

# Staff ombudsman

Annual report 2019/2020









# Contents

## **4 Preface**

## **6 General**

The office of staff ombudsman  
Purpose of the office  
Scope and accessibility

## **8 Complaint procedure**

Methods

## **11 What type of cases are submitted to the ombudsman?**

## **12 Cases handled**

Cases in 2019  
Cases in 2020  
Origin of complaints 2019  
Origin of complaints 2020  
Handling cases

## **16 Nature of the cases in 2019 and 2020**

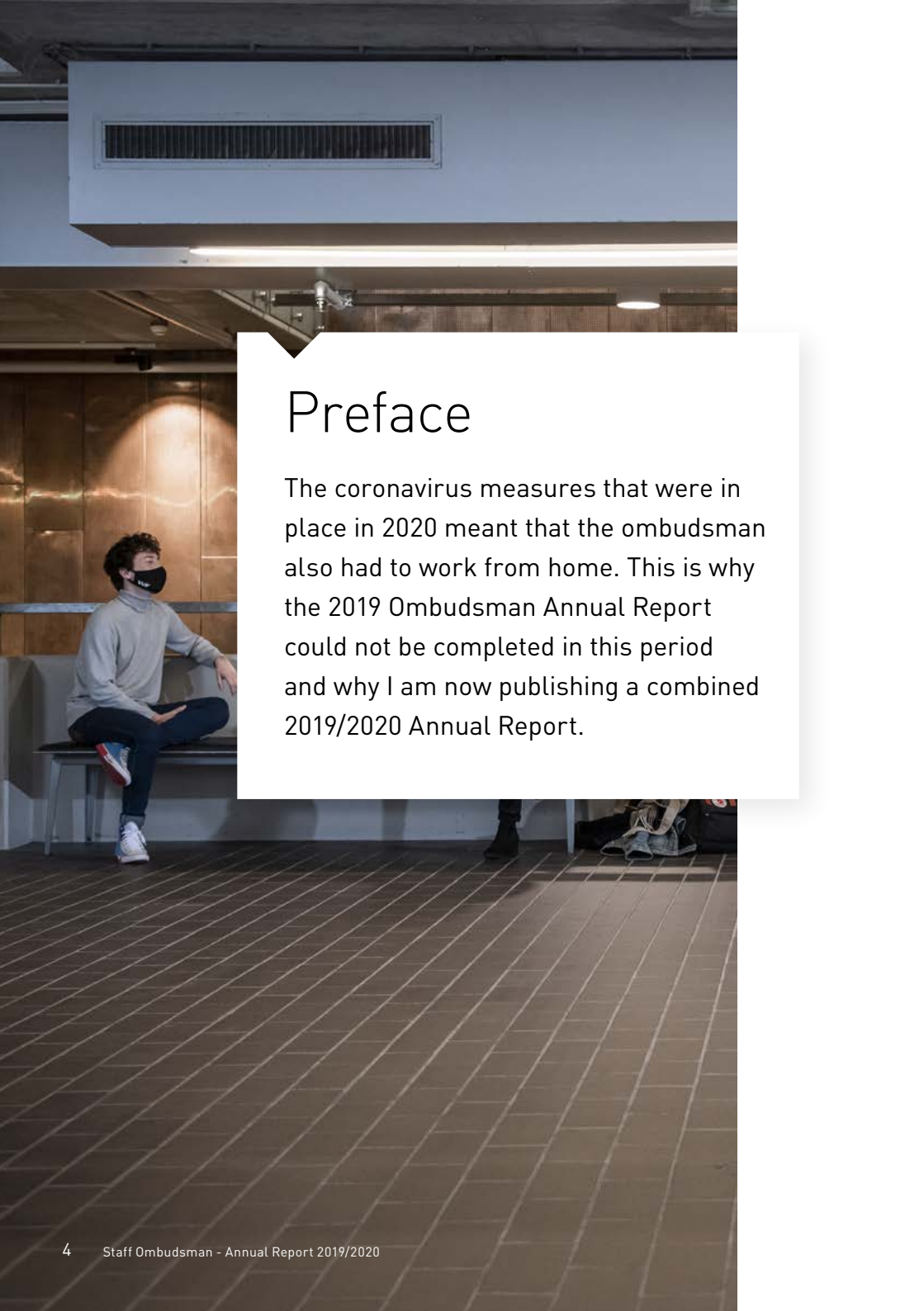
## **18 Conclusions and recommendations**

## **19 Publicity**

## **21 Professionalization**

## **22 Other internal and external contacts**

## **23 And lastly: prevention**



## Preface

The coronavirus measures that were in place in 2020 meant that the ombudsman also had to work from home. This is why the 2019 Ombudsman Annual Report could not be completed in this period and why I am now publishing a combined 2019/2020 Annual Report.

