

31 January, 2018

**REPORT ON THE ACTIVITIES OF THE OMBUDSMAN****FOR STUDENT AND PERSONNEL AFFAIRS***for the period from 1 January to 31 December 2017***Table of contents:**

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## 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). In the end of September 2012, Anna Cybulko was appointed for the second term (the first full, i.e. four years) covering the period from 1 October 2012 to 1 October, 2016. As of 1 October 2016, Anna Cybulko was appointed for the third term of office, which is to last until 30 September 2020. 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*".

## Organisational matters

### Team of the Academic Ombudsman

The Ombudsman is supported at work by two people: Elżbieta Felkner, office coordinator and Magdalena Miksa, lawyer. Elżbieta Felkner started cooperation with the Ombudsman on 7 September 2017. Initially, she was employed for a trial period until 31 December 2017, then her contract was extended until the end of December 2019. Mrs. Felkner's tasks include administrative service, organisational and substantive support in the implementation of activities described in 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*. On 16 October 2017, the team was joined by Magdalena Miksa, initially employed for a trial period until 15 January, 2018. Currently, Mrs. Magdalena Miksa has a fixed-term contract until 31 January 2019. Mrs. Miksa's main tasks include cooperation in the matter of substantive recognition of students' and personnel affairs, and coordination of anti-mobbing activities.

As of 31.12.2017, Łukasz Modzelewski ended cooperation with the Ombudsman's team for health reasons; he was employed from 21 September 2015 to 31 December 2017 (he was on a sick leave since May 2017).

### Finance

During 2017, the Ombudsman was granted funds for:

- needs related to maintaining contacts and exchanging international experience, including membership in the European Association of Ombudsmen in Higher Education ENOHE (European Network of Ombudsman in Higher Education) – EUR 50;
- purchase of equipment necessary to ensure proper work standards and efficient performance of ombudsman's tasks, i.e.: office and stationery materials – PLN 2,108.40;
- purchase of furniture and office equipment for the needs of a new employee and retrofitting of the office conference part – PLN 4,913.30;

### Report on activities

In 2017 the activities were conducted in accordance with the rules and procedures developed in previous years, and encompassed all areas of expertise assigned to the Ombudsman by the *Ordinance No 30*, namely:

- Presenting information on the functioning and legal regulations;
- Indicating and/or contacting with appropriate organisational units of the University in order to obtain relevant information or explanation of the case;
- Supporting the parties in conflict resolution;
- Recommending and conducting mediation;
- Promoting ADR;

- presenting the Rector with information and recommendations for necessary system changes.

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 internal and international cooperation. In exceptional situations, the Ombudsman uses her prerogative to advise the Rector on important signals about the operation of the University.

### **Prevention of conflicts and promotion of ADR**

An important task of the Ombudsman is to promote alternative methods of dispute resolution and conflict prevention. As part of supporting the ADR development within the university, the Ombudsman made proactive promotional and educational activities, and presented draft regulations defining ethical standards and supporting the handling of irregularities.

In 2017 the Ombudsman implemented the following activities in the given areas:

- ✚ Preparation – in cooperation with dr Joanna Goćławska Bolek from the Latin American Studies Centre – draft UW personnel Code of Ethics (work on the Code was initiated in December 2016, the completed project was presented to the Rector in September 2017).
- ✚ Continuation of the improvement work on the project Mobbing Prevention Procedures (initially presented to Rector in May 2015).
- ✚ Intensive cooperation with the newly appointed equality specialist at the University of Warsaw, Anna Grędzińska. The cooperation included: designing and conducting research to diagnose the level of equality and potential areas of

discrimination (in particular on the grounds of sex) at the University of Warsaw, promotion and equality education and prevention of discrimination.

- ✚ Cooperation with the Rector's Committee for Preventing Discrimination on the occasion of interventions regarding reports on personnel or students discrimination.
- ✚ Cooperation with the Centre for Disputes and Conflict Resolution at the Faculty of Law and Administration, i.e. in the area of training for personnel in the field of constructive communication, conflict resolution as well as diagnosis and prevention of mobbing and discrimination.
- ✚ Cooperation with representatives of student government, in particular with the Appeal Scholarship Commission and the Board of Doctoral Fellows' Government.
- ✚ Cooperation with student scientific clubs, including presentations at the Club meetings on mediation and conflict resolution.

