

APPROVED by
Order No 1V-50 of the Head
of the Seimas Ombudsmen's Office
of the Republic of Lithuania
of 5 October 2015

**THE RULES OF PROCEDURE
OF THE SEIMAS OMBUDSMEN'S OFFICE OF THE REPUBLIC OF LITHUANIA**

**CHAPTER I
GENERAL PROVISIONS**

1. The Rules of Procedure of the Seimas Ombudsmen's Office of the Republic of Lithuania (hereinafter – the Rules of Procedure) define the principles of activities of the Seimas Ombudsmen's Office of the Republic of Lithuania (hereinafter also the Office), the procedure of internal administration, the competence of the Seimas Ombudsmen and other civil servants and contractual employees of the Office (hereinafter – employees), the procedure of investigating the matters which fall within the competence of the Seimas Ombudsmen, the procedures and routines of referrals to the Office and the Seimas Ombudsmen and adoption of decisions.

2. The purpose of activities of the Seimas Ombudsmen is to protect a person's right to good public administration which guarantees human rights and freedoms, to oversee whether public bodies fulfil their duty to serve the people well. The Seimas Ombudsmen also carry out the national prevention of torture in places of detention in accordance with the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

3. In their activities, the Seimas Ombudsmen and the Office shall be guided by the Constitution of the Republic of Lithuania, the Republic of Lithuania Law on the Seimas Ombudsmen (hereinafter – the Law), these Rules of Procedure and other legal acts regulating the activities of the Seimas Ombudsmen and of the Office.

4. The Seimas Ombudsmen's Office is a state budgetary institution. The Seimas Ombudsmen's Office is a public legal person, which has a settlement account with a bank and the seal with the Lithuanian State Coat of Arms and the name “Seimas Ombudsmen' Office of the Republic of Lithuania”, financed from the State Budget of the Republic of Lithuania. The Head Office address of the Seimas Ombudsmen's Office is Gedimino pr. 56, LT-01110 Vilnius.

5. The Seimas Ombudsmen's Office has the mark registered with the State Patent Bureau.

6. Activities of the Office are organised in such a way that it is able to effectively assist the Seimas Ombudsmen in performing the functions assigned to them (including the investigation of complaints), and in carrying out the protection and dissemination of human rights and the national prevention of torture.

7. Public notices of the Office are be published on the website of the Office (www.lrski.lt). In accordance with the procedure set by legal acts, public notices are also published in other mass media.

**CHAPTER II
PRINCIPLES OF ACTIVITIES AND ETHICS OF THE SEIMAS OMBUDSMEN,
OTHER CIVIL SERVANTS AND EMPLOYEES OF THE OFFICE**

Section 1

Principles of activities and ethics of the Seimas Ombudsmen

8. In their activities, the Seimas Ombudsmen shall be guided by the principles of respect for the person and the state, freedom of activities and independence, accountability, legality, impartiality and justice, proportionality and publicity, as specified in the Law on the Seimas Ombudsmen. The Seimas Ombudsman shall protect his professional honour, authority and prestige of the Office. During receptions, the Seimas Ombudsman shall be official, correct, patient and polite.

9. The Seimas Ombudsmen must look in depth into the complaint being investigated and avoid hastiness and superficiality.

10. The Seimas Ombudsmen shall be bound by the obligation of non-disclosure of the state, official, commercial, banking or other secrets protected by law and the data they learn in performing their duties.

11. The Seimas Ombudsman may not accept gifts or other tokens of affection, or have access to other services, where this is done – or could be assumed to be done – in order to influence the process of investigation of a complaint, the decision or proposal (recommendation).

12. Duties of the Seimas Ombudsman shall be incompatible with any other elective or appointive office in state and municipal institutions and bodies, and with work in other legal entities. The Seimas Ombudsman may receive only the official salary fixed for him according to the position held and remuneration for scientific and pedagogical work in higher educational institutions, institutions of professional development of civil servants or of non-formal education of adults, and a royalty for creative work.

13. In performing his duties, the Seimas Ombudsman shall be independent from political parties and other political organisations.

14. The Seimas Ombudsmen shall demonstrate solidarity in defending their colleague from groundless criticism.

Section 2

Principles of activities and ethics of civil servants and other employees of the Office

15. In their activities, employees of the Office shall be guided by the following principles: the primacy of laws, legality, equality, loyalty, political neutrality, selflessness, transparency, and ownership of adopted decisions, official cooperation, publicity and other principles the concepts of which are provided for in the Law on Civil Service and the Law on Public Administration. Employees shall also be subject to the provisions of paragraphs 7–10 of these Rules of Procedure.

16. Employees of the Office must protect their integrity, prestige and authority of the Office and show respect for human rights and dignity.

17. Activities of all employees of the Office shall be based on their initiative, cooperation, efficiency, discipline, expeditiousness, responsible and timely fulfilment of tasks and assignments.

CHAPTER III STRUCTURE OF THE OFFICE

Section 1 General provisions

18. The Office shall be run by the Head of the Seimas Ombudsmen's Office (the Seimas Ombudsman). The Head of the Office shall perform the functions of the Seimas Ombudsman (according to the area of activity assigned to him by the Seimas) and of the Head of the Office. In the absence of the Head of the Office he shall be replaced by the other Seimas Ombudsman.

19. In implementing their goals and functions, the Seimas Ombudsmen shall be assisted by employees of the Office who, directly or through their immediate superior, report to the Head of the Office.

20. The Head of the Office shall approve the structure of the Seimas Ombudsmen's Office in accordance with laws or legal acts adopted on their basis and having regard to the set goals and tasks of the Office, its strategic or annual plans of activities and the maximum authorised number of positions of civil servants and contractual employees of the Office, who receive salaries from the state budget and state monetary funds, approved by the Board of the Seimas of the Republic of Lithuania.

21. The structure of the Office includes subdivisions and positions which do not belong to subdivisions. The Head of the Office may form working groups (commissions) of employees which are not independent subdivisions.

22. The Head of the Office shall represent and run the Office, organise its work, determine the functions of the Office's subdivisions and positions which do not belong to subdivisions, approve the rules of procedure of the Office. Where appropriate, the Head of the Office shall adopt regulations and descriptions detailing the provisions of these Rules of Procedure.

Section 2

Advisors to Seimas Ombudsmen

23. The Seimas Ombudsmen shall have advisors. The advisor to the Seimas Ombudsman (chief advisor, senior advisor, advisor) shall be a civil servant who shall be admitted to, or removed from, office in accordance with the procedure set out in the Law on Civil Service. The advisor to the Seimas Ombudsman shall be directly subordinate and accountable to the Head of the Office and, furthermore, the advisor shall be accountable to the Seimas Ombudsmen for the fulfilment of their assignments.

24. The advisor to the Seimas Ombudsman, in accordance with the procedure set out in these Rules of Procedure, shall carry out the assignments of the Seimas Ombudsman and provide proposals relating to the investigation of complaints received in the Office and performance of their other functions of the Seimas Ombudsman. Additional tasks and other assignments may be allocated to the advisor by the Head of the Office or by the other Seimas Ombudsman, on coordination with the Head of the Office.

25. The Head of the Office shall form the groups of advisors to the Seimas Ombudsman according to the areas of activity covered by issues raised in complaints and of the institutions, bodies and officials complained about (hereinafter – groups of advisors by areas of activity or groups of advisors) and shall allocate advisors to such groups (hereinafter – group advisors).

26. The Head of the Office shall task the senior (chief) advisor with providing proposals to the Seimas Ombudsman, in accordance with the procedure set out under the Rules of Procedure, regarding the admissibility of a complaint, its investigation, conclusions and recommendations of investigation, as well as proposals to open investigations or other projects on motion of the Seimas Ombudsman, referring to other group advisors or employees the complaints assigned for investigation to the group by the Seimas Ombudsman, coordinating and supervising their work, developing and guaranteeing coherent practices of investigation of complaints on the same subject, drafting certificates and other documents, providing comments and proposals to originators (executors) of certificates and other documents attributed to the group, coordinating such certificates and other documents, ensuring the performance of controls over the implementation of recommendations of the Seimas Ombudsmen, examining whether the data of investigation of complaints assigned to the group of advisors are correctly entered into the document management system (hereinafter – the DM system) of the Office; analysing the investigations of complaints assigned for investigation to the group by the Seimas Ombudsman, preparing summary conclusions and information pertaining to the investigation of complaints and performance of other functions of the Seimas Ombudsman, providing proposals to the Seimas Ombudsmen and/or chief advisor to the

Seimas Ombudsman (Office) regarding the improvement of activities of the group of advisors and on other matters relating to the activities of the Seimas Ombudsmen, carrying out other functions specified in the job description and other assignments of the Head of the Office and of the Seimas Ombudsman.

Section 3

Carrying out the national prevention of torture, protection and dissemination of human rights

27. In carrying out the protection and dissemination of human rights and the national prevention of torture in accordance with the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Seimas Ombudsmen shall be assisted by the responsible subdivisions (employees) of the Office.

28. With a view to preventing torture and other cruel, inhuman or degrading treatment or punishment, employees of the subdivision of the Office in charge of the national prevention of torture shall regularly visit places of detention according to the plan of visits coordinated with the Head of the Office, provide proposals to the Head of the Office regarding the participation of experts, other necessary officials or specialists during such visits, draw up reports (hereinafter – project report) and perform other functions relating to the guaranteeing of the rights and freedoms of persons at places of detention.