In 2019, the updated and revised *Ombudsman for VU Amsterdam personnel Regulations* were adopted. In addition to textual improvements, substantive matters were also clarified in the regulations. Furthermore, the monitoring role of the ombudsman has been encapsulated in a procedure. This means that the ombudsman, on the basis of this monitoring role, only reports cases to the Executive Board and no longer to the management first<sup>1</sup>. The regulations also state that the ombudsman can also report signs. The purpose of this, the regulation states, is to inform the Executive Board about a systematic shortcoming in regulations or about problematic patterns in the organization. It goes without saying that the ombudsman observes his/her duty of confidentiality when reporting such signs. Reporting signs can be an important means of uncovering problematic patterns, for example, complaints about the same subject, which would otherwise remain undetected. Clearly, the Executive Board must be informed accordingly so as to be able to decide whether, and if so, what action is needed. In 2019, the ombudsman made three such reports, on the basis of this monitoring role, to the Executive Board. There were no reports in 2020.

Although the year 2020 was dominated by the pandemic, this did not have a noticeable effect on the number or nature

of complaints discussed with the ombudsman. In 2020, 42 cases were submitted to the ombudsman. This number is almost the same as in previous years. The majority of cases were not related to the coronavirus crisis, although employees did indicate that the workload and working from home conditions did, at times, make their work more difficult. Where necessary, the ombudsman informed employees of the services of the Staff Welfare Office.

I wish to thank the Executive Board and all the staff who consulted me in my role as ombudsman. I am very grateful for the trust you have placed in me.

**Ms E.J. (Lies) Poesiat**  
**Staff Ombudsman,**  
**Vrije Universiteit Amsterdam**  
De Boelelaan 1081  
1081 HV Amsterdam

Visiting address:  
Mathematics and Physics Building (W&N),  
Room S-246  
Tel. +31 (0)20 5985313 / +31 (0)6 27625636  
Ombudsmanpersoneel@vu.nl

---

<sup>1</sup> *Ombudsman for VU Amsterdam personnel Regulations*. 2019. Preamble, Art. 2:6,7.  
[https://vunet.login.vu.nl/\\_layouts/SharePoint.Tridion.WebParts/download.aspx?cid=tcm%3a165-301612-16](https://vunet.login.vu.nl/_layouts/SharePoint.Tridion.WebParts/download.aspx?cid=tcm%3a165-301612-16)

# General

## The office of staff ombudsman

Anyone employed by Vrije Universiteit Amsterdam has the right to enlist the services of the ombudsman. That includes staff on secondment, former employees, and PhD candidates who have an employment contract with the university.<sup>2</sup>

No matter how meticulously procedures and policy are formulated, you can never eliminate human error, and things may still go awry. This gives rise to complaints. Of course, an employee should first give the faculty or service department the opportunity to handle the complaint. It is only when that option does not work or produce a satisfactory response that the ombudsman is in a position to act.<sup>3</sup> In the first instance, a member of staff can use the ombudsman's advice to try to solve the problem independently. The ombudsman will not take sides in such a discussion but works to form an objective view of the matter at hand in order to give advice, make a referral or arrive at a decision. The ombudsman is not an employee representative. In such a role, the ombudsman would not be in a position to assess a complaint. The ombudsman checks whether

applicable regulations have been followed and whether procedures have been correctly implemented. To achieve this, she begins by conducting an exploratory investigation. During this phase, she conducts interviews with the parties involved and examines the relevant regulations. All this is done with reference to the question of whether or not the employee has been treated properly and with all due respect. Complaints about general policy can therefore not be dealt with.<sup>4</sup> Other avenues exist for this purpose, such as the faculty subcommittee of the central Staff Council or the Staff Council itself. Even though she is not authorized to deal with this type of case, the ombudsman still listens to the problems, discusses the possibilities and provides information. After all, it is important that there is a place in the organization where these problems can also be addressed and where complainants can then be referred to the correct authorities. Experience has shown that complainants otherwise tend to send letters or emails to a variety of staff, often to the wrong office, which is simply a frustrating waste of time that does nothing to foster a resolution of the problem at hand.

---

2 PhD students who do not have an employment contract with VU Amsterdam can turn to the student ombudsman. The staff ombudsman currently also holds that position.

3 The duties and responsibilities are set out in: *Ombudsman for VU Amsterdam personnel Regulations*. Consulted at: [https://vunet.login.vu.nl/\\_layouts/SharePoint.Tridion.WebParts/download.aspx?cid=tcm%3a165-301612-16](https://vunet.login.vu.nl/_layouts/SharePoint.Tridion.WebParts/download.aspx?cid=tcm%3a165-301612-16)

## Purpose of the office

As stated in the Ombudsman Regulations (*Regeling Ombudsman*), the ombudsman is

---

4 *Ombudsman for VU Amsterdam personnel Regulations* Art. 5(1)(f).

an independent and neutral person with whom a staff member can discuss a problem or grievance about the university, the faculty or a member of staff in an informal and confidential setting (a duty of confidentiality applies). The ombudsman has the resources to investigate a complaint, and the position to issue an official statement on the matter. In this respect, she differs from other officials whom employees are able to consult.

