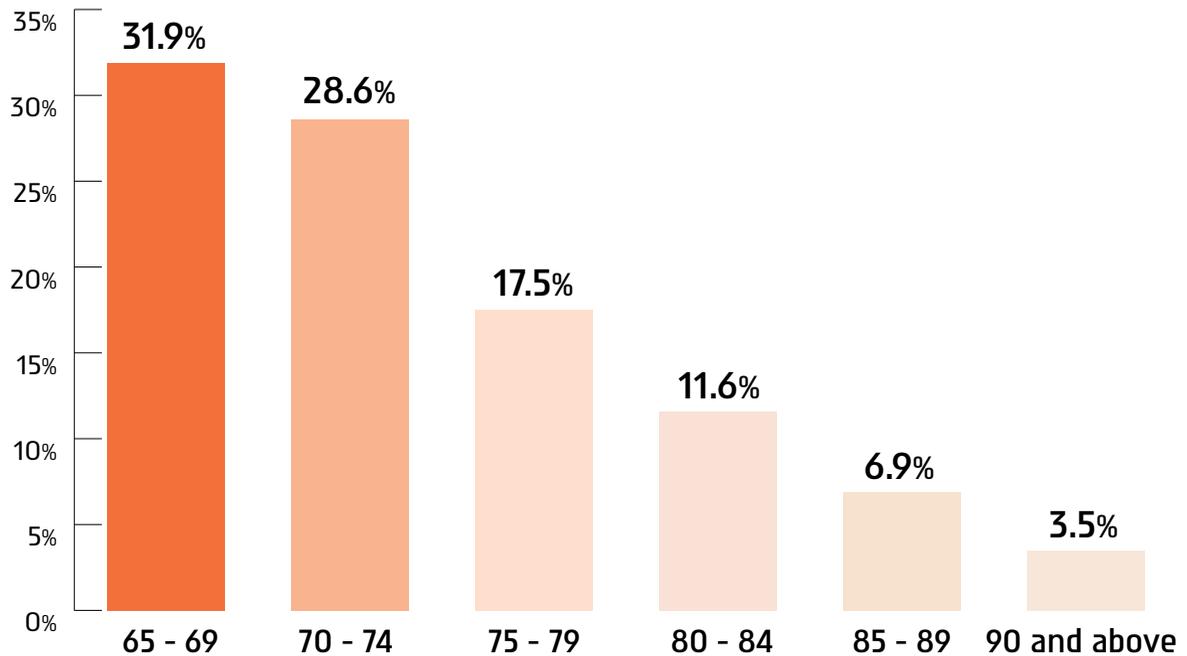


The data show an increase in the number of older persons complaining to the Office of the Ombudsman - from 2019 to the end of 2021 their number increased by 23.3%

¹³ Ombudsman, Annual Report 47 (2021), p. 67 (in Hebrew only).

This breakdown of older complainants is consistent with the breakdown of the total number of complainants¹⁴. Older men complain significantly more than older women.

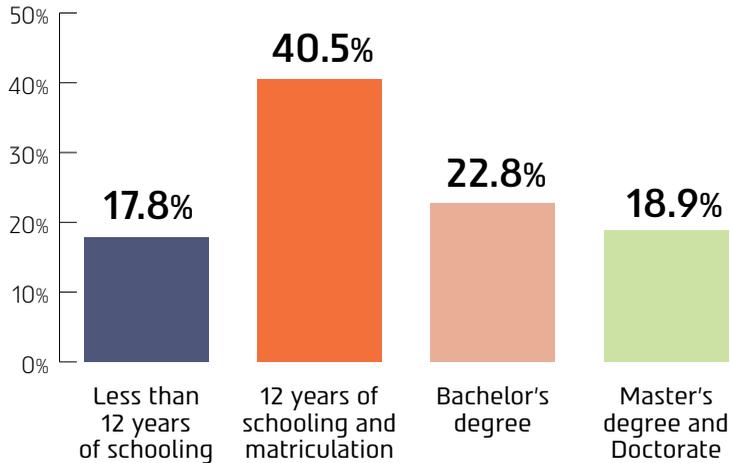
Chart 3: Percentage of complaints from all ages



According to the Central Bureau of Statistics and processed by the Office of the State Comptroller.

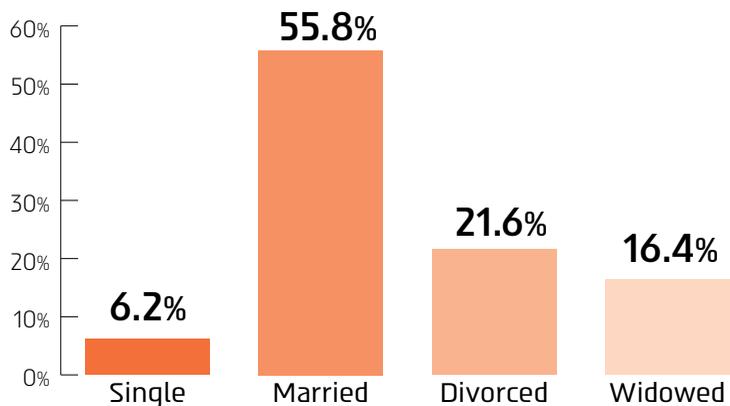
The chart shows that approximately 60% of the complaints of older persons were filed by complainants in the first decade of retirement age (65 - 75). Furthermore, as the age of the complainants increases, so the number of complaints decreases.

¹⁴ Ombudsman, Annual Report 48 (2022), p. 50 (in Hebrew only).

Chart 4: Education levels of older complainants

According to the Central Bureau of Statistics and processed by the Office of the State Comptroller.

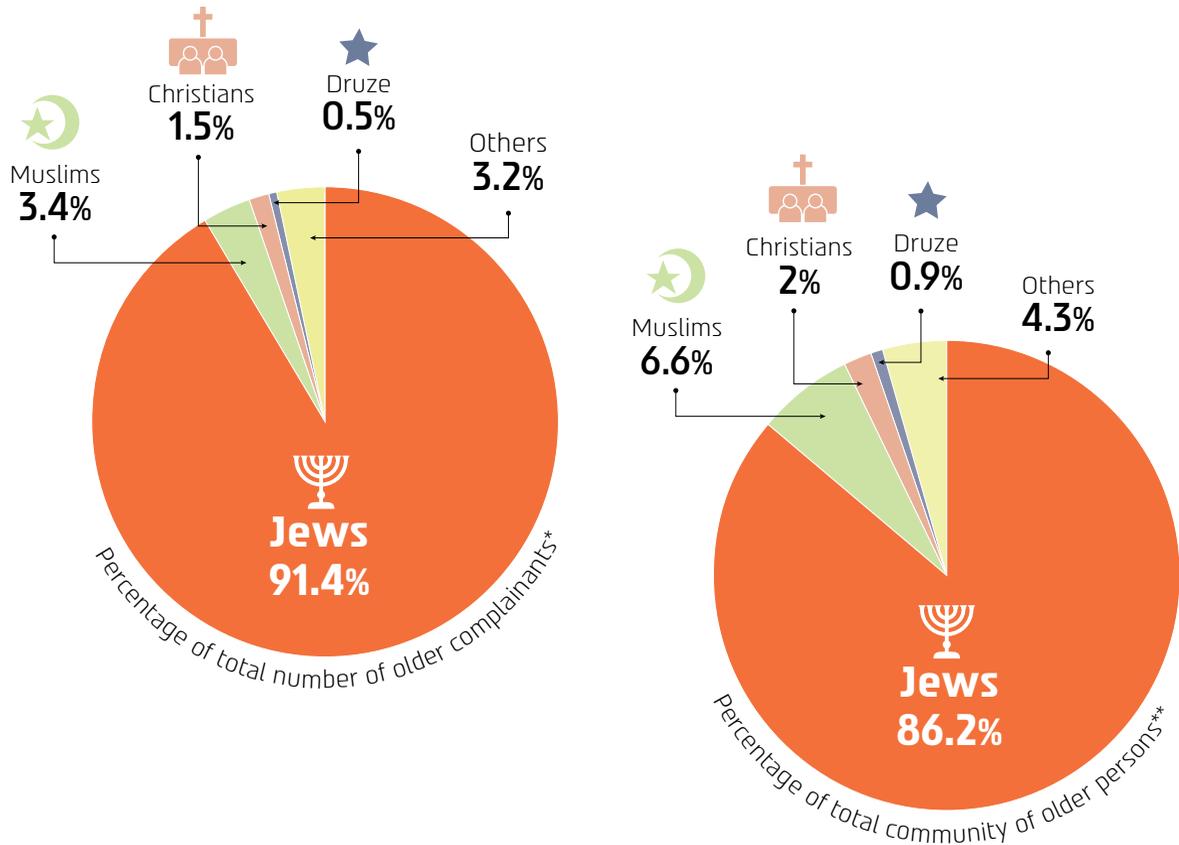
The chart shows that approximately 60% of older complainants have no academic education (holding matriculation certificates only or less), and approximately 40% of the complainants have an academic education.

Chart 5: Marital status of older complainants

According to the Central Bureau of Statistics and processed by the Office of the State Comptroller.

The chart shows that approximately 44% of the complainants are single (divorced, widowed or single), and most of the complainants are married (56%).

Chart 6: **Religion of older complainants**



* According to the Central Bureau of Statistics and processed by the Office of the State Comptroller.

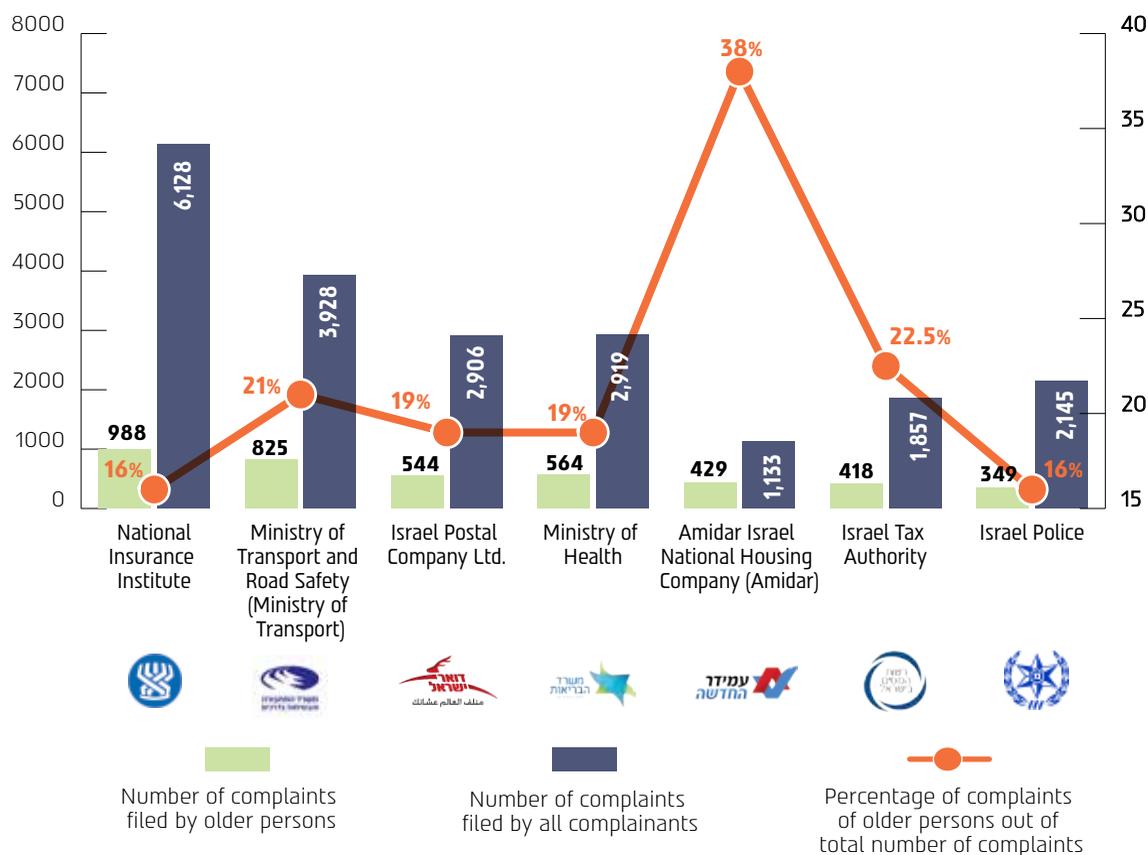
** Source: Central Bureau of Statistics, *Statistical Yearbook of Israel* 73 (2022), Chart 2.3.

The data show that the percentage of Jewish older complainants is higher than their percentage of the overall community of older persons, and the percentage of older Muslim complainants is approximately half their percentage of the overall said community.

Public bodies

Every year the Office investigates complaints about some 650 public bodies. The following chart shows data relating to the main bodies¹⁵ about which older persons complained during the years 2019 - 2021:

Chart 7: Main bodies about which older persons complained, number of complaints filed by older persons and their percentage of the total number of persons complaining about these bodies



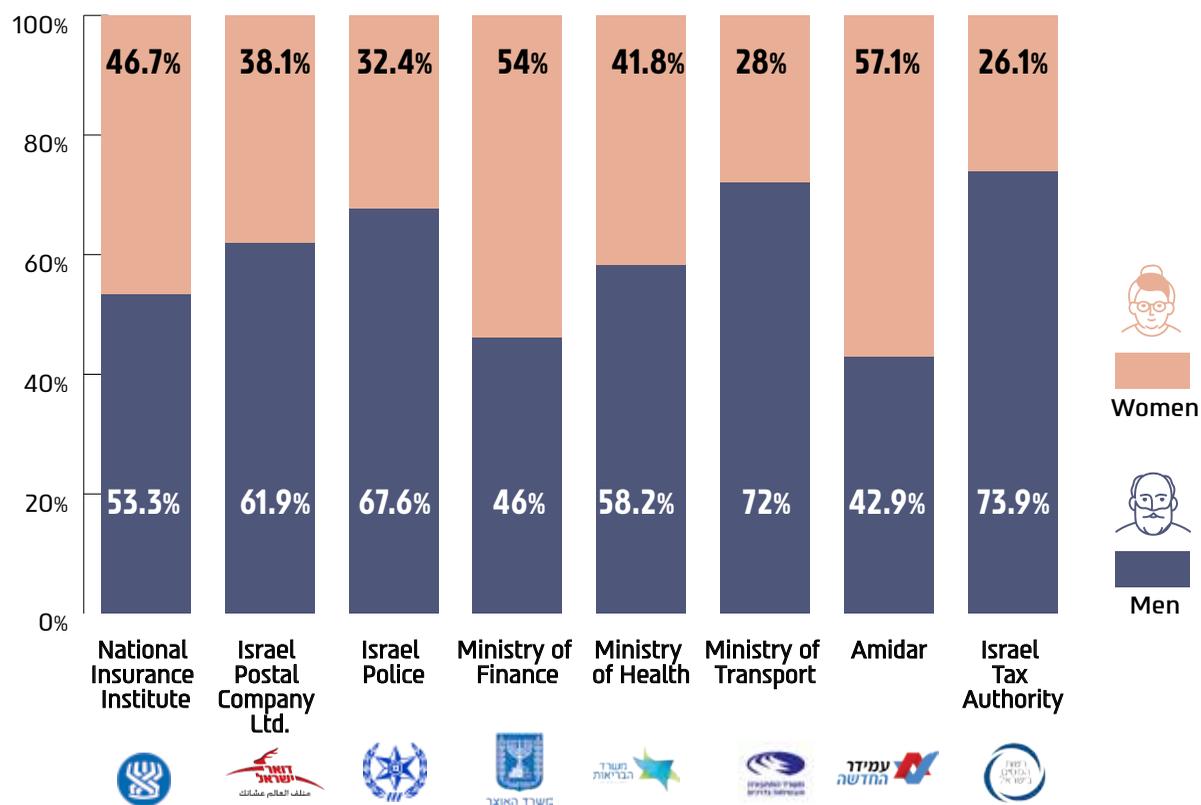
¹⁵ A main body is a body against which more than 340 complaints were filed during the period under report.

It should be noted that the four main bodies against which the highest number of complaints were filed by older persons during the period under report are consistent with the four main bodies against which the highest number of complaints were filed in general during the years 2019 - 2021.

A discrepancy was found between the bodies with regard to the gender of the older complainants.

See the following:

Chart 8: Gender and public bodies

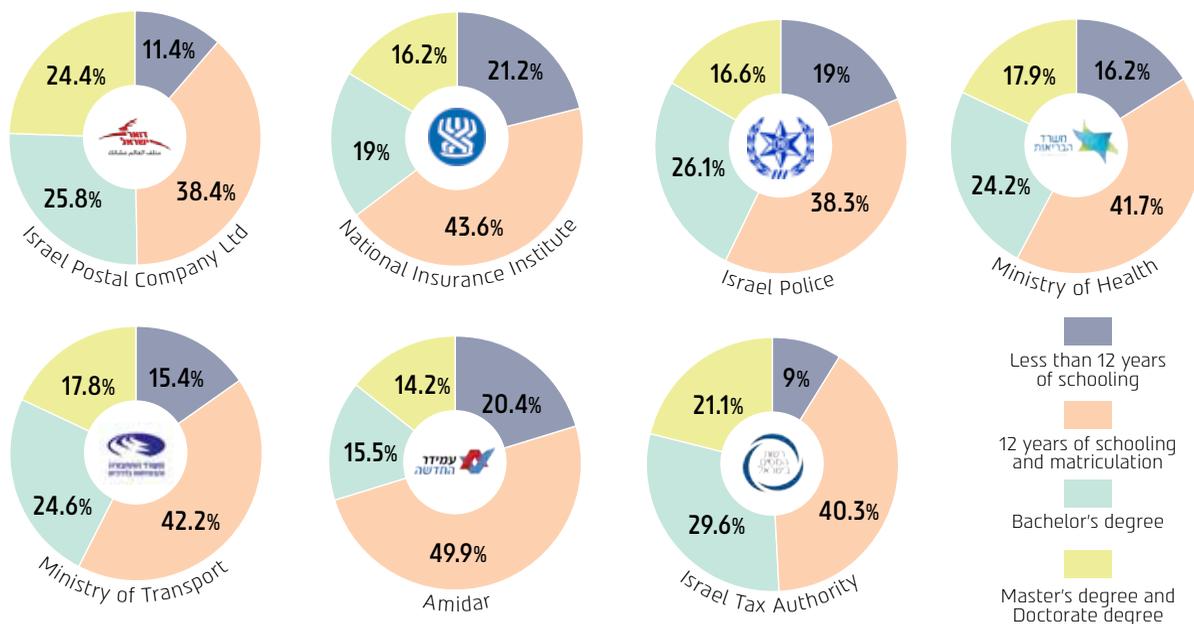


According to the Central Bureau of Statistics and processed by the Office of the State Comptroller.

The chart illustrates that the greatest discrepancy between men and women is in the complaints against the Ministry of Transport and the Israel Tax Authority (approximately 73% of the complaints against these bodies were filed by men, and approximately 27% of the complaints by women), and that women complained about Amidar more than men. The finding about Amidar is consistent with the finding that out of the total number of complainants, women complain more about housing and accommodation than men¹⁶.

A discrepancy between the bodies was also found with regard to the education level of the older persons complaining about them. See the following:

Chart 9: **Education level and public bodies**



According to the Central Bureau of Statistics and processed by the Office of the State Comptroller.

¹⁶ Office of the Ombudsman, Annual Report 48 (2022), p. 51 (in Hebrew only).

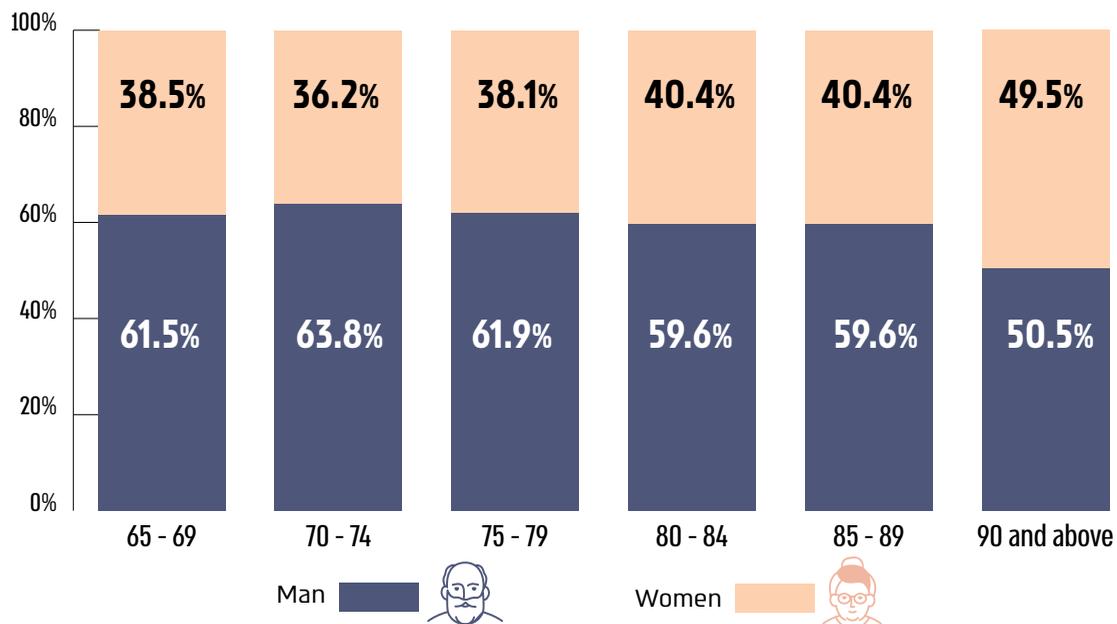
The data show that the least educated persons complain mainly about Amidar and the National Insurance Institute, bodies that render service for the sector of the population that is most in need.

In-depth analyses of the characteristics of older complainants

A comparison of the different categories allows us a deeper understanding of the older persons turning to the Office of the Ombudsman. The following charts detail some of the in-depth analyses conducted in this matter.

Age, gender, marital status, education level and manner of filing complaints

Chart 10: **Age and gender**



According to the Central Bureau of Statistics and processed by the Office of the State Comptroller.

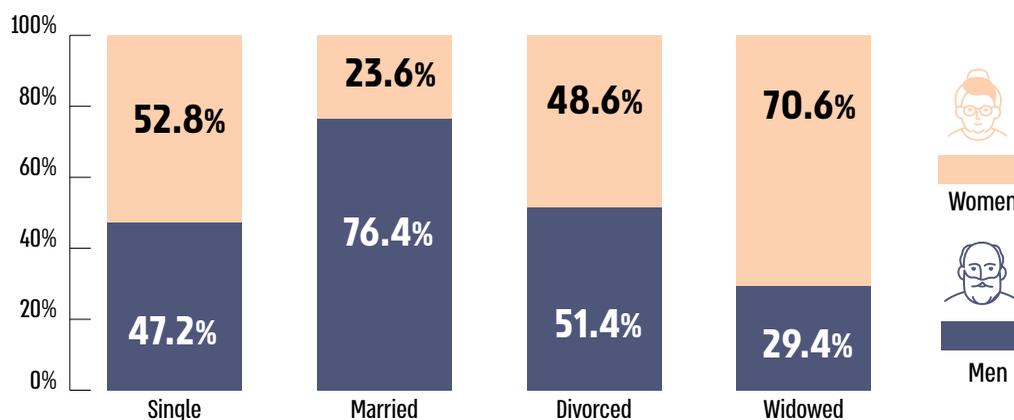
The data clearly show that men up to the age of 90 complain more than women of the same age (approximately 60% of men as compared with approximately 40% of women). This finding is similar to the breakdown of complainants within the general population¹⁷. However, from the age of 90 and above there is a very small discrepancy between the percentage of male complainants and the percentage of female complainants.

This finding can be explained by the fact that within the community of older persons, there are on average 20,000 more women than men in every age bracket. The exception to this is the 90 and above age bracket, where the difference between the number of men and the number of women is smaller (there are 14,600 more women)¹⁸.

Another difference between men and women can be found in the connection between marital status and the rate at which complaints are filed.

The following chart illustrates that only 24% of married women filed complaints with the Office of the Ombudsman (as compared with 76% of married men). Notwithstanding, the percentage of single and divorced women who filed complaints with the Office is similar to the percentage of such men.

Chart 11: Gender and marital status



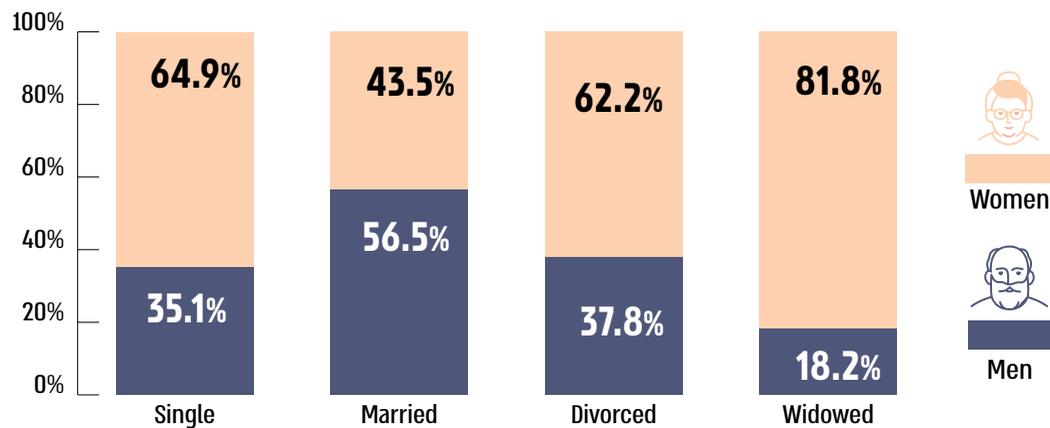
According to the Central Bureau of Statistics and processed by the Office of the State Comptroller.

¹⁷ The percentage of complaints of women in 2021 stood at 41.8%, as compared with 58.2% complaints of men. Ibid., p. 50

¹⁸ Central Bureau of Statistics, Statistical Yearbook of Israel 73 (2022), Chart 2.3.

The chart clearly illustrates that older women who are widowed file more complaints than older men who are widowed in this age bracket. This finding is consistent with the fact that the percentage of widows among all older women is much higher than the percentage of widowers among all older men. See the following chart:

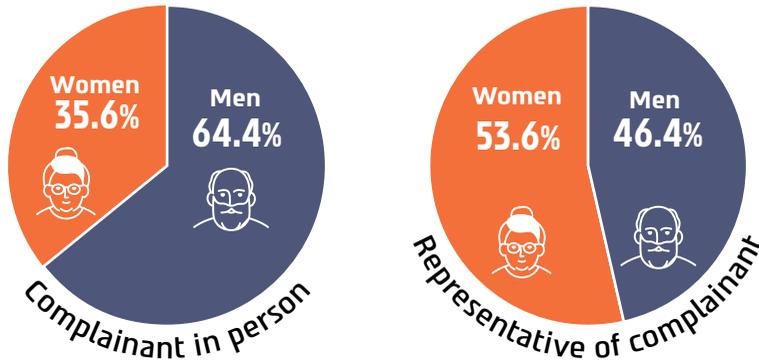
Chart 12: Overall community of older persons - gender and marital status, 2021



Source: Central Bureau of Statistics, *Statistical Yearbook of Israel 73* (2022), Chart 2.4.

A further difference between older men and older women can be found in relation to the filing of complaints by representatives. The percentage of women who file complaints via representatives (54%) is higher than the percentage of men who file complaints via representatives. In contrast, the percentage of men who complain by themselves (65%) is higher than the percentage of such women.

Chart 13: **Gender of complainant and identity of person filing complaint**

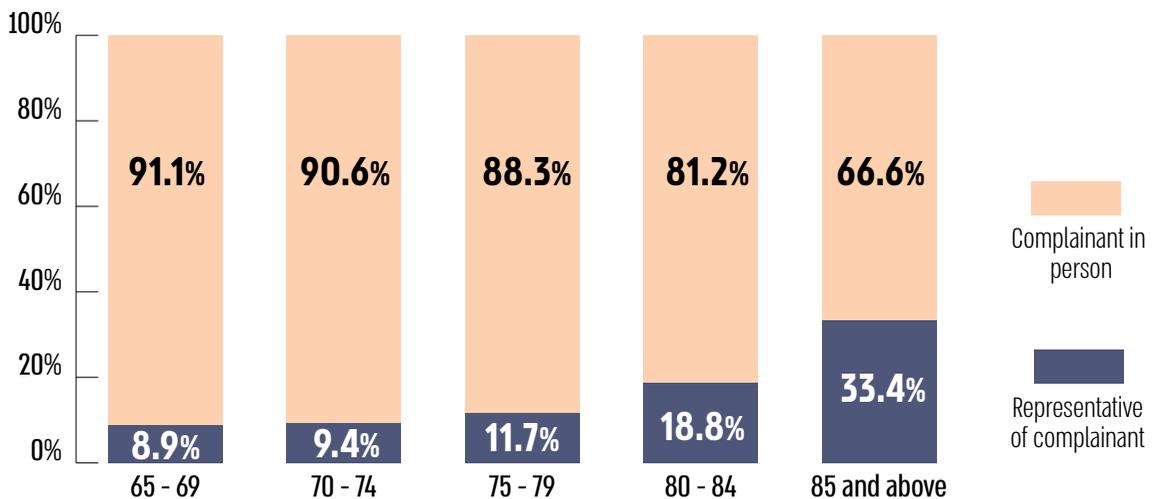


According to the Central Bureau of Statistics and processed by the Office of the State Comptroller.

Regarding the breakdown of the use of representatives by the complainants' age, it was found that the older the complainant, the greater the use of a representative for filing a complaint.