29. The protection and dissemination of human rights shall be carried out through the implementation of projects and provision of information on the activities of the Seimas Ombudsmen and the Office to the public, media, other institutions and organisations. The performance of these functions (or their part) shall be assigned to the employee of the Office who is responsible for the provision of information to the public and communication of the Office or to another employee of the Office.

Section 4

Internal administration and control of the Office

30. Responsibility for the financial accounting, management of assets, personnel and documents, technical maintenance of the Office shall be vested in the subdivisions (employees) authorised by the Head of the Office.

31. Accounting, management and writing-off of the assets of the Office shall be carried out, the state budget and other funds allocated to the Office shall be managed, estimates of the budget expenditure of the Office shall be prepared and approved in accordance with the procedure set forth by legal acts.

32. The Office shall purchase goods and services by organising public procurement in accordance with the procedure laid down by legal acts and the Head of the Office.

33. Entertainment expenses incurred during official meetings shall be written-off on the basis of statements of entertainment expenses, upon submission of documents supporting actual expenses.

34. Assignments of the Head of the Office (the Seimas Ombudsman), documents received, prepared and sent by the Office shall be accounted for, distributed, controlled and managed otherwise in accordance with the procedure set forth by the Rules of Procedure and the Head of the Office in the computerised DM system of the Office. The management of documents of the Office shall be carried out in accordance with the documentation plan approved by the Head of the Office.

35. The website of the Office shall be administrated in accordance with the procedure laid down by the Head of the Office.

36. The public (financial (legality) and activity) audit of the Office shall be carried out by the National Audit Office of the Republic of Lithuania.

CHAPTER IV RULES OF RECEIVING AND CONSULTING OF INDIVIDUALS

Section 1 General provisions

37. Information on the procedure of receiving and consulting of individuals shall be displayed in a prominent place clearly visible for applicants, such as the website of the Office.

38. Individuals, their applications, referrals, complaints, other documents shall be received in the Office every working day during its working hours.

39. Individuals shall be received in the Office by the employee responsible for the reception (hereinafter – the Reception Specialist). The Seimas Ombudsmen shall receive applicants in the Office on weekdays designated by order of the Head of the Office according to the pre-agreed schedules. The Reception Specialist shall prepare such schedules and, no later than 1 (one) working day in advance of the reception, submit them to the Seimas Ombudsmen and senior group advisors according to areas of their activity, who shall notify the Seimas Ombudsmen and the Reception Specialist and the advisor (advisors) or other employee (employees) who will be present during the reception by the Seimas Ombudsman.

40. Advisors and other authorised employees of the Office, according to their competence, shall consult individuals by phone and receive them in the Office according to the schedule approved by order of the Head of the Office.

41. Where necessary, the Seimas Ombudsmen, advisors and other employees of the Office shall also receive the applicants on other working days.

42. The Reception Specialist shall keep precise records on individuals approaching the Office in the computerised DM system, by filling in a registration card of the individual's approach.

43. During the reception written applications and complaints of individuals shall be accepted. Verbal statements shall be accepted only when they can be handled immediately, without violating the interests of the individual and the institution. Individuals shall be provided with a possibility to set down the application or complaint in writing.

44. When investigating applications and complaints and addressing the issues raised in them and consulting individuals, employees of the Office shall cooperate with each other, where appropriate, involving specialists of other institutions and bodies.

45. Applications and complaints of individuals received during reception shall be registered and investigated in a general manner.

46. Employees of the Office, who receive or consult individuals, shall follow these rules:

46.1. when the phone rings, it is recommended pick up the phone before it rings for the third time;

46.2. introduce themselves to the individual, to say clearly the name of the Office and their position and surname;

46.3. listen carefully to the individual and, where necessary, ask him to clarify the matter of the referral;

46.4. answer the individual's questions in a clear and precise manner;

46.5. try to answer the question at once, and where more time is needed to provide a comprehensive answer, indicate the precise time of the next contact by phone or other means of communication;

46.6. speak calmly and say goodbye politely.

47. The Seimas Ombudsmen, advisors and other employees shall receive individuals in a special room designated for that purpose.

Section 2 Consulting applicants by phone and on the website of the Office

48. Individuals shall be consulted by phone and on the website of the Office by the Reception Specialist.

49. The task of the Reception Specialist shall be to help the individual, who approaches the Seimas Ombudsmen's Office, to obtain information to ensure prompt and qualified investigation of the individual's request. The Reception Specialist must be able to explain concisely and intelligibly whether the Seimas Ombudsmen's Office is competent to address the matter of concern to the individual, what other competent body or institution the individual can approach, indicate the address and phone number of such institution, explain, as far as possible, what documents, and how, should be submitted in order to have the individual's application investigated and the raised issue settled.

50. The Reception Specialist may also provide other public information disposed by the Office, which is requested by the individual and which may be made available to the individual in accordance with the Law on the Right to Obtain Information from State and Municipal Bodies.

51. The Reception Specialist shall keep precise records on the calling applicants by filling in the registration card of the individual's phone call in the DM system of the Office, and analyse and summarise the information provided by phone.

52. In order to ensure high-quality service of individuals, phone calls may be recorded. The procedure of use of such records shall be determined by the Head of the Office.

53. Individuals' requests for information (consultations) received via the website of the Office shall not be registered separately. They shall be answered by the Reception Specialist no later than within 3 (three) working days.

54. Complaints submitted on the website of the Office shall be registered in a general manner. In that case the Reception Specialist shall, no later than within 3 (three) working days, inform the applicant of the admitted complaint and its registration number.

CHAPTER V HANDLING OF DOCUMENTS OF THE OFFICE

Section 1 Registration and handling of received documents

55. All incoming correspondence of the Office shall be received by the responsible employee of the Office (hereinafter – the Document Handling Specialist), who looks through all correspondence which is sent to the Office. Having found that there are missing pages in the received document and/or annexes specified in the document, the Document Handling Specialist shall notify to the effect the sender of the document.

56. All documents received in the Office shall be registered on the day of their receipt in accordance with the procedure laid down by the Chief Archivist of Lithuania.

57. Individuals' applications and complaints, other documents submitted by electronic means must be signed electronically and generated so that the Office receiving an application or complaint can identify the applicant or complainant, understand the contents of the application or complaint. Documents submitted and signed electronically shall be considered to be submitted in writing.

58. Where the identification of a sender of an electronic document (excluding an application, complaint, etc.) is impossible, the issue of further processing of such document shall be decided by the Document Handling Specialist on coordination with the Head of the Office or a subdivision manager authorised thereby. Anonymous complaints and applications shall be registered in a general manner.

59. Incoming documents shall be registered by the Document Handling Specialist by affixing a registration stamp to them. The stamp, as a rule, shall be affixed on the right corner of the

first page, writing the date of receipt and the number of registration of the document as well as the number of received pages.

60. All documents received in the Office (including those received by e-mail and submitted via website of the Office) shall be registered, scanned and saved in the respective register of the DM system: individuals' applications and complaints – in the Register of Applications, other documents – in the Register of Received Documents. Received greetings, advertising brochures, private letters, and other correspondence unrelated to liability and risk which might arise in the case of the failure to enter the documents in the DM system, shall not be registered. Having registered the document received by e-mail, its sender shall be notified of the receipt of the electronic message, date, registration number and number of pages.

61. A stamped copy (with the specified date of receipt and registration number) of an application, complaint or any other submitted document may be issued to an individual at his/her request.

62. Documents received to a wrong address shall be forwarded to the addressee or returned to the sender. Where documents are received by mail, they shall be forwarded alongside the sender's envelope.

63. Where the received correspondence includes original documents confirming legal facts, the Document Handling Specialist must make a copy of such original document and return the original to the individual from whom it was received. Originals of other documents shall be returned only at the applicant's request.

64. Any employee of the Office, who receives by e-mail a document related to the activities of the Office, shall immediately forward it to the Document Handling Specialist to the e-mail address of the Office (ombuds@lrs.lt).

65. Documents received by telecommunications terminal equipment (e.g., fax, e-mail, etc.) the sender of which can be identified shall be printed and registered in a general manner. If the original document is received later, it shall be registered under the same date and number as the document previously received via telecommunications terminal equipment (excluding applications, complaints, which are registered in a general manner).

66. A registered document, which is unrelated to a complaint or to performance of the function of the national prevention of torture, shall be immediately referred to the Head of the Office, who shall get familiarised with the document and appoint the executor (executors) by resolution, where necessary, formulate the tasks and fix the deadlines of their fulfilment.

67. A document registered in the Register of Applications shall be immediately referred to the Reception Specialist, and a document related to performance of the function of the national prevention of torture – to the manager of the responsible subdivision. The procedure of registration and distribution of complaints, applications and documents related to performance of the function of the national prevention of torture is specified in these Rules of Procedure.

68. Documents with resolutions shall be referred to subdivisions of the Office and executors of tasks, according to their competence. The referral of a document to an executor shall be recorded in the DM system.