It is in the interest of both the employee and the university that complaints are taken seriously and the office of ombudsman plays an important part in this regard. If a complaint is well-founded, the ombudsman can formulate recommendations to resolve the case and to avoid repetition in future. In some instances, the ombudsman may also offer recommendations after a mediation process or in response to a report. This could, for example, be a recommendation to the organization that helps improve the quality of services, communication, regulations and procedures.

The office of ombudsman is also intended to contribute to an atmosphere in which the university's employees treat each other with the greatest consideration and respect, and to compliance with laws and regulations. This facilitates the equal treatment of all employees and thus implicitly inclusiveness. The ombudsman's duties also involve monitoring recurring questions and complaints, and responding appropriately if the law is repeatedly broken or regulations are flaunted. The ombudsman then brings these facts to the attention of the Executive Board. In this

sense, the ombudsman contributes to a safe social working environment. At least twice a year, the ombudsman discusses the issues raised – while guaranteeing employee anonymity – with Executive Board member, until 1 October 2019, Ms M.H.T. (Marjolein) Jansen and from that date on with Mr M.J.W.T. (Marcel) Nollen.

## Scope and Accessibility

The position of ombudsman has been set at 0.2 FTE. Besides discussing matters, the ombudsman devotes these hours to tasks such as preliminary inquiries, consulting files, recording findings, and compiling interim and final reports.

The ombudsman also distributes her own Annual Report.

Furthermore, the ombudsman personally takes care of registration and filing. Since the job is part-time and the ombudsman cannot be reached during appointments, it is important that staff are able to leave a voicemail message. For this reason, the ombudsman forwards calls to her mobile phone in the event of her absence. She can also be reached using the mobile messaging service WhatsApp. These services help lower the threshold associated with the position. An appointment can also be made by telephone or email by contacting the ombudsman personally. It is also possible to complete a form on VU.net and submit it through the digital complaints desk.<sup>5</sup>

---

5 Complaints form: <https://vunet.login.vu.nl/services/pages/practicalinformation.aspx?cid=tcm%3a164-306731-16>

# Complaint procedure

Most employees submit their case to the ombudsman by email. A first condition is that the event to which the complaint relates has not occurred more than one year previously.

At the first interview, the ombudsman checks whether she is authorized to handle the complaint in question. For instance, the ombudsman cannot deal with

complaints about inappropriate conduct – that is the job of the confidential counsellor at central or decentralized level.<sup>6</sup>

The role of the confidential counsellor is different to that of the ombudsman. Confidential counsellors advocate interests and counsel the complainant, while the ombudsman is always the impartial third party. After all, the ombudsman still

has to be able to assess a complaint. An employee may feel that he/she is being treated unfairly because, for instance, a procedure was not carried out properly. This does not, however, make it a complaint about inappropriate conduct. Such a complaint can most certainly be handled by the ombudsman. Complaints for which

there are alternative one-stop shops or cases in which there is still a possibility of appeal or objection will also not be handled by the ombudsman.<sup>7</sup> An employee who has received a decision about his or her legal status can lodge an objection

with the Executive Board. However, in many cases, the exact nature of the problem can only be determined in discussion with the member of staff concerned. In some cases, the ombudsman will be able to deal with a particular aspect of the complaint; this often applies when multiple issues are involved. In simpler cases for which the ombudsman is not authorized, the note “not part of the ombudsman’s remit” may suffice.

There are, however, other reasons why the ombudsman may decide not to deal with a complaint, for example, because it is clear that the complaint is unfounded.<sup>8</sup> In such cases, it is sufficient to explain to the employee that the laws and regulations have been complied with.

In some cases, employees are able to resolve the issue on their own after talking to the ombudsman, who is able to provide information about the relevant regulations, procedures, rights, obligations and options. It is then up to the employee to decide which type of complaint procedure to choose.

## Methods

Often, the ombudsman will have to perform a preliminary inquiry before being able to provide the required information about the possibilities. In that case, the other party is asked to respond and docu-

---

6 More information: <https://vunet.login.vu.nl/services/pages/practicalinformation.aspx?cid=tcn%3a164-937110-16>

7 *Ombudsman for VU Amsterdam personnel Regulations* Art. 5(1)(g).

---

8 *Ombudsman for VU Amsterdam personnel Regulations* Art. 5(1)(c).





ments can be requested and verified if necessary. On matters relating to internal regulations, the ombudsman may request advice from a legal expert at VU Amsterdam or a member of staff from Human Resource Management (HRM). At faculty level, for example, she seeks contact with a supervisor, HRM advisor or a member of the faculty board. In all cases, it is important that a complaint or problem is clearly monitored, as this generates information that contributes to finding a solution. And both the employee and the organization often benefit more from finding a solution than from obtaining a statement that the complaint is well-founded.