See the following chart:

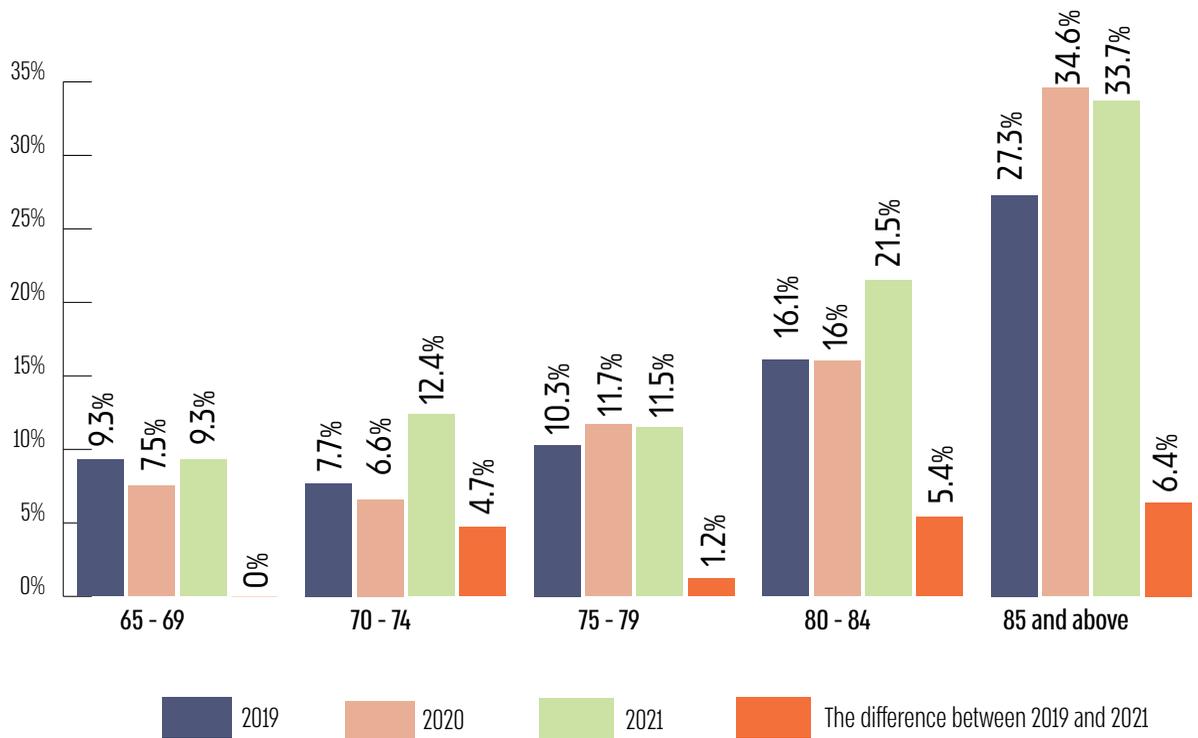
Chart 14: **Age of complainant and identity of person filing complaint**



According to the Central Bureau of Statistics and processed by the Office of the State Comptroller.

An interesting finding is that between the years 2019 - 2021, during the Covid-19 pandemic, the use of representatives increased in every age bracket of older complainants, except in the 65 - 69 age bracket. See the following chart:

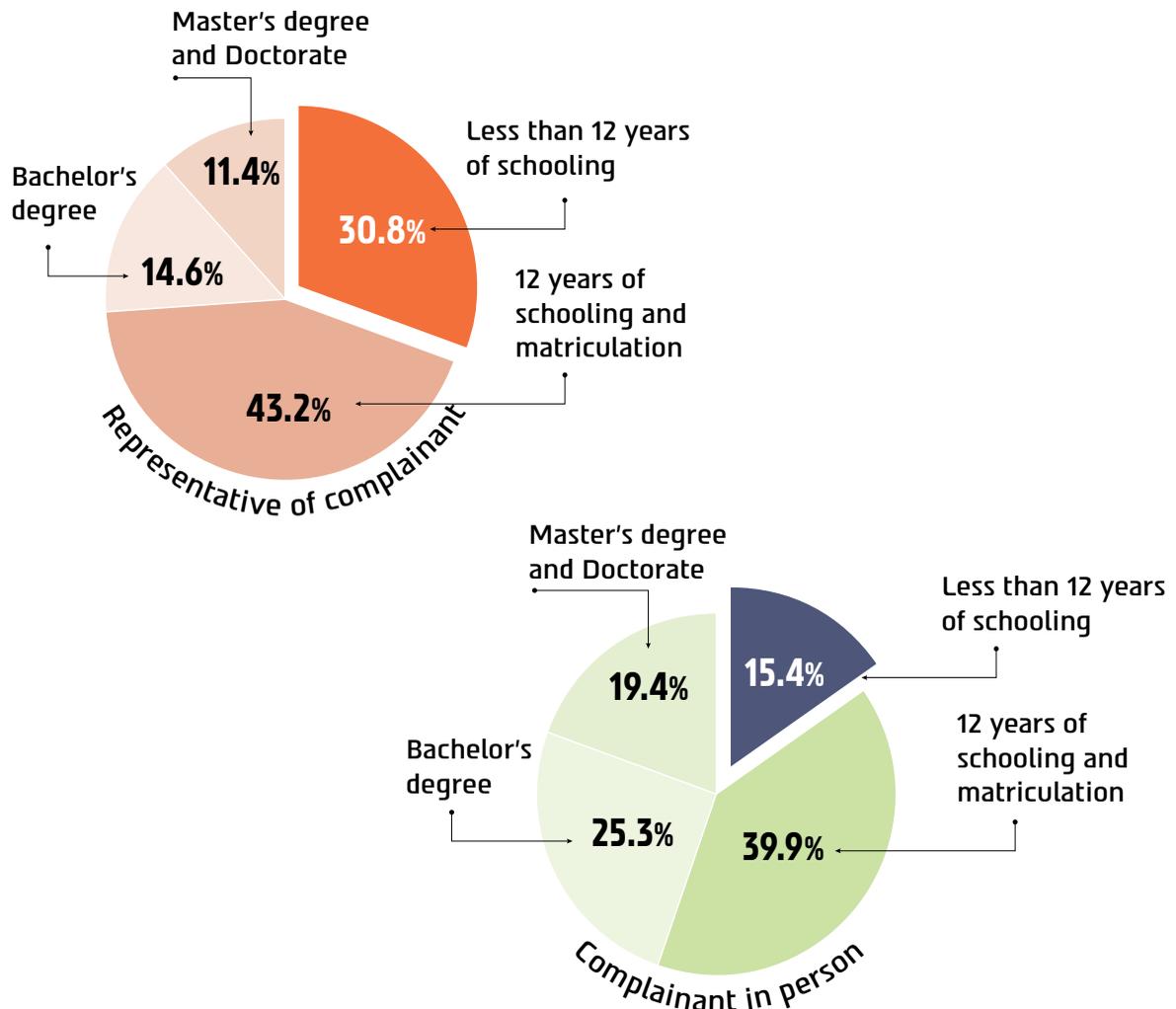
Chart 15: Percentage of complainants using representatives, 2019 - 2021



According to the Central Bureau of Statistics and processed by the Office of the State Comptroller.

It was further found that persons lacking academic education more often seek the help of representatives than do persons who have an academic education. See the following chart:

Chart 16: Complainant's level of education and identity of person filing complaint



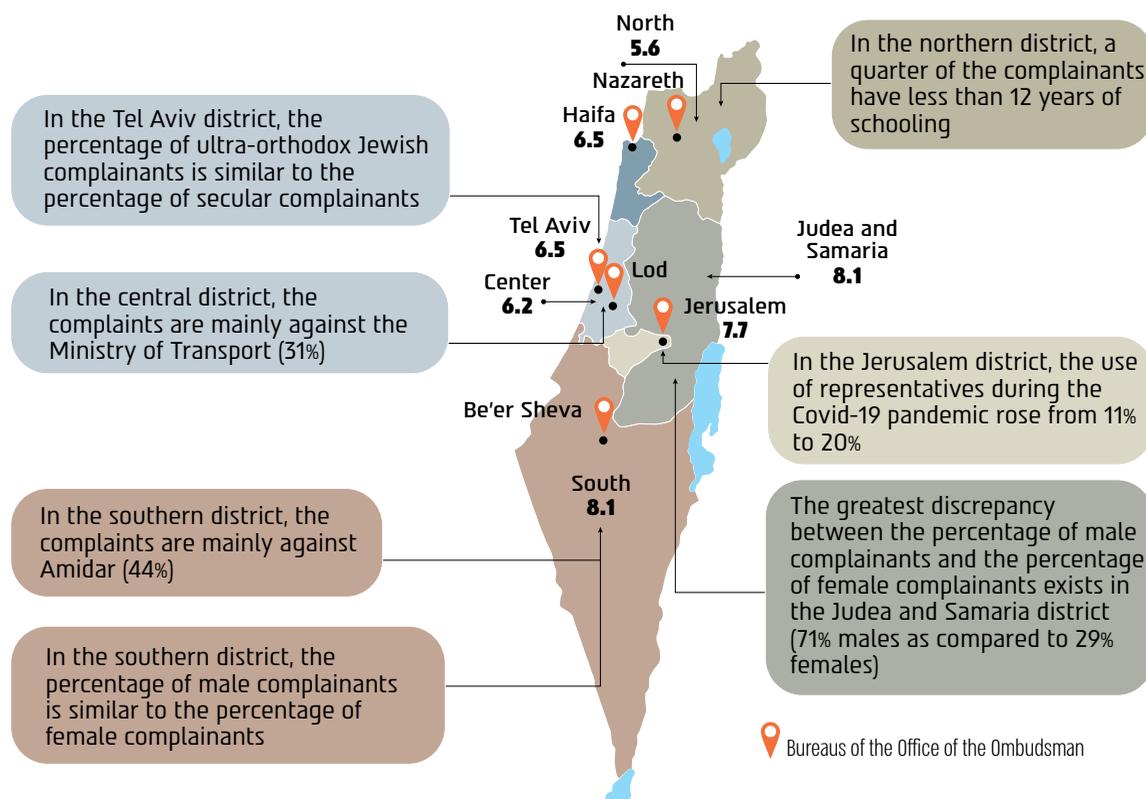
According to the Central Bureau of Statistics and processed by the Office of the State Comptroller.

Characteristics of complainants by nationwide distribution

A breakdown of the complaints by place of residence reflects to a large degree the awareness of the residents as to their rights and their ability to exercise them. The regional bureaus of the Office of the Ombudsman serve the segment of the population living in the periphery, and they receive the public on a daily basis¹⁹.

The following chart shows the number of older complainants per 1,000 residents who filed one or more complaints between 2019 and 2021:

Chart 17: Number of older complainants per 1,000 residents, according to district



According to the Central Bureau of Statistics and processed by the Office of the State Comptroller.

¹⁹ There is reception of the public at all the bureaus of the Office - in Haifa, Tel Aviv and Jerusalem, as well as at the regional bureaus in Nazareth, Lod and Be'er Sheva.

Vulnerable communities - Holocaust survivors and persons in need of welfare services

The following is a presentation of data on older complainants who are Holocaust survivors and data on older complainants who are in need of welfare services

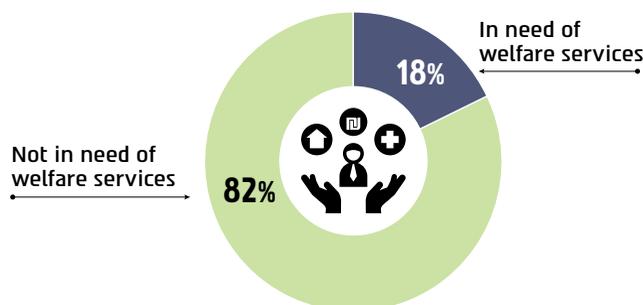
Holocaust survivors

It was found that 13.2% of older complainants during the period under report were Holocaust survivors.

An interesting finding relating to this community is that approximately a quarter (23.2%) of the older complainants who had heard about the Office on the radio were Holocaust survivors²⁰. In this context, it should be noted that Russian-speaking staff of the Office are interviewed in a fixed slot on Reka radio, which serves Russian speakers; during the interviews, the staff tell the listeners about different complaints in which the Office succeeded in helping the complainants. The data disclose that this form of publicity increases the exposure of the Office to Holocaust survivors.

Persons in need of welfare services

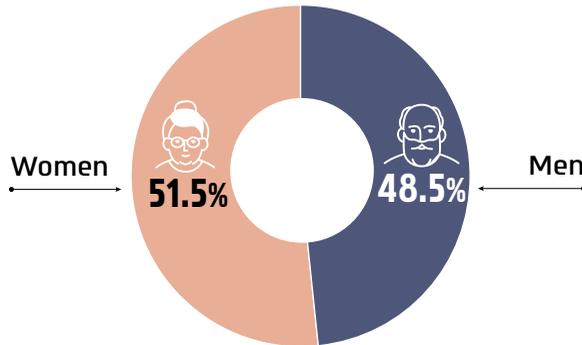
Chart 18: **Percentage of older complainants in need of welfare services**



According to the Central Bureau of Statistics and processed by the Office of the State Comptroller.

²⁰ Further details relating to the Office's outreach to older persons can be found on pp. 134 - 140.

Chart 19: **Gender of older complainants who are in need of welfare services**



According to the Central Bureau of Statistics and processed by the Office of the State Comptroller.

The chart illustrating the gender of older complainants who are in need of welfare services shows that the percentage of female complainants is similar to the percentage of male complainants. This finding is inconsistent with the data relating to the gender of the overall community of older complainants, according to which men clearly complain much more than women²¹.

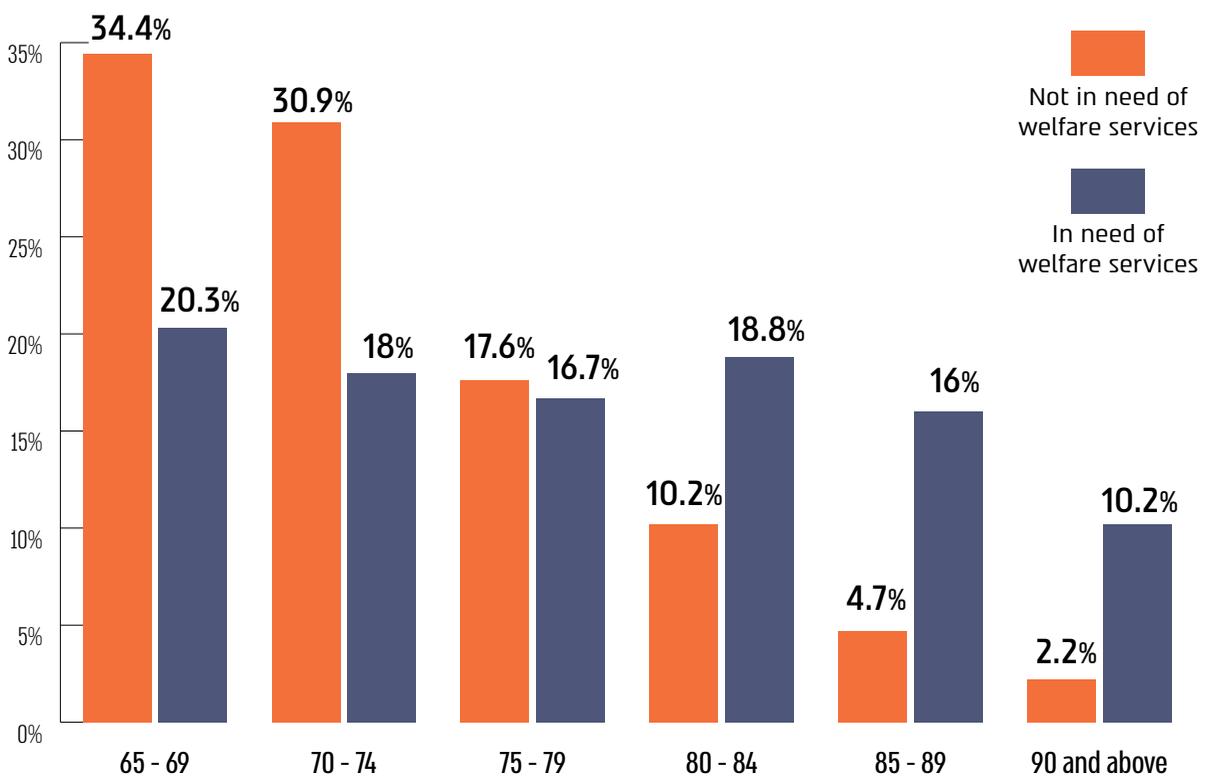


With regard to the gender of older persons who are in need of welfare services, it was found that the percentage of female complainants is similar to the percentage of male complainants

²¹ See Chart 2 above.

Regarding the age of older complainants who are in need of welfare services - it was found that the percentage of older complainants who are not in need of welfare services decreases as the complainants get older. In contrast, the percentage of complainants who are in need of welfare does not change significantly as the complainants get older. See the following chart:

Chart 20: **Percentage of persons in need of welfare services according to age**

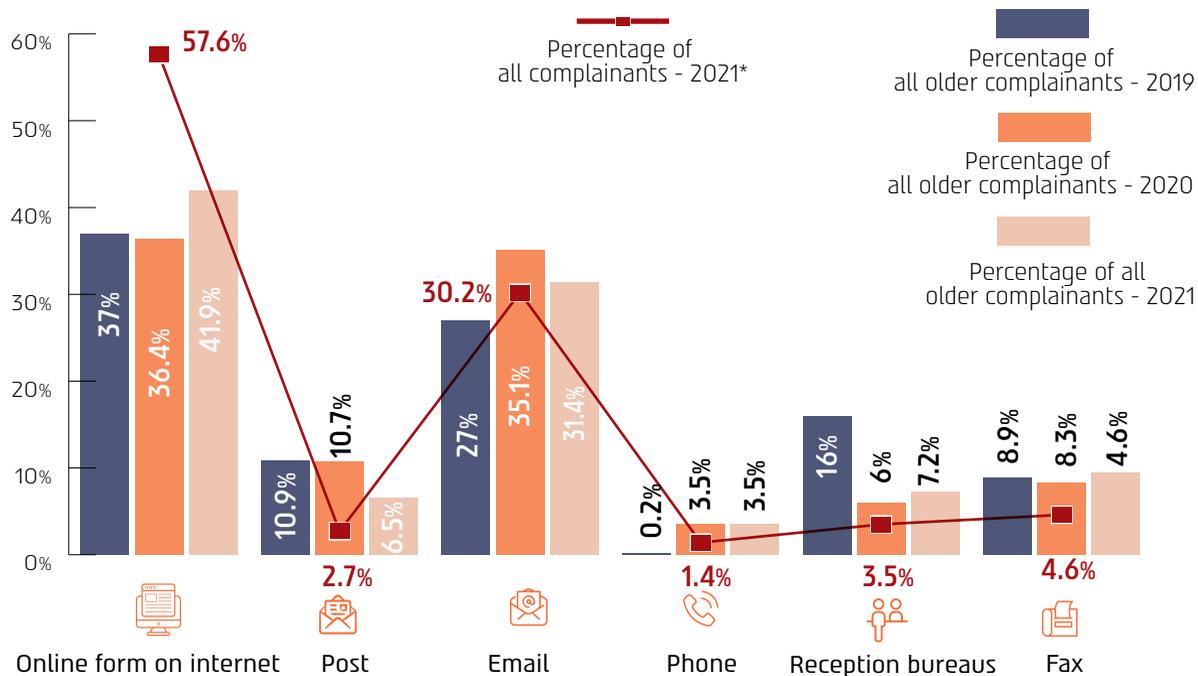


According to the Central Bureau of Statistics and processed by the Office of the State Comptroller.

Ways of filing complaints and "how you heard about us"

In order to make the possibility of filing a complaint as accessible as possible, the Office of the Ombudsman enables the filing of complaints in various ways. With regard to older persons, clear differences can be seen in the ways that complaints are filed, as shown in the following chart:

Chart 21: **Ways of filing complaints, 2019 - 2021**



According to the Central Bureau of Statistics and processed by the Office of the State Comptroller.

* Ombudsman, **Annual Report 48** (June 2022), p. 42 (in Hebrew only).

It is possible to discern a decrease of 49.1% in the percentage of older persons filing complaints via the reception bureaus and by post between 2019 and 2021 - from 26.9% to 13.7%, and an increase (of 13.2%) in the use of the online form on the Office's website. This can be attributed to the Covid-19 pandemic that changed patterns

of behaviour throughout the world and led to the preference for receiving services remotely and making greater use of technological tools. Furthermore, during the lockdowns the reception bureaus were unable to receive the public.

It is interesting compare the way older persons file complaints as opposed to complainants in general. Although the percentage of persons turning to the Office of the Ombudsman via the reception bureaus has decreased since the Covid-19 pandemic, it can clearly be seen that the percentage of older persons filing complaints via the reception bureaus (7.2% in 2021) is twice as high as the overall percentage of complainants visiting the reception bureaus (3.5% in 2021)²².

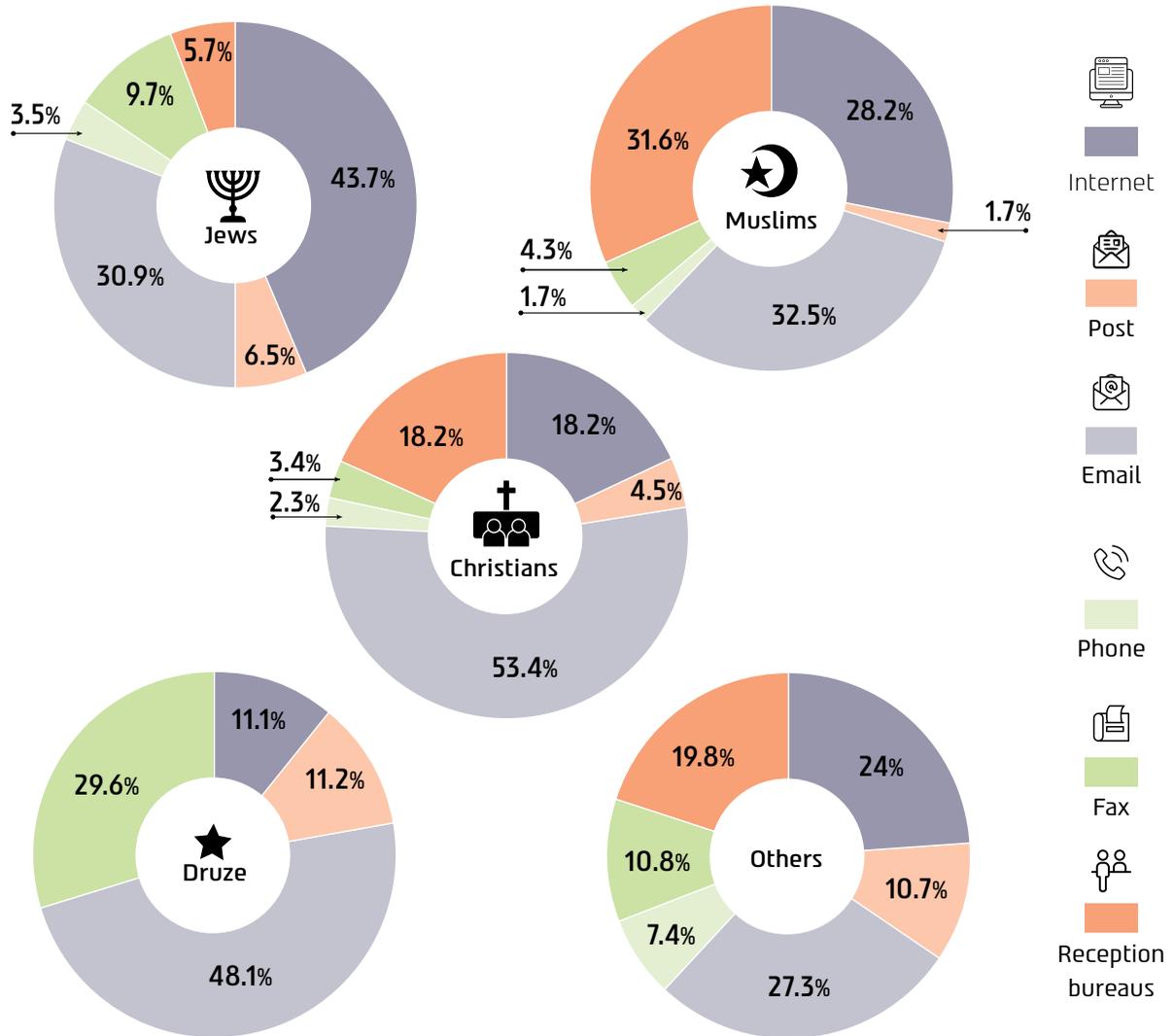
Another interesting finding concerns the filing of complaints by phone. The policy of the Office is that complaints will only be received by phone under exceptional circumstances. It was found that in 2021, 277 complaints were received by phone, of which 143 were complaints of older persons. In other words, half of the complaints received by phone in 2021 were those of older persons.

Furthermore, it can be seen that complainants in general file their complaints mainly via online means, whereas older persons make more varied use of the means provided for the public by the Office in order to file their complaints.

Regarding the breakdown of the ways that older persons file complaints by religion, it was found that Jews most commonly use the online form; Christians and Druze most commonly use email; and Muslims most commonly use email and the reception bureaus. See the following chart:

²² Ombudsman, Annual Report 48 (June 2022), p42 (in Hebrew only).

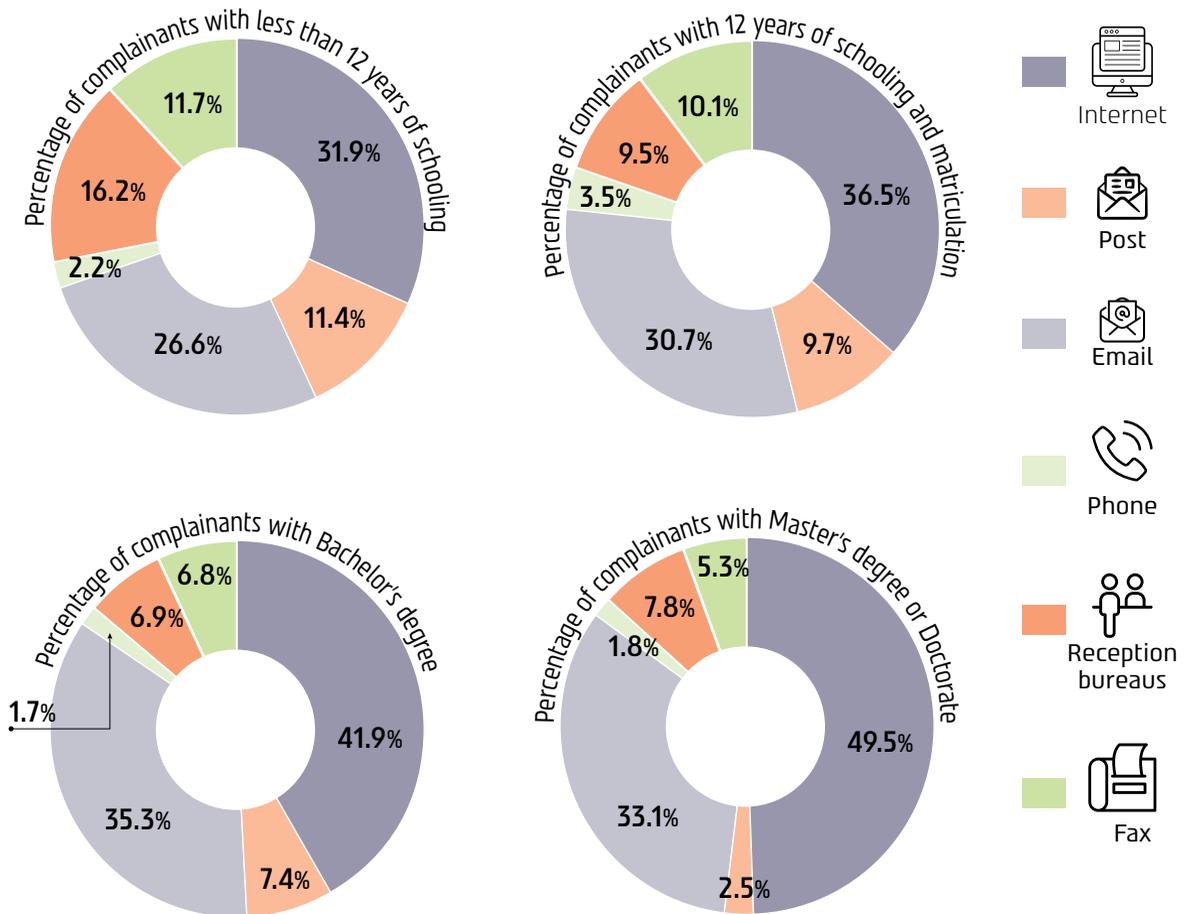
Chart 22: **Ways of filing complaints and complainants' religion, 2021**



According to the Central Bureau of Statistics and processed by the Office of the State Comptroller.

