



university of  
 groningen

# Annual Report of the Ombudsperson

September 2021 – December 2022

25 April 2023



## Foreword

I am pleased to present my first public report as Ombudsperson of the University of Groningen (UG).

This relatively new role within the University contributes to the creation and preservation of a safe and healthy learning and working environment. In keeping with the role of a good ombudsperson, in this report I aim not only to provide a transparent account of my work but also to offer constructive criticism; to challenge the University by acting as the opposition. After all, the UG is still in the process of becoming the learning organization<sup>1</sup> that it aspires to be<sup>2</sup>. Fortunately, many things are going well along the way, with the many loyal and hardworking staff and students regularly making the difference.

In the first sixteen months of this independent, pioneering role, the period covered by this report, it was sometimes difficult to know how to deal with the increasingly high-impact reports I received. It required a constant weighing of facts and experiences, of individual and organizational interests, and of doing as much justice as possible to all parties involved. It was a balancing act between de-escalating where possible and escalating where necessary.

One thing that struck me in particular was that, for individuals who reported issues to me in my role as Ombudsperson, their trust in this role seemed to be natural to them; for some directors and managers, however, this was not (yet) the case. This is partly a logical consequence of the new – and therefore unfamiliar – role, and partly an indication of how much learning, including from mistakes, still needs to be done. Over the past period, I regularly noted that for the role of Ombudsperson to function optimally, it must be underpinned by the necessary support. This requires a degree of goodwill on both sides. Since then, I am happy to report that I have met more and more allies, which makes this meaningful role a lot less lonely. It confirms my impression that the super-tanker to which a complex organization such as the University is sometimes compared is cautiously heading in the right direction.

Carolijn Winnubst  
Ombudsperson at the University of Groningen

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<sup>1</sup> By a 'learning organization', I am referring to a learning system that, based on eleven characteristic elements, helps organizations to stay efficient, flexible, and viable, as described, among others, in: Poell, R. F. (2012). *Lerende organisatie*. In P. R. J. Simons & M. Ruijters (red.), *Canon van het leren* (pp. 349-360). Utrecht: Lemma.

<sup>2</sup> As reflected in the University of Groningen's Strategic Plan for 2021-2026, 'Making Connections'.

## Inhoudsopgave

<b>Foreword</b> .....	<b>2</b>
<b>Chapter 1 Introduction and responsibility</b> .....	<b>4</b>
<b>Chapter 2 The preparation, organization, introduction, and development of the position of Ombudsperson</b> .....	<b>5</b>
<i>Preparation and organization of the position of Ombudsperson</i> .....	5
<i>Introduction and development of the position of Ombudsperson</i> .....	6
<b>Chapter 3 Manner of working</b> .....	<b>9</b>
<i>General</i> .....	9
<i>Interventions</i> .....	10
<i>Use of time in 2022</i> .....	12
<b>Chapter 4 Key figures and the interpretation thereof</b> .....	<b>13</b>
<i>Staff figures</i> .....	13
<i>Student figures</i> .....	19
<b>Chapter 5 Observations</b> .....	<b>24</b>

## **Chapter 1 Introduction and responsibility**

One of the tasks of the Ombudsperson is to compile a public annual report<sup>3</sup> as a means of providing accountability. This is an important duty, as the work is often of a confidential nature and remains largely unseen by the organization. The aim is to contribute to individual and organizational learning by providing information, identifying issues, and offering advice.

This report covers the first sixteen months of this new position within the UG, from September 2021 to December 2022. It provides both a comprehensive overview of the pioneering work being undertaken and an insight into the key figures and observations. The next public report will cover one calendar year, as is customary at the UG.

Chapter 2 discusses the preparation, organization, start, and development of the position of Ombudsperson. Chapter 3 discusses the working method and the use of time. Chapter 4 focuses on key figures and the interpretation thereof, and Chapter 5 contains several observations.

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<sup>3</sup> Article 2.4 University of Groningen Ombudsperson Regulations

## Chapter 2      **The preparation, organization, introduction, and development of the position of Ombudsperson**

### *Preparation and organization of the position of Ombudsperson*

In the Collective Labour Agreement for Dutch Universities (CAO NU) 2020, it was agreed that the position of ombudsperson would be set up at all universities per 1 July 2021. The successful final evaluation of the ombudsperson pilot project at the universities of Maastricht, Delft, Twente, and Rotterdam laid the foundation for this. The Universities of the Netherlands (UNL) and the employee organizations jointly adopted recommendations for the implementation of the position of ombudsperson at universities. This national framework<sup>4</sup> provides scope for embedding this position within the existing local university support structure.

On 25 May 2021, the UG decided to appoint an ombudsperson (0.8 FTE) for students and staff for an initial period of two years. This staff member was tasked with designing a robust infrastructure and advising the Board of the University on how to give the position a suitable and permanent place within the University and on what adjustments, if any, to the current support structure would be required for this purpose.

On the same date, the Board of the University, in consultation with the Local Consultative Committee, adopted the University of Groningen Ombudsperson Regulations (hereafter: the regulations). As the position of ombudsperson at universities lacks a legal basis, the regulations provide an important foundation for the positioning of the role. The definition of the ombudsperson can be found in Article 1h of the above-mentioned regulations, which reads as follows:

#### Article 1 h

'Ombudsperson: any individual appointed by the Executive Board of the UG to act as an independent official for the purpose of handling reports from employees and/or students concerning conduct relating to social safety and undesirable behaviour.'

Articles 2.3 and 2.4 of the above-mentioned regulations describe the duties:

#### Article 2.3

'The Ombudsperson identifies and advises on broader trends relating to social safety, with attention to individual cases, but does not address any issues of legal status, individual reports that have already been addressed or matters that have been explicitly assigned to specific committees (e.g. inappropriate behaviour). The Ombudsperson does take action in the event of problematic patterns. The position is supplementary to the existing auxiliary structure<sup>5</sup>, and it is not intended to duplicate the roles of the Confidential Advisors or complaints committees.'

#### Article 2.4

'The Ombudsperson has the following duties:

- identifying trends and patterns relating to social safety and inappropriate conduct, as well as systematic deficiencies in regulations or their implementation within the organization;
- advising the Executive Board and supervisors who are in the position to act in response to patterns, trends or systematic deficiencies that have been identified;

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<sup>4</sup>[https://www.universiteitenvannederland.nl/files/documenten/Domeinen/Personeel/Landelijk\\_kader\\_voor\\_invulling\\_universitaire\\_ombudsfunctie.pdf](https://www.universiteitenvannederland.nl/files/documenten/Domeinen/Personeel/Landelijk_kader_voor_invulling_universitaire_ombudsfunctie.pdf)

<sup>5</sup> The Ombudsperson understands the support structure to include the occupational physicians, staff welfare officers, confidential advisor, PhD counsellors, study advisors, student counsellors, the HR department, and complaint, objection, appeal, and advisory committees.

- making satisfactory referrals (or re-referrals) to the appropriate bodies within the UG (e.g. the Confidential Advisor or complaints committee), as well as beyond the university, if necessary;
- conducting investigations (whether or not at its own initiative) and making recommendations based on the results;
- mediating and bring parties back into dialogue within the organizational structures intended for this purpose;
- publishing and reporting on observations and findings;
- drawing up a publicly accessible annual report.'

Formally, the Ombudsperson reports directly to the Board of the University but is completely independent in the performance of the role. This independence is also reflected in the UFO profile of August 2021, which states that there are no hierarchical guidelines within the organization regarding the content of the work. In addition to being independent, the Ombudsperson is also objective and impartial<sup>6</sup>. A budget for IT support and for carrying out and/or commissioning investigations has been allocated to ensure that the role can be performed properly. A budget for 0.2 FTE of secretarial support has also been allocated.