If another body has jurisdiction, the ombudsman will refer the case. For instance, allegations of infringement of academic

integrity were reported to the confidential counsellor for Academic Integrity. The ombudsman also provided information on this matter.<sup>9</sup> The entire system is set up in such a way that members of staff are referred to the right place as soon as possible.

The ombudsman aims to resolve problems, which frequently leads to the withdrawal of the problem or complaint, which can in itself also help to restore confidence. The ombudsman can act as an independent party. Free from affiliation with a faculty or service department, she can look for ways in which parties can

---

<sup>9</sup> Further information: <https://www.vu.nl/en/about-vu-amsterdam/academic-integrity/confidential-counsellor/index.aspx>



work together to solve the problem. This type of ombudsman-led mediation is an agreeable and expedient option for all concerned, and faster and less taxing than a formal inquiry. In this sense, the ombudsman avoids a formal complaint being filed that the ombudsman has to assess.

If the preliminary inquiries during ombudsman-led mediation give reason to do so, both parties will be invited to a three-way interview (involving and chaired by the ombudsman) with the aim of resolving the complaint. However, the ombudsman remains impartial throughout.

Full-fledged mediation is no less labour-intensive for the ombudsman than a formal inquiry. Investigating the complaint, hearing the parties and bringing them together in the course of mediation often

requires a number of sessions. Ombudsman-led mediation focuses on the complaint itself and is a short-term strategy. It should be completed in one or two meetings, which makes it different from a full-fledged mediation process. This working method therefore differs from a mediation process. If mediation is no longer possible, or if the intervention has failed to yield a result, a formal investigation of the complaint can be initiated at the request of the employee. This will be followed by a decision from the ombudsman and may, if the complaint is well-founded, lead to a recommendation to remedy the consequences of the problems and prevent recurrence.

# What type of cases are submitted to the ombudsman?

Employees contact the ombudsman with a wide variety of problems and questions. When they do, they feel that they have not been treated properly. It should be noted that supervisors resolved most of these issues, either with or without the assistance of an HRM advisor. However, if an employee has lost confidence in management, they will generally not wish to meet with an HRM advisor. This is because employees tend to consider HRM advisors to be supportive of management and therefore liable to be biased. In these cases, employees will submit their complaint to the ombudsman.

These cases include problems related to employees' appointment or re-entry after illness. There were also questions on legal status and about the way in which a supervisor responded to questions asked about their legal status. But there were also questions about whether the CAO (Collective Labour Agreement), leave entitlement and working hours have been properly observed. PhD students also report to the ombudsman if they have problems relating to the supervision of their dissertation. And employees will also present conflicts pertaining to job performance to the ombudsman. However, the ombudsman's handling of the problem has its limitations as the ombudsman may not interfere with decisions concerning legal status or with decisions that are subject to an objection or appeals procedure.

Another reason for contacting the ombudsman could be if an employee experiences stress due to working overtime and workload, in which case the ombudsman can mediate so that communication is re-established, for instance. Sometimes problems with working together can become so heated that an employee calls on the services of the ombudsman. These problems can include working together with other employees but also problems between an employee and a supervisor or between a Full Professor and a member of the Faculty Board.

The ombudsman listens and, where necessary, will clarify matters using relevant laws and regulations, and will discuss the possibilities of a case. In some cases, explaining regulations may be sufficient. And she will, of course, refer the employee if necessary. For example, if "an appeals procedure (or legal process, complaints procedure, or objection procedure) has been instigated (or completed) on behalf of the applicant or under the Statutes of Vrije Universiteit Amsterdam which has not been used by the applicant or in which a ruling has already been made".<sup>10</sup> This is the case, for example, if it concerns inappropriate conduct. The ombudsman will then refer the matter to the staff confidential counsellor.

---

<sup>10</sup> *Ombudsman for VU Amsterdam personnel Regulations*. Art. 5(1)(g).

# Cases handled

## Cases in 2019

In 2019, 42 cases were submitted to the ombudsman. The majority of cases concerned legal issues. In four cases, the ombudsman had no authority and referred the complainant to another one-stop shop such as the confidential counsellor for inappropriate conduct. In one case, several employees from the same department complained about the same issue. This resulted, as did two other matters, in the ombudsman issuing a report to the Executive Board. After all, as mentioned earlier, the ombudsman also has a monitoring role.

The ombudsman was able to deal with all other cases through advice, referral or ombudsman-led mediation. In 2019, no formal complaints were submitted that led to a complaint report and assessment.