Regarding the breakdown of the ways older persons file complaints by their level of education, it was found that the percentage of complainants with less than 12 years of schooling who filed their complaints via the reception bureaus was twice the percentage of complainants with other levels of education who filed complaints via these bureaus. It was also found that the lower the education level of the complainant, the lower the use of digital means (the online form on the website and email). This illustrates the connection between level of education and attitude towards technological means. See the following chart:

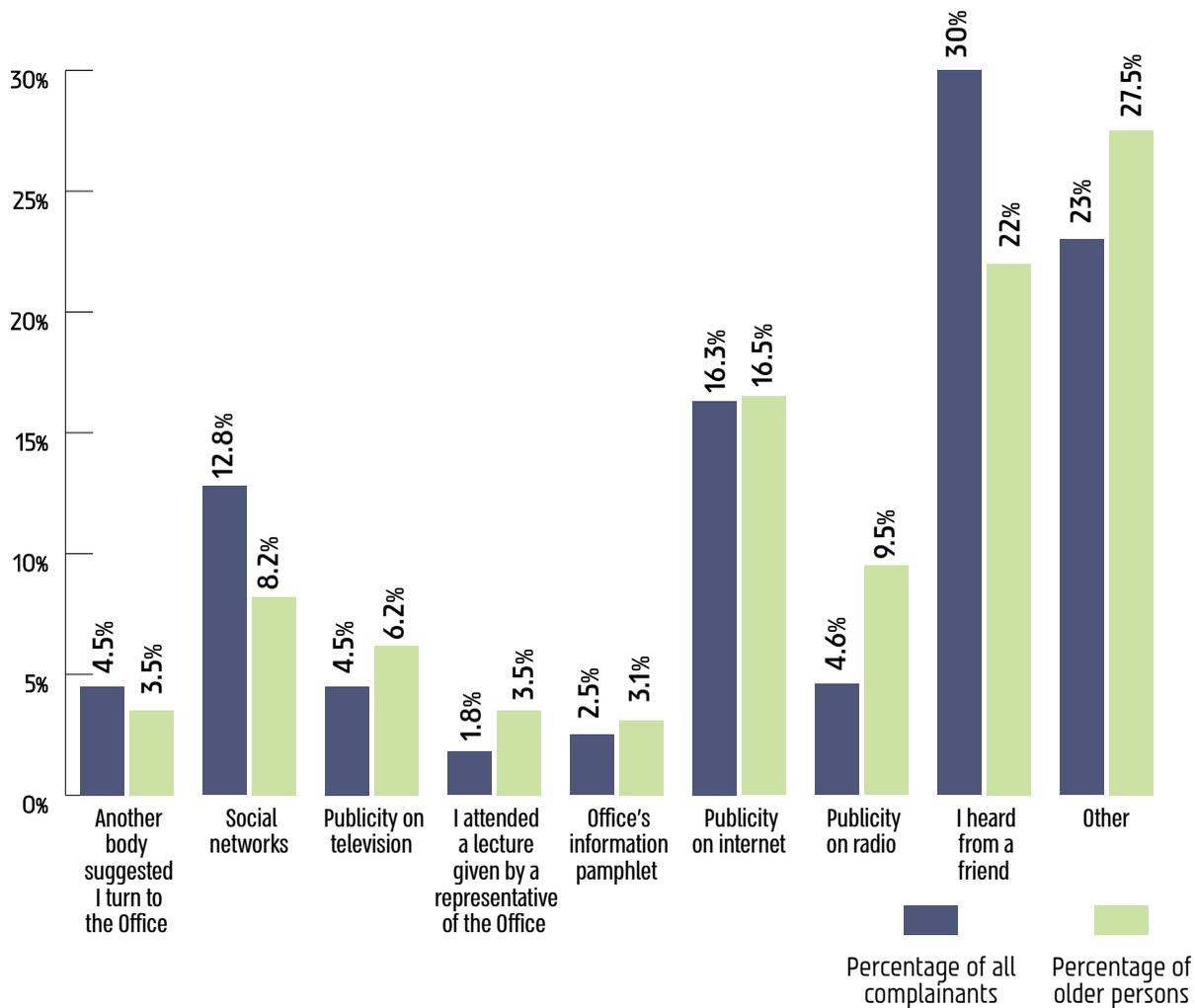
Chart 23: Ways of filing complaints and level of education, 2019 - 2021



According to the Central Bureau of Statistics and processed by the Office of the State Comptroller.

The Office of the Ombudsman attaches great importance to bringing its work to the attention of different communities that may be totally unaware of its activities and its ability to assist in the take-up of rights. The ways in which complainants heard about the Office are therefore examined. The following chart presents the breakdown of complainants by how they learnt about the Office's activity:

Chart 24: "How you heard about us" - complainants in general and older persons, 2021



According to the Central Bureau of Statistics and processed by the Office of the State Comptroller.

The chart illustrates that approximately 15.7% of older complainants learnt about the Office of the Ombudsman through publicity on the radio and television (as compared with 9.1% of all complainants)²³; and 16.5% learnt about the Office through publicity on the internet. In other words, close to a third of the complainants learnt about the Office as a result of the marketing activities that it initiated.

Furthermore, approximately 7% of the complaints of older persons in 2021 were filed as a result of the direct contact between representatives of the Office of the Ombudsman and the complainants - the physical distribution of an information pamphlet or a lecture given by a representative of the Office.

²³ For more details about the various awareness-raising activities conducted by the Office, including the use of interviews, see pp. 137 - 140.

**Service
Provided for
Older Persons
by Government
Authorities
and Public
Administration**



Public authorities in Israel are heavily involved in the life of the individual and influence daily living. The authorities provide the individual with multifarious services in the different areas of life - health, welfare, infrastructure, personal safety and others. The citizen or resident is frequently required to contact the public body in order to conduct an investigation, file an application, or complain about a problem and request its solution. Individuals attach the highest importance to the handling of their inquiries by public bodies. Good and proper service rendered by a public body enables individuals to exercise their rights in a manner that is optimal and beneficial. On the other hand, bad, offensive or inconsiderate behaviour is likely to harm the rights and well-being of the individual, and is moreover likely to influence negatively public trust in government authorities.

It is thus not surprising that public service is the subject about which the Office of the Ombudsman receives the highest number of complaints each year; in 2021, the percentage of complaints about public service stood at 36.3% of all the complaints received²⁴. It is interesting to note that the percentage of justified complaints about public service (41.5% in 2021) is higher than the overall percentage of justified complaints (34% in 2021).

Public service and older persons

The centrality of the issue of public service is also prominent in the complaints of older persons filed with the Office of the Ombudsman. For example, in 2021 the percentage of complaints of older persons about public service, out of the overall number of complaints of older persons, stood at 32%. In comparison, the second highest percentage of complaints of older persons filed in 2021 were about pensions, and these comprised only 2.9% of the complaints of older persons.

²⁴ Ombudsman, Annual Report 48 (2022), p. 47 (in Hebrew only).

The answers to the questionnaire that the Office of the Ombudsman sent out to ombudsman institutions around the world disclosed that the issue of public service²⁵ holds third place in the matters that older persons complain about to ombudsman institutions.

In Israel, the percentage of complaints of older persons out of all the persons complaining about public service in 2021 (19.1%) is similar to the overall percentage of complaints of older persons out of all the complainants who contacted the Office of the Ombudsman (20.6%). Notwithstanding, the report of the Government Service Improvement Bureau states that the community of citizens aged 65 and above testified to a higher degree of satisfaction with the quality of government public service²⁶ than the other sectors of the population²⁷.

Regarding the service provided by the Office of the Ombudsman itself for complainants, an online satisfaction survey conducted by the Office disclosed that in 2021, 82% of persons aged 65 and above responded that they were satisfied with the treatment and politeness of the Office's staff (as opposed to 77% of all the respondents who answered that they were thus satisfied).

In light of the variety and wide scope of the services rendered by government authorities for the individual, public service is a field that affects all sectors of society. Citizens and residents who require a service, the old and the young alike, frequently experience frustration after failing to receive a service that is of appropriate quality, is given on time or rendered in a proper fashion. The community of older persons is not homogeneous; it comprises people with various characteristics and different capabilities. Notwithstanding, as will be mentioned later, characteristics relating to the advanced age of older persons create unique challenges for people of this age group and confront them with singular hurdles relating to the use of public services. Government authorities must therefore take into account

25 Defined in the questionnaire as follows: "Public service (for example, delays and defects in the handling of inquiries and applications, functioning of call centers and behaviour of public servants)". The other issues were as follows: housing and accommodation; discrimination on grounds of age; transport and accessibility; money and taxes; health services and home care benefits; national insurance and social security. For further details about the questionnaire, see pp. 103 - 112.

26 Government ICT Authority, **Measuring the Quality of Government Public Service - Summary Report for the Year 2018**, p. 67.

27 As well as Russian speakers, people with above-average income and people who made inquiries for a company or business.

the unique characteristics of the members of this community and make adjustments in order to improve their service experience.

This chapter will focus on three types of difficulties relating to the public service provided for older persons, difficulties that negatively affect their service experience. The first type is the bureaucratic barriers and delays in rendering public services. The second type is the digitalization of public service, which generates difficulties for the older community. In this context, it should be noted that even though the digital literacy of the older community has increased in recent years, it is still much lower than the digital literacy of other age groups within the population. The third type is the attitude of public service providers towards older persons, which is experienced by them as offensive and irreverent, related to their age and the limitations that it generates.

Bureaucracy and delays in the provision of service

General

Public administration is a broad, complex and multi-branched organizational framework. In order to coordinate between the many bodies and functionaries involved in decision-making and the provision of public services, and to ensure uniformity and efficacy in the way public administration copes with a range of situations confronting it, it acts in accordance with a complex fabric of directives, processes, forms and methods. Alongside its inherent advantages, the complex and inflexible bureaucracy involved in the interaction with government authorities often generates difficulties for the citizen and the resident who seek to receive a service from them. These difficulties naturally intensify in cases where the circumstances are unique and different from the circumstances that the public servants are accustomed to and which are subject to the rules by which the bureaucratic system functions.

The bureaucratic barriers and difficulties can arise at various points of interface between the citizen and the public authorities responsible for rendering the service - at the stages of determining eligibility, at



The difficulties are exacerbated when there is a lack of coordination between the different public authorities that are required to join forces in handling a particular matter

the stage of providing the public service itself or at the stage where an appeal and complaint are filed against the government action. The hurdles placed by bureaucracy in the path of the individual, which are likely to become barriers, include among other things a demand for the individual to go in person to the offices of the public body, to fill out complicated documents and forms, or repeated demands to provide supplementary information and documents. The difficulties are exacerbated when there is a lack of coordination between the different public authorities that are required to join forces in handling a particular matter. Sometimes the diverse bureaucratic demands require the individual to invest time and mental energy, and even entail financial costs (for example, making the service contingent on the payment of a former debt, the provision of an affidavit signed before a lawyer or a private opinion), thus increasing the "administrative cost" of exercising a right and possibly preventing its take-up²⁸.

An article from 2021 surveyed, among other things, different bureaucratic barriers facing persons receiving disability benefits and income support benefits: communication breakdowns, which led to negative emotions and even to the cessation of the process; outdated technical means²⁹; complicated forms; failed intake of forms; the practice of the system to request the resending of documents that have gone missing or additional documents (a practice coined in the literature "The Lacking Document Syndrome"); and the need to provide a document from a third party who has no obligation towards the person claiming the benefit, this being described as a main bureaucratic barrier³⁰.

Another study conducted by the National Insurance Institute from 2013 examined which factors would encourage benefit recipients to file a claim for a benefit. 86% of the respondents answered that

28 Avishai Benish, Liron David and Merav Fox Sobol, "The Office of the Ombudsman and the Right to Access the Administration in the Welfare State", *Jubilee Publication of the Office of the Ombudsman* (2021), pp. 50 - 51 (in Hebrew only).

29 Noam Tarshish and Roni Holler, "Barriers and Strategies for Rights Take Up: the Perspective of Persons Receiving Benefits from the National Insurance Institute", *Social Security* 113 (2021), pp. 68 - 69. The article also surveys the disadvantages of the information and communications revolution and of the digitalization of public services, arguing that this causes the "digital exclusion" of communities that have no technological competence or access to technology (including older persons). The article also details research showing that even in the period of increasing digitalization, the face-to-face interaction with service providers is very important.

30 *Ibid*, pp. 67 - 72.

they would do this "if the process for claiming a benefit was simpler". Furthermore, the following statements were made in the interviews held in the framework of the research:

"I generally ask people to help me fill out the forms" (58%); "I have problems understanding forms" (58%); "the staff of government ministries do not give assistance in filling out forms or understanding them" (60%); "I'm afraid of making mistakes when asked to fill out bureaucratic forms" (58%)³¹.

The bureaucratic burden on older persons

Bureaucracy is likely to be exacting on the population in general, and the same is true for older persons. However, there are certain bureaucratic demands that entail particular difficulty for older persons, due to the special characteristics of this age group. For example, the requirement to provide certain documents poses greater difficulty when it pertains to older documents. In addition, extended administrative procedures are more likely to affect persons of advanced age and those whose health is more volatile. Furthermore, sometimes physical and cognitive difficulties that are common to older persons make it difficult for them to engage with the public body and fulfill the bureaucratic demands; whether this is due to the need to go in person to the offices of the different authorities, or the need to monitor closely many details and various documents and forms required in the bureaucratic procedures.

In a study conducted by the Office of the Ombudsman in 2021, which analyzed the discourse of older persons and their relatives on the social networks, concerning the problems of older persons³², it was found that 203 out of 816 posts were about "documents and bureaucracy". 5 posts expressed positive emotions on the subject, 29 posts described grappling with this matter in a neutral manner, and 169 posts expressed negative emotions on the matter.

Older persons turn to the Office of the Ombudsman to receive

³¹ Daniel Gottlieb, "Take Up of Social Rights in Israel, Empirical Evidence", *Social Security* 113 (2021), p. 39.

³² For further details on the research, see pp. 81 - 98.



Photo 1: Awareness-raising activity conducted by the Office of the Ombudsman for older persons

assistance in cases where it is particularly difficult to cope with the bureaucracy. The Office helps them to navigate the bureaucratic intricacies or acts to soften the inflexibility of the bureaucratic demands of the public body, or to cancel them.

The following is a citation from a complaint filed for an 80-year-old woman who came to Israel from Russia as a tourist in April 2022 and applied to the Population and Immigration Authority (Population Authority) to change her status to that of immigrant under the Law of Return. The citation illustrates the experience of the woman who, as a prerequisite for receiving the status of immigrant, was asked to provide the Population Authority with certification that since her becoming a widow, about a year and a half before filing her application, she had not remarried:

"I asked questions as to how it was possible to receive such certification when no relatives remained in Russia and the political situation there did not really allow normative communication with them. We received the answer that it was necessary to ask friends/acquaintances to apply for this certification. Of course, only the original document would be acceptable here. In fact, from the point of view of the clerk, my cousin could fly back to Russia and bring the certification

herself. We said that in Russia, "married" is stamped in one's passport and there is only one such stamp since 1966. The clerk replied that an internal Russian passport is not acceptable in Israel. We went back a second time with a declaration, signed before a notary, that she had not remarried - the document was rejected."

Following the intervention of the Office of the Ombudsman, the Population Authority informed it that the complainant had been granted immigrant status without certification of her marital status, contingent on her undertaking to obtain it in the future. When the complainant managed to obtain the certification, she received permanent immigrant status.

.....(1140415)

The following is a review of some examples of bureaucratic barriers that were disclosed by complaints of older persons filed with the Office of the Ombudsman, and a description of the ways in which the Office helped to remove the bureaucratic tangle. The examples include cases in which older persons were required to grapple with lack of consideration for their situation and age in relation to the provision of the service and the take-up of their rights; cases in which older persons had to cope with bureaucratic failings concerning the intake of applications; and cases where older persons were required to engage with several bodies simultaneously.

Lack of consideration for the situation and age of older persons with regard to the provision of service and the take-up of rights

Sometimes the Office of the Ombudsman receives complaints of older persons about the decisions of government ministries and different public bodies that deprive them of their rights. These decisions entail inflexibility, lack of consideration for the special characteristics of older persons or a failure to pay attention to aspects related to the age of the applicant. When investigating these complaints, the Office expects the public bodies to review their decisions, in order to provide the complainants with a just remedy.

For example, a war veteran aged 94 who had immigrated to Israel in 1995 discovered that the Ministry of Construction and Housing

(Ministry of Housing) had not paid him rent allowance for seven years prior to his filing the complaint. The complainant contacted the Ministry of Housing, which decided to pay him the allowance retroactively for one year only. According to the Ministry of Housing, the complainant had been sent a letter asking him to go to one of the bureaus of the Ministry to fill out forms, in order to ascertain that he was still living at the same address ("life verification letter"); since he had failed to do so, payment of the allowance had been stopped. In response, the complainant contended that he had received no such letter. The investigation disclosed that the Ministry of Housing had no documentation testifying to the sending of the "life verification letter", and its regulation on the matter had in any case expired several years previously and was no longer valid. Following the inquiry of the Office of the Ombudsman, the Ministry of Housing reexamined the matter and decided, in light of the complainant's age and the circumstances of the case, to pay him the full allowance to which he had been entitled for the previous seven years - to the sum of NIS 65,746.

.....(1048630)

In another complaint about the Ministry of Housing, an elderly woman who owns no home complained that her application for rental assistance, which she had filed with the Ministry of Housing via M.G.A.R. Group³³, was not being handled. The complainant had presented all the necessary documents and contacted M.G.A.R. Group over ten times, asking them to handle the matter, but had not received an answer to her application, let alone rental assistance. The investigation disclosed that there had been an unreasonable 20-month delay in handling her application. Following the intervention of the Office of the Ombudsman, the application was approved and it was decided that the complainant was eligible for rent assistance to the monthly sum of NIS 1,040.

The Office of the Ombudsman did not stop here and asked the Higher Accommodation Committee within the Ministry of Housing to consider the possibility of approving retroactive rental assistance for the complainant, but the Higher Accommodation Committee rejected the

33 M.G.A.R. Group Ltd. - Israel Company Information

request. The Office contacted the Higher Accommodation Committee again and asked it to check whether all the relevant facts had been brought before it, including the M.G.A.R. Group's negligent handling of the complainant's original application and her age. The Higher Accommodation Committee subsequently reconsidered the matter and decided to approve retroactive assistance for the complainant to the sum of over NIS 20,000.

.....(1098251)

A further example is the decision of the Ministry of transport and Road Safety (Ministry of Transport) relating to an elderly man who suffers from dementia, is confined to a wheelchair and is in need of long term care. The Ministry of Transport had rejected the man's application for a disabled parking permit granted to disabled persons in need of wheelchairs. The Office of the Ombudsman intervened and referred the Ministry of Transport to the relevant medical documents. A permanent disabled parking permit was subsequently approved for the complainant.

.....(1114826)

Sometimes public authorities oblige older persons to file periodical applications for a certain thing about which a decision has already been reached, even if their situation is not expected to change with respect to the matter at hand. In 2022, the legislator tailored service to the characteristics of older person in its amendment of Senior Citizens Law, 5750-1989³⁴, providing that the discount in municipal tax for older persons will be extended automatically, without the need for them to reapply for it on a yearly basis. The following explanation was given to the law amendment proposal: "There are cases of senior citizens who, for different reasons, are prevented from filing a claim or declaration every year, or are unable to do so, whether because of the effort demanded from them in doing so, or because they have forgotten to handle the matter due to a medical condition that prevents this, or for any other reason. It is highly troublesome



The Office of the Ombudsman intervened and referred the Ministry of Transport to the relevant medical documents. A permanent disabled parking permit was subsequently approved for the complainant.

34 Section 9(d) of Senior Citizens Law, 5750-1989.

for some senior citizens to go in person to the offices of the local government and sometimes this even constitutes a real barrier. Even when it is possible to file the claim on the internet, there are senior citizens who do not know how to do so³⁵. The explanation thus reflects a problem that is common to older persons in the field of citizens' services and the need to tailor them to meet their unique requirements.

The Office of the Ombudsman receives complaints of older persons about the need to file claims for a benefit or right time after time, even if it is obvious that the circumstances justifying granting the benefit or right will not change. For example, older persons claimed in their complaints to the Office that they were forced to file an application for a disabled parking permit with the Licensing Department of the Ministry of Transport on a yearly basis, notwithstanding that their medical condition was not expected to improve. The Office pointed out to the Licensing Department that it was necessary to facilitate the process for issuing disabled parking permits for older persons, and in 2019 the Head of the Licensing Department informed the Office that as part of the measures taken to improve the service, it had been decided to approve permanent disabled parking permits for all persons aged over 75 who were found eligible for a permit³⁶.

Another bureaucratic difficulty facing older persons and their relatives is the demand made by public authorities for certain actions to be performed by the older persons themselves, without allowing a relative to perform the action for them. The health condition of some older persons does not permit them to leave the house to go to the offices of the public authority or fill out forms on their own; the insistence of the public authority that older persons go in person to its offices or fill out forms by themselves is thus likely to affect their ability to exercise their rights.

For example, the Office of the Ombudsman received a complaint about the refusal of Amidar Israel National Housing Company (Amidar) to recognize a notarial power of attorney given by the complainant to his daughter, empowering her to act on his behalf in the procedure

35 Explanation to Senior Citizens Bill (Amendment no. 16) (Automatic renewal of discount in municipal tax payments), 5782-2021, Government Bills 1485.

36 For further details, see Ombudsman, *Annual Report 46* (2020), pp. 81 - 83 (in Hebrew only).

for purchasing the apartment in which he lived. Amidar did not permit the daughter to sign the forms, because of a regulation that provides that the tenant must sign the forms in person at the end of the procedure. Following the intervention of the Office, Amidar notified it that the procedure for purchasing the apartment would go ahead with the daughter representing the complainant, in accordance with the notarial power of attorney, and that at the end of the procedure, when it would be necessary for the complainant to sign himself, representatives of Amidar would go to his house to enable him to do so. In this case, it is possible to see how through the investigation of the complaint, the attitude of the public body changed from inflexibility to a willingness to take the necessary action to make the service accessible to the complainant.

.....(1136900)

In another case, the validity of a 99-year-old man's ID card was about to expire. The complainant's daughter had not managed to make an appointment, within a reasonable timeframe, to renew the card at one of the bureaus of the Population Authority, situated near her father's sheltered housing residence. Due to the complainant's age, his daughter asked to renew the card without the need for her father to go in person to the bureau. Through the help of the Office of the Ombudsman, the daughter learnt of the procedure of the Population Authority that allows a first degree relative to file the application on behalf of an elderly or physically disabled ID card holder. An appointment was subsequently made for the daughter to renew her father's ID card. Shortly afterwards it transpired that the complainant held an old ID card, not a biometric card, and that according to a decision of the Population Authority, the validity of these cards would be extended automatically for two years, without the need to go to a bureau of the Authority. Through the Office's intervention, the Population Authority published information about this decision on its website. Upon the conclusion of the investigation, the complainant's daughter sent a letter of thanks to the Office.

.....(1139320)



Photo 2: Awareness-raising activity conducted by the Office of the Ombudsman for older persons

Confrontation of older persons with bureaucratic failings in the intake of applications

Failings in the intake of forms sent by older persons to public bodies constitute one of the barriers facing them³⁷. In 2021, the Office of the Ombudsman received complaints from older persons against the Ministry of Transport relating to the intake of medical forms required for the renewal of driving licenses³⁸. Many of the complainants claimed that they had sent the medical form required for renewing their license to the Licensing Department's designated electronic mail box, but had received no reply. The Ombudsman's investigation disclosed that older persons had encountered difficulty in sending the required

³⁷ See pp. 42 - 44.

³⁸ In 2021, 224 complaints against the Ministry of Transport were filed concerning the issuing of approvals and certificates by the Licensing Department, as compared with 125 complaints on this subject in 2019 - in other words, a 79% increase in three years.

medical form in a format that was appropriate for the computerized system of the Licensing Department. The Licensing Department had thus cancelled the option of sending this form by email. Following the Office's inquiry, in September 2022 the Ministry of Transport informed the Office that it intended to restore the possibility of sending the medical forms digitally. The Office is continuing to monitor the steps taken by the Ministry of Transport in this matter.

The need to engage with several public bodies simultaneously

One of the barriers causing older persons great difficulty in exercising their rights is the need to engage with several bodies simultaneously in relation to the same matter³⁹. State Comptroller Annual Report for the year 1998, states with reference to this matter that "when requiring the services or assistance of the institutions, older persons and their relatives are faced with a wide spectrum of authorities... older persons and their families do not always know to where and to whom to turn, and they consequently run from one office and organization to the other in search of the appropriate body"⁴⁰.

In the State Comptroller's report on local government from 2022, in the chapter addressing the work interfaces between local government and central government and the use of digitalization, the Office of the State Comptroller emphasized the difficulty in engaging simultaneously with different bodies, including pertaining to discounts in municipal tax, which is an issue concerning older persons to a significant degree. The State Comptroller pointed out that "it can thus be seen that the information about persons entitled to discounts in municipal tax is dispersed among a no small number of bodies... for there is no unified platform where data about the eligibility for discounts in municipal tax are concentrated, and local authorities are forced to conduct work interfaces bearing different characteristics with each of the bodies in order to receive the information". The Office of the State Comptroller pointed out that "embracing the array of data regarding persons eligible

39 For further details, see the Joint Committee on Labor, Welfare and Health and Finance, **Building a National Master Plan in the Field of Old Age** (2019), pp. 23 - 31. Regarding the lack of uniformity between the local authorities in the field of municipal tax discounts, see the Ministry for Social Equality, Department for Senior Citizens, **Annual Report 2020 - Summary of Activity of the Senior Citizens' Call Center *8840** (2021), p. 23.

40 State Comptroller, **Annual Report 48** (1998), "The State's Geriatric System", p. 183 (in Hebrew only).

for municipal tax via a designated digital platform and making data about eligible persons accessible to every local authority, will ensure a more efficient use of the information, will improve work processes and will effectuate the provision of effective, quality service for the resident". The Office of the State Comptroller thus recommended that "the Ministry of the Interior consider the establishment of a digital platform similar to that established by the Water Authority, which will collate the data on persons eligible for municipal tax discounts from all relevant central government sources - the Ministry of Defence, the National Insurance Institute, the Holocaust Survivors' Rights Authority and the Ministry of Aliyah and Integration - and issue a list of eligible persons in all the 255 local authorities, to be forwarded online to the information systems of the authorities"⁴¹.

Where the Office of the Ombudsman discerns that the older complainant is "falling between the cracks", and that the public bodies are shirking responsibility for handling the matter of the complaint, or that cooperation between all the bodies is necessary for dealing with the matter - it ensures that the appropriate body handle the matter of the complaint and rectify it, or it makes certain that all the relevant bodies cooperate to deal with the complaint.

For example, an elderly woman living in a housing cluster in Haifa asked to construct a ramp at the entrance to the cluster, but was confronted with the denial of responsibility of several public bodies, each one claiming that the matter did not fall within its area of responsibility. The complainant pointed out that persons entering the cluster through the entrance situated near the closest bus stop had to climb 12 stairs. According to the complainant, this posed difficulties for the residents of the housing cluster, most of whom were older persons aged over 80, some of whom needed walking frames. The complainant added that over the course of nine years she had contacted several bodies, including the Municipality of Haifa, Amidar, the owners of the housing cluster and the Ministry of Aliyah and Integration⁴², asking to construct a ramp that would connect

41 State Comptroller, *Audit Report on Local Government (2022) - "Work interfaces between local government and central government and the use of digitalization"*, p. 1,430 (in Hebrew only).

42 The residents of this housing cluster include people who immigrated to Israel some 30 years ago and are serviced by the Ministry of Aliyah and Integration.



Photo 3: The ramp that was built in the housing cluster

the said entrance to the building; the ramp however had not been built. The Municipality of Haifa claimed that the area in question was private property and thus not under its responsibility, whereas Amidar referred the complaint to the "cluster owner". Following the intervention of the Office of the Ombudsman, the Ministry of Aliyah and Integration informed the Office that it was coordinating the construction of the ramp with the owners of the housing cluster, and that it was also working to receive the engineering approvals from the Municipality of Haifa. Some three months later the ramp was built, to the satisfaction of the residents.

..... (1021611)

A further example of the confrontation of older persons with the need to provide written approvals and documents from several public bodies can be found in the procedure for receiving a disabled parking permit. As a rule, government ministries and other state institutions, including the Ministry of Health, the Ministry of Welfare and Social

Affairs⁴³ and the National Insurance Institute, examine the medical condition of those applying to them, in order to grant benefits that they are authorized to bestow. With regard to disabilities that affect mobility, the lack of sufficient interface between all these bodies and the Ministry of Transport placed a burden on all persons seeking to receive a disabled parking permit. The reason for this was that in the absence of such an interface, it was necessary to prove anew to the Ministry of Transport the restriction in mobility that justified receiving the permit. In 2019, the Office of the Ombudsman informed the Head of the Licensing Department of the need to improve the work practices of the department and optimize them, including facilitating for older disabled persons the procedure for issuing the disabled parking permit.

Following the inquiry of the Office of the Ombudsman, in 2020 the Ministry of Transport and the National Insurance Institute decided which types and which degrees of disability granted eligibility for a disabled parking permit, without the need to prove this anew. Furthermore, an online interface was established between the Ministry of Transport and the National Insurance Institute, through which the National Insurance Institute began informing the Ministry of Transport whom it had recognized as having the type and degree of disability that granted eligibility for a disabled parking permit. These disabled persons are consequently no longer required to file a separate application for a disabled parking permit with the Ministry of Transport⁴⁴.

In another case, a couple who are senior citizens applied to the Bat Yam Municipality, during the Covid-19 pandemic, for a municipal tax discount granted to senior citizens; they attached to their application a senior citizen's certificate that had been issued by the Ministry for Social Equality. A representative of the municipality told the couple that the certificate that they had attached was not sufficient, and that they had to provide documentation from the National Insurance Institute testifying to their being senior citizens. Since the complainants are in the high-risk group for contracting Covid-19 and during the pandemic avoided going to places crowded with people, they tried to contact

43 In the past, this office was called, among others, the "Ministry of Labor, Social Affairs and Social Services".

44 See Ombudsman, *Annual Report 48* (2022), p. 65 (in Hebrew only).

the National Insurance Institute by phone in order to receive the required documents, but were unsuccessful. In their complaint to the Office of the Ombudsman, they contended that it was unreasonable that the municipality was not satisfied with the certificate issued by a government ministry, as was the expectation that in their condition they should run around trying to obtain documents proving that they were senior citizens. In response to the Office's request, the municipality stated that it would check if the complainants were automatically entitled to a discount; the municipality subsequently informed the Office that the complainants had indeed been eligible, since 1.1.19, to the 25% discount that is granted to persons receiving old age pension. The municipality added that since the discount is not contingent on the filing of a claim, but is granted on the basis of lists that it receives from the National Insurance Institute, the demand for the documents was indeed unnecessary. Following the case, the procedures relating to the matter were clarified in order to prevent a reoccurrence of similar cases. The couple received the discount retroactively, to the sum of NIS 2,043.

.....(1102753)

Impact of digitalization of public service on older persons

In recent years, public authorities have been making increasing use of digital means in their interaction with the public. This is reflected in the possibility of contacting public bodies via their websites and apps, and of providing documents and paying for services by digital means. The digitalization process was accelerated to a considerable degree during the Covid-19 pandemic, due to the extended lockdowns that restricted physical movement. This process is not unique to Israel; it is typical of many countries that went through the crisis⁴⁵.