69. Where there are several executors indicated in the resolution, the original document shall be referred to the first executor, and the remaining executors shall receive its copies. Preparation of the answer and/or fulfilment of another assignment specified in the resolution shall be initiated and arranged by the first executor specified in the resolution. Other executors named in the resolution must, within 3 (three) working days of the day of receipt of the document in the Office, provide the first executor, according to his/her competence, with the information and/or their proposals on the preparation of the answer and fulfilment of the assignment. The answer shall be coordinated (countersigned) by all direct executors, subdivision managers and/or senior group advisors.

70. A file of correspondence on the matters of activities of the Office shall be generated by an employee authorised by the Head of the Office. The original of the main document and a copy of the answer to it shall be included in the file.

71. Answers received to inquiries of the Seimas Ombudsmen shall be registered in a general manner. They shall be linked to a particular complaint or other document and referred to the executor.

Section 2

Signing, registration and arrangement of documents drawn up by the Office

72. The Head of the Office shall sign orders, other internal and outgoing documents related to the activities of the Office and his, as the Seimas Ombudsmen's, competence as well as to the performance of function of the national prevention of torture, protection and dissemination of human rights. If the Head of the Office is temporarily absent, such documents shall be signed and countersigned by the other Seimas Ombudsman, who shall later notify to the effect the Head of the Office.

73. The Head of the Office shall approve blank forms of letters of the Office and of the Seimas Ombudsman. The Head of the Office may instruct the chief advisor to the Office (the Seimas Ombudsman) or any other employee to draw up typical document forms.

74. The Seimas Ombudsman, according to the sphere of activity assigned to him, shall adopt and sign decisions on the investigation on his own initiative, certificates and other decisions pertaining to investigation of complaints.

75. The Seimas Ombudsman, according to the sphere of activity assigned to him, shall sign letters relating to complaints received in the Office (inquiries, cover letters of decisions, other letters).

76. Documents shall be signed (countersigned) by the Head of the Office and/or the Seimas Ombudsman after they are countersigned (coordinated) on the front of the page (in the case of second copies of outgoing documents – on the back of the page) by: the direct originator of the document, his/her immediate superior (subdivision manager) or a senior group advisor according to spheres of activity of the Head of the Office (documents related to the investigation of a complaint), other employees (according to spheres of activity), and in the case of submission of a draft legal act – also by the lawyer of the Office.

77. By signing (countersigning) a document the employee of the Office confirms that he/she has got acquainted with the document, assumes responsibility according to his/her competence. A civil servant or employee, who disagrees with a draft legal act or document (letter), may countersign it and enter a comment or an accompanying statement that a dissenting opinion is enclosed. The dissenting opinion shall be provided in the form of a letter on a separate page.

78. Responsibility for the timely preparation of a document (letter) or of a draft legal act and for the collection of all countersignatures required under these Rules of Procedure shall be vested in its direct originator (executor).

79. Documents shall be prepared in accordance with the Rules for the Drawing up and Formalization of Documents established by the Chief Archivist of Lithuania.

80. Documents drawn up in the Office shall be registered only when they are signed. Documents submitted for signing shall be drawn up properly, written in the common Lithuanian language (excluding documents drawn up in a foreign language), formalized and coordinated (countersigned) in accordance with the set procedure.

81. Normally, one copy of a document shall be signed. Outgoing documents shall be signed in two copies, of which one shall be sent to the addressee and the second (countersigned by employees of the Office) shall be retained by the Office. Where an outgoing document is addressed to several specified addressees, the copy of the document intended for each addressee shall be signed (except where addressees are sent certified copies or transcripts of documents or a document is sent only by e-mail, fax or other telecommunications terminal equipment). One more copy of the Seimas Ombudsmen's refusal to investigate a complaint, refusal to investigate a complaint by mediation, a certificate, a project report signed by the Head of the Office, their cover letters, or a letter on

updating a complaint, signed and countersigned by responsible employees of the Office, shall be retained in the file of a complaint or draft.

82. Outgoing documents shall be registered, scanned, saved in the DM system and sent to addressees by the Document Handling Specialist.

83. The date of sending and the number of registration shall be written on the original copy, which is retained by the Office, of a cover letter of a complaint certificate (lydraščio dėl skundo pažymos (?)), refusal to investigate a complaint, refusal to investigate a complaint by mediation, project report, letter on updating a complaint, inquiry, notification to the applicant and the document shall be referred to the originator (executor); in the case of other documents the date of sending and the number of registration shall be written on their copies and such document shall be referred to the originator (executor).

84. Responses (digital copies) to complaints submitted by e-mail shall be sent to applicants by e-mail and at request of individuals – by registered mail to the address specified in the complaint or delivered personally. In other cases responses to applicants shall be sent by ordinary and/or registered priority mail. A response sent by electronic means shall be signed by an advanced electronic signature of the Seimas Ombudsman in accordance with the procedure laid down by the Rules on Management of Electronic Documents.

85. Digital copies of original documents drawn up by the Office may be sent to institutions, bodies, or officials by e-mail.

86. In the case of documents sent by electronic (digital) means the acknowledgment of their receipt shall be required. The acknowledgment of receipt of a document shall be printed and referred to the originator (executor) alongside the copy of the document being sent which is retained by the Office. In the event of the failure to receive the acknowledgment of their receipt, the information from e-mail confirming the fact of sending shall be printed and communicated to the originator (executor).

87. Where certified copies or certified transcripts of documents are sent to addressees or a document is sent only by e-mail, fax or other telecommunications terminal equipment, a signed document countersigned by the originator (executor) and other responsible employees shall be inserted into the file. In the case of sending a document only by e-mail, fax or other telecommunications terminal equipment, it shall be specified on such document that the original of the document will not be dispatched.

88. Where a document being sent is a response, it shall be inserted into the file of correspondence records, complaint or draft together with the document to which the response is provided.

89. Having completed the task, the executor, if he/she is in charge of formation of the file, shall insert the document into the file or refer it to a structural subdivision or employee in charge of formation of the file.

90. Documents drawn up in the Office shall be sent from 08:00 until 11:45 each workday. Documents submitted later shall be sent by post on the next workday. Documents by electronic (digital) means shall be dispatched on the same workday.

Section 3

Registration and distribution of received classified information

91. Received envelopes marked as classified shall not be opened and shall be directly referred to the addressee specified on the envelope, and where the addressee is not specified – to the Head of the Office.

92. Classified information received in the Office shall be administrated in accordance with the Law on State Secrets and Official Secrets, Rules for the Administration of Classified Information approved by the Government and the Rules for the Administration of Classified “Restricted Information” at the Disposal of the Seimas Ombudsmen’s Office approved by the Head of the Office.

Section 4

Registration and distribution of complaints and applications

93. Referrals (applications, complaints) of individuals registered in the Register of applications and other documents shall be promptly transferred to the Reception Specialist, who, having assessed the contents of received documents, shall group them into complaints, applications, additional documents, documents on other matters of investigation of complaints, documents related to the performance of the national prevention of torture, etc. If it is unclear to which group a received document should be attributed, the Reception Specialist shall consult senior group advisors, subdivision managers; in the case of disagreement the final decision shall be adopted by the Seimas Ombudsman or the Head of the Office.

94. Referrals of individuals according to their content shall be grouped into complaints or applications (requests). An application (request) means a referral in which state or municipal institutions or officials are not complained about, but which contains a request to explain a certain issue, to provide information or documents, etc. Other referrals shall be considered to be complaints.

95. The Reception Specialist, taking account of the content of an application, shall fill in a card of the application in the DM system and promptly refer the application to the senior group advisor (according to the areas of activity determined by the Head of the Office) who shall task the Reception Specialist or another employee with preparing the answer. Where appropriate, in accordance with the procedure laid down by these Rules of Procedure, the advisor to the Seimas Ombudsman may also be tasked with answering the applications. A senior group advisor shall immediately refer the application to the executor. Applications shall be answered no later than within 20 (twenty) working days of the day of their receipt in the Office.

96. Answers to applications shall be signed by the Head of the Office. Applications and answers to them shall be registered in the Register of Applications and the Register of Outgoing Documents in the DM system and inserted into the file of applications.

97. The Reception Specialist, taking account of the content of a complaint, shall generate and fill in a card of the complaint in the DM system: identify the problem, the institution, body or officer complained about, refer the complaint to the Seimas Ombudsman (according to the area of activity) and on the latter's instruction – to the senior group advisor, check whether the applicant has not approached the Seimas Ombudsmen (Office) earlier; having found the applicant had approached earlier, the Reception Specialist shall generate a report on the applicant's referrals in the DM system, print it and attach to the complaint. The Reception Specialist shall also verify the data stored in the DM system and determine whether the correspondence with the applicant was (was not) terminated. If the correspondence with the applicant was terminated, the Reception Specialist shall immediately notify to the effect the Seimas Ombudsman or, by the latter's instruction, the senior group advisor who shall decide whether the Office will investigate a newly received complaint by generating a file of the new complaint, or whether the received complaint of the applicant or any other document should be added to the file which contains the Seimas Ombudsman's decision to stop corresponding with the applicant.

98. Upon receipt of a complaint, which is signed by more than one individual with respect to the same circumstances and the same institutions, bodies, officials, as a rule, one file of the complaint shall be opened. In that case the response regarding the complaint shall be submitted to the first individual indicated in the complaint (in his/her name the complaint is registered in the DM system), and at the request of applicants – also to other individuals who had signed the complaint.

