

**Press Release**  
**27 February 2007**

## **“In Catalonia there is a growing risk of school segregation”**

### **The Catalan Ombudsman (Síndic), Rafael Ribó, also highlights social services and housing in the 2006 report**

The Síndic, Rafael Ribó, warns of a growing risk of school segregation and urges the relevant administrations to put the means in place and take the necessary measures to achieve a more balanced distribution of students in danger of social exclusion, in order to avoid school segregation.

According to the Síndic, the growing problem of the concentration of social and educational risk that is taking place in certain neighbourhoods is giving rise to the creation of so-called “ghetto schools” and is causing some families who do not obtain a place in the school of their choice to do whatever is possible to prevent their children from going to such schools.

In a press conference, Ribó presented the 2006 report which contains the complaints received and the activities carried out by the institution during 2006.

Social Services and Housing are two other issues the Síndic referred to during the presentation of the report.

He also highlighted an increase in the activities of the institution during 2006 and a 42% increase in the number of complaints received.

### **“There is a lack of resources but also poor administration when managing welfare benefits”**

As well as the traditional lack of resources to attend to the various problems related to the elderly, people who suffer some type of disability, people who are unable to cover basic needs, etc., the Síndic also highlights too many procedural shortcomings and slowness when processing benefits and services for such groups.

### **Recommendations for the administration in order to tackle property mobbing**

Although property mobbing is a conflict between private individuals, the Síndic considers that the administration needs to be more vigilant in preventing this phenomenon and must take measures to provide effective support to those affected.

## Increase in the activities of the Síndic

p. 431

The number of complaints received by the Síndic de Greuges during 2006 increased by 42% compared to the previous year, rising from 3,617 in 2005 to 5,150 in 2006.

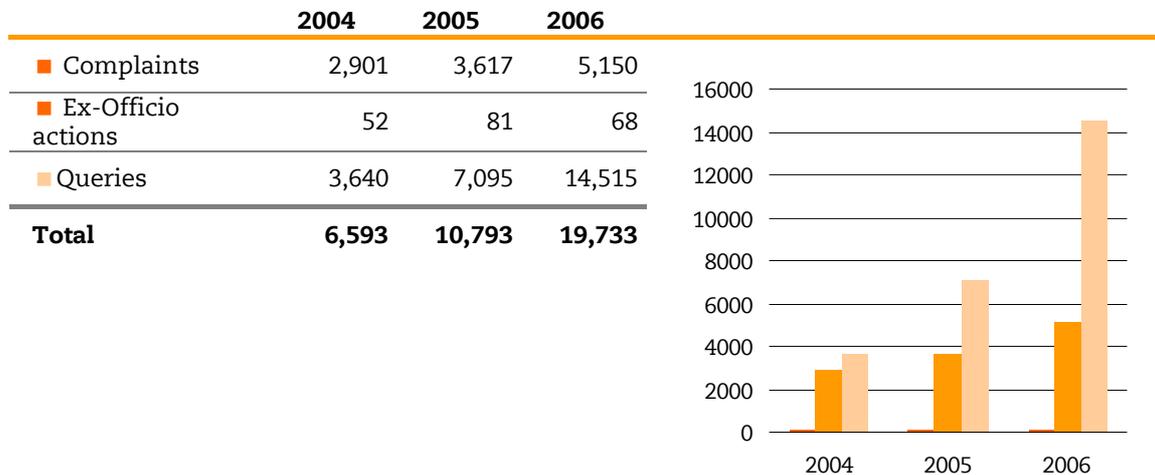
In 2006, the Síndic initiated a total of 19,733 actions (5,150 complaints, 68 ex-officio actions and 14,515 queries), representing an 83% increase on the overall figure for 2005.

Of the 5,150 complaints, 2,998 were made on an individual basis and 2,152 collectively. Therefore, the final number of people who made a complaint to the Síndic was 14,666.

If we add this figure to the total number of queries attended to, considering queries to be of an individual nature, it could be said that the Síndic directly attended to a total of 29,181 people during 2006.

With regard to the huge increase in the number of queries received by the institution, the Síndic believes this demonstrates the administration's lack of information services and the fact that many people are unaware of their existence. This lack of information also results in many people contacting to the Síndic for issues it has no responsibility for.