### *Introduction and development of the position of Ombudsperson*

On 1 September 2021, the Ombudsperson commenced her duties in this role. Her arrival was announced UG-wide in a press release issued by the Board of the University on 7 September 2021, which immediately led to the first report being made. She initially worked only two days a week, as she had other commitments to conclude outside the UG. From mid-October 2021 onwards, she started working the agreed four days a week (0.8 FTE).

The first period was primarily devoted to becoming acquainted with the University, to listening and preparatory reading, and to finding the right approach to the role. The necessary conditions were also put in place to be able to perform the independent and impartial role of Ombudsperson. For example, since January 2022, the University has been renting a workspace in a shared office building in the centre of Groningen. Persons submitting reports appreciate the fact that this space is independent of the University. Attention has also been paid to more administrative matters, such as the creation of an intake form for the reports. The forms used by the confidential advisor<sup>7</sup> and colleagues at other universities served as a good starting point for this.

The Ombudsperson has walk-in sessions two half-days a week. Although the vast majority of reporters schedule an in-person or online appointment by email or sometimes by phone, the walk-in sessions have proven to be of added value for those individuals who would not otherwise have dared to contact the Ombudsperson. Since the autumn of 2022, a walk-in session has been held every six weeks at Campus Fryslân, to be evaluated, in order to bridge the gap with this faculty in Leeuwarden. Since unfamiliarity breeds contempt, the Ombudsperson is still acquainting herself with the University by visiting a different department, institute, or faculty once a week.

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<sup>6</sup> See also Article 2.2 of the University of Groningen Ombudsperson Regulations

<sup>7</sup> 'Confidential advisor' refers to the confidential advisor in accordance with Article 1 of the University of Groningen Confidential Advisor Regulations.

The Ombudsperson has been supported by a part-time secretary since she started in her role. In 2023, the aim is to implement a professional software system for documenting activities while at the same time maintaining confidentiality.

In February 2022, the Ombudsperson wrote a report on her first 100 days in the role, entitled 'De-escalate where possible, escalate where necessary'. This was intended to give all students and staff an insight into her first impressions and to clarify any expectations they might have of the position.

In the second academic year, the Ombudsperson continued to work on raising awareness of the new role within the University. There is good reason for establishing contacts and strengthening relationships: by knowing each other and what is expected of each other, it is easier to intervene effectively when the need arises. Contacts were established in the following ways:

Internally:

- structural consultations aimed at getting to know each other, exchanging information where necessary and desired, and occasionally coordinating activities with:
  - the Board of the University, faculty board members, and service unit heads
  - centralized and decentralized consultative participation bodies
  - trade unions
  - several key figures within University Services
  - staff welfare officers and occupational physicians
  - Chief Diversity and Inclusion (D&I) Officer and other team members and faculty D&I officers
  - confidential advisors (also those at the UMCG)
  - confidential advisors for academic integrity
  - dean and policy officers at the Graduate Schools
  - PhD counsellors
  - Groningen Graduate Interest Network (GRIN)
  - various members of staff at the Student Service Centre (SSC)
  - study associations
- contributing to meetings:
  - workshop at a faculty-organized afternoon on how to create a safe and healthy working environment
  - presentation at a faculty integrity day for PhD students
  - facilitating discussions at a departmental away day on social safety in the workplace
  - presentation for complaints coordinators

Externally:

- structural consultation with the Association of Ombudspersons in Higher Education (VOHO; Vereniging Ombudsmannen in het Hoger Onderwijs) and peer sessions
- membership of the European Network of Ombuds in Higher Education (ENOHE)
- part of the National Network for Student Welfare (Landelijk Netwerk Studentenwelzijn)

In September 2022, a double interview with the Ombudsperson and the confidential advisor was published in a press release. The aim was to highlight the differences between these two very distinct roles. The Ombudsperson is impartial, has investigative powers, and focuses mainly on structural bottlenecks at the organizational level; the confidential advisor is partial and focuses primarily on individual support. For target groups, these differences continue to be confusing and require repeated explanation.

In October 2022, the Ombudsperson organized a roundtable discussion with, initially, several leaders from the University's support structure, with the aim of initiating a discussion about how to deal with conflicts or issues: What can you do in your different roles to de-escalate the situation as much as possible and effectively remove the tension? This was prompted by a number of reports in which, among other things, it was not always self-evident that the manager or director would listen to the other side (rebuttal) without prejudice. The HR department has since developed a first draft of a plan entitled 'How to deal with reports regarding social security', which has been discussed with the Committee of Deans. The next step is to have a broader discussion of the draft plan and to refine it so that there is a widely supported working method within the UG.

In accordance with the assignment set by the Board of the University, the Ombudsperson is expected to issue a recommendation on the structural embedding of the position by the end of April 2023. The autumn of 2022 and spring of 2023 were used to exchange views on relevant issues with a range of stakeholders in order to prepare a recommendation that enjoys the widest possible support.



## Chapter 3 Manner of working

### *General*

Reports are an important source for the work of the Ombudsperson and are essential for identifying patterns or abuses. A decision was therefore taken not to impose further barriers to reporting. Reports are sometimes broader than the definition provided in the regulations<sup>8</sup>, where the focus is on ‘social safety’<sup>9</sup> and ‘undesirable behaviour’<sup>10</sup>. Any matter relating to an unsafe/safe or unhealthy/healthy learning or working environment can be reported, and confidentiality is guaranteed. The work method facilitated good insight into the types of reports that are made and the complementary nature of the Ombudsperson’s role.

For most reporters, contacting the Ombudsperson is not a simple matter. Reporters have usually already done a lot to try to change the situation and feel lonely, desperate, and powerless. There are examples where reporters, and others for that matter, have a negative perception of reporting or ‘spilling the beans’. This is unfortunate, because it is essential for a learning organization that people are able to speak up, be heard, and have their views considered.

In situations in which reporters have not previously met with the confidential advisor and have only involved managers until that point, the Ombudsperson regularly hears that this is the first time that reporters feel taken seriously and listened to without judgement. Reporters often hope that the Ombudsperson will be able to set things in motion and/or that lessons will be learned from the situation. Sometimes, just making a report is enough for them. Occasionally, the Ombudsperson assumes an additional role as an independent and impartial third party, namely as a guardian of due process. However, it is debatable whether the Ombudsperson should actually play this role.

The Ombudsperson always asks the reporters about their expectations. Sometimes, however, these expectations cannot be met in practice, for example because the situation has already escalated to such an extent that it is too late to attempt a de-escalating intervention. In such situations, the organization often recurses to the law and there is a lack of appropriate support and adequate information for reporters. Occasionally, albeit very rarely, prudent action has been taken and the Ombudsperson sees no reason to intervene. In such cases, diligent feedback and clarification is often sufficient.

In accordance with the regulations, the Ombudsperson has the following interventions at her disposal: intake, advice, discussion guidance/mediation, referral, and investigation. The following sections explain what these interventions entail in practice. These interventions sometimes overlap. For example, if the Ombudsperson

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<sup>8</sup> See the definition of a report in Article 1(f) of the regulations.

<sup>9</sup> With regard to Article 1(j) of the University of Groningen Ombudsperson Regulations, ‘social safety’ is defined as: ‘a socially, psychologically and physically safe and inclusive environment within the university, where people of differing backgrounds, orientations and beliefs have the opportunity to develop freely and to their fullest potential. In any case, social safety implies that members of the university community are able to file reports concerning social safety and undesirable behaviour without risk to their positions or working conditions.’

<sup>10</sup> With regard to Article 1(i) of the University of Groningen Ombudsperson Regulations, ‘undesirable behaviour’ is defined as: ‘in accordance with Article 1.12 of the Collective Labour Agreement (CAO) for Dutch Universities, this includes the following in any case: harassment, sexual harassment, aggression, violence and discrimination. These concepts are elaborated in further detail in the UG Code of Conduct for Academic Integrity, the SIAGD Code of Conduct and the UG Zero Tolerance Statement.’

provides advice, she may also refer the reporter to someone else in the University's support structure, with the Ombudsperson continuing to play a role, possibly in the background. The same may also occur with a referral or discussion guidance/mediation.