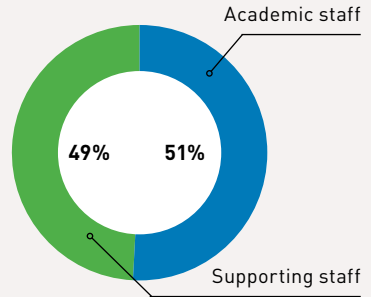
## Cases in 2020

A total of 42 cases were also submitted to the ombudsman in 2020. The majority of cases were not related to the coronavirus crisis, although employees did indicate that the workload and working from home conditions did, at times, make their work more difficult. Most of the complaints concerned questions on legal issues e.g. career development or appointments. Furthermore, in six cases, the ombudsman had no authority and referred the

complainant to another one-stop shop such as the confidential counsellor for academic integrity or inappropriate conduct.

In 2020, no complaints were submitted for review and no reports were made to the Executive Board. Most of the complaints could be resolved within a week of intake through advice or ombudsman-led mediation.

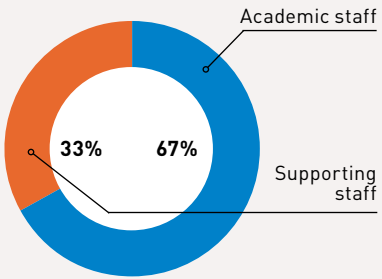
**Origin of complaints 2019**



In 2020, more academic staff turned to the ombudsman than support and administrative staff. However, no explanation could be found for this in terms of the nature of the complaint.



### Origin of complaints 2020



Faculties and service departments	Number of staff FTE <sup>11</sup>	Cases in 2019	Number of staff FTE <sup>12</sup>	Cases in 2020
School of Business and Economics	392	4	410	5
Sciences:	1049	3	1150	6
Religion and Theology	57	4	65	1
Humanities	202	4	198	4
Behavioural and Movement Sciences	455	4	451	4
Law	207	2	248	1
Social Sciences	224	1	244	3
Academic centre for dentistry Amsterdam (ACTA)	155	2	172	3
Support Services <sup>13</sup>	851	17	956	12
Non-VU staff member		1		3
		<b>=42</b>		<b>=42</b>
Not part of the ombudsman's remit		4		6
Consultations by staff members		1		4
<b>Total</b>		<b>47</b>		<b>52</b>

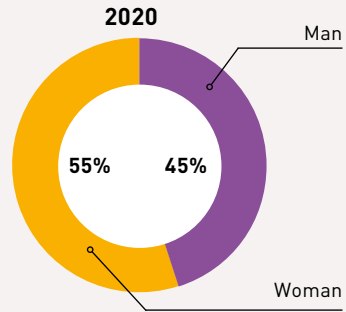
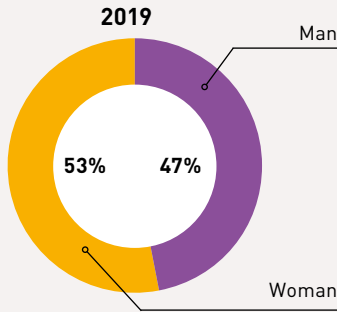
11 As of 31-12-2019. Without decimals. Thanks to the HRM Service Desk of the HRM, Occupational Health, Safety and the Environment service department.

12 As of 31-12-2020. Without decimals. Thanks to the HRM Service Desk of the HRM, Occupational Health, Safety and the Environment service department

13 These comprise: Administration Office; Marketing & Communication; Corporate Real Estate and Facilities; Finance & Auditing; HRM, Occupational Health, Safety and Environment; Information Technology; Student & Educational Affairs; VU Amsterdam University Library.

The number of cases is counted, not the number of employees who contact the ombudsman.

The highest number of complaints was submitted by staff in the service departments, VU Amsterdam's largest division in terms of the number of employees (FTE). The ombudsman does not register service departments separately, as this might enable complaints to be traced to individuals. The proportion of staff who approach the ombudsman is <1%. Most cases were incidents.



## Handling cases

How a case is handled depends on the form in which it is submitted to the ombudsman. For example, a question often leads to information or advice being given, although mediation may still follow at a later stage. A complaint is usually dealt with in ombudsman-led mediation.

In 2019 and in 2020, the majority of cases were resolved by advice or mediation. A mediation session can help identify the exact nature of a complaint – because it elicits a response from the other party – and can steer the complaint in a totally different direction and point the way to a solution. The ombudsman clarifies, explains regulations and in many cases helps employees resolve their complaint and move on. If the employee feels that mediation has failed, a formal inquiry can still be requested.

In 2019 and in 2020, as mentioned previously, no formal complaints were filed that led to the ombudsman drafting a report and assessment of the complaint. In 2019, the ombudsman issued a report to the Executive Board on the basis of its monitoring role in three cases. In 2020 there were no reports.