The transition to accessible technology and to digital means makes it possible to bridge physical, geographical and financial divides and to render fast, effective, economical and precise services, eliminating the need to go in person to the bureaus providing the service. Notwithstanding, this transition requires end users to have digital literacy, as well as an understanding of and access to equipment that they possibly do not have. This generates an undesirable situation whereby communities with low digital literacy are not likely to exercise their rights.

Digital literacy includes the ability to work effectively with different computer programs and apps, to surf the internet, to save documents in an accessible manner, to document actions, and others⁴⁶.

The community of older persons is not homogeneous; it comprises different groups of people with various characteristics and capabilities⁴⁷. For example, there are older persons who make no use at all of digital means, whereas others make regular use of them. Nevertheless, even many of those who have access to digital means encounter differing degrees of difficulty in the digital environment⁴⁸.

These difficulties do not always receive the necessary attention, and sometimes the Office learns of them from the investigation of a different matter. In one case, an elderly 90-year-old man with a hearing



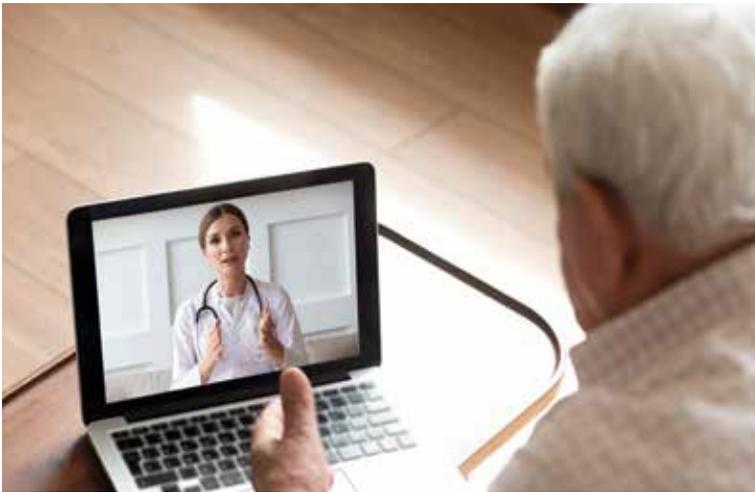
even many of those who have access to digital means encounter differing degrees of difficulty in the digital environment

45 IDB, "Public Services and digital government during the pandemic" (2021).

46 Joint Israel, "The digital divide and digital literacy among older persons in Israel - Review" (2017)

47 With regard to the characteristics of older complainants, see pp. 15 - 19.

48 Footnote 45 above; see also Sofia Alexopoulou, "The portrait of older people as (non) users of digital technologies: A scoping literature review and a typology of digital older (non) users", *Gerontechnology* 19(3), (2020) pp. 1 - 15 (2020).



impediment complained about a particular matter, and in the course of the investigation of the complaint it became apparent that he was unable to use digital means and thus had no communication with public bodies during the Covid-19 pandemic. Another complaint disclosed that the complainant did not receive her municipality tax bills by post, but was unable to make an appointment with representatives of the municipality, since making the appointment required using online means.

It should be noted that the difficulty encountered by citizens in making contact with public bodies because of the too hasty transition to digital means is not unique to Israel, and occurred in many countries where the interface with the public authorities underwent rapid digitalization. For example, in Portugal the Ombudsman recommended providing alternatives to signing forms digitally, following the complaint of a person who did not know how to use this digital means⁴⁹. In the Province of British Columbia in Canada, the Ombudsman handled the complaint of a person who was hard of hearing, whose application to the Council for Employee Compensation

49 PROVIDOR DE JUSTICA, "Digital signature. Ombudsman warns that Public Administration services must provide alternative means for citizens (2021). <https://www.provedor-jus.pt/en/digital-signature-ombudsman-warns-that-public-administration-/services-must-provide-alternative-means-for-citizens>

In this context, it should be pointed out that in the office of the Portuguese Ombudsman, there is a hotline serving older persons - PROVIDOR DE JUSTICA, "International Day of Older Persons. Health is the most recurrent theme in requests for assistance received by the Senior Citizens' Hotline" (2022). <https://www.provedor-jus.pt/en/international-day-of-older-persons-health-is-the-most-recurrent-theme-in-requests-for-/assistance-received-by-the-senior-citizens-hotline>

was not registered due to the complainant's lack of familiarity with the online interface. Following the case, the Council redesigned its online form, making it more accessible⁵⁰. In the annual report of the Dutch Ombudsman for the year 2019, a whole chapter was dedicated to the topic of digitalization, in which the need to make online interfaces accessible to the entire population was emphasized⁵¹. The Dutch Ombudsman pointed out the need to continue enabling communication with public bodies by phone, in addition to digital means; this he did in the wake of many complaints against bodies that publicized the possibility of contacting them by digital means, but did not state that it was also possible to phone them. In the annual report of the Finnish Ombudsman for the year 2020, it was stated in relation to the handling of the older community and the difficulties encountered by it, that the digitalization of services was likely to endanger the accessibility of this community to them⁵².

The annual report of the Ombudsman for the year 2021 detailed complaints relating to "online services", some of which were filed by older persons⁵³. The report recommends enabling the use of analogical tools and face-to-face meetings for communities so requiring, alongside national initiatives for bridging the technological divide and enabling the acquisition of digital literacy⁵⁴.

In their responses to the questionnaire that the Office of the Ombudsman sent out to ombudsman institutions across the globe, some of the institutions referred to the possibility of contacting them by phone in order to file a complaint or receive instructions on filing a complaint. The Ombudsman of the Tuscany region (Italy) pointed out that in the region it was possible by law to transcribe a phone conversation into a complaint, so that complainants were not required to send emails or letters. In Finland, the Finnish Ombudsman may



The report recommends enabling the use of analogical tools and face-to-face meetings for communities so requiring, alongside national initiatives for bridging the technological divide and enabling the acquisition of digital literacy

50 https://bcombudsperson.ca/case_summary/letter-to-the-editor

51 The National Ombudsman, "Ombudsman for Children and Ombudsman for Veterans Annual Report" (2019), pp. 29 - 31 <https://www.nationaleombudsman.nl/system/files/bijlage/Annual%20report%202019.pdf>

52 Parliamentary Ombudsman of Finland, "Summary of the Annual Report" (2020), p. 158 <https://www.oikeusasiamies.fi/documents/20184/39006/summary2020/2de02ec5-378a-4cf3-8948-89f346b2be3a>

53 For further details regarding complaints which disclosed that the transition to digital means caused great difficulty, and complaints about the failure of certain authorities to establish an interface for communicating with them by digital means, see Ombudsman, **Annual Report 48** (2022), pp.82-89 (in Hebrew only).

54 Ibid, p.88; see also State Comptroller, **Annual Audit Report 71B** (2021), "Acquiring digital literacy throughout life", pp. 233 - 301 (an abstract of the report in English, titled "Teaching Digital Literacy for Children and Adults", can be found on the State Comptroller's website).

investigate the complaint of an older person that was received by phone only, despite the rule prevailing in this country that only written complaints will be investigated. Another creative way of receiving complaints from older persons was established in Croatia, where staff members of the Ombudsman's office visited villages and received complaints from the locals⁵⁵. In this context, it should be pointed out with regard to Israel that in 2021, 50 older complainants stated that they filed a complaint with the Office after receiving an information pamphlet about the Office, and 56 older complainants stated that they filed a complaint after attending a lecture given by staff of the Office of the Ombudsman. In other words, 6.5% of the older complainants in 2021 who stated how they had heard about the Office, responded that they filed a complaint in 2021 in the wake of active awareness-raising activities conducted by the Office. It should be noted that during the Covid-19 pandemic, the Office received complaints by phone, even though in general a complaint to the Office must be filed in writing and in normal times the Office allows the filing of a complaint by phone in exceptional cases only. Furthermore, the Office maintained continuous phone contact with complainants in need of urgent assistance, until they received the assistance required⁵⁶.

The analysis of the discourse on social networks that was conducted by the Office of the Ombudsman highlighted criticism about the move made by Israel Postal Company Ltd. (Israel Post) to allow the fixing of appointments by digital means only and preventing the receiving of face-to-face services in several branches. Furthermore, complaints referred to difficulty in filing documents digitally with the National Insurance Institute and in accessing the health funds' websites.

The analysis of the discourse also disclosed that older persons from the younger age bracket (60 - 69), tend to make more use of social networks, while older persons of more advanced age receive a lot of help from their relatives; in this respect, it was found that approximately half of the posts analyzed (48%) were written by relatives on behalf of older persons⁵⁷.

55 For details on how the filing of complaints by older persons with the Office is made accessible, see pp. 141 - 147.

56 For further details, see Ombudsman, *Special Report no.1 on Investigating Complaints during the First Wave of the Covid-19 Pandemic* (2020), p. 11 (in Hebrew only).

57 17% of the posts were identified as having been written by older persons; in the case of 35% of them, the writer was not identified. For further details on the analysis of the discourse on the social networks, see pp. 81 - 98.

The following is a review of two aspects of the increasing digitalization of public services. The first aspect will focus on the accessibility of digital means to the segment of the community of older persons that has digital literacy to a certain extent; the second aspect will focus on the transition of public authorities to the provision of digital services exclusively, failing to take into account the segment of the community of older persons that is unable to use the services digitally.

Accessibility of digital means

As said, the community of older persons is varied and enjoys differing degrees of digital literacy. A large proportion of older persons do not avoid receiving the services that they require by online means. However, even if they use online services, their digital literacy is lower than that of younger persons, and thus their concerns about using digital means are greater⁵⁸.

In Annual Report 2022 on the subject "Bank of Israel - Digital Banking", the State Comptroller recommended as follows: "Owing to the high percentage of persons encountering difficulties in performing actions via direct channels (31%) and the percentage of older persons lacking digital literacy in Israel (16%), it is recommended that the Banking Supervision Department, together with the banking system, examine the barriers facing older persons when performing these actions and direct the banks to provide targeted assistance for clients encountering difficulties. In this context, it is recommended to check that the systems for performing actions are also user-friendly for persons with only partial digital literacy and easy for them to operate"⁵⁹.

In 2020, the State Comptroller pointed out to the Holocaust Survivors' Rights Authority that its website - which constitutes its main tool for conveying information to the population in general and to Holocaust survivors and their relatives in particular - was not accessible enough and lacked various application forms. The Office of

58 See Joint Israel, *The Digital Divide and Digital Literacy of Older Persons in Israel - Review* (2017), pp. 6 - 7.

59 State Comptroller, *Annual Audit Report* (2022), "Bank of Israel - Digital Banking", p.1,378 (in Hebrew only).



the State Comptroller pointed out that "the transition to the online age wrought a change in the government's perception of service and its interface with the public that it serves. This was reflected in the provision of service by online means and the increase in governmental transparency via the internet in order to share with the public the actions of the government and for the public monitoring of it. However, it is not enough to expose the information to the public if it lacks tools for obtaining the information and understanding its significance. The Office of the State Comptroller recommends that the Authority improve the access to information on its website in order to tailor it to the community of Holocaust survivors". This includes making it possible to find the rights granted to survivors by means of their ID number; formulating a guided questionnaire for examining eligibility in accordance with laws and decisions; making the website accessible in a manner that is more appropriate for older persons; allowing the opening of a complaint application via a computerized form; and enabling the monitoring of inquiries filed via a computerized form or by phone. The Office of the State Comptroller added that "rendering the information accessible will make it possible to reduce the survivors' need of associations that provide voluntary assistance or lawyers who charge a fee"⁶⁰.

⁶⁰ State Comptroller, *Annual Audit Report 71A* (2020), "State Assistance for Holocaust Survivors - Follow-Up Audit", p.699 (an abstract of the report in English can be found on the State Comptroller's website).

Other examples of the need to simplify digital procedures for people who have poor digital literacy were found in the complaints of older persons received by the Office of the Ombudsman. For example, in a complaint that was received in 2022, a pensioner complained about the many difficulties encountered by him in his attempts to perform tax coordination on the website of the Israel Tax Authority (Tax Authority). In his complaint, the complainant contended that the different stages for the protection of information and for identification were unnecessary and complicated the simple action that he sought to perform. In his words: "Why should a man of my age go through the Seven Gates of Hell to perform the simple task of tax coordination?".

.....(1143627)

The difficulties encountered by older persons in using digital services were also found in the analysis of the discourse on social networks that the Office of the Ombudsman conducted. Approximately 10% of the posts relating to the service experience of older persons focused on the digital accessibility of public services. The following are examples of posts expressing frustration at not being able to enjoy the online services given to older persons:



Yesterday I tried to register on the "Tuesdays in Suspenders" website... I didn't succeed. What should I do?



I am shocked by the fact that my mother, who is a senior citizen with a serious illness code, can't manage to send documents, and keeps receiving a message to send them via the website. I myself tried to send them via the website and each time a message popped up saying that there was a problem and to try again later!

In order for all users of the online services provided by public authorities to have a positive experience from using these services, and so that users may enjoy the many advantages inherent in digital accessibility - public services must simplify the digital services and adapt them to all sectors of the population. They must also ensure the increased availability of technical support call centers and minimize the digital divides by providing instruction and courses that are tailored to the different levels. Furthermore, they should continue to allow non-digital means of communication.

Complete transition to digital means

Due to the desire to increase the digitalization of public services, the transition of public authorities to digital means of communication sometimes entails abandoning the means of communication that were previously acceptable - face-to-face meetings and analogical means of communication. This trend is likely to leave behind older persons who do not have access to technical means, or do not have the necessary knowledge or proficiency for receiving the service and exercising their rights.

In 2008, Contacting Public Bodies through Digital Means of Communication, 5778-2018 Law was enacted. This law lays down the obligation to allow communication with public bodies via digital means of communication. Section 2(a) of the law provides that a public body will enable the public to contact it digitally, unless determined otherwise by law; a "digital means of communication" is a technological means chosen by a public body that enables the public to contact it via the website, including by email.

After enacting the law, it became apparent, partly in consequence of the Covid-19 pandemic, that it was necessary to continue enabling physical interaction with the authorities. An Attorney General directive of 2019 determined that providing a digital channel as the only channel for communication was a complex issue that raised serious questions, and that in many cases it would constitute an unreasonable move. The directive also pointed out that under certain circumstances, providing a single digital arrangement for communities that do not have the ability, knowledge or means for using digital means independently would be unreasonable. According

to the Attorney General's directive, the more the service addressed by the arrangement affected the take-up of rights, the less reasonable it was to enable receiving it by digital means only⁶¹.

The law was subsequently amended⁶², emphasizing on the one hand the legislator's aim to enable making contact by digital means⁶³, but on the other hand emphasizing the need to continue allowing a communication channel via fax, for the benefit of people who are not yet used to conducting themselves digitally⁶⁴. It is important to note that the aim of the legislator to leave the option of making physical communication, including by fax, also existed prior to the amended of the law, as can be seen in the explanation to the bill⁶⁵.

The Office of the Ombudsman received complaints from citizens who claimed that they were unable to get used to the digital interface and required traditional forms of communication. For example, a 74-year-old man complained about the refusal of the Tax Authority to send him VAT payment vouchers by post. The complainant claimed that since he did not know how to use the internet, he was unable to convey information to the Tax Authority online. The investigation disclosed that as part of the measures taken for streamlining and saving money, the Tax Authority had decided to stop sending taxpayers vouchers for paying the taxes, allowing them to report and pay taxes online only. Following the intervention of the Office, the Tax Authority sent the complainant the vouchers, and he sent a letter of thanks to the Office.

.....(1096146)

61 Attorney General Directive no 1.2500 on the subject "Guiding Rules for Formulating Digital Arrangements" (10.10.19).

62 Contacting Public Bodies through Digital Means of Communication Law (Amendment), 5781- 2020, Book of Laws 2856, p.16.

63 For example, it was determined that a public body enabling communication with it on a particular matter via fax must allow communication with it on the same matter via digital means as well.

64 Section 2(g) Contacting Public Bodies through Digital Means of Communication Law (Amendment), 5781- 2020.

65 Explanation to the Contacting Public Bodies through Digital Means of Communication Bill (Amendment) (Making Contact via Non-Digital Means), 5780-2020, Explanation to Laws of the Knesset 848.

In another case, a senior citizen complained that the Jerusalem Municipality had made a refund of money to which he was entitled contingent on his filing an online form on the municipality's website. The complainant claimed that he was an elderly man, did not own a computer and did not know how to use the internet.

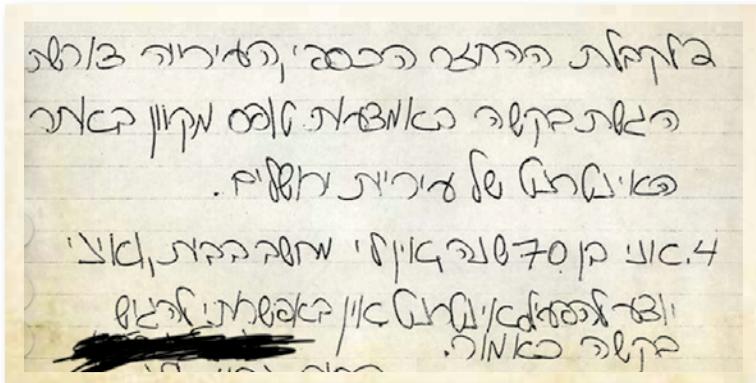


Photo 6: The complainant's handwritten letter of complaint (in Hebrew only)

Following the Office of the Ombudsman's intervention, the Assessment and Collection Division at the Jerusalem Municipality sent the complainant an application form for receiving financial reimbursement, to be filled out by hand. The complainant filled out the form, sent it to the municipality and the municipality reimbursed him with the money. The Office informed the municipality of the need to enable making contact by non-digital means, and the municipality subsequently notified the Office that it had changed its forms and the information appearing on its website, and it now allowed residents to apply for a refund by means of a manual form as well.

Following the investigation, the complainant wrote a thank you letter:

"Re: File no. 1136738

Your letter dated 24 March 2022

Greetings,

I wish to inform you that I received the municipal tax refund from the Jerusalem Municipality.

I would like to thank you for your professional, dedicated and courteous handling of my complaint. There is no doubt whatsoever that the Office of the State Comptroller provides the highest quality of service in Israel.

Kind regards...".

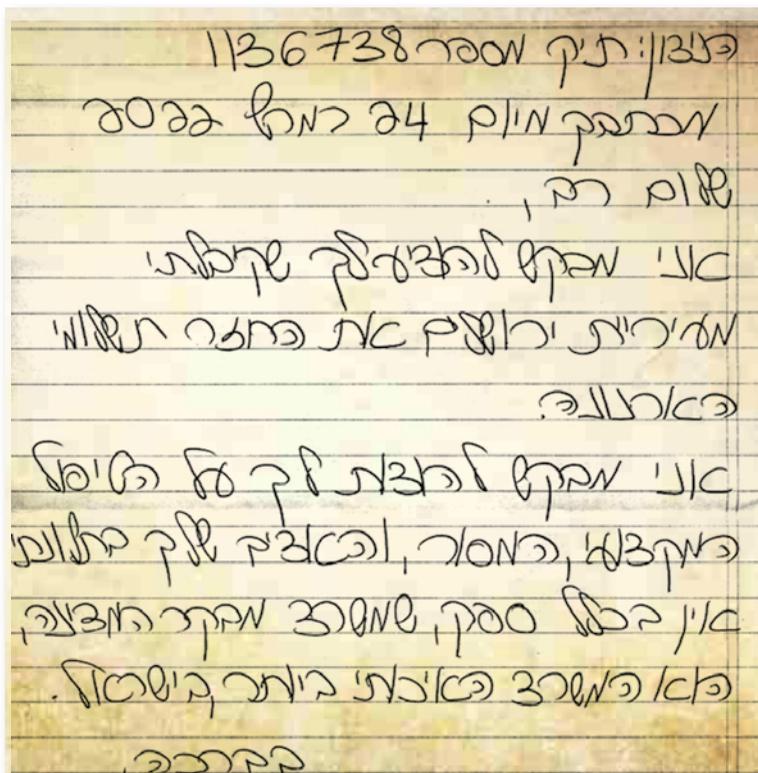


Photo 7: Thank you letter in the complainant's handwriting (in Hebrew only)

.....(1136738)

A further complaint was filed with the Office of the Ombudsman by a 70-year-old woman who is entitled to an "exemption from standing in line" certificate⁶⁶, due to her being in need of long-term care. She complained that the National Insurance Institute had sent her the "exemption from standing in line" certificate to her mobile phone, despite her having asked it to send her a paper certificate since she did not see well and used her mobile phone for conversations only. Following the Office's inquiry, the National Insurance Institute informed it that a paper certificate had been sent to the complainant.

.....(1144860)

The following are examples of posts found in the research on the discourse of older persons on social networks, testifying to the difficulties stemming from the total transition to digital services:



Why is it that an elderly person who wants to update bank account details in order to receive old age pension does not receive service and a person who does not know how to use a computer is sent to your website?



What a disgrace! The CEO of Israel Post should come to a branch of the postal company in Sderot and see the service received by older persons who did not make an appointment on the app!

66 For a review of complaints about exemption from standing in line, see below, pp. 76 - 78.

Denial of service for persons lacking digital literacy

In light of the technological-digital development over recent years, public bodies have started operating systems for making digital appointments, in order to streamline and regulate the times of provision of services in their offices. The transition to a digital system places a burden on people requiring the services of public bodies but are not digitally literate, including older persons. The situation is particularly serious in cases where public bodies do not provide any option for making appointments other than by digital means, thus leaving older persons who do not know how to use these digital means helpless or dependent on the assistance of relatives. This generates a considerable barrier to receiving the service and exercising rights. The complaints received by the Office of the Ombudsman reflect this problem.

In one case, the complainant, an 80-year-old woman, had difficulty making an appointment with the income tax office via the Tax Authority's appointment system. The Office of the Ombudsman informed the complainant of the Tax Authority's response that only people wishing to perform tax coordination needed to make an appointment in advance via the appointment system. The Office pointed out to the complainant that if she wished to receive another service, she was entitled to go to the office and receive the service without prior appointment. The complainant, who indeed wished to receive a different service, went to the income tax office and was received without prior appointment. She subsequently thanked the Office for handling her complaint.

..... (1141319)

In a further complaint, older persons in their 80's complained about not succeeding in making an appointment for a vaccine via their health fund's app or call center. The Office of the Ombudsman asked the health fund to phone them and make them an appointment for the vaccine.

..... (1109792, 1109672)



The transition to a digital system places a burden on people requiring the services of public bodies but are not digitally literate, including older persons

Another complainant had difficulty making an appointment to obtain a passport via the computerized system of the Population Authority. After many attempts (according to her), she turned to the Office of the Ombudsman with the following request: "Kindly check out their systems, and indeed why it is impossible to get an appointment for ordering a passport, especially for senior citizens". Following the Office's inquiry, representatives of the Population Authority phoned the complainant and made her an appointment.

.....(1140059)



Photo 6: Awareness-raising activity conducted by the Office of the Ombudsman for older persons

Derogatory, insensitive or unavailable treatment

Older persons frequently experience hurtful treatment at the hands of public service providers. This treatment often does not stem from a distinct intent to offend the older person, but from a lack of sensitivity or awareness.

As said, such hurtful treatment can emanate unconsciously from prejudice towards older persons. According to a report of the World Health Organization on ageism, this phenomenon exists at different levels of society. A survey conducted between 2010 and 2014, in which over

83,000 people from 57 countries participated, disclosed that at least one in every two persons holds ageism perceptions. These perceptions are widely reflected in the media, in health systems and in the workplace⁶⁷.

The responses to the questionnaire that was sent out by the Office of the Ombudsman to ombudsman institutions around the world disclosed that the issue about which the least number of complaints is received⁶⁸ is prejudice on grounds of age. Notwithstanding, this issue is likely to negatively affect older persons considerably.

The analysis of the discourse of older persons on social networks that was conducted by the Office of the Ombudsman disclosed that complaints about humiliating or derogatory behavior pertained particularly to service providers in hospitals, health fund clinics, Israel Post and Egged Public Transportation Company (Egged). The following is a post found in the course of the analysis of the discourse on social networks, in which the writer expresses dissatisfaction with the treatment he received from one of the health fund clinics:



I received disgraceful and derogatory treatment at the "Green Clinic" after expressing my dissatisfaction with the way they handled my request. The answer I received was that I could leave the health fund. At the clinic there are about 3 women who are generally impatient. At my age of 73, it would be hard to leave the health fund.

67 World Health Organization, "Global report on ageism" (2021).

68 Out of the seven issues addressed in the questionnaire. See above, p. 106

The Office of the Ombudsman also receives complaints about insensitivity and problematic behaviour towards older persons and their situation. It should be emphasized that this is often not a case of malice or conscious disrespect, but a certain behaviour on the part of service providers that older complainants experience as hurtful or not considerate enough. The following is a review of complaints about insensitivity experienced by older persons, a failure to recognize their mobility difficulties and a lack of respect for their right to exemption from standing in line.

Insensitivity towards older persons

Sometimes the attitude of service providers to older persons is not considerate enough of their significant physical or cognitive difficulties. The insensitivity of service providers, together with the physical or cognitive difficulty, are likely to generate complicated problems for older persons and their relatives and affect the take-up of their rights.

For example, the Police gave an elderly man suffering from dementia a fine for crossing the road at a red light. Due to his cognitive condition, he did not inform his wife of the fine that he had received, and she only discovered it when she received fees and payment-demand expenses, with interest on arrears, from the Center for Fine Collection. The wife contacted the Police and the Center for Fine Collection and asked to cancel the fine on the grounds that her husband had been unfit to receive it, but the Police refused her request since it had been filed late.

In her complaint to the Office of the Ombudsman, the wife wrote as follows: "Regardless of the report, we are in any case facing a long and heartbreaking road, full of painful challenges. All that we expect is to be able to have a conversation with a compassionate human being who can understand the situation and help get us out of this difficulty; we hope to get help in revoking the fine completely, but at the very least we wish to know that our voices have indeed been heard".

The Office of the Ombudsman asked the Police to treat the complaint as a request to cancel the fine, taking into account the circumstances of the case. The Police subsequently informed the Office that after

examining the circumstances of the case, the Police prosecutor had decided to cancel the fine.

.....(1092431)

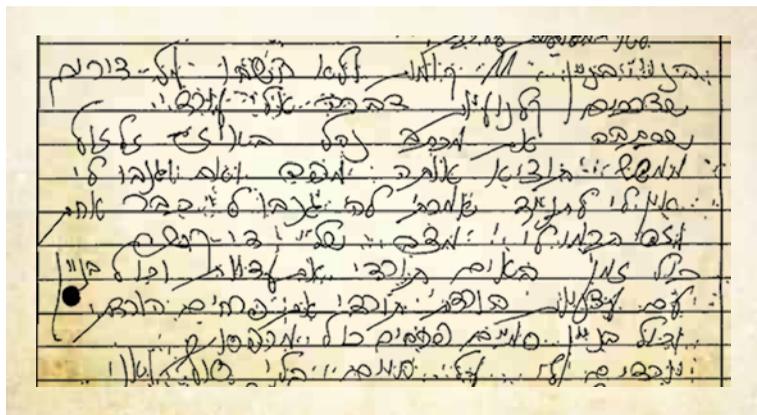


Photo 7: Letter of complaint in complainant's handwriting (in Hebrew only)

In another complaint, an elderly woman who suffers from rheumatoid arthritis, fibromyalgia and high blood pressure complained that Amigour Management of Assets Ltd. (Amigour) was not allowing her to park her mobility scooter in a large room situated on the ground floor of the building in which she lived. In a warning letter that she had received from a lawyer on behalf of Amigour, she was informed that the company would not renew her contract for public housing. According to Amigour, parking mobility scooters within the buildings posed obstacles and nuisances for the rest of the residents, and the Ministry of Housing had started planning the allocation of spaces for the parking of mobility scooters in the hostels. The complainant and Amigour subsequently came to an arrangement for parking the scooter outside the building, and it was agreed that the Engineering Department of Amigour would install a socket for charging the scooter. However, it became apparent that the socket that Amigour had installed was too high, and the complainant was forced to stand on a footstool in order to charge her scooter; she had even once fallen while charging it. Following another inquiry by the Office of the Ombudsman, the socket was moved for the complainant's benefit.

.....(1125361)



Photo 8: Receiving a complaint following an awareness-raising activity

Another complaint illustrating the experiencing of an offensive attitude towards older persons is that of an 89-year-old woman who ascended a bus of the Dan South Bus Company (Dan South) with her carer. They paid for the complainant only, assuming that as her escort, the carer did not need to pay. A ticket inspector of Dan South got on the bus and fined the complainant. According to the complainant and her carer, the inspector treated them in an insensitive fashion and did not explain the matter in a collected manner but "shouted and was exceptionally crude". The Ministry of Transport pointed out that the regulation prohibiting charging entrance fees for a person escorting a disabled person did not apply to public transport services. Notwithstanding, following the Office of the Ombudsman's inquiry, the Ministry of Transport and Dan South cancelled the fine. Furthermore, the Ministry of Transport notified the Office that it had conducted an inquiry with Dan South with regard to the complaint and that the necessary lessons would be learned.

..... (1120326)



following the Office of the Ombudsman's inquiry, the Ministry of Transport and Dan South cancelled the fine. Furthermore, the Ministry of Transport notified the Office that it had conducted an inquiry with Dan South with regard to the complaint and that the necessary lessons would be learned

Failure to recognize mobility difficulties

From time to time, the Office of the Ombudsman receives complaints from older persons about the failure of the authorities to take into consideration their mobility difficulties. Some of the complaints related to the requests made by older persons to Israel Post to allow them to receive their post at a delivery center that was closer to their home. For example, complainants aged 90 and 73 complained that the delivery center where their post was distributed was a long way from their home and that due to their age, it was difficult for them to get there. With regard to one complaint, it was found that there was no closer delivery center; regarding the other, Israel Post notified the Office that the complainant's post would be sent to the delivery center requested.

..... (1117057, 1120011)

The complaints reveal that older persons regard the lack of willingness to take their mobility difficulties into consideration as a show of irreverence and insensitivity towards them.

