

Warsaw, 31 January 2015.

**REPORT ON THE ACTIVITIES OF THE OMBUDSMAN
FOR STUDENT AND PERSONNEL AFFAIRS
*for the period from 1 January to 31 December 2014***

Table of contents:

Context	2
Organizational matters	2
New administrative employee	2
Financial matters	2
Report on activities.....	2
Competences	2
Direct assistance	3
Promotion of ADR	4
Signals on the functioning of the University.....	6
Case statistics	6
Number of cases	6
The reporting parties	6
Case subject matter.....	10
Actions taken.....	10
Conclusion.....	13

Context

The University Ombudsman was appointed by virtue of *the Ordinance No 30 of the Rector of the University of Warsaw of 16 August 2011 on the appointment of the Ombudsman at the University of Warsaw*. From 1 November 2011 the position is being held by Anna Cybulko, employed on a part-time basis (20 hours per week). On 1 Oct. 2012 she was appointed for another term, until 1 Oct. 2016. From 1 December 2012 the number of the Ombudsman's working hours was increased to 30 per week. The present report has been drawn pursuant to the provision of §11 of the Ordinance No 30, stipulating that "The Ombudsman shall submit a written report on her/his activities to the Rector by the 31st of January of each year".

Organizational matters

New administrative employee

In 2014, the Ombudsman's team changed, when Martyna Jędraszka, senior clerk working on a part-time basis, left following the termination of her contract. She was replaced by Małgorzata Unrug, who was employed on a 3-month trial period on 1 July 2014 and then signed a fixed contract until 30 Sept. 2014. Ms. Unrug is responsible for administrative work as well as organizational and substantive support of the Ombudsman on her tasks provided *the Ordinance No. 30 of the Rector of the University of Warsaw of 16 Aug. 2011 on the appointment of the Ombudsman at the University of Warsaw, particularly in the area of training and educational activities..*

Financial matters

In course of 2014, the Ombudsman was granted funds for:

- Needs connected with maintaining international contacts and exchanging information with foreign partners, including the ENOHE membership and participation in the EAIE seminar;
- Purchase of equipment and supplies necessary for keeping proper standards and effective operation, i.e. office supplies and fixed assets such as an oil heater and a wall clock.

Report on activities

Competences

The Ombudsman's activities in 2014 were conducted in accordance with the rules and procedures developed in the previous years, and encompassed all areas of expertise assigned to the Ombudsman by *the Ordinance No. 30*, namely:

- **Presenting information** about the operation of the University and its legal regulations;
- Referring clients to a competent person or unit or contacting it on their behalf in order to obtain information or **explanation of the case**;
- **Supporting the parties in conflict resolution**;
- **Recommending and conducting mediation**;
- **Promoting ADR**;
- Presenting information and **recommendations regarding necessary systemic changes** to the UW Rector.

Most activities of the Ombudsman are based on direct response to needs and problems reported by members of the academic community. The Ombudsman's activity in this area takes the forms of presenting information, explaining the case, and supporting the parties in conflict resolution, for instance through mediation. The other major area of the Ombudsman's activity is promotion of ADR (Alternative Dispute Resolution) by means of training programs, promotional activities, participation in seminars and conferences, and international cooperation. In exceptional situations, the Ombudsman uses her prerogative to advise the Rector on important signals about the operation of the University.

Direct assistance

The Ombudsman works in her proper office – room 160 C in the building of the University Library located at 56/60 Dobra Street - as well as outside the office, on the premises of the University of Warsaw. She is available to all interested parties during her office hours held twice a week, on Mondays and Thursdays, from 11 a.m. to 2 p.m. Information on the Ombudsman's office hours can be found on the University website, the Ombudsman's own website www.ombudsman.uw.edu.pl, and Facebook profile, as well as in leaflets and on posters placed in various places on the premises. The Ombudsman accepts cases reported to her in person, by phone, by e-mail and by post.

After the case report is accepted, the reporting party is invited to a meeting. At the meeting, in a direct conversation, the Ombudsman and the client discuss the problem, the client's needs and expectations and the range of available solutions. As a result of the meeting, the client may decide that it is necessary that the Ombudsman take an external intervention and, for instance, explain the case at the competent unit or start direct mediation. In such situations, the Ombudsman has to be authorized in writing to undertake the agreed steps.