### **Domestic and foreign cooperation**

The Ombudsman engages herself in exchanging experience and acquiring new knowledge in the area of Alternative Dispute Resolution (ADR) methods at the national and international level. In continuous mode, she cooperates with Ombudsmen from all over Poland and with units that within their competences are involved in supporting students and/or personnel in dealing with conflicts and problems resulting from irregularities in academic life. She is also involved in international cooperation, membership in organisations associating ombudsmen and carrying out research and implementation projects in the area of supporting the rights of members of the academic community and promotion of ADR.

At the national level, the Ombudsman cooperates with other Ombudsmen from Polish universities, including Bartłomiej Chłudziński, the Ombudsman at the Nicolaus Copernicus University in Toruń, Michał Czapki from the Medical University of

Warsaw and Paweł Kur, Student Rights Ombudsman at the Students' Parliament of the Republic of Poland (and earlier Justyna Rokita), as well as with non-governmental organisations dealing with issues relevant from the point of view of the ombudsman's activities, including Polish Society for Anti-Discrimination Law and the Legal Clinics Foundation.

The Ombudsman also represents the University of Warsaw at events organised by central institutions: conferences, seminars or expert meetings. Among the most important activities from 2017, it is worth indicating participation in a conference organised by the Ministry of Justice and beginning of cooperation with the Polish Ombudsman. On 13 September 2017, the Ombudsman, at the invitation of the Polish Ombudsman, met with trainees of the Polish Ombudsman Office, to whom she presented the institution of the academic ombudsman and experience in this field at the University of Warsaw, and moderated a discussion on an institutional need to support students in dealing with irregularities of the academic life. Whereas in October the Ombudsman took part in the International Conference "Legal education of youth and mediation in school – in the light of theory and practice" organised by the Ministry of Justice (October 17-18 2017), at which she gave a speech "*The institution of ombudsman at the University of Warsaw, i.e. how to systematically manage conflict in an organisation.*"

Since 2014, the Ombudsman participates in the implementation of an international project "Advocacy Establishment for Students through Ombudsman Position (AESOP)" financed by Education, Audiovisual and Culture Executive Agency (EACEA), acting on behalf of the European Commission, partner of which is the University of Warsaw. The leader of the project is Akaki Tsereteli State University in Kutaisi, Georgia, and the aim of the project is to create an Ombudsman institution at selected Georgian, Ukrainian and Azerbaijani universities based on patterns from partner countries, including University of Warsaw. In 2017, the Ombudsman organised a three-day study visit for participants of the AESOP project. On April 3-7 2017, the University of Warsaw was visited by nearly 40 representatives of 10 universities from Ukraine, Georgia and Azerbaijan interested in creating the

Ombudsman function at their universities. Representatives of the Students Affairs Office, Centre for Disputes and Conflict Resolution at the Faculty of Law and Administration and the Rector's Committee for Preventing Discrimination, as well as representatives of Student Government shared their experience in the area of supporting students and personnel. However, on September 20-23 2017 the Ombudsman along with Agnieszka Siedlecka-Andrychowicz from the Centre for American Law and Centre for Disputes and Conflict Resolution at the Faculty of Law and Administration took part in a project meeting held in Baku, devoted to planning and controlling the quality of the project.

The Ombudsman is an active member of the European organisation of academic ombudsmen (European Network of Ombudsman in Higher Education – ENOHE), in which she strongly cooperates with European ombudsmen in order to exchange experience, supervision and build new institutional solutions. On June 28-30 2017, the Ombudsman took part in the 13<sup>th</sup> international conference of academic ombudsmen: Education Ombudsmen as Beacons: Towards a Fair and Transparent European Higher Education Area in Strasborg, where she delivered the lecture *„Are students nowadays too demanding? Review of main academic problems resulting from the lack of shared definition of student's role”*. At the request of conference organisers and with the consent of project partners, the Ombudsman together with Paula Cristina Marques Martins, Vice-Rector for Student Affairs at the Universidade do Minho from Portugal presented state of work on the AESOP project.

### **Assistance in reported problems**

Most of the efforts of the Ombudsman focus on the implementation of duties related to the assistance of individuals and organisational units of the University in resolving disputes and conflicts and in dealing with violations of rules of academic life. These activities absorb most of the time and energy of the Ombudsman and members of her team. Practical aspects of providing assistance in the reported cases are described below. Statistical data showing the quantity, type and thematic cross-section of issues that were received by

the Ombudsman in 2017 as well as the amount and type of assistance activities undertaken were presented.

### **Practical aspects of providing assistance**

The Ombudsman performs work both at her headquarters – i.e. in the room no. 160 (and 160 C) located in the building of the University Library, at Dobra 56/66 street – as well as throughout the University. 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., while Ombudsman's office is open to clients from Monday to Thursday from 9 a.m. to 3 p.m. Information on the Ombudsman's office hours can be found on the University website, on the Ombudsman's website [www.ombudsman.uw.edu.pl](http://www.ombudsman.uw.edu.pl) and 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. Due to the high intensity of the Ombudsman's work, the preferred form of contact is by phone or e-mail, which makes it possible to arrange an appointment at a specific date in advance.