### Evolution of activities of the Síndic during the period 2004-06



### **The administrations accept the recommendations of the Síndic in the majority of cases**

With regard to the degree of acceptance of the Síndic's ex-officio actions, in 90% of cases the administrations accepted totally (76%) or partially (14%) the recommendations or suggestions of the institution. The remaining 9% were rejected.

These percentages refer to the complaints received by the end of 2006, in which the Síndic made a suggestion or recommendation to the administrations.

#### **Complaints and ex-officio actions during 2006**

▪ Complaints not accepted	16,8%	
▪ Correct action by the administration	33,6%	
▪ Correct action, once a report had been requested by the Síndic	15,8%	
▪ Final recommendations	18,7%	
▪ Administration uncooperative	0,5%	
▪ Sent to other ombudsmen	8,2%	
▪ Abandonment of complaint by complainant	6,4%	
<b>Total</b>	<b>100,00%</b>	

Totally accepted	76%
Partially accepted	14%
Rejected	9%

#### **Poor administration, a recurring complaint**

The issue on which the largest number of complaints was received was the public administration and rights (administrative procedure, public function, property liability, etc).

According to Ribó too many complaints are still received on the lack of response by the administration, a failure to implement certain administrative procedures, unjustified delays in performing certain procedures or incorrect procedures, such as notifications.

Town planning and housing, with 12.83% of the total number of complaints, and public safety and justice with 10.8% are the other two issues on which more complaints were received during 2006.

## Complaints by issue

Department	Complaint	100,00%
Public Administration	1,150	22,33%
Town Planning and Housing	661	12,83%
Public Safety and Justice	559	10,85%
Environment and Quality of Life	516	10,02%
Consumer Affairs	495	9,61%
Health	312	6,06%
Social Services	292	5,67%
Education	290	5,63%
Tax	246	4,78%
Childhood and Adolescence	179	3,48%
Work and Pensions	171	3,32%
Immigration	154	2,99%
Culture, Language and Universities	125	2,43%
<b>Total</b>	<b>5,150</b>	<b>100,00%</b>

### Commitment towards quality

The Síndic has made a firm commitment to continue to improve the quality of its services. Along these lines, it will establish quality control mechanisms in order to achieve more objective analysis of the operation of the institution, in order to offer a better service and defend the rights of citizens more efficiently.

## Key issues of the report

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### Education

#### School segregation (p. 158)

School segregation is a risk, not only from the perspective of equal opportunities in education, but also from the perspective of eroding social and community cohesion.

In certain cases some schools are becoming “specialised” in attending to pupils with more difficulties, while others in the same neighbourhood are more socially homogenous, which assists the education task.

The stigmatisation of schools and groups may lead to social or ethnic rejection, derived solely from the concentration of situations of difficulty.

The measures available to the relevant administrations to alleviate such situations are limited and they require other tools that help combat the trends towards situations of school segregation, which in certain cases exceed that of

social segregation. Through 2007, the Síndic will come up with suggestions and recommendations to help improve such situations.

## **Social Services**

### **Poor administration in the management of social services (from p. 355)**

Once again, the Síndic draws attention to the lack of resources with which social services have to tackle the various problems of exclusion, disability, dependency, etc.

However this does not conceal the serious management problems that also exist, for example the excessive length of procedures, lack of awareness and ignorance of interested parties, poorly argued administrative decisions and other shortcomings that have reached the Síndic in the form of complaints. For example, the Síndic has recommended the Social Action and Community department to improve its computer system in order to dispose of comprehensive and updated information on the availability of places at social-sanitary residences for the elderly, and prevent the existence of unoccupied places as a result of poor management of data relating to the various centres.

A second example is the delays in issuing certain disability certificates, which can take up to two years.

## **Housing**

### **Property mobbing (p. 406)**

As a result of certain complaints in relation to the actions of Barcelona City Council, the Síndic has made various recommendations, applicable to all city councils, such as better coordination among municipal services that are able to intervene in the event of mobbing (social services, police, technical services) in order to identify any possible cases and act accordingly. Such coordination could be linked by means of a protocol.

It has also recommended evaluating the possibility of drafting an agreement between city council and property registrars, in order to guarantee a better exchange of information to detect cases of harassment with greater ease and it has reminded the administration that it has to issue a conservation order to demand that landlords carry out improvements, and if these are not executed the administration itself should execute such works.

