



## A JORDAN OMBUDSMAN BUREAU WITH ENHANCED CAPACITY

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**Introduction:** The World Bank is mainstreaming citizen engagement through - among other things - supporting the development of Grievance Redress Mechanisms (GRMs), which are used by Ombudsman Institutions as a vehicle to enhance citizen voice and government responsiveness in order to advance citizen-centered governance. The recent inclusion of an indicator on grievance redress (% of registered grievance resolved) in its corporate score card is likely to see more GRMs being integrated into sectorial projects/programs and their results frameworks.

The Ombudsman Bureau in Jordan was established in 2008. It was created to provide an avenue for redress by citizens for complaints against public sector bodies - part of the Government's drive to improve the public sector. Such a body is important in providing checks and balances in a government dominated by a strong executive branch. It also provides an alternative process of dispute resolution to filing cases in courts, thus relieving pressure on the court system and providing a means of redress that may prove more accessible than the courts for certain categories of disputes.

The mandate of the Ombudsman Bureau involves investigating complaints from citizens against public entities and resolving disputes amicably through mediation and recommending corrective action when necessary. The Ombudsman Bureau also has a mandate to initiate dialogue directly with public-sector bodies in cases where problems are identified. This allows it to advise on improving the delivery of

public services, which will assist the government to disseminate best practices throughout the public administration, as well as increasing its transparency and effectiveness in serving the public.



Logo of the Jordan Ombudsman Bureau

The Jordan Ombudsman Bureau began addressing complaints in 2009, and has dealt with more than 9,000 complaints from 2009 to 2013. During this period, the complaints were sent by form using the country's existing network of 365 post offices but, it should be able to accept on-line complaints through an electronic platform in the near future.

Complaints	Number of Complaints Received				
	2009	2010	2011	2012	2013
Administrative Decisions	1,370	928	1,415	955	728
Hiring / Rehiring Requests	336	208	423	228	98
Job Adjustment	187	81	45	51	14
Service / Service Improvement	168	92	121	83	57
Financial Exemptions / Assistance	138	96	80	48	18
Assistance Requests	127	38	49	29	14
Inquiry / Objection Re Competitive Ranking	121	4	28	44	46
Judicial Decisions	116	35	10	4	8
Individuals / Private Sector Entities	89	30	25	7	8
Maltreatment / Abuse of Power	64	60	66	67	36
<b>Total</b>	<b>2,716</b>	<b>1,572</b>	<b>2,262</b>	<b>1,516</b>	<b>1,027</b>

<sup>1</sup> This project (Jordan IDF Grant TF-99639 - Ombudsman Capacity-Building Support Project - P.122070) was supervised by Emmanuel Cuvillier, Sr. Public Sector and Governance Specialist (TTL), and Salam Almaroof, Public Sector Analyst. Both work in World Bank's Governance Global Practice (GGODR). The MENA K&L Quick Note was cleared by Hisham Waly, Practice Manager (GGODR).

The first few years of its operation constitute a critical phase in terms of building appropriate capacity, adopting international standards of

performance, and reaching out to citizens to effectively implement its mandate. In addition to being a new organization, the Ombudsman Bureau must perform a mandate that it is completely new to both the public sector and private citizens. It is one of only a few Ombudsman Institutions in MENA.

ADMINISTRATIVE DECISIONS	
Type of Administrative Decision Appealed	Number of Complaints received (2009-2013)
Request for improvement/ Enforcement of instructions or decisions	1,128
Employment termination / Dismissal	509
Objections re: Monetary value / Bonus / Raise / Per diem / Bills / Fees	736
Request for retirement salary / Increase in retirement salary / Financial aid	328
Denial of job promotion / Employment	339
Request to obtain a passport / ID / Citizenship / Residency	356
Arbitrary transfer	188
Licensing request denial (commerce, residence or transport)	268
Security decisions / House arrest / Detention / Deportation / Seizure of property	383
Exclusion from Royal endowment	107
Objections on central committees' decisions	157
Issuance of Notice, Warning or Penalty	127
Salary deduction or withholding	190
Transfer request	101
Denial of scholarships / courses / lectures or extra official work	73
Denial of health insurance	56
Land or housing authorization request	176
Objections to the decisions of medical committees or disapproval of medical reports	42
Denial of certificate equivalence or bridging	58
Denial of fuel support	74
<b>TOTAL</b>	<b>5,396</b>