### *Interventions*

#### *Intake*

For an intake, the Ombudsperson offers a listening ear during one or sometimes two or, in exceptional situations, three often intensive discussions. These discussions are used to determine the extent to which the role of Ombudsperson can be of assistance in the specific situation. If the role is limited to an intake, this may be because the reporter is reluctant to take the matter further, or because there are not yet enough signals to identify a pattern or trend. It may also be that the other person involved in the matter brought to the attention of the Ombudsperson is not open to mediation/a guided discussion.

#### *Advice*

In many cases, advice is only given after the relevant documents, policies, and/or laws or regulations have been studied and/or – where permission has been obtained, of course – after information has been gathered by other means.

Advice may be given at an individual level, to the reporter or to others within the organization, on how to proceed (for the time being). During the reporting period, written advice was issued in one individual case. The fact that directors, managers, and study associations sometimes actively seek out the Ombudsperson to discuss, in complete confidentiality, potential solutions or the correct course of action is highly valuable.

Solicited or unsolicited advice can also be given at an organizational level, often about units of the University based on a series of reports. During the reporting period, four unsolicited advisory reports were produced. This typically occurs in cases where the apparent pattern is a cause for concern and the underlying concerns do not appear to be resolving themselves. Furthermore, if the Ombudsperson is of the opinion that providing advice to the manager of the unit in question would not be helpful or would not be sufficient, for example because there was previously a lack of reflection, the advice will be addressed to the manager's superior in the hierarchy of the unit in question. To date, this has been the Faculty Boards and/or the Board of the University.

The advice mentioned above is emphatically not an investigation. This means that if the pattern (also) concerns the behaviour of individuals, the required hearing of both sides must be conducted by the higher level of management. Clear procedural agreements are now made about this in advance. Following one of the aforementioned written advisory reports, the Ombudsperson has heard good stories from reporters about the way in which this was approached and the (preliminary) results. The extent to which lessons are learnt from this method of escalation is discussed in the final chapter.

#### *Discussion guidance/mediation*

During the reporting period, the Ombudsman supervised/mediated discussions in twelve situations. Discussion guidance/mediation is a de-escalating intervention to

improve or review the situation that has arisen. In most cases, in view of the nature of the report, this intervention was proposed by the Ombudsperson herself. On occasion, it was based on a request from a referrer.

In practice, discussion guidance/mediation consists of one or two guided discussions, usually preceded by preparatory individual discussions in order to manage expectations properly. In this process, the discussion participants themselves decide how confidential the discussions are and whether the Ombudsperson will write a summary. It is an accessible and safe way of initiating a conversation that usually leads to clarity or a first step towards restoring mutual relations. Where necessary and desirable, the situation is then further addressed by the organization. Generally speaking, the aim of discussion guidance/mediation can be the same as that of a formal mediation process in which a mediator, preferably an external mediator registered with the Dutch Mediators' Association (MfN), leads the discussions. The main difference lies in the informal and short-term nature of the guidance, where the basis for the discussion is not so much a signed mediation agreement, but intrinsic motivation.

### *Referral*

While many reporters are introduced to the Ombudsperson through referrals, see Chapter 4, the Ombudsperson also makes referrals. This is usually a referral to the confidential advisor for individual support, or to a lawyer because the reporter is unfamiliar with the rights and obligations in the specific situation. Sometimes, a reporter is referred to the HR department or to the trade union, and occasionally to the occupational physician or to a staff welfare officer. The onus is on the reporter to follow up on the referral or not.

### *Investigation*

The Ombudsperson has the power to conduct investigations. The investigation may focus on one or more individuals, on the dynamics or culture within an organizational unit, or on systematic shortcomings in the regulations or their implementation by the organization. Indications, often consisting of several reports, may give rise to the use of the Ombudsperson's investigative power.

During the reporting period, the Ombudsperson did not conduct any investigations. The main reason for this is a lack of capacity: conducting a thorough investigation is time-consuming. Further investigation, for example into the way in which students are legally protected, has been on the agenda for some time. The aim is to initiate such an investigation once the advice on the structural embedding of the role of the Ombudsperson has been issued.

The Ombudsperson is reluctant to carry out person-centred investigations herself, as this is a specialist and delicate matter that requires the necessary (socio-scientific) expertise; expertise that the Ombudsperson does not necessarily have. This view is largely shared by colleagues at other universities, with a few exceptions. Person-centred investigations<sup>11</sup> involve, among other things, interviewing and actively seeking out several individuals, conducting interviews with the person or persons to whom the reports relate (rebuttal), reporting on these interviews, and assessing the extent to which appropriate action has been taken in the matter under investigation.

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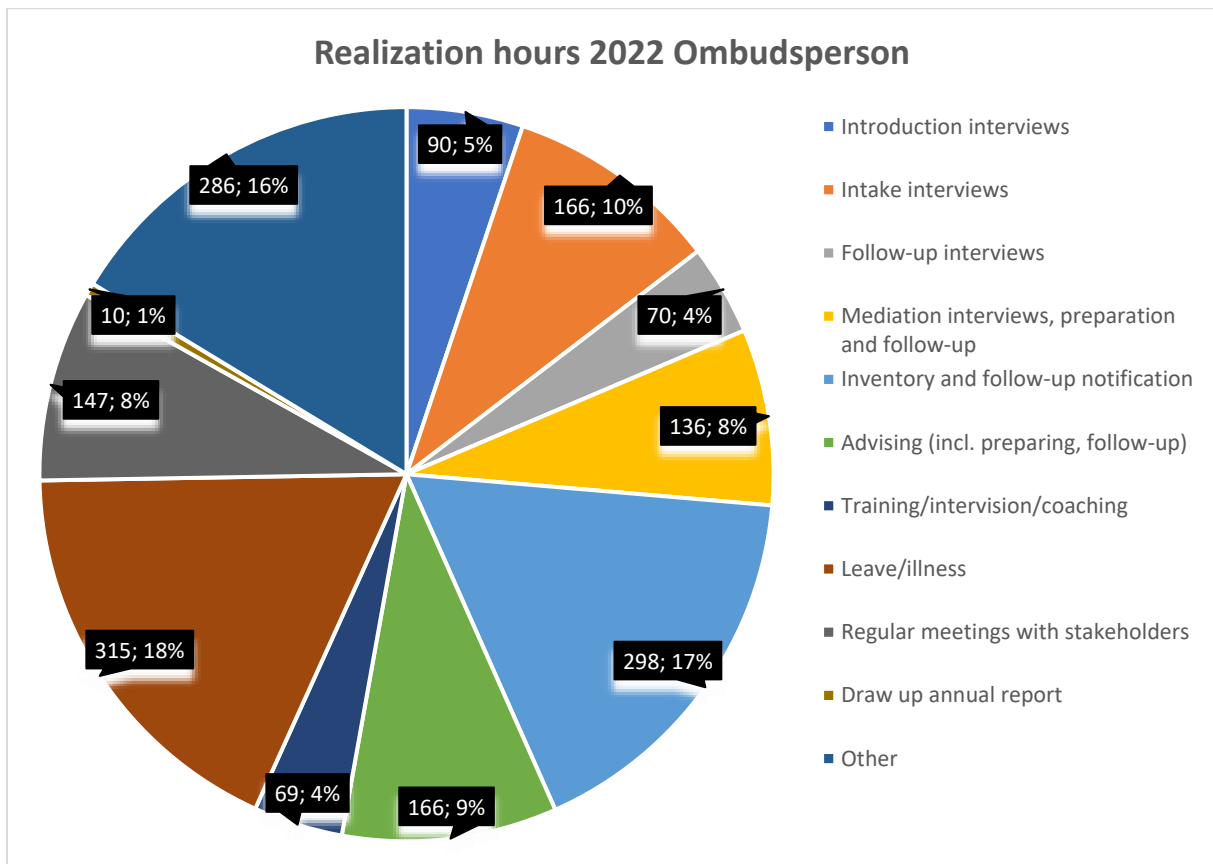
<sup>11</sup> See also Article 6 of the regulations.