In this context, one complainant wrote: "I went through all the hardships and joys that befell us here, I did not believe that we would encounter such behaviour and heartlessness on the part of a civil servant". Another complainant stated that this was an "unjust and derogatory act", while another claimed that "this constitutes unprecedented gall... and disrespect towards residents"⁶⁹.

During the first Covid-19 lockdown, the Office received the complaint of an elderly and disabled woman about the insistence of the Population Authority that she go in person to one of the bureaus in order to file a request for the cancellation of a mailing address, in accordance with the Authority's procedures. According to the complainant, since she used a walking frame and the bureau closest to her home was not accessible, it was very difficult for her to go in person to the bureau. Due to the limitations on going out during the Covid-19 pandemic and following the Office of the Ombudsman's inquiry, one of the



**complainants
aged 90 and 73
complained that
the delivery center
where their post
was distributed was
a long way from
their home and that
due to their age,
it was difficult for
them to get there**

⁶⁹ See State Comptroller, Special Audit Report - Public Service in Israel Postal Company Ltd. (2019) (in Hebrew only).

Population Authority's staff took the necessary documents to the complainant's home to be signed by her. The Population Authority received a "Kind Word" from the Office for the good service it had rendered the complainant.

..... (1089724)



Failure to respect the right to exemption from standing in line

The legislator was aware of the difficulties facing older persons in queuing to receive services and laid down in Section 13b(a) of Senior Citizens Law, 5750-1989, that a senior citizen aged 80 and above would be exempt from standing in line. This would be contingent on the presentation of a certificate proving the senior citizen's age. It should be noted that according to Regulation 13 of Equal Rights for Persons with Disabilities (Adaptation of Accessibility to Services) Regulations, 5773-2013, persons with different disabilities are also entitled to an exemption from standing in line for public service, subject to presenting a valid certificate of eligibility; an amendment made in 2022 laid down that Holocaust survivors are also entitled to an exemption from standing in line.

In a complaint received in the second half of 2022, the complainant asked to receive a certificate granting exemption from standing in line due to his difficulty in queuing, despite his being 79 years old and not yet at the age entitling him to exemption under Senior Citizens Law, 5750-1989 (80 years old). In the conversation between the caseworker at the Office of the Ombudsman and the complainant, the latter was informed that he was not entitled to the exemption on grounds of age or disability. Nevertheless, since the conversation disclosed that the complainant was a Holocaust survivor, receiving monthly compensation, the caseworker told him that the Office would check his eligibility for a certificate. The investigation conducted with the Holocaust Survivors' Rights Authority disclosed that since the complainant was a Holocaust survivor, he was indeed entitled to an exemption from standing in line, in accordance with the 2022 amendment to the Equal Rights for Persons with Disabilities (Adaptation of Accessibility to Services) Regulations, 5773-2013. The Holocaust Survivors' Rights Authority stated that it had issued a certificate for the complainant and would send it to his house. The complainant wished to thank the staff of the Office for their handling of his complaint: "I am speechless over your assistance and support - which is not to be taken for granted - until the positive outcome was attained. Thank you, thank you - much health and a Happy New Year".

.....(1147792)

The Office of the Ombudsman receives complaints testifying to a lack of awareness on the part of service providers as to the rights of senior citizens to an exemption from standing in line. In these complaints, older persons express their frustration at the fact that their right to exemption from queuing is unknown to service providers and not respected.

For example, an 83-year-old man filed a complaint with the Office about the rejection of his request to receive a service at the income tax office without waiting in line. It transpired that the staff of the income tax office were unaware of the exemption and believed it was to be granted only upon presentation of a certificate of disability. Following the intervention of the Office and the investigation of another complaint (of a pregnant woman) that was filed against the Tax Authority, the provisions of Senior Citizens Law, 5750-1989 were

brought to the attention of the entire staff of the income tax office. Furthermore, the Tax Authority published a procedure for all its staff pertaining to persons entitled to exemption from standing in line to receive service, including senior citizens aged 80 and above.

.....(1089741)

In a complaint against the Population Authority, the complainant, an 82-year-old man, complained that the Authority had not respected his right to exemption from standing in line when he had visited one of its bureaus in order to receive information for the lawyers' firm that employed him. The complainant was hurt by the treatment he received from the service providers at the Authority and wrote in his complaint: "Madam got up and said to me 'Look what's going on outside, why are you an exception' and left me ashamed and offended, I was hurt by the insensitivity, and as an 82.5 year-old native of the country, at receiving such service. I left the place in pain and am therefore turning to you to handle the matter swiftly and give me a quick answer". The Population Authority claimed that the right to exemption from standing in line is intended for the handling of the personal issues of eligible persons, and not for a service for the eligible person's place of work. However, the State Comptroller and Ombudsman determined that the right is granted to persons aged 80 and over, irrespective of its being used for personal needs or for other needs, provided the right is not abused or used in bad faith. Following the Office's investigation, the Authority instructed its staff to receive senior citizens without their waiting in line. With regard to the complainant, the Authority made an arrangement with him by which he would not need to wait in line, but his requests would be handled outside reception hours, to avoid difficulties in giving service to the other citizens.

.....(1067662)

Summary

The Office handles many complaints of older persons, and a large portion of these complaints deals with the service experience of people from this age group at the hands of government authorities. The special characteristics of older persons pose challenges for them in receiving services, and this is reflected in the complaints investigated by the Office. These challenges are likely to impact negatively the take-up of rights and receipt of service, and in certain situations may even become real barriers. In this chapter, three main types of problems or barriers encountered by older persons were reviewed: bureaucratic burdening, inappropriate digital service and inconsiderate treatment. Several conclusions can be reached from this regarding the way public authorities should act in relation to the provision of services for older persons, and these will be detailed below⁷⁰.

70 See pp. 113 - 147.

**Analysis of the
Discourse of
Older Persons
on Social
Networks
Regarding the
Accessibility of
Public Service**



In recent years, there has been a significant increase in the number of social networks and the quantity of their content. Social networks are becoming the main forum for the public to express feelings, share experiences, consult and attempt to solve problems.

Social networks not only create and enable social ties, but also provide a wealth of data whose analysis contributes to an understanding of trends and contemporary moods.

In 2021, the Office of the Ombudsman conducted an analysis of the discourse of older persons and their relatives on the social networks, on matters concerning the accessibility of public service to older persons (the research or the discourse analysis).

The aim of the research was to give a bigger picture of the ways older persons deal with Israeli public service, beyond the picture reflected in the complaints filed with the Office of the Ombudsman; to identify the bodies to which older persons and their relatives turn in order to solve problems arising from their interaction with the public administration; to learn on which groups of older persons the Office of the Ombudsman must focus the awareness-raising activity that it conducts; and to examine if older persons are aware of the possibility of turning to ombudspersons and commissioners for public inquiries in public bodies in order to receive assistance in exercising their rights, including receiving just service from the Israeli public administration.

This chapter will present the main findings of the research.

Research methodology

The period during which the discourse on social networks was analyzed was from June 2019 to the end of July 2021.

The research methodology chosen included qualitative analyses based on a sample of the discourse disclosed both by a broad search throughout the network (open query) and by a focused search in specific, relevant arenas.

At the data-gathering stage, open monitoring of the discourse on the social networks was conducted via a broad query. The query comprised

relevant key words⁷¹, and included a sample of the discourse⁷² and doubling the posts⁷³. In addition, focused monitoring of the discourse was conducted in arenas where there was a high probability of relevant discourse. At the analytical stage of the discourse, qualitative classification of the posts and relevant responses was carried out, including their classification according to bodies, the essence of the claims, the types of posts and others.

In total 18,395 posts, including noisy posts⁷⁴, were monitored (open monitoring and focused monitoring) via key words, of which 10,167 posts (55%) were sampled. The number of posts that were found relevant to the topic of the research, not including noisy posts, was 559 (5% of the posts sampled). In total, 816 posts were analyzed and classified.

71 The key words included expressions of service and rights take-up, words relating to older persons and words relating to government bodies relevant to them.

72 Mapping of the scope of the discourse and a sample analysis of 50% of the scope of the discourse disclosed by the query.

73 Since half of the posts monitored by the broad query were sampled, the scope of the posts presented in the research followed the multiplication of each post by 2.

74 Content that did not relate to the core topic of the research.

Overall view of the discourse

Social networks

Online social networks are based on the content of their surfers, and their goal is to enable the users to share information, photos and significant events with their friends and with the whole world.

The following are the main social networks in use today that were examined in the research:



Instagram

Accumulation of relevant textual references only



Twitter

All the tweets that were accumulated according to the key words



Forums

Accumulation according to key words of the relevant discourse that took place in different forums on the network



Facebook

Accumulation of posts and comments according to key words that are relevant to the topic of the research



Talkbacks

Accumulation of relevant comments on news items



Blogs

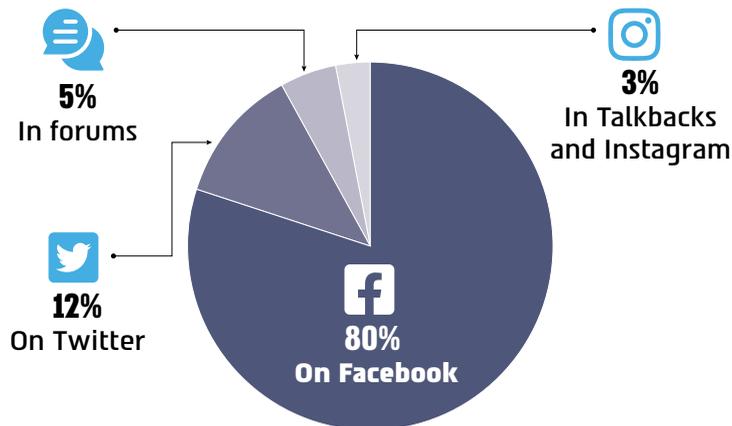
Accumulation of relevant posts of blog surfers



YouTube

Accumulation of videos with relevant titles and accumulation of relevant comments about the videos

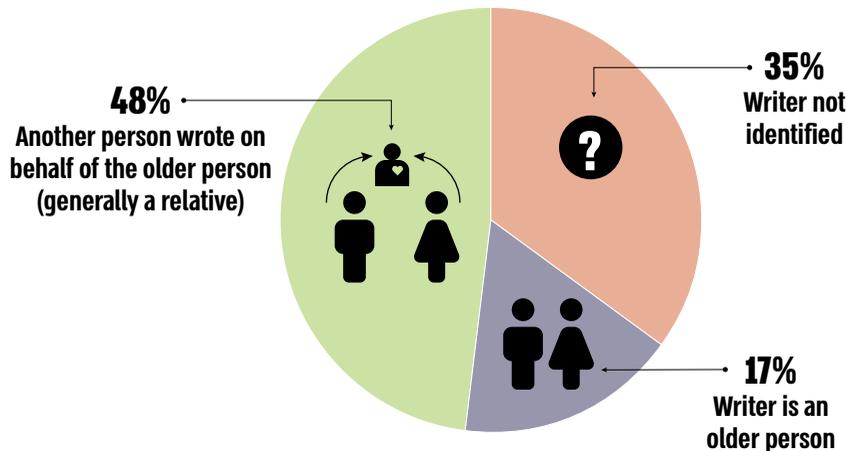
Chart 25: **Breakdown of posts by social networks**



Most of the discourse (80%) that was examined in the research took place on Facebook.

Identity of the participants in the discourse

Chart 26: **Breakdown of participants by identity of writer - the older person or someone on their behalf***



* Out of 816 posts

This chart shows that about half the posts (48%) were written for older persons by other people who identified themselves as relatives (children, grandchildren, sons-in-law, daughters-in-law and others).

Tone of the discourse on the social networks

During the research period, the Covid-19 pandemic broke out and this greatly influenced the discourse on the social networks.

In order to examine the nature of the discourse of older persons and their views on the manner in which services are rendered and their accessibility to them, the posts were classified into three groups, according to the overall tone of the post writer:

1. Negative - expressions of disappointment, bringing difficulties to the forefront, criticism; a hostile and disappointed tone regarding the accessibility of the service, the treatment of the service provider or the policy of the service provider, and so on.



"Last week I went to my neighbourhood branch of the post office to send a parcel abroad. My appointment was made for 11:20; I was received at 11:50. A half-hour wait!

There were elderly people there who did not understand what was required of them and who did not know how to make an appointment, there were foreign workers who did not speak Hebrew.

Shame on the State, from which the citizen no longer receives even minimal services".

2. Neutral - posts from which it is not possible to discern the viewpoint of the writer towards the body or service. A neutral post will mainly appear in consultation forums and will include concrete questions or cases where the writer's viewpoint is balanced.



"Is a special services benefit from the National Insurance Institute allowed for only half a year after reaching pension age? What long-term care benefits are granted to older persons? Thanks"

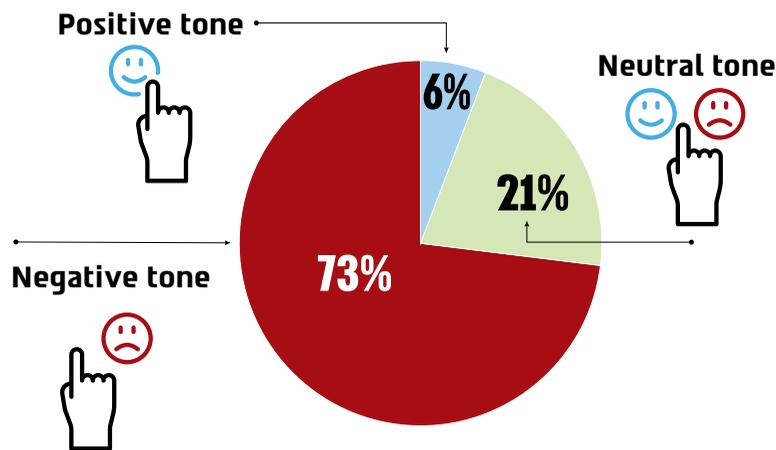
3. Positive - a post from which it can be clearly discerned that the writer is satisfied with the service or with the conduct of the body providing it. This is reflected in words of gratitude, the giving of information about the body for other surfers or general references to quality service.



"Well done Meuhedet Health Fund. The personal care of older persons is the best there is, including vaccinations for housebound persons. It is truly an excellent health fund. Thank you for the wonderful service!!!"

The following is a breakdown of the tone of the discourse disclosed by the research:

Chart 27: **Breakdown of tone of discourse on the social networks**



It can thus be seen that the discourse relating to public service for the community of older persons has a clearly negative leaning (73%).

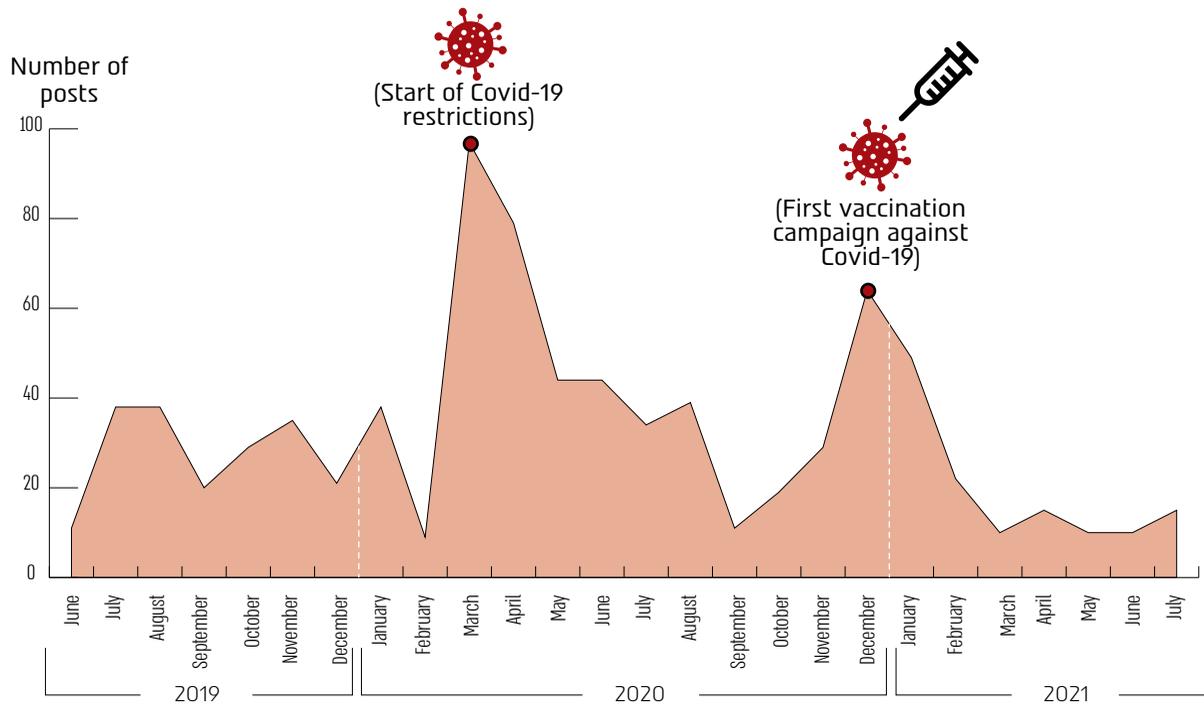


Photo 10: State Comptroller and Ombudsman, Matanyahu Engelman, and Head of the Office of the Ombudsman, Dr. Esther Ben-Haim, at an awareness-raising activity for older persons

Scope of the discourse

During the period examined, two records in the scope of the discourse stood out (March - April 2020 and December 2020). This is directly related to the Covid-19 pandemic in Israel.

Chart 28: **Scope of discourse according to months, 2019 - 2021**



Types of posts

The discourse was also analyzed in terms of the aim of the post and type of post on the social networks. The following are the groups by which the posts were classified:

- **Experience sharing** - Posts and comments that from the outset were not written as inquiries, but were aimed mainly at sharing a certain experience of the writer.



"A kind word - Long-Term Care Department at the Petah Tikva branch. 🌹

Thanks to "A" from the Petah Tikva branch of the National Insurance Institute, who went beyond the letter of the law to help an elderly man. The handling of his claim for long-term care benefit went on for 9 months, and due to problems with the paperwork he did not receive the benefit. Every day he would come to my office and complain about his ill fate. Until eventually I said to him let's go to the National Insurance Institute with your documents, and may the Almighty help. And that is what we did; we went with the documents (the copies of which were not legible) and despite the fact that we hadn't made an appointment and it's not usually done, "A" received us in the Office, checked, inquired, photocopied... and now G-d willing he is due to receive long-term care benefit.

Thanks to "A", and to all the long-term care staff at the Petah Tikva branch of the National Insurance Institute".

- **Direct address to the body** - Posts and comments written on the official Facebook pages of the bodies (for example, the page of one of the health funds, the page of the National Insurance Institute); a few posts that were posted on the personal profile and started out by directly addressing the body ("Hello Ministry of Health").



"Hello, I would appreciate receiving a reply - Further to the interview with the Director General of the National Insurance Institute [where] he said that employees aged over 67 who continued to be employed and received old age pension and had taken unpaid leave for over 30 days should file a claim for unemployment benefit and may be entitled... In practice, it is not possible to file the form on the website after entering the date - what document should be filed for possible eligibility for unemployment benefit? Thank you".



- **An address to other bodies** - The writer writes a post on the page of a particular body in expectation of receiving a response in relation to a case being handled or that was handled by another body. For example, addressing a regulatory body or the Facebook page of a radio program.



"Hello, Madam Minister for Social Equality.

You are an angel from heaven.

About two months ago, I contacted the ministry and spoke to D and Y about exercising rights within the National Insurance Institute. I have been chasing after the National Insurance Institute for a year and a half, and not even a letter of refusal have I received.

D from your office understood within seconds what I was talking about.

I haven't yet received an answer and two months is time enough; even a negative answer is an answer. I would appreciate your assistance". 😞

- **Consultation** - Addressing different bodies with questions, in order to find out about different rights. In most cases, posts of this nature were classified as neutral, unless there was a negative tone to the question.



"Good afternoon.

I am 64 years old, and receive old age pension + income supplement from the National Insurance Institute.

I live in an apartment registered in the name of my children.

In order to receive a municipal tax discount, I was told by the municipality that I must be the owner of the apartment or a tenant (not of relatives).

Would transferring the rights in the apartment (my children would register the apartment in my name free of charge) negate my eligibility for income supplement?

Thank you".

- **Information transfer** - Responses across the network referring the post writer to other sources in order to obtain information or receive an answer on different matters.



"Good man. I refer you to the Ministry for Social Equality where there is a lot of information about the employment of pensioners.

https://www.gov.il/.../Depar.../ministry_for_social_equality . You will also find there the number of the call center".



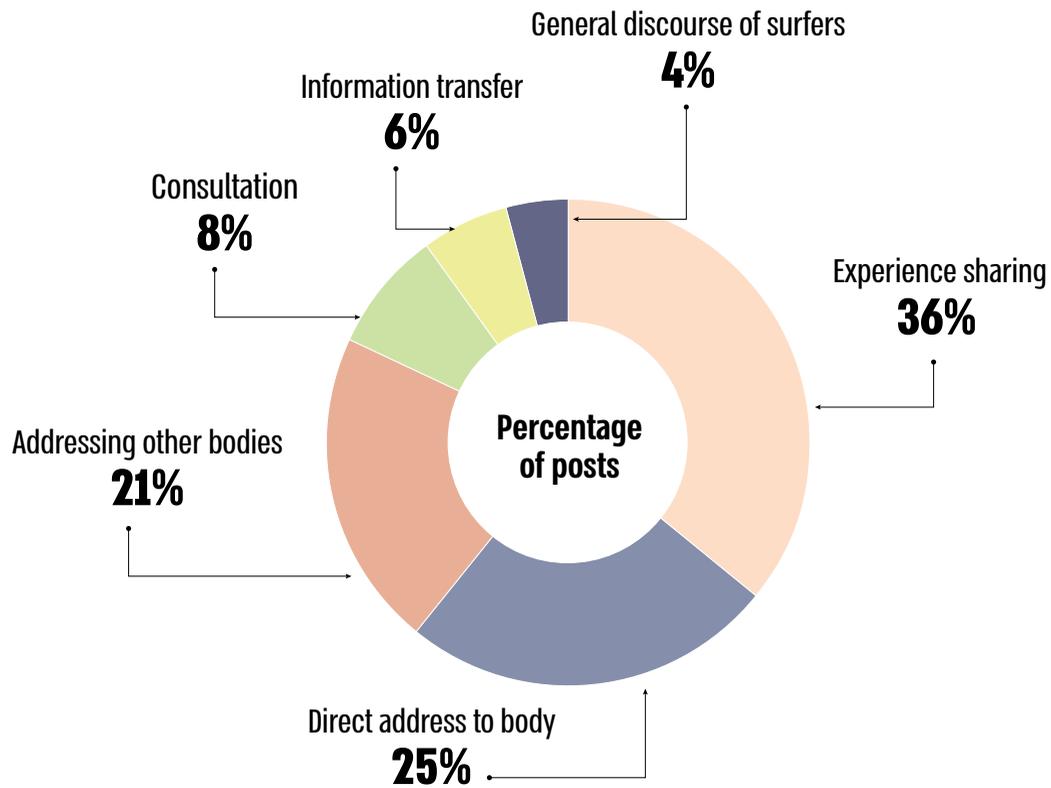
The National Insurance Institute grants income supplement for older persons who have no additional income. You should check it out. At every branch of the Institute there is a scheme for helping clients and families receive rights granted to older persons".

- **General discourse of surfers** - Different claims about matters that were relevant to the research, which could not be classified under the other groups.



The following is a breakdown of the discourse by type of address:

Chart 29 : **Breakdown of discourse by type of address**

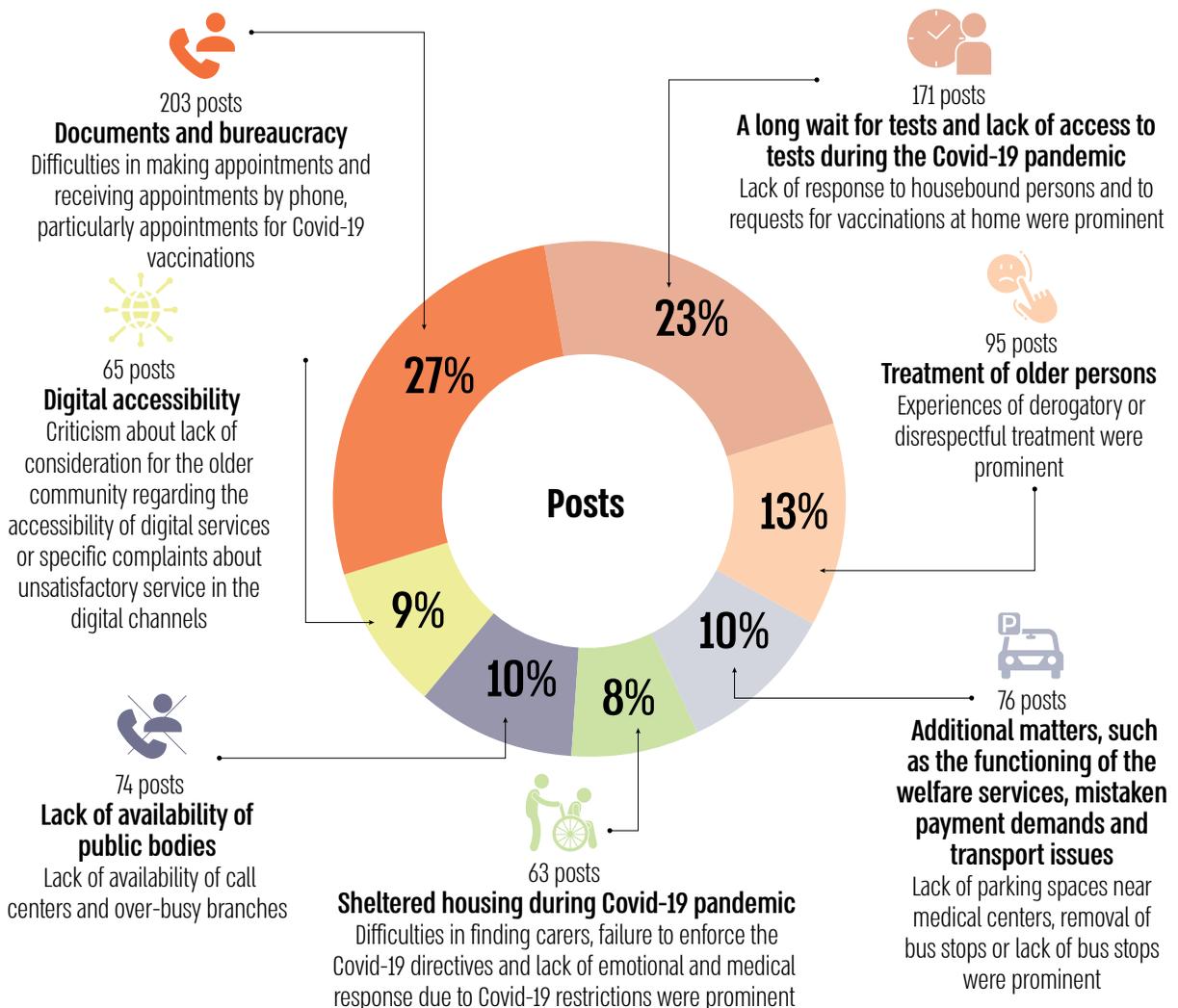


The chart shows that the surfers preferred, above all, to share experiences on the network (36%) and to address the body directly (25%) or other bodies (21%).

Findings of the qualitative analysis

Of the 816 posts that were analyzed and classified in the research, 747 addressed the experience of older persons and their relatives relating to services that they had received from public bodies. The following is a breakdown of the subjects addressed by the posts⁷⁵.

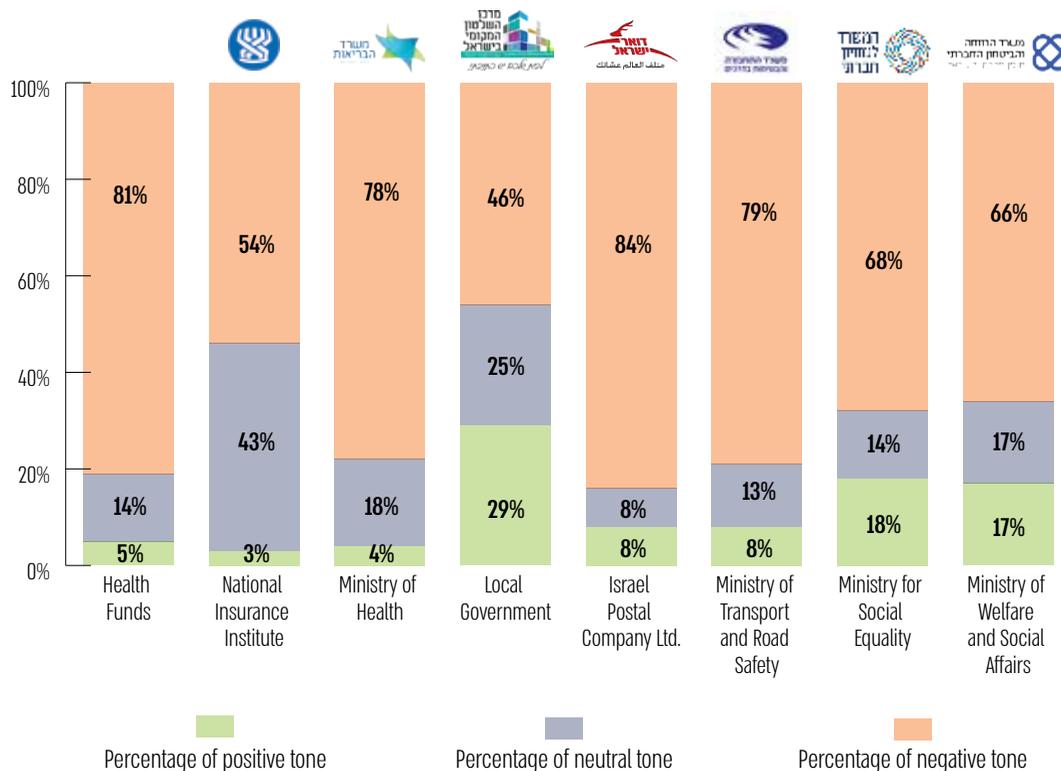
Chart 30: Breakdown of matters addressed by the posts



⁷⁵ It should be noted that if a post addressed several issues, it was classified under all these matters together.