In solving students' problems the Ombudsman is supported by her administrative assistant. Ms. Unrug specializes primarily in cases pertaining to the course of studies. She also plans the Ombudsman's meetings, contacts different stakeholders, and gathers information about the reported cases. Her duties include also providing support in solving problems reported by students, including establishing potential causes, gathering information from competent university and units, and transferring knowledge about possible case proceeding.

Promotion of ADR

The Ombudsman fulfills her duty to popularize alternative dispute resolution (ADR) by mean of **conducting workshops and training sessions**, participating in discussions and seminars on related issues, and **undertaking activities at the international level**, including cooperation with foreign students and representatives of foreign universities.

In 2014 the Ombudsman's team used the International Mediation Day to conduct her educational activity by giving a workshop to students on the role and competences of university ombudsman. The Ombudsman also supported UW students in their research Project on the use of ADR procedures in academic life. Information about the Ombudsman's work was also disseminated through the Law Clinic and Mediation Clinic operating at the Faculty of Law and Administration. On everyday basis, the Ombudsman's team uses means of electronic communication to give information about its current activities: its official website www.ombudsman.uw.edu.pl and its facebook account.

In course of her work **the Ombudsman collaborates with numerous university units and collegiate bodies**. The cooperation consists in mutual referral of cases according to competences as well as joint problem solving and solution finding. The aforementioned units and collegiate bodies also provide substantive assistance in clarifying arising questions and problems.

In terms of development of the Ombudsman's function and promotion of ADR, a considerable role is played by **increasing domestic and international cooperation with other institutions of higher education** as well as units and organizations which support students and academic staff in solving problems and difficulties occurring in academia life. For instance, on a regular basis the Ombudsman collaborates with Bartłomiej Chludziński – the Ombudsman of the Mikołaj Kopernik University in Toruń.

Participation in events arising from the Ombudsman's membership in **ENOHE** (European Network for Ombudsman in Higher Education) is a major part of her international activity. A key event was the organization in Warsaw of an annual ENOHE conference: *Higher education, Ombudsmen and Empowerment: How to Make it Work?*. The 3-day conference had over 40 participants from more than ten countries. Among others, the conference was attended by such distinguished guests as Human Rights Defender, Prof. Irena Lipowicz; Under-Secretary of State in the Ministry of Science and Higher Education, Prof. Daria Lipińska-Nałęcz, and the Vice-Rector of the University of Warsaw, Prof. Tadeusz Tomaszewski. In course of the conference the so-called Warsaw Resolution was adopted, which calls for vigorous promotion of the idea to introduce the institution of the Ombudsman at universities in all ENOHE member-states.

Other important international events included a visit by a University Ombudsman from Germany and the UW Ombudsman's participation in the EAIE seminar in Berlin. Wśród pozostałych istotnych wydarzeń z zakresu współpracy międzynarodowej, jakie miały miejsce w 2014 r. wskazać należy wizytę studyjną Ombudsmana z Niemiec oraz udział w seminarium EAIE w Berlinie. In 2014, the Ombudsman received a week-long visit from Wolf Hertlein, the Ombudsman of the Technical University in Darmstadt, which was devoted to exchange of experience in the area of assisting students in solving problems of academic life. In December 2014 the Ombudsman was invited to take part in a two-day seminar in Berlin: *Helping students succeed: core elements of student support*, organized by EAIE (European Association of International Education). The event was attended by 200 guests from 24 countries. The Ombudsman took part in a panel conducted by Josepha Leidenfrost, Student Ombudsman in the Austrian Ministry of Science and Research in collaboration with Helga Nolte, Assistant of the Ombudsman Committee at the University of Hamburg. Also in December 2014 the Ombudsman initiated cooperation with the Khazar University in Azerbaijan.

Signals on the functioning of the University

The Ombudsman's tasks include presenting information about any systemic irregularities and abnormal functioning of the University in her area of expertise, together with proposed recommendations, to the Rector of the UW. In particular, the Ombudsman reports any malfunctions in employee relations observed in course of her activities. In 2014, the Ombudsman filed one such general signal report to the Rector, on 6 Nov. 2014. Another signal report, concerning internal matters of a unit, was submitted to the Dean.