99. Anonymous complaints and applications, decisions of the Seimas Ombudsman to open the investigation on his own initiative shall be registered in a general manner.

100. The Reception Specialist, having assessed the received complaints, shall fill in their cards in the DM system, assign the complaints to the Seimas Ombudsmen (according to the area of their activity) and, by the latter's instruction, to senior group advisors (according to the spheres of

group activities determined by the Head of the Office). The Reception Specialist shall promptly submit the complaint with attachments to the Document Handling Specialist who shall generate a file of the complaint and refer it to the Seimas Ombudsman and/or senior group advisor. The complaint file shall be submitted to the Seimas Ombudsman and/or senior group advisor no later than on the next working day following the day on which the Office receives the documents.

101. The Seimas Ombudsman shall, no later than on the next working day, refer the complaint to the senior group advisor according to the areas of group activities determined by the Head of the Office. The senior group advisor shall provide proposals to the Seimas Ombudsman to update a complaint, to refuse to investigate a complaint, to refuse to investigate a complaint by mediation, or to investigate a complaint on the merits. The Seimas Ombudsman shall decide on the admissibility and investigation of a complaint.

102. No later than on the next working day, the senior group advisor shall refer the received complaint to the specialist or group advisor (executor) for drawing up a letter on updating the complaint, a refusal to investigate the complaint, or a refusal to investigate the complaint by mediation. When it is decided to investigate a complaint on the merits, the senior group advisor shall refer the complaint to the group advisor or other specialist for the investigation on the merits.

103. A reference to the referral of a complaint or application shall be entered in a respective box of the DM system.

104. Information collected on received applications and complaints and on their investigation results shall be permanently stored in computer media of the Office.

CHAPTER VI

INVESTIGATION OF COMPLAINTS, HANDING OF FILES OF COMPLAINTS AND DRAFTS

Section 1

General provisions

105. Complaints, as a rule, shall be investigated in chronological order – according to the date of their receipt in the Office, unless the Seimas Ombudsman establishes otherwise taking account of the nature and other circumstances of the case. The employee in charge of investigation of a complaint – the executor shall be responsible for the preparation of draft decisions and other documents and for their submission for timely dispatch.

106. Anonymous complaints shall not be investigated, unless the Seimas Ombudsman decides otherwise.

107. A complaint signed for another individual or by an individual who is not authorised in accordance with the procedure set by law to act on behalf of another individual, shall not be dealt with, unless the Seimas Ombudsman decides otherwise.

108. Where the Seimas Ombudsman receives a complaint the investigation whereof might lead to a conflict of interests, or where the risk of a conflict of interests is suspected during the investigation of a complaint, the Seimas Ombudsman shall refer the complaint by a reasoned letter for investigation to another Seimas Ombudsman.

109. Where the employee in charge of investigating a complaint – the executor receives a complaint the investigating which might lead to a conflict of interests, he/she shall immediately refer the complaint alongside a reasoned letter to the senior group advisor who shall decide on the referral of the complaint for investigation to another executor.

110. The Seimas Ombudsman may decide to stop corresponding with the applicant who abuses the right of approaching the Seimas Ombudsman. The correspondence with the applicant shall be terminated if the applicant has already been warned about the possibility of terminating the correspondence with him/her.

111. If a complaint is related to the areas of activity of both Seimas Ombudsmen, the executor shall record the findings of investigation of the complaint and/or other decisions in one document, which, after being coordinated in the established manner, shall be submitted for signing to both Seimas Ombudsmen according to their activity area.

112. Upon receipt from the individual, in whose name the complaint has been registered, of a request not to investigate the complaint, which is also signed by other individuals, the investigation of the complaint shall be continued by notifying to the effect the applicant who has refused the investigation.

113. Documents submitted for coordination, signing and dispatch (letters on updating a complaint, letters of inquiries, certificates, decisions on refusal to investigate a complaint, refusal to investigate a complaint by mediation, etc.) shall be coordinated by the executor with the editor of the Office to whom an electronic version of a document shall be sent. The editor shall, within shortest possible time (normally not longer than within 2 (two) working days), proofread the documents and send the proofread electronic version of a document by e-mail to the executor. The executor shall revise the document taking account of the proposed corrections.

114. The subdivision of the Office in charge of implementation of the national prevention of torture, protection and dissemination of human rights, in implementing projects, preparing and submitting project reports, arranging project files, shall apply *mutatis mutandis* the provisions of these Rules of Procedure concerning the investigation of complaints and arrangement of files. Documents (project reports, etc.) drawn up by a subdivision's employee (executor) shall be coordinated with the subdivision manager who shall also be provided with the information on the implementation of projects and proposals (recommendations) of the Seimas Ombudsmen.

Section 2

Refusal to investigate a complaint

115. The executor, taking account of the time limits fixed by the Law for refusal to investigate a complaint and the time necessary for coordinating and updating of the prepared documents and for adopting a decision, shall, within shortest possible time, draw up a decision of the Seimas Ombudsman to refuse to investigate a complaint, to refuse to investigate a complaint by mediation, and a letter to update a complaint and submit to the senior group advisor for coordination alongside the file of the complaint. The executor shall also fill in (update) the card of the file of the complaint in the DM system, update the subject matter of the complaint, the institution or body complained about, other information and shall submit the information sheet alongside the file of the complaint.

116. The senior adviser shall assess the received documents and provide observations and proposals to the executor within two working days. The executor shall consider the observations and proposals and, where appropriate, update the prepared document and the file card (information sheet) in the DM system. Observations and proposals shall be provided in the form of a comment or in any other written or verbal form and shall be kept in the file until the letter is dispatched. A decision, letter countersigned (coordinated) by the senior group advisor, alongside the file of the complaint shall be submitted for signing to the Seimas Ombudsman without undue delay. If the Seimas Ombudsman does not sign the prepared document, the executor shall update it according to the specified comments and submit for signing, having notified the senior group advisor. Where appropriate, comments and proposed amendments of the document shall be discussed with the Seimas Ombudsman.

117. A decision of the Seimas Ombudsman with respect to the complaint shall be notified to the individual no later than within 3 (three) working days. A signed letter shall be submitted for registration and dispatch without undue delay.

118. If the applicant who has been asked to update the complaint within the specified time limit (as a rule, within 14 (fourteen) calendar days), fails to update the complaint which prevents from starting the investigation of complaint on the merits, the executor shall draw up the Seimas

Ombudsman's decision to refuse to investigate the complaint or to refuse to investigate the complaint by mediation.

Section 3 **Investigation of a complaint on the merits**

119. Where the Seimas Ombudsman decides to investigate a received complaint on the merits, the executor, after having analysed the received documents and information of the file of the complaint, shall, within 5 (five) working days of receipt of the complaint in the Office, draw up the notification to the applicant of the opened investigation of the complaint and, within 20 (twenty) working days – inquiries to institutions and bodies related to the issues raised in the complaint. The information provided in the notification to the applicant shall include the registration number, the time limit of investigation of the complaint and other information.

120. The senior advisor shall, within 3 (three) working days of receipt of the inquiry alongside the file of the complaint (within 1 (one) workday of receipt of the notification to the applicant) provide observations and proposals to the executor. Observations and proposals shall be provided in the form of a comment or in any other written or verbal form, and written observations and proposals shall be kept in the file until the letter is dispatched. The executor shall assess the observations and proposals, where appropriate, update the letter and repeatedly submit it to the senior advisor alongside the complaint file. The letter countersigned (coordinated) by the senior group advisor, alongside the complaint file, shall be submitted for signing to the Seimas Ombudsman without undue delay. If the Seimas Ombudsman does not sign the letter, the executor shall update it according to the specified comments and submit for signing, having informed the senior group advisor. Where appropriate, comments and suggested amendments shall be discussed with the Seimas Ombudsman. The signed letter shall be submitted for registration and dispatch without undue delay.

121. On motion of the executor and/or senior group advisor, the Seimas Ombudsman may decide not to draw up an inquiry (letter) regarding the complaint. The Seimas Ombudsman's decision shall be formalised in the form of a resolution and/or in the complaint card in the DM system.

122. Where necessary, the executor shall draw up additional letters of inquiry, propose site visits for the purpose of investigation of a complaint and/or invite, interrogate representatives and officials of institutions or bodies.

123. By written order of the Seimas Ombudsman, the executor shall carry out an on-the-spot check of circumstances of the complaint: visit institutions, bodies, officials and the applicant, interrogate them, and collect documents and information necessary for investigation of the complaint. Where appropriate, the executor may be accompanied by a senior advisor of the same and/or another group, other civil servants or employees of the Office.

124. Information and documents necessary for investigation of a complaint may be collected by the executor in other ways in line with the work procedure (by visiting an institution, bringing information and documents by officials to the Office, asking the institution or body by phone, e-mail or fax to provide documents available to it). A written (e-mail) referral to institutions, bodies of officials and received documents and information shall be registered in the Office, recorded in the DM system and kept in the complaint file.

125. Having collected all information, material and documents necessary for investigation of a complaint, the executor shall analyse and summarise them, assess the identified circumstances, legal acts and the case law. The summarised information of the complaint and the information identified during the investigation and the findings of the investigation shall be entered by the executor in a draft certificate and alongside the complaint file shall be submitted to senior group advisor for coordination. The executor shall also fill in the card of the complaint file in the DM system, update the topics of the complaint, the institution or body complained about, other

information (information on the fulfilment of recommendations, if any, shall not be entered) and shall submit the information sheet alongside the complaint file.