The following is a breakdown of the posts by the public bodies that were referred to in them and their tone:

Chart 31: Breakdown of posts by public bodies and tone



The research shows that the bodies that were mentioned the most were the health funds, the National Insurance Institute and the Ministry of Health. The bodies about which the tone of the posts was most negative were Israel Postal Company Ltd. (84%), the health funds (81%) and the Ministry of Transport and Road Safety (79%).

Since the research period also included the period of the Covid-19 pandemic, the subject of health was prominent in the discourse. The discourse relating to the health funds mainly addressed the Covid-19 vaccinations (lack of accessibility to housebound persons, lack of access to vaccination centers). The attitude towards beneficiaries, the availability of the service and others were also prominent in the discourse. 67% of the discourse on the Ministry of Health related to

the Covid-19 pandemic, including the treatment of sheltered housing residents, the vaccines and Covid-19 tests. Other issues addressed by the discourse on the Ministry of Health that did not concern Covid-19 were the approval and funding of medicines and permits for employing foreign workers for persons eligible for long-term care.

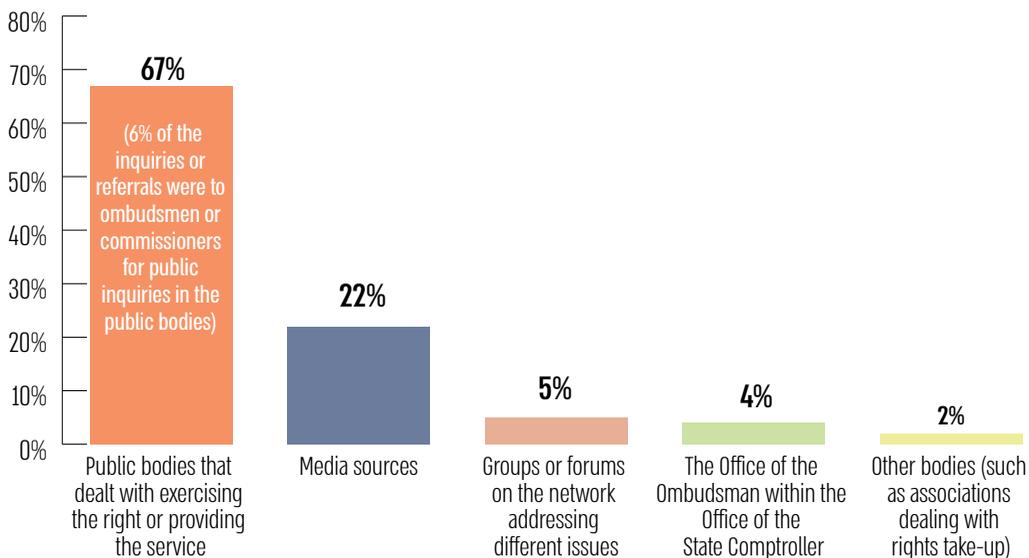
About half of the discourse relating to the National Insurance Institute was neutral and concerned receiving information about rights from the National Insurance Institute (issues such as double benefits). Negative discourse on the lack of information for the public on different matters was prominent.

Referrals and approaching bodies as an address for complaints

During the analysis of the discourse, bodies that had been approached and bodies with which it had been recommended to file a complaint were identified.

The following are the types of bodies to which the participants of the discourse turned or referred others for receiving a response or finding a solution to a problem (444 posts in total):

Chart 32: Types of bodies to which participants turned or referred others for receiving a response or finding a solution



The research reveals that most of the discourse (67%) was about an inquiry with, or referral to, the public bodies themselves, relating to the take-up of rights or the provision of the service, such as government bodies, local authorities or state institutions (for example, the National Insurance Institute, Israel Postal Company Ltd. and the Police), and only 6% of the discourse concerned an inquiry with, or a referral to, ombudsmen and commissioners for public inquiries in the public bodies. 4% of the posts referred others to the Office of the Ombudsman or directly addressed it⁷⁶.

Summary

The research disclosed that broad negative discourse took place on the networks about public services provided for older persons. The discourse reflected the difficulties encountered by older persons in receiving services from the institutions rendering public service, and was mainly about Israel Postal Company Ltd., the health funds and the Ministry of Transport and Road Safety.

At the outset of the Covid-19 pandemic, the negative discourse on the networks about public service increased and focused on the health institutions and the National Insurance Institute.

The research unveiled difficulties encountered by older persons in relation to their degree of knowledge about rights and navigating the bureaucracy, including difficulties with the digitalization of public services. It was also found that in many cases, older persons were forced to receive help from acquaintances or relatives in order to exercise their rights.

The research also disclosed that the social networks are seen by older persons and their relatives as an address for complaints, for obtaining information or sharing experiences relating to interaction with different government bodies.

⁷⁶ For further details about the actions taken by the Office of the Ombudsman to raise public awareness in general, and that of older persons in particular, regarding its activity and remit, see pp. 134 - 140.

Investigation of Complaints of Older Persons by Ombudsman Institutions Around the World



The Office of the Ombudsman highly values learning from fellow ombudsman institutions around the world. It also learns from the knowledge and experience gained by equivalent bodies abroad relating to the investigation of complaints of older persons, and likewise shares its knowledge with them⁷⁷.

On 1.12.2021, the Office of the Ombudsman hosted a professional international conference in celebration of its 50th anniversary. The theme of the conference was "Advancing the Rights of Older People in an Age of Longevity". Ombudsmen and academics from over 51 different countries took part in the online conference, at which addresses were delivered by the President of the State, Isaac Herzog, the Speaker of the Knesset (Israeli parliament), Mickey Levy, the State Comptroller and Ombudsman, Matanyahu Englman, the President of the IOI (International Ombudsman Institute), Chris Field, the former Secretary General of the IOI, Werner Amon and the President of the AOM (Association of Mediterranean Ombudsmen), Andreas Pottakis.

In preparation for the international conference, in September 2021 the Office of the Ombudsman sent out a questionnaire to the ombudsman institutions that are members of the IOI. The questionnaire related to the handling of complaints of older persons⁷⁸. The primary findings of the survey were presented at the conference by the Head of the Office of the Ombudsman, Dr. Esther Ben-Haim.

This chapter will review the activities of ombudsman institutions across the globe pertaining to the investigation of complaints of older persons. It will also present the main findings of an analysis of the answers to the questionnaire⁷⁹.

Ombudsman institutions around the world are responsible for investigating the complaints of older persons, as well as those of

77 For example, in September 2022 a conference took place in Georgia, under the auspices of the AOM, on the subject of the rights of older persons and the role of ombudsman institutions in relation to them. The conference included a panel at which Dr. Esther Ben-Haim, Head of the Office of the Ombudsman, spoke on "Human rights and older persons in digital world: challenges and opportunities".

78 https://www.theioi.org/ioi-news/current-news/international-online-conference-and-questionnaire-on-the-role-of-the-ombudsman-in-advancing-the-rights-of-the-elderly?pk_campaign=Newsletter-Ombudsman

79 It should be pointed out that the findings reflect the assessments of the ombudsman institutions around the world with regard to the questions asked; they are not necessarily based on precise data. The full analysis of the findings of the survey will be published in English for ombudsman institutions around the world, via the IOI.

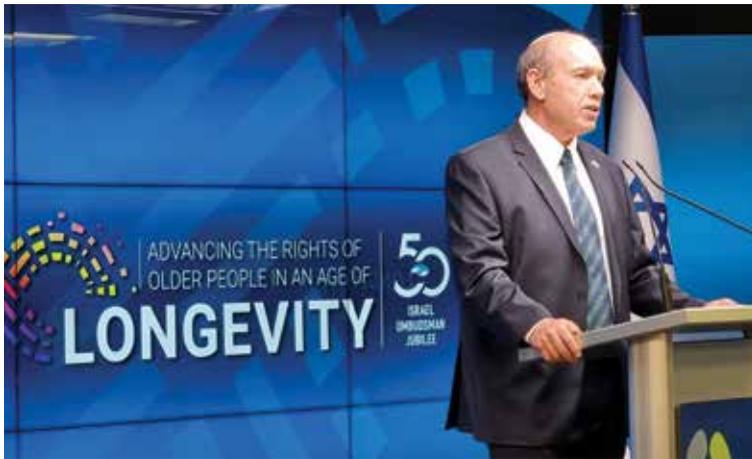


Photo 11: On the theme of older persons. State Comptroller and Ombudsman, Matanyahu Englman, at the international online conference that the Office hosted to mark its Jubilee year, December 2021

others. Yet in some countries, special ombudsman institutions have been established for handling the complaints of older persons and finding solutions to their problems, including in the fields of safety, welfare and rights of the individual. For example, the Older Americans Act has authorized the states of the USA to establish a commission for the complaints of older persons in long-term care⁸⁰.

In Zurich in Switzerland, Finland, Norway and New South Wales in Australia, there is a designated ombudsman institution for handling the complaints of older persons. Furthermore, in different parts of the world, for example the Canary Islands (Spain) and Panama, there are ombudsman institutions within which a special unit has been established for handling the complaints of older persons.

National Preventative Mechanism

The Optional Protocol to the Convention against Torture (OPCAT)⁸¹ provides that the signatories shall determine at least one body responsible for protecting helpless persons residing in institutions, including retirement homes, against abuse and humiliating

⁸⁰ Long-Term Care (LTC) Ombudsman.

⁸¹ The convention came into force in 1987, with the aim of streamlining the fight against torture and cruel punishments.

treatment. According to the convention, this body is called a "National Preventative Mechanism" (NPM).

In many countries - for example Austria, Cyprus, Serbia, Portugal, Norway, Sweden, Azerbaijan, Luxembourg, Croatia and Ukraine - the national ombudsman has received the powers of NPM, and in this capacity inspects residential homes and long-term care homes.

Ombudsman institutions and the challenges facing older persons during the Covid-19 pandemic

Ombudsman institutions around the world sought solutions to the difficulties confronting older persons during the Covid-19 pandemic. For example, following the intervention of the Serbian ombudsman, carers of older persons received special permission to move about during the lockdown⁸²; the Ombudsman of Portugal brought about an increase in the number of vacation days of people taking care of elderly relatives during the pandemic⁸³; the Ombudsman of Bosnia and Herzegovina published a recommendation to heighten awareness of the impact of social distancing on older persons in the wake of the restrictions imposed as a result of the Covid-19 crisis⁸⁴. Furthermore, in 2022 the Ombudsman of Croatia published a special report⁸⁵ addressing the impact of Covid-19 on human rights and equality in Croatia and emphasizing certain groups, including older persons. In addition, a survey that the Parliamentary and Health Service Ombudsman, UK published in 2022⁸⁶, disclosed that older persons complained less about the national health services during the Covid-19 crisis, despite their being the most in need of health services during that period.

82 <https://www.theioi.org/downloads/6mqquq/Republic%20of%20Serbia%20-%20Special%20Report%20on%20the%20Protector%20of%20Citizens%27%20activities%20during%20COVID-19%20pandemic.pdf>

83 [/http://ennhri.org/rule-of-law-report/portugal](http://ennhri.org/rule-of-law-report/portugal)

84 [/http://ennhri.org/rule-of-law-report/bosnia-and-herzegovina](http://ennhri.org/rule-of-law-report/bosnia-and-herzegovina)

85 "The Impact of the Covid-19 Epidemic on Human Rights and Equality - Recommendations for the Strengthening of Resilience to Future Crises" (May 2022).

86 PHSO survey: complaining about the NHS during the coronavirus pandemic (October 2022).

Questionnaire sent to the international ombudsman community

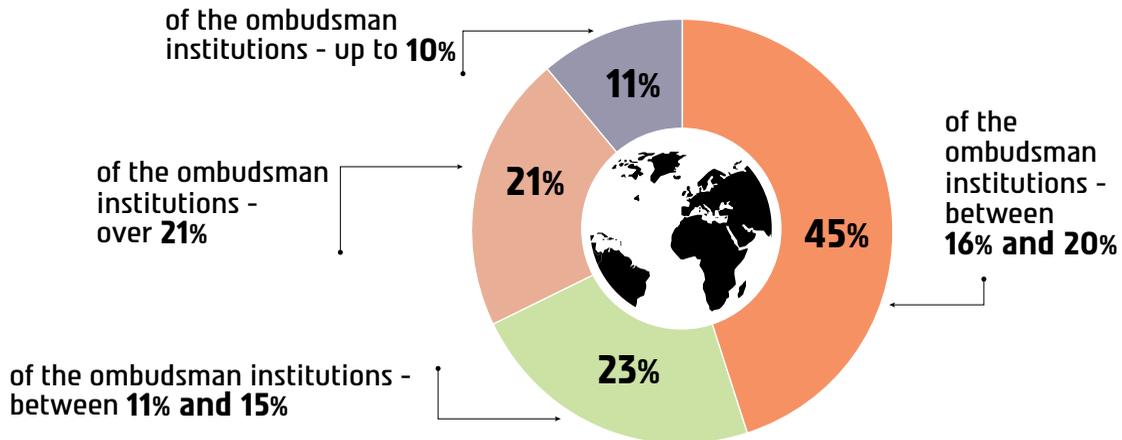
In 2021, the Office of the Ombudsman sent out a questionnaire, concerning the complaints of older persons, to all the ombudsman institutions that were members of the IOI at that time⁸⁷. 55 ombudsman institutions from all the continents completed the form in a manner that enabled the processing of their data⁸⁸. The Office conducted a qualitative analysis of the answers of the ombudsman institutions, as well as a statistical analysis that included an examination of the correlations between the indices of the different countries and other indices, such as GDP (Gross Domestic Product) per capita, the percentage of older persons aged over 65, life expectancy and human development.

45% of the ombudsman institutions responded that older persons constituted 16% - 20% of the total population; 23% of the institutions responded that the percentage of older persons in their country stood at 11% - 15%; 21% of the institutions responded that the percentage of older persons in their country exceeded 21%; and 11% of the institutions responded that the percentage of older persons in their country stood at up to 10%. It should be noted that older persons constituted 12.2% of the total population of Israel in 2021.

87 233 institutions from over 100 countries.

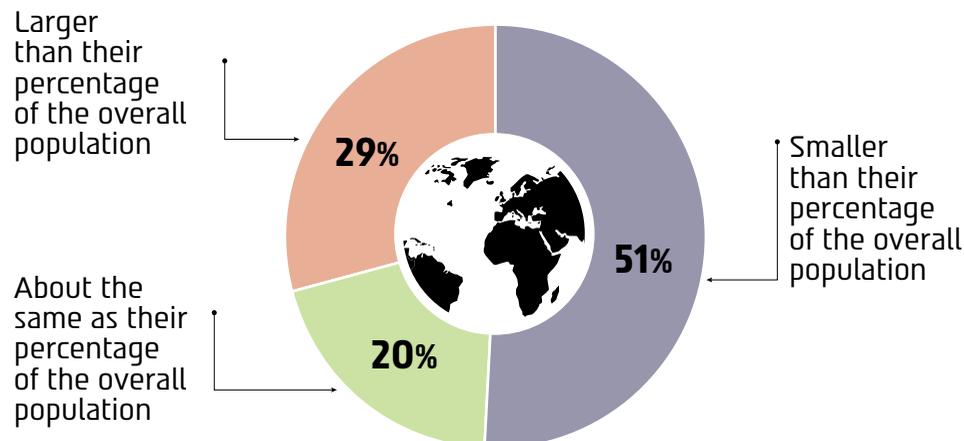
88 The ombudsman institutions that answered the questionnaire are those of Tirana (Albania), Andorra, Argentina, Australia, New South Wales (Australia), Southern Australia (Australia), Western Australia (Australia), Austria, Belgium, Bermuda, Burkina Faso, British Columbia (Canada), Newfoundland and Labrador (Canada), Ontario (Canada), Quebec (Canada), Croatia, Cyprus, Czech Republic, Djibouti, Faroe Islands, Finland, Georgia, Great Britain, Greece, Hungary, Israel, Italy, Japan, Kenya, Kosovo, Mauritius, Mexico, Mexico City (Mexico), Moldova, Morocco, New Zealand, Northern Cyprus, Norway, Panama, Peru, Poland, Romania, Russia, Canary Islands (Spain), Catalonia (Spain), Zurich (Switzerland), Thailand, The Palestinian Authority, Timor Leste, Turkey, Ukraine, Iowa (USA), Ohio (USA), Zambia and the Pensions Ombudsman of Belgium.

Chart 33: **Percentage of older persons of the population of different countries**



The following chart shows the breakdown of responses of the ombudsman institutions that answered the questionnaire regarding their assessment of the percentage of complaints of older persons, as compared with the percentage of the overall population of their country:

Chart 34: **Breakdown of ombudsman institutions by percentage of complaints of older persons, as compared with the percentage of older persons of the overall population**



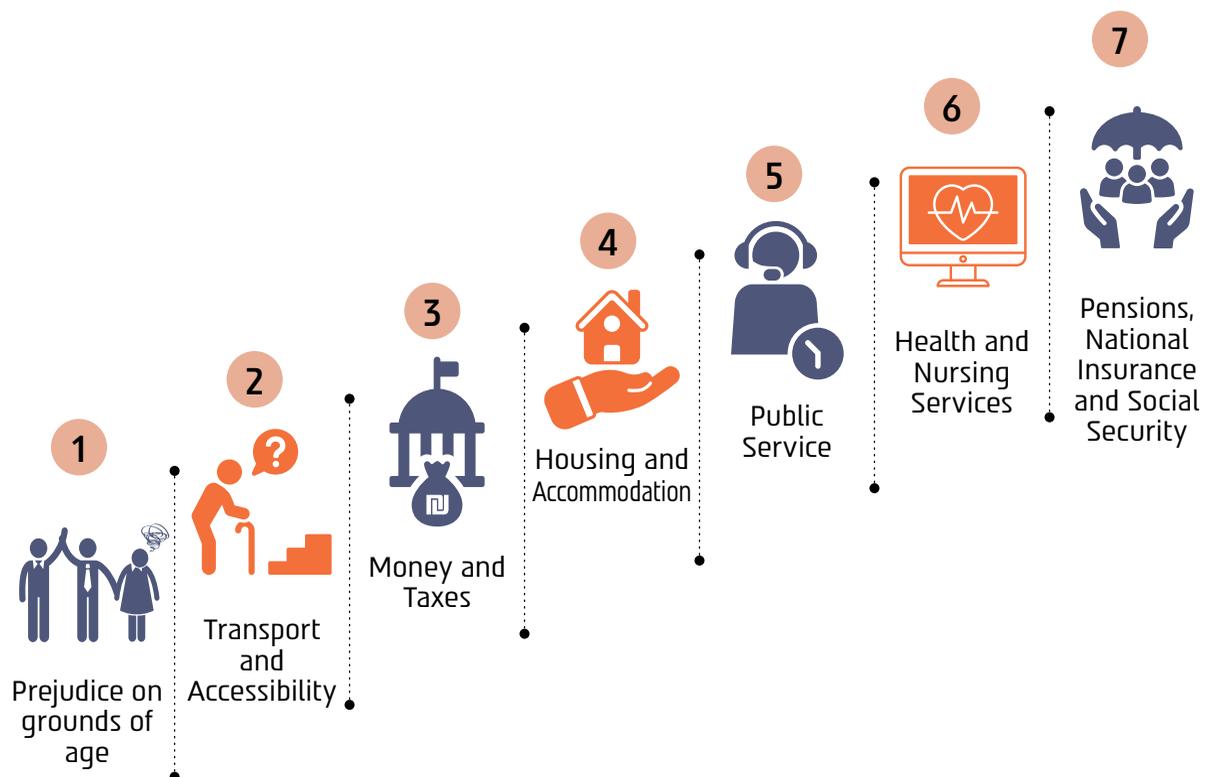
The chart illustrates that over half of the ombudsman institutions that answered the questionnaire (51%) estimated that the percentage of older complainants was smaller than their percentage of the overall population of their country. It should be noted that in Israel, the percentage of older complainants out of all the complainants (20.3%) is greater than their percentage of the overall population (12.2%).

As regards the breakdown of complainants by gender, the analysis of the responses unveiled that some 55% of the complaints received by the ombudsman institutions were filed by men, and some 45% of the complaints were filed by women⁸⁹.

⁸⁹ In Israel, 62% of the complaints of older persons were filed by men, and 38% were filed by women. See pp. 16 - 17.

Common subjects of complaints of older persons

In order to trace the issues about which older persons around the world complain, the Office asked the ombudsman institutions what they assessed to be the common subjects of complaints of older persons. The institutions were asked to rank the subjects from 1 to 7 (1 - the least common subject; 7 - the most common subject). The following chart illustrates the subjects in the order that they were ranked by the institutions:



According to the assessments of the ombudsman institutions that answered the questionnaire, the most common issues of complaints of older persons are pensions, national insurance and social security; health and nursing services; public service. The least common issue of complaints is prejudice on grounds of age.

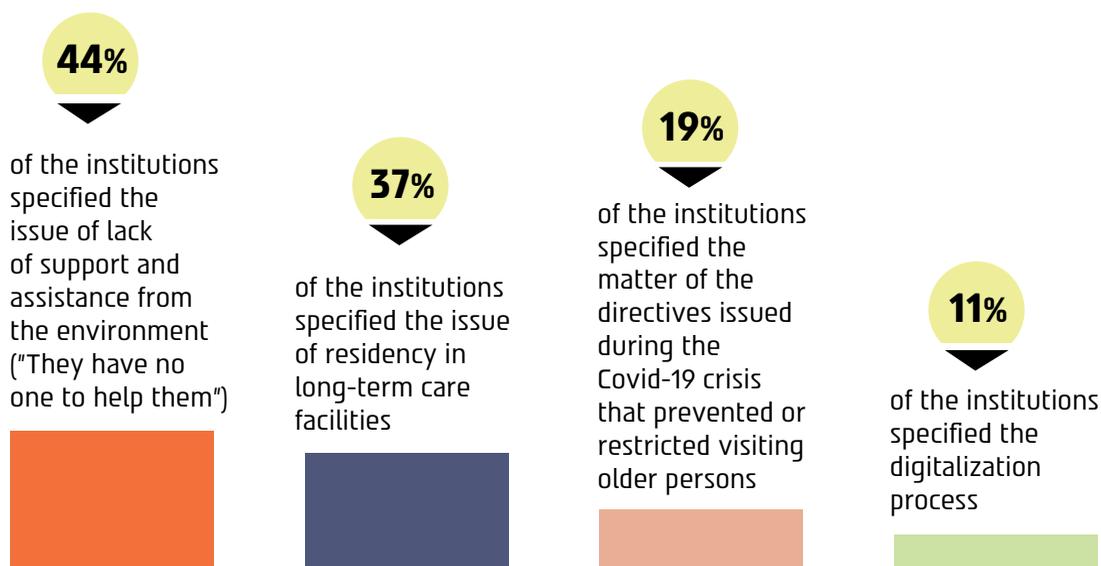
An analysis of the complaints of older persons disclosed a few correlations⁹⁰: The higher the GDP of a particular country, the higher the number of complaints of older persons on subjects such as health and nursing services, housing, and transport and accessibility (according to the assessment of the countries in question). Furthermore, a medium positive correlation was found between the Human Development Index and life expectancy and complaints relating to health and nursing services and to housing: the higher the Human Development Index and life expectancy, in a particular country, the higher the number of complaints about health and nursing services and housing (according to the assessment of the countries in question).

⁹⁰ The correlation coefficient, generally marked by the letter z , is a measure of the direction and strength of the relationship between the variables. The values of the coefficient range between 1 (perfect positive correlation) to -1 (perfect negative correlation), and 0 represents no correlation at all. The interpretation of the strength of the correlation (weak, medium or strong) generally depends on the field of the research at hand. In the Social Sciences, it is customary for a weak and negligible correlation to range from 0 to 0.3, a medium correlation - from 0.3 to 0.7 and a strong correlation - from 0.7 to 1.

Isolation and dependence on others

The Ombudsman institutions were asked if they received complaints of older persons testifying to isolation and dependence on others. 52% of the institutions responded that they received complaints of this kind.

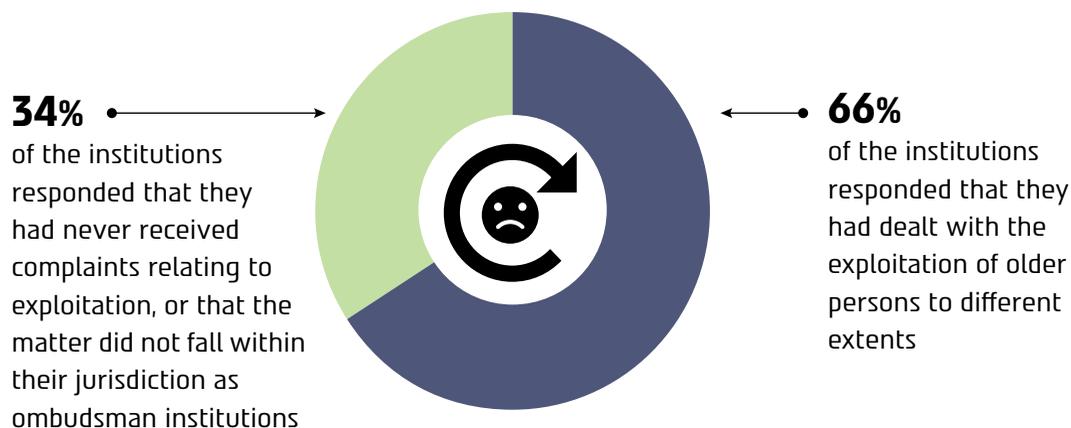
The institutions were asked to describe the issues of the complaints that related to older persons' experiencing isolation and their dependence on others⁹¹.



Signs of exploitation

The questionnaire asked the institutions to specify if it was possible to discern from the letters of complaint of older persons or during the investigation of the complaint that the complainant was being exploited. If the institutions answered in the positive, they were asked what measures they took in these cases, both on the intra-organizational level and on the extra-organizational level.

⁹¹ Some of the responses disclosed several issues relating to isolation, and thus the total is higher than 100%.



With regard to the institutions that responded that they had dealt with cases of exploitation, 33% focused on financial exploitation and 19% on exploitation within long-term care facilities. 41% of the institutions that responded that they had dealt with such cases, specified that they conducted an investigation of the complaints filed with them on this matter. 78% of the institutions specified that they involved the police and the legal authorities in complaints claiming exploitation.

Outreach and accessibility

In the second part of the questionnaire, the ombudsman institutions were asked how they make themselves accessible to older persons, and what measures they take to remove the barriers that prevent older persons from filing complaints or make it difficult for them to do so.

94% of the institutions responded that they attach great importance to making their services accessible to older persons, and that they take certain measures for improving the access of this community to the services that they provide. The following are the main responses received in relation to accessibility and outreach⁹²:

⁹² Some of the responses disclosed several types of measures taken in relation to accessibility and outreach, and therefore the total exceeds 100%.

62% of the institutions specified the need to maintain the **traditional methods of communication** with the complainants, including receiving complaints by phone and post. The ombudsman institutions of Western Australia, Panama and Greece specified that they have a call center that provides general information, but is also willing to receive complaints. 46% of the institutions responded that they receive the public **face-to-face** in offices and reception bureaus.

40% of the institutions specified the obligation of making their service accessible and tailoring it to older persons with disabilities, by making physical and digital modifications.

34% of the institutions described the **outreach actions**⁹³ taken by them to raise awareness of the possibility of filing complaints with them. The ombudsman institutions of Croatia, Catalonia (Spain), Peru, Georgia, the Canary Islands (Spain) and others, described the physical outreach actions that they take for the rural communities living remotely from the large cities. The institutions of Austria, Croatia, Finland, Thailand, the Canary Islands, Japan and Timor Leste responded that their representatives appear and are interviewed in the media, such as on television and radio programs aimed at older persons.

Only **8% of the institutions** responded that they provide language-accessibility by translating the information that they publish about the institution into various languages⁹⁴.

The Office of the Ombudsman asked the ombudsman institutions if they take proactive actions to inform older persons about their right to file a complaint.

69% of the respondents answered that they initiate outreach actions for older persons - whether awareness-raising activities aimed at older persons, or awareness-raising activities for the general public that are also appropriate for older persons.

⁹³ For further details on this matter, see pp. 134 - 140.

⁹⁴ The ombudsman institution of Western Australia specified that the information about it is translated into 17 languages other than English.

Training of staff of the ombudsman institutions

The ombudsman institutions were asked if they give their staff special training in order to improve the handling of complaints of older persons.

69% of the institutions that answered the question responded that they do not provide special training for handling the complaints of older persons. 14 of the 25 institutions which answered that they do not provide special training, specified that they provide their staff with general training courses where the staff learn to treat complainants empathetically and patiently; they pointed out that this training was also suitable for handling the inquiries of older persons.

31% of the institutions responded that they give specialized training aimed at teaching their staff how to handle the complaints of older persons. For example, the Ombudsman of Finland specified that he held meetings with gerontology researchers in order to understand in depth which issues affect the lives of older persons.

Digitalization and additional barriers

The institutions were asked if they identify barriers to the filing of complaints by older persons. Most of the respondents (74%) specified that they identified such barriers.

Three types of barriers were prominent in their answers:



The digital barrier
and lack of access
to the internet
32%



Lack of awareness
of rights or lack
of knowledge as
to how to file a
complaint
27%



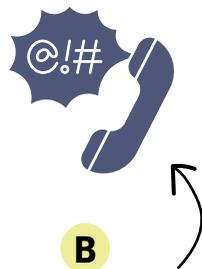
Physical and cognitive
limitations to filing a
complaint, especially
among persons living
in long-term care
facilities
19%

The institutions were also asked if they have solutions to the difficulties encountered by older persons in grappling with the digital barrier.