Case statistics

Number of cases

The number of cases reported to the Ombudsman remained at roughly the same level as in previous year. The total of **113 cases** was received, including:

- **Cases in which further actions were taken:** 109,
- **Cases left without inquiry:** 4.

The four cases that were left uninvestigated were either reported by persons from outside the University of Warsaw or reported anonymously.

The reporting parties

In accordance with § 4 of the *Ordinance No 30 of the Rector of the University of Warsaw*, the Ombudsman takes action upon:

- a report by a member of the academic community;
- a motion of the student government or doctoral fellows' government;
- a motion of the Rector;
- a motion of a university unit;
- the Ombudsman's own initiative

In 2014, nearly all cases were reported by members of the academic community (109 cases). In accordance with the adopted rules of case proceeding, which is published on the Ombudsman's website, cases reported anonymously (3) and by persons from outside the UW (1) were not considered. The Ombudsman did not undertake any cases on her own initiative due to heavy involvement in activities arising from the reported cases, as well as a growing conviction that her job consisting in assisting members of the academic community in problem solving should be reactionary in nature.

The tables below show the reported cases by groups of stakeholders and units they concern.

Table 1: Number of cases by stakeholder groups

Members of academic community reporting a case (in total): 113 cases, including:

Students – 59 cases (including 7 unassigned to any specific unit)

Doctoral fellows – 4 cases

Faculty members – 34 cases

Administrative workers - 13 cases

Alumni – 1 case

Deans and heads of units: 5 cases*

Anonymous reports: 3 cases

Persons from outside the UW – 1 case

**Some cases reported by deans or unit heads concerned more than one problem*

Compared with previous years **the number of cases reported by faculty members increased considerably**, from 12 in 2012 and 23 in 2013 to 34 in 2014. There was also a light increase in the number of cases reported by administrative workers, from 10 in 2012 and 11 in 2013 to 13 in 2014. While the number of employee-reported cases in 2013 could have been affected by the fact that the Ombudsman was on maternity leave and the person replacing her dealt exclusively with student cases, their considerable increase in 2014 can be attributed to two factors. Firstly, some cases may have waited for the Ombudsman’s return to work, and secondly, **knowledge of the Ombudsman’s activity and the level of trust in her office seem to be growing steadily among the employees of the UW.**

In 2014, the number of cases reported by students and doctoral fellows decreased lightly while the number of cases reported by alumni dropped significantly. This may be attributed to consistent work of University authorities to eliminate sources of problems identified in previous years. The primary cause of student case reports in the years 2012-2013 were problems with the stipend system, which was very inefficient, generating a lot of conflicts and dissatisfaction. This area saw much improvement and now complaints about it are rare. Also,

gone is the first shock related to the switch from long second-cycle studies to two-cycle studies and more and more people are aware of the consequences of the switch for those wishing to resume studies after a break.

It seems that some progress has been made in the area of diplomas, which resulted in fewer complaints about their issuance from alumni. However, it cannot be said that this matter has been solved once and for all.

Table 2: Reported cases by university units

Unit	Number of cases
Faculty of Journalism and Political Sciences	8
Faculty of Philosophy	8
Faculty of Polish Studies	8
Institute of American and European Studies	7
Center for Latin American Studies (CESLA)	3
American Studies Center	4
Faculty of Biology	6
Faculty of Physics	6
Faculty of History	6
Faculty of Modern Languages	6
Faculty of Law and Administration	6
Faculty of Psychology	6
Faculty of Applied Linguistics	5
Faculty of Economic Sciences	4
Faculty of Management	4
Faculty of Oriental Studies	3
Central Administration	2
Real Estate Office ‘‘Powiśle’’	2
University Library	2
Faculty of Geology	1
Faculty of Social Sciences and Rehabilitation	1
International Relations Office	1
Center for Europe	1

College of Inter-Area Individual Studies in Humanities and Social Sciences (MISH)	1
Inter-Faculty Studies of Environmental Protection	1
Faculty of Artes Liberales	1
Faculty of Chemistry	1
Faculty of Pedagogy	1
*cases unassigned to any specific units	9
Cases left without investigation	4

In 2014, the number of cases reported by persons from particular faculties and units evened out. Also, the Ombudsman was receiving case reports from a larger number of university units, which attests to the already signaled conclusion that the function of the Ombudsman has been receiving increasingly better recognition at the University of Warsaw.