Incidentally, staff can report general wrongdoing or suspicion thereof to their supervisor or their supervisor's supervisor and make use of the Whistleblower Regulations (*Klokkenluidersregeling*).<sup>14</sup>

<sup>14</sup> *Klokkenluidersregeling VU* (Whistleblower Regulations): <https://vunet.login.vu.nl/services/pages/practicalinformation.aspx?cid=tcm%3a165-840885-16>

# Nature of the cases

A case can be about more than one problem area. That explains why there are more topics than cases handled. All matters reported, whether founded or unfounded, are registered.

## Nature of the cases in 2019

Appointment	5
Treatment	3
Communication	4
Facilities/provisions	1
Financial	0
Performance and appraisals	7
Re-employment/internal mobility	0
Career development	0
Dismissal/termination of employment	0
Legal issues	9
Re-entry	0
Reorganization	4
Cooperation	4
Application	1
Allocation of duties/workload	4
Other (provision of information; supervision)	7
Consultations with management	1

The majority of cases concerned legal issues. In four cases, the ombudsman had no authority and referred the complainant to another one-stop shop such as the

confidential counsellor for inappropriate conduct. In one case, several employees from the same department complained about the same issue. In 2019, most of these cases had little in common and were found to be one-off incidents.

## Nature of the cases in 2020

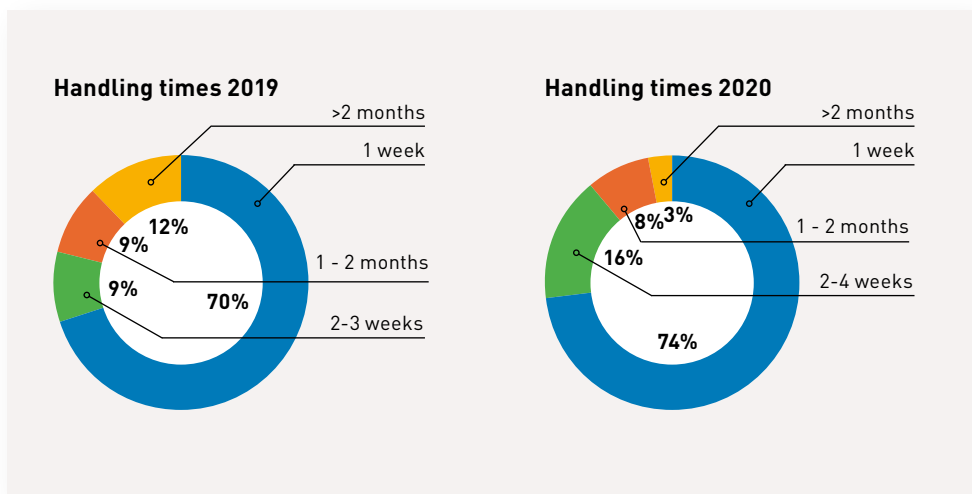
Appointment	4
Treatment	6
Supervision of PhD students	2
Accessibility	1
Communication	3
Facilities/provisions	1
Financial	0
Performance and appraisals	4
Re-employment/internal mobility	2
Provision of information	1
Career development	1
Dismissal/termination of employment	4
Procedures	5
Legal issues	10
Re-entry	1
Reorganization	1
Cooperation	2
Application	0
Allocation of duties/workload	3
Other	2



Most of the complaints received in 2020 also concerned legal issues e.g. career development or appointments. There were also a few questions on the right to work from home. In addition, there were some questions about procedures, such as financial compensation when covering for someone. In six cases, the ombudsman had no authority and referred the complainant to another one-stop shop such as the confidential counsellor for academic integrity or inappropriate conduct. The ombudsman also referred complaints about general policy to employee participation as she is not authorized to deal with such complaints.<sup>15</sup>

In 2019 and 2020, it was noteworthy that an increasing number of employees turned to the ombudsman for help with and the analysis of problems. This is a service provided by the Staff Ombudsman Regulation.<sup>16</sup> The ombudsman then discusses the matter with those involved and engages them in dialogue with each other again. This is solution-focused and avoids complaints.

The handling times were slightly shorter than previous years. This was partly due to the method used to deal with the problem or complaint. More employees were able to solve their problem themselves after obtaining advice, and ombudsman-led mediation was used slightly less often. The method used is related to the nature of the problem.



15 Ombudsman for VU Amsterdam personnel Regulations Art. 5(1)(f)

16 Ombudsman for VU Amsterdam personnel Regulations preamble

# Conclusions and recommendations

In 2019 and 2020, the ombudsman identified the following problem areas and reported them to the faculty or service department in question, and the Executive Board, where necessary. These are areas which are taken for granted in many cases, but which are particularly likely to give rise to complaints if they are neglected.