126. The time limit for the implementation of proposals (recommendations), if any, of the Seimas Ombudsman shall be specified in the certificate (or in its cover letter). On proposal of the executor coordinated with the senior advisor, the Seimas Ombudsman shall fix the term of control over implementation of the provided proposal (recommendation) in the certificate taking account of the type of the proposal (recommendation) and the time necessary for its implementation.

127. The senior advisor shall, within 4 (four) working days of the day of receipt of the certificate alongside the complaint file (within 5 (five) working days if the complaint file is large and/or problems analysed in the certificate are complicated) provide observations and proposals to the executor. The senior group advisor, having got familiarised with the complaint file and draft certificate, where appropriate, may invite advisors of the same and/or another group or employees of the Office to jointly discuss the problems of the complaint and the findings of the investigation. In that case the time limit for coordinating the draft certificate shall be 7 (seven) working days. The time limits for coordination of the draft certificate may also be extended when the senior advisor has to carry out other urgent assignments of the Seimas Ombudsman.

128. Observations and proposals to the executor shall be provided in the form of a comment or in any other written or verbal form, and written observations and proposals shall be kept in the file until the certificate is dispatched. The executor shall assess the observations and proposals, where appropriate, update the certificate and information (information sheet) in the DM system and repeatedly submit to the senior advisor alongside the complaint file.

129. If the executor disagrees with the provided observations and proposals, he/she shall inform the senior group advisor to the effect. Where appropriate, the observations and proposed adjustments shall be discussed with the senior advisor of the Seimas Ombudsman (Office). The executor shall revise the draft certificate taking account to the results of the joint meeting. In the case of disagreement, the final decision shall be adopted by the Seimas Ombudsman.

130. The certificate countersigned (coordinated) by the senior group advisor alongside the cover letter and complaint file shall be submitted for signing to the Seimas Ombudsman without undue delay. If the Seimas Ombudsman does not sign the certificate, the executor shall update it according to the specified comments and submit for signing, having informed the senior group advisor. Where appropriate, the comments and proposed amendments to the document shall be discussed with the Seimas Ombudsman. The signed certificate shall be submitted for registration and dispatch without undue delay.

131. A complaint shall be examined and a certificate shall be prepared and dispatched to the applicant within the time limit specified in the Law (i.e. within 3 (three) months of the day of receipt of the complaint in the Office). If additional information, material and documents have not been collected during the investigation of the complaint, a certificate shall be drawn up and dispatched to the applicant within 2 (two) months of the day of receipt of the complaint in the Office.

132. Where the investigation of a complaint lasts longer than 3 (three) months due to complexity of circumstances specified in the complaint, continuous nature of acts complained about or large volumes of information, upon expiry of the term of 3 (three) months, the executor shall notify to the effect the Seimas Ombudsman or (on the instruction of the Seimas Ombudsman) a senior group advisor and shall draw up and dispatch a respective notification to the applicant. The notification shall be dispatched by ordinary mail or (a scanned copy of the decision) by e-mail address, if available, or delivered against signature.

133. Where it is obvious that the investigation of a complaint will be completed no later than after 5 (five) working days, upon expiry of the period of three months of the day on which the complaint is received in the Office, the notification of the extension of the term of investigation of the complaint may not be sent to the applicant.

134. Upon investigation of the complaint on the merits, its results shall be communicated to the applicant, who, no later than within 3 (three) working days, shall be notified in writing of the

Seimas Ombudsman's decision adopted with respect to the complaint. The official and/or the head of the institution or body, whose activities have been examined and/or in respect of whom the Seimas Ombudsman's recommendations have been issued, shall also be acquainted with the results of investigation of the complaint. The certificate may also be provided for familiarisation to the head of an institution or body of a higher level of subordination, other institutions and/or bodies.

135. The certificate containing information, which in accordance with laws constitutes official, commercial or banking secrecy, or personal data protected by laws, shall not be sent to institutions, bodies and officials, but instead a letter on the completed investigation shall be sent specifying in it the legal assessment of activities of the official and the decision adopted by the Ombudsman as well as proposals (recommendations), or a copy of the certificate excluding the information which is not subject to disclosure.

136. Information on complaints, the process and results of their investigations shall not be provided to third parties. Nevertheless, the individual directly named in the certificate, having submitted a reasoned written request and the personal identity document or having confirmed his/her personal identity by other means in accordance with the procedure set out by legal acts of the Republic of Lithuania, shall have the right to obtain information about him/her, except in the cases provided for by laws of the Republic of Lithuania, when such information is not provided. Where an individual sends a request for information about him/her by post or via courier, such a request shall be accompanied by a copy of the personal identity document certified by a notary or in any other manner established by legal acts of the Republic of Lithuania. Where information about an individual is requested by his/her representative, the representative shall present a document confirming the representation and the personal identity document or shall prove his/her identity in any other manner established by legal acts of the Republic of Lithuania. In such cases an extract from the certificate shall be issued. The extract from the certificate shall be issued no later than within five working days by the Office employee responsible for management of the archive.

137. Upon receipt of a written request from the applicant to provide documents contained in his/her complaint file, the copies of documents shall be issued, on consent of the Seimas Ombudsman: 1) by the executor – when investigation of the complaint or implementation of recommendations provided by the Seimas Ombudsman is still under way; 2) the specialist responsible for management of the archive of the Office – when the complaint file has been transferred to the archive or when the number of copies of the documents is larger than 20 (twenty) pages. All original documents held by the Office, excluding annexes enclosed to them, shall be approved.

Section 4

Arrangement of files of complaints and projects

138. When the Seimas Ombudsman signs a certificate or refusal to investigate a complaint, a refusal to investigate a complaint by mediation or a project report, the executor shall arrange the complaint or project file. The executor shall, within 3 (three) working days, update the electronic card of the complaint (project) in the DM system (by entering the information on the Seimas Ombudsman's decision, the reasons of termination of investigation or of refusal to investigate the complaint, the provided proposals (recommendations), if any, the Seimas Ombudsman's decision, if any, on the publication or non-publication of the certificate on the website of the Office, other complaint or project related information, and shall attach the electronic version of the document signed by the Seimas Ombudsman).

139. The executor shall keep a complaint and all related documents (complaint file) until all information on the implementation of the Seimas Ombudsman's proposal (recommendation) and other requested information is received.

140. The executor shall control the implementation of the Seimas Ombudsman's proposals (recommendations), the receipt of requested information according to the time limit of control fixed in the certificate, decision or letter (cover letter of a certificate, project report or decision) and shall

assess whether the Seimas Ombudsmen proposals (recommendations) have been fulfilled or fully implemented.

141. Having assessed the information and documents provided by all institutions or bodies, the executor shall, within 10 (ten) working days, notify the senior group advisor (in the case of a project – a subdivision manager) of the results of investigation of a proposal (recommendation) by an institution or body to which the proposal (recommendation) was addressed, to and shall propose to him/her to terminate the control of the proposal (recommendation). Upon receipt of the senior advisor's (subdivision manager's) consent to terminate the control of the proposal (recommendations), the executor shall enter the information on the final result (fulfilled, unfulfilled and other information) into the electronic card of the complaint file within 3 (three) working days.

142. Upon receipt of the request to notify of the results of investigation of a the complaint which has been forwarded for investigation to another institution or body by mediation of the Seimas Ombudsman, the executor shall insert the received information notice on the investigation of the complaint into the complaint file, arrange the complaint file and fill in the electronic card of the complaint file in the DM system within 3 (three) working days. Having assessed the information received about the investigation of the complaint in another institution or body, the executor shall, within 10 (ten) working days, notify the senior advisor and propose to him/her to terminate the control of investigation of the complaint in such other institution or body. Upon receipt of the senior advisor's consent to terminate the control, the executor shall enter the information on the final result into the card of the complaint file within 3 (three) working days.

143. Where the executor, having assessed the information received about the implementation of the Seimas Ombudsman's proposals (recommendations) or investigation of the complaint forwarded by mediation in another institution or body and having found that the institution, body or official, to whom the Seimas Ombudsman's proposal (recommendation) was addressed, has not fully implemented the Seimas Ombudsman's proposal (recommendation) or has failed to implement it and to state the reasons of such failure, or that the reasons stated, in the executor's opinion, are unsubstantiated, the issue raised in the complaint which has been forwarded for investigation to another institution or body has not been settled in essence, or that he applicant's right to good public administration has been infringed otherwise, or that government bodies have failed to fulfil their duty to serve the people, the executor shall, on coordination with a senior advisor (subdivision manager), submit to the Seimas Ombudsman a proposal (a draft letter or decision of the Seimas Ombudsman) to repeatedly approach the institution, body or official, to open the investigation on own initiative or to apply other measures by exercising the rights of the Seimas Ombudsman provided for under the Law on the Seimas Ombudsmen.

144. Having completed the control over the fulfilment of the Seimas Ombudsman's proposals (recommendations) or investigation of a complaint in another institution or body, the executor shall supplement (update) the card of the complaint (project) file in the DM system with the received information. On coordination with a senior group advisor (or subdivision manager), the executor shall specify in the card of the complaint (project) file whether the file is recommended to be retained permanently. The executor shall print the information sheet of the complaint (project) in the DM system, sign it and insert into the complaint file after countersigning by the senior advisor (subdivision manager). The complaint file shall be considered to be closed.