After receiving a report, the Ombudsman acts in two ways. In the case of simple inquiries, whenever it is possible, the answer is provided immediately by phone or e-mail by the Ombudsman or an employee from her team. In the case of unobvious or more complicated matters, a meeting with an interested party is arranged. During the meeting, throughout a direct conversation with the Ombudsman or her employee, the problem, needs and expectations of the reporting person as well as available pool of possible actions are discussed. 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 authorised in writing to undertake the agreed steps.

### **Statistics of cases**

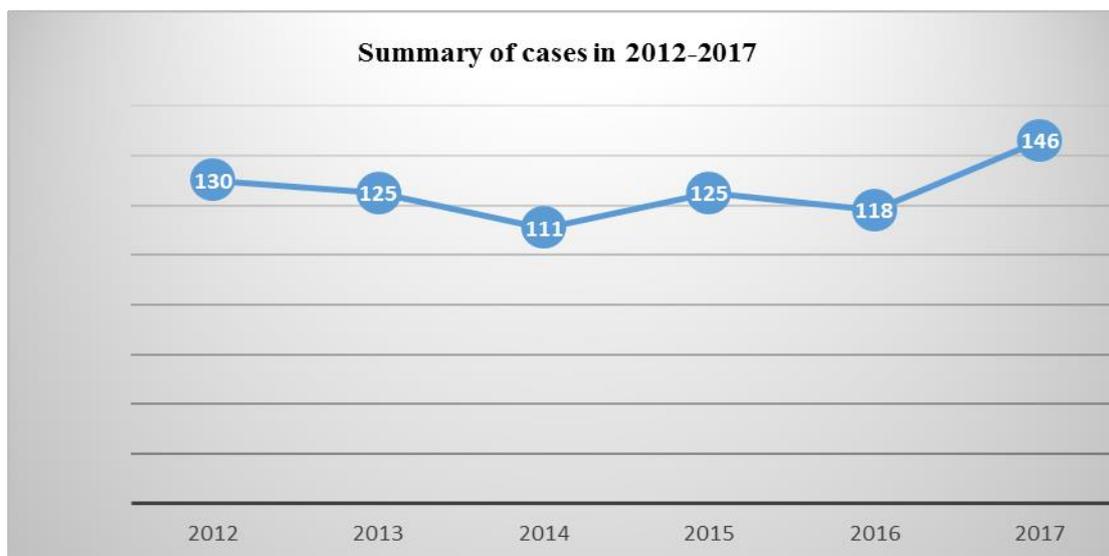
In 2017 the Ombudsman dealt with 146 cases, of which 134 were received in 2017, and 12 were continuations from the previous year. This means an increase of almost

25% in comparison with the previous year, when there were 118 cases. Detailed data on the impact of cases and change dynamics are presented in the Table and Chart below.

Table No 1 Summary of cases in 2012-2017.

Year	2012	2013	2014	2015	2016	2017
number of cases	130	125	111	125	118	146
cases from the current year	130	114	103	119	111	134
cases transferred from the previous period		11	8	6	7	12

Chart No 1 Summary of cases in 2012-2017.



It is worth noting that since the introduction of the Ombudsman function, the number of cases remained at a relatively similar level. In 2017 for the first time there was such a clear, rapid increase in cases. The observed change may result both from the dissemination of knowledge about the existence of the Ombudsman's function – it seems that, especially among employees, the awareness of this institution is getting higher – as well as the increased “processing capacity” of the Ombudsman, resulting