## Regulations

Conversations between the ombudsman and employees about complaints have shown that supervisors are not always aware that employees are not knowledgeable about regulations. When an employee discusses a matter with his/her supervisor, a supervisor does not always refer to regulations so it can appear as if it is their own opinion. This also applies, for example, to knowledge of VU Amsterdam's Management Regulations, which determine which frameworks and principles govern VU Amsterdam<sup>17</sup> and how tasks and responsibilities are assigned. If reference is not made to these regulations, an employee may not understand why someone is responsible for certain tasks. This will then make cooperation more difficult.

Perhaps it would be advisable not only for supervisors to refer explicitly to regulations, but also to highlight this in a revised version of the *HRM guide for managers*<sup>18</sup> by referring to regulations or perhaps adding them in an Appendix.

## Explanation

In some cases, a supervisor will make a decision based on grounds other than regulations. This may include, for example, not allowing an employee to attend a conference. However, if no explanation is given for this decision, it could give rise to resistance on the part of the employee. The employee may even inadvertently or otherwise infer that it was arbitrary. It is therefore recommended that supervisors explain the reasons for their decision to the employee concerned.

---

17 More information: [https://vunet.login.vu.nl/\\_layouts/SharePoint.Tridion.WebParts/download.aspx?cid=tc%3a165-892083-16](https://vunet.login.vu.nl/_layouts/SharePoint.Tridion.WebParts/download.aspx?cid=tc%3a165-892083-16)

---

18 [https://vunet.login.vu.nl/\\_layouts/SharePoint.Tridion.WebParts/download.aspx?cid=tc%3a165-892083-16](https://vunet.login.vu.nl/_layouts/SharePoint.Tridion.WebParts/download.aspx?cid=tc%3a165-892083-16)

# Publicity

To ensure that employees are aware that the university has an ombudsman and what the ombudsman's role is, a website is maintained within VUNet, the university's intranet, in Dutch and in English.

On request, the ombudsman also provides VU Amsterdam staff with information on her duties and the nature of her work. For example, she provided information to the decentralized confidential counsellors, to a new confidential counsellor at the central level, and to a new staff welfare officer. In the same context, she held talks with a newly appointed confidential counsellor for employees,<sup>19</sup> with the department head of the student desk<sup>20</sup> and with the new policy officer for Academic Integrity.<sup>21</sup> But she also conducted an interview with the newly appointed Data Protection Officer.<sup>22</sup> The ombudsman gave a presentation on the office of ombudsman to the HRM advisors on 1 October 2019.

Also, in the context of providing information about the office of ombudsman, the ombudsman conducted consultations with the confidential counsellor at ACTA. The ombudsman also maintains contact with participatory bodies. In September 2019, a help matrix for

employees was put online by the HRM, Occupational Health, Safety and the Environment service. This gives employees an overview of who they can turn to for which problem. The ombudsman also provided data for this.<sup>23</sup>

On request, the ombudsman also provides information about the office of ombudsman outside of VU Amsterdam. At the request of the General Union of Education (AOB), the ombudsman recorded a vlog in May 2020 with information about the office of ombudsman in relation to the new collective labour agreement which stipulates that, as of 1 July 2021, every university must have a staff ombudsman. The vlog was posted on the AOB website. In addition, an interview about the role of an ombudsman in a safe social working environment was conducted with the ombudsman for their website.

In 2020, she provided information about the VU Amsterdam staff ombudsman to SoFoKleS, the social fund for the knowledge sector, that was evaluating the university office of ombudsman pilot. She was interviewed, provided comments on the draft evaluation report, and participated in an online meeting in the SoFoKleS Talk series.

---

19 March 2019.

20 April 2019.

21 May 2019.

22 December 2019.

---

23 More information: <https://vunet.login.vu.nl/services/pages/practicalinformation.aspx?cid=tcm%3a165-889860-16>



At the request of five other ombudsmen from other institutions, the ombudsman provided information about her working methods and powers.<sup>24</sup> But also to a member of the employee participation council at the University of Twente<sup>25</sup> and a new ombudsman at Inholland University of Applied Sciences.<sup>26</sup>

In the same year, the ombudsman, together with the staff ombudsman of Amsterdam University of Applied

Sciences, held a discussion about the office of ombudsman with Ms S. (Sandra) Storm, head of organization and strategic planning at the Netherlands Association of Universities of Applied Sciences.

All these activities are aimed at providing information to strengthen the visibility, image and accessibility of the ombudsman, but also to create ties between the officers of the social assistance structure and thus improve the quality.

---

24 January 2020.

25 September 2019.

26 August 2020.



# Professionalization

There is an intrinsic link between the effectiveness of the ombudsman and the quality of her work. If she is to continue to perform the job well, training and continuing professional development is therefore necessary on an ongoing basis. This is why the ombudsman is also a member, and indeed chairperson, of the Association of Ombudsmen in Higher Education (VOHO).<sup>27</sup> This involves taking part in general meetings every three months.