145. Within 2 (two) months, the closed files of complaints (projects) shall be transferred to the archive of the Office in accordance with the procedure set out by these Rules of Procedure.

146. Group advisors and other employees receiving individuals and/or examining complaints and applications shall, in accordance with the procedure laid down by the Head of the Office, furnish a senior group advisor according to group activity areas determined by the Head of the Office with reports on the investigation of complaints and implementation of the Seimas Ombudsman's recommendations (if any). The senior group advisor shall analyse the results of investigation of complaints and implementation of the Seimas Ombudsman's recommendations and notify to the effect the Seimas Ombudsmen, provide to them proposals on the implementation of the Seimas Ombudsman's recommendations.

Section 2

Transfer of complaint and project files to the archive

147. The archive of the Office shall be managed in accordance with the Republic of Lithuania Law on Documents and Archives, the Rules for the Arrangement and Accounting of Documents approved by Order No V-118 of the Chief Archivist of Lithuania of 4 July 2011, the Office Documentation Plan approved by the Head of the Office, other legal acts regulating the uniform system of management of state documents.

148. On the last week of each month, according to the fixed schedule, the executor shall generate in the DM system a deed of files transferred to the archive which alongside the completed files of closed complaints shall be referred to the civil servant of the Office responsible for the arrangement of the archive of the Office.

149. Closed files of complaints shall be kept in the archive of the Office. These files shall be retained for 5 (five) years, with the exception of files selected for permanent retention according to the information of the DM system. Files selected for destruction shall be destroyed in accordance with the Rules for the Arrangement and Accounting of Documents approved by the Chief Archivist of Lithuania.

150. Information and documentary copies from files of complaints (projects) held by executors or in the archive shall be issued to individuals concerned on the basis of their written requests in compliance with provisions of the Law on the Right to Obtain Information from State and Municipal Bodies, and to the Office employees – on the basis of their requests.

151. Documents shall be inserted into files in chronological order (beginning with the document which was received the first, and finishing with the document which was received the last), the feedback document shall be inserted immediately after the initial document regardless of the date of the feedback document.

152. One copy (original) of a document shall be inserted into the file. Rough documents and legal acts shall not be filed.

153. Documents shall be filed without clips and fasteners.

154. Original documents may not contain any cross-outs.

155. Annexes and attached documents shall be filed together with documents to which they relate.

156. File numbering:

156.1. all pages of documents in the file shall be numbered consecutively. Envelopes (if filed) shall not be numbered, except for envelopes being returned in which a document of the Office (Seimas Ombudsman) has been sent;

156.2. file pages shall be numbered by lead-pencil, the page number shall be written in Arabic numerals on the upper right corner above the text;

156.3. a filed document of any format bound on one side shall be numbered as one page, and a document folded in half and bound through the centre – as two pages. Documents of the format larger than A4 shall be folded so that they can be unfolded without disintegrating the file;

156.4. the page number of a photo, drawing or other similar document shall be written in the left corner on the back side of the document. If such a document is affixed to a sheet of paper, the number shall be written on the sheet of paper near the document. Documents placed in an envelope shall be numbered consecutively like other documents in the file. If there is information written on an envelope, the envelope shall be numbered as a file page;

156.5. returned documents shall be numbered. Envelopes shall not be retained, unless the sender's address is indicated only on the envelope or a postal stamp is necessary for determining the date of dispatch and/or receipt of the document.

157. The archive of the Office shall be arranged by a specially authorised employee in accordance with the Law on Documents and Archives, the Rules for the Arrangement and

Accounting of Documents and other legal acts. The retention, handling and transfer of documents to the archive of the Office shall be established by these Rules of Procedure.

158. Responsibility for handling, retention and transfer to the archive of documents of subdivisions shall rest upon subdivision managers. Responsibility for handling, retention and transfer to the archive of applications, complaint files and related documents assigned to the Seimas Ombudsman's advisor and the Reception Specialist shall rest upon the respective advisors and the Reception Specialist. Other civil servants and employees of the Office not assigned to subdivisions shall be responsible for the handling, retention and transfer to the archive of documents at their disposal.

CHAPTER VII OTHER WORK ORGANISATION MATTERS

Section 1

Planning the activities of the Office and reports on the activities of the Seimas Ombudsmen

159. Subdivisions of the Office shall organise their work in line with the regulations of subdivisions approved by the Head of the Office, and employees of the Office – also by their job descriptions. Regulations of subdivisions and job descriptions of employees shall be drawn up by subdivision managers who shall submit them to the subdivision (employee) of the Office in charge of personnel management, and the latter shall refer them to the Head of the Office for approval.

160. Subdivision managers shall be responsible for the performance of functions assigned to subdivisions, organisation of work and fulfilment of assignments of the Head of the Office (Seimas Ombudsman).

161. The Head of the Office shall approve the strategic plan of the Office. The Head of the Office may assign the organisation and coordination of the drawing up of this plan and control over the implementation of the approved plan to the chief advisor of the Office (of the Seimas Ombudsman) or to any other employee.

162. The Head of the Office shall determine the annual tasks for employees and subdivisions directly subordinate to him/her; other tasks may also be determined.

163. The Seimas Ombudsmen shall submit to the Seimas the annual report on the activities of the previous calendar year (hereinafter – Report on Activities) by the date specified in the Law on the Seimas Ombudsmen,

164. The Seimas Ombudsman's advisor and/or other employee authorised by the Head of the Office shall be responsible for the drawing up of the Report on Activities, shall organise and coordinate the collection and generalisation of the necessary information, the publication of the Report on Activities, take other necessary measures to ensure the timely presentation of the Report on Activities, etc. The communication specialist shall guarantee the proper publication of the Report on Activities on the website of the Office.

165. Senior (chief) advisors to the Seimas Ombudsmen and other employees shall prepare and provide information necessary for the preparation of the Report on Activities in accordance with the procedure established by the Head of the Office.

166. The Head of the Office shall establish the procedure to be followed by employees and subdivision managers of the Office when reporting on their (subdivisions') performance, preparing information necessary for the drawing up of the Report on Activities and other reports.

Section 2 Work regulations

167. The work regime of forty hours and five working days per week with two rest days shall be established for the Seimas Ombudsmen and other employees of the Office:

167.1. work on Mondays, Tuesdays, Wednesdays and Thursdays shall start at 08:00 and end at 17:00;

167.2. work on Friday shall start at 08:00 and end at 15:45;

167.3. duration of a daily break to rest and eat: 45 minutes – from 12:00 until 12:45;

167.4. rest days shall be on Saturdays and Sundays;

167.5. according to a written request of an employee countersigned by his/her immediate superior and considering justified reasons, an individual schedule of work in the Office may be drawn up for the employee;

167.6. on the eve of holidays working time shall be shortened by one hour.

168. The work schedule of employees in charge of security of the Office building shall be approved by the Head of the Office on a monthly basis.

169. For exigencies of the service the Head of the Office, Seimas Ombudsmen and other employees may work overtime in the cases and in accordance with the procedure set forth by the Labour Code and the Law on Remuneration of State Politicians, Judges and State Officials. Overtime work shall be recorded in the time sheets. At the end of the year, the Head of the Office and Seimas Ombudsmen may receive a one-time additional pay not exceeding the amount of the basic salary for the work overtime, on holidays and rest days. The additional pay shall be paid within the limits of the allocated wage funds in accordance with the procedure set by legal acts. Where such funds are insufficient, also if an individual's employment has not lasted for a full year, the amount of the additional pay shall be recalculated proportionately to the available wage funds or to the time worked over a given year. The Seimas Ombudsman's activities unrelated to his/her direct duties should not interfere with their performance.

170. Civil servants of the Office may have another job, as a rule, not during their direct employment. A decision to allow a civil servant to have another job shall be adopted by the Head of the Office. The decision shall be valid for not more than one year following its adoption.

171. A civil servant's activities unrelated to the direct duties should not lead to a conflict of public and private interests, create preconditions to use civil service for personal needs, discredit the authority of civil service, or prevent a civil servant from properly performing the functions defined in his/her job description.

172. The working time actually worked by the Seimas Ombudsmen and other employees shall be recorded in model time sheets approved by the Government of the Republic of Lithuania.

173. When leaving the Office for service or work (hereinafter – work) purposes, employees should notify to the effect their immediate superior and specify the purpose and length of departure. In order to leave the Office for purposes unrelated to their direct work employees should obtain an approval of their immediate superior.

174. Employees who are unable to arrive to work on time or cannot arrive to work at all, if possible, should immediately notify to the effect their immediate superior and specify the reasons of lateness or absenteeism. An employee, who himself/herself cannot inform of the absenteeism, shall ask other persons to do that.

175. A wage to all individuals who work for the Office shall be paid twice a month – on day one (1) and day sixteen (16) of a month. At request of an individual, a different order of the payment of wage may be established.

176. Smoking shall be allowed only in specially designated and marked places. Smoking within the Office premises and in official cars shall be prohibited.