Measures Taken for Complaints Received by the Ombudsman Bureau (2009-2013)					
Measures Taken	Number of Complaints Received				
	2009	2010	2011	2012	2013
Rejected in form	1,059	525	613	359	208
Investigation revealed that administrative procedure(s) taken were correct	934	578	862	593	353
Guidance was provided	188	160	287	170	82
Complaint procedures not completed	135	47	62	65	23
Officially resolved	189	119	161	158	134
Resolved amicably	108	37	43	8	4
Undergoing official follow-up	47	50	177	108	183
Recommendation submitted to complained-against party due to incorrect administrative procedure	56	56	57	55	40
<b>Total</b>	<b>2,716</b>	<b>1,572</b>	<b>2,262</b>	<b>1,516</b>	<b>1,027</b>

**Nature of the present challenge:** The main challenge for the Jordan Ombudsman Bureau is its ability to effectively address the many complaints it receives. Though it was expected to do this immediately upon establishment, it was not given

enough time to build systems, procedures and capacity. Given the already high demand for its services, now likely to increase as the Ombudsman Bureau signs memorandums of understanding (MoU) with other public-sector bodies, internal complaint management system needs enhancements.

The development objective of the World Bank funded project, launched in July 2011 and completed in August 2014, was to build the capacity of the Jordan Ombudsman Bureau to perform efficiently and effectively, by achieving the following:

- 1) Strengthening its service delivery and management systems.
- 2) Establishing a complaints administration process that resolves complaints in a fair manner and in timely fashion.
- 3) Ensuring that recommendations to other public bodies about improvement of services are accepted and implemented.

This project was linked to two of the four pillars of the 2006-2010 Country Assistance Strategy (CAS): *supporting local development through increased access to services; and supporting public-sector reform.* An ombudsman bureau with enhanced capacity would promote more efficient service delivery at the local level, and help improve public sector performance by addressing individual complaints from citizens.

It also supported one of the objectives of the Jordan Country Partnership Strategy (CPS FY12-FY15) in generally supporting public sector development and improving delivery of public-sector services. An enhanced ombudsman bureau would play a key role in improving service delivery given the complaints it receives related to civil servants. However, as a new institution, the Ombudsman Bureau's capacities must be enhanced for it to play its full role in the overall program of public-sector reform.

**Results achieved:** By early 2015, when the automated complaints management system is fully operational, the Jordan Ombudsman Bureau will be able to deliver its mandate efficiently and effectively and help implement the government reform agenda by improving living standards for Jordanians, since more complaints will in the future be addressed by the Bureau and involve, among other issues, such

issues as employment, access to basic public services, and access to social welfare benefits.

**How was this achieved?** Since 2009 the Ombudsman Bureau has been effectively contributing to public sector improvements by enhancing service delivery and transparency, and by providing an avenue for citizens to challenge decisions by public-sector bodies. The increased level of activity since 2009 with increased levels of efficacy, have largely contributed to the Bureau’s efficiency. When considering the three project monitoring indicators - defined during preparation – and a fourth added during project implementation, the situation is as follows:

**Indicator 1: Reduction in time needed to resolve cases to an average of three months.** In 2009, it took on average more than 6 months to resolve a complaint filed with the Ombudsman Bureau. In 2012, the percentage of resolved complaints in less than 3 months was at 62.20% (943 cases), which was slightly improved compared to 2011’s 62.15% before the project. Revised legislation will now be introduced in 2015 specifying that resolution of complaints will take no more than three months.

Actions Taken	2012 Distribution of timelines according to type of action taken for complaints					Grand Total
	Still under investigation and follow-up	Less than 1 month	Over 1 month but less than 2 months	Over 2 months but less than 3 months	Over 3 months	
No error on part of the public administration		162	135	91	156	544
Complaint is declined	3	228	84	17	23	355
Under official follow-up	243					243
Counselling is given to complainant	5	29	47	34	40	155
Officially resolved		10	24	17	58	109
Complaint was filed for non-completion of complaint proceedings	2	27	14	7	10	60
Recommendation was submitted to the party complained against in view of existence of an error in the administrative actions		2	5	3	32	42
Amicably resolved		4	3		1	8
<b>Grand Total</b>	<b>253</b>	<b>462</b>	<b>312</b>	<b>169</b>	<b>320</b>	<b>1,516</b>
<b>%</b>	<b>16.69</b>	<b>30.47</b>	<b>20.58</b>	<b>11.15</b>	<b>21.11</b>	<b>100</b>

**Indicator 2: Within two years, 50% of decisions will be implemented.** In 2011, the Ombudsman Bureau had no means of measuring the extent to which its recommendations were accepted and implemented by other public-sector bodies. In 2011, it was expected that 50% of Ombudsman Bureau recommendations would be accepted and implemented. However, recommendations are not binding and 2012 percentages remained at around

20% for Article 18 (violation of law; injustice, abuse or inequality; based on unlawful instructions or unfair procedures; and carelessness, negligence or error) and around 16% for Article 12 (Investigate complaints; and Issue recommendations to simplify administrative procedures in order for citizens to benefit from public services). The initial proposal of parliament to merge the Ombudsman Bureau with the Anti-Corruption Commission has delayed the adoption of the new legal framework. IT will now be put in place. However, there was a significant improvement in the implementation of decisions as a result of the project.