The Ombudsperson can envisage herself commissioning a person-centred investigation in the future, if this investigation is not or cannot be undertaken by the higher level of management. Amending the regulations to include this power is considered valuable.

Where necessary, the Ombudsperson did issue advice to commission further independent investigations during the reporting period.

*Use of time in 2022*

The Ombudsperson recorded her hours for part of the reporting period, namely the 2022 calendar year. See pie chart 1 below.



Pie chart 1

## Chapter 4 Key figures and the interpretation thereof

This chapter provides information, in figures, on the 130 reports received during the reporting period. The way the figures are presented below protects the anonymity of the reporters. A distinction has been made between reports from staff and those from students.

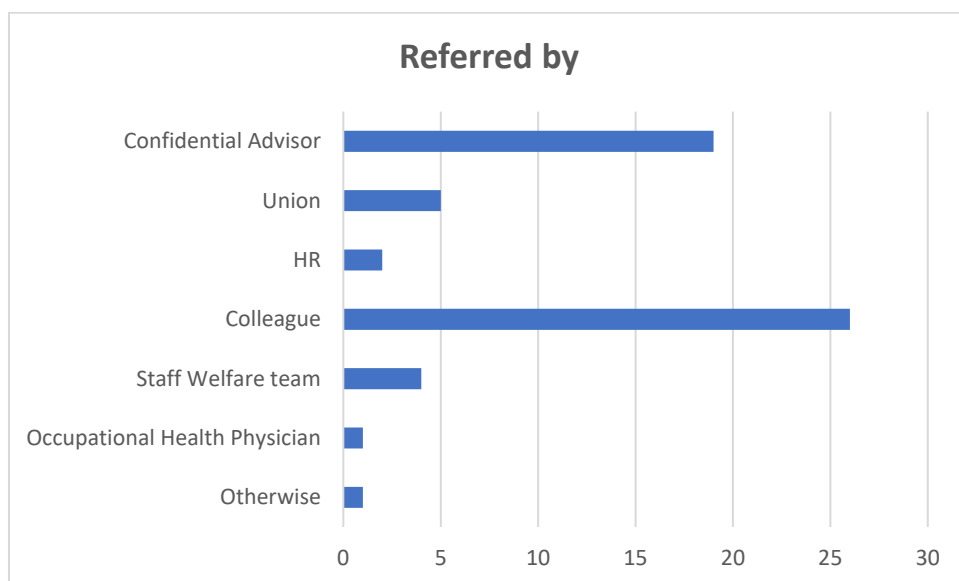
The data is based on the intake forms for the reports completed by the Ombudsperson. Although most of the data are objective (e.g., gender or background) and some data were explicitly requested, the Ombudsperson occasionally had to exercise her judgement, for example, on the nature of the report.

It is also important to note that this is a baseline measurement, and the figures in themselves do not explain the situation in reality; the context gives meaning to the figures. However, this does not alter the fact that the figures are a signal from which lessons can be learned and to which attention should be paid. In this chapter, the figures are interpreted as comprehensively as possible.

### *Staff figures*

A total of 103 reports were received from staff during the reporting period. This figure also includes all reports from PhD students (also those who do not have an employment contract with the University). This corresponds to 1.8% of the total workforce of 5,580 staff (source: 2021 UG Annual Report, figures exclude the UMCG and O&O). Of these, 99 staff reported their own experiences and four reporters were bystanders. Of the 103 reporters, 45 staff members contacted the Ombudsperson on their own initiative and 58 were referred.

Bar chart 1 shows the referrers and numbers of referrals. BMW stands for 'bedrijfsmaatschappelijk werk', the Staff Welfare team. 'Vertrouwenspersoon' refers to the confidential advisor in accordance with Article 1 of the University of Groningen Confidential Advisor Regulations, and not the University's informal confidential advisors.



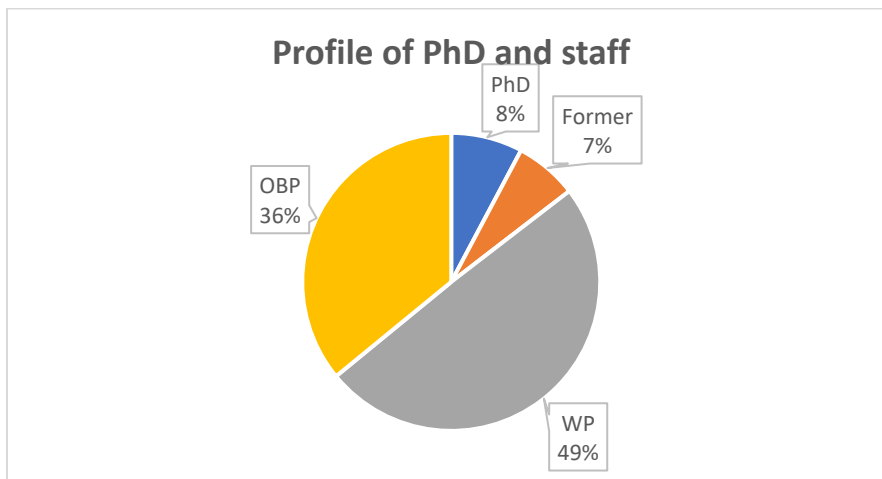
Bar chart 1

In the graph above, the number of referrals from colleagues and the confidential advisor is particularly striking. The main reason for the high number of referrals via colleagues is that it usually requires several reports to identify an apparent pattern. As for the confidential advisor, she is a significant referrer and refers when she thinks there is a pattern or the report goes beyond her mainly supportive role. The onus is then on the reporter to take the initiative to make an appointment. If the reporter wishes, a ‘warm handover’ is arranged so they do not have to recount all their often upsetting experiences, although unfortunately, this cannot always be avoided.

The very small number of referrals from HR is also striking. Figures from other universities paint a different picture, where the HR department is a main source of referrals. This raises the question of whether this is due to unfamiliarity with the Ombudsperson’s role or whether there are other reasons.

Of the total 103 reporters, 68 were women and 35 were men. No reports were received from non-binary people. Regarding background, 63 reporters were Dutch, 13 were from a European Union country, and 27 were from elsewhere. Experience to date has revealed that international workers are a vulnerable group who seem to receive insufficient attention. In many cases, there are expectations that are not or cannot be articulated and/or met and inadequate information provision, support, and understanding from the organization.

Pie chart 2 shows the distribution of reports from staff in terms of their work profile. ‘PhD’ refers to PhD students. ‘WP’ stands for academic staff (*wetenschappelijk personeel*) and OBP for support staff (*ondersteunend en beheerspersoneel*).



Pie chart 2

Although the regulations do not specify this power in so many words, the chart above shows that a listening ear has also been offered to former staff members. Sometimes this is easier for former staff members after the end of employment, and sometimes there are other reasons for this. It is important that these stories are heard, especially to help identify possible patterns. The Ombudsperson considers exit interviews to be a valuable management tool. This is not (yet) a standard procedure at the University.

The intake form lists six main categories for the nature of reports, which in turn are divided into several subcategories. Table 1 shows the figures for the nature of the reports received per category and per subcategory. Note that some reports have characteristics of more than one category or subcategory, so the total is higher than the number of reports. Each report was assigned a maximum of three categories or subcategories.