177. Employees at work shall be prohibited from being under the influence of alcohol, narcotic or toxic substances.

178. When servicing citizens and other persons, employees should look presentably and avoid keeping personal belongings, food or beverages in a prominent place.

179. During working hours, employees shall be prohibited from locking themselves in working premises, unless legal acts establish otherwise.

180. Employees should ensure that unauthorised persons are allowed to their workplace only in the presence of another employee of the Office.

181. Employees should use work equipment, transport, electrical energy and other material resources of the Office in sound and cost-effective manner.

182. Employees may use electronic means of communication, terminal equipment, software, office equipment, stationery and other means of the Office only for the purposes related to their direct work.

183. Employees shall be prohibited from granting unauthorised persons access to electronic means of communication, terminal equipment, software, office equipment, stationery and other means of the Office.

184. Technical maintenance and repairs of computers and communications equipment and installation of applications shall be organised and these works shall be carried out by the responsible employee of the Office.

185. Employees should be tidy, wear clean business style clothes.

186. Employees, who do not directly investigate citizens and other individuals, do not participate in meetings, commissions or other activities related to the representation of the Office on Fridays may wear casual clothes.

187. The employees' behaviour shall be representative of the Office.

188. The prevailing atmosphere in the Office shall be businesslike, not noisy, and employees should be respectful to each other and to individuals they consult and other persons.

189. Employees shall be prohibited from using unquotable words and phrases at work, keeping the information of unquotable or defaming content at the workplace.

190. Responsibility for the security of information obtained by the employee when performing his/her official duties shall be vested in the employee who has obtained and/or disposes such information.

191. The employee, who is the last to leave the room, shall lock the door. Only the employees who work in the room may have its keys. The keys may be transferred to other persons only on the instruction of the immediate superior.

192. A spare key from all rooms of the Office shall be kept with the security guard on duty.

193. Employees must timely inform the responsible employees of the circumstances and conditions occurring at their workplaces which might pose risk to the safety and health of employees, and take appropriate measures to remove the causes that might lead to injuries, fires, accidents and other negative consequences.

194. The procedure and conditions of recruitment and dismissal of employees and the procedure of payment of wages, incentives, imposition of liability and penalties, social and other guarantees are set out under the Republic of Lithuania Law on Civil Service, other laws and legal acts.

Section 3

Representation, international relations

195. The Office, as a legal person, shall be represented by the Head of the Office. By order of the Head of the Office, representation of the Office on other matters may be assigned to the other Seimas Ombudsman or employee of the Office according to their competence.

196. The position of employees representing the Office shall correspond to the official position of the Office and must be coordinated with the Seimas Ombudsman according to his competence. Persons representing the Office shall be prohibited from exceeding their competence, violating legal acts related to conciliation of private and public interests in civil service, official ethics and requirements of other legal acts. Persons who are authorised to represent the Office on the matters of coordination of the official position of the Office, where appropriate, and of its presentation, shall approach the Head of the Office or the Seimas Ombudsman directly or through their immediate superior.

197. The Seimas Ombudsmen's Office is an ordinary institutional member of the International Ombudsman Institute and of the European Ombudsman Institute.

198. The Seimas Ombudsmen maintain professional relations with different EU authorities, international organisations and foreign Ombudsmen. To that end, conferences, workshops and other events are organised and foreign Ombudsmen are invited to share their operational experience. The summary Annual Report on the Activities of the Seimas Ombudsmen is published in the English language on the website of the Seimas Ombudsmen's Office every year.

199. The Seimas Ombudsmen provide information through the employee authorised by the Head of the Office for the news disseminated by electronic means by the European Ombudsman about the work of the Ombudsmen's offices of the EU Member States and similar bodies, for the information bulletins of the European and International Ombudsmen Institute in English and participate in the activities of the European Network of Ombudsmen, the European national institutions of human rights and other international organisations.

200. The Seimas Ombudsmen and other employees visit institutions of Ombudsmen of foreign countries and events of other international institutions. All matters related to business trips abroad are handled by the employee in charge of foreign affairs. Information on such business trips is provided to the communication specialist.

201. The employee in charge of foreign affairs together with the communication specialist shall organise the reception of foreign delegations and officials and representatives of international organisations. The employee in charge of foreign affairs prepares the reception programme and together with the employee of the Office responsible for the Office finance, shall draw up the estimate of funds required for the reception of guests, prepare information for meetings, and addresses other matters pertaining to the reception of foreign guests.

202. Where appropriate, by order of the Head of the Office, working groups may be formed for the organisation of events, and other employees of the Office may also be involved for this work.

Section 4

Publishing the information on activities of the Seimas Ombudsmen and the Office.

Organisation of events

203. Responsible employees designated by the Head of the Office, who are in charge of internal and external communication of the Office and coordination of events (conferences, workshops, meetings) organised (or initiated) by the Office, shall take care of the provision of information to the public and media about activities of the Seimas Ombudsmen and the Office. On the instruction of the Head of the Office, these employees shall communicate with mass media and NGOs, and provide information on activities of the Seimas Ombudsmen and the Office to subdivisions and employees of the Office and other institutions.

204. The employee responsible for the communication of the Office shall communicate with managers of subdivisions and senior (chief) group advisors, other employees. Employees of the Office shall provide the communication specialist with the information on events organised by other institutions in which they participate.

205. Official information of the Seimas Ombudsmen and the Office shall be published on the website of the Office (www.lrski.lt).

206. Certificates signed by the Seimas Ombudsmen shall be published on the website of the Office in accordance with the procedure set by the Head of the Office.

207. Public comments on the matters of investigation of complaints shall be provided by the Seimas Ombudsmen or, on their instruction, by the communication specialist or advisors to the Seimas Ombudsmen, upon coordination of the text of the communication with the communication specialist. Information and comments on other organisational matters of the Office may be provided by the communication specialist on coordination with the Head of the Office or by the employee in

charge of the particular area of activity on coordination with the Head of the Office and the communication specialist.

208. Information according to public inquiries shall be provided in accordance with the procedure set out by the Law on the Right to Obtain Information from State and Municipal Bodies and other legal acts.

Section 5

Professional development of employees

209. Each civil servant and employee of the Office must undergo continuous professional development according to the qualification requirements established for his/her position. Professional development may take such forms as individual work, workshops, lectures, courses, work placements, etc.

210. The employee training (professional development) plans drawn up in the Office shall be approved by the Head of the Office.

211. The funds allocated for the professional development shall be provided annually in the estimate of the Office in accordance with the Law on Civil Service and other legal acts.

212. The employee in charge of personnel shall prepare and coordinate the implementation of employee training (professional development) plans according to proposals from the Seimas Ombudsmen, subdivision managers, and senior (chief) advisors to the Seimas Ombudsmen.

213. The Seimas Ombudsman and a subdivision manager, taking account of the nature and quality of work carried out by an employee, shall have the right to recommend the appropriate training courses for the employee.

214. The employee of the Office must attend trainings (lectures, workshops, etc.) organised for employees and may participate in workshops, lectures, courses and other professional development events offered by other institutions.

215. By decision of the Head of the Office, employees, who know foreign languages, are interested in the innovations within the area of their activity and show initiative, may be sent to training courses (workshops or trainings of other type) organised abroad.

216. Foreign language courses for employees of the Office shall be organised and financed in accordance with the procedure laid down by the Head of the Office.

217. Where training of an employee of the Office is financed from the state budget funds allocated to the Office and lasts longer than 3 (three) months, an agreement shall be concluded with the employee on repayment of funds allocated for training. The agreement shall provide that the funds shall be repaid by a civil servant or employee if he/she resigns voluntarily or is dismissed due to misconduct in office earlier than one year after completion of training. A person dismissed from office who has signed the agreement on repayment of funds allocated for training must, within 6 (six) month of the dismissal, repay to the Office the costs of the Office related to his/her training. If the person fails to repay the funds related to his/her training, the Office shall initiate their collection.

Section 6

Incentives and allowances

218. Employees of the Office may be provided with incentives in accordance with the procedure set out by the Law on Civil Service, the Labour Code, resolutions of the Government and the Head of the Office. Benefits to the Seimas Ombudsmen shall be paid in accordance with provisions of the Law on Remuneration of State Politicians, Judges and State Officials. A decision on incentives to the Seimas Ombudsmen and other civil servants of the Office shall be adopted by the Head of the Office.

219. Acting pursuant to the Law on Civil Service, the Labour Code and resolutions of the Government of the Republic of Lithuania, the Seimas Ombudsmen and other employees, whose material circumstances have become difficult due to their own illness or illness or death of their

family members, natural disaster or loss of property, may be paid a one-time allowance from funds allocated to the Office.

Section 7

Official and disciplinary penalties

220. Pursuant to the Law on Civil Service and the rules approved by resolution of the Government of the Republic of Lithuania civil servants of the Office may be subject to official penalties for misconduct in office.

221. Contractual employees may be subject to disciplinary penalties for violations of labour discipline in accordance with the procedure set out by the Labour Code.

Section 8

Business trips

222. Business trips shall take place and their costs shall be paid in accordance with the procedure laid down by the Government of the Republic of Lithuania, these Rules of Procedure and the Rules for Payment of Costs of Business Trips in the Office approved by the Head of the Office.

223. The Seimas Ombudsmen and other employees shall file applications for going on business trips with the Head of the Office.