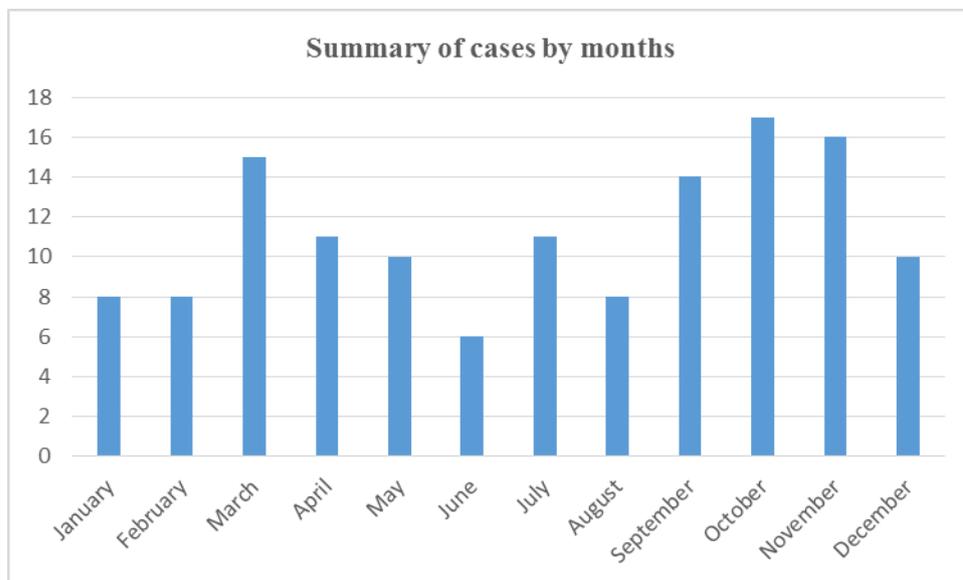
from the enlargement of the Team by an additional person who can deal with direct assistance actions.

The impact of affairs on the Ombudsman is uneven and changes depending on the moment of the academic year. In 2017 (as in previous years), the most cases were received before the beginning of the academic year and in its first months (September, October, November) and in the middle of the second semester (March, April). Fewer cases were reported during holidays months, winter and summer holidays and exam sessions. It is worth emphasising that the work of the Ombudsman does not stop in the summer. Also in July and August (especially in the first month), there are clients including both students and personnel. Below is a table and a chart presenting the list of reported cases in subsequent months.

Table No 2 list of reported cases in subsequent months.

<b>Month</b>	<b>Number</b>
Cases transferred from 2016	12
January	8
February	8
March	15
April	11
May	10
June	6
July	11
August	8
September	14
October	17
November	16
December	10
<b>Total</b>	<b>146</b>

Chart No 2 list of reported cases in subsequent months.



### 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;
- at the request of the Rector,
- the Ombudsman's own initiative.

The most common cases are reported to the Ombudsman (123 cases) by interested parties themselves, who present their problems individually or in groups. There is a growing number of cases reported by observers who are not personally concerned (8 cases). Problems are also reported by direct supervisors or by representatives of the authorities of a given unit (13 cases), asking for support in analysis and diagnosis of the problem, or taking direct intervention in the case. Detailed data distribution is presented in the table below.

Table No 3 Entities reporting the case.

<b>Entity reporting the case</b>	<b>number of cases</b>
person directly interested	123
groups directly interested	2
person informing about the case	8
supervisor	6
Authorities	7

Among the people reporting the problem more than a half are students, and slightly more than 2/5 include staff: faculty, administrative and scientific-technical employees. Only 3% of reports come from PhD fellows (detailed distribution of reports is presented in the table).

Table No 4 Members of the academic community reporting cases.

<b>Members of the academic community reporting cases</b>	<b>number</b>	<b>%</b>
students	79	54%
doctoral fellows	4	3%
administration workers	24	16%
faculty members	35	24%
faculty-technical members	3	2%
a retired employee	1	1%

Cases arrive to the Ombudsman from all parts of the university: from faculties, teaching units, scientific units and scientific-teaching units, as well as from Central Administration Offices, Dormitories or the University Library. The table below presents the division of reported cases due to the unit to which they refer.

Table No 5 Division of reported cases due to the unit.

<b>Affiliation</b>	<b>Number of cases</b>	<b>Percentage of all cases</b>
<i>Faculties:</i>	101	71%
Faculty of “Artes Liberales”	3	2%
Faculty of Biology	4	3%
Faculty of Chemistry	1	1%
Faculty of Journalism, Information and Book Studies	10	7%
Faculty of Philosophy and Sociology	8	5%
Faculty of Geography and Regional Studies	4	3%
Faculty of Geology	2	1%
Faculty of History	7	5%
Faculty of Applied Linguistics	11	8%
Faculty of Economic Sciences	3	2%
Faculty of Political Sciences and International Studies	8	6%
Faculty of Modern Languages	6	4%
Faculty of Oriental Studies	5	3%
Faculty of Polish Studies	2	1%
Faculty of Law and Administration	10	7%
Faculty of Psychology	8	5%
Faculty of Applied Social Sciences and Resocialisation	5	3%
Faculty of Management	4	3%
<i>Academic unit:</i>	8	5%
College of Inter-Area Individual Studies in Mathematics and Natural Sciences	1	