	Nature of reports from staff members	Subcategory	Number
1.	<b>Undesirable behaviour</b>	harassment, sexual harassment	7
		aggression and violence	1
		discrimination	1
		bullying	2
		stalking	0
		unequal treatment	4
	<i>subtotal</i>		<b>15</b>
2.	<b>Working conditions</b>	employment conflict	1
		appraisal	3
		promotion	8
		unsafe working culture	75
		problematic working relationship	13
		other	0
	<i>subtotal</i>		<b>100</b>
3.	<b>Studying conditions</b>	assessment	1
		supervision	1
		unsafe study environment	0
		other	0
	<i>subtotal</i>		<b>2</b>
4.	<b>Academic integrity</b>		<b>0</b>
5.	<b>Application of rules and procedures</b>		<b>12</b>
6.	<b>Other</b>		<b>2</b>
	<b>TOTAL</b>		<b>131</b>

Table 1

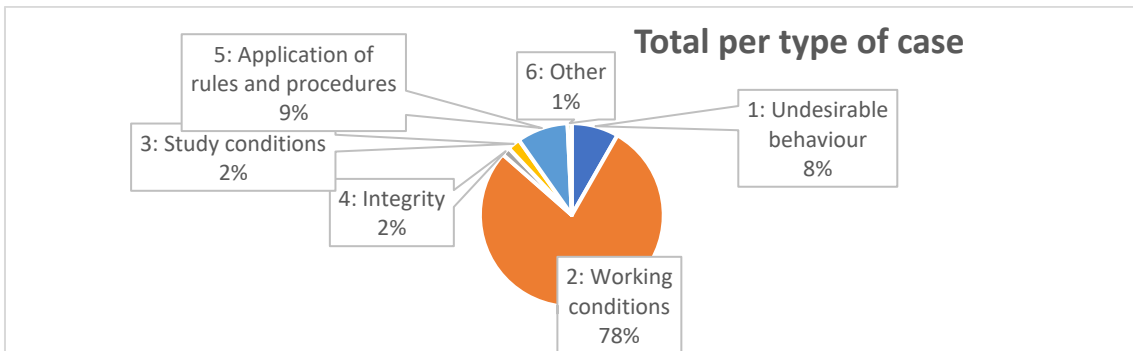
As the table above shows, reports from staff may concern study conditions. This may include staff members who feel unheard.

Table 1 illustrates that most reports concern an ‘unsafe working culture’; the categories ‘application of rules and procedures’ and ‘harassment’ come in second and third.

Generally speaking, ‘unsafe working culture’ relates to how management is carried out, which may include unclear and non-transparent decision-making, procedures, responsibilities, and expectations. This type of management lacks direction; someone who takes responsibility to create the necessary clarity regarding such issues. As a result, cases are not resolved in the line organization, where ideally they should be. Bar chart 2 seems to confirm the impression that the lack of safety experienced by reporters is largely due to a lack of unifying leadership. The Ombudsman attributes

this partly to an inability to act adequately, among other things due to insufficient training. She also attributes this to a lack of adequate advice and/or support. Another factor is the University’s culture, where it is not (yet) usual and customary for everyone to engage in meaningful dialogue with each other. In the spring of 2023, the HR department was tasked with further developing the vision document on leadership adopted by the Board of the University. This document discusses leadership qualities such as the ability to reflect, empathy, engagement, and integrity – qualities that were lacking in many of the issues brought to the attention of the Ombudsperson.

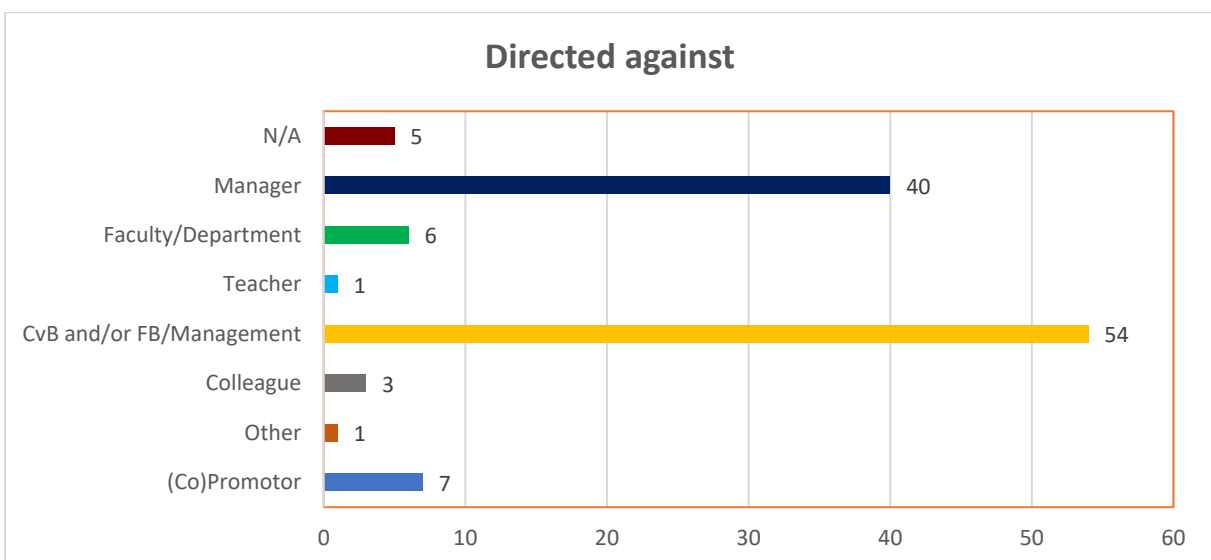
Pie chart 3 shows the total number of reports broken down into the six main categories.



Pie chart 3

The above overview is independent of the high workload experienced by many reporters, especially academic staff. The continuing high workload appears to be largely accepted as a foregone conclusion.

Bar chart 2 illustrates against whom the 103 reports were specifically directed. On fourteen occasions, a report was registered in two categories, usually both the ‘manager’ category and the ‘Board of the University and/or FB/Management’ category.



Bar chart 2

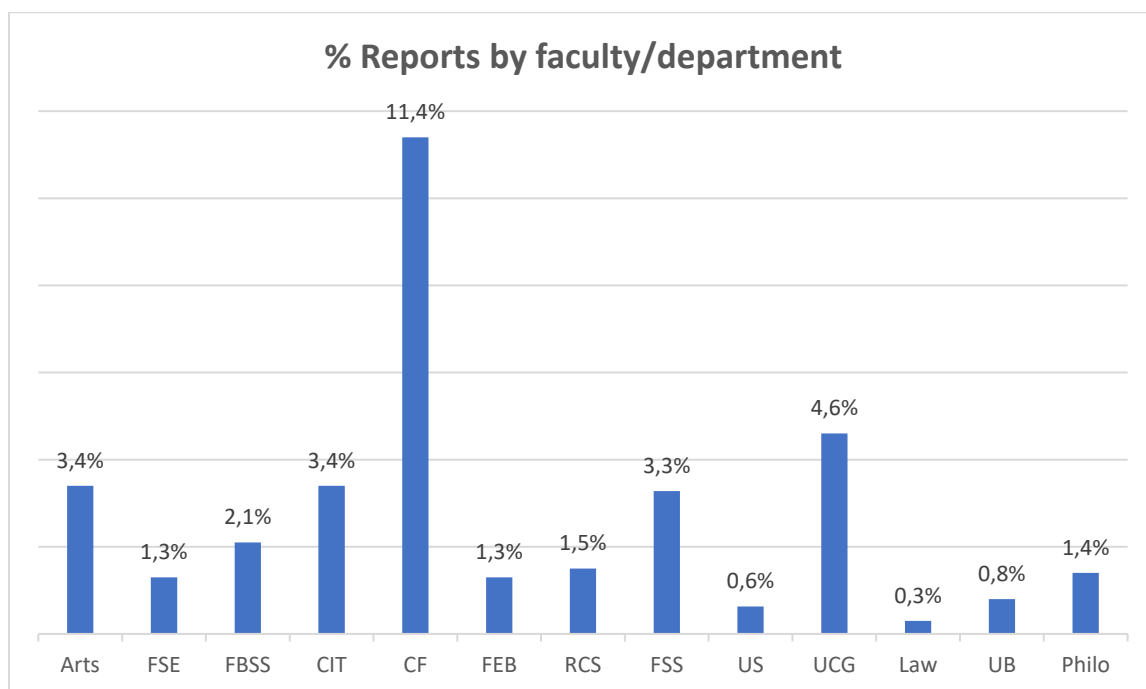


The above graph shows that seven reports were made against supervisors/co-supervisors. This is perhaps unsurprising given that eight of the reports came from PhD students, who are in a vulnerable position.