224. A decision on business trips and work placements of the Head of the Office, Seimas Ombudsmen, and other employees of the Office shall be adopted by the Head of the Office.

225. A business trip abroad shall be formalised upon receipt of an invitation in the name of the Seimas Ombudsmen' Office or of the Seimas Ombudsman.

226. Employees, who return from business trips within the country, must, on the next day, inform the Seimas Ombudsman and the senior (chief) advisor or their subdivision manager of the fulfilment of the mission, and in the case of a business trip lasting longer than 1 (one) day – a written report shall be submitted within 3 (three) working days.

227. The Seimas Ombudsmen, other employees, who return from business trips abroad, shall furnish the Head of the Office with a written report within 3 (three) working days.

228. The Seimas Ombudsmen, other employees, who return from business trips, shall, within 3 (three) working days, furnish the employee in charge of management of finances of the Office with documents on actual costs incurred during the business trip, and in the case of payment of an advance – return the unused balance of the advance.

229. The Seimas Ombudsman or other employee, who had to stay on a business trip during days-off, on the basis of their written application may be granted a respective number of days-off by order of the Head of the Office.

230. A subdivision manager shall ensure that in the case of his/her or subdivision employees' business trip, their works are transferred to other employees for continuing them. An employee going on a business trip shall ensure the access to all information necessary for the performance of the official duties held in his/her computer media, including the e-signature.

Section 9

Leave granting rules

231. The Seimas Ombudsmen and employees of the Office shall be granted leave by order of the Head of the Office in accordance with the procedure set out by the Law on Civil Service and Labour Code. Annual leave for each working year shall be granted in the same working year.

232. At request of the employee, annual leave may be divided into parts. One part of annual leave may not be shorter than 14 (fourteen) calendar days.

233. An employee of the Office shall coordinate the time of his/her leave with the immediate superior, a group advisor – with the senior group advisor. An annual leave application

shall also be coordinated with the specialist responsible for personnel. A preliminary leave schedule of civil servants and other employees of the Office may be drawn up in the Office.

234. After the annual leave application of the employee is coordinated and registered in the DM system, the employee must submit it to the employee responsible for personnel, no later than 5 (five) working days before the planned beginning of leave.

235. The Seimas Ombudsmen and other employees of the Office may be granted unpaid leave due to family or other significant reasons by order of the Head of the Office adopted in accordance with the procedure set out by the Law on Civil Service and the Labour Code.

236. Employees shall be granted educational leave by order of the Head of the Office adopted in accordance with the procedure set out by the Law on Civil Service and the Labour Code. A monthly wage of employees studying in educational institutions in all instances may not be smaller than the minimum monthly wage fixed by the Government.

237. Managers of subdivisions must take care that their own works and works of employees of subdivisions run by them during leave are continued by transferring them to other employees.

Section 10

Use of official vehicles and mobile phones

238. Official vehicles and private cars shall be used in compliance with resolutions of the Government of the Republic of Lithuania and rules approved by order of the Head of the Office.

239. Official mobile phones shall be used in compliance with resolutions of the Government of the Republic of Lithuania and rules approved by order of the Head of the Office.

Section 11

Use of seal

240. The Office has its seal with the Lithuanian State Coat of Arms of and the name “Seimas Ombudsmen’ Office of the Republic of Lithuania”.

241. Responsibility for using and keeping the seal of the Office shall be vested in the Head of the Office. The Head of the Office may authorise another employee of the Office to keep the seal; such employee shall be responsible for keeping and using the seal in accordance with the procedure set by legal acts.

242. The seal (of a smaller type) with the Lithuanian State Coat of Arms shall be used to certify the documentary copies, official certificates, for stamping permits, etc.

243. When the term of mandate of the Head of the Office expires or ceases on other grounds set out under the Law on the Seimas Ombudsmen, the Head of the Office shall transfer the Lithuanian State Coat of Arms and the name of the Office to another Seimas Ombudsman on the basis of a deed of transfer–acceptance.

Section 12

Transfer and takeover of affairs, substitution

244. Duties of the Seimas Ombudsman, who is temporarily absent from office due to leave or a business trip, shall be temporarily assigned to the other Seimas Ombudsman by the Head of the Office. Duties of the Seimas Ombudsman, who is temporarily indisposed due to illness or other reasons, shall be temporarily performed by the other Seimas Ombudsman.

245. When the term of mandate of the Seimas Ombudsman expires or ceases on other grounds set by law, the Seimas Ombudsman shall hand over all files at his/her disposal to the employee of the Office responsible for the arrangement of the archive on the basis of a deed of transfer–acceptance.

246. When the term of mandate of the Head of the Office expires or ceases on other grounds set by law, the Head of the Office shall hand over the seal of the Office with the Lithuanian State Coat of Arms and the name of the office to another Seimas Ombudsman on the basis of a deed of transfer–acceptance.

247. Where an advisor to the Seimas Ombudsman is indisposed due to illness or other reasons, if possible, he/she shall notify to the effect the Head of the Office (or the employee responsible for personnel authorised by the Head of the Office) and the senior group advisor. Complaint files held by the advisor who remains indisposed for more than 6 (six) weeks by order of the Head of the Office shall be assigned to another (other) advisor (advisors). The performance of other functions or assignments of the absent advisor shall be assigned by the Head of the Office to other employees of the Office.

248. By order of the Head of the Office performance of the main functions of other employee, who is temporarily indisposed due to illness or other reasons, shall be assigned to another employee. The Seimas Ombudsmen and other employees of the Office shall be notified to the effect by e-mail.

249. Upon replacement or dismissal of the Head of the Office, the Seimas Ombudsmen, or other employees, the affairs shall be transferred on the basis of a deed of transfer–acceptance of affairs (Annex to these Rules of Procedure). A deed of transfer–acceptance of affairs alongside the appendix (final settlement form) shall be countersigned (coordinated) by responsible persons, and the deed shall be approved by the Head of the Office or, on the instruction thereof, by the chief advisor. The transfer of complaints, projects and assignments shall also be registered in the DM system.

250. A group advisor or other employee of the Office, who is dismissed or goes on maternity and parental leave, must:

250.1. on the basis of a deed of transfer–acceptance, transfer to the senior group advisor the outstanding and controlled complaint files;

250.2. transfer to the immediate superior or other employee designated thereby the documents (in the case of outstanding assignments), held files, information and normative material;

250.3. transfer to responsible employees the books purchased with the Office funds, seals and stamps, room and safe-deposit box keys, tangible fixed assets, intangible assets, current assets obtained individually and held at his/her disposal;

250.4. transfer to the immediate superior all information relating to the possibilities to use special information resources: passwords, keywords and other conventional signs which grant access to special databases, provided that the employee has possessed them as a representative of the Office;

250.5. return all valid certificates, permits, etc. issued by the Office, except in the cases of going on maternity and parental leave;

250.6. furnish the employee responsible for personnel with completed deed of transfer–acceptance of affairs and its appendix – the final settlement form (Annex to these Rules of Procedure).

251. In the case of dismissal of the employee, who is materially liable, material valuables assigned to him/her shall be transferred on the basis of a deed of transfer–acceptance to another materially liable person appointed by order of the Head of the Office.

252. In the case of dismissal of the chief financier of the Office, the transfer and acceptance of his/her duties shall be documented in the form of a deed of transfer–acceptance specifying in it the balances of all accounts according to accounting data and cash inventory data. During leave of the Head of the Division of General Affairs and Finance, by order of the Head of the Office the performance of his/her duties shall be assigned to the Deputy Head or other civil servant of the Division by order of the Head of the Office.

253. During leave of the cashier, by order of the Head of the Office the performance of his/her functions shall be assigned to another employee of the Office who shall sign the individual

agreement on full material liability. The transfer and acceptance of these functions shall be documented in the form of a written deed of transfer–acceptance of cash.

Annex to
the Rules of Procedure of the
Seimas Ombudsmen’s Office

(Form of the deed of transfer–acceptance of affairs)

THE SEIMAS OMBUDSMEN’S OFFICE

DEED OF TRANSFER–ACCEPTANCE OF AFFAIRS

APPROVED by

(position)

(signature)

(forename and surname)

_____ No _____
(date)

In accordance with _____
(document date, number and title)

_____ hereby transfers, and _____ hereby accepts
(forename and surname) *(forename and surname)*
these works and documents:

1. *(to specify the documents or documentary files, unfinished drafts of legal acts, etc. being transferred)*

2. ...

The Final Settlement Form constitutes an inseparable part to this Deed.

Transferred by
(positions)

(signature)

(forename and surname)

Accepted by
(position)

(signature)

(forename and surname)

Appendix to
the Deed of transfer – acceptance of affairs No _____
(date)

(Settlement Form)
THE SEIMAS OMBUDSMEN'S OFFICE

FINAL SETTLEMENT FORM

_____ No _____
(date)

(forename and surname)

(name of subdivision and/or position, forename and surname)

of the Seimas Ombudsmen's Office has settled in full for the fixed and current tangible assets:

Employee responsible for administration of property of the Office

(signature, forename and surname)

Employee responsible for personnel

(position, signature, forename and surname)

Employee responsible for arrangement of documents

(position, signature, forename and surname)

Senior group advisor

(position, signature, forename and surname)

Immediate superior

(position, signature, forename and surname)