As regards units indicated in case reports, they tend to change from one year to another. It should be noted, however, that the number of cases reported is not always proportional to the size of the unit and that the weight of cases is not necessarily associated to their number. Sometimes, there was only one case reported, but it was so complex and far-reaching that it pervaded all aspects of the unit's functioning. Moreover, Table 2 shows only the cases that were initiated in 2014 and therefore does not list the cases that were already in progress. In some instances it was difficult to determine whether a given case was new or constituted a continuation of earlier activities

The Ombudsman made two observations regarding the number of cases reported from a given unit. On the one hand **a high number of cases could indicate problems related to bad atmosphere in the workplace, interpersonal issues and system malfunctions.** Reporting a case to the Ombudsman was then an expression of hopelessness on the part of the reporting person who did not believe in solving the problem on his/her own. On the other hand, **a high number of cases could also indicate a situation where the atmosphere at the unit was generally supportive towards students and staff,** and reporting the case to the Ombudsman was merely a way to cope with the issue more effectively and discreetly. With cautious optimism it may be stated that the latter type of cases were more frequent in 2014.

Case subject matter

The tables given below present more detailed data regarding the subject matter of cases reported by particular groups of clients.

Table 3: Subject matter of cases reported by particular groups of stakeholders*

Case subject matter	Total cases	Students	Doctoral fellows	Faculty members	Admin. workers
Discrimination and mobbing	5	1	-	3	1
Problems with stipends	4	2	2	-	-
Problems with course credit	6	6	-	-	-
Fees	5	4	1		
Removal from list of students and resumption of studies	8	8	-	-	-
Conflict with thesis supervisor	6	4	2	-	-
Conflict with teacher or co-worker	15	3	-	6	6
Consulting a case with the Ombudsman	5	-	-	3	2
Sexual harassment	2	1	-	1	-
Question about procedures at the UW	39	22	1	12	4
Problems with the USOS system	9	9	-	-	-
Failure to finish studies	8	8	-	-	-
Complaint against a teacher (unrelated to course credit)	2	2	-	-	-
Problem with receiving a diploma in statutory time	1	1	-	-	-

* The sum of case totals exceeds 113 because some covered several problem areas

Actions taken

Pursuant to § 7 of the Ordinance No. 30 of the Rector, the Ombudsman may take the following actions:

- Present competent information on the operation of the University and its legal regulations;
- Refer to competent units or persons for a given case;
- Support the client in dealing with the case by providing information or assistance in clarifying the situation in the proper unit;
- Provide assistance in conflict resolution by diagnosing the problem and presenting solutions;
- Recommend mediation;
- Present information and recommendations to the Rector regarding necessary systemic and procedural changes in the operation of the University in the area of the Ombudsman's expertise.

Within her competences the Ombudsman supports the person or unit that turns to her for assistance. The support provided is not limited solely to substantial and procedural assistance. Since the Ombudsman assists her clients to get out of a difficult and unpleasant situation with dignity and satisfaction with the actions taken.

In 2014, the most frequently offered form of assistance was **providing proper information about the operation of the University of Warsaw and its existing legal provisions**, followed by **referring clients to competent persons or units**. It should be noted that the Ombudsman continued to receive many legal questions, concerning both general University regulations and specific regulations adopted at a given unit. These questions were asked by students, doctoral fellows and staff members alike.

Persons who addressed the Ombudsman with legal questions complained that the University of Warsaw lacks a competent unit for answering legal queries. From the point of view of the Ombudsman it would be advisable to satisfy the need for legal information by, for instance, strengthening the system of information about the existing university regulations and their practical application. This should include improving the websites of particular university units and optimizing the system of informing students about existing legal regulations by dean's offices and secretariats. It seems that undertaking the suggested steps would contribute to raising legal awareness of members of the academic community and improve their satisfaction with the roles they play at the University.