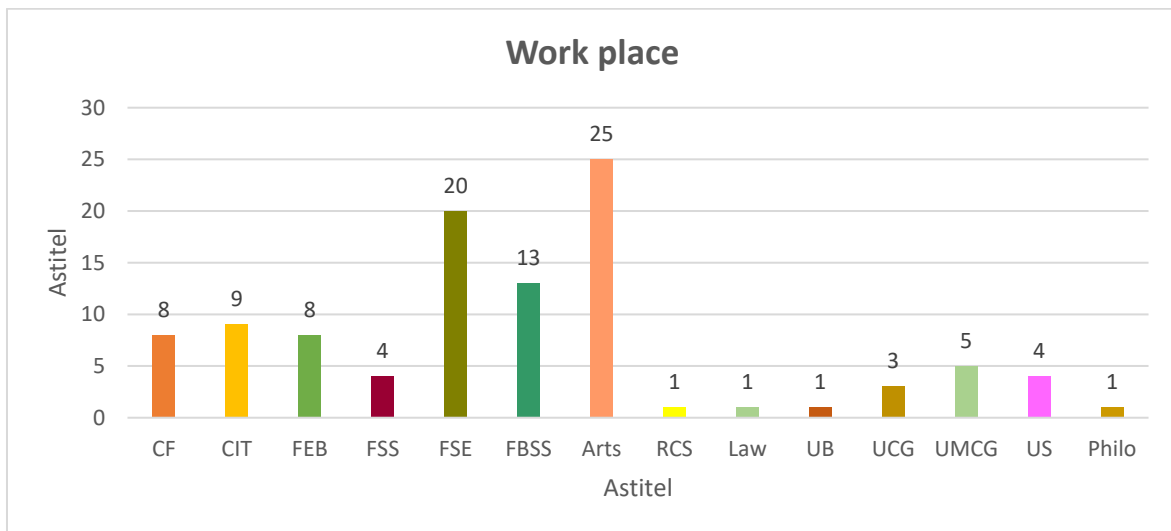
In order to gain greater insights into the impact that the situation was having on reporters (other than bystanders), from mid-2022, as part of the intake, they were usually asked to rate on a scale of 0 to 5 the impact that the situation was having on their commitment to their department/unit/the University, on their job satisfaction, and on their physical and mental health. On this scale, 0 means ‘huge impact’ and 5 means ‘no impact’. Of the 43 reporters who were asked this question, they gave the impact of the situation on their commitment an average score of 2.8. The average score they gave to the impact of the situation on their job satisfaction was 2.7 (with five reporters stating that this question did not apply to them, mostly due to them being on sick leave). The average score they gave to the impact of the situation on their physical health was 2.75 and the average score for their mental health was 2.3 (with one reporter stating that this question did not apply to them).

These average scores, and indeed the explanations given in response to these questions, show just how profound an impact the reported situation can have. Also on bystanders and family members, as one reporter rightly added recently. It should come as no surprise that some of the reporters are on sick leave or are likely to be in the near future.

The 103 reports concerned a wide range of faculties and service units. For registration purposes, the place to which the report relates was used. For most reports, this was the current or former place of work. Bar chart 3 provides an overview of the percentage of the number of reports and the scope per faculty/service unit (figures are taken from the UG Annual Report for 2022). Bar chart 4 provides an overview of the number of reports per faculty/service unit.



Bar chart 3



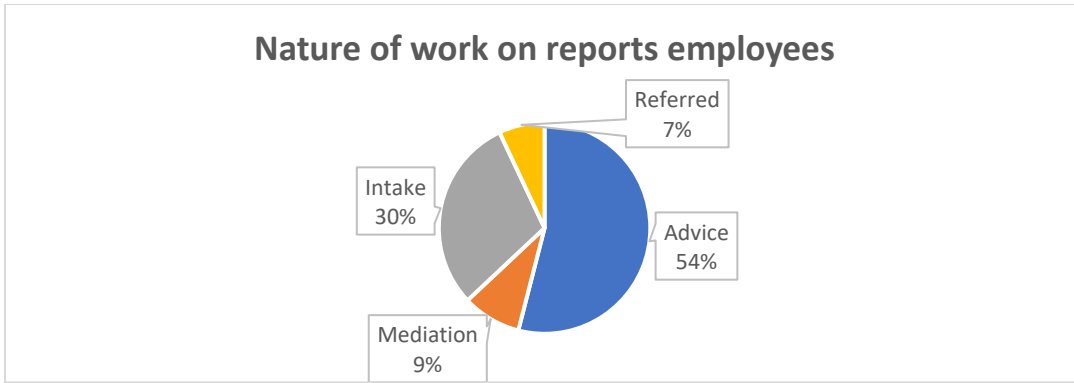
Bar chart 4

As can be seen in bar chart 4, the UMCG is listed as a separate unit. This is because medical professors and academic staff of the UMCG who have signed an Academic Staff Agreement and who teach and conduct research at the UG also fall under the scope of the Ombudsperson. The percentage of reports from/scope at the UMCG has been left out of bar chart 3 because the exact figures for the scope at the UMCG are missing.

The fact that no or few reports have been received from some faculties or service units does not automatically mean that there are no issues there. There are always challenges and complex situations that require attention, everywhere. However, the Ombudsperson also regularly encounters the ‘don’t air your dirty laundry in public’ attitude. There is still a lack of awareness that the potential involvement of the Ombudsperson is geared towards achieving a lasting improvement in the situation, which benefits everyone.

The high number of reports at LETT is striking, given its size. Some of these reports formed the basis for the issuing of unsolicited advice. For the remaining reports, the organizational structure and culture and critical situations in the past were the main reasons for concern expressed by the reporters.

Pie chart 4 shows the activities undertaken by the Ombudsperson for staff members. The overview only covers activities arising from reports. As mentioned in Chapter 3, more than half of these activities consist of providing advice at both an individual and organizational level.

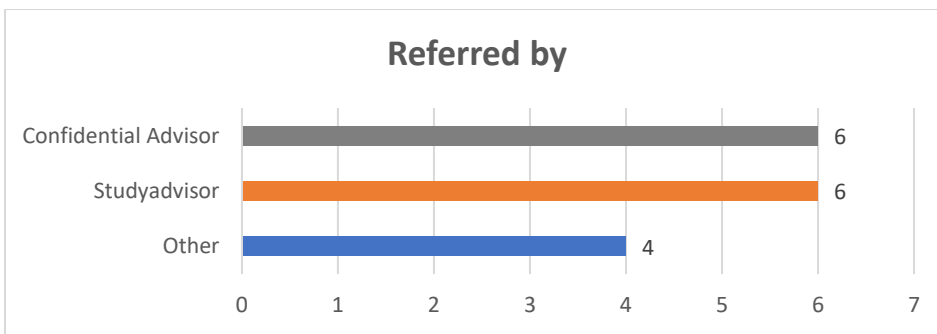


Pie chart 4

### Student figures

During the reporting period, a total of 27 reports were received from students about their own experiences. This represents 0.077% of the total student population (over 35,000, according to the 2021 UG annual report).

Of the 27 reporters, 11 students contacted the Ombudsperson on their own initiative and 16 were referred. Bar chart 5 shows the referrers and numbers of referrals.