The large majority of respondents (83%) answered that digital services restrict the ability of older persons to contact the ombudsman institutions, and that they therefore provide alternative channels for making contact. The following are the channels that they specified:



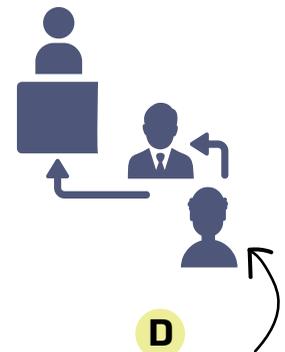
Filing of a complaint in person



Available telephone line for filing a complaint (hotline)



Sending by post, free of charge



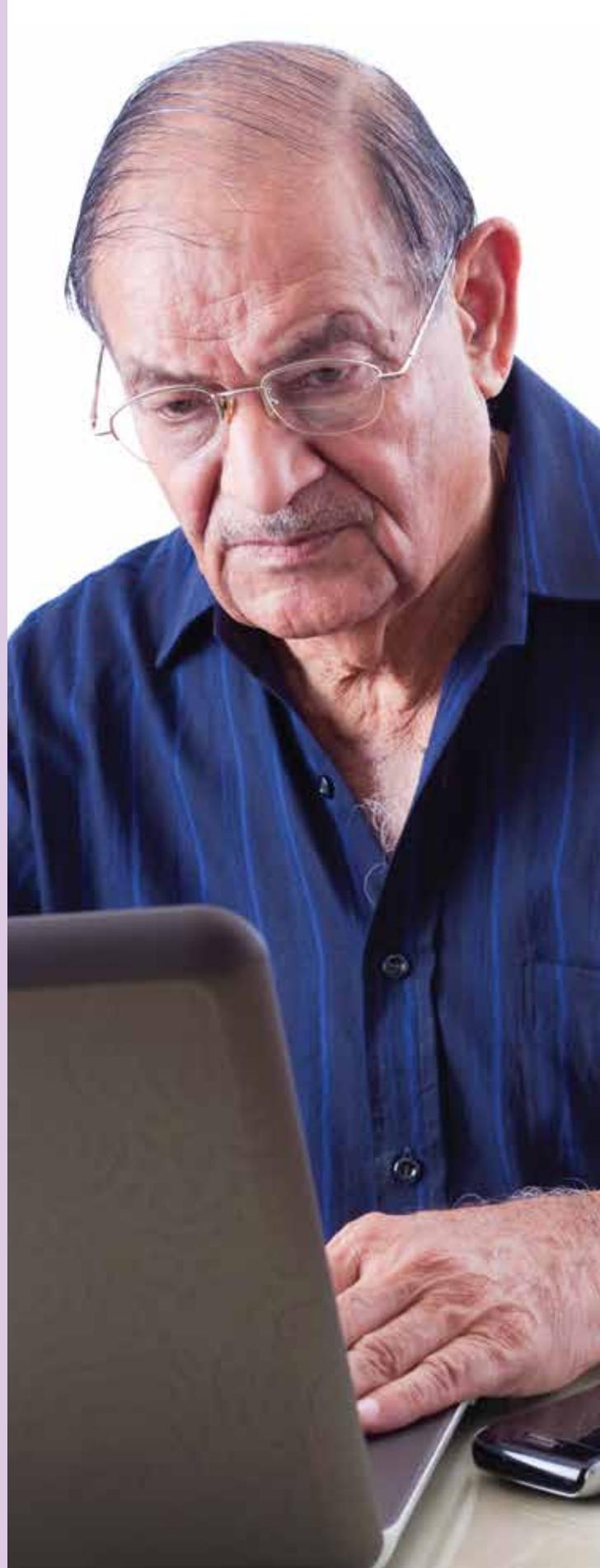
Allowing relatives or friends to file the complaint for the older person

Sectoral ombudsman for older persons

17% of the respondents answered that there was a sectoral ombudsman for older persons in their country; for example in Zurich in Switzerland, in Finland and in Ohio (USA)⁹⁵.

⁹⁵ For further details, see pp. 100 - 101.

Tailoring Public Service to Older Persons



In general, social rights that are anchored in law enable all citizens of the state to enjoy a variety of services within social arenas - social security, just work conditions, medical care, education and social services⁹⁶. They also enable an adequate standard of living, including food, clothing and housing. However, over the years it has become apparent that it is not enough to anchor social rights in law in order to ensure their take-up⁹⁷.

The non-take-up of rights has negative repercussions. Firstly, the failure to exercise rights prevents some of the citizens from receiving what they are entitled to by law⁹⁸. Secondly, the will of the legislator is not fulfilled, since the goals behind the legislation of these rights are not achieved⁹⁹. Furthermore, high rates of non-take-up are likely to erode trust and support of state institutions and welfare systems¹⁰⁰.

The non-take-up of rights demonstrates that the anchoring of social rights in laws is not sufficient, since that law does not ensure the accessibility of these rights in practice¹⁰¹. In order to ensure the take-up of rights by all those eligible, it is necessary to recognize not only the right to access the judicial courts, but also the right to access the administration¹⁰² - the right of individuals to exercise all the rights and receive all the services granted to them by law through direct access to the public administration authorities¹⁰³. It is therefore recommended that administration authorities be active in the take-up of rights and in making information about them accessible to the citizens¹⁰⁴.

96 International Covenant on Economic, Social and Cultural Rights (ICESCR), General Assembly resolution 2200A (XXI).

97 Avishai Benish and Liron David, "The right of access to administration in the welfare state: the (non-) take-up of social rights and the duty to make social rights accessible", *Law and Government* 18 (2018), pp. 398 - 399.

98 Ibid, pp.401 - 403.

99 Ibid, pp. 410 - 411.

100 Roni Holler, Avishai Benish, John Gal and Noam Tarshish, "Take-up of rights in Israel: the state of knowledge and future research directions", *Social Security* 113 (2021), p. 7.

101 Tal Arazi and Yael Sabag, *Take-Up of Rights and Social Services for Citizens - Structuring a Concept and Working Principles* (2020), p. 3.

102 Avishai Benish and Liron David, "The right of access to administration in the welfare state: the (non-) take-up of social rights and the duty to make social rights accessible", *Law and Government* 18 (2018), p. 399.

103 Amir Paz-Fuchs, "Why do rights on paper remain on paper? Accessibility to Social Rights - Theoretical Background", within John Gal and Mimi Ajzenstadt (Editors), *Access to Social Justice in Israel* (2009), p. 34.

104 Avishai Benish and Liron David, "The right of access to administration in the welfare state: the (non-) take-up of social rights and the duty to make social rights accessible", *Law and Government* 18 (2018), p. 400.

The non-take-up of rights granted by administration authorities emanates from the existence of barriers making it hard or impossible to do so. It is possible to divide the different barriers into three main groups¹⁰⁵:

1. **Awareness and knowledge barriers:** The non-take-up of rights is likely to stem from lack of knowledge of the existence of the right, its terms, content and manner of take-up on the part of eligible persons; from lack of access to the information; and from misleading or partial information as to what the right includes and how it can be exercised. The information is frequently conveyed via general publications, based on the perception that the person entitled to the right must be active in exercising it¹⁰⁶. Information can also be inaccessible due to language barriers, including texts using a high standard of language that is incomprehensible, or lacking a translation of the information into the languages that are relevant for the eligible persons.
2. **Bureaucratic barriers:** These barriers can be seen in all the interfaces between eligible persons and the administrative authority, starting with the investigation of the information about the eligibility and ending with the receiving of services. For example, the barriers include a demand to go in person to the authority in order to file the request or receive information on the matter; a demand to fill out documents and forms or receive a code; the need to go via multiple phone extensions in order to receive an answer, and recurrent demands to supplement information and provide documents¹⁰⁷. Furthermore, a financial outlay is sometimes required for exercising the right. In addition, it is frequently necessary to turn to different bodies about the same problem.

105 Roni Holler, Avishai Benish, John Gal and Noam Tarshish, "Take-up of rights in Israel: the state of knowledge and future research directions", *Social Security* 113 (2021), pp. 8 - 11. In this context, it is important to note that these barriers are frequently intertwined.

106 Lia Levin, "Coalition of Exclusion: Non-take-up of eligibility for assistance in the social security system by persons living in extreme poverty", within John Gal and Mimi Ajzenstadt (Editors), *Access to Social Justice in Israel* (2009), p. 237.

107 "The Lacking Document Syndrome". See Michal Kromer-Nevo and Adi Barak, "Service Users' Perspectives on the Benefits System in Israel: A Participatory Action Research", *Social Security* 72 (2006), p. 21.

3. Perceptual, psychological and cultural barriers: These barriers relate both to eligible persons and to the administrative authority. Regarding the administrative authority, these barriers are likely to be reflected in prejudices towards the service users. With regards to eligible persons, it is possible that there exists a mind block of lack of faith in the system, and there might also be psychological barriers - feelings of shame, guilt about being in their situation and others.

An additional barrier can be a cultural divide between eligible persons and staff of the administrative authority. This divide can cause eligible persons to feel alienated, including feeling that there is no one in the administrative authority who can understand their language and culture.

Barriers facing older persons

Among older persons, the percentage of rights that are not exercised is high¹⁰⁸. For example, in the audit conducted by the State Comptroller in 2015 on the subject of non-take-up of social rights in the National Insurance Institute, it was found that an average of some 13,000 employees who received old-age pension in the years 2009 to 2012 did not exercise their right to exemption from insurance contributions¹⁰⁹. In the follow-up audit that was conducted in 2020, it was found that the National Insurance Institute had refunded all the insurance contributions that had been charged in excess during those years¹¹⁰.

The community of older persons is characterized by the diversity and multiple differences between its members. Notwithstanding, certain characteristics that are relevant to this community can constitute barriers that will make it harder for it to exercise rights more than other communities.

108 Lia Levin, "Coalition of Exclusion: Non-take-up of eligibility for assistance in the social security system by persons living in extreme poverty", within Jonny Gal and Mimi Ajzenstadt (Editors), *Access to Social Justice in Israel* (2009), p. 243; and Tal Arazi and Yael Sabag, *Take-Up of Social Rights and Social Services for Citizens - Structuring a Concept and Working Principles* (2020), p. 4.

109 State Comptroller, *Annual Audit Report 65G* (2015), "Non-exercise of social rights", p. 27 (in Hebrew only).

110 State Comptroller, *Annual Audit Report 72A - First Part* (2021), "Non-exercise of social rights - Follow- Up Audit", p. 888 (an abstract of the report in English can be found on the State Comptroller's website).

These characteristics include, among others, a low digital literacy, which is likely to make it harder to contact the authorities; poor social support networks, sometimes to the extent of a lack of sources for assisting in rights take-up; physical, cognitive or mental difficulties that affect the ability to cope with the bureaucratic obstacles; dependence on care providers, both formal and informal, which is likely to make it difficult for older persons to exercise their rights, due to the fear that this will arouse antagonism on the part of the care providers.

An additional factor making it hard for older persons to exercise their rights and receive adequate service is the ageism phenomenon. When ageism prevails in public bodies and among service providers, it is likely to constitute a perceptual barrier that affects the ability of older persons to exercise their rights.

Stereotyping and negative attitudes towards older persons on the part of service providers can cause them to behave in an insensitive or unprofessional manner, including acting impatiently towards older persons and trying to bring the meetings with them to a swift conclusion, without appropriately addressing the issues raised; derogatory treatment of older persons and addressing them in a patronizing manner or in simplified and slow speech, assuming they have difficulty understanding¹¹¹. This type of behaviour on the part of service providers may cause older persons to relinquish the take-up of their rights in order to avoid this disrespectful treatment of them.



Picture 12: Awareness-raising activity conducted by the Office of the Ombudsman for older persons

111 Erdman B. Palmore, "Ageism Comes of Age", *The Gerontologist* 43 (2003), p. 419.

Recommendations for tailoring service to older persons

Making public administration accessible is an inseparable part of the job of the Office of the Ombudsman, in light of its purpose and remit. The institutional position of the Office between the individual and the public authorities enables it to locate problems, assist in solving them and integrate the idea of accessibility of the administration and the take-up of rights as an integral part of public service¹¹².

Based on the experience of the Office of the Ombudsman in the investigation of complaints of older persons, on research on the topic and on the information accumulated and published in this report, this chapter offers recommendations to public bodies providing service for older persons. In particular, it makes recommendations relating to the contribution of those handling the complaints of older persons regarding the improvement of service provided for this community. The recommendations are aimed at all public sector bodies providing service for older persons, and to the regulatory bodies responsible for these bodies - The Ministry for Social Equality, the Ministry of the Interior, the Government Companies Authority and the National Digital Agency.



Photo 13: Awareness-raising activity conducted by the Office of the Ombudsman for older persons

112 Avishai Benish, Liron David, Merav Fox Sobol, "The Office of the Ombudsman and the Right to Access the Administration in the Welfare State", Jubilee Publication of the Office of the Ombudsman (2021), pp. 47 - 64 (in Hebrew only).

The recommendations cover four areas: (a) accumulation and processing of data disclosed by the inquiries and complaints; (b) construction of a scheme for providing service that is tailored to older persons and training public servants to provide service via this scheme; (c) outreach activities; (d) accessibility activities.

Importance of accumulating data and their translation into action-guiding knowledge

The accumulation, analysis and processing of data received from service users and from public inquiries is very important for public bodies responsible for giving services to people and interacting with them on a regular basis.

Translating data into action-guiding information is a multi-stage process: firstly the data are accumulated; then they go through a processing procedure that converts them into information, providing the factual infrastructure. Through a process of analyzing and organizing the information and combining it with information existing in the organization, the information is translated into knowledge that makes it possible to gain insights and reach conclusions.

Public bodies do not always gather and analyze data about the people approaching them, such as the characteristics of the people (geographic distribution, religion, education, gender) or the manner in which the people contacted them. Furthermore, public bodies do not always collect data on the degree of public awareness of their work. The lack of data and the limited ability of these bodies to characterize precisely the individuals turning to them, and the service users, have serious ramifications for older persons who constitute a large and diverse population group facing various challenges. In 2021, the Israeli government decided to adopt a "map of national indicators for optimal ageing"¹¹³. According to this decision, different indicators relating to older persons shall be calculated and published every two years; an international comparison of them shall also be made,

¹¹³ Government Decision 127 (19.7.21).

as well as an analysis according to demographic cross-sections - population groups, age groups, gender, areas of the country or any other relevant cross-section.

The accumulation of data relating to the complaints and the complainants regarding public bodies, and the processing and analyzing of them, can contribute to a deeper understanding of the way in which service provided for the public in general, and for older persons in particular, should be improved. The data can even enable public bodies and units dealing with complaint investigation to apprise the inadequately-informed public of its rights and the possibility of filing complaints. In order to illustrate the importance of the use of data on complaints for making informed executive decisions, there will follow a description of the interfaces between the Office of the Ombudsman and the Central Bureau of Statistics (Bureau). The manner in which the Office was assisted in various ways by an analysis of the characteristics of complainants turning to it will also be illustrated.

In 2020, the Office of the Ombudsman contacted the Central Bureau of Statistics for the first time, in order to receive data on the complainants and breakdowns of their characteristics, based on the data bases of the Bureau. Over the last three years, the Office has derived information, via the Bureau, on complainant characteristics that can be conveyed to the public and public bodies, as well as information for optimizing its work. The accumulation of the data by the Office is conducted both by asking the complainants questions in the online form used by them to contact the Office (such as identity number and how they heard about the Office), and by filling out details in the computerized system or with the assistance of the Office's staff (for example, about the way in which the complaint was received). These data, as well as data on the public bodies and the complaint issues, are combined with the data furnished by the Bureau, which breaks down the complainant characteristics. It is important to point out that the data relate to all the complainants; specific information about individual complainants is not conveyed, thus protecting their privacy. The data received from the Bureau is analyzed and processed by the Office and becomes usable knowledge.

The information derived from the data on complaints helps to achieve three main goals:

1. Information transfer to public bodies

Every year the Office of the Ombudsman conveys to public bodies processed information about the complaints received by it. The information is conveyed both via the annual report¹¹⁴ and in the framework of meetings held by the State Comptroller and Ombudsman and the Head of the Office with the senior executive of the public bodies. The information helps to show the public bodies the characteristics of the people complaining about them, enabling them to learn about the degree of satisfaction of the public with the service that they provide and to identify their weak points.

2. Information sharing with the public

The Office of the Ombudsman believes in transparency towards the public and in sharing with it information gathered about the complaints it receives (while maintaining the confidentiality of the individual investigation and its outcome). The information is published for the public via the annual reports of the Office of the Ombudsman and the special reports submitted from time to time to the Knesset (parliament), as well as via a Geographical Information System that makes it possible to receive current data on the complaints handled by the Office. This information is available to the public and may be used for purposes of research and policy-making.

3. Focusing of the Office's activity for exposure to new communities

The information generated by the breakdown of complainant characteristics according to different variables and by an in-depth analysis of their characteristics is presented to the Office of the Ombudsman's executive and forms the basis for decision-making. This knowledge enables the Office, among other things, to learn about the characteristics of the complainants; to find out to what extent the public is exposed to its activity; to discover the extent to which its services are accessible to the overall public, and in particular to population groups deserving special attention; to

¹¹⁴ See, for example, the characteristics of people complaining about the National Insurance Institute, the Ministry of Transport and Road Safety, Israel Postal Company Ltd., the Ministry of Health and the Population and Immigration Authority, Ombudsman, **Annual Report 48** (2022), pp. 183 - 193 (in Hebrew only).

identify the population groups that are unaware of its existence and the advantages inherent in seeking its assistance; to focus its awareness-raising activities on the groups from which a relatively small number of people file complaints; and to learn about the degree of efficacy of these awareness-raising activities for encouraging people to contact it.

The following are examples of the ways in which an analysis of data helps the Office of the Ombudsman to focus its activity on reaching additional communities and increasing the percentage of the members of these communities turning to the Office:



An analysis of the data conducted by the Office of the Ombudsman relating to older persons revealed that alongside the filing of complaints by the older persons themselves, there are also cases in which the complaint is filed by a representative - a relative, neighbour, carer from a care-giving company, or another source. This information relating to the identity of the persons filing the complaints was examined in relation to variables of age and level of education of older persons. It was found that the percentage of complaints filed by representatives increased as the age of the older person increased (especially those over 85), and decreased the higher the level of education. This information about the high importance of representatives for the most elderly and for the least educated highlighted for the Office the importance of conducting outreach and awareness-raising activities both for the older persons themselves, for their immediate circle of acquaintances, such as relatives, and for



the percentage of complaints filed by representatives increased as the age of the older person increased (especially those over 85), and decreased the higher the level of education

the societies assisting older persons in exercising their rights. The Office consequently broadened its awareness-raising activities for third sector organizations, and is considering the use of additional channels, such as social networks, for reaching relatives of older persons.

A further example of the use made by the Office of the Ombudsman of action-guiding knowledge pertains to the importance of the reception bureaus for older persons, including for older persons who are not Jewish. The data reveal that in 2021 about 7% of the older complainants filed their complaints via the reception bureaus. While this percentage dropped in comparison to previous years due to the Covid-19 pandemic, it is still twice as high as the percentage of the overall population filing complaints via the reception bureaus. It was also found that a third (31.6%) of the older Muslim complainants approached the Office via the reception bureaus (for the sake of comparison, 5.7% of the older Jewish complainants contacted the Office via the reception bureaus)¹¹⁵. This knowledge about the high importance of the reception bureaus for older persons in general, and for older persons who are not Jewish in particular, guides the Office to conduct awareness-raising activities that emphasize the possibility of filing complaints via the reception bureaus. Furthermore, this knowledge guides the Office to employ in the bureaus staff who speak different languages, including Arabic, Russian and Amharic. This makes it possible for complainants requiring help in the filing of a complaint to receive assistance from a person who speaks their language.

A further example of the use made by the Office of the Ombudsman of action-guiding knowledge relates to an analysis of the answer given to the obligatory question in the online complaint form - "How did you hear about us". The analysis of the answer teaches, among other things, that older persons contact the Office following publicity on the radio at a higher rate than the overall population¹¹⁶. In this context, it should be noted that staff of the Office of the Ombudsman are interviewed on the radio in different languages and talk about

115 For further details, see pp. 34 - 35.

116 The same applies to lectures given by representatives of the Office, the dissemination of information pamphlets and publicity on the television.

the Office and its activity. Since an analysis of the data relating to these interviews revealed that this is an effective channel for older persons¹¹⁷, the Office continues to send its staff to be interviewed on radio, and is even planning on extending this activity.

These *modi operandi* of the Office of the Ombudsman illustrate how accumulation, analysis and processing of data about the persons approaching it, and service users, enable public bodies to focus their activity on reaching communities with a low rights take-up rate and to optimize the service provided by them.

An analysis of the discourse of older persons on the social networks, which was conducted by the Office of the Ombudsman, revealed that a small percentage of older persons and their relatives who have contentions with public bodies turn to ombudsmen or commissioners for public inquiries in the public bodies themselves¹¹⁸.

Taking into account Government Decision 127 from 19.7.2021, it is thus recommended that the joint work team that formulated the map of national indicators for optimal ageing¹¹⁹ consider adding to the map of indicators an indicator showing data on the complaints of older persons, such as the central issues disclosed by the complaints, the units within the public bodies about which many complaints are received and the characteristics of the complainants (age, religion, education, place of residence), in order to inform the public bodies of these data.

It is also recommended that the Ministry for Social Equality, the Ministry of the Interior, the National Digital Agency and the Government Companies Authority recommend to the government ministries, the local authorities and the government companies to gather data on the inquiries and complaints filed with them by older persons, to analyze the data and make use of the knowledge accumulated to optimize the service provided by them to this community. It is also recommended that these ministries and bodies recommend to public bodies to make use of the data on

117 For further details, see pp. 37 - 38.

118 Only 6% of the inquiries or referrals to the public bodies on the social networks were to the ombudsmen or commissioners for public inquiries within the public bodies. For further details, see pp. 97 - 98

119 The joint work team included representatives of government ministries, as well as Joint-Eshel, Myers-JDC-Brookdale Institute, the Israel Gerontological Data Center and the Central Bureau of Statistics.

the complaints and the complainants. The aim of this is to identify the communities that are not aware of their rights and the ways of exercising them, or of the channels open to them for filing a complaint, as well as to focus the awareness-raising activities of the bodies on these communities.

Service tailored to older persons

Tailored service is primarily an organizational perception, according to which service providers act in their interface with service users. The way in which the service is provided is very important in respect of promoting access to the administration and assisting in rights take-up. With regard to older persons, tailored service is service that recognizes their characteristics and the different barriers confronting them, and is designed in a manner that answers their needs and makes it easier for them to exercise their rights. Providers of the tailored service respect older persons, take into consideration their special circumstances and limitations and try to help overcome them; they avoid inflexibility and act in a sensitive and pliant manner where possible. Designing service that is tailored to older persons includes five factors: determining a contact plan with the service users or their representatives; integrating a scheme for locating older persons who suffer from isolation and are unknown to community services; appointing persons responsible for rights take-up within organizations; exercising discretion as to the way service is rendered; providing specialized training for service providers.

Contact with service user or representative

The community of older persons is an ever-increasing population group. It is characterized by diversity from many aspects, including in physical and cognitive abilities, skills and proficiencies. The complaints received by the Office of the Ombudsman and the analysis of the discourse of older persons and their relatives on the social networks, which was conducted by the Office, reveal that some older persons experience frustration and anguish at the lack of consideration shown by service providers in public bodies for their limitations and special circumstances. While this lack of consideration on the part of service

providers stems from an unawareness of these limitations and circumstances and not from an intent to hurt anyone, older persons often interpret this as a violation of their dignity and disregard for them¹²⁰.

In addition to recognizing the variance and diversity prevailing among older persons, they should be treated respectfully, according to the perception that all persons have the right to be seen and heard and to represent themselves where possible. Furthermore, the preference of older persons to receive by themselves decisions pertaining to them should be taken into account.

It is recommended that the contact with older persons be conducted with openness and awareness of the variance and diversity within this large group, and not be based on different presumptions. At the start of every interaction with older persons, it is necessary to find out if they have physical, cognitive or language limitations that require special ways of communication, and to conduct the interaction with them in a manner that is tailored to their needs.



Photo 14: Awareness-raising activity conducted by the Office of the Ombudsman for older persons



some older persons experience frustration and anguish at the lack of consideration shown by service providers in public bodies for their limitations and special circumstances

¹²⁰ For further details, see pp. 70 - 72.

While many older persons contact the public bodies themselves, many of them do so via representatives. An analysis and processing of data conducted by the Office of the Ombudsman reveals that the older the complainant, the more frequently complaints are filed via representatives. Receiving the assistance of representatives for filing complaints is not dependent on age alone, but also on level of education¹²¹. It is also required in cases where the complainants are in need of long-term care or are dependent on others.

The possibility of receiving service and exercising rights via a representative is of high importance for older persons who have difficulty obtaining these by themselves. However, even in these cases it is very important to make direct contact with the persons themselves, in order to ascertain that the information provided does indeed give the full picture and expresses the will of the older person in the most precise manner. The representative must be informed that the possibility of making direct contact with the older person is being examined. It is also possible to ask the representative to take part in the conversation, if necessary.

As a rule, it is recommended to instruct service providers in the public bodies to find out if it is possible to make direct contact with the older person, and if so - to do so, even if this incurs additional time or effort.

121 See pp. 26 - 28.

Scheme for locating older persons who suffer from isolation and are unknown to community services

Some older persons have no contact with care services, even though they are in need of them. These people suffer from social isolation and are termed "persons cut off from the environment". Due to the difficulty in locating them and their lack of awareness of the different services to which they are entitled, their needs go unmet.

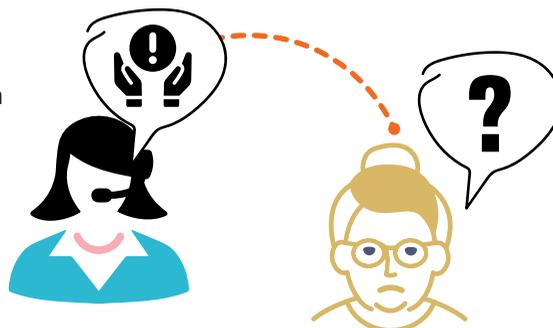
This was also disclosed in the responses to a questionnaire that the Office of the Ombudsman sent out to ombudsman institutions that are members of the IOI. The institutions were asked if they receive complaints of older persons that testify to isolation and dependence on others. 52% of the institutions responded that they receive complaints of this nature. They were also asked to indicate if in the letters of complaint of older persons, or in the course of the investigation of the complaints, it was possible to discern that the complainant was suffering from exploitation. 66% of the institutions responded that they dealt with differing degrees of exploitation of older persons.

In light of the above and taking into account the findings of the questionnaire, **it is recommended that public bodies, and especially institutions and units responsible for investigating complaints about public bodies, undertake to locate and identify which persons turning to them are "cut off from the environment" and refer them to community services and support.**

The Office of the Ombudsman has developed the following three-staged scheme for locating "persons cut off from the environment" and assisting them in making contact with relevant sources:

Location stage

In the course of the interaction between service providers and older persons who have requested the service, it is possible that direct or indirect information will be disclosed that implies or testifies to distress, need or lack. Service providers must be sensitive and attentive to these signs, even if the older persons do not explicitly express such distress, need or lack.



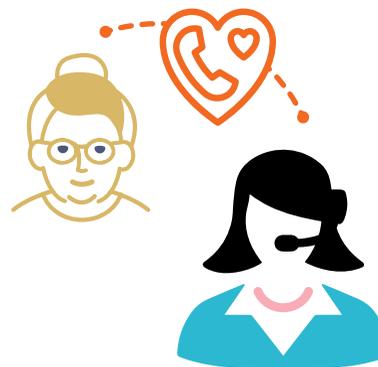
Inquiry stage

If the discourse unveils the possibility of the older persons being "cut off from the environment", service providers must ask the older persons two questions that will enable them to clarify the matter precisely:



Connection stage

If at least one of the answers is negative, service providers will ask the persons turning to them if they are known to the welfare services in their place of residence and if they are in contact with them. If the persons are in contact with the welfare services, it is possible to encourage them to go back to them. However, if the persons are not in contact with the welfare services, the service providers will offer them assistance in contacting the Bureau of Social Services or the Citizens' Advice Bureau in their area, or another relevant body. The choice of the type of service will be made according to the identified need of the older person.



It is recommended that public services integrate this unique work scheme into their bodies.

Exercising discretion as to the way service is rendered

Alleviating difficulties in the course of providing services for older persons requires awareness on the part of public bodies of the different barriers facing older persons and making an effort to make things easier for them.

It is recommended to find out from the service users, in the first conversation with them, if they have limitations or face difficulties. It is recommended that the service provider explain from the outset which process is required for receiving the service and find out from the service users if there are stages of the process that are likely to cause them difficulty, due to limitations or for other reasons. This clarification must be conducted in a sensitive and respectful manner, and it is suggested that the service providers undergo specialized training in the subject, as detailed below.

It is recommended that the service provider apply discretion regarding the circumstances of each case and bend the requirements in appropriate cases - so as to relieve older persons and help them exercise their rights. The discretion can, among other things, take the form of alleviating the bureaucratic demands where possible; negating the need for all the documents or accepting alternative documents; assisting in supplementing documents that are not in the older persons' possession but held by another public body; allowing the older persons to receive an immediate answer by phone without the need to go via several extensions; and in exceptional cases, when it becomes apparent that the service users are "cut off from the environment", with no one to help them - a home visit. In relation to home visits, it should be noted that during the Covid-19 pandemic, staff of the Population and Immigration Authority and of the Ministry of Transport and Road Safety went to the homes of older persons, in special cases, in order to help them complete bureaucratic processes for exercising their rights. The Office of the Ombudsman was impressed by this and commended these public servants in its annual report¹²².



It is recommended to find out from the service receivers, in the first conversation with them, if they have limitations or face difficulties

¹²² Ombudsman, Annual Report 47 (2021), p. 87 (in Hebrew only).

The time factor is likely to be more important than usual where older persons are concerned. Some older persons will in advance relinquish a service or a right out of fear that the process will be extended, and due to the feeling that at this stage of their life, it is not worth the bother and the long wait to receive the service. It is therefore recommended to **simplify for older persons the process for making telephone contact with the service providers, to shorten for them the long phone call waiting times ("exemption from standing in line"), and to enable them to speak to service providers without delay and without the need to press multiple buttons.** According to this scheme, the age of the service users will be identified upon their entering their identity number, and their call will be forwarded immediately to the head of the line, to be answered by a representative.