Membership of the European Network for Ombuds in Higher Education (ENOHE<sup>28</sup>) and the American International Ombudsman Association provide all manner of information on the most recent developments in the field of complaint law and jurisprudence in the field of ombudsman work. The ombudsman at VU Amsterdam was a member of the ENOHE steering committee until 1 September 2019. This membership of the steering committee ended because ENOHE became an association with a board.

The Ombudsman has been a member of the VU Amsterdam Undesirable Conduct Expert Team since 2018. This team is now called the Social Safety Expert Team. Within VU Amsterdam, there appears to be a need for such an expert team to deal with undesirable conduct, so that reports are not assessed and handled by a single official. This facilitates an integrated approach to assessment and handling.

On the other hand, an expert team can gather and share relevant information, thus preventing the risk of unnecessary escalation, ensuring that help is available and limiting the damage. The team meets at least three times a year.

In April 2019, the ombudsman attended a training programme on *Suicide prevention* that was organized by the Corporate Real Estate and Facilities service department for members of the Social Safety Expert Team.

In May 2020, the ombudsman attended the *Active Bystander* training session for members of the Social Safety Expert Team, where members received tips on what a bystander might do if they witness inappropriate conduct.

On 8 July 2019, the ombudsman attended the play #Metoo Academia about a situation with inappropriate conduct. The play was followed by a panel discussion.

In 2019 and 2020, peer review events were also held during the VOHO general meetings and also with the staff ombudsman of Amsterdam University of Applied Sciences. During these meetings, ideas and best practices were exchanged based on experiences and expertise.

The *Vereniging voor Klachtrecht* (Association for Right of Recourse) publishes a newsletter and organizes symposiums, providing the ombudsman with more information in this field. This association is committed to professionalizing and

---

<sup>27</sup> <https://verenigingombudsmannenho.nl/>

<sup>28</sup> <https://www.enohe.net/>

further improving the internal and external handling of complaints, developing right of recourse and promoting the competencies required to deal with internal and external complaints.

In order to stay thoroughly informed, the ombudsman maintains contacts with the Staff Council and is occasionally present during the Council's consultation meetings with the Executive Board. Furthermore, the ombudsman occasionally participates in the regular discussions held by the university's legal advisors and consults the university's head of legal affairs at least once per year. In 2019, she had several

consultations with one of the privacy lawyers in the context of the new Privacy Perfect processing register under the new European General Data Protection Regulation (GDPR).

Additionally, she attends the meetings of the staff confidential counsellors and the union official, which are held at least twice a year. She consults with the Director of Human Resource Management/Occupational Health, Safety and the Environment at least once a year to find out about developments in that area, and to discuss potential improvements in the light of complaints.

## Other internal and external contacts

The ombudsman not only gathers information from various bodies, but in some cases also contributes to the discussions that they hold. However, this is only possible on the condition that her independence is not compromised, and this limits her participation in certain bodies.

At the request of management, she can, for example, discuss the possibilities involved in a matter put before her. But above all, the ombudsman is aware that she cannot give an opinion on legal status in a case that could allow her to become part of the decision. After all, she would then lose her impartial position.

Furthermore, the ombudsman provided general information about the various complaint procedures at VU Amsterdam,

including to the head of Education Office of the Faculty of Law.

On 6 July 2020, the ombudsman had a conversation with one of the authors of the *Intimidation in science / Harassment in Dutch academia* report, Dr M. (Marijke) Naezer, affiliated with Radboud University, about the content of the report.<sup>29</sup> The ombudsman must make herself aware of current issues so that she can be alert to them within her own work.

---

29 Additional informational can be found at: [https://www.lnvh.nl/uploads/moxiemanager/LNVH\\_rapport\\_‘\\_Harassment\\_in\\_Dutch\\_academia\\_Exploring\\_manifestations\\_facilitating\\_factors\\_effects\\_and\\_solutions\\_’\\_pdf](https://www.lnvh.nl/uploads/moxiemanager/LNVH_rapport_‘_Harassment_in_Dutch_academia_Exploring_manifestations_facilitating_factors_effects_and_solutions_’_pdf)



## And lastly: prevention

In addition to resolving complaints, the ombudsman also addresses the issue of complaint prevention at the express request of the Executive Board. The goal, of course, is not only to provide the means of achieving a solution, but also to prevent escalation and absenteeism.

As part of this prevention process, the ombudsman also held consultations in order to share information on specific problem areas. These consultations took place, for example, with a head of department or a member of the Faculty Board. Organizational advice in response to issues submitted to the ombudsman was also aimed at preventing complaints about

the same issues in the future. In a number of cases, for instance, it turned out that communication had taken place by email, whereas face-to-face or telephone communication may have provided an opportunity for clarification. This can at times be a problem, especially now that working from home has become the norm. However, it remains important to talk to each other instead of sending emails. When employees are able to talk to each other, questions can be answered immediately, helping to improve communication and cooperation and prevent misunderstandings and complaints.