**Indicator 3: Formal procedures for improved cooperation developed, with four of the eight agencies receiving the most complaints.** As part of activities related to this project, the Bureau has significantly increased its capacity to collaborate with other public-sector bodies, and to monitor and evaluate progress on this.

**Indicator 4: Simplification of procedures with other public entities for resolving cases.** In 2011, there were no formal procedures governing cooperation between the Bureau and other public entities in addressing complaints and recommendations. Locally, a MoU had been signed previously by the Ombudsman Bureau with the Civil Service Bureau. Further to the workshop organized by the Bureau with Jordanian public entities in February 2013, the signing of MoUs by representatives of the Ministry of Social Development, the Ministry of Health, the Ministry of Finance, the Ministry of Interior, the Ministry of Education, the Jordanian Armed Forces, the Ministry of Justice, etc. is still under discussion. The debate was delayed following the decision by parliament to merge the Ombudsman Bureau and the Anti-Corruption Commission. These MoUs should be signed in 2015.

Moreover, the Bureau recently became an essential part of Jordan’s new “National Integrity System” (NIS) which seeks to serve citizens, preserve their dignity and safeguard their assets through enforcing laws and regulations based on principles of transparency, justice, and equality among citizens.

Internationally, the Ombudsman Bureau has signed two “Agreements on cooperation in the field of Human Rights” with Poland’s Human Rights Defender of and Netherland’s National

Ombudsman in December 2011 and September 2012 respectively. Another was signed in 2013 with the Moroccan Mediator (Institution du Médiateur du Royaume du Maroc).

### Lessons Learned:

1) The lack of clarity on the position of the Bureau in the Governmental structure created major delays in project implementation and led to restructuring the project in 2013. Clearly upfront political and economic analysis during the initial phase of preparation was needed.

2) The ability and capacity of the Bureau to provide effective and sufficient resolution of complaints is dependent on the presence on sound management structures and systems.

3) The Ombudsman Bureau provides a flexible approach to advance accountability as it relies on dialogue and persuasion.

4) The capacity of the implementing agency (contract management, procurement, monitoring and reporting, etc.), even when thoroughly assessed with clear identification of the risk and mitigation measures, doesn't guarantee successful implementation in the absence of strong leadership of the government in moving things.

5) An automated complaint management system will be the key to providing more accurate and timely statistics, while also helping in the reporting and assessment of government policies and programs. This data will be useful for undertaking the World Bank Systematic Country Diagnostic (SCD) for Jordan and developing the Country Partnership Framework (CPF).

### Key Recommendations:

A) Reforming financial and administrative systems, strengthening organizational values and ethics in state institutions, fighting and preventing corruption, and rooting the practice of the right to access to information, in addition to consolidating transparency, justice and accountability in administrative decision making within government institutions, the private sector and civil society, are all priorities that will not be achieved without integrating the role of public oversight agencies like the Jordan Ombudsman Bureau, in line with best practices and professional standards.

B) In most countries, ombudsman institutions do not have binding powers; only persuasion powers via recommendations and other means. Therefore, it will be important to explore incentives and make more visible compliance data and recommendations.

C) The Bureau should make the public aware on how best to oversee investigation of complaints of improper government activity against citizens.

D) The Bureau should be perceived by Jordanians as the main gateway into government: providing information, mediating conflict, investigating malpractice and ensuring that complaints lead to investigations. As such, a communication and outreach strategy is needed as soon as possible.

E) The Bureau should be fully part of the implementation of the Executive Plan of the National Integrity System (NIS) and should also focus on the simplification of procedures for resolving cases with other public entities.

F) The Bureau's interaction with other horizontal accountability institutions will be crucial for the overall accountability system to work and to improve significantly.

G) There is a need for the Bureau to develop knowledge exchanges with similar institutions at the regional level <sup>2</sup> and also globally.

**A few questions for further thought:** How could World Bank task team leaders engage with Ombudsman Institutions? How could complaint data received by Ombudsman Institutions in specific services be complemented with audits from Audit Institutions for more evidence-based TA support? How to link World Bank project-level Grievance Redress Mechanisms (GRMs) with country-level GRMs such as Ombudsman Institutions?

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<sup>2</sup> Association of Mediterranean Ombudsmen (AMO): [http://www.ombudsman-med.org/eng/?id=6&id\\_sp=0](http://www.ombudsman-med.org/eng/?id=6&id_sp=0)