College of Inter-Area Individual Studies in Humanities and Social Sciences	1	
Physical Education and Sports Centre	1	
Centre for Foreign Language Teaching	4	
Centre for Foreign Language Teacher Training and European Education	1	
<i>Research &amp; academic unit</i>	6	4%
Institute of American and European Studies		
<i>Research Unit</i>	3	2%
<i>Unit supporting teaching and research</i>	4	3%
Central Administration	5	3%
University of Warsaw Library	3	2%
Dormitory	3	2%
Other	13	9%

It seems interesting to compare the number of cases affecting individual units and the dynamics of changes in this area. The Faculty of Law and Administration and both faculties that emerged from the Faculty of Journalism and Political Sciences remain invariably high in the number of cases: Faculty of Journalism, Information and Book Studies, and Faculty of Political Sciences and International Studies. The number of cases from the Faculty of Modern Languages declined significantly, and increased from the Faculty of Applied Linguistics, which in 2017 came first in terms of the list of cases reported. Details are presented in the table below.

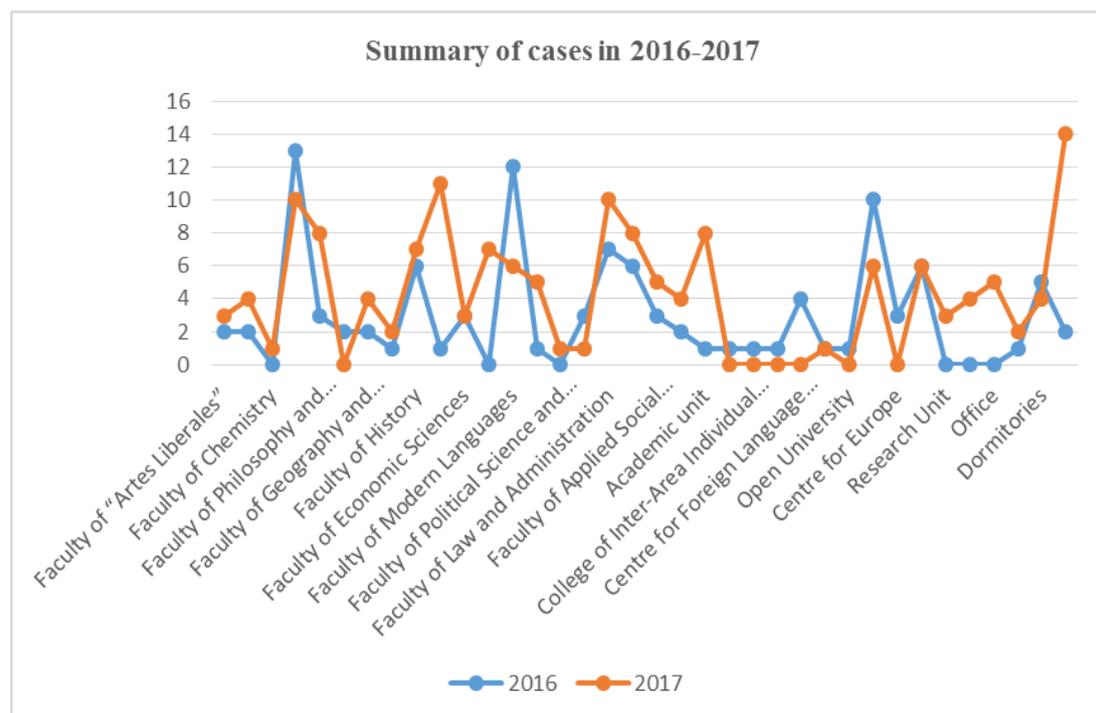
Table No 6 Comparison of the number of cases from individual units in 2016-2017.

<b>Affiliation</b>	<b>2016</b>	<b>2017</b>
Faculty of Applied Linguistics	1	11
Faculty of Journalism, Information and Book Studies	13*	10

Faculty of Law and Administration	7	10
Faculty of Philosophy and Sociology	3	8
Faculty of Psychology	6	8
<i>Teaching units</i>	1	8
Faculty of History	6	7
Faculty of Political Sciences and International Studies	13*	8
Faculty of Modern Languages	12	6
<i>Research &amp; academic unit (IAIE)</i>	10	6
Faculty of Oriental Studies	1	5
Faculty of Applied Social Sciences and Resocialisation	3	5
<i>Central Administration</i>	0	5
Faculty of Biology	2	4
Faculty of Geography and Regional Studies	2	4
Faculty of Management	2	4
<i>Unit supporting teaching and research</i>	0	4
<i>Dormitories</i>	5	4
Faculty of “Artes Liberales”	2	3
Faculty of Economic Sciences	3	3
<i>Research units</i>	0	3
Faculty of Geology	1	2
<i>University of Warsaw Library</i>	1	2
Faculty of Chemistry	0	1
Faculty of Polish Studies	3	1
Faculty of Physics	2	0

\* The Faculty of Journalism and Political Science was divided into two faculties at the beginning of the academic year 2016/2017, for the purposes of the Ombudsman's report, the cases from two new departments were counted together for the whole 2016 (under the umbrella of the FJ&PS).