Shortening the timeframe for providing the service is also achieved by concentrating the services and providing them in one place and by one source that is responsible for coordinating between the public bodies involved ("one-stop-shop" policy)¹²³. **It is recommended that the National Digital Agency and the Ministry for Social Equality continue to carry out activities for advancing this important issue.**

It is also suggested that when the persons turning to the body are very elderly, the fastest possible process should be adopted in order to provide the required service, since optimal service for older persons includes not only answering a need, but doing so swiftly.

It is recommended that public bodies apply specialized mechanisms and act in differing ways to shorten the timeframes for providing services for older persons.

Appointing staff responsible for rights take-up within organizations

Due to the multitude of services and the division between bodies and institutions providing services for older persons, the latter often encounter difficulty in knowing to what they are entitled, which is the responsible body, or what is required of them to exercise the right. In order to assist older persons, it is recommended that bodies dealing with the handling of complaints and public bodies that have designated

¹²³ In this context see Government Decision 1933 (30.8.2016).

units for handling complaints, appoint a "staff member for the take-up of rights of older persons". These staff members will undergo special training and will specialize in the field of rights of older persons.

The staff members will be familiar with the services existing at the different government levels (the national level and the level of the authorities); will coordinate the existing information about services, rights, way of take-up and relevant contacts; they will also keep updated on innovations and changes in the field. Whenever the interaction with the complainant reveals a need or difficulty pertaining to one of these matters, the complaint investigator will not only investigate the complaint filed by the complainant, but will refer the case to the designated staff member who will guide the complainant in the take-up of rights¹²⁴.

Specialized training for providers of service for older persons

The training is by its very nature aimed at developing the staff, educating them and optimizing their work in fields where this is required. As mentioned in the preface¹²⁵, older persons are often required to cope with ageism. Ageism, which stems from prejudice relating to the age of a person, can take the form of a patronizing attitude or a lack of awareness of, and sensitivity to, the situations that are likely to confront older persons as a part of old age. Ageism can hurt the older person exposed to it, even if it is adopted unwittingly or without malice. This attitude constitutes a perceptual barrier among service providers and is likely to make it hard for older persons to receive the service and exercise their rights; it is also likely to cause them to relinquish them in order to avoid humiliating situations.

Training can also help staff become familiar with the laws and directives designed to make it easier for older persons to receive service or exercise rights. Service providers are not always adequately aware of the laws and directives relating to older persons. This makes it difficult for older persons to receive their rights and the optimal service for them¹²⁶.

124 It should be noted that the designated staff member does not represent the complainants nor give them legal advice.

125 See p. 9.

126 For example, the exemption from standing in line that is anchored in Section 13B of Senior Citizens Law, 5750-1989.

In addition to general training, it is recommended that service providers in the public bodies undergo specialized training in relevant topics for optimizing the service provided for older persons.

The specialized training will be in the following topics:

1. Training in ageism

The training will focus on understanding the concept of ageism, the way in which it takes form and the manner in which it affects the provision of service for older persons. Since ageism is frequently wedged in the subconscious mind, service providers should be allowed to question personal viewpoints and feelings towards issues such as ageing and death. The aim is to assist service providers in examining personally what the interaction with older persons evokes in them and in which ways this affects their work. The training will also include processing the concept of ageism through examples from the workplace.

2. Training in old age

The training will provide general knowledge about old age and will elaborate on the natural processes that occur, including a decrease in cognitive ability or hearing. The aim of the training is to help service providers understand these phenomena and to teach them how to deal with them in an optimal, sensitive and respectful manner. The training will also include learning about the difficulties facing some older persons, such as accessibility difficulties, difficulties emanating from digitalization of service and language and communication difficulties, as well as the ways of coping with them.

3. Training in services and rights

Training in the laws and directives relating to older persons that are designed to make it easier for them to receive the service or the rights. In addition, mapping the different sources and institutions dealing with older persons and the authority of these bodies. The training will also include mapping the services on the national and local level, where necessary.

With regard to the scheme of service tailored for older persons and the unique barriers facing them, it is recommended that the Ministry for Social Equality and the National Digital Agency direct



In addition to general training, it is recommended that service providers in the public bodies undergo specialized training in relevant topics for optimizing the service provided for older persons

the government ministries to formulate a scheme of this kind; that the National Insurance Institute formulate a scheme of this kind; that the Ministry of the Interior recommend to the local authorities to formulate such a scheme; and that the Government Companies Authority direct the government companies to formulate such a scheme. A scheme of this kind will include the exercising of discretion to avoid excessive inflexibility, which makes it difficult for older persons to exercise their rights.

It is also recommended that the said regulatory bodies instruct the public bodies to train the service providers in their institutions on matters relating to ageism, old age and its ramifications and the services and rights of older persons, in order to improve the service given to this population group.

Outreach and awareness-raising activity aimed at older persons

The awareness and knowledge barriers are central obstacles facing older persons in exercising their rights when interacting with the public administration¹²⁷. In order to overcome these barriers and furnish older persons with the knowledge that they require to exercise their rights, public bodies must take active, outreach actions.

The awareness and knowledge barriers of older persons do not relate only to identifying the rights to which they are entitled¹²⁸, but also to their right to file complaints about the service given to them or the non-take-up of their rights, with bodies such as the Office of the Ombudsman within the Office of the State Comptroller or with ombudsmen and public inquiries commissioners in the public bodies.

Lack of knowledge of the various ways in which it is possible to complain about public bodies was disclosed by the analysis of the discourse on the social networks of older persons and their families



The awareness and knowledge barriers of older persons do not relate only to identifying the rights owing to them, but also to their right to complain about the service given to them

127 See Robert L. Schneider & Ariela Lowenstein, "Outreach to the Elderly in Israel: Service Delivery Issues", *Journal of Gerontological Social Work*, Vol. 13 (1989), pp. 95 - 113.

128 John Gal, Mimi Eizenstadt, Avishai Benish and Roni Holler, *Active Take-Up of Rights in Social Security* (2019), p. 82.

that was conducted by the Office of the Ombudsman. The analysis included identifying the bodies to which older persons complain. In the analysis of the posts, bodies to which older persons had turned were identified, as well as bodies to which it had been recommended to approach to receive an answer or the solution to a problem. Regarding all the posts that included inquiries or referrals, the analysis disclosed that 66% of them directly addressed the public bodies that deal with the take-up of the right or with the provision of the service, or referred others to them. However, only 6% of the said posts directly addressed the ombudsmen or inquiries commissioners in the public bodies, or referred others to them. It was also disclosed that in 22% of the said posts, media sources were indicated as addresses for complaints, and only 4% of the posts indicated the Office of the Ombudsman as an address for complaints¹²⁹.

What is outreach?

In the context of public service, the meaning of this term is the performance of a variety of actions by a public body outside its premises, with the aim of making its services accessible to the wider public and broadening the scope of the target groups exposed to it¹³⁰.

The outreach stage is an initial and principal step in the process aimed at enhancing the citizens' awareness of their rights. Within this stage, actions are taken for disseminating general knowledge about the rights¹³¹. One of the important aims of outreach is to locate the "hard to reach"¹³² and enable them to exercise the rights to which they are entitled.

Outreach does not entail a single action only, but relates to a variety of approaches, methods and models for making contact with certain communities requiring assistance, support and easy access to information¹³³. The outreach activities can take a variety of forms -

129 For further details, see p. 97.

130 See Shmulik Szeintuch, *Working in the field: Street work and outreach of social workers and others* (2013), p. 13.

131 Jonny Gal, Mimi Ajzenstadt, Avishai Benish and Ronny Holler, *Active Take-Up of Rights in Social Security* (2019), p. 81.

132 Shmulik Szeintuch, *Working in the field: Street work and outreach of social workers and Others* (2013), p. 7.

133 Björn Andersson, "Finding ways to the hard to reach—considerations on the content and concept of outreach work", *European Journal of Social Work* 16(2) (2013), pp. 171 - 186; Hans Grymonprez, Rudi Roose & Griet Roets, "Outreach social work: from managing access to practices of accessibility", *European Journal of Social Work* 20(4) (2017), pp. 461 - 471.

holding rights fairs, distributing information pamphlets by direct post, publicizing on the internet and social networks, and giving lectures to different population groups and meeting with them.

Outreach activities aimed at older persons

Older persons do not constitute a homogeneous group. They are different from each other in their degree of independence, in the characteristics of their places of residence, in their level of digital literacy, in their knowledge of Hebrew and the way in which they use information. Accordingly, in order to conduct awareness-raising and outreach activities that will reach the whole of the community of older persons, the public bodies must take multifarious measures, paying attention to the diversity existing within this population group.

Due to their advanced age and the limitations sometimes emanating from it, many older persons are helped by relatives in their interaction with the public authorities - to receive services, arrange rights and file complaints. This is reflected in the data gathered by the Office of the Ombudsman on the older complainants. The data disclosed that the older the persons, the more likely they were to contact the Office via representatives (a relative, friend or civil rights organization) - 8.9% of the complainants aged 65 - 69 filed complaints via a representative, as opposed to 33.4% of complainants aged 85 and above¹³⁴. For this reason, outreach actions must be conducted for the relatives of older persons and rights take-up associations.

In order to reach people who do not speak Hebrew fluently, special emphasis must be placed on locating centers and clubs where older persons who speak different languages get together, and conduct awareness-raising activities in the different languages in these places.

In some cases, older persons are faced with psychological or cultural barriers that are reflected in suspiciousness towards the establishment and fear of the endless bureaucracy entailed in the process of exercising their rights. It is therefore recommended to tell older persons about "success stories" in the course of the awareness-raising activity - cases where contacting the bodies led to the take-up of rights.

¹³⁴ For further details, see pp. 26 - 27.

Furthermore, it is recommended to address the issue of ageism¹³⁵ during the outreach activities - stereotypic or discriminatory attitude towards persons that have no relation to their unique attributes as individuals, but to their age - and the prohibition of discrimination on grounds of age¹³⁶. This is recommended since only persons who know their rights will know to complain about a violation of them¹³⁷.

The importance of explaining about discrimination on grounds of age is also disclosed in the responses to the questionnaire that the Office of the Ombudsman sent out to all the ombudsman institutions that are members of the IOI. From these responses it is clear that older persons rarely file complaints about discrimination on grounds of age¹³⁸.

The following are examples of outreach aimed at older persons. The choice of outreach detailed here is based, among other things, on the conclusions reached by the Office of the Ombudsman in recent years about the way it must raise the awareness of older persons as to its existence and remit, and increase the percentage of older persons turning to it. These conclusions are based on the information the Office has accumulated from an analysis of the statistical data on older complainants; an analysis of the responses to the questionnaire that it sent out to ombudsman institutions around the world; and an analysis of the discourse of older persons and their relatives on the social networks.

Direct awareness-raising activity

One of the important ways of conveying information to older persons is by going in person to the places where they consume culture and knowledge (such as pensioners clubs and places where enrichment programs take place), to places where they are present some of the time (such as day centers for the elderly, clubs for the elderly and community centers), and places where they reside (such as

135 For further details about ageism, see pp. 9, 116 - 117.

136 Sarit Okun & Liat Ayalon, "Ageism: the importance of the linguistic concept for the construction of the experience", *Ageing & Society* (2022), pp. 1 - 15.

137 Ibid.

138 See p. 106.

retirement homes and sheltered housing). The direct engagement with them in these places makes it possible to convey directly and effectively messages and information and to answer questions asked in real time relating to the practical aspects of this information. In this way, the reception of the information is enhanced, as well as the probability that it will lead to action.

In addition, awareness-raising activity should be conducted in this way for bodies and organizations that are in continual contact with older persons, such as welfare bureaus in the local authorities, social organizations and volunteer organizations. Furthermore, information can be conveyed to older persons via young relatives, such as grandchildren; in the framework of the training of civic studies teachers in the schools; and via tutorials for high school pupils.



Photo 16: Awareness-raising activity conducted by the Office of the Ombudsman for older persons

Awareness-raising activity via "traditional" means of communication

Alongside the direct awareness-raising activities, it is recommended to inform older persons about their rights via the main communication channels, including the options at their disposal for complaining about the service they receive.

The Office of the Ombudsman learnt about the importance of reaching out to older persons via the traditional means of communication from an analysis of the complaints of older persons. According to the data unveiled by the analysis, the percentage of older persons exposed to this information via "traditional" forms of publicity (television, radio and the press) is higher than the overall percentage of complainants exposed in this way¹³⁹.

For example, in 2021 almost 10% of the older complainants heard about the Office of the Ombudsman on the radio. This can be explained by the fact that at the beginning of 2021, the Russian-speaking staff of the Office began to be interviewed on Radio Reka in Russian, in the framework of a weekly slot, and to tell the listeners about different complaints in which the Office had succeeded in helping the complainants¹⁴⁰.

Awareness-raising activity via the internet and social networks

Another important channel for conducting awareness-raising activity for older persons is the internet, including social networks.

The data gathered by the Office of the Ombudsman show that 16.5% of the older complainants were familiarized with the Office via publicity on the internet¹⁴¹, and 8.2% were familiarized with it via different forms of publicity on the social networks¹⁴². The analysis of the discourse on the social networks that was conducted by the Office¹⁴³ also revealed that older persons and their relatives are active on these networks - they share their experiences there, raise problems that they have encountered in their interaction with the public bodies and suggest solutions. It can therefore be seen that older persons are present in the online arena, thus underlining the need to conduct awareness-raising activity for this community through online channels as well as others.

139 In 2021, 9.5% of the older complainants reported that they had contacted the Office after hearing about it on the radio, as opposed to 4.6% of the overall number of complainants; and 6.2% of older complainants reported that they had heard about the Office on the television, as opposed to 4.5% of the total number of complainants.

140 Similar interviews will take place on the radio in Amharic.

141 The percentage of all complainants who were familiarized with the Office's work via the internet is only slightly lower - 16.2%.

142 The percentage of all complainants who were familiarized with the Office's work via the social networks stands at 12.8%.

143 See pp. 81 - 98.

To sum up, the above outreach activities constitute another way of raising the awareness of older persons to their rights and the options at their disposal in their interaction with public administration authorities.



Photo 17: Awareness-raising activity conducted by the Office of the Ombudsman for older persons

It is recommended that the Ministry for Social Equality and the National Digital Agency direct the government ministries to conduct outreach activities for older persons; the Ministry of the Interior should likewise recommend this outreach activity to the local authorities, and the Government Companies Authority should direct the government companies to act in the same way. The main goal of this activity is to disseminate information about the various services provided by each public body, about the bodies investigating complaints and about the different channels through which complaints may be filed against the public administration. Furthermore, it is recommended that the outreach activities conducted be aimed not only at older persons, but also to all those around them, such as relatives, carers, volunteers and social organizations.



older person are present in the online arena, thus underlining the need to conduct awareness-raising activity for this community through online channels as well as others

Making public service and ways of filing complaints accessible to older persons

The public administration and government authorities are obligated to grant every individual in society full and direct access to the public services to which they are entitled, in order to enable them to exercise their rights and participate equally and actively in society in all areas of life. The assurance of accessibility is not only a legal issue, but also reflects the moral duty of society to ensure that every person enjoy a direct and simple path to public service. In reality, social rights are not accessible equally to every individual¹⁴⁴, and it is necessary to ensure their active accessibility so as to guarantee in practice the rights of all individuals, their personal welfare and their social integration¹⁴⁵. In order to achieve this goal, it is often necessary to tailor the ways that the service is provided to the needs of different population groups.

The obligation of the public administration to make its services accessible to every individual in society is anchored, inter alia, in Equal Rights for Persons with Disabilities Law, 5758-1998, and the regulations deriving from it. Some older persons have disabilities - whether as a result of ageing or for other reasons. This group of people is entitled to receive service that is tailored to its needs in accordance with Equal Rights for Persons with Disabilities Law, 5758-1998. Many older persons who are not considered persons with disabilities, as defined by law, often encounter barriers that make it hard for them to exercise their rights and sometimes even prevent them from doing so.

These barriers are diverse and include digital barriers; bureaucratic barriers, such as a demand to go in person to the offices of the authority; and knowledge and awareness barriers, including a language barrier. The negative effects of these barriers are likely to intensify when cultural and psychological barriers are added, these

144 John Gal and Mimi Ajzenstadt, "Introduction: Access to Social Justice in Israel", within: John Gal and Mimi Ajzenstadt (Editors), *Access to Social Justice in Israel* (2009), p. 14; Amir Paz-Fuchs "Why do rights on paper remain on paper? Access to Social Rights - Theoretical Background", within: John Gal and Mimi Ajzenstadt (Editors), *Access to Social Rights in Israel* (2009)), p. 30.

145 Avishai Benish and Liron David, "The right of access to administration in the welfare state: the (non-) take-up of social rights and the duty to make social rights accessible", *Law and Government* 18 (2018), pp. 420 - 421.

latter barriers also stemming from the special circumstances of older persons¹⁴⁶.

This chapter will discuss different ways of making service accessible to older persons, emphasizing making the right **to complain** about public service accessible. These ways of making service accessible are based on the experience of the Office of the Ombudsman in making its services accessible to communities deserving special attention, including older persons, as well as on the knowledge gained from the data at its disposal and the complaints that it investigated.

Solutions to digital barriers - diversifying ways of applying for services and simplifying digital processes

As was described in detail in the chapter "Service provided for older persons by government authorities and public administration", the increasing use of digital means poses an array of difficulties in relation to the take-up of rights of the individual. Expanding the use of digital means has the potential to enhance knowledge about rights and the awareness of them, and to improve the ability to receive a fast and effective response. However, for some older persons who lack digital literacy, increasing the use of digital means is likely to constitute a high hurdle, which sometimes cannot be overcome, on the path to receiving the services for which they are eligible and exercising their rights. It is therefore appropriate to take into consideration the special characteristics of older persons, so that the many advantages inherent in the provision of digital services benefit them as well and enable the provision of effective, swift, geographically accessible and respectful service for them, after making the necessary adaptations.

In November 2022, the Central Bureau of Statistics published the national indicators for optimal ageing in Israel¹⁴⁷. The report focuses on the situation of persons aged 65 and above in Israel in the years 2015 - 2020 and presents the map of national indicators for optimal

¹⁴⁶ John Gal, Mimi Ajzenstadt, Avishai Benish and Roni Holler, *Active Take-Up of Rights in Social Security* (2019), p. 50.

¹⁴⁷ See: *Report on optimal ageing in Israel 2020* (published in November 2022). The report was compiled by a joint work team including the Prime Minister's Office, the Ministry of Health, the Ministry of Welfare and Social Affairs, the Ministry for Social Equality and the Ministry of Finance, together with Joint-Eshel, Myers-JDC-Brookdale Institute, the Israel Gerontological Data Center and the Central Bureau of Statistics.

ageing. With regard to the digital literacy indicator, the scope of use of the internet for different purposes (finding information, sending electronic mail, participating in discussion groups on social networks, downloading files, making payments, purchasing, receiving government services, etc.) was examined. It was found that in 2020 73% of persons aged 65 and above used the internet¹⁴⁸. Despite the increase in the digital literacy of older persons, and alongside the welcome progress made by government authorities in providing wide-ranging services digitally, it is imperative to ensure that public service does not negate entirely a non-digital channel. This is necessary to guarantee that persons with lower digital literacy are not prevented from exercising their rights and enjoying public service, in keeping with their status and dignity. Even if the lack of digital literacy of older person declines over the years, it can be assumed that in light of the continuous accelerated development of technology, certain parts of this community will continue, in the foreseeable future, to encounter difficulty in coping with the digital demands inherent in receiving services from government authorities.

It is thus necessary to preserve access to public service via traditional channels, such as by post, phone and reception bureaus.

Furthermore, even if the cognitive abilities of older persons are intact, there are many cases of weakened proficiencies, such as managing simultaneously several pieces of information, filtering distracting internal and external stimulations and the ability to remember a series of actions required for completing a task¹⁴⁹. The failure of websites and online forms to accommodate these weaknesses is likely to prevent older persons from exercising the rights, or enable them to receive them only partially or after a delay. The meaning of cognitive accessibility for older persons is adapting to their ways of thinking, processing and reaching conclusions and taking into consideration their cognitive limitations, if any¹⁵⁰.

148 See *Indicators for Optimal Ageing in Israel, 2020* (chapter 7.2).

149 Shiry Bar-Lev and Daniella Eisenberg, "Older persons and use of the internet to exercise rights: How do they cope?", *Social Security* 113 (2021), pp. 227 - 261.

150 See there for more on the cognitive limitations of older persons.

It is therefore recommended that the digital interfaces that are provided by public authorities, for the use of the public, be clear and user-friendly and adapted from the outset to include older persons who do not avoid using digital means, but are not familiar with all the enigmas of updated technology. In addition, it is advisable that the digital means be cognitively accessible and designed in a way that simplifies the process for exercising the right.

Furthermore, as many older persons as possible should be enabled to acquire digital proficiency. This will contribute to their full integration within community life and reduce the problems reflected in the complaints that they file with the Office of the Ombudsman relating to their interaction with public authorities. It is also likely to help older persons to a significant degree in other aspects of their life.

Solutions to bureaucratic barriers - physical and geographic accessibility

An additional barrier facing older persons in receiving service relates to the physical accessibility of the service.

Lack of physical access to the offices of public authorities is likely to pose a particular difficulty for older persons¹⁵¹. As said, for reasons relating to old age¹⁵², some older persons prefer to receive service in a face-to-face meeting with the service provider, which usually takes place in the offices of the public authority. The Covid-19 pandemic demonstrated for the public sector that the need to provide the population with service that can also be accessed easily and safely in person, enabling inter-personal contact with the service provider, still exists.

Difficulty in finding one's way around the premises of the public body in which the service is provided can also be an unpleasant experience. This experience leads to alienation and stress, which are likely to constitute a future barrier to receiving the service, even for persons not suffering from a physical disability.

Not only the issue of immediate accessibility of the authority's offices makes life difficult for older persons, but also the geographic

151 John Gal, Mimi Ajzenstadt, Avishai Benish and Roni Holler, *Active Take-Up of Rights in Social Security* (2019), pp. 49 - 50, 116.

152 Dana Prilutzky and Miri Cohen (Editors), *Practical Gerontology: A Professional Overview of working with Older Adults* (2015), pp. 3 - 29.

dispersion of the offices. This affects the distance that service users have to cover to receive the service, and consequently adds to the burden of mobility.

Public bodies must therefore enable older persons to receive the necessary services in different geographical areas and over a wide national distribution. Such widespread distribution facilitates the filing of complaints by persons in need of assistance and enables them to consult face-to-face with the staff of the office. If the complainant is unable to file the complaint by other means, this also enables the filing of the complaint verbally. The importance of this widespread distribution can be learnt from the statistical analyses conducted by the Office of the Ombudsman in relation to the characteristics of older complainants. These analyses showed that in 2021 the percentage of older persons who visited the office's reception bureaus, out of all the older complainants, was twice the percentage of all the complainants who visited the bureaus. It should be noted that the Office of the Ombudsman makes itself geographically accessible by operating regional reception bureaus over a relatively wide geographical distribution. In addition to the reception bureaus in the offices of the State Comptroller and Ombudsman in Jerusalem, Tel Aviv and Haifa, there are regional reception bureaus in Nazareth, Lod and Be'er Sheva¹⁵³. Furthermore, in 2019 the Office of the Ombudsman launched the "Ombudsman in the Community" project. This project involves unique cooperation between different social organizations dealing with the take-up of rights and the Office. The aim of the project is to broaden the activity of the reception centers of the Office in different towns in the periphery, by establishing an array of volunteers, called "rights-accessibility trustees", who speak different languages (Amharic, Russian and Arabic). In the framework of the project, volunteers and staff of the Office meet with the residents at reception centers of the social bodies and encourage them to exercise their rights, including by filing complaints.

153 On making the Office accessible to the periphery and to communities deserving special attention. See Ombudsman, *Annual Report 48* (2022), pp. 22 - 23 (in Hebrew only).

Solutions to awareness and knowledge barriers - language accessibility

Israel is a multi-cultural country, with population groups whose mother tongue is not Hebrew. Older persons who do not speak Hebrew proficiently have difficulty receiving services in Hebrew, and are consequently prevented from receiving the services to which they are entitled.

One of the ways for coping with language and communication barriers in relation to public services is by making these services language-accessible.

The precise and detailed wording of a complaint is necessary for an optimal investigation of it. It is thus essential to allow the filing of a complaint in the original language of the complainant. The Office of the Ombudsman is aware of this, and therefore its staff speak different languages - Arabic, English, Russian, Amharic, French and Spanish - enabling the filing of complaints in these languages where necessary, and communicating with complainants in their language in the course of the investigation. In cases where the complaints are written in languages that are not spoken by the Office's staff, they are translated by professional translators.

To sum up, it is recommended that the Ministry for Social Equality, the National Digital Agency, the Ministry of the Interior and the Government Companies Authority direct the government ministries, the local authorities and the government companies to preserve non-digital means of receiving public service, especially for filing complaints about public service to the ombudsmen and public inquiries commissioners; to tailor their services to older persons by providing a variety of ways of receiving service over the broadest possible geographic distribution; making the bureaus where the service is rendered physically accessible; and taking measures for providing language-accessibility. These measures should be adopted in addition to ensuring accessibility for persons with disabilities as required by law and in order to make it easier for the different groups of older persons in Israeli society to exercise their rights.



It is therefore essential to allow the filing of a complaint in the original language of the complainant

It is also recommended that the National Digital Agency continue its work in ensuring that the services rendered digitally by the government ministries be designed in advance in a manner that accommodates the needs of older persons and facilitates the access of this community to the public service. Furthermore, it must ensure the cognitive and language adaptation of ways of communicating digitally.

In addition, it is recommended that the National Digital Agency and the Ministry for Social Equality continue to promote learning programs that furnish older persons with the necessary digital proficiencies for receiving services from public authorities.

Glossary

Letter of complaint

A letter from a complainant that contains one or more complaints against one public body

Complaint

Claims of the complainant about the public body. Some letters of complaint may include more than one complaint against one public body.

Complainant

A person who files a letter of complaint with the Office of the Ombudsman (including a child or someone who is not an Israeli citizen or a resident of Israel). Another person can also file a complaint on behalf of the complainant, provided the complainant has consented to this in a manner acceptable to the Ombudsman.

Public body

A body against which a complaint may be filed under State Comptroller Law, 5718-1958 [Consolidated Version]. Section 36 of State Comptroller Law provides that a complaint may be filed against all the bodies subject to audit by the State Comptroller under Sections 9(1) - 9(6) of the law:

- All government ministries and their auxiliary units;
- All government companies or other bodies whose management is shared by the government;
- Enterprises or state institutions, such as the National Insurance Institute, Israel Police, the IDF and the Israel Land Authority.
- Other bodies subject to state audit by law, by virtue of a decision of the Knesset (parliament) or by virtue of an agreement between them and the government.

According to Sections 9(7) - 9(8) of the law, bodies whose management is shared by one of the above bodies or which receive support from one of these bodies will be bodies against which complaints may be filed only if the Ombudsman or the State Audit Affairs Committee of the Knesset have so determined.

Rectified complaint

A complaint, the handling of which has been completed to the complainant's satisfaction and thus no ruling was made pertaining to it.

A complaint in which a decision was reached

A complaint whose investigation was completed and it was decided whether or not it was justified.

Justified complaint

A complaint whose investigation was completed, and it was decided that the public body acted in contravention of the law, without legal authority, or contrary to the rules of proper administration, and a complaint relating to which it was decided that the act of the public body was excessively inflexible or flagrantly unjust.

Unjustified complaint

A complaint whose investigation was completed, and it was decided that it was not a justified complaint as defined above.

A complaint that the Office is not authorized to investigate

A complaint that does not meet the conditions laid down in Sections 36 - 37 of State Comptroller Law, which provide against which bodies and on which subjects complaints may be filed; or a complaint to which the provisions of Sections 38 - 40 of State Comptroller Law apply.

Percentage of justified complaints

The percentage of complaints that the Office determined to be justified out of all the complaints pertaining to which a ruling was made.

Percentage of justified complaints and rectified complaints

The percentage of complaints whose investigation was terminated either because the issue of the complaint was rectified without the need for the Office to make a ruling pertaining to it, or because the Office determined that the complaint was justified, out of all the complaints that the Office was authorized to investigate.

Notification

Notification of the Ombudsman to the public body that the complaint against it was found justified. In the notification, the Ombudsman may summarize his findings and inform the public body of the need to rectify a defect that was revealed by the investigation and instruct it how and by when to rectify it.

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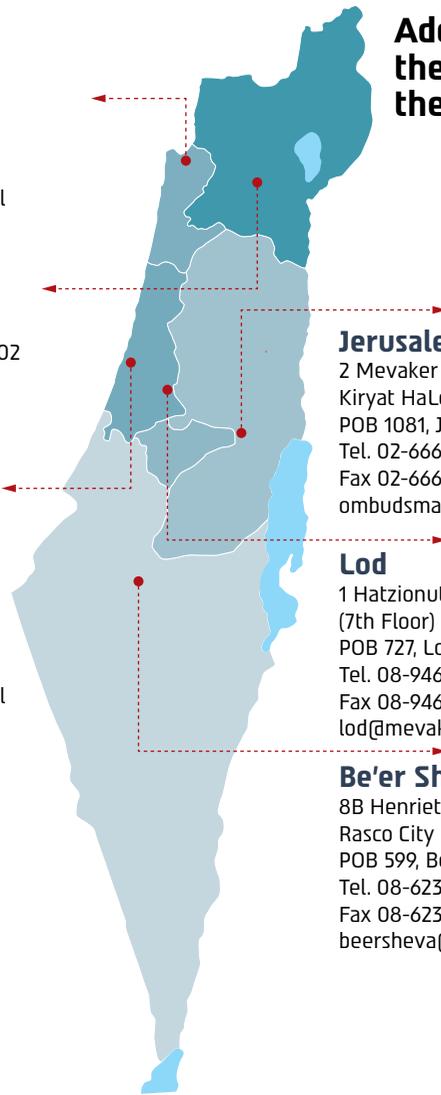
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