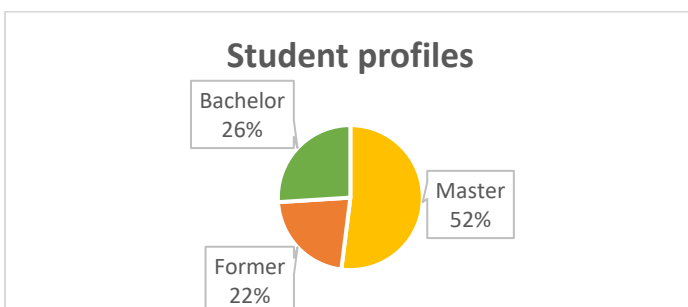


Bar chart 5

The bar chart above shows that the confidential advisor and the student advisors are the main referrers. Experience has shown that these referrals occur when an apparent pattern or wrongdoing is identified and/or the report goes beyond the referrer's own role.

Of the total 27 reporters, 13 were women and 14 were men. No reports were received from non-binary people. In terms of background, 15 reporters were Dutch, 4 were from a European Union country, and 8 were from elsewhere. International students are also a vulnerable group that deserves more attention.

Pie chart 5 illustrates the phase of study in which reporters are in.



Pie chart 5

The pie chart above shows that a significant proportion of reports came from former students. In most cases, graduation had a transformative effect on these reporters, ending the dependency relationship. Although the regulations do not specify this power in so many words, there is an opportunity for former students to submit reports. As with former staff, it is important that these stories are heard; sometimes, they have proved essential in identifying a pattern or wrongdoing.

The intake form is the same for staff and students. Table 2 shows the figures for the nature of the reports received per (sub)category. Note that some reports have more than one category or subcategory characteristics, so the total is higher than the number of reports (27). Each report was assigned a maximum of three categories or subcategories.

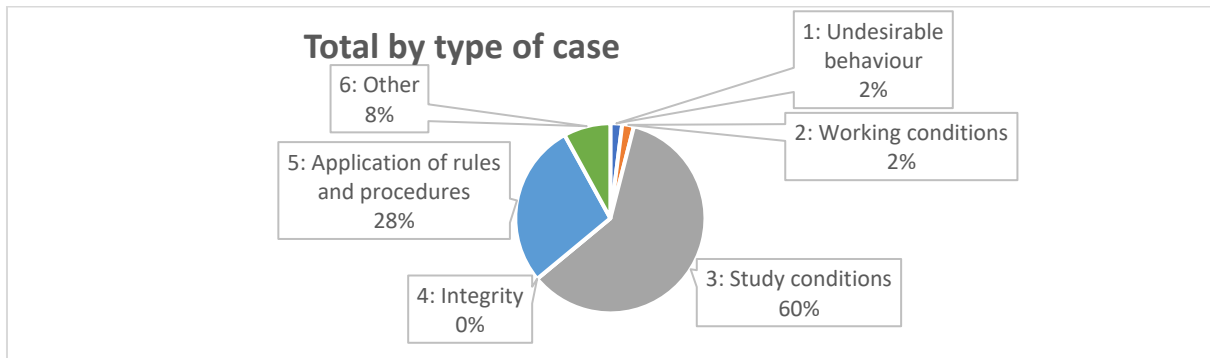
	Nature of reports from students	Subcategory	Number
1.	<b>Undesirable behaviour</b>	harassment, sexual harassment	1
		aggression and violence	0
		discrimination	0
		bullying	0
		stalking	0
		unequal treatment	0
	<i>subtotal</i>		<b>1</b>
2.	<b>Working conditions</b>	employment conflict	0
		appraisal	0
		promotion	0
		unsafe working culture	0
		problematic working relationship	0
		other	1
	<i>subtotal</i>		<b>1</b>
3.	<b>Studying conditions</b>	assessment	4
		supervision	16
		unsafe study environment	3
		other	0
	<i>subtotal</i>		<b>24</b>
4.	<b>Academic integrity</b>		<b>0</b>
5.	<b>Application of rules and procedures</b>		<b>11</b>
6.	<b>Other</b>		<b>3</b>
	<b>TOTAL</b>		<b>40</b>

Table 2

In practice, the Ombudsperson fulfils a different role for students than for staff. Many of the students who file reports find themselves entangled in the complex and bureaucratic organization of the University and are often looking for short-term,

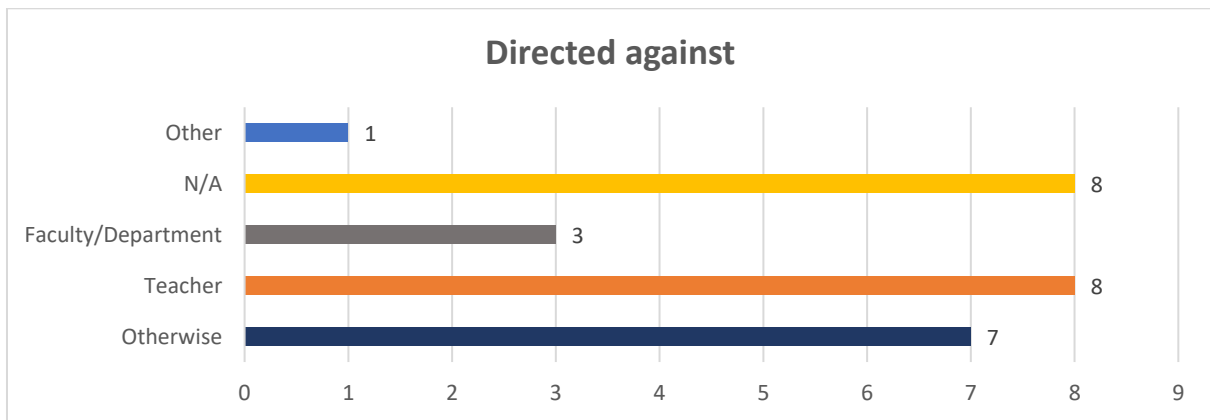
targeted solutions. Almost all reporters first attempted to find a solution themselves, for instance by consulting a study advisor. Bar chart 6 shows that the majority of the reports concern lecturers and the category ‘other’. Generally speaking, the reports tend to concern a tricky dependency relationship and/or a considerable power imbalance. In these situations in particular, the reporters only want to inform the Ombudsperson and do not want to take any further action, apart from discussing the situation with the Ombudsperson, for fear of repercussions or other negative consequences.

Pie chart 5 shows the total number of reports broken down into the six main categories.



Pie chart 5

Bar chart 6 illustrates against whom or what the 27 reports were specifically directed.



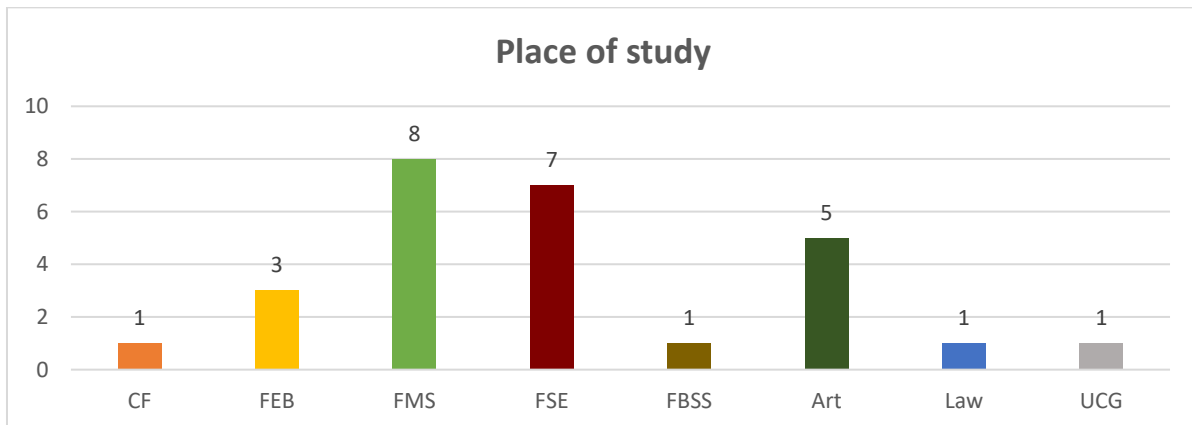
Bar chart 6

As in the case of staff reports, from mid-2022, as part of the intake, students were usually asked to rate on a scale of 0 to 5 the impact that the situation was having on their commitment to their studies or the University, on their satisfaction with their studies, and on their physical and mental health. On this scale, 0 means ‘huge impact’ and 5 means ‘no impact’.