Chart No 3 Summary of cases in 2016-2017.



In the course of analysing the distribution of reports from individual academic units, attention was paid to the status of persons referring to the Ombudsman. In the majority of units, reports came from both students and personnel. There were, however, faculties and units where cases were mainly reported by personnel or mainly by students. At the Faculty of Journalism, Information and Book Studies as well as at the Faculty of Law and Administration, the vast majority of cases (90%) was reported by students. The Ombudsman received only student reports from the Faculty of Oriental Studies, Faculty of Polish Studies and Faculty of Management, and mostly student affairs were reported at the Faculty of Modern Languages and at the Faculty of Applied Social Sciences and Resocialisation. In contrast, personnel cases clearly dominated at the Faculty of Philosophy and Sociology, at the Faculty of Geography and Regional Studies, at the Institute for American and European Studies and at the Faculty of Geology. Detailed data distribution is presented in the table below.

Table No 7 Status of persons reporting cases in individual units of the University of Warsaw.

Faculty	number of cases		
	all together	employee	student
Faculty of "Artes Liberales"	3	1	2
Faculty of Biology	4	3	1
Faculty of Chemistry	1	1	
Faculty of Journalism, Information and Book Studies	10	1	9
Faculty of Philosophy and Sociology	8	6	2
Faculty of Geography and Regional Studies	4	3	1
Faculty of Geology	2	2	
Faculty of History	7	3	4
Faculty of Applied Linguistics	11	6	5
Faculty of Economic Sciences	3	1	2
Faculty of Political Sciences and International Studies	7	3	4
Faculty of Modern Languages	6	1	5
Faculty of Oriental Studies	5		5
Faculty of Political Science and International Studies	1		1
Faculty of Polish Studies	2		2
Faculty of Law and Administration	10	1	9
Faculty of Psychology	8	3	5
Faculty of Applied Social Sciences and Resocialisation	5	1	4
Faculty of Management	4	4	
Academic unit	8		
College of Inter-Area Individual Studies in Mathematics and Natural Sciences	1		1
College of Inter-Area Individual Studies in Humanities and Social Sciences	1		1
Physical Education and Sports Centre	1	1	
Centre for Foreign Language Teaching	4	3	1
Centre for Foreign Language Teacher Training and European Education	1		1
Research & academic unit Institute for American and European Studies	6	5	1
Research Unit	3	3	
Unit supporting teaching and research	4	4	
Central Administration	5	5	
Dormitories	3	3	
other	14	1	13

### Case subject matter

From the beginning of the work of the Ombudsman, topics of reported cases remain very similar. Problems reported by personnel and students have their own specificity. However, it is difficult to define the specificity of cases reported by doctoral fellows who, depending on affiliation, are students or employees.

### Student cases

Students most often report irregularities in the broadly understood course of study (category “unclear rules and procedures”), covering such issues as course credits and exam rules, approving a stage of study, repeating a stage of study, removing from the list of students, etc. An important, often reported problem are difficulties associated with the resumption of studies and the need to complete programme differences. In most cases, students are unable to identify (or correctly read) legal regulations on which certain decisions or actions are based. The role of the Ombudsman is then to clarify the situation, provide information on the applicable legal regulations, or indicate individuals/persons competent to deal with the matter. In some cases, indeed there are irregularities that the Ombudsman tries to identify and acts to remove them.

Students’ problems also include conflicts with lecturers and thesis supervisors, which manifest themselves in difficulties and locks in communication. Some of the reports have at their source differences in student and lecturer definitions, or ambiguity in the area of mutual expectations. Invariably a certain number of student reports concerns the work of the dean’s office and the way students are treated by their employees. The last wide group of problems that probably arouse the greatest emotions are material difficulties; in this area the way the Scholarship Commission operates is a frequent cause of student reports. The problems mainly concern social scholarships. In 2017 no reports about the procedure for the best students scholarships were received by the Ombudsman.

The topics of cases reported by students are summarised in the table below.

Table No 8 Topics of cases reported by students.

