
FOLKETINGETS
OMBUDSMAND



THE DANISH PARLIAMENTARY OMBUDSMAN



If you are of the opinion that errors have been committed by a public authority in connection with a case brought up by you, you may lodge a complaint with the Danish Parliamentary Ombudsman.

A typical error might, for instance, be a wrong decision taken by a local authority, an unacceptable delay in the answering of your letters, or errors committed during the processing of your case.

The Ombudsman has been appointed by the Danish Parliament to consider such cases. The Parliamentary Ombudsman is commissioned to supervise all parts of the public administration – including the state, the regions, the local authorities and other public bodies. Private establishments, the courts of justice and the Parliament, however, lie without the jurisdiction of the Ombudsman.

Anybody may lodge a complaint with the Ombudsman. It is free of charge, and there are but a few conditions to be met.

Below, you may find more information about the Danish Parliamentary Ombudsman. You may also want to take a look at the website www.ombudsmanden.dk.

Should you have any questions to ask you are always welcome to contact the Danish Parliamentary Ombudsman:

E-mail: post@ombudsmanden.dk

Phone number: 33 13 25 12

Yours sincerely,

The Danish Parliamentary Ombudsman

Hans Gammeltoft-Hansen

HOW DO I LODGE A COMPLAINT?

You may lodge a complaint with the Ombudsman either verbally or in writing. If possible, we would prefer you to write. You may forward your complaint in your native language: we shall provide a translation thereof into Danish.

You are not required to phrase your enquiry in any particular way or to use specific legal terms. All you have to do is try to explain which authority (or public employee) you wish to complain of, and why. You may, for instance, state what you believe the authority has done wrong.

We also ask that you send a copy of the decision you wish to complain of together with such documents that you consider significant to the case (letters from you to the authority, replies from the authority, statements etc.).

If an authority has referred you to an appeals body you should lodge your complaint with the body in question to begin with.

The Ombudsman will reject anonymous complaints: you are always required to state your name and address in your enquiry. The Ombudsman is bound to secrecy, but he may forward your letter to the authority or authorities against whom you have lodged a complaint.

Your complaint must be lodged with the Ombudsman within one year.

WHAT HAPPENS WHEN THE OMBUDSMAN RECEIVES YOUR COMPLAINT?

Usually, you will receive one of the following three answers from the Ombudsman:

1) Your complaint will be investigated in detail

If the Ombudsman decides to investigate your case he will forward your complaint to the authority involved and ask for a statement. He will also ask for the documents of the case.

Ordinarily, the authority's statement will then be sent to you thereby giving you an opportunity to make your remarks. A legal investigation officer will deal with this part of the case processing. (The investigation officer's initials are placed after the case number in the letter's right margin).

Upon receipt of the statements by the authority and the complainant (you) the case will usually be ready for a final statement by the Ombudsman. Dependent on the number of cases being processed by the Ombudsman's Office you should allow for an average of five months before the case is brought to a conclusion. In the meantime you will be kept updated on the progress of your case.

2) Your complaint is rejected because the Ombudsman cannot investigate your case in detail

Where an appeals body exists, i.e. another higher administrative authority, you should lodge your complaint with said body first. If in doubt, please contact the authority which processed your case originally or apply to the Ombudsman's Office for advice. If your complaint includes issues on which the original authority has had no opportunity to take a decision the Ombudsman will forward your complaint to said authority and ask for a reply. At the same time, the Ombudsman will inform you about his action.

3) The Ombudsman chooses not to investigate your case

The Ombudsman is under no obligation to investigate a complaint. He may thus decide not to process your complaint at all, or he may decide to process only parts thereof.


However, we will on all occasions seek to establish a reliable basis for our assessment of whether we shall be able to assist you. If we find the prospects of assisting you poor you will be informed as soon as possible.

WHAT MAY I GAIN FROM MY COMPLAINT?

If the Ombudsman concludes that an administrative authority has made an error in your case, he will criticize the authority in question and may recommend that the authority reconsiders the case and takes a renewed decision.

You should, however, keep in mind that the Ombudsman himself cannot take a renewed decision on your case – such can only be done by the authority. Consequently, the task of the Ombudsman is to clarify for the authority that, in his opinion, the authority has committed an error.

The Ombudsman cannot sentence an authority or apply any kind of sanction.



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