Eight of the 27 reporters were asked these questions, which is too few to draw any conclusions. Nevertheless, the results are as follows: Reporters gave the impact of the situation on their commitment an average score of 2.74. The average score they gave to the impact of the situation on their satisfaction with their studies was 2.7 (with one reporter stating that this question did not apply to them). The average score they gave to the impact of the situation on their physical health was 3.63 (with one reporter stating that this question did not apply to them), and the average score for their

mental health was 2.71 (with one reporter stating that this question did not apply to them).

The total of 27 student reports concerned a wide range of faculties. For registration purposes, the place to which the report relates was used. In all cases, this corresponds to the current or previous place of study. Bar chart 7 provides an overview. In the following annual report, the percentage of reports/number of students in the faculty will be displayed.



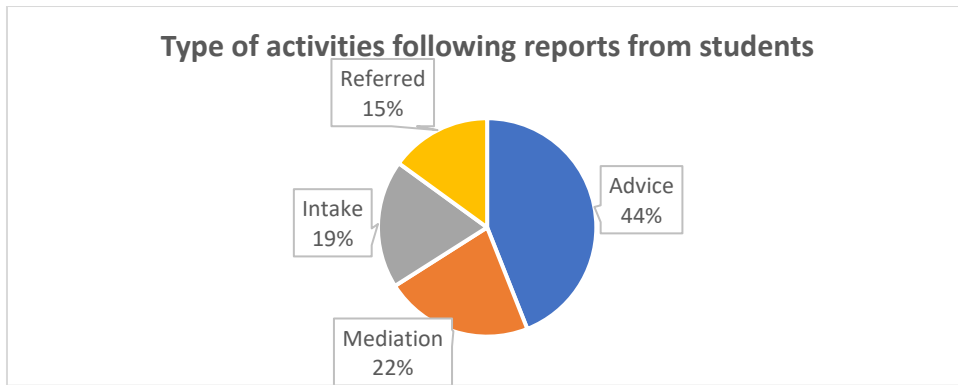
Bar chart 7

The graph above shows that students at the Faculty of Medical Sciences (FMW) are the largest group of reporters. They are in a vulnerable position, especially during clerkships, where they are heavily dependent on the programme management and the affiliation coordinator/examiner, and are afraid to speak out.

Most of the reports from the Faculty of Science and Engineering (FSE) come from a single unit where short and long-term agreements have been made with those responsible, to improve the situation on an ongoing basis. Given its size, there is no obvious reason for the relatively high number of reports at LETT.

The fact that no or few reports have been received from some faculties does not automatically mean there are no issues. At some faculties more than others, students make use of the possibility to file a complaint through the Central Portal for the Legal Protection of Student Rights (CLRS). Also, in some cases students are forced to file objections or appeals, as a result of which no reports are submitted or only at a much later stage. The Ombudsperson also believes that unfamiliarity with the role of the Ombudsperson on the part of potential referrers and the students themselves is a possible cause.

Pie chart 6 shows the activities undertaken by the Ombudsperson for students. The overview only covers activities arising from reports.



Pie chart 6

## Chapter 5 Observations

This final chapter presents a number of observations that require attention in relation to the learning organization. These are issues that the Ombudsperson would be happy to discuss further, if desired; some of these points will also be included in the recommendation on the structural embedding of the role of the Ombudsperson within the University.

After more than eighteen months in the role, the Ombudsperson sees the UG as a dynamic and complex organization with high ambitions and a lot of expertise – with a Board of the University that is more aware than ever of the need for a safe and healthy learning and working environment, and eleven faculties, each with its own ‘couleur locale’.

Staff and students alike know how to access the Ombudsperson, and the University recognizes the importance of having an independent third party with the authority to tackle issues. In terms of the organization, there is still a great deal of work to be done, whereby a bottom-up approach rather than the usual top-down approach is recommended.

### *Theory versus practice*

It appears that the role of University Ombudsperson in practice is somewhat at odds with several articles of the regulations. This is a logical consequence of the fact that the regulations were drawn up before the Ombudsperson’s activities began. For instance, the scope of the Ombudsperson’s activities is, in practice, broader than simply dealing with reports concerning social safety and undesirable behaviour, as per the limited description in the regulations. It is more accurate to say that the main focus of the work is to ensure a safe and healthy learning and working environment. This broader perspective ensures that signals that do not neatly fall into the categories of ‘social safety’ and ‘undesirable behaviour’, but which do nevertheless have an impact on students and staff, do not go unnoticed by the Ombudsperson. Consider, for example, bias, or the semblance of bias, in appointment or promotion procedures or the quality of teaching.

Another area of friction concerns the fact that the role should not duplicate the role of other responsible parties within the University’s support structure. As far as the role of the confidential advisor is concerned, this does not always seem possible. However carefully the tasks are coordinated, it is impossible to prevent a grey area; this, incidentally, does not have to be problematic. On occasion, reports are received that seem to fit an apparent pattern and for which individual support is also required. Referrals are then made for this support. Additionally, it goes without saying that reporters are free to choose to whom they turn to make a report.

Any recommendations of the Ombudsperson are non-binding. In practice, this means that written advice is sometimes not or only partially acted upon. With a view to enhancing the learning capacity of the organization, it would seem appropriate to include the following obligation in the regulations: ‘The body to which the advice is addressed shall reply in writing to the Ombudsperson within a maximum of six weeks, stating whether and to what extent the advice will be acted upon.’



This addition will also increase staff and students' confidence in the effectiveness of reporting, which is likely to encourage more people to get in touch with the Ombudsperson.

### *HR*

In those reports in which HR played a role – the vast majority of the 103 staff reports – almost all reporters experienced this role as an extension of the manager and the organization rather than as being part of the support structure. In these cases, the Ombudsperson often sees that other responsible parties in the support structure, such as the occupational physician or the confidential advisor, fill this gap by supporting and protecting staff members more than should be necessary. At the same time, there have been examples of the dilemma faced by HR advisors: directors or managers who sometimes take decisions that are contrary to the advice provided. University Services is now up and running, and investments are being made in, among other things, increasing knowledge and skills that will allow staff to be on a stronger footing. This is an important development for the organization. The Ombudsperson is hopeful that this development will eventually contribute to a lasting improvement to the current image of the HR department. Gathering and sharing positive experiences will be crucial in this regard.

### *Intercultural diversity*

As mentioned previously in this annual report, internationals – whether they are students, PhD students, or staff members – constitute a vulnerable group at the University. A significant proportion of staff, and to a lesser extent students, come from a country other than the Netherlands. They often come from a different culture, have different expectations, and lack a network in Groningen. And while it cannot be automatically assumed that conversation partners understand each other, a different background makes effective communication more difficult. A few exceptions aside, it is remarkable how little attention is paid to this within the University. The Ombudsperson has found that, in a significant number of cases, intercultural aspects are a determining factor in the situation that has arisen and in the eventual report or request for advice. Raising awareness and improving intercultural skills contributes to a more inclusive working and learning environment. Better expectation management during the recruitment or admission process and a more robust onboarding process can also help here.