Topics of cases reported by students *	Number	%
unclear rules and procedures	23	28%
conflict between students	2	2%
conflict between a student and a lecturer	4	5%
conflict student – thesis supervisor	5	6%
student versus dean's office	11	13%
financial problem	9	11%
scholarship commissions	4	5%
violation of ethics	8	10%
plagiarism	1	1%
Other	16	19%

\* The summary is simplified, in fact categories are not fully disjunctive, some issues may fall into several categories.

### Personnel affairs

Among the issues reported by personnel, relational problems were at the forefront, including conflicts with colleagues and supervisors. A large percentage of cases concerned reports about mobbing and discrimination (these concepts are sometimes used by personnel interchangeably), usually from superiors; occasional accusations concerned colleagues or subordinates. Only in the case of four reports, the Ombudsman confirmed existence of grounds for mobbing or discrimination within the meaning of the Labour Code. In other cases, the source of the problem was, first of all, interpersonal conflicts and irregularities in the area of management. There were also several cases in which the background of reports on mobbing and/or discrimination was personnel's inability (or unwillingness) to adapt to the legitimate expectations of superiors.

Personnel also often report working conditions and personnel policy, including issues related to promotion (or lack of it), competitions (or lack thereof), as well as

reluctance of superiors or authorities to continue cooperation (in rotation situations, expiration of an agreement concluded for definite time, end of the project, etc.). The topic of the personnel's reports are also broadly understood "violations of ethical principles", including, i.a., irregularities in competition procedures, personnel evaluations or proceedings for granting academic degrees. There are also problems related to copyright infringement. A summary of topics of cases reported by personnel is presented in the table below.

Table No 9 Topics of cases reported by personnel.

<b>Topics of cases reported by personnel *</b>	<b>Number</b>	<b>%</b>
conflict between personnel	5	8%
personnel – supervisor conflict	8	13%
mobbing and discrimination	17	27%
working conditions and personnel policy	10	16%
violation of ethics	12	19%
plagiarism	3	5%
other	8	13%

*\* The summary is simplified, in fact categories are not fully disjunctive, some issues may fall into several categories.*

It is worth emphasising that while reports on conflicts, mobbing and discrimination as well as working conditions and personnel policy are reported by both faculty and administrative staff (although researchers slightly more often report on horizontal conflicts, and administrative workers on vertical ones), reports on plagiarism and violation of ethics come in almost 90% from faculty members. A detailed distribution of reports in individual thematic groups is presented in the table below.

Table No 10 Distribution of reports in individual thematic groups.

Report	number of cases			
	all together	administrative worker	faculty and technical staff	faculty member
conflict between personnel	5	1	1	3
personnel – supervisor conflict	8	5	1	2
mobbing and discrimination	17	9		8
working conditions and personnel policy	10	3	2	5
violation of ethics	12	2		10
plagiarism	3			3
other	8	3	1	4

### **Actions taken**

Pursuant to § 7 of Ordinance No 30, the Ombudsman may take the following actions in the cases reported:

- 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.

In her assistance activities, the Ombudsman tries to respond to the needs of persons reporting the problem. The assistance of the Ombudsman is not limited to providing substantive and procedural support. The Ombudsman assists her clients to get out of a difficult and unpleasant situation with dignity and satisfaction with the actions taken.

In most situations, an important element of the assistance provided by the Ombudsman is presentation of applicable legal regulations or customary rules and explanation of how they operate in the context of a given problem. In some cases, the support of the Ombudsman comes down to a confidential conversation, during which the Ombudsman, together with an interested person, analyses the problem, investigates its causes and supports in searching for possible solutions. In the case of some reports, an action of the Ombudsman comes down to redirecting an interested person to the right person/unit, who can competently deal with the case.

In more than half of the cases reported, the Ombudsman (by consent expressed in writing) took further active measures to solve the problem, in particular explaining the circumstances of the case in an appropriate unit and supporting actions aimed at solving the problem or removing irregularities. If the reported case was a conflict, the Ombudsman (with the consent of the parties) undertook mediation activities. In 2017, the Ombudsman made 14 mediation attempts, of which 11 took place and 8 ended with success, i.e. with full agreement between the parties.

The Ombudsman also used the prerogative described in the Ordinance No 30, giving her the right to signal existing problems and violations to the university authorities. In 2017 the Ombudsman and her team prepared 11 such signals, mostly of a general nature, concerning the need to introduce system-related changes and improvements; sporadically the signals were in the form of an opinion on individual problems (these were mostly documents created in response to a need reported by the university authorities). Signals were directed to the university authorities: His Magnificence the Rector and Vice Rectors and the Chancellor, as well as Deans of relevant faculties of the University of Warsaw.

