

Rights of complainants

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This page contains links to information material on the main rights that you enjoy as a complainant in your contacts with the European Ombudsman Office.

Please read the information carefully before you consider pursuing your rights through any of the available options.

Information note on data processing and confidentiality

Data processing

Complaints to the Ombudsman may contain personal data, such as names, contact details and other information relating to identifiable individuals. Moreover, if the Ombudsman decides to open an inquiry into a complaint, we may obtain correspondence that contains additional personal data related to a complainant and other individuals involved in the case.

There are rights and obligations under European law ([Regulation \(EU\) 2018/1725 \[Link\]](#)) [1] as to how personal data is handled by EU institutions, including the European Ombudsman. Anyone, be they a complainant or any third person, has the right to obtain access to, his or her personal data held by our Office and to ask for rectification if they consider it has been recorded inaccurately. To exercise these rights or to find out more please contact our [Office \[Link\]](#) or our [Data Protection Officer \[Link\]](#).

If a person considers that the Ombudsman has not handled his or her personal data properly he or she may contact the [European Data Protection Supervisor \[Link\]](#).

Confidentiality of the complaint and information

Complainants are requested to identify clearly any document or information that they consider to be confidential immediately on sending it to the Ombudsman.

Confidentiality can only apply if there would be some adverse effect if the information were to be disclosed. It might, for example, apply to financial information, commercially sensitive information or personal information about a private individual. Confidentiality cannot always be guaranteed. In particular, if you submit to the Ombudsman documents that contain the personal



data of someone other than yourself, that person will most likely be able to obtain it from the Ombudsman, exercising their data protection rights. In any event, you should expect your complaint and any supporting documents to be shared in full with the institution or body you are complaining about, so that they can properly understand it and respond to the Ombudsman.

Request for review

A complainant may request that the Ombudsman review a decision about a complaint being inadmissible or outside the Ombudsman's mandate, a decision that there are no grounds to conduct an inquiry or a decision closing an inquiry [2] .

A request for review is not an appeal of an Ombudsman decision. In order for the Ombudsman to consider reviewing a decision, the complainant must set out detailed arguments as to why the decision is incorrect. If a request fails clearly to set out such arguments and/or merely restates arguments already submitted, the Ombudsman may decide not to review the decision. The fact that the complainant disagrees with the Ombudsman's assessment is not sufficient to trigger a review by the Ombudsman.

A request for review shall set out detailed arguments as to why the decision is incorrect.

In the event that a complainant wishes to put forward new facts relating to the alleged maladministration, the complainant shall demonstrate to the Ombudsman that he/she/it was not in a position to raise these in the complaint or during the inquiry.

A request for review must be made within 2 months from the date of the Ombudsman's decision to which the request relates.

A decision on a request for review will be taken within 4 months from the time of its registration. This deadline may be extended if justified.

Service complaint

If you are dissatisfied with the way you or your complaint have been dealt with by the Ombudsman's staff, as opposed to the outcome of your complaint, you may make a service complaint.

Who supervises the Ombudsman?

There is no provision for appeal from the Ombudsman to an external body. Depending on what you think we have done wrong, however, you could consider the following possibilities.

The European Parliament. Any citizen of the Union, and any natural or legal person residing or



having its registered office in a Member State, has the right to address a petition to the European Parliament on a matter which comes within the Union's fields of activity and which affects him, her or it directly. Click [here \[Link\]](#) to obtain more information about the right to petition.

The European Court of Justice. If you believe that the Ombudsman has acted unlawfully, you could consider bringing an action in the General Court. In order to do so, you would need to be represented by a lawyer, who could also advise you on the likely costs and the prospects of success. Please understand that the Ombudsman and his/her services cannot provide such advice. For more information, visit the [Curia website \[Link\]](#).

The Ombudsman's general contact details

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[1] Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC

[2] [Decision of the European Ombudsman concerning requests for review \[Link\]](#)