Other recommendations include limiting the areas in which conveyancing is subject to preemption and buy-out rights in favour of the administration, monitoring victims on a more direct and personal basis and guaranteeing new housing accommodation to those affected by eviction.

## **Consumer Affairs**

### **Infringements of rights in the Renfe Rodalies local train service (p. 111)**

The Síndic has received more than 200 complaints on the poor service of Renfe Rodalies local trains. The continual delays, the lack of information, overcrowding on trains and the difficulties in making a complaint to Renfe, the problems reflected in the complaints, represent for the Síndic “an infringement of rights”, since the problems of the rail network are affecting the personal, working and professional environment of thousands of people.

The Síndic has made a series of recommendations to Renfe in order to improve its service to passengers and allow the right to complain and to evaluate the possibility of incorporating new compensation mechanisms for affected parties, such as discount vouchers or free tickets. It is also demanding an improvement in Renfe's management and increased investment in infrastructure and rolling stock. Those who have already made a complaint to the institution have been asked to inform the Síndic of any new developments, so that it can accurately monitor the functioning of the service.

## **Justice**

### **The lack of resources and the slowness of the justice service (p. 324)**

The major legal reforms made to the legal system have not been implemented efficiently, owing to a lack of resources, something that is demonstrated in the continued demands made by jurisdictional bodies when responding to complaints made by citizens with regard to the reasons for delays to legal actions.

The backlog faced by some courts is not something exceptional that was unforeseeable. By way of example, the continuous complaints originating from the gender-based violence courts, the majority of which exercise other jurisdictional functions; the delays in civil actions that are not attributable to the parties; the interminable delays of registry offices with regard to particular incidents of the Central Registry Office; the delay in executing criminal sentences, which affects the already overcrowded prison system and which in turn makes the prison infrastructure unable to assume the stiffer sentences within the criminal system.

It is necessary to highlight the undoubted efforts to create infrastructure and provide the resources, but equally necessary to state the shortcomings. With regard to the proposals made, the Administration is aware that it will not resolve everything that has been proposed and that the real needs exceed the increases being made.

## **Barriers to exercising rights**

### **Disabled access on public transport (p. 363)**

The Law to promote access and remove architectural barriers specifies that plans to adapt and remove architectural barriers must be drafted by the corresponding public administrations within two years of said Law coming into force. These plans have to be reviewed every five years and have to be implemented within a deadline of fifteen years. Consequently, this deadline ended this year, in 2006.

However, it should be pointed out that this deadline has not been fully complied with, as reflected in the numerous complaints received by the Síndic in relation to disability and problems of access.

The complaints received during this financial year have demonstrated a variety of inaccessible features in various buildings or services (from schools to customer attention offices), although problems of access on public transport was the issue that produced the largest number of cases.

Complaints were received about different types of transport, rail travel and city road networks, and concerning various companies, the problems of access

to the stations and trains of the Renfe Rodalies local trains receiving the majority of complaints.

### **Secret voting for the blind (p. 83)**

The Síndic organisation, via the Defensor del Pueblo, has asked to the Spanish government to speed up the implementation of systems that allow secret voting for the blind. In spite of the commitment by central government that this would be a reality at the 2008 general elections, it has been asked to bring the deadline forward to the municipal elections of this year.

It also asked the Governance department and Public Administrations to ask the Electoral Committee if it could carry out a trial at the last regional elections, which involved identifying the ballot slips with Braille. The Electoral Committee did not authorise this trial. However, the department did make a commitment to consider this request in future Catalan electoral legislation.

## **Health**

### **The lack of specialist doctors and waiting lists (p. 301)**

As with previous years, in 2006 insufficient resources in the area of health were highlighted. A direct link can be made between waiting lists and the shortage of human resources in specialist areas.

The Síndic has on numerous occasions urged the Administration to increase its workforce, particularly as far as certain medical specialist areas are concerned. However, the Administration is encountering serious problems in recruiting such personnel, because of their scarcity.

The Síndic has received complaints on such scarcity in specialist areas such as paediatrics, dermatology, radiology and ophthalmology, in addition to a shortage of specialists in child allergies in the Girona region and the lack of gynaecologists in the Lleida region.