The table below presents types of actions taken by the Ombudsman in response to the reports made by students, doctoral fellows and university staff.

Table No 11 Types of actions taken by the Ombudsman

Action taken	students	doctoral fellows	personnel	others	all together
Presenting information regarding operation of the UW and its legal regulations, referring to competent persons or units.	42	1	16		59
Support in settling the case by obtaining information or explanation in an appropriate unit or working through the emotions	13		11		24
Supporting clients in problem solving by helping to diagnose the problem and find the best solution.	6		12		18
Mediation	2		9		11
Mediation that did not come to fruition	1	1	1		3
Signalling [ <i>whistleblowing</i> ]: Referring reported irregularities in the operation of the university	1	1	9		11
Other					20

It is worth emphasising that cases reported to the Ombudsman are of different importance, which is important for further workload for a given case. The overwhelming majority of reports involves a personal meeting with a person(s) reporting the problem: more than a half of the cases (55%) requires one meeting, and a quarter (25%) two or more meetings. If necessary (in particular when a person is staying outside of Warsaw, or outside of Poland and is unable to appear at the meeting in person), the Ombudsman also uses a possibility of Skype meetings. Less than 10% of cases were settled without personal contact with the person concerned, only in the mode of correspondence. Detailed data on the cooperation and communication mode is presented in the table below.

Table No 12 Mode of cooperation with the person reporting the case.

Cooperation mode with the person reporting the case	Number
One meeting	80
Two meetings	5
More meetings	32

Correspondence cooperation	12
Skype communication	3
Meetings that did not come to fruition, including:	14
Deleted meetings	3

It is worth noting that there are still situations in which a person submitting the case, despite the appointment, does not appear at the meeting. Sometimes meetings are cancelled (often *post factum*), while in most cases a person reporting the case (usually a student) simply disappears. The phenomenon of “disappearing reporting parties” took place in about 7% of cases.

### Conclusion

It seems that the institution of the Ombudsman for students and personnel affairs is increasingly getting embedded in the awareness of members of the academic community, in particular university personnel. A clear increase in the number of cases reported can be a signal that members of the academic community have an increasing knowledge of alternative procedures for coping with the difficulties of academic life and, what is important, they are ready to use them. Greater awareness and openness may also result from the fact that the topic of equality and the rule of law is being raised more and more frequently at the university, and the statements made are implemented, i.a. in the area of activities carried out by the Equality Specialist at the University of Warsaw (as part of the HR Excellency project) or appointed by the Rector’s Authority working group for contacts with the Police on acts of aggression against foreign students and PhD fellows (coordinated by the Head of the International Relations Office), whose task is, i.a., monitoring the situation at our university as well as prevention and education. All these activities create a supportive climate for a constructive coping with emerging difficulties or irregularities.

The Ombudsman operates in accordance with principles and procedures developed in previous years that seem to respond to the needs of members of the academic community. An important facilitation for the completion of entrusted tasks

is the enlargement of the Ombudsman's Team by a new employee. Enlarging the team slightly changes the nature of activities of the Ombudsman. At this stage of institution's development, it is no longer possible to treat all persons reporting a case in a personal way, but the effectiveness, efficiency and speed of completed activities is definitely increased.

Communication with students is still a challenge for Ombudsman, including cooperation with representatives of student government (which is improving every year, but in the opinion of the Ombudsman it still does not achieve a desired level), as well as an effective access to all students with information about the function and the role of Ombudsman. According to the Ombudsman, there remains an important problem to be solved in the area of student affairs, namely the mode and effectiveness of the Scholarship Commission operation (in particular in the area of social affairs).

In the opinion of the Ombudsman, a key problem to be solved in the area of personnel affairs is an introduction of solutions that enable effective coping with accusations of mobbing. The problem of mobbing is real and the lack of systemic solutions in this area has a destructive impact on entire units. Toxic for the functioning of a given unit may be both a situation in which an employee is actually harassed (mobbed), and due to the lack of clear and transparent operating procedures, there is no unequivocal diagnosis of the existing problem and appropriate corrective and disciplining actions, as well as situation in which someone unjustifiably accuses another person of mobbing, and in the absence of adequate procedures, the person has no possibility of unequivocally clearing his/her good name. An introduction of the anti-mobbing procedure would also be significant for building the image of the University of Warsaw as a university that cares about respecting the law as well as the well-being of its personnel. The Code of Ethics of UW personnel would also be a useful document for strengthening desired standards of academic life and improving life quality of the academic community members, especially helpful in situations where different groups of employees have a different view of what is right and proper in interpersonal relations, superiors, subordinates and students.

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