An important form of support provided by the Ombudsman is acquisition of information or explanation of the problem at the proper unit. Receiving coherent and binding information is often equivalent to solving a problem. In some situations solving the problem requires linking the activities of several units. Although such situations were limited to less than a third of the reported cases, it occurred in the cases that were generally more difficult emotionally or more complex. However, direct explanatory actions usually lead to solving the problem.

Another important duty of the Ombudsman was hearing the case and providing assistance in analyzing it and finding alternative solutions. This kind of assistance proved useful to both students and staff, allowing them to vent emotions and look at the problem in a more objective way. Effective coping with emotions is the first step to problem-solving as it allows the individual to focus on finding available solutions and choosing the best options. In her activity, the Ombudsman used mediation, which she **conducted personally** (either meeting with both parties or alternating between them) **or in collaboration with the Center for Dispute and Conflict Resolution** at the Faculty of Law and Administration of the UW.

Ponizej przedstawiona została tabela, zawierająca dane statystyczne dotyczące działań podejmowanych przez Rzeczniczkę.

Table 4: Actions taken by the Ombudsman in response to case reports by particular groups of stakeholders.*

Actions taken	Students	Doctoral fellows	Faculty members	Admin workers	Total
Presenting information regarding operation of the UW and its legal regulations	33	2	10	3	48
Referring to competent persons or units	31	-	1	2	34
Support in problem solving by acquiring information or explanation at the proper unit, including:	20	2	7	1	30
contributing to the introduction of new solutions	7	-	5	2	14
Supporting clients in problem solving by helping to diagnose	14	-	12	5	31

the problem and find the best solution.

Recommending and in some cases conducting mediation	1	-	10	3	8
Other actions, including:	10	-	14	7	31
<i>providing psychological support</i>	1	-	3	-	4
<i>providing written consultation</i>	2	-	3	-	5
<i>inviting to a meeting (without any response)</i>	3	-	3	2	8

* The sum of actions indicated exceeds the total number of cases (113) because some cases required more than one action

Conclusion

In 2014 the number of cases stabilized at the level slightly exceeding 110 cases a year. The current cases were dealt with promptly and without delay. It was also possible to achieve the educational and informative goals

It appears that **more and more university employees, both faculty members and administrative workers, are aware of the Ombudsman's existence and competences.** What is more, the number of cases reported, by employees (including those highly personal) is growing which indicates the employees' trust in the institution of the Ombudsman. Clearly they believe in the Ombudsman's adherence to the principle of confidentiality and her efficacy in solving problems. Students are considerably less aware of the Ombudsman's existence and competences. Although some information is provided at most faculties, the function and competences of the Ombudsman is not yet common knowledge at any faculty. . **Thus, there is still much to be done in the area of informing students about the Ombudsman's role and activity.**

The case subject matter in 2014 was similar to that in previous years. It seems that the **procedures developed by the Ombudsman allow her to effectively solve problems** reported by students and employees. Much progress was made in the area of solving cases reported by students that were related to communication problems or conflicts with teachers. Most of such cases reported in 2014 were solved in a satisfactory manner for both parties. The problems reported by doctoral fellows – concerned mostly with poor relations with

dissertation supervisors – proved more difficult to resolve. Cases of this type were usually related to broader relational problems based on interpersonal conflicts.

The area where the Ombudsman’s assistance is frequently insufficient remains the problem of lobbying and/or discrimination in the workplace. The Ombudsman’s experience in this area clearly indicates **the need to examine the problem and develop an efficient anti-mobbing procedure that would be systemic in nature** and applicable at the entire University of Warsaw. The Ombudsman has also noticed other systemic problems, related to filling executive positions at the university units.

In 2014, the Ombudsman and her administrative worker **managed** not only to deal with current cases effectively, but also **to develop and start the implementation of a long-term strategy of activity**, which sets these objectives:

- To promptly and effectively deal with reported problems;
- To implement active international cooperation, which enriches the Ombudsman’s experience and competences as well as promotes the University of Warsaw abroad;
- To make efforts to develop an effective system of conflict resolution, that would take into account such issues as providing accurate information on how to cope with problems in the academic community, counteracting mobbing and doping with its effects, and solving problems related to copyright infringement.

The Ombudsman remains hopeful that with further support from the university authorities she will be able to carry out the above tasks effectively.

Report prepared by Anna Cybulko